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## **Specifications – Invitation to tender No VT/2010/15**

### **Framework contract on services related to Information, Publications and Communication activities for EURES**

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#### **1. Title of the contract**

Framework contract for services related to Information, Publications and Communication activities for EURES.

The contract is divided in 2 lots:

Lot 1. Development of common strategies for and provision of co-ordination and support to EURES communication activities

Lot 2. Collection, compilation and editing of information on a regular basis.

Tenders may be submitted for either one or both of the lots. Tenderers are required to submit their prices by using quotation forms in Annex II separately for each lot. Each lot will be evaluated separately. The contract will be signed for a period of 24 months, renewable once.

#### **2. Background**

The pace of change in the European labour markets has accelerated, due to the global economic crisis, prompting a renewed sense of urgency to facilitate occupational and geographical mobility. Mobility is a key instrument for an efficiently functioning single market and is essential for allowing more people to find better employment. In addition, skills upgrading is critically important for Europe's future with an aim to facilitate a better match between skills and labour market needs.

The New Skills for New Jobs<sup>1</sup> initiative involves a comprehensive assessment of future skills and labour market needs. The ability to quickly identify redundant skill sets and emerging skill demands will be key in enhancing career guidance and advice for jobseekers in the new economy. Likewise, investment in skills strategies will enhance matching and help ease transitions and facilitate mobility. The initiative stresses the need for more effective education and training policies and modernisation of labour markets through flexicurity policies.

The key aim of the commonly agreed principles on flexicurity means that workers need to be more mobile both between jobs, and between regions and Member States. They need to be given the right skills and opportunities to move frequently between jobs and to progress in their careers.

##### **2.1 EURES - objectives**

The mission of EURES is to improve the functioning of the European labour market by facilitating the exercise of the right to the free movement of labour (one of the basic rights of the European citizen as set out in the Treaty on the Functioning of the European Union) and by making a contribution to overcoming bottlenecks on the European labour market. EURES thus contributes to achieving the objectives on geographical and occupational mobility set by the European Employment Strategy.

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<sup>1</sup> Communication COM(2008) 868 final "New Skills for New Jobs Anticipating and matching labour market and skills needs"

The EURES co-operation is legally based on

- Article 46 of the Treaty on the Functioning of the European Union
- Council Regulation (EEC) 1612/68, part II
- Commission Decision 2003/8/EC of 23 December 2002 (Official Journal L 5 of 10 January 2003) implementing Council Regulation (EEC) No. 1612/68 as regards the clearance of vacancies and applications for employment
- The EURES Charter defines the EURES activities to be carried out and establishes the operational objectives and quality standards to be applied
- The EURES Guidelines, adopted every three years, describe the overall objectives for the time period concerned

## **2.2 EURES – operation**

EURES (European Employment Services) was launched in 1994 as a network for co-operation between the Public Employment Services (PES) of the Member States, their partners and the Commission to exchange information concerning vacancies and applications for employment, information on the state and trends of the labour market as well as information concerning living and working conditions. EURES aims to inform, advise and assist European citizens who want to work in another country and employers to recruit from abroad.

The EURES co-operation has been fully extended to EEA countries (the EU Member States plus Norway, Liechtenstein and Iceland). Switzerland also co-operates within the EURES framework in accordance with the Agreement of 21 June 1999 between the European Community and Switzerland on the free movement of persons.

The services of EURES consist of information, advice and assistance for placement, recruitment along with matching CVs and vacancies. The tasks related to recruitment, placement and matching will get more emphasis in order to address real needs of the EURES clients and provide measurable outcomes.

EURES has a **human network** of EURES advisers to provide the information required by jobseekers and employers through personal contact. There are currently more than 800 EURES advisers located throughout the EEA. EURES advisers are trained specialists who provide the three basic EURES services of information, guidance and placement, to both jobseekers and employers interested in the European job market. EURES advisers also contribute to the integration of EURES services within their organisations, mainly the Member States' PES, and provide training and support for other staff.

To match the needs of jobseekers and employers, EURES has developed a **jobs database** that originally contained vacancies of particular interest to non-nationals. The Employment Guidelines, adopted by the Council in July 2003, specified that by 2005 jobseekers throughout the EU should be able to consult *all* job vacancies advertised through Member States' employment services. The Member States have gradually adapted their systems to the new technical platform so that virtually all their vacancies can now be accessed via the EURES Portal. The Portal thus connects job vacancies databases in 30 countries and a user can access, in real time, more than a million job vacancies.

In addition to the jobs database there also is a **CV online database**, where jobseekers can post their CVs to be viewed by registered employers.

Both databases are available on the **EURES Job Mobility Portal** (<http://eures.europa.eu>). It aims to provide a user-friendly means of accessing the information needed for those contemplating a move for career or for learning purposes. The portal is now available in all

25 official EU/EEA languages and attracts more than 4,000.000 visitors per month.

As well as providing information on available jobs throughout the EEA and the possibility for jobseekers to post their CVs online, the Portal has information on living and working conditions, labour market developments (tracking shortages and surpluses of labour), and on education and training opportunities (via the PLOTEUS site run by the Commission's Directorate General for Education and Culture).

After the enlargements of the European Union in 2004 and 2007, EURES serves as an important focal point for information concerning, among other things, the transitional rules that apply for the free movement of workers between new and old Member States.

The Extranet section of the Portal, available for EURES advisers and other members of the EURES network (in total more than 2,000 users), contains document repositories, directories, forums and a number of other practical tools and utilities to facilitate internal communication within the EURES network.

**A EURES Helpdesk** providing quick and accurate answers to information requests from jobseekers, employers and others on job mobility issues in general and on the European Job Mobility portal in particular is accessible via a European free phone number and e-mail.

The European Commission's Directorate General for Employment, Social Affairs and Equal Opportunities (DG EMPL) is responsible for co-ordinating and supporting the EURES network.

### **2.3    *Promotion of mobility and the EURES network***

Communication is one of the European Commission's strategic objectives and it has therefore adopted an Action Plan to improve the communication and to promote a coherent image of the European Union's policies. Communication on the advantages and opportunities of job mobility in general and on EURES activities which benefit EU citizens in a way that people can easily understand and relate to will contribute to a better understanding of the role of the European Union in this area.

In mid-2010, DG EMPL will launch a Mobility Information Campaign. Its aim is to renew and strengthen awareness and focus on the importance of mobility for citizens and workers in Europe. The campaign as such is outside the scope of this call for tenders, but EURES communication activities should always be coordinated with similar activities by DG EMPL or other Commission services.

The EURES Charter provides (section 2.5) the following guidelines on the promotion of the EURES network

"It is crucial for the success of the EURES network that potential clients as well as persons active within the EURES members' and partners' organisations are fully aware of what the network can offer.

#### *Communication strategy and plans*

The EURES Co-ordination Office shall, together with the EURES members and partners, engage in an overall communication strategy, designed to ensure the consistency and cohesion of the network vis-à-vis its users. The EURES members shall, in accordance with the overall strategy, develop their own promotion plans and include them in the respective national EURES activity plan. The EURES partners will take part in information and promotion activities devised by the relevant EURES members and by the EURES Co-ordination Office.

EURES members and partners shall ensure that the information and promotional material they provide are coherent with the overall communication strategy and with the information coming from the EURES Co-ordination Office.

#### *The EURES logo*

The EURES service mark, as well as the logo characterising it, is the property of the Commission. EURES members and partners shall use the EURES logo in all their activities related to EURES. Information presented under the EURES logo shall be in compliance with the policies and interests of the European Union and with the objectives of EURES. Only the EURES Co-ordination Office may grant third parties a permission to use the EURES logo, and inform EURES members and partners concerned accordingly. EURES members and partners shall inform the EURES Co-ordination Office without delay of any abuse of the logo by third parties."

### **3. Subject of the contract**

The purpose of this framework contract is to provide services to promote information and communication about EURES and job mobility in line with the Information and Communications Strategy for EURES that was adopted in 2005.

The Information and Communication Strategy is built on a **decentralised approach** where the national and local members of the network act as multipliers and where most of the actual information activities are carried out at the national and local level. The services included in this framework contract are therefore to a large extent focused on providing support and assistance on the European level for the benefit of the national and local members of the network.

**The overall aim** of the information and communication activities envisaged is to raise awareness of the EU's role in promoting growth and jobs in the EU and to improve matching and anticipation of skills needs on the European labour market. Audience should be informed:

- of the possibilities and benefits of job mobility in general and
- of the EURES network and its services in particular.

**The main target groups** include workers, job changers, jobseekers, unemployed and their families as well as employers from an end user perspective. Communication activities may be directed towards specific target groups, such as youth, graduates, Small and Medium sized Enterprises etc. An improved internal communication within the EURES network as well as activities aiming at promoting and raising awareness about EURES within Public Employment Services and other participating organisations are also important objectives.

As the exact scope, quantities and timing of the tasks described below, may vary over time, DG EMPL intends to conclude a framework contract. Within this framework contract, the supply of specialised services and products is subject to the "Order of services procedure" in accordance with Article I.4 of the Standard Contract.

### **4. Participation**

*Please note that:*

*The competition is open to any physical person or legal entity coming within the scope of the Treaties and any other physical person or legal entity from a third country which has concluded with the Union a specific agreement in the area of public contracts, under the conditions provided for in that agreement.*

*Where the Multilateral Agreement on Public Contracts concluded within the framework of the WTO applies, the contracts are also open to nationals of States that have ratified this Agreement, under the conditions provided for therein. It should be noted that research and development services, which come under category 8 of Annex II A of Directive 2004/18/CE, are not covered by this Agreement.*

## **5. Tasks to be carried out by the Contractor**

Tenders may be submitted for either one or both of the lots. Tenderers are required to submit their prices by using quotation forms in Annex II separately for each lot. Each lot will be evaluated separately.

The tasks described below will be implemented in coherence with and respecting all strategies and guidelines concerning communication and information that are or will be adopted by the European Union, the Commission and DG EMPL.

### **5.1 Lot 1 - Development of common strategies for and provision of co-ordination and support to EURES communication activities**

No assurance is given as to the volume, value and frequency of assignments under this contract. However, as a purely indicative estimation an amount of maximum of 600.000 € for this lot could be given as a preliminary forecast for the first 24 months of implementation.

The Contractor should develop communication tools and strategies that will serve as a common strategic umbrella for all EURES communication activities at both European, national and local/regional level aiming at promoting job mobility and at showing EURES as the key tool. This involves support to the various actors by the organisation and/or participation in conferences, seminars and training sessions. The Contractor should also provide advice and help to initiate and co-ordinate various communication activities that will be carried out nationally as part of the national activity plans of the EURES member and partner organisations.

#### **Task 1 - Annual communication plans**

The Contractor should develop a three year Communications plan related to the three year EURES guidelines 2010-2013. Based on which annual action plans should be developed.

The plans should include: the identification of the appropriate target groups, the main communication objectives, the preferred communication channels/tools, the key messages, the partners and relays organisations, the time schedules, the targets for communication impact and monitoring tools, as part of an integrated strategy. The Contractor should develop these plans in close co-operation with DG EMPL, national and regional communication co-ordinators, the Contractor responsible for Lot 2, the DG EMPL contractor for the development and maintenance of the EURES portal and other relevant stakeholders.

The plan should aim at broadest possible co-operation with other actors, such as other information networks co-ordinated by the European Commission and organisations operating on the European labour market.

Based on this communication plan the national and regional EURES member organisations will develop their own action plans, with the support provided by the Contractor under this contract.

This task also includes participation in coordination meetings as described under point 5.3 below.

## **Task 2 - EURES Communications tool kit**

This task includes, as specified in orders for services and under instructions from the Commission:

The development and update of tools that helps the EURES network to generate an effective flow of information and publicity about the EURES services. The tool kit aims at giving the EURES network both guidance and instructions on how to communicate internally (within the network and within their respective organisations PES) and externally (to clients). It should include several tools for hands-on utilisation to aid their outreach.

The comprehensive EURES Communications tool kit should at least contain:

- Importance of best-practice case studies, showcasing success
- Establishing target audiences - how to, questions to ask yourself, suggested data to review, survey questions
- Selecting the appropriate media/ How to build a database
- Defining key localised messages that reflect the central strategy
- Preparing and supplying information to the media
- Building good relationships with journalists/ Tips for working with media
- Templates for press releases - for example, in relation to the European Job Days
- Maximising exposure of news stories and press articles: "Once articles are placed, what should I do with them?"
- Tips on distributing summaries to stakeholder audiences, when to share summaries with other news media, etc.
- Successful event creation and management
- Use of the EURES logo and tagline
- The difference between proactive and reactive media relations
- Questions and answers, with a focus on efficient proactive outreach
- Ideas on how to leverage testimonial statements gathered from EURES users (success stories, ambassadors)
- Tapping useful Commission resources
- Glossary of terms
- Audiovisual media relations
- Internet marketing

In addition, the Contractor should develop documents with sets of arguments ('argumentaires') to convince, in a user-friendly and easily comprehensible way, citizens and workers in Europe about the utility and advantages of EURES.

The Tool Kit should be made available on the Extranet for the entire EURES network to access and tailor the contents (press materials) as needed for distribution to their local markets.

Based on the tool kit the Contractor should be able to provide

- "Tip sheets", PowerPoint presentations and the like, to give the network tips and ideas for marketing and communications activities
- Communication training and content for e-learning

## **Task 3 - Audiovisual media production**

This task includes, as specified in orders for services and under instructions from the Commission:

- the development of a strategy for the use of audiovisual media for the communication of EURES, whether online on the EURES portal, via social networking media or at the various events organised by EURES;
- the production on request of audiovisual products, such as:
  - 'Destination videos' (available on the EURES portal and on DVD)
  - Videos to promote specific event like the European Job Days
  - Viral marketing video clips
  - Video News releases
  - Webcast of events

#### **Task 4 - Training and support to the EURES network**

This task includes, as specified in orders for services and under instructions from the Commission:

##### **i) EURES Communication training**

To run annual Communication trainings enabling more senior actors in the network to steep themselves in the communications strategy, its overall approach, and the rationale behind the various tactics.

The session will be held once per year (for the duration of the Contract) in a central location with around one-two representatives per country attending along with Commission officials. The conference should last two days.

The logistics around the organisation of these training sessions are not part of this contract. The Contractor should however be able to participate in these sessions in order to deliver parts of the practical training and to prepare material and presentations to be used in the training.

##### **ii) Local communication briefings**

To participate in national or local communication briefing sessions. These sessions would be organised by the national EURES members or EURES cross-border partnerships in the framework of their annual activity plans and the Contractor would participate to deliver parts of or the whole training.

These sessions could be seen as "local" versions of the EURES Communications training, using the materials and presentations developed for the Communications Conference and tailoring them to the national context. The aim would be to provide materials and training skills to regional and local EURES actors to enable them, in turn, to hold communication trainings in their own regions.

##### **iii) Communications support**

To support the national EURES Managers, the communication co-ordinators, the EURES advisers and/or PES communication specialists.. This task involves giving assistance to a particular EURES partner to focus on its specific needs in the implementation of the EURES communication strategy. This could include help updating a media database, help with communication in a crisis situation, assistance setting up in-country interviews with the media, or preparation for an important media opportunity. The level of sophistication of the assistance would vary based on the needs of the country in question.

## **Task 5 - Advice and help to manage and co-ordinate information and communication activities**

Most of the EURES communication and information activities will be carried out at the national and regional levels. The EURES member and partner organisations will include these activities in their annual activity plans. Under EURES Guideline 1 members are asked to produce and implement a national information campaign to inform the clients (jobseekers, unemployed, youth, graduates, employers, employees) on the opportunities offered by the European labour market. The task of the Contractor would be to provide advice and help to initiate and co-ordinate various communication activities that will be carried out nationally as part of the national activity plans of the EURES member and partner organisations. In co-operation with DG EMPL, the EURES managers and any working group of communication experts that may be created, the Contractor should advise on information activities that the EURES managers may choose to include in their annual activity plans and subsidy requests. Such information activities include but are not limited to the co-ordination of the European Job Days activities, which is mentioned below as an example.

The Contractor should also assist in the development and implementation of communication activities related to other mobility events, organised by DG EMPL in Brussels or elsewhere, such as an Annual European Mobility Conference.

### ***Co-ordination of annual European Job Days and other events***

The Contractor should co-ordinate the European Job Days activities that are organised by national and regional EURES organisations in spring and/or autumn every year. These activities are planned in co-operation with the Information working group of the EURES network meeting twice yearly.

The co-ordination of the European Job Days involve production of support material such as,

- Posters
- PowerPoint templates
- Placement of Op-ed articles
- Press releases
- Logo
- Radio and television advertisement scripts
- Tool kits etc.

The Contractor should co-ordinate the Job Days related activities by the Contractor responsible for Lot 2, including information within the EURES network, promotion of the events on the EURES portal, the Events calendar and in social networking media and collection of information to be included in press releases etc.

The Contractor should every year make a report on that year's Job Days including an impact assessment and an evaluation of tools and messages used.



## **5.2 Lot 2 - Collection, compilation and editing of information on a regular basis**

No assurance is given as to the volume, value and frequency of assignments under this contract. However, as a purely indicative estimation an amount of maximum of 600.000 € for this lot could be given as a preliminary forecast for the first 24 months of implementation.

### **EURES News and information bureau**

The Contractor should act as the central EURES "News and information bureau" and regularly provide news and information to be used at the various levels of the EURES network. The Contractor should perform this task in close co-operation with DG EMPL, national EURES communication coordinators and other actors. This task involves, in particular:

i) maintenance and updating of databanks of media contacts, satisfied users and EURES success stories hosted by DG EMPL and accessible via the EURES Extranet. The contents of these databanks should be shared with DG EMPL and the EURES network for various information and communications purposes. The databank should in principle be available in English, apart from local content that may be in the national language in question. The development, technical maintenance and hosting of the IT tools necessary for this task will be handled by DG EMPL. The input for this task comes from:

- Own media reviews
- Own research and surveys
- Reports on activities in the EURES network,
- Success stories reported by the network,
- Media contacts reported by the network,
- Input from DG EMPL, the EURES network and other relevant actors in the network,
- Statistical data, such as the usage of the EURES portal, the number of job vacancies available, the number of CVs stored etc. collected on a regular basis

ii) regular production of various information products, such as:

- News articles to be published on the EURES portal or the EURES Extranet. The Contractor should every week on average provide 5 articles of max. two A4 pages, including graphics/photographs, on various topics, such as success stories, best practice, labour market news, living and working conditions, mobility etc. The articles should be written in English and uploaded on the EURES portal and/or Extranet by the Contractor using the portal's content management system. Articles intended for the public will be translated by the Commission into 25 languages and articles intended for the EURES network into French and German.

- Compilations of interesting key data, based on statistical data made available to or collected by the Contractor, Eurobarometer and similar surveys as well as from additional ad hoc web surveys created and managed in co-operation with DG EMPL. The Contractor should present the data in such a way that it could be easily

used by the members of the EURES network and included in various information products such as media fact sheets, news articles etc. This information should be available at least in English.

- Prepare monthly e-mails to registered users informing them briefly about recent articles available on the portal. E-mails should be in HTML format and in English, the Commission will translate them in 25 languages for external users and 3 languages for internal users.
- Continuously update information on EURES in various social network media, such as Facebook, Twitter, Linked in, Flickr etc. This information will in principle be in English.
- Monitor and update the Events calendar on the EURES portal.
- Regularly keep the EURES network and in particular EURES national communication coordinators informed about current events and activities, such as European Job Days, and receive and compile information from the network on such activities. This could to a large extent be done by using the various tools on the EURES Extranet, such as groups, blogs, forums, Events calendar etc.
- Prepare monthly reports to DG EMPL on current communication activities at European, national and regional levels.

The Contractor should provide a global monthly price for delivering all the services mentioned above. See point 9 below.

In addition, the Contractor could be asked to provide similar information products and services, such as fact sheets, leaflets and web pages etc. **on request** by specific service and project orders.

All texts mentioned above should be **edited and delivered in English** and in a way well adapted to the target groups and the fact that they are mainly intended to be published on the web. They must be written by or revised by native English speakers with relevant journalistic background.

DG EMPL will take care of all necessary translations and return them to the Contractor for inclusion in the relevant information product.

The Contractor must co-operate closely with DG EMPL and with the Contractor responsible for Lot 1, in particular when it comes to coordinating the respective activities and to choose common themes for articles and overall communication support activities. The Contractor is expected to participate in monthly co-ordination meetings at DG EMPL premises in Brussels.

### **5.3 Meetings**

The Contractors for Lot 1 and Lot 2 should participate in monthly half day co-ordination meetings with DG EMPL as well as in three full day meetings per year with representatives of the EURES network. The meetings will take place in Brussels and all associated costs and expenses must be included in the fixed price for Task 1 of Lot 1 and for Lot 2 respectively.

The Contractor may be asked to attend additional meetings at the invitation of the Commission. In this case, any mission expenses incurred by the Contractor will be reimbursed in accordance with the provisions of the contract.

The Contractor must prepare the minutes of any meetings he attends. If more than one Contractor is present, a decision as to who will prepare the minutes will be taken at the time of that specific meeting. These minutes must be approved by the Commission before being distributed.

The Contractors for the two respective lots are expected to co-operate with each other in order to co-ordinate certain activities as described above under 5.1 and 5.2. The format of this co-operation will be discussed and decided upon at the monthly co-ordination meetings.

## **6. Professional qualifications required**

See annex IV of the draft standard contract.

The Contractor must ensure that any staff performing the Contract has the professional qualifications and experience required for the execution of the tasks assigned to him or her.

The Contractor(s) should propose a Project Manager for each lot. The project manager will have the overall responsibility for the execution of the contract. The Project manager must have documented knowledge and experience of running similar services. The Contractor must provide CVs of the Project manager and other key personnel responsible for carrying out the contract and must inform DG EMPL when there are changes in the key staff.

## **7. Time schedule and reporting**

See Article I.2. of the contract:

*The contract is concluded for a period of 24 months with effect from the date on which it enters into force. This contractual period and all other periods specified in the Contract are calculated in calendar days unless otherwise indicated.*

*The contract may be renewed up to 1 time for a period of 24 months, only before expiration of the Contract and with the express written agreement of the parties. Renewal does not imply modification or deferment of existing obligations.*

Reporting (see also article II.4.3 of the contract).

### **7.1 Additional requirements** (specific deadlines for the performance of tasks):

Within a month following the signature of the Contract, the Contractors for each lot will propose and discuss with the Commission a preliminary plan of the works to be assigned during the year for which the framework contract will be valid. The plan is indicative and not binding for the Commission and will be updated when necessary.

Management reporting:

The Contractor will have to present to the Commission a quarterly summary management report with indication of,

- 1) The assignments implemented and planned
- 2) Results obtained
- 3) Resources allocated and used
- 4) Any problems encountered

The intended commencement date is November 2010, and the period of execution of the contract will be 24 months. Actual commencement will take place after signature of the contract by both parties.

## **8. Payments and standard contract**

In drawing up the bid, the tenderer should take into account the provisions of the standard contract comprising the "General terms and conditions applicable to service contracts".

### ***Pre-financing***

Pre-financing shall only apply for specific orders for services and only if the amount of the single order is above 50,000 EUR.

Within 30 days at the latest of the reception date of the relevant invoice (indicating the reference number of the order it refers to), a pre-financing payment of 30% of the part A of the breakdown of prices of the order shall be made.

For pre-financing payments equal or above 150.000 EUR a duly constituted financial guarantee equal to at least the value of the invoiced pre-financing payment shall be submitted by the contractor.

In this case, the 30 days time limit for the pre-financing payment shall only start upon submission of the financial guarantee.

### ***Payment of the balance***

The request for payment of the balance of the Contractor shall be admissible if accompanied by:

- the final technical report in accordance with the instructions laid down in Annex I of the draft contract,
- the relevant invoices indicating the reference number of the Contract and of the Order to which they refer,
- statements of reimbursable expenses in accordance with Article II.7 of the draft Contract provided the report has been approved by the Commission.

The Commission shall have 60 days from receipt to approve or reject the report, and the Contractor shall have 30 days in which to submit additional information or a new report. Within 30 days of the date on which the report is approved by the Commission, payment of the balance corresponding to the relevant invoice shall be made.

## **9. Prices**

Under the terms of Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Union, the latter are exempt from all charges, taxes and duties, including value added tax; such charges may not therefore be included in the calculation of the price quoted. The amount of VAT is to be indicated separately.

The price must be stated in EUR(€), net of VAT (using, where appropriate, the conversion rates published in the C series of the Official Journal of the European Union on the day when the invitation to tender was issued), and broken down according to the model in Annex III included in the attached standard contract.

- Part A: Professional fees and direct costs

Tenderers are required to submit their prices by using the quotation forms (Form 1 for Lot 1 and Form 2 for Lot 2). Please note that the indication of levels of expertise refers to the expertise required for a specific task performed under the contract. An expert with a higher level of expertise than needed for the task should therefore normally be paid according to the level needed and not necessarily to the higher level he or she actually may possess.

Tenderers are also required to submit specimen quotations based on the prices of Forms 1

and 2 and according to the specific scenarios set out in Form 3 (for Lot 1) and Form 4 (for Lot 2). These specimen quotations will be used for the comparison of prices submitted by the different tenderers and do not in any way constitute an obligation for the Commission to place orders equivalent to those set out in Forms 3 or 4. Actual specific contracts and orders may include different assignments and different project breakdowns.

The prices submitted should cover all fees and administrative expenditure, except the reimbursable expenses referred to below.

Reimbursable expenses that can be invoiced in accordance with Article II.7 of the framework contract are:

- Part B: Reimbursable expenses
  - Travel expenses (other than local transport costs)
  - Subsistence expenses of the Contractor and his staff (covering the expenditure incurred by experts on short-term trips outside their normal place of work)
  - Expenses for the shipment of equipment or unaccompanied luggage, directly connected with performance of the tasks specified in Article I.1 of this Contract

*Total price = Part A + Part B*

## **10. Grouping of economic operators or consortia**

Tenders can be submitted by groupings of service providers/suppliers who will not be required to adopt a particular legal form prior to the contract being awarded, but the consortium selected may be required to assume a given legal form when it has been awarded the contract if this change is necessary for proper performance of the contract<sup>2</sup>.

However, a grouping of economic operators must nominate one party to be responsible for the receipt and processing of payments for members of the grouping, for managing the service administration, and for co-ordination. The documents required and listed in the following points 11 and 12 must be supplied by every member of the grouping.

Each member of the grouping assumes a joint and several liabilities towards the Commission.

## **11. Exclusion criteria and supporting documents**

**1) Bidders must provide a declaration on their honour, duly signed and dated, that they are not in one of the situation referred to in Articles 93 and 94 a) of the Financial Regulation.**

*Those articles are as follow:*

*"Article 93:*

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<sup>2</sup> These entities can take the form of an entity with or without legal personality but offering sufficient protection of the Commission's contractual interests (depending on the Member State concerned, this may be, for example, a consortium or a temporary association).

The contract has to be signed by all members of the group, or by one of the members, which has been duly authorised by the other members of the grouping (a power of attorney or sufficient authorisation is to be attached to the contract), when the tenderers have not formed a legal entity.

*Applicants or tenderers shall be excluded if:*

- a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;*
- b) they have been convicted of an offence concerning their professional conduct by a judgement which has the force of res judicata;*
- c) they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;*
- d) they have not fulfilled their obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the contract is to be performed;*
- e) they have been the subject of a judgement which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Union's financial interests;*
- f) they are currently subject to an administrative penalty referred to in Article 96(1)<sup>3</sup>.*

*(...)*

#### *Article 94:*

*Contracts may not be awarded to candidates or tenderers who, during the procurement procedure:*

- a) are subject to a conflict of interest;*
- b) are guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the procurement procedure or fail to supply this information;(...)"*

*2) The tenderer to whom the contract is to be awarded shall provide, within a time limit defined by the contracting authority and preceding the signature of the contract, the evidence referred to in Article 134 of the implementing Rules, confirming the declaration referred to in point 1 above.*

#### *Article 134 of the Implementing Rules – Evidence*

§3. The contracting authority shall accept as satisfactory evidence that the candidate or tenderer to whom the contract is to be awarded is not in one of the situations described in point (a), (b) or (e) of Article 93(1) of the Financial Regulation, a recent extract from the judicial record or, failing that, an equivalent document recently issued by a judicial or administrative authority in the country of origin or provenance showing that those requirements are satisfied. The contracting authority shall accept, as satisfactory evidence that the candidate or tenderer is not in the situation described in point (d) of Article 93(1) of the Financial Regulation, a recent certificate issued by the competent authority of the State concerned.

Where the document or certificate is not issued in the country concerned, it may be

<sup>3</sup> "Article 96(1): The contracting authority may impose administrative or financial penalties on the following:

(a) candidates or tenderers in the cases referred to in point (b) of Article 94;

(b) Contractors who have been declared to be in serious breach of their obligations under contracts covered by the budget.

(...)"

replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance.

§4. Depending on the national legislation of the country in which the candidate or tenderer is established, the documents referred to in paragraph 3 shall relate to legal persons and/or natural persons including, where considered necessary by the contracting authority, company directors or any person with powers of representation, decision-making or control in relation to the candidate or tenderer.

***See Annex I (which may be used as a checklist) for the supporting documents accepted by the European Commission to be provided by applicants, tenderers or tenderers to who the contract will be awarded.***

3) The contracting authority may waive the obligation of a candidate or tenderer to submit the documentary evidence referred to in Article 134 of the Implementing Rules, if such evidence has already been submitted to it for the purposes of another procurement procedure launched by DG EMPL and provided that the issuing date of the documents does not exceed one year and that they are still valid.

In such a case, the candidate or tenderer shall declare on his honour that the documentary evidence has already been provided in a previous procurement procedure and confirm that no changes in his situation have occurred.

## **12. Selection criteria**

The assessment will be made in stages. Only the offers that fulfil the selection criteria detailed below will be selected for the award stage.

### **A) Economic and financial capacity**

Tenderers must provide sufficient information to satisfy the Commission of their financial standing and more particularly that they have the necessary resources and financial means to carry out the work that is the subject of the tender and that the tenderer is viable for the duration of the contract.

The following documents must be provided:

1) A statement of the tenderer's overall turnover and **turnover in respect of services to which the contract relates for the previous three financial years.**

2) A **bank declaration** providing evidence of sound financial standing.

3) **Accounts** – balance sheets and profit and loss accounts – **for the last two financial years**, for which accounts have been closed, **certified by an external audit**, if required by national law.

If, for some exceptional reason which the contracting authority considers justified, the tenderer or candidate is unable to provide the references requested by the contracting authority, he may prove his economic and financial capacity by any other means which the contracting authority considers appropriate.

## **B) Technical capacity**

Tenderers have to prove their ability, skills, experience and competence for performing the work by means of:

1) A **general description** of tenderer's main activities, experience and main methodological tools used in relation to the work under the contract.

2) **Client references**: Give 3 client reference contacts of companies other than the Commission that are making use of services similar to the service requirements of this call for tender. Only provide client references and contact data that are relevant to the services in question and that can be consulted and used by the Commission.

3) A list of the **principal services** provided in the past 3 years in relation to the services described in the lot for which they bid specifying the dates, recipients of the services and a short description of the services provided.

4) **Human resources**: Tenderers must include in their tenders the following information:

Curriculum vitae of the key personnel responsible for carrying out the contract, in particular the **Project Manager** mentioned in point 6 above, specifying:

- Academic and other qualifications and primary background.
- Expertise and experience relevant to the subject of the lot, indicating dates, place of work and recipients of the work (in particular those services implemented on behalf of the tenderer).
- Description of his/her role in the team.

5) A statement that **all experts** that would be working under the contract are able to work and produce texts and reports in English and that **within the proposed team** there is a sufficient knowledge of spoken and written French and German in order to carry out the tasks under the contract.

6) A description of how the Contractor will handle contacts with stakeholders and the public in EEA languages other than English, French and German.

If the Contractor plans to **sub-contract** part of the work, he must specify the part concerned and the name of the sub-contractor and supply details of the financial, economic and technical capacity of the sub-contractor.

**Tenderers which have not provided the required information or for which the Commission determines that they do not have the necessary minimum capacity will be eliminated without further assessment.**

### **13. Award criteria**

Each lot will be awarded to the bid offering the best price/quality ratio, taking account of the following criteria:

- Quality of the offer including:
  - Demonstration of the tenderer's understanding of the policy context of the assignment and the results to be achieved 10/100
  - Quality of the proposed approach and methodology 50/100
  - Overall quality in terms of management and appropriateness of task distribution 20/100
  - Clarity and overall coherence of the proposal 20/100



**Please note that the contract will not be awarded to any bid that receives less than 70 points out of 100.**

- Price estimated according to the specimen quotations, form 3 (for Lot 1) and form 4 (for Lot 2).

**The points total multiplied with 100 will then be divided by the price, with the highest-scoring bid being chosen.**

$$\frac{\text{Points X 100}}{\text{Price}} = \text{Score}$$

#### **14. Content and presentation of bids**

##### **Content of bids**

Tenders must include:

- all information and documents necessary to enable the Commission to appraise the bid on the basis of the selection and award criteria (see points 12 and 13 above);
- a bank ID form duly completed and signed by the bank;
- a "legal entity" form duly completed;
- the price; using the annexed price quotation forms;
- the detailed CVs of the proposed experts;
- the name and function of the Contractor's legal representative (i.e. the person authorised to act on behalf of the Contractor in any legal dealings with third parties);
- proof of eligibility: tenderers must indicate the State in which they have their registered office or are established, providing the necessary supporting documents in accordance with their national law.

##### **Presentation of bids**

Bids must be submitted in triplicate (i.e. one original and two copies).

They must include all the information required by the Commission (see points 9, 10, 11 and 12 above).

They must be clear and concise.

They must be signed by the legal representative.

They must be submitted in accordance with the specific requirements of the invitation to tender, within the deadlines laid down.

#### **15. General information**

The draft framework contract specifies the basic conditions applicable to any assignment placed under its terms. Signature of the Contract does not place the Commission under any obligation to place an assignment.

Assignments under the Framework Contract will be done by Service Orders. The Contract does, for example, not preclude the Commission from assigning tasks in the areas set out above to other Contractors, for instance those working under DG EMPL's publication framework contract, or from having these tasks carried out by Commission staff

The volume of services required by the Commission under this framework contract will depend on the budget available to the Commission for financing EURES information and communication activities. As much of the information and communication activities will be carried out at a national and local level, the volume and the nature of assignments will to a great extent also depend on the interest and commitment of the EURES member organisations.

## **16. Liquidated damages and penalties**

Article II.16 of the draft Contract provides for that a Contractor that seriously fails to meet contractual obligations may be subject to liquidated damages.

As stated in Article 1.11 of the Draft Contract, the Commission will conduct regular checks on the service offered by the Contractor.

Instances of poor quality, such as

- repeated low quality standard in terms of the style and language of the products prevailing after notification from DG EMPL, and/or
- the Contractor repeatedly not respecting agreed delivery dates of products which leads to negative or damaging reputation of EURES, DG EMPL or the European Commission

may be considered as a failure of the Contractor to perform his obligations under the Contract, as envisaged in Article II.16 of the Draft Contract.

- Annex I: Exclusion criteria and supporting documents**
- Annex II: Price quotation forms**
- Annex III: EURES EUROpean Employment Services Legal base**
- Annex IV: EURES Guidelines for 2010-2013**

## Annex I

Exclusion criteria (Article 93(1) FR)	Supporting documents to be provided by applicants, tenderers or tenderers to who the contract will be awarded	
	Procurement (Article 93(2) FR; Article 134 IR)	
<b>1. Exclusion from a procurement procedure, Article 93(1) FR :</b> <i>« Candidates or tenderers shall be excluded from participation in a procurement procedure if:</i>		
<b>1.1. (subparagraph a)</b> <i>they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations<sup>4</sup>;</i>	<ul style="list-style-type: none"> <li>– Recent extract from the judicial record</li> <li>or</li> <li>- recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance</li> <li>or</li> <li>– Where no such certificate is issued in the country concerned : sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance</li> </ul>	
<b>1.2. (subparagraph b)</b> <i>they have been convicted of an offence concerning their professional conduct by a judgment which has the force of res judicata<sup>5</sup>;</i>	Cf. supporting documents for Article 93(1)(a) FR above	
<b>1.3. (subparagraph c)</b> <i>they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;</i>	Declaration by the candidate or tenderer that he is not in the situation described	
<b>1.4. (subparagraph d)</b> <i>they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the contract is to be performed<sup>6</sup>;</i>	Recent certificate issued by the competent authority of the State concerned confirming that the candidate is not in the situation described or Where no such certificate is issued in the country concerned : sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance	
<b>1.5. (subparagraph e)</b> <i>they have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Union's financial interests<sup>7</sup>;</i>	Cf. supporting documents for Article 93(1)(a) FR above	

<sup>4</sup> See also Article 134(4) IR : Depending on the national legislation of the country in which the candidate or tenderer is established, the documents referred to in paragraphs 1 and 3 shall relate to legal persons and/or natural persons including, where considered necessary by the contracting authority, company directors or any person with powers of representation, decision-making or control in relation to the candidate or tenderer.

<sup>5</sup> Cf. footnote n° 1.

<sup>6</sup> Cf. footnote n° 1.

<sup>7</sup> Cf. footnote n° 1.

<p><b>1.6. (subparagraph f)</b>  <i>they are currently subject to an administrative penalty referred to in Article 96(1)<sup>8</sup>. »</i></p>	<p>Declaration by the candidate or tenderer that he is not in the situation described</p>
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<sup>8</sup> Article 96(1) FR: The contracting authority may impose administrative or financial penalties on the following:  
 (a) candidates or tenderers in the cases referred to in point (b) of Article 94;  
 (b) contractors who have been declared to be in serious breach of their obligations under contracts covered by the budget.

Exclusion criteria (Article 94 FR)	Supporting documents to be provided by applicants, tenderers or tenderers to who the contract will be awarded	
	Procurement	Grants
<b>2. Exclusion from a procurement or grant award procedure Article 94 FR :</b> « <i>Contracts may not be awarded to candidates or tenderers who, during the procurement procedure:</i>		
<b>2.1. (subparagraph a)</b> <i>are subject to a conflict of interest;</i>	<ul style="list-style-type: none"> <li>– Statement by the applicant, tenderer or bidder confirming the absence of conflict of interests, to be submitted with the application, bid or proposal</li> </ul>	
<b>2.2. (subparagraph b)</b> <i>are guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the contract procedure or fail to supply this information»<sup>9</sup>.</i>	<ul style="list-style-type: none"> <li>– No specific supporting documents to be supplied by the applicant, tenderer or bidder</li> <li>– It is the responsibility of the authorising officer, represented by the evaluation committee, to check that the information submitted is complete<sup>10</sup> and to identify any misrepresentation</li> </ul>	

<sup>9</sup> Cf. Article 146(3) of the FR Implementing Rules: « ...the evaluation committee or the contracting authority may ask candidates or tenderers to supply additional material or to clarify the supporting documents submitted in connection with the exclusion and selection criteria, within the time limit it specifies. » and Article 178(2) of the FR Implementing Rules: « The evaluation committee or, where appropriate, the authorising officer responsible may ask an applicant to provide additional information or to clarify the supporting documents submitted in connection with the application, in particular in the case of obvious clerical errors »

<sup>10</sup> Cf. footnote n°1



**Invitation to tender No VT/2010/15**

**Annex II**

**Price quotation forms**

**Price quotation form 1. Lot 1**

**Task 1 Annual communication plan**

<i>Description of tasks</i>	<i>Unit</i>	<i>Unit price in EUR</i>
<p>Development of an annual communications plan as described in the Terms of reference.</p> <p><i>The price should include participation in meetings as described in point 5.3 of the Terms of Reference.</i></p>	Fixed global price	

**Task 2 Communications tool kit**

<i>Description of tasks</i>	<i>Unit</i>	<i>Unit price in EUR</i>
Work to update the tool kit	Person/day	

**Task 3 Audiovisual media production**

<i>Description of tasks</i>	<i>Unit</i>	<i>Unit price in EUR</i>
<p><i>Production of audiovisual media products as described in the Terms of reference.</i></p> <p><i>All work like preproduction, shooting, editing and postproduction should be covered by the various expert levels.</i></p>		
Director	Person/day	
Assistant Director	Person/day	
Producer - journalist	Person/day	
Production assistant	Person/day	
Video engineer	Person/day	
Assistant video engineer/Sound engineer	Person/day	
Video cameraman	Person/day	
Video editor	Person/day	
Sound editor	Person/day	
Electrician / technician	Person/day	
Creation and copying of DVD discs including design and printing of the cover (4 colours)	Per item if 1-100	
- " -	Per item if 101-500	
- " -	Per item if more than 500	



Tasks 4 and 5 Training and support to the EURES network, Advice and help to manage and co-ordinate information and communication activities

<i>Description of tasks *)</i>	<i>Unit</i>	<i>Unit price in EUR</i>
Provision of communication support, participation in training etc. as described in the Terms of reference. Initiation and coordination of various communication activities as described in the Terms of reference		
Project manager	Person/day	
Assistant project manager	Person/day	
Adviser on communication strategy	Person/day	
Assistant communications adviser	Person/day	
Analyst	Person/day	
Documentalist	Person/day	
Designer – editor	Person/day	
Assistant editor	Person/day	
Artistic designer	Person/day	
Graphic designer	Person/day	
Photographer	Person/day	
Assistant – graphics/layout artist	Person/day	
Designer – web editor	Person/day	

\*) Please note that the indication of tasks/expertise refers to the expertise required for a specific task performed under the contract. An expert with a higher level of expertise than needed for the task should therefore normally be paid according to the level needed and not necessarily to the higher level he or she actually may possess.

**Price quotation form 2. Lot 2**

EURES News and information bureau

<i>Description of tasks</i>	<i>Unit</i>	<i>Unit price in EUR</i>
<p>Operation of the EURES News and information bureau as described in the Terms of reference.</p> <p><i>The price should include participation in meetings as described in point 5.3 of the Terms of Reference.</i></p>	Per month	
All additional work on request not included in the monthly flat fee above:		
Project management, journalistic work	Person/day	
Graphic design	Person/day	

**Specimen quotation form 3. Lot 1**

**Task 1 Annual communication plan**

<i>Description of tasks</i>	<i>Number of units</i>	<i>Unit</i>	<i>Unit price in EUR</i>	<i>Price</i>
Development of an annual communications plan as described in the Terms of reference	1	Fixed global price		
<b>Total price for task 1</b>				

**Task 2 Communications tool kit**

<i>Description of tasks</i>	<i>Number of units</i>	<i>Unit</i>	<i>Unit price in EUR</i>	<i>Price</i>
Work to update the tool kit	30	Person / day		
<b>Total price for task 2</b>				

### Task 3 Audiovisual media production

<i>Description of tasks</i>	<i>Number of units</i>	<i>Unit</i>	<i>Unit price in EUR</i>	<i>Price</i>
<p>Please provide in the cells below the price expressed by person/day at the various expert levels for the production of a video clip of 3 to 5 minutes in 4 languages with subtitles in the same languages. The shooting takes place on one location over 2 days (Do not include any travel or subsistence costs). Separate image and sound post-production.  2 Betacam SP copies per language.  Compressed files in various formats for web publishing  200 DVD copies with all language versions in cover to be priced separately below</p>				
Project manager	Person/day			
Assistant project manager	Person/day			
Adviser on communication strategy	Person/day			
Assistant communications adviser	Person/day			
Analyst	Person/day			
Documentalist	Person/day			
Designer – editor	Person/day			
Assistant editor	Person/day			
Artistic designer	Person/day			
Graphic designer	Person/day			
Photographer	Person/day			
Assistant – graphics/layout artist	Person/day			
Designer – web editor	Person/day			
Creation and copying of 200 DVD discs including design and printing of the cover (4 colours)	Per item	200		
<b>Total price for task 3</b>				

#### Task 4 Training and support to the EURES network

<i>Description of tasks</i>		<i>Unit</i>	<i>Unit price in EUR</i>	<i>Price</i>
Provision of communication support, participation in training etc. as described in the Terms of Reference				
Project manager	10	Person/day		
Assistant project manager	5	Person/day		
Adviser on communication strategy	10	Person/day		
Assistant communications adviser	5	Person/day		
Analyst	5	Person/day		
Documentalist		Person/day		
Designer – editor		Person/day		
Assistant editor		Person/day		
Artistic designer		Person/day		
Graphic designer		Person/day		
Photographer		Person/day		
Assistant – graphics/layout artist		Person/day		
Designer – web editor		Person/day		
<b>Total price for task 4</b>				

Task 5 Advice and help to manage and co-ordinate information and communication activities

<i>Description of tasks</i>		<i>Unit</i>	<i>Unit price in EUR</i>	<i>Price</i>
Initiation and coordination of various communication activities as described in the Terms of reference				
Project manager	10	Person/day		
Assistant project manager	10	Person/day		
Adviser on communication strategy	5	Person/day		
Assistant communications adviser	5	Person/day		
Analyst	0	Person/day		
Documentalist	10	Person/day		
Designer – editor	5	Person/day		
Assistant editor	5	Person/day		
Artistic designer	5	Person/day		
Graphic designer	5	Person/day		
Photographer	0	Person/day		
Assistant – graphics/layout artist	10	Person/day		
Designer – web editor	10	Person/day		
<b>Total price for task 5</b>				

<b>TOTAL price for comparison Lot 1 (tasks 1-5)</b>	
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**Specimen quotation form 4. Lot 2**

EURES News and information bureau

Description of tasks	Number of units	Unit	Unit price in EUR	Price
Operation of the EURES News and information bureau as described in the Terms of reference.	12	Month		
Additional work on request not included in the description above :				
Project management, journalistic work	45	Person/day		
Graphic design	10	Person/day		

<b>TOTAL price for comparison Lot 2</b>	
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## **Annex III**

### **EURES EUROpean Employment Services Legal base**



**CONSOLIDATED VERSION**  
**OF**  
**THE TREATY ON THE FUNCTIONING OF THE**  
**EUROPEAN UNION**

## TITLE IV

### FREE MOVEMENT OF PERSONS, SERVICES AND CAPITAL

#### CHAPTER 1

#### WORKERS

#### *Article 45* (ex Article 39 TEC)

1. Freedom of movement for workers shall be secured within the Union.

2. Such freedom of movement shall entail the abolition of any discrimination based on nationality between workers of the Member States as regards employment, remuneration and other conditions of work and employment.
3. It shall entail the right, subject to limitations justified on grounds of public policy, public security or public health:
  - (a) to accept offers of employment actually made;
  - (b) to move freely within the territory of Member States for this purpose;
  - (c) to stay in a Member State for the purpose of employment in accordance with the provisions governing the employment of nationals of that State laid down by law, regulation or administrative action;
  - (d) to remain in the territory of a Member State after having been employed in that State, subject to conditions which shall be embodied in regulations to be drawn up by the Commission.
4. The provisions of this Article shall not apply to employment in the public service.

*Article 46*  
(ex Article 40 TEC)

The European Parliament and the Council shall, acting in accordance with the ordinary legislative procedure and after consulting the Economic and Social Committee, issue directives or make regulations setting out the measures required to bring about freedom of movement for workers, as defined in Article 45, in particular:

- (a) by ensuring close cooperation between national employment services;
- (b) by abolishing those administrative procedures and practices and those qualifying periods in respect of eligibility for available employment, whether resulting from national legislation or from agreements previously concluded between Member States, the maintenance of which would form an obstacle to liberalisation of the movement of workers;
- (c) by abolishing all such qualifying periods and other restrictions provided for either under national legislation or under agreements previously concluded between Member States as imposed on workers of other Member States conditions regarding the free choice of employment other than those imposed on workers of the State concerned;
- (d) by setting up appropriate machinery to bring offers of employment into touch with applications for employment and to facilitate the achievement of a balance between supply and demand in the employment market in such a way as to avoid serious threats to the standard of living and level of employment in the various regions and industries.

*Article 47*  
(ex Article 41 TEC)

Member States shall, within the framework of a joint programme, encourage the exchange of young workers.

*Article 48*  
(ex Article 42 TEC)

The European Parliament and the Council shall, acting in accordance with the ordinary legislative procedure, adopt such measures in the field of social security as are necessary to provide freedom of movement for workers; to this end, they shall make arrangements to secure for employed and self-employed migrant workers and their dependants:

- (a) aggregation, for the purpose of acquiring and retaining the right to benefit and of calculating the amount of benefit, of all periods taken into account under the laws of the several countries;
- (b) payment of benefits to persons resident in the territories of Member States.

Where a member of the Council declares that a draft legislative act referred to in the first subparagraph would affect important aspects of its social security system, including its scope, cost or financial structure, or would affect the financial balance of that system, it may request that the matter be referred to the European Council. In that case, the ordinary legislative procedure shall be suspended. After discussion, the European Council shall, within four months of this suspension, either:

- (a) refer the draft back to the Council, which shall terminate the suspension of the ordinary legislative procedure; or
- (b) take no action or request the Commission to submit a new proposal; in that case, the act originally proposed shall be deemed not to have been adopted.

This document is meant purely as a documentation tool and the institutions do not assume any liability for its contents

► **B**

**REGULATION (EEC) No 1612/68 OF THE COUNCIL**

**of 15 October 1968**

**on freedom of movement for workers within the Community**

(OJ L 257, 19.10.1968, p. 2)

Amended by:

		Official Journal		
		No	page	date
► <b>M1</b>	Council Regulation (EEC) No 312/76 of 9 February 1976	L 039	2	14.2.1976
► <b>M2</b>	Council Regulation (EEC) No 2434/92 of 27 July 1992	L 245	1	26.8.1992
► <b>M3</b>	Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004	L 229	35	29.6.2004

Corrected by:

- **C1** Corrigendum, OJ L 999, 1.1.1973, p. 28 (1612/1968)



# REGULATION (EEC) No 1612/68 OF THE COUNCIL

of 15 October 1968

on freedom of movement for workers within the Community

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 49 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament <sup>(1)</sup>;

Having regard to the Opinion of the Economic and Social Committee <sup>(2)</sup>;

Whereas freedom of movement for workers should be secured within the Community by the end of the transitional period at the latest; whereas the attainment of this objective entails the abolition of any discrimination based on nationality between workers of the Member States as regards employment, remuneration and other conditions of work and employment, as well as the right of such workers to move freely within the Community in order to pursue activities as employed persons subject to any limitations justified on grounds of public policy, public security or public health;

Whereas by reason in particular of the early establishment of the customs union and in order to ensure the simultaneous completion of the principal foundations of the Community, provisions should be adopted to enable the objectives laid down in Articles 48 and 49 of the Treaty in the field of freedom of movement to be achieved and to perfect measures adopted successively under Regulation No 15 <sup>(3)</sup> on the first steps for attainment of freedom of movement and under Council Regulation No **C1** 38/64/EEC **◀** <sup>(4)</sup> of 25 March 1964 on freedom of movement for workers within the Community;

Whereas freedom of movement constitutes a fundamental right of workers and their families; whereas mobility of labour within the Community must be one of the means by which the worker is guaranteed the possibility of improving his living and working conditions and promoting his social advancement, while helping to satisfy the requirements of the economies of the Member States; whereas the right of all workers in the Member States to pursue the activity of their choice within the Community should be affirmed;

Whereas such right must be enjoyed without discrimination by permanent, seasonal and frontier workers and by those who pursue their activities for the purpose of providing services;

Whereas the right of freedom of movement, in order that it may be exercised, by objective standards, in freedom and dignity, requires that equality of treatment shall be ensured in fact and in law in respect of all matters relating to the actual pursuit of activities as employed persons and to eligibility for housing, and also that obstacles to the mobility of workers shall be eliminated, in particular as regards the worker's right to be joined by his family and the conditions for the integration of that family into the host country;

Whereas the principle of non-discrimination between Community workers entails that all nationals of Member States have the same priority as regards employment as is enjoyed by national workers;

Whereas it is necessary to strengthen the machinery for vacancy clearance, in particular by developing direct co-operation between the central employment services and also between the regional services, as well as by increasing and co-ordinating the exchange of information in order to ensure in a general way a clearer picture of the labour market; whereas

<sup>(1)</sup> OJ No 268, 6.11.1967, p. 9.

<sup>(2)</sup> OJ No 298, 7.12.1967, p. 10.

<sup>(3)</sup> OJ No 57, 26.8.1961, p. 1073/61.

<sup>(4)</sup> OJ No 62, 17.4.1964, p. 965/64.



## ▼B

workers wishing to move should also be regularly informed of living and working conditions; whereas, furthermore, measures should be provided for the case where a Member State undergoes or foresees disturbances on its labour market which may seriously threaten the standard of living and level of employment in a region or an industry; whereas for this purpose the exchange of information, aimed at discouraging workers from moving to such a region or industry, constitutes the method to be applied in the first place but, where necessary, it should be possible to strengthen the results of such exchange of information by temporarily suspending the abovementioned machinery, any such decision to be taken at Community level;

Whereas close links exist between freedom of movement for workers, employment and vocational training, particularly where the latter aims at putting workers in a position to take up offers of employment from other regions of the Community; whereas such links make it necessary that the problems arising in this connection should no longer be studied in isolation but viewed as inter-dependent, account also being taken of the problems of employment at the regional level; and whereas it is therefore necessary to direct the efforts of Member States toward co-ordinating their employment policies at Community level;

Whereas the Council, by its Decision of 15 October 1968 <sup>(1)</sup> made Articles 48 and 49 of the Treaty and also the measures taken in implementation thereof applicable to the French overseas departments;

HAS ADOPTED THIS REGULATION:

## PART I

## EMPLOYMENT AND WORKERS' FAMILIES

## TITLE I

## Eligibility for employment

*Article 1*

1. Any national of a Member State, shall, irrespective of his place of residence, have the right to take up an activity as an employed person, and to pursue such activity, within the territory of another Member State in accordance with the provisions laid down by law, regulation or administrative action governing the employment of nationals of that State.

2. He shall, in particular, have the right to take up available employment in the territory of another Member State with the same priority as nationals of that State.

*Article 2*

Any national of a Member State and any employer pursuing an activity in the territory of a Member State may exchange their applications for and offers of employment, and may conclude and perform contracts of employment in accordance with the provisions in force laid down by law, regulation or administrative action, without any discrimination resulting therefrom.

*Article 3*

1. Under this Regulation, provisions laid down by law, regulation or administrative action or administrative practices of a Member State shall not apply:

— where they limit application for and offers of employment, or the right of foreign nationals to take up and pursue employment or subject these to conditions not applicable in respect of their own nationals; or

<sup>(1)</sup> OJ No L 257, 19.10.1968, p. 1.

**▼B**

- where, though applicable irrespective of nationality, their exclusive or principal aim or effect is to keep nationals of other Member States away from the employment offered.

This provision shall not apply to conditions relating to linguistic knowledge required by reason of the nature of the post to be filled.

2. There shall be included in particular among the provisions or practices of a Member State referred to in the first subparagraph of paragraph 1 those which:

- (a) prescribe a special recruitment procedure for foreign nationals;
- (b) limit or restrict the advertising of vacancies in the press or through any other medium or subject it to conditions other than those applicable in respect of employers pursuing their activities in the territory of that Member State;
- (c) subject eligibility for employment to conditions of registration with employment offices or impede recruitment of individual workers, where persons who do not reside in the territory of that State are concerned.

*Article 4*

1. Provisions laid down by law, regulation or administrative action of the Member States which restrict by number or percentage the employment of foreign nationals in any undertaking, branch of activity or region, or at a national level, shall not apply to nationals of the other Member States.

2. When in a Member State the granting of any benefit to undertakings is subject to a minimum percentage of national workers being employed, nationals of the other Member States shall be counted as national workers, subject to the provisions of the Council Directive of 15 October 1963 <sup>(1)</sup>.

*Article 5*

A national of a Member State who seeks employment in the territory of another Member State shall receive the same assistance there as that afforded by the employment offices in that State to their own nationals seeking employment.

*Article 6*

1. The engagement and recruitment of a national of one Member State for a post in another Member State shall not depend on medical, vocational or other criteria which are discriminatory on grounds of nationality by comparison with those applied to nationals of the other Member State who wish to pursue the same activity.

2. Nevertheless, a national who holds an offer in his name from an employer in a Member State other than that of which he is a national may have to undergo a vocational test, if the employer expressly requests this when making his offer of employment.

*TITLE II***Employment and equality of treatment***Article 7*

1. A worker who is a national of a Member State may not, in the territory of another Member State, be treated differently from national workers by reason of his nationality in respect of any conditions of employment and work, in particular as regards remuneration, dismissal, and should he become unemployed, reinstatement or re-employment;

2. He shall enjoy the same social and tax advantages as national workers.

<sup>(1)</sup> OJ No 159, 2. 11. 1963, p. 2661/63.

## ▼B

3. He shall also, by virtue of the same right and under the same conditions as national workers, have access to training in vocational schools and retraining centres.

4. Any clause of a collective or individual agreement or of any other collective regulation concerning eligibility for employment, employment, remuneration and other conditions of work or dismissal shall be null and void in so far as it lays down or authorises discriminatory conditions in respect of workers who are nationals of the other Member States.

*Article 8*

1. A worker who is a national of a Member State and who is employed in the territory of another Member State shall enjoy equality of treatment as regards membership of trade unions and the exercise of rights attaching thereto, including the right to vote ►M1 and to be eligible for the administration or management posts of a trade union ◄; he may be excluded from taking part in the management of bodies governed by public law and from holding an office governed by public law. Furthermore, he shall have the right of eligibility for workers' representative bodies in the undertaking. The provisions of this Article shall not affect laws or regulations in certain Member States which grant more extensive rights to workers coming from the other Member States.

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*Article 9*

1. A worker who is a national of a Member State and who is employed in the territory of another Member State shall enjoy all the rights and benefits accorded to national workers in matters of housing, including ownership of the housing he needs.

2. Such a worker may, with the same right as nationals, put his name down on the housing lists in the region in which he is employed, where such lists exist; he shall enjoy the resultant benefits and priorities.

If his family has remained in the country whence he came, they shall be considered for this purpose as residing in the said region, where national workers benefit from a similar presumption.

*TITLE III***Workers' families**

## ▼M3

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*Article 12*

The children of a national of a Member State who is or has been employed in the territory of another Member State shall be admitted to that State's general educational, apprenticeship and vocational training courses under the same conditions as the nationals of that State, if such children are residing in its territory.

Member States shall encourage all efforts to enable such children to attend these courses under the best possible conditions.

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## PART II

## CLEARANCE OF VACANCIES AND APPLICATIONS FOR EMPLOYMENT

## TITLE I

## Cooperation between the Member States and with the Commission

## Article 13

1. The Member States or the Commission shall instigate or together undertake any study of employment or unemployment which they consider necessary for securing freedom of movement for workers within the Community.

The central employment services of the Member States shall co-operate closely with each other and with the Commission with a view to acting jointly as regards the clearing of vacancies and applications for employment within the Community and the resultant placing of workers in employment.

2. To this end the Member States shall designate specialist services which shall be entrusted with organising work in the fields referred to above and co-operating with each other and with the departments of the Commission.

The Member States shall notify the Commission of any change in the designation of such services; the Commission shall publish details thereof for information in the *Official Journal of the European Communities*.

## Article 14

1. The Member States shall send to the Commission information on problems arising in connection with the freedom of movement and employment of workers and particulars of the state and development of employment ► **M2** ——— ◀

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2. The Commission, taking the utmost account of the opinion of the Technical Committee, shall determine the manner in which the information referred to in paragraph 1 is to be drawn up.

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3. In accordance with the procedure laid down by the Commission ► **M2** taking the utmost account of the opinion of the Technical Committee ◀ the specialist service of each Member State shall send to the specialist services of the other Member States and to the European Coordination Office such information concerning living and working conditions and the state of the labour market as is likely to be of guidance to workers from the other Member States. Such information shall be brought up to date regularly.

The specialist services of the other Member States shall ensure that wide publicity is given to such information, in particular by circulating it among the appropriate employment services and by all suitable means of communication for informing the workers concerned.

## TITLE II

## Machinery for vacancy clearance

▼ **M2**

## Article 15

1. The specialist service of each Member State shall regularly send to the specialist services of the other Member States and to the European Coordination Office:

- (a) details of vacancies which could be filled by nationals of other Member States;

▼ **M2**

- (b) details of vacancies addressed to non-Member States,
- (c) details of applications for employment by those who have formally expressed a wish to work in another Member State;
- (d) information, by region and by branch of activity, on applicants who have declared themselves actually willing to accept employment in another country.

The specialist service of each Member State shall forward this information to the appropriate employment services and agencies as soon as possible.

2. The details of vacancies and applications referred to in paragraph 1 shall be circulated according to a uniform system to be established by the European Coordination Office in collaboration with the Technical Committee.

If necessary, the European Coordination Office may adapt this system in collaboration with the Technical Committee

*Article 16*

1. Any vacancy within the meaning of Article 15 communicated to the employment services of a Member State shall be notified to and processed by the competent employment services of the other Member States concerned.

Such services shall forward to the services of the first Member State the details of suitable applications.

2. The applications for employment referred to in Article 15 (1) (c) shall be responded to by the relevant services of the Member States within a reasonable period, not exceeding one month.

3. The employment services shall grant workers who are nationals of the Member States the same priority as the relevant measures grant to nationals *vis-à-vis* workers from non-Member States.

▼ **B***Article 17*

1. The provisions of Article 16 shall be implemented by the specialist services. However, in so far as they have been authorised by the central services and in so far as the organisation of the employment services of a Member State and the placing techniques employed make it possible:

- (a) the regional employment services of the Member States shall:
  - (i) on the basis of the ► **M2** details ◀ referred to in Article 15, on which appropriate action will be taken, directly bring together and clear vacancies and applications for employment;
  - (ii) establish direct relations for clearance:
    - of vacancies offered to a named worker;
    - of individual applications for employment sent either to a specific employment service or to an employer pursuing his activity within the area covered by such a service;
    - where the clearing operations concern seasonal workers who must be recruited as quickly as possible;

▼ **M2**

- (b) the services territorially responsible for the border regions of two or more Member States shall regularly exchange data relating to vacancies and applications for employment in their area and, acting in accordance with their arrangements with the other employment services of their countries, shall directly bring together and clear vacancies and applications for employment.

If necessary, the services territorially responsible for border regions shall also set up cooperation and service structures to provide:

- users with as much practical information as possible on the various aspects of mobility, and

**▼M2**

— management and labour, social services (in particular public, private or those of public interest) and all institutions concerned, with a framework of coordinated measures relating to mobility;

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(c) official employment services which specialise in certain occupations or specific categories of persons shall cooperate directly with each other.

2. The Member States concerned shall forward to the Commission the list, drawn up by common accord, of services referred to in paragraph 1; the Commission shall publish such list, and any amendment thereto, in the *Official Journal of the European Communities*.

*Article 18*

Adoption of recruiting procedures as applied by the implementing bodies provided for under agreements concluded between two or more Member States shall not be obligatory.

*TITLE III***Measures for controlling the balance of the labour market***Article 19***▼M2**

1. On the basis of a report from the Commission drawn up from information supplied by the Member States, the latter and the Commission shall at least once a year analyse jointly the results of Community arrangements regarding vacancies and applications.

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2. The Member States shall examine with the Commission all the possibilities of giving priority to nationals of Member States when filling employment vacancies in order to achieve a balance between vacancies and applications for employment within the Community. They shall adopt all measures necessary for this purpose.

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3. Every two years the Commission shall submit a report to the European Parliament, the Council and the Economic and Social Committee on the implementation of Part II of this Regulation, summarizing the information required and the data obtained from the studies and research carried out and highlighting any useful points with regard to developments on the Community's labour market.

**▼B***TITLE IV***European Co-ordination Office***Article 21*

The European Office for Co-ordinating the Clearance of Vacancies and Applications for Employment, established within the Commission (called in this Regulation the 'European Coordination Office'), shall have the general task of promoting vacancy clearance at Community level. It shall be responsible in particular for all the technical duties in this field which, under the provisions of this Regulation, are assigned to the Commission, and especially for assisting the national employment services.

It shall summarise the information referred to in Articles 14 and 15 and the data arising out of the studies and research carried out pursuant to Article 13, so as to bring to light any useful facts about foreseeable

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developments on the Community labour market; such facts shall be communicated to the specialist services of the Member States and to the Advisory and Technical Committees.

*Article 22*

1. The European Coordination Office shall be responsible, in particular, for:
  - (a) co-ordinating the practical measures necessary for vacancy clearance at Community level and for analysing the resulting movements of workers;
  - (b) contributing to such objectives by implementing, in cooperation with the Technical Committee, joint methods of action at administrative and technical levels;
  - (c) carrying out, where a special need arises, and in agreement with the specialist services, the bringing together of vacancies and applications for employment for clearance by these specialist services.
2. It shall communicate to the specialist services vacancies and applications for employment sent directly to the Commission, and shall be informed of the action taken thereon.

*Article 23*

The Commission may, in agreement with the competent authority of each Member State, and in accordance with the conditions and procedures which it shall determine on the basis of the Opinion of the Technical Committee, organise visits and assignments for officials of other Member States, and also advanced programmes for specialist personnel.

## PART III

**COMMITTEES FOR ENSURING CLOSE CO-OPERATION BETWEEN  
THE MEMBER STATES IN MATTERS CONCERNING THE FREEDOM  
OF MOVEMENT OF WORKERS AND THEIR EMPLOYMENT**

*TITLE I***The Advisory Committee***Article 24*

The Advisory Committee shall be responsible for assisting the Commission in the examination of any questions arising from the application of the Treaty and measures taken in pursuance thereof, in matters concerning the freedom of movement of workers and their employment.

*Article 25*

The Advisory Committee shall be responsible in particular for:

- (a) examining problems concerning freedom of movement and employment within the framework of national manpower policies, with a view to co-ordinating the employment policies of the Member States at Community level, thus contributing to the development of the economies and to an improved balance of the labour market;
- (b) making a general study of the effects of implementing this Regulation and any supplementary measures;
- (c) submitting to the Commission any reasoned proposals for revising this Regulation;
- (d) delivering, either at the request of the Commission or on its own initiative, reasoned opinions on general questions or on questions of principle, in particular on exchange of information concerning developments in the labour market, on the movement of workers between Member States, on programmes or measures to develop vocational guidance and vocational training which are likely to

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increase the possibilities of freedom of movement and employment, and on all forms of assistance to workers and their families, including social assistance and the housing of workers.

#### Article 26

1. The Advisory Committee shall be composed of six members for each Member State, two of whom shall represent the Government, two the trade unions and two the employers' associations.

2. For each of the categories referred to in paragraph 1, one alternate member shall be appointed by each Member State.

3. The term of office of the members and their alternates shall be two years. Their appointments shall be renewable.

On expiry of their term of office, the members and their alternates shall remain in office until replaced or until their appointments are renewed.

#### Article 27

The members of the Advisory Committee and their alternates shall be appointed by the Council which shall endeavour, when selecting representatives of trade unions and employers' associations, to achieve adequate representation on the Committee of the various economic sectors concerned.

The list of members and their alternates shall be published by the Council for information in the *Official Journal of the European Communities*.

#### Article 28

The Advisory Committee shall be chaired by a member of the Commission or his alternate. The Chairman shall not vote. The Committee shall meet at least twice a year. It shall be convened by its Chairman, either on his own initiative, or at the request of at least one third of the members. Secretarial services shall be provided for the Committee by the Commission.

#### Article 29

The Chairman may invite individuals or representatives of bodies with wide experience in the field of employment or movement of workers to take part in meetings as observers or as experts. The Chairman may be assisted by expert advisers.

#### Article 30

1. An opinion delivered by the Committee shall not be valid unless two-thirds of the members are present.

2. Opinions shall state the reasons on which they are based; they shall be delivered by an absolute majority of the votes validly cast; they shall be accompanied by a written statement of the views expressed by the minority, when the latter so requests.

#### Article 31

The Advisory Committee shall establish its working methods by rules of procedure which shall enter into force after the Council, having received an opinion from the Commission, has given its approval. The entry into force of any amendment that the Committee decides to make thereto shall be subject to the same procedure.



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## TITLE II

## The Technical Committee

## Article 32

The Technical Committee shall be responsible for assisting the Commission to prepare, promote and follow up all technical work and measures for giving effect to this Regulation and any supplementary measures.

## Article 33

The Technical Committee shall be responsible in particular for:

- (a) promoting and advancing cooperation between the public authorities concerned in the Member States on all technical questions relating to freedom of movement of workers and their employment;
- (b) formulating procedures for the organisation of the joint activities of the public authorities concerned;
- (c) facilitating the gathering of information likely to be of use to the Commission and for the studies and research provided for in this Regulation, and encouraging exchange of information and experience between the administrative bodies concerned;
- (d) investigating at a technical level the harmonisation of the criteria by which Member States assess the state of their labour markets.

## Article 34

1. The Technical Committee shall be composed of representatives of the Governments of the Member States. Each Government shall appoint as member of the Technical Committee one of the members who represent it on the Advisory Committee.
2. Each Government shall appoint an alternate from among its other representatives — members or alternates — on the Advisory Committee.

## Article 35

The Technical Committee shall be chaired by a member of the Commission or his representative. The Chairman shall not vote. The Chairman and the members of the Committee may be assisted by expert advisers.

Secretarial services shall be provided for the Committee by the Commission.

## Article 36

The proposals and opinions formulated by the Technical Committee shall be submitted to the Commission, and the Advisory Committee shall be informed thereof. Any such proposals and opinions shall be accompanied by a written statement of the views expressed by the various members of the Technical Committee, when the latter so requests.

## Article 37

The Technical Committee shall establish its working methods by rules of procedure which shall enter into force after the Council, having received an opinion from the Commission, has given its approval. The entry into force of any amendment which the Committee decides to make thereto shall be subject to the same procedure.



## PART IV

## TRANSITIONAL AND FINAL PROVISIONS

## TITLE I

## Transitional provisions

## Article 38

Until the adoption by the Commission of the uniform system referred to in Article 15 (2), the European Coordination Office shall propose any measures likely to be of use in drawing up and circulating the returns referred to in Article 15 (1).

## Article 39

The rules of procedure of the Advisory Committee and the Technical Committee in force at the time of entry into force of this Regulation shall continue to apply.

## Article 40

Until the entry into force of the measures to be taken by Member States in pursuance of the Council Directive of 15 October 1968 <sup>(1)</sup> and where, under the measures taken by the Member States in pursuance of the Council Directive of 25 March 1964 <sup>(2)</sup> the work permit provided for in Article 22 of Regulation No 38/64/EEC is necessary to determine the period of validity and extension of the residence permit, written confirmation of engagement from the employer or a certificate of employment stating the period of employment may be substituted for such a work permit. Any written confirmation by the employer or certificate of employment showing that the worker has been engaged for an indefinite period shall have the same effect as that of a permanent work permit.

## Article 41

If, by reason of the abolition of the work permit, a Member State can no longer compile certain statistics on the employment of foreign nationals, such a Member State may, for statistical purposes, retain the work permit in respect of nationals of the other Member States until new statistical methods are introduced, but no later than 31 December 1969. The work permit must be issued automatically and must be valid until the actual abolition of work permits in such a Member State.

## TITLE II

## Final provisions

## Article 42

1. This Regulation shall not affect the provisions of the Treaty establishing the European Coal and Steel Community which relate to workers with recognised qualifications in coalmining or steelmaking, nor those of the Treaty establishing the European Atomic Energy Community which deal with eligibility for skilled employment in the field of nuclear energy, nor any measures taken in pursuance of those Treaties.

Nevertheless, this Regulation shall apply to categories of workers referred to in the first subparagraph and to members of their families in so far as their legal position is not governed by the above-mentioned Treaties or measures.

2. This Regulation shall not affect measures taken in accordance with Article 51 of the Treaty.

3. This Regulation shall not affect the obligations of Member States arising out of:

<sup>(1)</sup> OJ No L 257, 19. 10. 1968, p. 13.

<sup>(2)</sup> OJ No 62, 17. 4. 1964, p. 981/64.

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- special relations or future agreements with certain non-European countries or territories, based on institutional ties existing at the time of the entry into force of this Regulation; or
- agreements in existence at the time of the entry into force of this Regulation with certain non-European countries or territories, based on institutional ties between them.

Workers from such countries or territories who, in accordance with this provision, are pursuing activities as employed persons in the territory of one of those Member States may not invoke the benefit of the provisions of this Regulation in the territory of the other Member States.

*Article 43*

Member States shall, for information purposes, communicate to the Commission the texts of agreements, conventions or arrangements concluded between them in the manpower field between the date of their being signed and that of their entry into force.

*Article 44*

The Commission shall adopt measures pursuant to this Regulation for its implementation. To this end it shall act in close cooperation with the central public authorities of the Member States.

*Article 45*

The Commission shall submit to the Council proposals aimed at abolishing, in accordance with the conditions of the Treaty, restrictions on eligibility for employment of workers who are nationals of Member States, where the absence of mutual recognition of diplomas, certificates or other evidence of formal qualifications may prevent freedom of movement for workers.

*Article 46*

The administrative expenditure of the Committees referred to in Part III shall be included in the budget of the European Communities in the section relating to the Commission.

*Article 47*

This Regulation shall apply to the territories of the Member States and to their nationals, without prejudice to Articles 2, 3, 10 and 11.

*Article 48*

Regulation No 38/64/EEC shall cease to have effect when this Regulation enters into force.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

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## II

(Acts whose publication is not obligatory)

## COMMISSION

## COMMISSION DECISION

of 23 December 2002

implementing Council Regulation (EEC) No 1612/68 as regards the clearance of vacancies and applications for employment

(notified under document number C(2002) 5236)

(Text with EEA relevance)

(2003/8/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1612/68 of 15 October 1968 on freedom of movement for workers within the Community <sup>(1)</sup>, as last amended by Regulation (EEC) No 2434/92 <sup>(2)</sup>, and in particular Article 44 thereof,

Whereas:

- (1) Much progress has been made since the initial launch of the European Employment Services network (EURES) established by Commission Decision 93/569/EEC <sup>(3)</sup>, in order to implement Council Regulation (EEC) No 1612/68.
- (2) In the light of the experience gained since 1993, and taking into account and consolidating recent developments in the EURES environment, the network should now be reinforced and fully integrated into the activities of employment services of the Member States. The current division of responsibilities and the decision-making procedures should be redesigned.
- (3) With a view to the forthcoming enlargement of the European Union, full account should be taken of the implementation of EURES in the acceding countries while ensuring that the system remains efficient and manageable.
- (4) The opportunities afforded by the emerging information and communication technology tools for further enhancing and rationalising the services provided should also be taken into account.

- (5) To this end, EURES should be consolidated and strengthened as a key tool for the monitoring of mobility, for the support of the free movement of workers and the integration of the European labour markets, and for informing citizens about the relevant Community legislation.

- (6) There is a need to underpin occupational and geographic mobility in line with the European Employment Strategy, in the interests of implementing the Action Plan for skills and mobility <sup>(4)</sup> and the Council Resolution of 3 June 2002 on the same issue <sup>(5)</sup>.

- (7) For the sake of clarity, it is advisable to re-establish the European Employment Services network whilst defining more precisely its composition, constitution and functions. This operation will entail the replacement of Decision 93/569/EEC.

- (8) The measures provided for in this Decision are in accordance with the opinion of the Technical Committee on freedom of movement for workers,

HAS ADOPTED THIS DECISION:

Article 1

**The EURES network**

The Commission, the employment services of the Member States and any further national partners which they may have, shall create a European network of services, designated EURES (EUROpean Employment Services) responsible for developing the exchange of information and cooperation provided for in Part II of Regulation (EEC) No 1612/68.

<sup>(1)</sup> OJ L 257, 19.10.1968, p. 2.

<sup>(2)</sup> OJ L 245, 26.8.1992, p. 1.

<sup>(3)</sup> OJ L 274, 22.10.1993, p. 32.

<sup>(4)</sup> COM(2002) 72 final of 13.2.2002.

<sup>(5)</sup> OJ C 162, 6.7.2002, p. 1.

## Article 2

**Objectives**

EURES contributes to the coordinated implementation of provisions of Part II of Regulation (EEC) No 1612/68. It supports the European Employment Strategy and contributes to the strengthening of the European Single market.

In particular, for the benefit of job seekers, workers and employers, EURES shall seek to promote:

- (a) the development of European labour markets open and accessible for all;
- (b) the transnational, interregional and cross-border exchange of vacancies and job applications;
- (c) transparency and information exchange on the European labour markets, including on living conditions and on the opportunities for acquisition of skills;
- (d) the development of methodologies and indicators for this purpose.

## Article 3

**Composition**

EURES shall comprise the following categories:

- (a) the EURES members, which shall be the specialist services appointed by the Member States in accordance with Article 13(2) of Regulation (EEC) No 1612/68, and the European Coordination Office, in accordance with Articles 21, 22 and 23 of that Regulation; and
- (b) the EURES partners, as provided for in Article 17(1) of Regulation (EEC) No 1612/68; namely:
  - (i) regional employment services of the Member States;
  - (ii) employment services responsible for border regions;
  - (iii) specialised employment services that have been notified to the Commission in accordance with Article 17(2) of Regulation (EEC) No 1612/68.

These categories shall include the trades union and employer organisations designated by the EURES members.

## Article 4

**Role of the European Coordination Office**

The Directorate-General for Employment and Social Affairs of the Commission is responsible for managing the European Coordination Office.

The European Coordination Office (hereinafter referred to as the EURES Coordination Office) shall oversee compliance with the provisions of Part II of Regulation (EEC) No 1612/68 and shall assist the network in carrying out its activities.

It shall, in particular, undertake:

- (a) the analysis of geographic and occupational mobility and the development of a general approach to mobility in accordance with the European Employment Strategy;
- (b) the formulation of a coherent overall approach and of appropriate arrangements to promote cooperation and coordination between Member States;

- (c) overall monitoring and evaluation of EURES activity, and action to check that it is carried out in accordance with Regulation (EEC) No 1612/68 and with this Decision.

## Article 5

**EURES logo**

The acronym EURES shall be used exclusively for activities within EURES. It shall be illustrated by a standard logo, defined by a graphic design scheme.

The logo shall be registered as a Community trade mark at the Office for Harmonization in the Internal Market (OHIM). It may be used by the EURES members and partners.

## Article 6

**High Level Strategy Group**

A High Level Strategy Group is hereby created, composed of the Heads of the EURES members and chaired by a representative of the Commission. It shall assist the Commission in promoting and overseeing the development of EURES.

The Commission shall consult the High Level Strategy Group on questions concerning the strategic planning, development, implementation, monitoring and evaluation of the services and activities referred to in this Decision, including:

- (a) the EURES Charter, in accordance with Article 8(2);
- (b) the EURES guidelines, in accordance with Article 9(1);
- (c) the Commission's draft annual report provided for by Article 19(1) of Regulation (EEC) No 1612/68;
- (d) the Commission's two-yearly report to the European Parliament, the Council and the Economic and Social Committee required by Article 19(3) of Regulation (EEC) No 1612/68.

The Heads of the European social partners' organisations shall be invited to participate in the meetings of the Group.

The Group shall establish its working methods and rules of procedure. As a general rule, it shall be convened twice a year by the chairperson. It shall deliver its opinions by simple majority.

The EURES Coordination Office shall provide secretarial support.

## Article 7

**Working party**

In order to assist it in the development, implementation and monitoring of EURES activities, the EURES Coordination Office shall institute a Working Party composed of EURES managers, each one representing a EURES member. The EURES Coordination Office shall invite representatives of the European social partners and, when appropriate, representatives of other EURES partners and experts, to attend the meetings of the Working Party.

## Article 8

**EURES Charter**

1. The EURES Coordination Office shall adopt the EURES Charter in accordance with the procedures set out in Article 14(2), Article 15(2), Article 22(1)(a), (b) and (c), and Article 23 of Regulation (EEC) No 1612/68, after consultation of the EURES High Level Strategy Group established by Article 6 of this Decision.

2. On the basis of the principle that all vacancies and applications for employment that are made public by any of the EURES members and partners must be accessible throughout the Community, the EURES Charter shall, in particular, establish:

(a) descriptions of the activities that the EURES members and partners shall carry out, including:

- (i) job-matching services, including personalised counselling and advice to customers, whether they be job seekers, workers or employers;
- (ii) the development of transnational and cross-border cooperation, including employment and social services, the social partners and other institutions concerned, with a view to the improvement of the functioning of the labour markets, their integration and improved mobility;
- (iii) the promotion of coordinated monitoring and assessment of obstacles to mobility, skills surpluses and shortages and migration flows;

(b) the operational objectives of the EURES system, the quality standards to be applied as well as the obligations of the EURES members and partners, which include:

- (i) the integration of members' relevant databases of job vacancies, with the EURES vacancy exchange mechanism, by a deadline to be specified;
- (ii) the kind of information, such as labour market information, information on living and working conditions, information on job offers and requests, and obstacles to mobility, which they have to supply to their customers and to the rest of the network;
- (iii) the training and qualifications required for EURES personnel and conditions and procedures for the organisation of visits and assignments for officials;
- (iv) the drawing up, submission to the EURES Coordination Office and execution of activity plans, including specific rules for the EURES cross-border activities;
- (v) the conditions governing the use of the EURES logo by the members and partners;
- (vi) principles for monitoring and evaluating EURES activities;

(c) procedures to set up a uniform system and common models for the exchange of labour market and mobility-related information within the EURES network, as provided for in Articles 14, 15 and 16 of Regulation (EEC) No 1612/

68, including information on jobs and on learning opportunities in the European Union to be incorporated into an integrated job mobility information website.

## Article 9

**Guidelines and Activity Plans**

1. In line with the EURES Charter provided for in Article 8, and after consulting the EURES High Level Strategy Group provided for in Article 6, the EURES Coordination Office shall establish guidelines for the activities of EURES covering a three-year period.

The guidelines shall include the conditions for any financial assistance which the Community may provide in accordance with paragraph 4.

2. On the basis of the guidelines, EURES members shall present their respective activity plans for the period covered by the guidelines to the EURES Coordination Office. The activity plan shall specify:

- (a) the main activities to be undertaken by the EURES member within the framework of the network, including the transnational, cross-border and sectoral activities provided for in Article 17 of Regulation (EEC) No 1612/68;
- (b) the human and financial resources allocated for the implementation of Part II of Regulation (EEC) No 1612/68;
- (c) the arrangements for monitoring and evaluation of the activities planned, including the information to be sent to the Commission on an annual basis.

The activity plans shall also include an assessment of the activities and progress achieved during the previous period.

3. The EURES Coordination Office shall examine the activity plans and the information sent on their implementation with a view to assessing their consistency with the guidelines and the provisions of Part II of Regulation (EEC) No 1612/68. The results of this assessment shall be analysed jointly with the EURES members on an annual basis, in accordance with Article 19(1) of that Regulation, and shall be included in the Commission's two-yearly report to the European Parliament, the Council and the Economic and Social Committee required by Article 19(3) of that Regulation.

4. The Commission may grant financial assistance for the implementation of the activity plans subject to the rules governing the relevant budgetary resources.

## Article 10

**Repeal**

Decision 93/569/EEC is hereby repealed. However, it shall continue to apply to operations in respect of which an application was submitted before the entry into force of this Decision.

*Article 11***Date of application**

This Decision shall apply from 1 March 2003.

*Article 12***Addressees**

This Decision is addressed to the Member States.

Done at Brussels, 23 December 2002.

*For the Commission*  
Anna DIAMANTOPOULOU  
*Member of the Commission*

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**EURES CHARTER**

(2003/C 106/03)

THE EUROPEAN COORDINATION OFFICE, hereinafter referred to as the EURES Coordination Office, as established under the terms of Article 21 of Council Regulation (EEC) No 1612/68,

Having regard to Commission Decision 2003/8/EC of 23 December 2002 implementing Council Regulation (EEC) No 1612/68 as regards the clearance of vacancies and applications for employment<sup>(1)</sup>, hereinafter referred to as the Decision, and in particular Article 8,

Having regard to the opinion of the Advisory Committee on free movement of workers and the Technical Committee on free movement of workers,

and after consulting the EURES High Level Strategy Group,

HAS ADOPTED THIS EURES CHARTER:

to which the EURES members (the specialist services appointed by the Member States) and the EURES partners (all other participating organisations, including social partner organisations), in accordance with Article 3 of the Decision, shall adhere when carrying out activities within the framework of the EURES cooperation.

**PART I — DESCRIPTION OF EURES ACTIVITIES**

EURES activities shall be an integral part of the service offer of the EURES members, accessible at any of their local offices.

EURES members shall take the European dimension, and in particular the European Employment Strategy, into consideration when defining their targets and performance indicators.

EURES members and partners shall collaborate with a view to strengthening this integration.

**1.1. Job matching services**

EURES members and partners shall actively contribute to an increased mobility on the European labour market by exchanging information between themselves on vacancies and applications for employment. Vacancy information shall be valid, accurate and sufficient to allow job-seekers to make an informed decision about applying. Special attention shall be given to job vacancies where the employer is specifically interested in recruiting workers from other European countries. Vacancy notices shall be exchanged according to the uniform system referred to in part III.

EURES members and partners shall provide information services, counselling and advice to job-seekers and employers, including persons with special information needs, such as workers in the crossborder areas, the young, the elderly, the disabled and women as well as to family members of EU migrant workers. These services shall include:

— Job vacancies and applications

EURES members and partners shall help and advise job-seekers interested in working abroad about suitable vacancies and provide help and assistance with the drawing up of applications and CVs, in conformity with the recommended European CV format. Job-seekers shall be given the opportunity to register their CVs in the EURES CV database.

— Help in recruiting from another European country

EURES members and partners shall provide information and recruitment services to employers who wish to recruit from other countries, including advice and help to specify the profile of the potential candidates. They shall promote the EURES CV database as a tool to give employers access to a pool of those interested in working abroad.

<sup>(1)</sup> OJ L 5, 10.1.2003, p. 16.

— Information on living and working conditions

EURES members and partners shall provide information and advice on living and working conditions in the EURES countries, which is up-to-date, accurate and comprehensive.

— Information about labour markets

EURES members and partners shall provide information about current trends on the European labour market, including information about availability of manpower, and about labour shortages and surpluses.

EURES services are usually free of charge. When EURES members and partners charge any fees, there shall be no differentiation between the charges levied for access to EURES services and those applicable to comparable national services.

**1.2. Transnational, sectoral and crossborder cooperation**

EURES members and partners shall contribute to a strengthened cooperation within the network. EURES members and partners which specialise in certain occupations or specific categories of persons, such as management or research staff, shall support the development of transnational cooperation concerning these sectors both within the EURES network and in other relevant European level initiatives and structures.

In addition, EURES members shall support the development of crossborder cooperation together with local social partners, local authorities and other relevant local and regional organisations located in crossborder areas in order to improve the local labour market and facilitate the mobility of workers in these areas, with a view to contribute to the economic and social development of the area. They shall endeavour to integrate the crossborder cooperation with their other activities in order to exploit all possible synergies.

**1.3. Monitoring, assessing and tackling obstacles to mobility**

With a view to establishing a coordinated monitoring of obstacles to mobility and to contributing to the removal of such obstacles, EURES members shall, in cooperation with the relevant EURES partners or other relevant sources, regularly provide the EURES Coordination Office with information on current migration flows, the existence of specific surpluses and shortages of skilled workers as well as any specific obstacles to mobility that they identify, including differences in legislation and administrative procedures.

**PART II — OPERATIONAL OBJECTIVES, QUALITY STANDARDS AND OBLIGATIONS OF THE EURES MEMBERS AND PARTNERS**

**2.1. Integration of job vacancies databases**

By 1 January 2005 all vacancies that have been made public by a EURES member or partner shall be accessible to all the other members and partners using a uniform system and common models (as referred to in part III) that allow them to be further distributed by up-to-date technology.

In addition, EURES members and partners shall ensure that those job vacancies for which the employer has expressed an interest in recruiting internationally or which otherwise are likely to be filled by nationals of other Member states are rapidly made known to EURES members and partners.

**2.2. Exchange of information**

**2.2.1. Exchange of job vacancies**

EURES members and partners shall see to it that all vacancies coming from other members and partners are immediately processed and advertised within the systems that come under their respective responsibility, and made available to the public.

They shall ensure that the vacancy information is of a high enough quality to allow job-seekers to search and make an informed decision about applying for a suitable job, and that employers receive applications from the most appropriate applicants.

EURES members must ensure that vacancies continue to be advertised only when they are still open.

- Vacancies must be immediately suspended, or closed, when the employer has enough candidates to consider, or has filled the vacancy.
- EURES members shall monitor all vacancies over a certain number of weeks old and ensure that old vacancies are verified as being still open, or close those that are not.

#### 2.2.2. *Exchange of job applications*

EURES members and partners shall ensure the exchange of job applications and curricula vitae received from job-seekers both within and outside their respective country.

Applications for vacancies shall be carefully handled by the EURES members and partners, and job-seekers shall be kept fully informed:

- Where applications for vacancies are made directly to the employer, the vacancy creator should, where possible, check with the employer the response to their vacancy advert and take appropriate action to encourage applications.
- Where the application is made via a local employment service office or a EURES adviser, applicants must be informed as to whether their application has been forwarded to the employer or not.

The EURES Coordination Office will draw on the practical experience of EURES members and partners in order to develop Europe-wide standards for job applications designed to improve their transparency, relevance and comparability.

#### 2.2.3. *Information on living and working conditions and labour market information*

EURES members shall on a regular basis exchange information on living and working conditions in their respective Member country according to a uniform format, referred to in part III, that enables the information to be easily interchanged between members and partners. In addition they shall facilitate access to information on labour law, labour contracts and social legislation.

In addition to undertaking the regular monitoring and assessment of obstacles to mobility referred to in part I, EURES members shall exchange, on a regular basis, information on the state and trends of the labour market, broken down by regions, sectors of activity and, where possible, by type of worker qualifications.

The information must be up-to-date, correct and easily accessible. To ensure accessibility, all information shall be provided in the relevant national language as well as in German, English and French.

EURES members shall regularly update the database on living and working conditions and the labour market information database according to agreed models and structures, and within the agreed time-span.

#### 2.2.4. *Any additional information necessary for the creation and maintenance of a joint EU information platform on jobs and mobility*

The exchange of information on the items mentioned above shall be part of an integrated European information platform on skills and mobility.

In order to further develop the services and the information provided, the EURES Coordination Office may request EURES members and partners to provide supplementary information that is of interest for job-seekers or employers. This should also contribute to improving the operation of databases on jobs and learning opportunities, at national or other levels, which will be interconnected at European level and further incorporated into a One Stop Job Mobility Information Web Site.

Access will also be provided to information collected by other networks operating at European level.

#### 2.2.5. *Access to the information exchanged*

To ensure EURES advisers and the public full access to the information exchanged the EURES members must provide the necessary technical facilities and services, such as publicly accessible IT terminals.

#### 2.2.6. *Protection of personal data*

EURES members and partners shall respect all relevant provisions concerning protection of personal data when exchanging or providing access to information.

### 2.3. **EURES personnel, qualifications and training**

The success of EURES depends both on an efficient technical network and a qualified staff, willing to cooperate across borders.

#### 2.3.1. *EURES managers, advisers and other personnel*

Each EURES member shall designate a **EURES manager** within the organisation. The EURES manager shall:

- promote integration of the European mobility dimension in general and the EURES cooperation in particular in the member organisation,
- coordinate the EURES activities and prepare and supervise the implementation of the EURES activity plan in the Member country in question,
- ensure that the EURES member meets its objectives and obligations in time,
- disseminate information to EURES advisers and other relevant persons,
- represent the member in the EURES Working Party,
- give feedback to the EURES Coordination Office and the EURES Working Party,
- identify or advise on the identification of potential applicants for initial training as EURES advisers and for the advanced training of existing EURES advisers.

Each EURES member shall ensure that all relevant personnel coming under its responsibility is prepared and trained to achieve the operational objectives and fulfil the standards and obligations described above.

In addition EURES members and partners may designate **EURES advisers** who work in the framework of one of the EURES member or partner organisations. In order to qualify, EURES advisers must comply with the common selection criteria established in the calls for applicants published by the Commission.

A variety of functions is expected from the EURES advisers, some of which may require a degree of specialisation.

The functions expected of EURES advisers are to:

- provide or coordinate the provision of information, career guidance and assistance on placement to employers and job-seekers as experts on mobility issues,
- contribute to the integration of EURES services within their organisation and provide training and support for other staff,
- contribute to cooperation within the framework of the EURES network.

EURES managers and EURES partners employing EURES advisers shall establish their specific function and time allocation to EURES activities.

EURES members or partners shall provide their EURES advisers with the necessary resources for carrying out their tasks. This concerns in particular:

- the authorisation to be available for EURES tasks, preferably on a full time basis, but at least for half the time of a regular full time equivalent,
- workplace equipment,
- tools necessary for information guidance and counselling.

#### 2.3.2. Training

EURES members and partners shall ensure that EURES managers, EURES advisers and **other personnel** likely to be involved in the delivery of EURES services are adequately qualified and trained. All prospective EURES advisers must follow the initial training programme in accordance with guidelines established by the EURES Coordination Office in order to qualify as EURES advisers.

EURES members and partners shall actively participate in the delivery of such initial training sessions.

EURES members and partners shall contribute to the delivery of advanced training for the network by e.g. cooperating with the EURES Coordination Office in organising visits and assignments for officials of other Member countries, such as seminars and conferences, as well as additional programmes for specialist personnel.

### 2.4. Guidelines and activity plans

#### 2.4.1. Guidelines

After consulting the EURES High Level Strategy group, the EURES Coordination Office shall every three years adopt Guidelines for the activities of EURES covering the following three-year period, starting with the first Guidelines within six months after the adoption of this Charter.

The Guidelines shall describe the overall operational objectives for the time period concerned and shall include the conditions for any financial assistance the European Community may provide.

#### 2.4.2. Activity plans

Every three years the EURES members shall submit their Activity Plans for the coming three year period.

The Activity Plans shall be based on the Guidelines and shall contain:

- the elements provided for in Article 9 of the Decision,
- a description and assessment of the strategic development needed to implement the Guidelines for the whole period covered by the Guidelines.

Where relevant, the elements mentioned above should also cover their cooperation with the EURES partners.

#### 2.4.3. Specific rules on crossborder activities

As provided for in the Decision, Article 8(2)(a)(ii), the EURES members and partners shall jointly develop crossborder cooperation, which should be organised in the framework of EURES crossborder partnerships. The main tasks of a crossborder partnership are:

- to provide and exchange information and advice on vacancies and job applications as well as on living and working conditions and other relevant information related to the labour markets in the crossborder region,
- to contribute to the development of this flow of information by direct and regular contacts between the EURES advisers in the region,
- to draw up and maintain an inventory of vocational training opportunities in the region concerned and to contribute to the further development of such training opportunities,

- to contribute to and develop projects aimed at improving the labour market in the cross-border regions, including cooperation with other relevant programmes.

#### 2.4.3.1. Organisation of EURES crossborder partnerships

A crossborder partnership comprises the Public Employment Services of all the regions involved, together with trades union and employer organisations, as designated by the EURES members, within the framework of the relevant national rules and practices.

Other partners can include:

- regional and local authorities or associations of these,
- organisations dealing with vocational training,
- universities and institutes of higher education,
- other relevant actors on the crossborder labour market.

A new crossborder partnership may be established upon the initiative of one or several potential partners. The request to create such a partnership shall be submitted to the EURES Coordination Office, who after examining it jointly with the EURES members concerned, will decide on its recognition.

Crossborder partnerships shall be governed by a **Framework agreement**, by which the partners commit themselves to participate in the activities of the crossborder partnership and deliver the EURES services to their target-public in accordance with the provisions of the EURES Charter. The framework agreement, specifying the partnership's objectives, organisational structures and operational rules, shall have a minimum duration of three years and may be revised and renewed.

As foreseen in the Decision Article 9(2), the crossborder activities shall be included in the activity plans of the EURES members concerned. The crossborder partners and the EURES members concerned may agree to integrate the activities of the partnership entirely into the national activity of only one EURES member. The EURES member or members thus responsible for including the activities of the crossborder partnership in their respective national activity plans shall be identified in the Framework agreement.

The responsible EURES member or members shall submit the planned activities of the crossborder partnership to the EURES Coordination Office as part of their national activity plan and thereby signal their endorsement of these activities.

The EURES member or members responsible for the crossborder partnership shall be accountable to the Commission for the management of any Community funds allocated for the implementation of crossborder activities. The EURES members shall see to it that adequate procedures are in place to acquit these responsibilities.

#### 2.4.3.2. Crossborder Steering Committee and Coordinator

All partnerships shall create a **Steering Committee** in which the participating organisations are represented. It is the principal decision-making body of the partnership, which ensures the overall cohesion of the partnership and sets out its strategy in accordance with the EURES guidelines. In particular, it

- submits its proposals for activities to be included in the activity plans of the relevant EURES members, accompanied by an estimation of the budgetary means required to undertake these activities,

- ensures an effective monitoring and evaluation of activities, including their financing, and carries out regular assessments of the results.

The **President** of the Steering Committee must be a representative of one of the organisations that has signed the Framework agreement and should be chosen by consensus or otherwise by simple majority. The President chairs the meetings of the Steering Committee and acts as the representative of the partnership.

The Steering Committee and the EURES member concerned shall jointly appoint a **Coordinator** who ensures the proper functioning of the partnership, in particular by:

- developing proposals for activities in line with the EURES Guidelines,
- preparing the meetings of the Steering Committee and contributing to the implementation of the decisions taken by the Steering Committee,
- ensuring good communication with other crossborder partnerships, EURES members and the Commission,
- ensuring that the development of the partnership and its activities are monitored and regularly evaluated.

## 2.5. Promotion of the EURES network

It is crucial for the success of the EURES network that potential clients as well as persons active within the EURES members' and partners' organisations are fully aware of what the network can offer.

### 2.5.1. *Communication strategy and plans*

The EURES Coordination Office shall, together with the EURES members and partners, engage in an overall communication strategy, designed to ensure the consistency and cohesion of the network vis-à-vis its users.

The EURES members shall, in accordance with the overall strategy, develop their own promotion plans and include them in the respective national EURES activity plan.

The EURES partners will take part in information and promotion activities devised by the relevant EURES members and by the EURES Coordination Office.

EURES members and partners shall ensure that the information and promotional material they provide are coherent with the overall communication strategy and with the information coming from the EURES Coordination Office.

### 2.5.2. *The EURES logo*

The EURES service mark, as well as the logo characterising it, is the property of the Commission. EURES members and partners shall use the EURES logo in all their activities related to EURES.

Information presented under the EURES logo shall be in compliance with the policies and interests of the European Union and with the objectives of EURES.

Only the EURES Coordination Office may grant third parties a permission to use the EURES logo, and inform EURES members and partners concerned accordingly. EURES members and partners shall inform the EURES Coordination Office without delay of any abuse of the logo by third parties.

## 2.6. Principles for monitoring and evaluating EURES activities

With a view to improving the quality and effectiveness of EURES services provided, EURES members and partners commit themselves to monitor and evaluate all EURES activities within their responsibility in terms of quantity, quality and impact.

EURES members and partners shall regularly provide the EURES Coordination Office with figures on the number of vacancies, job applications handled and the number of placements, according to common reporting models established within the network. They shall also provide figures on the number of customers seeking other types of advice. This includes information about the use of personalised services as well as of IT tools.

All activities and projects by the EURES members and partners shall include a clear definition of objectives and indicators that enable an assessment as to whether the objectives were achieved in accordance with the EURES guidelines. These objectives and indicators shall be used in the regular reports submitted to the EURES Coordination Office.

The activity plans of each EURES member shall include an overall evaluation of the state of EURES in that country, including an evaluation of the quality of the EURES services, the customer satisfaction and an impact assessment.

The EURES Coordination Office will initiate an external evaluation of the operation of EURES at least once every three years following the adoption of the Commission Decision.

In addition, the EURES Coordination Office shall, at least once per three years period undertake a bilateral review with the EURES members in order to monitor and discuss the development of the EURES activities in the country in question and to seek possibilities to further improve and facilitate the cooperation between the EURES Coordination Office and the EURES member.

### PART III — UNIFORM SYSTEM AND COMMON MODELS FOR THE EXCHANGE OF INFORMATION

The systems and procedures for the exchange of information are essential for the functioning of the EURES network. Members and partners shall comply with the uniform system and common models for the exchange of labour market and mobility-related information that are established by the EURES Coordination Office in close cooperation with the members and partners

The **uniform system** describes the general framework for the data exchange, such as

- the nature of the information to be exchanged,
- the frequency of data exchange,
- means of providing accessibility to other members and partners.

The **common models** describe the contents and form in which each type of data is exchanged.

EURES members shall cooperate with other relevant services in their Member country to ensure complementarity and uniformity in respect of the information provided.

EURES members and partners shall collaborate with a view to develop tools and methodologies for the improvement of their services and information systems, inter alia by the use of new information technologies.

Done at Brussels, 4 April 2003.

*For the EURES Coordination Office*

Odile QUINTIN

*Director-General*



## **Annex IV**

### **EURES Guidelines 2010-2013**





EUROPEAN COMMISSION  
EMPLOYMENT AND SOCIAL AFFAIRS DG

Employment strategy and European Social Fund policy development and coordination  
**Employment services, Mobility**

# EURES GUIDELINES FOR 2010 – 2013

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## 1. Introduction

EURES is a European network between the European Commission and the Public Employment Services (PES) of the EEA Member States (the EU countries plus Norway, Iceland and Liechtenstein) and partner organisations. Switzerland also takes part in EURES co-operation. The network is responsible for developing the exchange of information and cooperation provided for in Part II of Regulation EEC No 1612/68, namely the clearance of vacancies and applications for employment. The services of EURES consist of information, advice and assistance for placement, recruitment along with matching CVs and vacancies. The services are delivered by the EURES advisers and other relevant staff of the EURES members and the partner organisations involved.

EURES is efficiently addressing the need for information and advice on the labour market situation and the living and working conditions in the EURES countries. Thanks to the EURES network, information and advice is generally secured in all Public Employment Services and in partner organisations. Permanently updated information sources also need to be secured for the coming period of time. Mobility should be promoted whilst ensuring the concept of "fair mobility", particularly fighting undeclared work and social dumping, which is to ensure that labour standards and legal requirements are always fully respected

The Public Employment Service facilitates and stimulates the use of EURES for the client groups (jobseekers, workers and employers etc.) as an additional European wide opportunity to find work or workers and relevant information attached to these processes. In general, EURES activities do not replace actions carried out at the national level. Thus EURES actions continue to be complementary to the activities carried out by the member countries. EURES can thus show a great European added value. However, EURES must take into account the great diversity of its partners, the political circumstances in which its activities take place from the point of view of sending and receiving countries.

The changes on the labour market, the economic crisis in particular and the overall modernisation of PES are the main challenges for EURES in the coming years. In order to address these changes a strong further development of EURES is needed. Transparency on the labour market by displaying the PES vacancies on European level is no longer sufficient to address the market and client needs. EURES has to be further developed as a result oriented network showing its added value for the client groups and the PES.

EURES will develop other activities in the field of placement, recruitment and matching. "Recruitment" is from the perspective of an employer, "placement" is from the perspective of a jobseeker and "matching" is the process of bringing together CV's and vacancies based on vacancies and job profiles.

## **2. EURES Objectives**

The objectives for the next three-year guidelines are determined by the situation described above. First and foremost, EURES must keep its strong role as an instrument in promoting mobility. This means that the regular information and advice tasks will remain. The tasks related to recruitment, placement and matching will get more emphasis in order to address real needs of the EURES clients and provide measurable outcomes. PES needs to further include EURES in its service delivery package and client contacts and use the expertise of the EURES advisers to further mainstream and integrate the European dimension in all relevant activities. Mobility within the EEA and Switzerland must be made an attractive option.

Against this background, the objectives of EURES are to contribute to the coordinated clearance of vacancies and applications for employment at European level, to support the European Employment Strategy, and to contribute to the strengthening of the European Single market<sup>1</sup>. In particular, for the benefit of jobseekers, workers and employers, EURES promotes:

1. the development of a European labour market open and accessible for all;
2. the transnational, interregional and cross border exchange of vacancies and job applications;

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<sup>1</sup> Chapeau of Article 2 of EURES decision of 23 December 2002

3. transparency and information exchange on the European labour markets, including on living conditions and on the opportunities for acquisition of skills;
4. and the development of methodologies and indicators for this purpose<sup>2</sup>.

The three main activities that in practice EURES develops are: information, counselling and job matching. These three activities remain valid in the future because they are essential for the functioning of the network. Nevertheless increased emphasis shall be put on the job matching activities: offering personalised assistance to jobseekers, employers, workers, apprentices, university graduates with regard to mobility. And achieving a better balance of vacancies and applications for employment must be the main goal of EURES.

The services provided by the network have to adapt to changing circumstances. The pace of change in the European labour markets, triggered by the effects of economic crisis, have prompted the need for workers to adapt more systematically to a new working environment. Even in periods of difficult economic circumstances, regions with skill shortages and low unemployment often exist side by side with regions with skill surpluses and high unemployment. It is one of EURES' main missions to contribute to reduce such disparities. The impact of these changes, and the concurrent consequences for employment patterns, require also a regular adaptation of the missions and functionalities of a network like EURES.

### **3. Purpose of the Guidelines**

The EURES Guidelines for 2010 - 2013 are designed to take into account the context in which the operation of EURES takes place (i.e. financial and economic crisis, successive enlargements of the EU, etc.) as well as the need to streamline its financial architecture.

According to the EURES Decision<sup>3</sup> the EURES Guidelines are designed to enable the EURES network to draw up their respective three-year activity plans for the period 2010-2013. The guidelines shall also include the conditions for any financial assistance which the Community may provide. In accordance with Article 9 of the EURES Decision, the High Level Strategy Group must be consulted before EURESCO can establish the guidelines.

The guidelines will cover the three year period from 1 June 2010 until 31 May 2013.

The purpose of the Guidelines 2010-2013 should be to link more firmly the three-year exercise of the guidelines with the financial assistance. The full potential of the grants under the Call for Proposals should be used as an instrument to steer activities at the national and regional levels.

For measuring the performance of the activities carried out under the 2010-2013 EURES Guidelines indicators need to be agreed. These indicators will be elaborated by an appropriate working group, composed of EURES and PES representative and will be

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<sup>2</sup> Indents - a to - d of article 2 of the EURES Decision.

<sup>3</sup> Commission Decision of 23 December 2002 (2003/8/EC)

agreed at a later stage. Indicators for Cross-border activities will be elaborated by a separate working group which will also comprise the social partners.

## **4. The EURES Guidelines 2010-2013**

**The operational objectives enshrined in the six following guidelines:**

- 1) Improving access to EURES
- 2) Ensuring services to employers
- 3) Providing services to jobseekers, job changers and the unemployed
- 4) Networking with other stakeholders
- 5) Functioning of the network
- 6) Implementing cross-border activities

The chapter hereunder provides a more detailed overview of the achievements expected for each guideline. Below each guideline, there is a list of key and optional activities to be carried out. When key actions are not carried out, a justification should be given. Partners should select all the activities which are relevant for their situation. The selected activities need to be tailored at the national, regional and cross-border level bearing in mind that the main goal of EURES is to promote and facilitate mobility in the EU and in the EEA countries and Switzerland.

### ***Guideline 1 – Improving access to EURES***

Visibility of EURES should be developed taking into account two different sets of potential users. On the one hand – the internal visibility – is the awareness-raising and knowledge of EURES services in all parts of the PES organisations. In practice this means that the mainstream PES officers should be aware of the existence of EURES and be able to provide their customers (jobseekers and employers) with basic information about EURES. On the other hand - the external visibility – potential clients must be aware of the existence of EURES and the services that it can offer. Activities should be targeted towards the public which can be EURES potential clients such as jobseekers, unemployed, youth, graduates, employers, employees, etc.

Key actions:

1. Provide EURES training and awareness sessions for non-EURES staff.
2. Produce and implement a national information campaign to inform the clients (jobseekers, unemployed youth, graduates, employers, employees, etc.) on the opportunities offered by the European labour markets.
3. Include information on EURES in PES mainstream publications.
4. Make EURES and mobility part and parcel of the national strategies by including EURES and mobility in national PES plans.
5. Make jobseekers and employers aware of the opportunities offered by mobility.

6. Development of infrastructures providing services and customer relationship management (i.e. provide EURES advisers with the necessary resources for carrying out their tasks to focus on the clients).

Optional action:

7. Establish national help desks to give information to clients.

## ***Guideline 2 – Ensuring services to employers***

Employers should be made aware that they have the possibility to recruit staff from all EU Member States as well as from Norway, Iceland, and Liechtenstein and also from Switzerland. Employers should also be informed that EURES can help them to fill their job vacancies in other countries. The emphasis should be put on the following advantages. First, find the right person for the right job: looking abroad offers the attractive possibility of finding the skilled staff they are looking for. Second, discover the motivation of mobile workers. They are ready to start working, often on short notice, are very flexible and willing to adapt to a new work environment. Third, increase innovation and competitiveness of business. Mobile workers bring along a solid background of educational and professional experience that can help business grow. Furthermore they can help in establishing new business contacts in their country of origin.

Key actions:

1. Develop a strategy to enable all employers, in particular SMEs, to access information about EURES and the possibility of advertising their job vacancies on the EURES Portal. Ensure that employers experiencing recruitment difficulties receive a consistent service from the EURES members and partners.
2. Develop and offer "mobility packages" to employers consisting of information, advice and job matching. Systematically seek feedback from employers to measure the impact of EURES in terms of placement. EURES in the host country should help employers in supporting workplace integration, including through the provision of language courses to workers.
3. Develop and implement quality and fair traineeship allowing employers to give the possibility to young people from abroad to work in their companies.
4. Develop and implement a service level agreement between EURES and employers at the appropriate level, or a customer charter to explain what employers can expect from EURES.

### ***Guideline 3 – Providing services to jobseekers, job changers and the unemployed***

Jobseekers should be made aware of at least the following benefits. Firstly, the possibility of gaining new skills both professionally and personally. Working in another country strengthens self-confidence and improves the communication skills as a direct result of working in a different cultural environment. Secondly, the possibility of getting new insights and different perspectives. Working abroad gives the possibility of experiencing a new culture, learn or improve a foreign language and become more open to new learning. Thirdly, the possibility of finding temporary or seasonal job. Some sectors, like tourism and agriculture have high seasonal demand and often need to recruit from other countries.

Key actions:

1. Provide comprehensive information and advice to jobseekers and mobile workers (cross-border workers, seasonal workers, migrant workers<sup>4</sup>, and posted workers) in order for them to profit from the advantages of mobility and exclude its disadvantages. This information shall be provided before, during and after the mobility experience.
2. Organise a "mobility package" for jobseekers, job changers, and workers. This should include the provision of EURES services before departure from the home country and after arrival in the destination country. It should also include services for workers willing to return to their home country or to move to another country. This should be organised with other EURES members, the sending country and the host country.
3. Develop a strategy to enable all jobseekers, job changers, and the unemployed, to access information about EURES and the possibility of finding a job on the EURES Portal. These target groups will receive information, counselling and the possibility of placement.
4. Establish bilateral or multilateral recruitment and matching activities, promoting and operating targeted geographical and occupational mobility between Member States and regions.
5. Use multi channelling and self service to deliver basic information advice and job broking services on mobility.
6. Organise European Job Days every year in September/October and/or in April/May.
7. Establish arrangements between sending and receiving EURES partners to support mobile workers before, during and after the move.
8. Develop a customer charter to explain what clients can expect from EURES.

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<sup>4</sup> Third country nationals can be covered as long as they have the right to work in another EU/EEA country (and Switzerland).



Optional action:

9. Encourage the mobility of graduates and young people to SMEs.

#### ***Guideline 4 – Networking with other stakeholders***

Closer co-operation mechanisms shall be put in place at the local level with other EU networks or instruments (including the structural funds) which promote occupational and geographical mobility. The key stakeholders are the social partners. Local and regional authorities, universities, NGOs, private employment services and other stakeholders are an essential presence in the functioning of EURES. The European Parliament has asked EURES to provide information and assistance for the integration of workers and their families. This should be done in cooperation with NGOs, in particular by host countries.

Key actions:

1. Coordinate EURES activities with stakeholders at European, national, regional and local level that are active in promoting mobility.
2. Coordinate the EURES activities with the relevant Ministries, Agencies dealing with unemployment benefits, etc.
3. Establish systematic cooperation mechanisms with EU networks, such as PLOTEUS, EUROPASS, Europe direct, SOLVIT, EURAXESS, ECAS, etc.
4. Establish cooperation mechanisms with organizations active in the provision of information and assistance for the integration of workers and their families, in particular vulnerable groups. Host countries should carry out this action.

Optional action:

5. Make sure that EURES priorities are respected when related activities are done in cooperation with private employment services.

#### ***Guideline 5 – Functioning of the network***

The EURES network is built around two main components. The first is the website and the information it contains. Concerning the website, partners must be aware that a job vacancy database that functions effectively is a key tool. Moreover, the provision of information on the labour market as well as on working and living abroad must be a key feature of the website. Its regular update (min. every six months) should be a continued priority. The second is the human network. EURES is built on a strong human network. This is the real driving force for EURES. Thus the network must be nurtured and maintained if EURES shall work effectively.

Key actions:

1. Provide staff resources to EURES, at central level and throughout the territory.
2. National and European training: new EURES advisers, advanced training, Ad hoc training, pre-training and other trainings at national level.
3. Organise at least one national EURES conference involving EURES advisers as well as line managers and stakeholders. This conference should serve to ensure the correct information flow between EURES managers and EURES advisers, involving the line managers.
4. Ensure that all EURES activities have qualitative and quantitative objectives, are evaluated and reported.
5. Provide an independent, external evaluation of the results achieved by the three-year activity plans at the end of the three-year period.
6. Evaluate on an annual basis the annual activity plans and submit the results in the annual reports to EURESco.
7. Contribute to the regular provision and updating of job vacancies available; cooperate to improve the quality of the information available, in particular the flagged job vacancies which could be translated in the relevant language.
8. Ensure collection of data to identify and anticipate surpluses, shortages and bottlenecks on labour markets. Make use of this data in the design of activities.
9. Financial audit.
10. Participate in meetings, seminars conferences, etc. at EU level. Members holding the EU Presidency to organise working party meetings.

### ***Guideline 6 – Implementing cross-border activities***

A cross-border partnership comprises the Public Employment Services of all the regions involved, together with trade union, employer organisations, as designated by the EURES members, in line with the relevant national rules and practices. Other partners can include: regional and local authorities or associations of these; organisations dealing with vocational training, universities and institutes of higher education; other relevant actors on the cross-border labour market. All partners are committed to the objectives of the partnership and contribute to the financing of its activities. Cross-border partnerships are considered as permanent networks with clearly defined objectives to which financial support is granted on a temporary basis. Financial support might be phased out once the objectives as defined in the grant agreements and three-year activity plans have been reached. EURES cross-border

partnerships are a service provider covering a particular cross-border area in the EEA and Switzerland. They act under the strategic guidance of one EURES member which they determine in own responsibility. The concerned EURES member is also member of the cross-border partnership's Steering Committee.

The main tasks of a cross-border partnership are:

- To offer through the EURES advisers and other staff of the partnerships' member organisations client services to actual and potential cross-border commuters and their employers by providing and exchanging information and advice on job vacancies and job applications as well as on living and working conditions and other relevant information related to the labour market in the cross-border region, such as social security, taxation and labour law;
- To facilitate the job matching process on the cross-border labour market and develop joint placement projects;
- To ensure a constant flow and exchange of information by direct and regular contacts between the EURES advisers in the region;
- To monitor mobility obstacles in the cross-border region and propose suitable solutions on how to remove them to regional, national and European decision makers;
- To coordinate, contribute to and develop projects aimed at improving the functioning of the labour market in the cross-border regions, including co-operation with other relevant programmes, with the objective of making the cross-border partnership self-sustainable at the end of the 2010-2013 period.

For the implementation of their activities that need to correspond to the above-mentioned main tasks, cross-border partnerships apply the general EURES guidelines 1-5 with the following focus:

Guideline 1: the cross-border partnerships may promote their partnership and their services as part of EURES; their promotion and communication activities are synchronised with the communication strategy of the EURES member which ensures its strategic guidance. The main objective being to coordinate the offer of services provided by the partners in the region facilitating an easy access to these services for all clients.

Guideline 2: the cross-border partnerships offer services in the field of information, advice and matching to employers; the EURES advisers from EURES partner organisations are focusing their activities in the area of information and advice.

Guideline 3: the cross-border partnerships provide services to jobseekers, job changers, unemployed and cross-border workers. In this respect the EURES advisers and other suitable staff of the different member organisations of the partnerships are working closely together; the PES EURES advisers are focusing on information, advice and matching activities while the EURES advisers of EURES partner organisations are contributing to the EURES objectives by providing information and advice in fields such as social security, taxation and labour law.

Guideline 4: the cross-border partnerships are establishing contacts, coordinate their activities and develop co-operations projects with relevant regional stakeholders.

Guideline 5: the cross-border partnerships may ask for financial support for their coordination, the training of its staff, and the organisation of meetings necessary for the running of the partnership. The independent external evaluation of their activities is carried out in the frame of the evaluation of the activities of the EURES member which ensures its strategic guidance. Cross-border partnerships will collect relevant information on mobility flows, identify and anticipate surpluses, shortages and bottlenecks of workers.

The implementation of EURES cross-border activities may take place in different forms. In all cases, the concerned EURES member ensures the strategic guidance of the co-operation/partnership. The forms in which the cross-border co-operation/partnership could be implemented are four.

Option 1: As a cross-border co-operation between the involved EURES members and partners, and then included in the respective three-year national activity plans of the EURES members. For the cross-border activities of the EURES members included in their national activity plans all provisions of the EURES guidelines 1-5 apply. Option 1 is the only case in which a cross-border partnership does not exist, for the other three following cases a cross-border partnership should exist.

Option 2: As a cross-border partnership with co-operation activities between the involved EURES members, complemented by other partners activities and then included in the respective three-year national activity plans of the EURES members. The involved EURES members take care of the coordination of the activities. All other provisions of option 3 apply.

Option 3: In the form of EURES cross-border partnership that applies directly under the EURES call for proposals for partnership 2010-2013. In order to receive financial support cross-border partnerships need to apply under the forthcoming EURES call for proposals for partnership 2010-2013. Their application will be assessed on the basis of the following criteria<sup>5</sup>:

- Quality of the three-year activity plan in relation to a needs analysis for the client services delivered by the cross-border partnership. The three-year activity plan need to provide clearly defined objectives and expected results including appropriate indicators to measure the results.
- Existence of a network of EURES advisers from all participating countries and partner organisations.
- Quantitative parameters<sup>6</sup>: There must be a sufficiently large target group of cross-border commuters and/or a huge potential for cross-border commuting in the cross-border region.

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<sup>5</sup> More information on the criteria will be available in the EURES call for proposals for partnership 2010-2013.

<sup>6</sup> The applicant cross-border partnership has to deliver this data on the basis of data from official sources or reliable academic research.

- I. Number of cross-border commuters in 2008 (or most recent figures).
- II. Number of cross-border commuter in 2008 in relation to the overall population of the cross-border region.
- III. Estimated number of cross-border commuters and potentially interested in cross-border commuting in 2013.
- IV. Number of unfilled vacancies on all sides of the border (most recent figures, preferably 2006-2009).
- V. Percentage and number of unemployment on all sides of the border (most recent figures, preferably 2006-2009).

Option 4: As formal cross-border partnerships without financial support by EURES. The candidate cross-border partnerships need to submit a three-year activity plan that the partnership implements in own responsibility and with own financial means. If the European Commission endorses the plan, this partnership is still part of the EURES network. The partnership will be receiving all relevant information, will be allowed to use the EURES logo and will be invited to EURES meetings and conferences at their own expenses.

## **5. Activity plans**

In line with the provisions set forth in Article 9 on the EURES decision, the EURES members and partners shall present their activity plans for the period 1<sup>st</sup> June 2010 – 31 May 2013 in replying to the EURES call for proposals.

The activity plans must be established on the basis of a common model provided by EURESco, which includes the following parts.

- I. Specification of the main activities to be undertaken by the EURES member within the framework of the network, including the transnational, cross-border and sectoral activities defined and carried out by the EURES partners.
  - II. Specification of the human and financial resources allocated to the clearance of vacancies and applications for employment, as specified in part II of Regulation 1612/68.
  - III. Description of the arrangements for monitoring and evaluation of the activities planned, including the information to be sent to the Commission on an annual basis.
  - IV. A short assessment of the activities and progress achieved during the period 2007-2010.
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## **6. Conditions for financial assistance**

Article 9 of the EURES decision states that "the Commission may grant financial assistance for the implementation of the activity plans subject to the rules governing the relevant budgetary resources".

In order to comply with the above mentioned objective, the Commission will publish a call for proposals with a view to selecting organisations to work with the Commission and receive Community support on a stable and regular basis for the period 2010-2013. Such support will be given through the conclusion of framework partnership agreements aimed at establishing long-term cooperation with the Commission.

The call for proposals will specify the objectives pursued, especially concerning the envisaged partnership, eligibility, selection and award criteria for signing framework partnership agreements, the expected duration of the partnership and any plans to award grants (award conditions, arrangements for financing) under this arrangement. The three year activity plans will be an annex to the Framework partnership agreements.

Following the signature of the framework partnership agreement, the Commission will invite all organisations selected to provide the Commission an annual activity plan and the corresponding budget for one year. The Commission will then proceed to an assessment of these proposals received from the selected organizations. Specific grant agreements, based upon the framework partnership agreements, will then be signed. The specific agreements contain the specific provisions governing the subject of the grant, since the general provisions are contained in the framework partnership agreement.