



EUROPEAN COMMISSION
DG Employment, Social Affairs and Inclusion
Employment and Social Legislation, Social Dialogue
Labour Law

BUDGET HEADING 04 04 08

Pilot Project to encourage conversion of precarious work into work with rights

CALL FOR PROPOSALS

2011

VP/2011/011

1. OBJECTIVES OF THIS CALL FOR PROPOSALS

1.1 General background and context of the Pilot Project

The call for proposals will be funded by Article 04 04 08 of the EU Budget — Pilot Project to encourage conversion of precarious work into work with rights. The budget authority has fixed the amount allocated to this Budget Article for 2011 at €1.000.000.

Precarious work has long been an issue of concern in the EU. Notwithstanding the positive contribution of flexible forms of work to the functioning of the labour market, worries have been expressed that a two-tier labour market might emerge, divided between permanently employed "insiders" and "outsiders", such as the unemployed and the inactive desiring to work, as well as a critical category of precarious and, in certain cases, informally employed workers. Precarious workers occupy a grey area where basic employment or social protection rights may be significantly reduced, giving rise to a situation of uncertainty about future employment prospects and also affecting crucial choices in their private lives (e.g. securing accommodation, planning a family, etc).

The economic and financial crisis has made the issue of precarious work even more relevant. In the short term, companies hit by the crisis responded by first reducing temporary employment, notably fixed-term contracts and the recourse to temporary agency workers. Under an uncertain economic and financial outlook, recovery is expected to bring about an increase in atypical forms of work, thereby reducing the proportion of standard and permanent contracts of employment even further.

The present pilot project is implemented following a proposal by the European Parliament. The corresponding appropriation is intended to fund projects relating to the issue of

precarious work in the EU and the ways and means to improve the social rights of the jobholders concerned.

For the specific purposes of the pilot project, the notion of "precarious work" should be considered in the widest sense as covering all types of employment relationships which are atypical in the sense that they do not provide for the same level of job security as the open-ended, full-time employment contract, either because the duration of the contract or the working time are less than what the worker would be prepared to accept in order to satisfy his/her economic needs. Undeclared work in the meaning of paid, lawful activities that are not declared to the public authorities shall also be taken into consideration as a type of "precarious work". Those among the self-employed who are in fact "bogus" self-employed or are economically dependent workers in spite of their being formally self-employed shall be covered as well.

The notion of "social rights" is also to be understood in a broad sense, notably covering fundamental social rights, a sufficient level of appropriate working conditions as well as an adequate level of social protection.

The budget heading 040408 will finance transnational projects carried out by social partners, public authorities, European or international organisations, non-profit-making organisations, research centres and institutes, universities or civil society organisations with at least one of the following objectives:

- to promote the analysis and/or monitoring of concrete measures taken in Member States to improve the rights of precarious workers and, notably, of the poorest workers;
- to exchange and disseminate relevant information on national practices or cooperation initiatives designed to address the issue of converting precarious work into work affording greater job security;
- to analyse the role of precarious work in the general framework of social, economic and demographic developments, with a focus on social exclusion and in-work poverty, as well as its specific impact on working and living conditions of young workers, women and migrants;
- to analyse the economic significance, causes and effects of precarious work against the background of today's working patterns, and to what extent it contributes to the flexibility of the labour market.

Measures covered will include surveys, research and exchange of information on the conversion of precarious work into work with rights with a focus on:

- The current extent of precarious work, notably its prevalence among specific economic sectors or age groups;
- The specific challenges facing certain categories of precarious workers, in particular domestic workers and migrant workers;
- The effects of the economic and financial crisis on precarious work;

- Measures and incentives aimed at enabling the transformation of precarious employment relationships into contracts carrying more social rights, including the collective representation of workers, notably in the field of domestic work;
- Measures and incentives aimed at combating undeclared work by transforming it into regular employment, in particular in the area of domestic work;
- The risk of in-work poverty and social exclusion related to precarious work and possible solutions;
- The incidence of precarious work among women and the ways and means to tackle this problem.

Other initiatives foreseen under same heading

A similar call for proposals (VP/2010/016) was carried out in 2010 and the present call therefore builds on the work started last year. In parallel with these calls for proposals, a study on policy measures recently adopted in the Member States is also being financed by Article 04 04 08 of the EU Budget as part of the Pilot Project to encourage conversion of precarious work into work with rights.

The study will cover twelve Member States and will focus on innovative steps taken in the last ten years with a view to facilitate or encourage the transformation of precarious employment relationships, in the widest sense as explained above, into employment relationships carrying more social rights. The study should help to develop a clearer concept of precariousness in work contracts and an identification of what could constitute basic social rights.

The study will cover not only legislative and administrative measures relating to social rights, in particular provisions of labour law and social security law, but also collective agreements and other steps taken by the social partners in this field.

1.2 Specific objectives of the present call for proposals

The foreseen results of this call for proposals are:

- Improved knowledge of measures recently adopted in Member States to extend the rights of precarious workers and, notably, of the poorest workers;
- Improved understanding of the spread of precarious work and its role in the overall functioning of the economy;
- Promotion of exchange of information and experience among stakeholders;
- Promotion of transnational cooperation among stakeholders and dissemination of best practice.

1.3 Eligible types of actions and initiatives

The following actions may be co-financed:

- Surveys, field-studies and other types of information-gathering activities;
- Seminars, conferences or short training actions focussed on the conversion of precarious employment relationships into contracts carrying more social rights, including preparatory studies, the organisation of round tables, exchanges of experience and best practices and networks of key actors and/or experts;
- Case studies investigating issues of precarious work with respect to specific categories of workers, regions and/or economic sectors and the enhancement of rights associated with such work, including comparative studies of the situation in different Member States;
- Initiatives to further the collection, use and dissemination of information on the conversion of precarious work into work with rights, such as websites, publications, newsletters and others means for the dissemination of information.

1.4 Duration of the Action

The maximum duration of an operation is 12 months.

The Commission may also adjust the duration of the operation proposed in the application.

1.5 Indicative amount and maximum possible rate of co-financing

The amount envisaged for this call for proposals is €1.000.000.

The European Union co-financing percentage will be limited to a maximum of 80% of the total eligible costs of the action. Applicants must contribute at least 20 % of the total eligible costs of the action. Contributions in kind will not be taken into account. Any application which requests a grant of more than 80 % will be excluded from the selection.

The amount of the average grant under the similar call for proposals carried out in 2010 was about €130.000.

2. SUBMISSION OF GRANT APPLICATIONS

2.1. Submission and implementation dates

2.1.1. Respect of deadlines – Programming

Only applications for operations starting in 2011 will be considered.

In view of the time needed to examine applications, actions may not start before the deadlines given below. Applicants should note that if their project is approved, they will not necessarily

receive the grant agreement prior to the action starting dates indicated and should, therefore, take this into account in programming the timing of their project.

Any expenditure incurred before written confirmation that the application has been accepted is at the applicant's risk.

Proposals which indicate an earlier starting date than the ones indicated at point 2.1.2. will not be considered by the Evaluation Committee.

Proposals which do not respect the dates of submission indicated at point 2.1.2. and/or do not comply with the rules indicated at point 4.2 hereinafter, will not be considered by the Evaluation Committee.

2.1.2. Deadlines:

The **deadline** for the submission of complete applications is as follows:

- **22 SEPTEMBER 2011** for actions commencing no earlier than **13 NOVEMBER 2011** and no later than **22 DECEMBER 2011**.

2.1.3. Evaluation Process

Applications will be examined by an Evaluation Committee.

Applications will be selected taking account of the objectives of this call for proposals, following the criteria laid down in section 3 of this document.

The partial or total withholding by the applicant of any information that may have an impact on the Commission's final decision concerning the application will entail the automatic disqualification of the application or, if discovered at a later stage, will entitle the Commission to terminate the agreement and demand the full repayment of all sums received by the beneficiary under it.

3. ELIGIBILITY, SELECTION AND AWARD CRITERIA

3.1 Eligibility criteria

3.1.1. General rule of eligibility

The budget heading is intended to finance specific transnational actions, projects or initiatives. Therefore grants are not intended to finance the normal operations of the bodies presenting applications; they are intended only to cover additional expenditure linked directly to projects.

3.1.2. Eligible applicants

3.1.2.1. The applicant must not be in one of the situations listed in Article 93 §1, 94 and 96 §2 point a) of the Financial Regulation.¹ The situations referred to include bankruptcy, compulsory winding-up, being under court administration, in an arrangement with creditors or any other similar proceedings; convictions of professional misconduct; non-fulfilment of social security or tax payment obligations; convictions of fraud, corruption, involvement in a criminal organisation or any other illegal activity; declared in serious breach of contract in relation to activities funded by the EU budget; subject to conflict of interest; guilty of misrepresentation in supplying the required information.

3.1.2.2. The applicant must be a properly constituted and registered legal entity, having its registered office based in one of the Member States of the European Union. In derogation from this requirement and pursuant to Article 114 of the Financial Regulation, the organisations of social partners without legal personality under the applicable national law are also eligible provided that their legal representatives have the capacity to undertake legal obligations on their behalf and assume financial liability².

A project applicant cannot be an individual.

3.1.2.3. Applicants must fall within one of the following categories: social partners, public authorities, international organisations, European organisations, non-profit-making organisations, research centres and institutes, universities and civil society organisations.

3.1.3. Eligible activities

To be eligible, activities or envisaged activities must:

- be linked to at least one objective of the call for proposals;
- be carried out in cooperation between partners from at least two different Member States in the case of proposals which are not submitted by a European or international organisation;
- be fully carried out in the Member States of the European Union.

3.1.4. Eligible applications

To be eligible, applications must:

¹ See Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities as amended by Council Regulation (EC, EURATOM) No 1995/2006 of 13 December 2006 (http://eur-lex.europa.eu/LexUriServ/site/en/oj/2006/l_390/l_39020061230en00010026.pdf)

² Council Regulation (EC, EURATOM) No 1995/2006 of 13 December 2006 amending Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities: <http://eur-lex.europa.eu/JOHtml.do?uri=OJ:L:2006:390:SOM:EN:HTML>

- a) Be sent by the deadline indicated in section 2.1.2;
 b) Be submitted according to the set requirements.

Application forms must be compulsorily submitted on-line and their respective detailed and signed print-outs must be submitted as set at point 4.2 hereinafter;

- c) Be complete, detailed and include all the documents indicated in the table below;
 d) Comply with the European Union co-financing percentage of maximum 80 % of the total eligible costs;

The Evaluation Committee will not examine applications lacking one or more of these documents:

1	<p>Official covering letter of application with the original signature of the legal representative(<i>the mandatory draft letter can be found annexed to the online Application form</i>) This covering letter must be submitted in English or French or German and shall mandatorily quote, inter alia:</p> <p>a) the reference of the call for proposals; b) the title of the action.</p>
2	<p>Print-out of the duly completed and submitted on-line application form (see point 4.1) dated and with the original signature of the legal representative.</p> <p>NOTE: Application forms must be compulsorily submitted on-line. Their respective detailed and signed print-outs must be submitted as set at point 4.</p> <p>The on-line form <u>must first be electronically submitted before printing</u>. After the electronic submission no further changes to the application are possible.</p>
3	<p>The grid listing the persons and occupational sectors concerned by the project, duly completed. <i>The grid can be found annexed to the on-line application form.</i></p>
4	<p>"Financial identification" form duly completed with the original signature of the account holder and the original signature and stamp of the bank. <i>The financial identification form can be found annexed to the on-line application form.</i></p> <p>The bank account must be held in the name of the applicant. Applications cannot be accepted with an account held in the name of an individual</p>
5	<p>"Legal entities" form duly completed with the original signature of the legal representative. <i>The legal entities form can be found annexed to the on-line application form.</i></p> <p>Applicants must also provide:</p> <ul style="list-style-type: none"> • a copy of the certificate of official registration or other official document attesting to the establishment of the entity (where this exists); • a copy of its articles of association/statutes or equivalent, proving the eligibility of the organisation; • a copy of a document confirming the applicant's tax or VAT number, if available; • in case of social partner organisations without legal personality under the applicable national law, a declaration signed by the legal representative stating his capacity to undertake legal obligations on behalf of the organization .³ The <u>mandatory draft</u> declaration in English or French or German, can be found attached to the on-line application Form.

³ See previous Footnote Nr. 2

6	<p>The following three separate documents, signed by the legal representative, must be submitted in English, French or German.</p> <p>The project description and budget posted in the on-line application Form are not sufficient:</p> <p>1) Description of the action It will give a comprehensive description of the scope, objectives ,methodology and events of the action</p> <p>2) Detailed work programme for the project. The work programme must provide a detailed description of the project, a timetable for the activities, the names of all members of staff involved in the project, their positions and employment status must be included.</p> <p>3) Detailed Budget must provide a detailed budget explanation for each row in each heading, which respects the format and numbering of the "project budget estimate" form and which provides any additional relevant information concerning the budget for the project, including subcontracting plans.</p> <p>NOTE: These documents must be submitted in paper as well as <u>electronically</u> in WORD format as annexes to the on-line application form. The electronic version must be identical to the paper version of the document in question.</p>
7	<p>a) If active partners are involved in project management, for example providing technical support and/or financing, a signed letter of commitment/partnership should be provided in English or French or German from each of the partners (<i>a draft model can be found attached to the on-line application form</i>). It shall clearly state:</p> <ul style="list-style-type: none"> - name, address (phone, fax, e-mail) and person responsible of the partner organisation; - explanation of the nature of their involvement; - explanation of the work and tasks to be carried out by the partner; - specification of the cash amount of any funding provided. <p>b) All these elements are mandatory.</p> <p>c) The project will not be examined unless all such letters of commitment are enclosed and complete with all the mandatory elements quoted above.</p> <p>"Partner" means an active institution or organisation involved in carrying out the project (e.g. a sectoral or multi-sectoral trade union or employer representation body at European, national or regional level, a company or a works council, a research or training institute, etc.).</p> <p>Partners must be established in one of the Member States of the European Union.</p> <p>Work and tasks carried out by the project partners (as described in the letters of commitment/partnership) are not subject to the rules on subcontracting listed in Annex I. However, it is not permissible to include normal commercial suppliers of goods and services as project partners in order to avoid these rules. By way of example, and without limiting the exclusions to the examples listed, the Commission does not find it appropriate to include as project partners independent consultants, conference organisers, etc.</p>
8	<p>The following three separate documents must be submitted in English or French or German.</p> <p>a) Curriculum vitae of the person responsible for managing the action (as quoted in the Application Form) indicating clearly the current employer with whom there exists either a permanent or temporary contract of employment.</p> <p>b) declaration in writing and signed by the person quoted as responsible for managing the action in the Application form, certifying the professional competence of the team performing the tasks associated with the action for which funding is requested. <i>A draft model can be found attached to the on-line Application Form.</i></p> <p>c) Curricula vitae of the persons who will perform the tasks associated with the action (where applicable), for which funding is requested</p>

9	<p>When Applicants wish to recruit the services of external experts the below quoted documents must be provided in English or French or German.</p> <p>1) Declaration on subcontracting; The legal representative must confirm his intention to comply with the rules for subcontracting, by completing and providing the <i>compulsory declaration on subcontracting attached to the on-line application form</i></p> <p>2) Annex "CONTRACTS for IMPLEMENTING the ACTION" attached to the on line Application Form: The reasons for subcontracting, information on the nature concerning the activities to be subcontracted, amount, selection and award procedures of subcontracting must be compulsorily provided in this Form and carefully explained.</p> <p>Projects with insufficiently clear explanations on the above quoted elements and/or which do not respect the rules outlined, will be considered to be not eligible.</p> <p>a) Where the value of the contract is less than or equal to €5 000, it may be awarded on a basis of single tender</p> <p>b) Where the value of the procurement contract awarded exceeds €5 000 up to €60 000, in addition to mandatorily provide documents listed under 1) and 2) above Applicants are recommended to provide, when requested, evidence that they have sought bids by registered letter from at least three different tenderers, including proof of posting and proof that they have posted the call for tender or invitation to tender at least on their website.</p> <p>c) These thresholds apply to each individual contract ;</p> <p>d) The description of the subcontracting plans and procedures for external expertise included in Annex "CONTRACTS for IMPLEMENTING the ACTION" attached to the Application Form will form a part of the grant agreement. The Commission reserves the right to verify that the beneficiary has carried out the subcontracting in accordance with this description and with the rules included in the grant agreement. Failure to comply with these conditions will constitute grounds for non-acceptance of the costs of subcontracting in the final accounts of the beneficiary;</p> <p>Please note that important additional information concerning the award of contracts and external expertise can be found in Annex I to this Call.</p>
10	<p>The most recent balance sheet of the organisation for the most recent financial year, demonstrating the financial capacity of the applicant. The Commission reserves the right to request balance sheets from previous years, if necessary.</p>
11	<p>For grant requests over €500 000, an external audit report produced by an approved auditor, certifying the last year available (not necessary for public bodies) shall be provided in <u>English or French or German</u>.</p>
12	<p>A signed declaration of honour in English or French or German (<i>the mandatory text can be found on-line as Annex to the application form</i>). This must have the original signature of the legal representative, certifying that the applicant is not in one of the situations listed in Article 93 §1, 94 and 96 §2 point a) of the Financial Regulation and his financial and operational capacity.</p>
13	<p>The most recent activity report of the applicant's organisation (if available) in English or French or German.</p>
14	<p>An organisational chart in English or French or German, showing the structure of the applicant's organisation with all members of staff involved in the project, their positions and employment status.</p>

3.2 Selection criteria

The applicant must be able to demonstrate the financial and operational capacity to complete the activity for which funding is requested. Thus the applicant must have access to solid and adequate financial resources, which are not exclusively made up of European Union grants, to maintain activities for the period of the project and to help finance it as necessary and must have the operational resources (technical, management) needed to successfully complete the activity.

3.2.1. The financial capacity shall be proven, inter alia, by the annual balance sheet and declaration of honour.

3.2.2. The applicant must prove to have the operational resources (technical, management) and the professional skills and qualifications needed to successfully complete the proposed action, as well as the ability to implement it. The applicant must have a strong track record of competence and experience in the field and in particular in the type of action proposed.

Therefore in order to demonstrate his operational capacity the applicant shall provide, inter alia:

- the declaration of honour mentioned above;
- the most recent activity report of the applicant's organisation (if available);
- an organisational chart showing the structure of the applicant 's organisation with all members of staff involved in the project, their positions and employment status;
- for each active partner involved in the project management, the letter of commitment/partnership requested at point 3.1.4/7 above including the full description of work and tasks to be carried out;
- a written declaration signed by the person quoted as responsible for managing the action in the Application form, certifying the professional competence of the team performing the tasks associated with the action for which funding is requested. This declaration shall be accompanied by their curriculum vitae, as requested at point 3.1.4/8 above.

3.3 Award criteria

Proposals which fulfil the eligibility and selection criteria indicated above will be assessed according to the following award criteria:

- The extent to which the action meets the objectives of this call for proposals;
- The extent to which the action has a genuine transnational dimension;
- The quality of partnerships, i.e. the degree of involvement and commitment at the application stage of the social partners/stakeholders in the action;
- The cost-effectiveness of the action;
- The arrangements to publicise the action and dissemination methods envisaged;

- The overall quality, clarity and completeness of the proposal and budget explanation.

4. PRACTICAL PROCEDURES

4.1. *Where can the application form be found?*

The compulsory on-line grant application form is an electronic form which must be filled by using the Internet Web system "SWIM" at the following Internet address:

<http://ec.europa.eu/social/main.jsp?catId=630&langId=en>

This system allows the introduction, edition, validation, printing and submission of the grant application form. Once the application is submitted electronically, a print out of an exemplar has to be signed by the legal representative submitting the proposal and be sent to the Commission as per point 4.2. After submission of the application electronically no changes are possible.

At the above quoted web site other requested forms and other useful documents can be found.

4.2. *Where does the application need to be sent?*

Please send your covering letter of application, together with all the other documents listed in the table under section "**3.1.4. Eligible applications**" above as signed **originals** as well as **one copy of all these documents (in total: 2 sets of documents)** by the deadlines indicated at point 2.1.2 above, to the following address:

<p><i>Call for proposals VP/2011/011</i> <i>Budget heading 040408</i> <i>European Commission – DG EMPL/B.2</i> <i>ARCHIVE Rue Joseph II ,54</i> <i>B 1049 Brussels Belgium</i></p>
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Please send your application by registered mail or express courier service only. The date of post office on the stamp on the envelope or express courier stamp or slip on the envelope indicating the sending date will be considered as proof of the date of sending.

Hand-delivered applications must be received by the European Commission on the last day for submission. The address for hand deliveries of documents for the European Commission is: Avenue du Bourget n° 1, B-1140 Evere, Belgium. Proof of delivery is a signed receipt from the Commission's Archives Service stamped with the date of the last day for submission or earlier.

Regarding the presentation of the application file, it is recommended to:

- Follow the order of documents as listed in the table under section 3.1.4 " Eligible applications"
- Print the documents double-sided, where possible
- Use only 2-hole folders (please do not bind or glue)

If an applicant submits more than one proposal, each one must be submitted separately.

ALL ENQUIRIES MUST BE MADE BY E-MAIL ONLY AT

empl-vp-2011-011@ec.europa.eu

PLEASE DO NOT TELEPHONE

4.3. What next? Accepted and rejected applications

Applications will be examined by an Evaluation Committee, which will meet, in principle, within 40 working days following the deadline for submission indicated at point 2.1.2.

Rejected applications

Unsuccessful applicants will receive a letter stating the reasons for refusal.

Requests concerning the progress of dossiers sent prior to the elapse of the above-mentioned time period will not be answered.

Selected applications

Successful applicants will receive two original copies of the grant agreement for acceptance and signature. Both these copies must be sent back to the Commission, which will then return one of them once it has been signed by both parties.

5. PUBLICITY

5.1. In order to achieve a wider dissemination of project results, the European Commission may publish on its Internet site elements provided by the beneficiary in the Final Report concerning, inter alia, the project description, results and methodology.

5.2. Beneficiaries accept to post the results of the project on their website for at least one year. They shall clearly state on the website that the project has received funding from the European Commission.