

➔ New directive enhances social rights for self-employed workers

EU employment, social policy, health and consumer affairs ministers met in early June 2010 to discuss a range of employment-related issues. One of the main social policy innovations was a directive that will strengthen equality between self-employed men and women. The directive improves benefits, including maternity protection for self-employed women and female spouses of self-employed workers, and was subsequently adopted without debate by transport council ministers on 24 June.

Aims of new directive

On 7–8 June 2010, the ministers met in Luxembourg to discuss a range of policies (see [press release \(139Kb PDF\)](#)). They noted the progress on the proposed text of a new directive aiming to strengthen the social protection of self-employed workers and of assisting spouses (namely the proposal for a Directive on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity and repealing Directive 86/613/EEC – [COM\(2008\) 636 final](#)). The [new directive \(138Kb PDF\)](#) was adopted without debate by transport council ministers on 24 June 2010 (see [Council of the European Union press release \(Kb PDF\)](#)), following a second reading in the [European Parliament](#).

The directive strengthens the principle of equal treatment between men and women who want to establish or extend a self-employed activity. For the first time, it entitles self-employed women and assisting female spouses of self-employed workers to maternity benefits of at least 14 weeks. It also creates autonomous social protection rights for assisting spouses of self-employed workers if the self-employed workers benefit from a system for social protection. The directive also covers life partners when recognised by national law.

Member States have two years in which to transpose this directive into national law, and a further two years in the case of any difficulties.

For an overall view of industrial relations and working conditions for self-employed workers, see the Eurofound comparative study on [Self-employed workers: industrial relations and working conditions](#).

Debates on equal treatment, jobs, skills and pensions

During the meeting, ministers debated a [draft directive implementing the principle of equal treatment \(224Kb PDF\)](#) between persons irrespective of religion or belief, disability, age or sexual orientation. Although the scope of this directive is outside the labour market, it is relevant to areas of social protection, including social security and healthcare.

Ministers also held a policy debate, in the context of preparations for the June European Council, on the [European Commission's](#) strategy [Europe 2020](#), launched in November 2009 as a successor to the 2000–2010 Lisbon Strategy. Responses to a consultation on this strategy were published by the Commission in March 2010 ([EU10030391](#)). Ministers agreed to propose to the June Council that the target of the Europe 2020 strategy to promote social inclusion, should aim at lifting at least 20 million people from the risk of poverty and exclusion by 2020.

Ministers also adopted a set of conclusions on [Sustainable social security systems achieving adequate pensions and social inclusion objectives \(108Kb PDF\)](#), which focus on the issue of minimum pensions or minimum income provision. The council also invited EU Member States to continue to pay particular attention to the issue of minimum pensions as a tool for combating poverty.

The council adopted conclusions on [New skills for new jobs: the way forward \(47Kb PDF\)](#), in which it urges EU Member States to focus on adapting their citizens' skills to new challenges, by means such as:

- modernising their education and training systems;
- increasing flexibility of education and training programmes;
- developing the links between education and training and the labour market;
- promoting the participation of the younger and older generations;
- promoting the participation of the low-skilled and other disadvantaged groups in the labour market;
- enhancing the role of public employment services.

Ministers also call on the Commission to propose, during the autumn of 2010, further steps to develop the 'New skills for new jobs' initiative.

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The council also adopted conclusions on 'active ageing'. It called for the increased involvement of older people in society by removing obstacles to employment, improving employment conditions, fighting against discrimination and investing in continued learning. The council acknowledged that Member States have reversed the trend towards earlier retirement and that the average employment rate of people aged 55–64 years in the EU has increased from 36.9% in 2000 to 46.2% in the third quarter of 2009.

Finally, the council adopted a resolution on a new European disability framework, which calls for the enhanced inclusion of people with disabilities and their families in society by means of focusing on disability issues in different policy areas and by launching initiatives in education, employment and social affairs, international affairs and development.

Commentary

The main outcome, in legislative terms, of council meetings in recent weeks is the new directive that will enhance the social rights of self-employed workers and assisting spouses. This will help to remove barriers to female entrepreneurship and to improve the status of assisting spouses by granting them protection in their own right. The other subjects that employment and social affairs ministers have been debating reflect the current issues and problems faced by Europe. These include how to reduce poverty and promote social inclusion; how to ensure active ageing in the context of an ageing population; how to ensure that people with disabilities are included in society; and how to equip the EU workforce with the necessary skills to enable it to meet the challenges of the labour market of the future.

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