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# Involvement of the Social Partners in the European Semester: 2016 Update

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# Involvement of the Social Partners in the European Semester: 2016 Update

## **Abstract**

[Excerpt] The European Semester is a key component of economic governance in the European Union, aimed at coordinating the fiscal and economic policies of Member States. Although the role of social partners in the process is not defined in the European economic governance provisions, European institutions consider them to be key actors and have called for them to be more closely involved. The participation of the social partners is crucial for enhancing the ownership of European policies and ensuring meaningful implementation, as acknowledged in the Employment Guidelines.

## **Keywords**

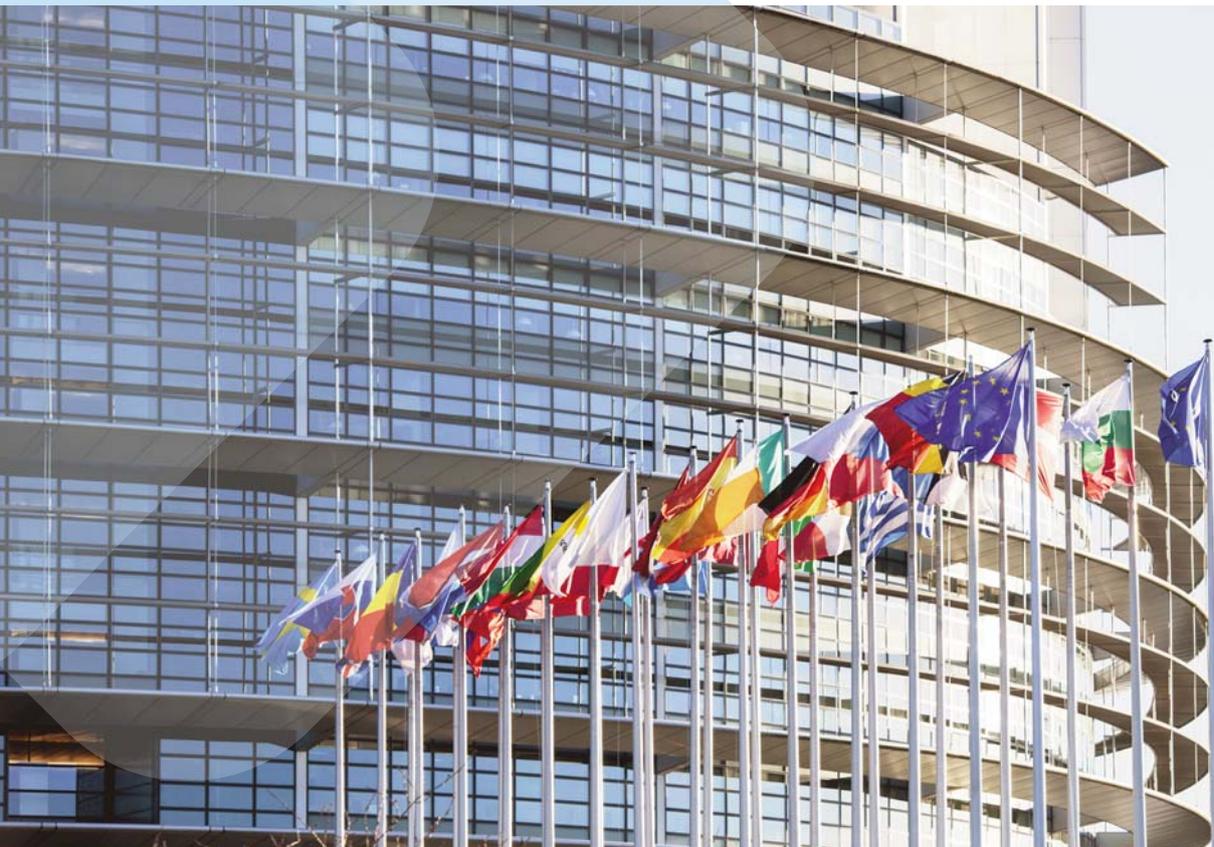
European Union, social partners, participation, economic policies

## **Comments**

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# Involvement of the social partners in the European Semester: 2016 update





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**Author:** Ricardo Rodriguez Contreras, Eurofound

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**European Foundation for the Improvement of Living and Working Conditions**

**Telephone:** (+353 1) 204 31 00

**Email:** [information@eurofound.europa.eu](mailto:information@eurofound.europa.eu)

**Web:** [www.eurofound.europa.eu](http://www.eurofound.europa.eu)

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## Country codes

### EU Member States

AT	Austria	FI	Finland	NL	Netherlands
BE	Belgium	FR	France	PL	Poland
BG	Bulgaria	HR	Croatia	PT	Portugal
CY	Cyprus	HU	Hungary	RO	Romania
CZ	Czech Republic	IE	Ireland	SE	Sweden
DE	Germany	IT	Italy	SI	Slovenia
DK	Denmark	LU	Luxembourg	SK	Slovakia
EE	Estonia	LT	Lithuania	UK	United Kingdom
EL	Greece	LV	Latvia		
ES	Spain	MT	Malta		

## Abbreviations used in the report

CSR	country-specific recommendation
EMCO	Employment Committee
EPSCO	Employment, Social Policy, Health and Consumer Affairs Council
NGO	non-governmental organisation
NRP	National Reform Programme

# Executive summary

## Introduction

The European Semester is a key component of economic governance in the European Union, aimed at coordinating the fiscal and economic policies of Member States. Although the role of social partners in the process is not defined in the European economic governance provisions, European institutions consider them to be key actors and have called for them to be more closely involved. The participation of the social partners is crucial for enhancing the ownership of European policies and ensuring meaningful implementation, as acknowledged in the Employment Guidelines.

## Policy context

The involvement of the national social partners in the European Semester has evolved gradually since its initiation in 2010, with some improvements in recent years. Yet the Annual Growth Survey 2015 highlighted the need to strengthen the role of social partners in economic governance at both European and national level. On 5 March 2015, at the high-level conference ‘A new start for social dialogue’, organised by the European Commission, it was announced that the 2015 country reports would be published earlier to allow the social partners and governments more time to discuss the National Reform Programmes (NRPs).

Following the recommendations in the Five Presidents’ Report issued in June 2015, the Commission proposed in October 2015 to revamp the European Semester process and to encourage greater involvement of the social partners during the drafting of NRPs. The cross-industry European social partners (ETUC, BUSINESSEUROPE, CEEP and UEAPME) adopted a joint declaration on 26–27 January 2016 which emphasised the importance of involving social partners in European economic governance and the European Semester. This declaration was endorsed on 27 June 2016 by a quadripartite statement, also signed by the European Commission and the Council.

## Key findings

In most Member States, the involvement of the social partners in the European Semester is carried out in a relatively smooth way. In a number of Member States there has been an improvement in the procedures for involving the social partners. However, significant differences and outcomes remain in the quality and effectiveness of social partner involvement in the European Semester process.

Overall, the social partners reported no relevant changes in their involvement in the drafting and adoption of the NRPs over the past two European Semester cycles. This assessment includes those countries in which the process was unsatisfactory in the first place. In addition, there is still room to achieve a more institutionalised approach to the social partners’ involvement in the European Semester, particularly in Member States where this is currently lacking.

While the social partners in some countries reported some improvements in different aspects of the involvement process, others expressed concern that it had deteriorated in the 2016 cycle. The reasons cited for this negative assessment are disparate and merit more nuanced contextual information. Moreover, different views can be found among social partners within the same Member State.

In some Member States, the social partners consider their involvement to be informative rather than consultative. When a broader consultation takes place and there is the opportunity to express an opinion and to share a written position, it is reported that real exchanges between the social partners and the government do not take place. Most social partners do not consider this process to be a genuine consultation – unlike the processes they may take part in within the social dialogue framework at national level.

### Social partner views not visible enough

The number of social partner opinions formally annexed to the final NRP has increased from the period 2011–2014. However, this list is still too short and not all practices to achieve this follow the same efficient pattern.

Most of the social partners are of the opinion that their views influence the NRP in some way, although to a limited degree. This perception of achieving influence is open to a wide range of interpretations, some of them mixed, as national industrial relations systems and social dialogue structures and practices strongly condition the outcomes of the processes.

### More holistic involvement needed

The time allocated for consultation with the social partners has increased slightly in some Member States. Nevertheless, the social partners highlight the need to improve upon this to further their involvement in the European Semester process. They want to see as much time as possible allocated for discussion, and also an earlier start to their involvement in the European Semester cycle.

Processes in some Member States may involve the social partners at more European Semester junctures, which means earlier participation and developing exchanges at different stages.

### Commission now plays more active role

Mainly by appointing the European Semester Officers, the European Commission now plays a more active role by informing social partners and stakeholders on European Semester developments.

### Policy pointers

- Following Commission President Jean-Claude Juncker's focus on the involvement of the social partners and the quadripartite agreement on a new start for social dialogue, closer interinstitutional coordination between national governments, social partners and the European Commission should help to improve the efficiency of the European Semester. Proper involvement means having real discussions and an exchange of views that are traceable. It should not be a formal bureaucratic exercise, but rather a way to jointly build up legitimacy, boost the engagement of social partners, and lead to better and more accurate reforms.
- Shared ownership of the process and the outcomes between all players involved should be a desirable goal of European Semester policy coordination. It would emphasise the triangular relationship and coordination between the main players. This possibility should take account of national peculiarities in social dialogue and the autonomy of the social partners.
- Social partner involvement may benefit from the full-cycle approach that forms part of the very nature of the European Semester. This annual cycle approach could guide the timing and the stage of the social partners' participation. If the social partners feel more engaged in the developments along the different stages of the process – and not only during the single time slot for reviewing the NRP – this would reinforce their ownership of the outcomes.
- Transparency and accountability may help the social governance of the process. The social partners' views given throughout the NRP consultation could be made more visible to stakeholders and citizens.
- More and better time management throughout the whole process would help to increase the quality of the social partners' overall involvement, while also improving the transparency and social governance of the European Semester.
- Expanding the involvement along the whole process would strengthen trust and improve understanding of common views, while also contributing to the building of institutional and technical capacity among those organisations which claim to lack it.
- Although social partner involvement should respect national practices, applying the acknowledged standards on information and consultation, as defined in EU labour law, would help to improve the efficiency of the process.
- The topics addressed by involving the social partners might be further extended beyond the boundaries of strict employment and social issues, as other policies and reforms are not only closely linked to them but also strongly influence them.

# 1 Revisiting the main features of the European Semester

The European Semester is a key element of the European Union's economic governance aimed at coordinating the fiscal and economic policies of Member States. It sets up an annual cycle of economic policy guidance and surveillance whereby the European Commission undertakes detailed monitoring and analysis of Member States' plans for budgetary, macroeconomic and structural reforms. In turn, Article 152 of the Treaty on the Functioning of the European Union (TFEU) recognises and promotes the role of social partners at European level, taking into account the diversity of national systems, and facilitates dialogue between social partners while respecting their autonomy.

In 2015, Eurofound carried out a comparative analysis of the role played by social partners at both national and European level in different junctures of the European Semester, focusing on employment and social policy (Eurofound, 2016a). The report covered the period from 2011 to 2014 and sought to provide insights on how national social partners were involved in the National Reform Programmes (NRPs).

This report presents Eurofound's update on the involvement of national social partners in the European Semester, describing the main developments and changes compared with the previous report. The main aspects covered refer to the involvement of social partners in the drawing up of NRPs and the extent to which they are heard or play any role in the whole European Semester process with regard to social and labour policies.<sup>1</sup> The report also looks at the role played by the European Commission, particularly in communicating the country reports, country-specific recommendations (CSRs) and other key European Semester documents, and mainly from the point of view of the social partners.

The information and findings of this update are based on an assessment by Eurofound's network of European correspondents and by stakeholders contacted at national level. Supplementary desk research was carried out by analysing the country overviews (fiches) prepared separately by governments, employer organisations and trade unions which were discussed at the Employment Committee (EMCO) meeting on 23 October 2016.

The report covers the period from 2015 to 2016, with the main focus on the most recent cycle of the European Semester in 2016, which covers the junctures in the cycle from the Annual Growth Survey 2016 published in November 2015 (European Commission, 2015a), the country reports in February 2016, the NRPs in April 2016, the set of draft CSRs in May 2016 and the final CSRs adopted in July 2016.

## European Semester developments concerning social partner involvement

The European Semester applied in the European Union has evolved gradually since it was introduced in 2010. Nevertheless, it still provides the same guidance and surveillance of economic trends while detecting, monitoring and preventing excessive government deficits or public debt levels.

The role of social partners in the European Semester is not set out in the European economic governance provisions – the so-called 'Six-Pack'. Nevertheless, European institutions consider the social partners as key actors in the procedure and have called for their closer involvement. The participation of the social partners is crucial for enhancing the ownership of European policies and ensuring meaningful implementation. In addition, Employment Guideline No. 7, integrated in the package with the Broad Economic Policy Guidelines, states that:

*In line with national practices, and in order to improve the functioning and effectiveness of social dialogue at national level, Member States should closely involve national parliaments and social partners in the design and implementation of relevant reforms and policies.*

(Council of the European Union, 2015, p. 32)

Since 2015, several developments have enhanced the involvement of social partners in European Semester activities. Yet the Annual Growth Survey 2015 stressed the need to strengthen the role of the social partners in economic governance at both European and national level.

On 5 March 2015, the European Commission organised a high-level conference, 'A new start for social dialogue',

<sup>1</sup> Other key policies embedded in the European Semester such as the coordination of fiscal policies or the macroeconomic imbalance procedure are outside the scope of this report.

aimed at relaunching social dialogue. The involvement of the social partners was widely debated and several means were announced to achieve this, among them the earlier publication of the country reports in 2015 to give more time to the social partners and governments to discuss the NRPs. The lack of time to properly analyse the NRPs and to prepare feedback has been a frequent complaint by national social partners.

To follow up the commitments and ideas discussed at the conference, the Commission established two Thematic Working Groups. These groups were composed of representatives from social partners at European, national, cross-industry and sectoral levels, governments and the General Secretariat of the Council. Eurofound was invited to participate in these groups. Achieving more substantial involvement by the social partners in the European Semester was one of the subjects debated.

Following the recommendations in the Five Presidents' Report published in June 2015 (Juncker et al, 2015), the European Commission proposed in October 2015 to 'revamp' the European Semester process (European Commission, 2015b). As a signal that it was taking the negative social consequences of economic adjustments into account, the Commission also proposed to:

*encourage 'stronger involvement of social partners' during the drafting of NRPs and develop common benchmarks for upward convergence, e.g. measuring the quality of labour contracts.*

(Stuchlik, 2016, p. 4)

Likewise, among other fiscal and budgetary measures (for example, to set up an advisory European Fiscal Board), for the first time the Commission made use of employment and social indicators (activity rate, long-term unemployment and youth unemployment) in the Alert Mechanism Report.

As a result of the discussions held in the two Thematic Working Groups on social dialogue, the cross-industry European social partners adopted a joint declaration on 26–27 January 2016 aimed at promoting greater effectiveness and a better functioning social dialogue. These were the European Trade Union Confederation (ETUC), the Confederation of European Business (BUSINESSEUROPE), the European Centre of Employers and Enterprises providing Public Services and Services of General Interest (CEEP) and the European Association of Craft, Small and Medium-sized Enterprises (UEAPME). In particular, the declaration stressed the importance of involving social partners in European economic governance and the European Semester, and in assessing, designing, agreeing and implementing

relevant reforms and policies. In this joint declaration it is stated that:

*35. Most progress is needed at national level to ensure that national consultations of social partners are organised in a more consistent and structured manner at the different stages of the semester. In particular, national social partners should be given the opportunity well in advance to contribute to the setting of the agenda and meeting documents.*

(ETUC et al, 2016)

The joint declaration was followed on 27 June 2016 by a quadripartite statement, now also including the European Commission and the Council. In this statement, the Presidency of the Council called on Member States to take the necessary steps to:

*ensure the timely and meaningful involvement of the national social partners, while fully respecting national practices, including throughout the European Semester, in order to contribute to the successful implementation of Country Specific Recommendations (CSRs).*

(European Commission, 2016, p. 3)

Following this track, for the first time, EMCO, the main committee supporting the work of the employment and social affairs ministers in the context of the Employment, Social Policy, Health and Consumer Affairs Council (EPSCO), organised a dedicated meeting on 24 October 2016 to discuss the involvement of social partners in the European Semester at national level. The discussion was framed as a multilateral surveillance review based on CSRs and the Employment Guidelines and key messages on successful involvement of social partners in national European Semester processes were agreed and delivered to the EPSCO President.

## Key findings of previous Eurofound report

The report, *Role of the social partners in the European Semester*, highlighted the following findings (Eurofound, 2016a).

The social partners are involved in the NRP process in most Member States, although those in Croatia (from 2013), Hungary and Romania have had no involvement at all. In most Member States, the involvement of the social partners takes place mainly within already established social dialogue structures and institutional frameworks. Some of these had approved measures to establish formal structures for involving the social partners on matters regarding the European Semester and the Europe 2020 strategy.

There were significant differences between Member States regarding the degree of involvement of social partners. These differences were related to the regularity and predictability of the exchanges and

meetings, the time allotted for the consultation and whether it was balanced (that is, both trade unions and employer organisations were consulted equally).

The study revealed that the social partners in six countries had no influence on the content of their NRPs. In 13 Member States, the social partners stated that they had 'limited' or 'very limited' influence. Only in five Member States did the social partners believe that they have had a high impact on the content of their NRPs.

The report shows that the European Commission had established contacts with national social partners in 12 Member States to discuss the CSRs once they had been adopted or to debate general issues related to the European Semester.

The report drew the following policy conclusions.

- The social partners could have more involvement in the Annual Growth Survey, the country reports and the discussions in the EMCO, the Social Protection Committee (SPC) and the informal EPSCO.
- Many Member States have specific social dialogue structures for the involvement of the social partners. Those countries without such structures could consider their creation.
- The national authorities could consider improving the degree of institutionalisation of the involvement of the social partners in the NRP.
- The national authorities could consider a more effective and transparent involvement of the social partners in the NRP so as to improve their impact on its content.
- The European Commission should encourage, with national authorities, a timely process in order to provide better and more accurate information to the social partners on the content of the CSRs and, in particular, to explain why it issues certain CSRs.
- The Commission and the national authorities could envisage a stronger involvement of the social partners in the implementation of the CSRs.
- The Commission could monitor and report whether suggestions to implement certain CSRs in 'consultation with the social partners' were heeded.

## Current methodology and information analysis

This update has assessed recent developments over the past two years in comparison with the situation at the end of the period from 2011 to 2014. The update is based on the assessment by Eurofound's network of European correspondents of responses to a

questionnaire based on the information gathered in 2014. Some new topics were added to the questionnaire and some other aspects were amended slightly in order to obtain a more accurate picture of the involvement of the national social partners. The update seeks to give a dynamic view of the evolution of the participation of the social partners in the European Semester and particularly their involvement in the NRPs rather than carrying out a complete new evaluation of the situation.

The replies to the questionnaire were to be based on desk research and the collection of the opinions of relevant stakeholders at national level. Eurofound's network of European correspondents collected 161 answers, distributed as follows:

- 46 from employer organisations;
- 62 from trade unions;
- 30 from government representatives;
- 23 from European Semester representatives, mainly European Semester Officers.<sup>2</sup>

Although this update does not claim to be statistically representative, the number of views gathered enabled a robust assessment of the current situation.

The information gathered from the national social partners has been analysed and grouped in summary tables, following the assessment by Eurofound's national correspondents and other input. In this sense, the tables presented help to group countries and social partners' views and to visualise the bigger picture at a glance, although there is a risk of misleading interpretations. The report offers more nuanced and precise assessments to duly explain the simplified information in the tables.

Contacts were mainly made with peak-level social partners, that is, those that should be involved in the European Semester process. The report is based primarily on the direct views provided by the national social partners and therefore the key people interviewed expressed opinions related to the side of industry they represented. Furthermore, these subjective opinions on social partners' participation in the European Semester may also be influenced by the general state of national social dialogue.

All the national social partners interviewed stated they had been in contact with the European social partners to which they are affiliated during the course of the European Semester, particularly regarding their role in the elaboration of the NRP. These contacts were mainly through sending information, their views and policy priorities relating to the European Semester.

<sup>2</sup> European Semester Officers are European Commission officials based in the representation premises in the capital city of every Member State. These economic policy experts can help to explain the details of European economic governance to national stakeholders. Their mission is also to obtain a balanced picture of the challenges faced by the Member State so that the annual CSRs will best reflect the realities on the ground. They work together with all relevant groups across society including ministries, national, regional and local parliaments, social partners and other interest groups.



## 2 Developments and changes in involvement of social partners

In terms of scope of this update, it is important to bear in mind that the financial assistance support provided in macroeconomic adjustment programmes in the last period 2011–2014 replaced the obligation to submit an NRP in three countries: Greece, Ireland and Portugal.

In the 2016 cycle, Greece was the only Member State exempted from the monitoring and assessment of the European Semester for economic policy coordination for the duration of the macroeconomic adjustment programme. The Greek Ministry of Finance reported that:

*consultation with the social partners did not take place chiefly due to the reduced role of the NRP in our country in terms of policy development. When the country re-joins the process and the NRP has the relative gravity that it needs, the social partners will be able to state their positions, both before it is written and at the draft stage, just as occurred in the past.*

Nevertheless, although the economic adjustment programme replaced the NRP for Greece, the Greek authorities decided to participate in the procedures of the European Semester, and prepared and submitted a NRP in April 2016.

The starting point for this evaluation is the assessment by Eurofound in 2015 covering the period 2011–2014 (Eurofound, 2016a). At that time, national social partners in the vast majority of Member States (22) were involved to some extent in the elaboration of the NRP: Austria, Belgium, Bulgaria, Cyprus (partially), the Czech Republic, Denmark, Estonia, Finland, France (partially), Germany, Italy, Latvia, Lithuania, Luxembourg (partially), Malta, the Netherlands, Poland, Slovakia, Slovenia, Spain (partially), Sweden and the UK. In contrast, social partners in Croatia, Hungary and Romania were not involved in the definition or implementation of their NRP. Greece, Ireland and Portugal were exempted from the monitoring and assessment of the European Semester for the duration of their macroeconomic adjustment programmes.

Table 1 summarises the social partners' perception of recent developments in the running of their involvement in the elaboration of the NRP in the period 2015–2016. Views are presented both separately and taken together.

First, it should be noted that there are a significant number of countries where trade unions and employer organisations agree in their assessment of the evolution of the situation. This contributes to confirming the robustness of the assessment.

Furthermore, the overall political context can also affect the regular progress of the European Semester and particularly the elaboration of the NRP, as happened in Ireland and Spain where general elections took place during the first half of 2016. The referendum vote in the UK to leave the European Union was also an influential factor in the overall development of the European Semester in that country.

In most Member States, the social partners reported that no relevant changes had happened regarding their involvement in the elaboration and adoption of the NRPs over the past two cycles of the European Semester.

Trade unions in **Slovenia** reported that no major changes had occurred regarding their involvement in the NRP. However, the employer organisations highlighted an erosion in social dialogue even though the social agreement for 2015–2016 was finally signed on 5 February 2015 after six years of contentious discussions. The employer organisations decided to withdraw from the agreement in November 2015 after Parliament approved amendments to the minimum wage legislation despite a lack of agreement on this by the Economic and Social Committee (Eurofound, 2016b). The employer organisations stressed the lack of trust, resulting in difficulties in reaching consensus on legislative changes or other labour issues among the social partners. In July 2016, there were some attempts to re-establish the level of social dialogue at national level.

No change did not necessarily mean fair involvement for the social partners. In **Hungary**, for example, the social partners reported that the situation had not changed but that in fact meant there had not been a meaningful information exchange, consultation or involvement in the NRP as social dialogue as such has not played a substantial role in this country in recent years. The same situation applied in **Spain** regarding the unchanged situation; the social partners stated that there had been no consultation and limited information, that is, following the same trends in 2015 as in the previous period.

Nevertheless, social partners in some countries reported improvements in different aspects of the involvement process. In **Luxembourg**, the trade unions highlighted that the government had sent its document earlier than in the previous year before the two meetings held with the Economic and Social Committee. In **Portugal**, the improvement relates to the fact that the social partners in the 2016 cycle had more experience and were given more time to assess the NRP.

**Table 1: Social partners' views of developments in their involvement in elaboration of the NRP, 2015–2016**

National social partners	Considerable improvement	Slight improvement	No change	Deterioration
Employer organisations	BE (FEB/VBO), CY (OEB), RO	BG (BIA), EE, IE	PT (CIP), UK	PT (CCP), SI
Trade unions		PT, RO	BE (CSC/ACV, FGFB/ABVV), BG, EE, IE, RO (CSDR), SI	UK
Employer organisations + trade unions		CY (CCCI), HR, LT (2015), PT	BG, CZ, DE, DK, ES, FI, FR, HU, LU, MT, NL, PL, SE	LT (2016), LV

**Notes:** Greece was not included in the study as it was exempt from NRP obligation in 2015–2016, therefore it is not included in this or in subsequent tables. Organisations in some Member States did not answer this question, or did not answer clearly enough. Individual names of specific social partner organisations are cited in the table to highlight when they were the only employer or trade union organisation giving a particular view. See Annex for a full list of social partners cited in the report.

**Source:** Author's own elaboration based on responses to the questionnaire

In particular, this was the perception of the unions. In the **Czech Republic**, a more proactive approach to social dialogue started in 2015. This was not a formal change in the process but part of the political willingness to communicate and accept social partners' suggestions. The government has been searching for an effective format for the long term under which social partners are able to become involved in the European Semester process.

It is worth emphasising that, in a number of other countries, no trade union organisation felt there had been 'considerable improvement' in its involvement in recent years. However, a few employer organisations in Belgium, Cyprus and Romania supported this positive evaluation.

Not surprisingly, different views can be found among social partners within the same Member State (Belgium, Estonia, Ireland, Slovenia and the UK).

For example, in **Portugal**, the assessment of the Portuguese Trade and Services Confederation (CCP) and the Confederation of Portuguese Business (CIP) for 2016 is less positive than the assessment of the trade union confederations, the General Confederation of Portuguese Workers (CGTP) and the General Workers' Union (UGT). The employer confederations base their views on the limited time given to the social partners to issue their opinion in the context of the Economic and Social Council (Conselho Económico e Social), which did not allow their views to be included in the final NRP. CGTP's assessment, although highlighting the same problem, was more positive on the grounds that they felt the government was more open to considering labour concerns. UGT highlighted that it was consulted not only at the Economic and Social Council but also earlier at the Social Concertation Standing Committee. Nevertheless, the consultation procedures involved all the social partners in the context of both the Economic and Social Council and the tripartite Social Concertation Standing Committee.

On the contrary, the Estonian Employers' Confederation (ETK) in **Estonia** reported that its involvement in the elaboration of the NRP had improved somewhat as the process had become more transparent. ETK representatives stated that they had been more involved in the process of elaborating the NRP compared with previous periods. However, representatives of the Estonian Trade Union Confederation (EAKL) expressed the view that they had not seen any relevant change in the involvement mechanisms.

Furthermore, trade unions in **Romania** and employer organisations in **Cyprus** reported differing opinions within their organisations. CSDR did not register any improvement in Romania, where social partners deplored the absence of a working group created specifically for the NRP as well as the lack of any means of systematic consultation.

Some social partners expressed concern that their involvement had deteriorated in the 2016 cycle. Reasons claimed for this negative assessment are disparate and the cases in which a deterioration of the situation was stressed deserve a more detailed explanation.

The Ministry of Economics in **Latvia** had one meeting with social partners in 2016 regarding the NRP. It was the only opportunity for the social partners to discuss the last version of the document before submission of the NRP to the Cabinet of Ministers and the social partners did not have enough time to study it. This is why both employer and employee representatives assessed the situation as having deteriorated compared with the previous round in 2015. Nevertheless, these opinions must be nuanced. The Latvian Employers' Confederation (LDDK) acknowledges that around 30% of its proposals were incorporated into the final version of the NRP, which means that its efforts were not utterly useless. This information was confirmed by the Ministry of Welfare's perception that the level of influence of the

social partners had been ‘high’ and ‘good’. In addition, the social partners agreed that many of the topics included in the NRP had been discussed at the National Tripartite Cooperation Council meetings, in which the social partners did participate. Therefore, this additional information may suggest that the deterioration of the involvement as denounced by the social partners may in fact have been rather relative.

The case of **Lithuania** is peculiar in terms of the deterioration as analysed by the social partners. It has been reported that more consultations were organised in the 2015 cycle than in 2011–2014 European Semesters. Nevertheless, the Commission for supervision of the NRP, which is composed of government and ministry representatives, decided in 2016 that the NRP should now be approved by a government resolution (in other words, as a separate legal act), thereby putting the NRP onto a higher statutory level than before. In addition, common rules of drafting legislation applicable to all legal acts also applied to the NRP from 2016 onwards and all members of society can now make comments or submit proposals to the NRP. Accordingly, the social partners are no longer a privileged group of society to be consulted in the process, something which may in their view be considered a worsening of their involvement.

In the **UK**, both national-level social partners – the Trades Union Congress (TUC) and the Confederation of British Industry (CBI) – stated there had been no meeting or involvement in 2015 due to the looming general election and that neither meeting nor meaningful discussion took place in 2016 – either in the pre-referendum period or subsequently. According to the unions, this late deterioration has been driven by the expectation that the UK might not be a member of the EU due to BREXIT by the end of the next part of the European Semester programme.

## Changes in institutional structures of involvement

Consistent with the scarcity of developments reported above, there were few changes in the institutional structures within which the involvement of social partners took place. As discussed in the previous report with respect to the settings where social partners’ involvement in the European Semester takes place (Eurofound, 2016a), it must be acknowledged that in some Member States this takes place within already established social dialogue structures and institutional frameworks (tripartite or bipartite bodies). Furthermore, some other countries (Bulgaria, Denmark, Finland, France, Poland and Sweden) have approved specific provisions, rules and/or memoranda establishing formal structures for consultation between social partners and governments on matters associated with the Europe 2020 strategy.

In **Poland**, the key interdepartmental body related to the European Semester is the Europe 2020 Team. In 2015, a new tripartite dialogue body, the Social Dialogue Council (Rada Dialogu Społecznego) began work (Eurofound, 2015). Within the Social Dialogue Council’s structure, a Problem-Focused Team for Economic Policy and Labour Market has been created and trade unions expect this will provide a more effective platform for debate between the government and the social partners with regard to the European Semester than the Europe 2020 Team.

The only remarkable change in the settings of the involvement has taken place in **Slovakia**. Social partners were exceptionally involved in the NRP 2016 via a cross-sectoral commenting committee (MPK), instead of the Economic and Social Committee (HSR), due to changes in the composition of representatives of the new coalition government at the latter. The MPK is a consultation body of the government covering more than 40 organisations of central and regional administrations and the social partners.

A double channel of involvement was reported in **Croatia**. While the Economic and Social Council discusses some of the NRP documents, both national-level social partners have specific meetings with the government.

In **Ireland**, the government hosted a National Economic Dialogue in 2015 and 2016 with the objective of facilitating an open and inclusive exchange on the competing economic and social priorities it faced.

In **Italy**, the dialogue with the social partners takes place on the basis of rather informal meetings and other exchanges, as hearings with them also take place at parliamentary level, particularly during discussions on draft legislation. In 2016, the tripartite National Institution for Labour and Economics Affairs (CNEL) filed a formal note on the social partners’ involvement in the NRP which refers to the consultation process in the NRP, although no formal meetings on the NRP were held in 2015 and 2016. Nevertheless, according to the views expressed by the social partners, the informal consultation is appreciated and considered fruitful. Recent developments reported the future dissolution of the CNEL and, in June 2016, the government began a consultation process with the social partners on possible pension and public sector reforms, including a wide range of social and labour topics.

## Changes in content of NRP

Equally, hardly any changes were reported with regard to the content of the documents and materials provided for the involvement of social partners.

The social partners in the vast majority of Member States received a complete draft NRP. Sometimes, the submission of documents includes the delivering of

successive versions. In Croatia and Romania, the social partners stated they had received only partial content, which included specific chapters on employment.

In some Member States (Finland, Hungary, Spain and Sweden), the social partners reported not having received the draft NRP. In the case of the **Nordic countries** (Denmark, Finland and Sweden), this seems not to be very relevant as the general continuous national policymaking and consultation processes mean that the social partners were aware of what the essential contents of the NRP would be before the NRP was finalised. Social partners generally also thought they had had adequate information on the NRP contents through other policymaking channels during the elaboration stage. For instance, contacts between the government and the social partners regarding the NRP in **Finland** are limited, yet continuous on economic and social policy in general. So while there is no formal consultation process on the NRP, the social partners confirmed that they are being truly consulted through their participation in the continuous policymaking. European subcommittees of other ministries may also discuss the European Semester with the social partners. Standard meeting minutes aside, there is no written output.

Social partners in **Hungary** declared that they did not receive the NRP and that the government just sent an invitation to participate without written materials or documents. The Hungarian government, however, has pointed out that the elaboration of the NRP is carried out in several stages involving stakeholders and business associations. The public discussion and involvement process cover different forms (for instance, workshops and meetings), depending on the topics at stake within the framework of the Europe 2020 strategy and the CSRs. These preparatory activities take place before the submission of the NRP to the central consultative body, the National Economic and Social Council. According to the trade unions, however, discussion of the NRP at the National Economic and Social Council was removed from the agenda in 2016, preventing its debate, and that in 2015 the discussion was included as ‘other issues’ in the agenda and the subsequent formal memorandum of the meeting does not contain any reference to this discussion.

In addition, trade unions in some countries – for example, the German Confederation of Trade Unions (DGB) in Germany, CGTP in Portugal and the General Workers’ Union (UGT) in Spain – highlighted complaints about the scope of the consultation and the topics discussed, and not just the form of involvement. Although this study looked only at the social and employment fields of the NRP and the European Semester as such, trade unions in particular find their involvement limited to labour market, social and training issues. Trade unions regret the lack of debate and critical assessment of the fundamental European economic policy strategies and recommendations on

the part of the European Commission. They miss the consultation on fiscal policy and their consequences for public expenditure (pensions, health sector and so on), and regret the interference in the increase in minimum wages or in collective bargaining. According to the unions, the CSRs in recent years have proved to be the most determinant and influential juncture of the European Semester process, having effects on national employment and social policies. Against this rather political background, the form of consultation is of secondary importance for the DGB in Germany, for instance, as it is seen as very limited in generating an influence on policymaking.

In the **UK**, the referendum appeared to diminish the interest of social partners in putting forward strong views on the CSRs, though they contributed as usual to the analysis in the country report. This limited both their usefulness as an audience for a full presentation of both the country report and the final CSRs, although these were not presented formally as in previous years.

The juncture of the elaboration of the NRP at which the involvement took place may demonstrate the degree of fluency in the flow of the consultation. In most Member States, the social partners reported having received the NRP once it had been finalised and before its submission to the European Commission. In addition, the social partners may have been involved in different stages of the process after the preparatory tasks or before the formal delivery of the draft final NRP. According to the replies received, it is not completely clear in some countries if these exchanges formed part of a wider interaction within the European Semester cycle as such, as has been reported by several social partners. In **Luxembourg**, for example, a first meeting between the social partners and the government was held in January 2016 within the framework of the Economic and Social Committee. The government, the unions (General Confederation of Civil Servants (CGFP), the Luxembourg Confederation of Christian Trade Unions (LCGB) and the Luxembourg Confederation of Independent Trade Unions (OGBL)) and the employer organisation, the Union of Luxembourg Enterprises (UEL), gave their positions on the Annual Growth Survey at this meeting. A second meeting took place in March 2016 after the European Commission published the country report in February 2016, when the social partners could again set out their positions. A third meeting was organised after the adoption of the CSRs by the European Council.

## Changes in timing of involvement

Some improvement was reported in one of the most widespread complaints by the social partners, that is, the lack of time to properly analyse the content of the NRP. Some improvements were reported in some

countries (Croatia, the Czech Republic, Luxembourg, Portugal and Slovenia). In the **Czech Republic**, for example, coinciding with the advance publication of the country reports in 2015 by the European Commission, the government allowed a longer time period over which to conduct national discussions and consultation, particularly with social partners.

Notwithstanding these slight improvements, social partners still criticised the tight window they were given in which to participate efficiently in the assessment of the NRP. This was six days in Germany and four days in Spain, while in Belgium, the Belgian General Federation of Labour (FGTB/ABVV) noted that it received the almost finalised version about two to three days before the deadline, making real input by the unions difficult. Therefore, it is likely that the social partners will continue to call for more time to give their opinion within the European Semester process. By and large, the position of governments is quite similar to that of the German Federal Ministry for Economic Affairs and Energy (BMWi), which points out that the drafting of the NRP involves numerous actors (including the social partners) and that the very tight time frame means that the consultation with the social partners has to be very short. BMWi states that there is no way of changing the procedure and of involving the social partners more deeply because it has to comply with the time frame set by the European Semester process.

A timely process regarding internal social dialogue procedures also matters. For example, the government in **Portugal** asked the Economic and Social Council in 2016 to prepare an opinion on the proposed NPR. Nevertheless, this period coincided with the time during which the document was discussed by the country's parliament, making it impossible for the latter to take the opinion of the Economic and Social Council into account.

As mentioned above, external political factors may also affect the run-up to the European Semester and influence the timing of the social partners' involvement, as it happened in Ireland and Spain where general elections took place during the first half of 2016. The subsequent formation of new governments at the time the NRP was being prepared – with new programmes and public budgets yet to be developed – put additional constraints on the consultation on the NRP with the social partners. In the UK, the vote by the public to leave the European Union had a major impact on the social partners' involvement in the NRP.

## What happens to the social partner contributions at national level

Usually, the social partners contribute to the NRP proposed (or the guidelines presented or the specific chapter submitted) by the government by sending

written comments. These comments may be taken into account by the government and, in some countries, are specifically annexed and submitted with the NRP.

The issue of visibility is related to the transparency of the process. Some social partners claim they neither receive feedback from the government on their contributions nor see them attached to the NRP, once it is adopted and provided that they had been submitted in written form.

The social partners' views were clearly identified as being annexed to the final version of the NRP in a few cases in the period 2011–2014, for example Austria, Poland (those from trade unions and small business organisations), Spain (only those of the employers) and Sweden. However, this list has been enlarged over the past two years with the addition of Belgium, France, Lithuania and the Netherlands. Nevertheless, these good practices need to be nuanced.

In **Austria**, for example, only a list of social partner activities (not their views) targeted towards reaching Europe 2020 goals was included in Annex II of the NRP. Similarly disappointing for the social partners in Belgium, the government included the 'Opinion of the Central Economic Council and the National Labour Council' (in French) in the NRP for the first time as Annex 9. It describes how these social dialogue bodies have been informed about the European Semester and provides an overview of the activities both councils had organised in the recent past and which related to the topics addressed in the NRP, but contains no new advice or statement on the NRP. The same process-oriented approach to incorporate the general course of the public consultation and the involvement of social partners was taken in **Poland** (Annex II of the NRP).

In **France**, the views of both the employer organisations and union organisations were published in a separate document called 'Contribution from stakeholders', which also includes the opinions of civil society organisations. The social partners' views are entirely included in the NRP document.

A peculiar case took place in **Spain** where a summary of the views from the Spanish Confederation of Employers' Organisations (CEOE) was included in the NRP 2016, as it had been in the 2015 period. However, CEOE expressed formal disconformity with the description of the consultation process, namely with the following sentence: 'in the NRP 2016, social dialogue was decisive'. Likewise, the trade union UGT rejected the opportunity to send proposals for the NRP in 2016 to a caretaker government. The Trade Union Confederation of Workers' Commissions (CCOO) stated that it sent its views but these were not annexed to the final version of the NRP.

In **Germany**, BMWi plans to publish the social partners' commentaries online in 2017.

**Table 2: Degree of influence of social partners' views on the NRP**

	Significant		Limited		No influence	
	2015–2016	2011–2014	2015–2016	2011–2014	2015–2016	2011–2014
Employer organisations			BE, BG (BIA), CY, LV, SK, UK	DE, ES	AT, RO	
Trade unions			AT, DE		BE, CY, LV, UK	CY, DE, ES
Employer organisations + trade unions		BE, FI, MT, NL, SE	CZ, DE, EE, FI, FR, IE, LT, PT	AT, CZ, EE, FR, IT, LT, LV, LU, SI, PL	DK, ES, HU	BG, DK, UK
Governments	CY, EE, FI		BE, LV, RO, SK			
All parties	MT		HR, LU, SE, SI			

**Notes:** Organisations in some Member States did not answer this question, or did not answer clearly enough. The table was therefore completed according to the author's interpretation.

*Denmark:* Social partners agree on the lack of influence of their views in the NRP and this result is consistent with their assessment during the previous period 2011–2014. Nevertheless, this opinion should be put in the context of the specific national industrial relations system and the considerable participation of the social partners in the whole process of decision-making policies.

**Source:** Author's own elaboration

Another interesting issue concerns the work delivered by the social partners, as some of them claim that they are not informed whether their views and suggestions are taken into account in the final NRP. Beyond the point that this claim might be readily solved by reading the final version of the NRP carefully, it is true that no feedback is typically provided to the comments made by the social partners.

This lack of specific reaction from the government's side contributes to impeding a proper exchange of views and gets away from the idea of developing a formal consultation within the elaboration of the NRP process. The anticipated discussion and exchange is thus compromised and the achievement of a quality involvement jeopardised.

## Degree of influence of social partners in NRP

Table 2 presents a summary of the social partners' assessment of their degree of influence in the final version of the NRP. It also compares the results with those found in the previous Eurofound study (Eurofound, 2016a).

Most of the social partners think that their views influence the NRP in some way, although in a limited manner. This influence admits a wide range of interpretations, some of them mixed. Thus, the social partners in **Luxembourg** pointed out that, although the way they are currently consulted gives them the opportunity to express an opinion and to share a written position, there is no real debate or exchanges between them and between the social partners and the government. In general, the social partners' assessment is of a limited process of consultation on the NRP, as they are mainly asked to provide feedback on a document that has already been drawn up by the

government. There is no real consultation through an exchange of views and documents with the aim of changing the governmental NRP project. In **Germany**, DGB stated that it put considerable effort and time into commenting on the NRP and debating the CSR issues at stake, but that their influence remains superficial.

In **Bulgaria**, the employer organisations consider their influence to be limited as the consultation process is too formal and quite lacking in impact. They state that, although there is consultation, their views are incorporated in a limited way when decisions are taken. Employer organisations also believe that the trade unions have increasing influence, though in cases where both sides of industry share the same views and reach consensus on a certain issue, the government does not take their position into account.

The social partners' assessment of a lack of influence in the elaboration of the NRP in 2016 in **Denmark** should be treated with caution and within the overall context of social dialogue and the social partners' participation in political policymaking. The social partners had the opportunity to send written comments on the programme. They received the final version of the programme for consultation and they commented on the different aspects as they would in any other consultation at this level. But according to the social partners, their views did not change anything regarding the content and were not annexed to the final NRP. However, the government representative interviewed for this update pointed out that the involvement of social partners in the elaboration of the NRP should not be seen as an isolated process:

*One should look at the total influence of the social partners that – as is well known – is rather considerable. The NRP is reporting on already decided issues that the social partners one way or the other have already been involved in.*

In **France**, the social partners highlighted the improvement of the consultation process since 2011 but doubted whether the results have a real impact on the decisions taken by the government or the European Commission. The Movement of French Enterprises (Medef) employer organisation stressed that it has hardly any influence on the content of the NRP, which is why its positions are expressed in a statement annexed to the NRP. The National Federation of Agricultural Holders' Unions (FNSEA) thinks it has sometimes, depending on the issues, obtained minor changes to the wording.

The employer organisation LDDK in **Latvia** considers that the impact of its contributions on the whole process of the NRP is rather formal and thus not very effective. LDDK is therefore seeking more active engagement and discussions on the NRP in the National Tripartite Cooperation Council. Consequently, LDDK would like to see its views annexed to the NRP once it has been adopted by the Cabinet of Ministers.

In **Lithuania**, the social partners consider that the arrangements and agreements they achieve are to a certain extent reflected in the final NRP.

Different social partners' views can be found in Austria, Belgium, Cyprus and the UK, though there are also many coincidences among the employer organisations and the trade unions, and between all the players involved.

In **Austria**, the Austrian Trade Union Federation (AK) stated that social partner involvement is formally strong but that influence on the NRP is limited.

In **Ireland**, the government declared that the views of all stakeholders were taken into account during the preparation of the NRP and, where possible and appropriate, were reflected in the text. However, the Irish Congress of Trade Unions (ICTU) pointed out that this statement is open to interpretation; it questions whether the involvement process constitutes a consultation or is more linked to the national budgetary cycle rather than the NRP as such. Equally, the employer organisation Ibec considers that measures concerning employment and social issues which should be discussed are neither covered nor implemented by the budgetary discussions.

Although no specific involvement took place in 2016 and different to the negative view of the TUC, the CBI in the **UK** considered that its views were reflected in the development of policies outside the NRP and which formed the government's submission.

The social partners in **Malta** agree with the government that the social partners have a strong influence in the European Semester process. In contrast, the assessment of all three parties in **Hungary** is in the opposite direction.

By and large, governments seem more optimistic about the degree of influence of the social partners than the trade unions and employer organisations themselves.

## Role of social partners in implementation of CSRs

The European Semester is an annual cycle which continues during the second half of the year, once the CSRs have been adopted by the European Council. While the Annual Growth Survey for the next year is being prepared, Member States should take into account the recommendations on economic and fiscal policy when drawing up national budgets for the following year, along with the NRPs as well as other commitments (the Stability or Convergence Programmes, if it is the case). Member States must submit their draft budgetary plans to the European Commission and, in the case of euro zone members, to the Eurogroup by mid-October. At this stage, the so-called 'national semester', social partners may play a role in the implementation of these packages of reforms and measures in the social and labour fields.

Table 3 summarises the answers provided by the social partners with regard to their role in the implementation of the CSRs. The results should be interpreted with caution, as the understanding of involvement in this process may lead to different interpretations.

Social partners have polarised and contrasting views on this topic. In one group of countries the social partners coincide in assessing their involvement, usually on an institutional basis. Equally, the social partners in another group of countries reject this involvement.

**Table 3: Social partners' role in implementation of CSRs**

	General involvement	No involvement	Other
Employer organisations + trade unions	AT, CZ, HR, LU, LV, PT, SK	BE, ES, FR, HU, IT	PL
Employer organisations	BG, DK, EE, FI, IE, LT, MT, RO, SI		UK (CBI)
Trade unions		DE, IE	

**Notes:** Cyprus: the Memorandum was not a subject of discussion and its implementation during 2013–2016 was unilateral. Organisations in some Member States did not answer this question, or did not answer clearly enough.

**Source:** Author's own elaboration

Furthermore, an important number of employer organisations reveal much more assent to their participation in contrast with the views of some trade unions in the same country.

Trade unions appear more reluctant than employer organisations to declare being involved in the implementation and some unions explicitly deny this possibility, even their participation in tripartite or bipartite bodies which are institutionally involved in preparatory legislative processes (such as Economic and Social Committees). This may be a consequence of their assessment of their whole involvement in the NRP. Since they feel they are not sufficiently involved in the European Semester process in the first place and that their views are not incorporated in the NRP, they do not feel committed to the national implementation of reforms coming from the CSRs.

Therefore, the social partners' involvement in the national semester becomes a sensitive issue. Their participation in some tripartite or bipartite bodies – usually Economic and Social Committees – in charge of discussions and offering opinions on different legislative initiatives proposed by governments place social partners in an institutional involvement.

This institutional placement may favour their influence in the implementation of reforms. For example, in **Austria**, both national-level social partners are generally involved in reform measures and legislative processes and have the opportunity to provide written statements. In addition, the trade union AK states that the involvement of the social partners in the implementation of the CSRs takes place as part of the ordinary work of the social partners and the government through well-established, but non-formal, agreements. In **Bulgaria**, the employer organisation BIA was involved in drafting documents concerning the country deficit, in actions and discussions for tackling the country's undeclared labour and economy problem, and with proposals and work concerning better information about employment and wages. Furthermore, the social partners have issued joint position statements, for example, on the mechanism for the settlement of the minimum wage or supporting the introduction of the dual vocational education and training system.

Nevertheless, it must be acknowledged that this type of participation, typically an institutional consultation procedure, should not be assessed as an involvement as such. Indeed, some trade unions accept that this involvement exists from a formal perspective, although they reject being seen as actors implementing CSRs set at European level, particularly if they do not agree with their content. Even if this participation takes place, it would be difficult to claim that it is a 'positive involvement' but rather a formal one. These caveats and nuances were expressed in **France, Germany, Lithuania** and **Poland**, although it can be said that

social partners do not directly participate in the implementation of the CSRs. Instead the CSRs are implemented by particular state institutions, although the social partners are bounded by this institutional environment and may actively take part in working groups engaged in drafting employment and labour relations legislation or discussions including those initiated as a result of the CSRs.

As an example of the difficulty in reaching a clear assessment, different types of actions (draft legislation, regulations) taken by the government in **Poland** are consulted in the Social Dialogue Council and are subject to opinions issued based on the Act on trade unions and the Act on employer organisations. Nevertheless, it is difficult to claim that the draft legislation would contain references to the implementation of individual items in the CSR. In other words, the government's actions do not refer directly to implementing a specific recommendation. Some of the actions can be attributed to certain elements of the CSR; however, it is not explicitly articulated during the debate on them.

In **France**, social partners claim that they have no involvement. However, they may be consulted within the framework of the French Labour Code which stipulates that the government has to consult the social partners before any reform in the field of employment and social affairs. Then, when the government implements a CSR through such a reform, it has to 'involve' the social partners.

In **Spain**, social partners consider that the consultation through the Economic and Social Council plays a rather formal role, submitting a written and non-binding assessment on policy reforms. Following this procedure should not lead to the conclusion that national social partners have been involved in the CSRs as it provides an unrealistic assessment. Examples can be found in the irrelevant role played by the Economic and Social Council in the most crucial reforms of the labour market or vocational training unilaterally approved by the government in recent years.

In contrast, **Sweden** has only received one recommendation per year for the past two years, both times regarding the housing market. Thus, the social partners' involvement in the implementation of CSRs in this country has been pretty limited.

## Role of European Commission in involving social partners

The vast majority of social partner representatives interviewed acknowledge the scale of the activity by the European Commission over past European Semester cycles (Table 4). Mainly through the European Semester Officers, the European Commission has taken considerable initiative and played a more active role by informing social partners and stakeholders on European

**Table 4: Interaction of the social partners with the European Commission**

Social partners	High interaction	Some interaction	Low interaction
Employer organisations + trade unions	LV	BE, FR, IE, LT, LU, PL, RO, SI, SK	HU
Employer organisations	AT, EE, PT (CCP)	BG, CY, DE, EE, FI, HR, IE, MT, PT (CIP), SE, UK	ES, SK (AZZZ SR)
Trade unions	FI, SE	AT, ES, PT (UGT)	CY, DE, HR, MT, PT (CGTP), UK

**Notes:** Italy: desk research provides evidence of social partners being contacted by the European Commission.

Social partners in Hungary consider the only meeting they have with the European Commission as a lack of interaction, rather than a low level of interaction. Organisations in some Member States did not answer this question, or did not answer clearly enough.

**Source:** Author's own elaboration

Semester developments. For example, the social partners in **Luxembourg** had for the first time in 2016 a meeting with a European Commission representative within the framework of the European Semester. Generally speaking, social partners in most Member States (Belgium, Luxembourg and many others) welcome this increasing activity and appreciate the efforts made so far. Most social partners provide an explicit positive feedback regarding this activity and request that these contacts and interactions are maintained in 2017 too.

Social partners in all the Member States acknowledged having contact with the European Commission compared with only 12 Member States in the previous period analysed of 2011–2014. According to some of the European Semester Officers interviewed, they also received and replied to more requests for information.

As shown in Table 5, most of the social partners acknowledged having being contacted by European Commission representatives in order to present, discuss and exchange different steps in the run-up to the European Semester, usually coinciding with the launch of key documents and reports. In most countries, the exchanges took place during the whole Semester process and particularly around the launch of the country reports. The table aims to capture the fragmented information received regarding the period of contact and the form of exchange adopted, usually meetings. However, it was not possible to get all the

information for some countries, such as Hungary, and the details of the exact dates of the meetings and contacts became complex as they depended on the personal memories of the interviewees. In any case, the table suggests frequent contacts and exchanges throughout the European Semester process.

The exchanges with the European Commission representatives covered different stages of the European Semester, with the Commission presenting the Annual Growth Survey results, the specific country report and sometimes the draft CSRs to the social partners. The objective of the meetings was the exchange of information, mainly presentation of the country reports or other European initiatives such as the Social Pillar Rights initiative, and also taking advantage of institutional European Commission missions. Different events regarding the presentation of the Annual Growth Survey were organised, which became the beginning of the European Semester process at national level. This is reinforced by the generalised presentation of country reports and, to a lesser extent, the draft CSRs. In only a few countries, views on the CSRs were exchanged just once before they were formally adopted by the European Council.

The meetings took place under different formats, being either separate or joint meetings with the social partners. The events could also have been meetings in tripartite bodies (for example, an Economic and Social Committee) or more general events with a broad range

**Table 5: European Commission's contact with the social partners**

Social partners contacted	Stage of process			Form of contact		
	Annual Growth Survey	Country report	Draft CSRs	Joint meetings	Separate meetings	Other formats
In all Member States except DK, IT	PL, SI	BE, BG, CY, ES (unions), IE, IT, LU, PT, RO	BG, HR, IE, IT, PL,	BE, DE, FI, HR, HU, LU, LV, MT	BE (CSC/ACV), DE (BDA), CY, CZ, EE, ES, FI, FR, IE, LV, PL, SE, UK	BE (CSC/ACV), BG, FR, LV, PT, RO, SK
	AT, CZ, DE, EE, FI, FR, LV, MT, SE, SK, UK					

**Notes:** Organisations in some Member States did not answer this question, or did not answer clearly enough. The Pancyprian Public Employees Trade Union (PASDY) in Cyprus reported that it was not contacted by European Commission representatives.

In some cases (CSC/ACV, BDA), both joint and separate meetings have been reported.

**Source:** Author's own elaboration

of stakeholders such as non-governmental organisations (NGOs) and civil society. For example, there was an official meeting in **Germany** prior to the publication of its country report, and other meetings before and after the publication of the draft CSRs. Meetings took place jointly and separately, sometimes at the request of one of the social partners. In contrast, officials from the European Commission Representation in **Malta** were in touch with stakeholders through the tripartite Council for Economic and Social Development to explain the European Semester process.

In **Hungary**, there was one joint meeting between the social partners and European Semester Officers. Social partners consider this contact as a lack of interaction. Interestingly, the five national Hungarian trade union confederations recently posted a representative to the Trade Union Semester Liaison Officer position.

In **Ireland**, Ibec met staff from the European Commission on their fact-finding mission to give feedback on implementation of existing CSRs and for upcoming country reports. Similarly, according to the CBI, staff from different European Commission Directorate-Generals came to the **UK** on fact-finding visits involving meetings with government officials, social partner organisations and other stakeholders. In addition to meeting the head of the TUC’s International Department, the European Commission officer is reported to have liaised with Unionlearn (the TUC’s learning and skills organisation) to specifically discuss skills. The general purpose of these contacts has been to collect views on major topics of interest (notably skills policy and the impact on the economy and labour market), as well as to explain the process and the main themes of the content of both the country reports and the CSRs.

## Assessing overall efficiency of social partner involvement

To judge their involvement as efficient, the social partners had to assess two main criteria:

- the adequacy of the process;
- whether the outcomes met their expectations.

The national social partners reported a mixed degree of satisfaction with the process of involvement. While some of them considered that the involvement process satisfied their expectations and may be deemed efficient as a whole, a majority of the organisations showed more indifference. The detail in the answers of those showing indifference revealed a certain degree of dissatisfaction or disappointment, mostly with the output rather than with the process – namely with the usefulness of the consultation and the lack of, or uncertain, influence achieved. Related to this, it should be noted that most social partner organisations do not consider this process a genuine consultation – unlike the ones they may take part in within the social dialogue framework at national level.

Overall, there are a significant number of countries where both sides of industry report being satisfied with the process, or being indifferent but not considering it inefficient (Table 6). Overall, it means that the involvement of social partners in most Member States is carried out in a relatively smooth way.

For example, given that the process of elaboration of the NRP in **Sweden** is so closely connected to the government’s autumn budget, the social partners do not expect to have any major impact on the text, but are happy that their views are incorporated into the final NRP document. And even though the NRP is not amended according to the wishes of the social partners, they view the discussions as a good forum for communicating their agendas and priorities to the government.

In the **Czech Republic**, the social partners expect to be properly informed and have their views taken into the account. However, they understand that not all of their

**Table 6: Social partners’ assessment of the efficiency of the involvement process**

	Efficient	Neither efficient nor inefficient	Inefficient	Very inefficient
Employer organisations	BG, CY (OEB), IE, MT, SK (AZZZ SR)	BE, CY (CCI), DE, HR, UK	BE, ES, SI	
Trade unions	CY (SEK)	CY (PASDYD, PEO), IE, MT, PT (CGTP), SI	HR, CY (DEOK), DE	ES, UK
Employer organisations + trade unions	CZ, FI, FR, LT, LU, SE	AT, DK, EE, LV, PL, SK	RO	HU, IT

**Notes:** Organisations in some Member States did not answer this question, or did not answer clearly enough.

No response was received from the Netherlands.

Not all organisations in each country answered the question.

**Source:** Author’s own elaboration

views can be accepted and they show satisfaction with their current role in the European Semester. In **Luxembourg**, the social partners are quite satisfied with the current process and aim to improve it in 2017. But while they highlighted the process as efficient, this does not mean that they feel that their opinions are taken sufficiently into account by the government or the European Commission.

As already discussed, employer organisations tend to consider the involvement more efficient than the trade unions.

The social partners in the Nordic countries revealed their specific approach to their participation in the European Semester. In **Finland**, contacts between the government and the social partners are limited regarding the NRP itself, yet continuous on economic and social policy in general. There is no formal consultation process on the NRP, but the social partners confirm that they are being truly consulted through their participation in the continuous policymaking. European subcommittees of other ministries may also discuss the European Semester with the social partners. In turn, the social partners in **Denmark** do not feel that they have any significant influence on the drawing up of the NRP and consider their involvement is mostly of a formal character. In **Sweden**, all parties involved have become more aware and informed about their respective roles in the process. This has had the effect that consultations now run more smoothly.

Trade union EAKL in **Estonia** stated that general awareness of the European Semester, its cycle and the place of the national reports in the European Semester process continues to lack clarity. According to EAKL, it is not always clear whether the consultation it is invited to is linked to providing input to the NRP. Furthermore, the union feels that the process is rather formal and believes that it does not have enough time to give its feedback as it has limited human resources and the NRP involves a wide range of topics.

In some countries, the social partners' assessment diverges to some extent. For example, in **Croatia**, both social partners agree that they were informed and mostly consulted in a regular, although not in a fully

predictable, way. However, they feel they did not have enough time for consultation. Social partners mostly believe that it was a more formal than real consultation and they complain (more trade unions than employer organisations) that their proposals and opinions were not accepted and included in the final NRP.

In **Germany**, the trade unions complained about the time frame in 2014 and again in 2016 saying that commenting on the draft in writing involves several DGB units and staff members and can hardly be done within six days. They do not see it as a true consultation, but a merely bureaucratic process. The employer organisations also indicated that the time frame is very short, that they wished to be consulted at an earlier stage and that they would like to see their position paper annexed to the NRP. It is noteworthy that consultation of the social partners, together with lobbying, is a relatively usual approach in Germany and that BMWi knows more or less in advance the positions of the social partners because of commentaries to other reports; social partners' expectations of actually introducing changes to the draft NRP are therefore fairly limited.

In **France**, the social partners feel involved in the process and they express their opinion to the government at the different meetings of the Committee for Social Dialogue on European and International Issues (CDSEI) so that, year after year, the government is more aware of their positions and increases the quality of the NRP.

However, social partners in some countries show a profound dissatisfaction with their involvement in the NRP and consider it inefficient or very inefficient. The social partners in **Romania** are not happy with the process, as although they were informed, they had short deadlines to study the documents and their views were not necessarily included in the NRP itself. While the general perception expressed by trade unions is rather negative, they admit that there have been discussions initiated by the government on the NRP, especially on employment, labour market and other social policies. Employers' representatives seem to be less vocal in expressing dissatisfaction. The Romanian social

### Box 1: UK approach to social partner involvement in the European Semester

According to the social partners' views, it remains the case that the UK government does not see the NRP as a stimulus to action but rather more of a reporting mechanism. The last analysis indicated that the involvement of the UK's social partners in the European Semester was a somewhat limited affair, comprising one annual meeting which focused on the provision of information on the NRP as opposed to constituting a genuine consultative exercise. More recently, in the context of the UK public's vote to leave the European Union, the already limited involvement has moved from being minimal to non-existent. This is seemingly confirmed by the government's NRP document, which states that 'since the NRP does not contain any new policy announcements, it is not subject to formal consultation' (HM Government, 2016, p. 7). No reference is made in this document to consultation with the social partners on the NRP.

partners tend to blame the government for the irregular and scarce character of the consultations and the scanty communication with civil society and social dialogue representatives.

The assessment of the social partners in **Spain** is consistent with their opinions on the overall consultation process: it has remained poorly institutionalised, with no consultation and limited information, and ineffective in the sense that their views did not produce any effect and were not taken into consideration at all. According to the employer organisation CEOE, its involvement in the European Semester 2016 was inefficient. Only one meeting was

organised and the government did not send any draft documents in writing in advance. Accordingly, this was only an informative exercise. As a consequence, CEOE did not have any capacity to exercise influence on the NRP content, although it recognises that the lack of a government in Spain since 20 December 2015 had influenced the situation. Nevertheless, CEOE notes that an inefficient consultation process also occurred from 2011 to 2015, when there was an elected government implementing the European Semester.

In **Hungary**, the social partners' views are totally negative as they state they have not been involved in the process.

### 3 Views of social partners on key aspects of their involvement

National social partners were asked to provide their specific opinion on a series of statements regarding three aspects related to their involvement in the European Semester.

Firstly, they were asked for their self-assessment on the relevance given to the European Semester as policy development and, consequently, the importance they assigned in practice in terms of resources and time allocated to the different activities within the processes, particularly their involvement in the NRP.

Secondly, they were asked about the dynamic created by their participation in the process since the beginning of the European Semester and to what extent it may be considered a learning process over the time as well as the degree of experience reached.

Thirdly, social partners were asked to compare the current nature and understanding of the European Semester in relation to standard practices in the national social dialogue.

The answers show a high degree of concentration in some of the statements proposed, as well as high coincidence between trade unions and employer organisations (Table 7). It seems that awareness of the importance of the European Semester is becoming ingrained in both trade union and employer organisations. Apart from Hungary and Romania, and to a lesser extent in other countries where the social partners state that the lack of capacity and the limited resources represent a constraint to being actively involved in Semester activities, the vast majority of the organisations agree that they have sufficient resources to participate and be heard in the process.

The same high coincidence demonstrates the agreement with the assessment of the European Semester as a learning and evolving process. There is less enthusiasm about the development of practices aimed at improving the involvement, suggesting there is margin for room to work in this field, as if the existing standard procedures were not completely satisfactory.

**Table 7: Social partners' views on certain aspects of their participation in the European Semester**

	Coincidence of employer organisations and trade unions	Employer organisations	Trade unions
<b>Social partners ...</b>			
are aware of the importance of the European Semester process, it really matters to them	AT, BE, CY*, CZ, DE, EE, ES, FI, FR, HR, HU, LV, MT, PL, PT, SE, SI, SK, UK	BG, DK, IE	
allocate enough time and resources to take advantage of the consultation with regard to the NRP and other opportunities to participate and be heard in the European Semester	AT, BE, CY*, CZ, DE, DK, FI (partially), HR, HU (partially), LV, MT, PT (UGT), SE	BG, ES, SK	
<b>Since the beginning of the involvement of social partners in the European Semester in 2011 ...</b>			
participation has been a learning process and has improved their individual and collective capacity	AT, BE, CY*, FR, HR, LV, PL, PT (CIP, CCP since 2015 + UGT), SE	BG, ES, IE	EE, FI, MT
specific practices and experiences have been developed to improve the involvement of the social partners in the European Semester and particularly in the elaboration of the NRP	AT, BE, CY*, FR, HR, LU, LV, SE	BG, IE, PT (CCP)	MT
<b>The involvement is ...</b>			
similar and equally intense and efficient as the one existing in the national social dialogue or policymaking	ES, HU	BG, MT	DE, DK, EE, FI
similar, although the output is less efficient than the existing in the national social dialogue or policymaking	CZ, ES, HR, PL	LV, PT(CCP)	AT, DK, MT
different and less intense and efficient than the one existing in the national social dialogue or policymaking	AT, CY*, DE, ES, FR, IT, PL, PT (CCP, UGT), RO, SI	BE, FI, IE, UK	LV, MT
different and more intense and efficient than the one existing in the national social dialogue or policymaking			BE

**Notes:** Organisations in some Member States did not answer this question, or did not answer clearly enough. Social partners could choose more than one possibility. \* Trade unions DEOK, PASYDY, PEO and SEK.

**Source:** Author's own elaboration

Taking the answers both jointly and separately, it is widely agreed by the social partners that the involvement applied is deemed different and less intense and efficient than the one existing in the national social dialogue. When comparing the current process of involvement in the European Semester, the employer organisation FEB/VBO in **Belgium**, in contrast to trade union confederation CSC/ACV, stressed the very low level of consultation compared with the country's traditional social concertation practices. Therefore, the whole process is much more likely to be defined as being informed than consulted.

Nevertheless, the differences between consultation and involvement in the European Semester and the national level remain labile. In **Luxembourg**, the social partners highlighted that the way they are currently consulted gives them the opportunity to express an opinion and to share a written position, but there is no real debate or exchanges between them, and between social partners and the government. According to the social partners and particularly the trade unions, there is no real consultation in the way of an exchange of views and documents with the aim of amending the NRP. The same view is shared in **France** where social partners feel the process of consultation on the NRP is limited as they are mainly asked to provide feedback on a document that had already been elaborated by the government.

In **Spain**, social partners agree that the involvement can be assessed as an informative rather than a consultative process. The assessment of the Spanish social partners is that their involvement has remained poorly institutionalised, with no consultation and limited information, and ineffective in the sense that their views did not produce any effect and were not taken into account at all.

Interestingly, the notion should not be dismissed that the support provided by the social partners in considering their current involvement in the European Semester is pretty similar to national social dialogue. This is the case, for instance, in **Bulgaria** where the employer organisation in particular assesses that its involvement led to a true process of consultation. This consideration is also consistent with national practices in the involvement of social partners in policymaking in the Nordic countries or in **Malta**. In other cases, although there is similarity with the national social dialogue process, the overall assessment is less clear and hard to compare. For social partners, the well-known standards of information and consultation rights as defined in European and national legislation may be considered as a framework in this process. Consequently, the process allows some kind of involvement, but not a full formal and proper consultation.

## 4 Suggestions for improving effectiveness of process

Social partners were specifically asked to give their views on how to improve the effectiveness of their involvement in the European Semester. Overall, the answers consistently follow the assessment provided by the social partners relating to their involvement in the elaboration of the NRP. Although both sides of industry were asked separately, it is possible to identify a relatively high coincidence among those organisations that replied to the question. Equally, it would be feasible to believe that some of the topics raised by one of the social partners might be readily accepted by another in the same country (for example, whether their views should be better reflected in the final documents). Furthermore, the answers provided by the social partners reflect specific or priority suggestions, but it would be quite understandable if they also put forward other demands.

The answers have been grouped in four broad areas, as shown in Table 8. Two areas correspond to process-oriented suggestions made by organisations usually stressing the same points in previous answers and mainly related to time issues. The other two areas are related to the output of the consultation and particularly how their views could be incorporated in the final NRP.

The need for better timing is widely suggested, including not only more time for exchange of views and information, but an earlier stage of involvement within the whole European Semester cycle. The involvement of social partners should not be limited to some kind of consultation that regards the NRP as an isolated stage of the process.

The second more often mentioned suggestion refers to the need for better acceptability of the comments and proposals made by the social partners during the

exchanges or, at least, seeing their views visibly annexed to the final documents. A real discussion and exchange, ensuring the reasons why their views are not accepted, may give more transparency to the process and avoid the feeling that it is not just a checklist to be ticked by the government and the European Commission.

Holding specific meetings with the social partners on core policies and aspects debated within the European Semester, and not general meetings and events with a plurality of stakeholders, is also suggested. However, governments in some cases state that it is necessary to also consider the interests of organisations and associations from the whole of society.

Finally, other remarks by the social partners refer to enlarging the scope of the topics discussed and offering opinions on aspects other than employment and social issues.

### Better time management

In **Belgium**, both trade union social partners recommended holding an earlier consultation on draft documents and having more time to read and respond to the documents. Both CSC/ACV and FGTB/ABVV claimed sincere interest and wanted real input and involvement. Furthermore, CSC/ACV suggested trying to take the views from the regions and communities in the complexly organised country of Belgium into account in addition to more real involvement at federal level. In turn, FGTB/ABVV planned to present its own alternative country report to the European Commission to instigate more interaction, input and feedback.

Trade union EAKL in **Estonia** stated that it wanted more information on the European Semester process, when it

**Table 8: Suggestions by social partners addressed at improving the efficiency of their involvement**

Social partners suggestions related to:	Employer organisations + trade unions	Employer organisations	Trade unions
Better timing (both an earlier start and more time for consultation)	BE, CY, DE, ES, FR, HR, LT, LV, RO	BE (FEB/VBO), PT (CCP)	AT (AK), LV, PL
Their views added as an annex to the NRP or taken into account	AT, BG, DE, LT, LU	AT (ÖGB), DE, PL (ZRP)	
Separate meetings	CY, DK		CY (EAKL)
Broader scope of the consultation	FR	BG (joint position), HU (government to negotiate)	DE, IT, PT (CGTP)

**Notes:** Organisations may have given more than one suggestion.

Organisations in some Member States did not answer this question, or did not answer clearly enough.

**Source:** Author's own elaboration

begins and ends, and how its ideas were being processed and analysed. This information would help the organisation to be better prepared to take part in the consultations, to follow the whole process and to understand when and how to intervene.

There are also some suggestions about reorganising the institutional setting or timing. Thus, in **Croatia**, social partners claimed that the preparation of the NRP should start earlier. As an approach that could contribute indirectly to better involvement of the social partners in the process, employer organisations called for the re-establishment of the Office for Social Partnership as an independent body and a change in its position to be a body included in the Ministry of Labour and Pension System. In **Germany**, social partners would like to increase the frequency of consultative meetings between the social partners, the German government and the European Commission. Furthermore, they wanted the social partners to be consulted at an earlier stage.

Equally, in **Latvia**, both social partners consider that involvement should start earlier and that a working group should be set up to focus on consultation on essential issues as was the case in 2015.

From this organisational perspective, trade unions in **Poland** suggested organising more frequent meetings and particularly the creation of problem-focused groups tasked with developing better communication channels between the Europe 2020 Team and the Social Dialogue Council and its teams. In **Portugal**, the employers from CCP suggested allowing the Economic and Social Council more time to give its opinion on the NRP

proposed by the government before discussion began in Parliament.

In **France**, trade unions suggested as an improvement receiving the relevant documents at the earliest possible stage and those documents coming from the European Commission in French. The same was suggested by social partners from **Romania**, which wanted regular and thorough consultations to be established from the very early stages. Trade unions added:

- increasing formal aspects, as ‘a more clear staging process’ (CSN Meridian said that the consultation process should start with a longer period before the launch of the NRP);
- more time for analysis (this should increase the quality of the document);
- strengthening social dialogue;
- improving the consistency and institutional discipline;
- the need to appoint rapporteurs and working groups;
- increasing ‘institutional quality’.

Equally in **Spain**, the employer organisation CEOE regretted that the government did not fulfil the requirements of the protocol agreed in 2006 to involve the social partners in the European Employment Strategy, the so-called Working Protocol on the NRP. In this sense, a rather more institutionalised involvement, with different meetings to discuss the NRP content, is expected.

## Box 2: Understanding the European Semester cycle in Cyprus

The expiry of the Memorandum of Understanding between the Republic of Cyprus and the Troika (European Commission, International Monetary Fund and European Central Bank) on 31 March 2016 allowed the reopening of the European Semester process for Cyprus for 2016 and more specifically the return to CSRs. Social partners in Cyprus are not well acquainted with the procedures at European level in general and the more recent European Semester process in particular, and are unsure as to what degree of leverage they have with European authorities. They are more accustomed to the national-level social dialogue procedures and instruments where their role was, and to some extent continues to be, significant. The prevailing political and ideological context also matters. Whereas at national level, the social partners can expect to be consulted on policy matters, this is not the same with the European Union which continues to be seen as a distant and largely external entity, especially in the recent years of crisis and imposed crisis management in the context of the Memorandum of Understanding.

The Pancyprian Public Employees Trade Union (PASYDY), the Pancyprian Federation of Labour (PEO) and the Cyprus Workers’ Confederation (SEK) believe that there is scope for further improvement in the involvement of the national social partners. The Democratic Labour Federation of Cyprus (DEOK) believes that the intense attention paid to national social dialogue and policymaking leads to the downsizing of the importance of the European Semester for trade unions. This has led DEOK to the strategic policy decision to pay greater attention and to allocate more time and resources to the European Semester process in the coming years beginning from 2016. SEK intends to enhance its involvement domestically but also to influence the ETUC so as to have more impact at European level.

## Visibility of social partner views

Generally speaking, social partners would appreciate it if governments would take greater account of their views in the NRP.

From the point of view of the social partners in **Austria**, it would be considered positive if their opinions on the draft NRP could somehow be considered in the final NRP, or following the AK suggestion, if there could be an extra round of discussion between the government and the social partners on the proposed changes or comments by the social partners. This suggestion arises from the lack of response from the government as to which of the social partners' views are finally considered (if any) in the NRP.

The same complaint and subsequent suggestion is made by the employer organisation ZRP in **Poland**. In this case, the suggestion of receiving feedback applies to the comments made to the European Commission in different meetings at all stages of the European Semester process, that is, after the Annual Growth Survey, after the country report and after the draft CSRs.

Although the social partners in **Bulgaria** appear to be relatively unaware of the actual scope for intervention at their disposal, they would like to be more involved and to see their views added as an annex or integrated in the NRP document.

## Specific separate meetings for discussing core policies

The social partners in **Denmark** have asked for separate meetings to discuss the European Semester developments and policy documents. They suggest creating a special committee consisting of social partners and the government only, instead of bringing the European Semester forward in the larger Contact Committee for Europe 2020 in which several NGOs are also represented. In 2013–2014 and again in 2016, the social partners approached the Ministry of Foreign Affairs, which chairs the committee, about this issue and expressed a wish to have separate meetings with it with a focus only on the European Semester. In both instances, the Ministry responded that it found the current format sufficient and that it had no intention of establishing a forum specifically for the social partners on this issue.

The same position in favour of more focused and separate exchange by social partners is found in other countries. In **Estonia**, trade union EAKL stated that it considered the current process does not allow its proper involvement as the feedback is collected in written form from a wide range of stakeholders and face-to-face meetings involve a large number of people

representing different stakeholders, meaning that there are no opportunities to hold thorough and in-depth discussions. Therefore, EAKL would prefer tripartite consultations with employers and the government, as such a procedure would enable it to make its ideas and proposals clearer and more sound. Thus, while EAKL agrees that currently it has the opportunity to make proposals, which it avails of, it finds that the consultations are rather formal due to their format.

## Broader scope of involvement

Other suggestions referred to the ability to discuss broader topics and content than just the labour and social issues in the NRP.

The employer organisation FNSEA in **France** asked to be consulted on the economic aspects of the European Semester because it considers the economic, monetary and social governance as a whole. Equally, the main trade unions in France would like to be also consulted on the economic aspects (the Stability or the Convergence Programme) as they consider the national reform policies as a whole. The French Democratic Confederation of Labour (CFDT) and the French Confederation of Management – General Confederation of Professional and Managerial Staff (CFE-CGC) would like to enlarge the scope of the involvement and believe that a key point would be to consult the social partners on the draft CSRs prepared by the European Commission, the document on which social partners need to be the most consulted. At the last meeting with the European Commission, CFDT and the General Confederation of Labour – Force ouvrière (FO) conveyed disappointment because its views, which have been explained to the European Commission since 2011, had never been taken into account. In turn, CFE-CGC asked that a CDSEI meeting be organised as soon as the CSRs are published so that it can react to them.

In some other Member States (for instance, Germany, Italy and Portugal), particularly the trade unions highlight that the real problem is not their involvement but the content of the European policies pursued, such as:

- fiscal policy;
- public expenditure cuts (for example, on pensions, the health sector and state-owned enterprises);
- discussions on increases in the minimum wage;
- interference in collective bargaining.

In turn, from the perspective of the method applied, FNSEA in **France** stressed that professional employer organisations should be consulted in the same way as the interprofessional employer organisations. This is not currently the case, mainly in the interaction with the European Commission.

From a different perspective, employer organisations in **Hungary** say that the government should:

- show a greater will to negotiate;
- provide more opportunities for meaningful debate;
- ensure what is said at these debates appears in various proposals.

Finally, from a different perspective, social partners in Hungary ask for a greater will to negotiate and more opportunity to have meaningful debates and that the outcomes of those debates are reflected in various proposals. Furthermore, trade unions and employer organisations highlight the need for more human resources to address this process.

# 5 | Conclusions

The involvement of social partners in the European Semester has evolved gradually over the past six years. Overall, some improvements can be identified in terms of both the number of Member States in which improvement has taken place and the procedures applied for involving the social partners.

However, significant differences and outcomes remain in the practices, quality and effectiveness of the involvement of national social partners in the European Semester process.

Member States coming out of financial assistance programmes have started to apply European Semester procedures in a satisfactory way and the social partners are more or less well involved.

## More consolidated involvement but room for improvement

In most Member States, the social partners reported that no relevant changes had happened regarding their involvement in the elaboration and adoption of the NRPs over the past two cycles of the European Semester. This assessment also includes those countries in which the process was unsatisfactory already, as in Hungary and Spain. In addition, there is still room for achieving more institutionalisation in the social partners' involvement in the European Semester process, particularly in those Member States where this is currently lacking.

While the social partners in some countries reported certain improvements in different aspects of the involvement process, a few others expressed concern that it had deteriorated in the 2016 cycle. Reasons claimed for this negative assessment are disparate and deserve more nuanced contextual information. Different views can be found among social partners within the same Member State.

In some Member States, the social partners assess their involvement as being informative rather than consultative. When a broader consultation takes place and there is the opportunity to express an opinion and to share a written position, it is also reported that real debates or exchanges between the social partners and the government do not take place. In general, the social partners reported a limited process of consultation on the NRP for their country as they are mainly asked to provide feedback on a document that has already been drawn up by the government. According to the social partners, it seems to be a rather formal exercise and there is no real consultation by the way of an exchange of views and documents with the aim of changing the governmental NRP project.

## More holistic involvement across whole cycle needed

The time allotted for consultation has increased slightly in some Member States. Yet many social partners suggest the need to improve time management in order to further their involvement in the European Semester process. This request refers not only to the allocation of as much time as possible for discussion, but also an earlier start to the social partners' involvement within the European Semester cycle. More and better time management would add more quality to the whole involvement of the social partners and it would improve the transparency and social governance of the European Semester.

The processes in some Member States could involve social partners at more European Semester junctures, starting with earlier involvement (for example, presenting and discussing the Annual Growth Survey) and developing exchanges at different stages. Even if the key documents are issued by different institutions, joint fora could be organised between the national authorities and the European Commission, with invitations for the social partners to participate, to discuss the country reports and the draft CSRs elaborated by the Commission. This more continuous or non-stop dynamic – and not the one-time involvement of the social partners regarding the NRP – is at the 'virtuous cycle' basis of the nature of the European Semester. Furthermore, expanding the involvement along the whole process would strengthen trust and improve understanding of mutual views, as well as contributing to the building of institutional and technical capacity among those organisations which claim to lack it.

## Social partners' views still not visible enough in NRPs

There are a few more cases where social partners' views are formally annexed to the final version of the NRP than in the period 2011–2014. However, this list is still too short and not all practices follow the same efficient pattern. Some social partners claim that they are not informed whether their views and suggestions are taken into account in the final NRP, which suggests that, in many cases, no specific reaction from the national authorities' side is typically provided to the social partners' opinions. This lack of feedback contributes to impeding a proper exchange of views and gets away from the idea of developing a formal consultation within the elaboration of the NRP.

Following Commission President Jean-Claude Juncker's focus on the involvement of social partners and the quadripartite agreement on a 'New start for social dialogue, closer interinstitutional coordination between the main players, national governments, social partners and the European Commission, should help to improve the efficiency of the European Semester. A true involvement means having a real discussion and an exchange of views which can be traceable. It assumes that some feedback will be provided in respect of the mutual proposals and arguments. It should not be a formal bureaucratic exercise, but rather a way to jointly build up legitimacy, the engagement of social partners, and better and more accurate reforms.

Transparency and accountability may help the social governance of the process. The best way of making the views of the social partners provided during the NRP consultation visible to stakeholders and citizens could be adopted.

## Mixed perception regarding influence in NRP

Most of the social partners think that their views influence the NRP in some way, although in a limited manner. This perception of achieving influence admits a wide range of interpretations, some of them mixed, as national industrial relations systems and social dialogue structures and practices strongly condition the outcomes of the processes. This caution also applies to those Member States where social partner organisations have reported not having any influence, although in these cases a coincidence exists with the countries in which poor involvement in the NRP has been noticed. On the whole, governments seem more optimistic about the degree of influence of the social partners than the trade unions and employer organisations themselves.

## European Commission increases scale of activity

Mainly through the appointment of the European Semester Officers, the European Commission has played a more active role by informing social partners and stakeholders on European Semester developments. Social partners in all the Member States acknowledged having contact with the European Commission compared with only 12 Member States in the previous period analysed of 2011–2014.

Shared ownership of the process and the outcomes between all players involved could be a desirable goal of European Semester policy coordination. It would emphasise the triangular relationship and coordination

between the main players involved – the European Commission, national governments and social partners. This possibility would need to take account of national peculiarities in social dialogue and the autonomy of the social partners.

## Mixed degree of satisfaction

Overall, the involvement of social partners in most Member States is carried out in a relatively smooth way. Nevertheless, while some of the social partners considered that the involvement process satisfied their expectations and may be deemed efficient as a whole, a majority of the organisations showed more indifference. Normally, the lack of satisfaction reveals a certain degree of disappointment, mostly with the output rather than with the process – that is, with the usefulness of the consultation and the lack of or uncertain influence achieved. Related to this, it should be noted that most social partner organisations do not consider this process a genuine consultation – unlike the ones they may take part in within the social dialogue framework at national level.

Although the involvement of the social partners should respect national practices in managing social dialogue, it might follow the widely acknowledged standards that would help to improve the transparency and visibility of the process. Effective involvement should take a form adequate to achieve the objectives of giving space for the participation of national social partners in the European Semester process. In doing so, agreed standards as defined in European labour law may be applied with regard to the way that information and consultation takes place (provision of sufficient and timely material, exchange of information and views, obtaining feedback and the reasons for that response).

More and more, the agenda and topics addressed by the involvement of social partners might be further enlarged beyond the boundaries of strict employment and social issues, as other policies and reforms are not only closely linked to them but also have a strong influence on them.

## Final remarks

The involvement of social partners may benefit from the full-cycle approach that forms part of the very nature of the European Semester. This virtuous annual cycle approach may guide the timing and the stage of the social partners' participation. When the social partners feel more engaged in the developments taking place at the different junctures of the process and not only during the single slot for considering the NRP, their ownership of the outcomes will be reinforced.

The concept of effective involvement could be revisited and further clarified in the context of the European Semester process. Social partner involvement focuses on a real exchange of information and opinions of a broad consultative nature and not a negotiating one. Following the aims pursued by the European institutions (European Council, EMCO, European

Commission), a more effective way of involvement would give more legitimacy and efficiency to the elaboration of the key documents and the outcomes of this complex process. Effective engagement of the social partners is a minimum pre-condition – though not entirely sufficient – for their involvement in the national semester of the cycle.



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# Annex

## Social partners cited in the report

Employer organisations		Trade union organisations	
<b>AZZZ SR</b>	Federation of Employers' Associations of the Slovak Republic	<b>AK</b>	Austrian Trade Union Federation
<b>BDA</b>	Confederation of German Employers' Associations	<b>CCOO</b>	Trade Union Confederation of Workers' Commissions (Spain)
<b>BIA</b>	Bulgarian Industrial Association	<b>CFDT</b>	French Democratic Confederation of Labour
<b>CBI</b>	Confederation of British Industry	<b>CFE-CGC</b>	French Confederation of Management – General Confederation of Professional and Managerial Staff
<b>CCCI</b>	Cyprus Chamber of Commerce and Industry	<b>CGFP</b>	General Confederation of Civil Servants (Luxembourg)
<b>CCP</b>	Portuguese Trade and Services Confederation	<b>CGTP</b>	General Confederation of Portuguese Workers
<b>CEEP</b>	European Centre of Employers and Enterprises providing Public Services	<b>CSC/ACV</b>	General Confederation of Christian Trade Unions (Belgium)
<b>CEOE</b>	Spanish Confederation of Employers' Organisations	<b>CSDR</b>	Democratic Trade Union Confederation of Romania
<b>CIP</b>	Confederation of Portuguese Business	<b>EAKL</b>	Estonian Trade Union Confederation
<b>DEOK</b>	Democratic Labour Federation of Cyprus	<b>ETUC</b>	European Trade Union Confederation
<b>ETK</b>	Estonian Employers' Confederation	<b>FGTB/ABVV</b>	Belgian General Federation of Labour
<b>FEB/VBO</b>	Belgian Federation of Employers	<b>FO</b>	General Confederation of Labour – Force ouvrière (France)
<b>FNSEA</b>	National Federation of Agricultural Holders' Unions (France)	<b>ICTU</b>	Irish Congress of Trade Unions
<b>Ibec</b>	Irish Business and Employers Confederation	<b>LCGB</b>	Luxembourg Confederation of Christian Trade Unions
<b>LDDK</b>	Latvian Employers' Confederation	<b>OGBL</b>	Luxembourg Confederation of Independent Trade Unions
<b>Medef</b>	Movement of French Enterprises	<b>PASYDY</b>	Pancyprian Public Employees Trade Union
<b>Medef</b>	Cyprus Employers' and Industrialists' Federation	<b>PEO</b>	Pancyprian Federation of Labour
<b>ÖGB</b>	Austrian Trade Union Federation	<b>SEK</b>	Cyprus Workers' Confederation
<b>UEL</b>	Union of Luxembourg Enterprises	<b>TUC</b>	Trades Union Congress
<b>ZRP</b>	Polish Crafts' Association	<b>UEAPME</b>	European Association of Craft, Small and Medium-sized Enterprises
		<b>UGT</b>	General Workers' Union (Portugal)
		<b>UGT</b>	General Workers' Union (Spain)





This report provides an update on the role of national social partners in the European Semester process over the period 2015–2016, describing the main developments and changes compared with a previous Eurofound study on their involvement during the period 2011–2014. It examines the social partners' involvement in the elaboration of the National Reform Programmes and to what extent they are heard and their views taken into account with regard to social and labour policies. Overall, the involvement of social partners in most Member States is carried out in a relatively smooth way. Some progress can be identified in terms of both the number of Member States in which improvement has taken place and the procedures applied for involving the social partners. However, significant differences remain in the practices, quality and effectiveness of social partner involvement in the European Semester process.

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