



EUROPEAN COMMISSION

*Brussels, 15.2.2019
C(2018) 7729 final*

Dear President,

The Commission would like to thank the Senát for its Opinion on the proposal for a Council Recommendation on access to social protection for workers and the self-employed {COM(2018) 132 final}.

In line with the European Pillar of Social Rights, the Recommendation which was agreed by the Employment, Social Policy, Health and Consumer Affairs Council on 6 December 2018 aims to provide guidance to Member States on extending social protection coverage to all workers and self-employed, in particular for those who, due to their employment status, are not sufficiently covered by social security schemes.

This proposal provides the needed flexibility to tackle the problems regarding access to social protection, whilst fully recognising the diversity of institutional set-up across Member States. The guidance provided is based upon detailed evidence about the rights related to social protection of people in non-standard employment and self-employed in the Member States.

The Recommendation aims at encouraging Member States to adapt their social protection systems to a changing labour market. In particular, it promotes the participation of self-employed and those who do not have a full-time open-ended contract in social protection schemes and that they receive adequate coverage on the basis of their contributions. It therefore contributes to upholding principle 12 of the European Pillar of Social Rights, according to which ‘regardless of the type and duration of their employment relationship, workers and, under comparable conditions, the self-employed, have the right to adequate social protection’.

In a world of rapid and growing labour market transformations, offering access to social protection is crucial for the economic and social safety of the workforce and well-functioning labour markets that create jobs and growth. By advocating a modernisation of social protection systems, the Recommendation aims at supporting innovation and flexibility on the labour market, whilst safeguarding the adequacy and sustainability of the social welfare states for the most vulnerable workers. In this respect, the Commission

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particularly notes the importance of facilitating transitions between jobs and career statuses in adapting the social protection systems to the new world of work.

Following its formal adoption, the Recommendation aims at complementing and supporting debates and reforms that are underway in many Member States and at creating consensus among policy-makers and stakeholders on the best way to modernise social protection systems. The Commission notes the non-binding nature of the Recommendation. It stresses that it fully respects the distribution of competences as outlined in the Treaty whilst reiterating the shared level of ambition as set-out in the Pillar. In this context, the Commission has been working constructively with the Members States to ensure that the Recommendation will combine the necessary flexibility for the Member States with the need to have some guidance necessary for the Recommendation to have an added value.

The Recommendation is a cornerstone of the European Pillar of Social Rights. Reaching the political agreement was a crucial step but now we need to concentrate our joint efforts in its full and timely implementation.

The Commission values the Sénat's engagement at this stage of the process and will take its Opinion into account in the next stages of the policy-making process.

The Commission hopes that these clarifications address the issues raised by the Sénat and looks forward to continuing the political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Marianne Thyssen
Member of the Commission*