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**Listened to, but not heard? Social partners' multilevel involvement in the European Semester**



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*Referring to this publication:*

Sabato, S. and Vanhercke, B. with Spasova, S. (2017), 'Listened to, but not heard? Social partners' multilevel involvement in the European Semester', *OSE Paper Series*, Research Paper No. 35, Brussels, European Social Observatory, March, 46 p.

ISSN 1994-2893

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## Executive summary

This Research paper explores the involvement of national and EU social partners (employers and trade union organisations) in the procedures of the European Semester. We examine (a) the mechanisms for social partner involvement; (b) the outcomes of this involvement; (c) its quality, including during the most recent developments in the Semester process; and (d) the remaining challenges for effective social partner involvement. The paper ends with proposals for a future research agenda on the topic.

There was barely any involvement of European level social partners in the Semester until 2014: since then several initiatives have been taken, notably by the European Commission, to enhance their role. These initiatives include establishing more EU venues for involvement and providing more regular and earlier access to a number of decision-making fora. Furthermore, attempts to better link traditional European social dialogue to the procedures of the Semester are underway. As for the quality of social partner involvement, the paper points to a trend from mere 'information' (the simple sharing of knowledge) to 'consultation' (the possibility to express views on a proposal and to influence the final decision).

However, the jury is still out on whether this new openness towards the social partners has in any way changed the substantive messages of the Semester documents and decisions: it may very well be that social partners are now being 'listened to' but are still not being 'heard'. The European social partners themselves have faced severe difficulties in coordinating the activities of national affiliates to produce timely input for the Semester. Attempts to solve such coordination problems are ongoing and have recently led to improved internal procedures.

Effective involvement in the Semester of EU and national social partners encounters several hurdles. First, the multiplication of mechanisms for involving a variety of players sometimes makes it difficult for the social partners to understand who does what and when. Second, the key players have differing expectations as to the kind of contributions social partners are expected to provide and the impact these should have on decision-making. Third, business and trade union representatives hold different views on the next steps to increase social partner involvement in the Semester, which decreases its effectiveness. Fourth, the link between the Semester and regular (national and European) social dialogue is still unclear and sometimes contested: trade unions and employers have different views on how to link the two dynamics.

Social partner involvement in the 'national Semester' (July-December of each year) varies significantly across the Member States. A number of mechanisms for involvement are apparent and often coexist. The influence of domestic social partners on the National Reform Programmes and the Country-specific Recommendations is often very limited, with some notable exceptions. In

most cases, national social partner involvement consists of information or consultation, even though sporadic cases of genuine participation (the ability to influence the process) have been found. The features of national social dialogue have important implications for the characteristics of social partner involvement in the Semester, as do the differences in the resources of national organisations.

Three recent phenomena appear particularly relevant. First, national social partners are increasingly involved in EU-level initiatives (e.g. the ex-ante consultation on the Country Reports and a recent EMCO multilateral-surveillance exercise). Second, direct contacts between national social partners and the European Commission, notably through the Commission's 'fact-finding missions' and the European Semester Officers, are increasingly important. Third, in order to interact with European social partner organisations and the European Commission, national employer and trade union organisations have recently appointed European Semester 'liaison officers' whose activities are still at an early stage and need to be made operational.

All in all, the procedures of the Semester appear mature when it comes to the involvement of the social partners at European level. What the present research highlights is the emergence of a multi-level governance framework where the boundaries between the European and national levels are not clear-cut. Players act strategically at both levels in an attempt to increase their influence on the process and the implementation of the Semester decisions.

Research on social partner involvement in the European Semester is still at an early stage. This paper therefore proposes a future research agenda. First, the notion of social partner (and, more generally, 'stakeholder') involvement should be further clarified, both from a conceptual and methodological angle. Second, player strategies, organisational arrangements and expectations of involvement at both EU and national levels should be further explored. Third, the precise links between the venues of the European Semester and European and national social dialogue structures should be clarified. Finally, a better understanding is needed of the opportunities and challenges deriving from interaction between the social partners and civil society organisations at both the European and national levels.

## **Introduction: methods, sources and concepts <sup>(1)</sup>**

This Research paper provides an assessment of social partner involvement in the European Semester (ES) at both national and European Union (EU) levels. Since its launch in 2011, the European Semester has been subject to a number of changes affecting both its governance and substantive policy decisions. These changes have also affected its social dimension, the importance of which has significantly increased over time (Bekker 2015; Costamagna 2013; Zeitlin and Vanhercke 2014), though insufficiently, according to some observers (de la Porte and Heins 2015). The ongoing 'socialisation' of the Semester can be understood as the result of strategic learning dynamics by socially-oriented players who have gradually improved their understanding of the ES process and developed more effective strategies, policy instruments and procedures for influencing decision-making (Vanhercke and Zeitlin 2015).

Some recent developments in the Semester process seem to result from the Juncker Commission's declared intention to give a higher profile to the European social partners. Thus, the 'relaunch' of European Social Dialogue has become one of the priorities of the Commission (Pochet and Degryse 2016). A social dialogue summit took place in March 2015, the first of its kind in a decade. Moreover, a Vice-President responsible for the Euro and social dialogue (Valdis Dombrovskis) has been appointed to the new European Commission.

Against this backdrop, the purpose of this Research paper is to focus on the formal and informal mechanisms of involving social partners – at European and national levels – in the different stages of the Semester. The paper also describes the main developments in the Semester process and tries to assess the significance of social partner involvement. In doing so, it aims to contribute original empirical research to the literature on this largely under-explored topic (but see Erne 2015 and Schellinger 2015).

Our research methodology is based on a careful review of key official documents and studies, most of which were published between 2014 and 2016. Given the changes in the European Semester's architecture under the Juncker Commission, it did not seem appropriate to rely on earlier assessments, although we included a few particularly relevant earlier documents and studies. This review was complemented with four semi-structured interviews (conducted between July and October 2016) with eight key players: two officials from DG Employment, Social Affairs and Inclusion (DG EMPL) of the Commission; two representatives of the European Trade Union

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1. The authors would like to thank Christophe Degryse, Stefan Clauwaert, Christos Louvaris Fasois and Jonathan Zeitlin for their insightful comments on an earlier draft and Eleonora Erittu for her research assistance. The research conducted for this paper benefited from financial support from the European Trade Union Institute (ETUI). The usual disclaimer applies.

Confederation (ETUC); two representatives of BusinessEurope; and two representatives of EU-level NGOs dealing with poverty and social inclusion (cf. Annex 1 for further details). Furthermore, we were able to draw on the 20 semi-structured expert interviews conducted by one of the authors in the framework of an earlier assessment of the social dimension of the European Semester (Vanhercke and Zeitlin 2015) <sup>(2)</sup>. This approach allows us to assess changes in social partner involvement in the 2015 and 2016 cycles of the Semester, and to discuss the most recent proposals for addressing some of the issues at stake.

The documents included in our literature review cover a range of different sources, subject matters and methodologies. In terms of the sources covered, we selected (a) academic literature, (b) reports produced by EU institutions and bodies, (c) documents produced by 'socially-oriented' non-governmental organisations (NGOs) and (d) work produced by social partner organisations themselves <sup>(3)</sup>. The documents primarily contain generic information or opinions about stakeholder involvement in the European Semester: they do not provide empirical evidence on the topic at hand, nor are they explicit about their sources or methodology used. Many of the documents dealing with social partner involvement at EU level fall within this category: they contain a lot of information and opinions, but little assessment. We have however been able to draw on some sources containing proper 'assessments': these rely on empirical research and refer to the sources and methodology used. As assessments are so scarce, we also draw on three recent studies – Sabato and Vanhercke (2014), Vanhercke and Zeitlin (2015) and Zeitlin and Vanhercke (2014) – which combine desk research with qualitative interviews with key players.

As for the involvement of national social partners in the Semester, studies similarly use a variety of methodologies, typically combining desk research, qualitative interviews and surveys. To investigate national dynamics, we selected seven key sources for a more in-depth analysis: five focus on the social partners (Bellagamba 2014; ETUC 2015a; Eurofound 2016; Peña-Casas *et al.* 2015; Rocha *et al.* 2014); one is concerned with NGOs (EAPN 2015); and one covers both social

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2. Twenty in-depth interviews with high-level policymakers within the EU institutions and Member States (Commission, Council, Advisory Committees, European Parliament) as well as social stakeholders (social partners and European NGOs) concerned with economic, social and employment issues (Vanhercke and Zeitlin 2015).
  3. The extensive bibliography to this report shows that the documents consulted are fairly evenly distributed between these sources: we consulted around a dozen reports produced by NGOs and a similar number from EU institutions and academic scholars, as well as reviewing nearly twenty documents and reports from social partner organisations. In terms of the subjects covered, most of the selected documents focus on specific stages of the European Semester – such as the elaboration of the Annual Growth Survey (AGS), the National Reform Programmes (NRPs) and the Country-specific Recommendations (CSRs), while the interviews touched upon specific employment and social policies addressed in the Semester. It should be noted that virtually nothing has been written about stakeholder involvement in decisions related to other vital components of the Semester, such as the coordination of fiscal policies or the Macroeconomic Imbalances Procedure (MIP).

partners and NGOs (Semester Alliance 2014). Their findings have been enriched with evidence of the most recent developments gathered from the four expert interviews conducted in 2016.

Since the notion of 'stakeholder involvement' is somewhat vague, it seems necessary to specify some of the dimensions we are considering in this paper. We use the term 'mechanisms' for social partner involvement in reference to the precise venues and procedures through which social partners exchange views with EU and national public authorities within the context of the Semester. Mechanisms also cover the procedures through which stakeholders coordinate internally with a view to contributing to the EU cycle (from January to June of each year) and the national cycles (between July and the end of the year) of the Semester process. By 'outcomes' we mean the concrete results of this involvement: these can be mere (formal or informal) contributions produced by social partners, which we distinguish from their actual impact on domestic or EU decision-making (e.g. on the contents of Semester-related documents or decisions).

When discussing the 'quality' of social partner involvement, we draw on Frazer (2014:4-5) <sup>(4)</sup>, who distinguishes between four 'levels of involvement':

- *information*, i.e. the simple sharing of knowledge;
- *consultation*, i.e. the possibility to express views on a proposal and to influence the final decision but without being involved in the making of that decision (which is up to policy-makers);
- *participation*, i.e. the ability to influence the process and to have their views incorporated in the final outcomes;
- *co-decision*, i.e. consensual decisions on policy choices and priorities, ensuring joint ownership of the final outcome.

The remainder of this paper is structured as follows. Section 1 considers the *mechanisms* and institutional procedures through which European social partners are involved in key stages of the Semester at EU level; it also presents the available information on the *outcomes* of this involvement. Furthermore, it addresses the *quality* of this involvement and the most recent developments, after which the key challenges for meaningful involvement are discussed. Section 2 deals with the involvement of the national social partners in the Semester procedures. We also discuss the *mechanisms*, *outcomes* and *quality* of such domestic involvement, as well as *recent developments* and remaining *challenges*. The gaps in existing research on this topic are discussed

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4. The ETUC (2016) has defined 'quality involvement' as dialogue in a meaningful (related to access to documents) and timely manner, with adequate capacities (trade union resources) and at the appropriate level of interlocutor.



in Section 3, which sketches the contours of a future research agenda. Section 4 concludes by summarizing the key findings.

## 1. Involving European social partners in the Semester

### 1.1 Mechanisms for influencing the Semester

Information about the precise mechanisms for European social partner involvement in the Semester in the period between 2011 and 2013 is rather fragmented. Overall, social partner involvement over that period was judged largely inadequate by the European social partners themselves (see for instance European Confederation of Independent Trade Unions 2014; ETUC 2014b) and by the academic community (see Rocha *et al.* 2014; Zeitlin and Vanhercke 2014). EU institutions and bodies broadly recognised the need for substantial improvements (see, among others, EESC 2014a, 2014b; European Commission 2014, 2015a). This said, some promising steps forward have been taken since 2014, most of them promoted by the Juncker Commission, in office since November 2014<sup>(5)</sup>, and further institutionalised since 2016.

At present, the following mechanisms for social partner involvement at EU level are in place.

**Ex ante consultation** by the European Commission on the Annual Growth Survey, as well as informal 'stock-taking' meetings throughout the annual Semester cycle. Informal consultation prior to the publication of the Annual Growth Survey (AGS) commenced in late 2012 with the elaboration of the 2013 AGS (BusinessEurope *et al.* 2013), though was mostly limited to labour aspects (*ibid.*). Since the 2015 Semester cycle, social partner consultation on the AGS has been formalised. For the 2015 and 2016 AGS, meetings between the European Commission and European social partner representatives were held respectively in September 2014 and September 2015. Social partners' views (*cf.* BusinessEurope *et al.* 2014, 2015b; ETUC 2014d, 2015c) have been published on the 'Europe 2020 website'<sup>(6)</sup>. The same was done in September 2016 with a view to elaborating the 2017 AGS. In July 2015, the European Commission met the social partners (jointly) to take stock of the 2015 European Semester. Similar meetings were held in 2016.

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5. Cf. ETUC 2015a, 2015b; Eurofound 2016; Vanhercke and Zeitlin 2015.

6. [http://ec.europa.eu/europe2020/making-it-happen/annual-growth-surveys/index\\_en.htm](http://ec.europa.eu/europe2020/making-it-happen/annual-growth-surveys/index_en.htm) According to ETUC (2013b), the links to the European social partners' contributions to the AGS 2014 were already included on the main website of the 2014 AGS. The Europe 2020 Strategy is being implemented and monitored in the context of the European Semester.

**Informal exchanges on the Country Reports (CRs):** since 2015, after the publication of the Country Reports in February, the European Commission holds informal meetings with the social partners to gather their feedback (ETUC 2015b), receiving trade union and employer representatives separately. Since the 2016 cycle, an *ex-ante* (or 'early stage') consultation has been added to this *ex-post* exercise on the CR. Held for the first time in December 2015 and scheduled to continue in the following years, this involves both EU-level social partner organisations as well as representatives of some of their national affiliates. On the side of the trade unions, national affiliates from five countries attended the December meeting: Finland, France, Germany, Ireland and Portugal (cf. also Section 1.2).

**European social dialogue structures.** Issues related to the European Semester have been touched upon in traditional European social dialogue venues, though not always in a regular and structured way (cf. Section 1.3). Consultation held in the social dialogue format results in a quite formal (and rather superficial) exercise: the ETUC therefore considers bilateral consultations with the European Commission more fit for purpose (Interview ETUC1). The *European Social Dialogue Committee* is a forum where EU social partner organizations meet regularly: issues related to the Semester have been discussed during Committee meetings. A recent Committee meeting took place in September 2016, the day before the meeting between the Commission and the social partners on the 2017 AGS. Some of the *Tripartite Social Summits* held over time have also focused on the European Semester. This was for instance the case with the Summits held in March 2014 (Employment Committee 2014). At the Summit meeting held in October 2015, a number of procedural decisions were taken in order to strengthen the links between the Summit and EU- and national-level decision-making (ETUC 2015d: 2-3). At the Tripartite Social Summits held in March 2016, the European Semester was one of the topics on the agenda, at the initiative of the Dutch Presidency. The *Macro-Economic Dialogue* meetings are high-level <sup>(7)</sup> political meetings held twice a year (in autumn and at the beginning of the year). Usually, a discussion about the AGS takes place in the meeting at the beginning of the year (ETUC 2014b:3).

The **Employment Committee** (EMCO) meets regularly with the European social partner organizations, on the basis of a 2014 <sup>(8)</sup> cooperation protocol. This ongoing consultation concerns every stage of the Semester process. To be more precise, every year (Employment Committee 2014):

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7. The meetings are attended by representatives of the Council presidency, the European Central Bank, the European Commission, EMCO, the Economic Policy Committee (EPC), and the European social partners.
  8. Dialogue between the EMCO and the European social partners in the framework of the European Semester already took place before 2014 (cf. BusinessEurope *et al.* 2013:4); however, at that time, it was more informal.

- Exchanges between the EMCO and the European social partners take place in December/January in order to discuss the contents of the AGS and the Joint Employment Report (JER) and to gather input for the Draft Council Conclusions on the AGS and the draft JER. In particular, EMCO gathers social partners' feedback on the 'Key messages' for the JER, which is then sent to the Spring European Council;
- In spring, the EMCO Steering Group and the Secretariats of the European social partners discuss the European Semester process and review the working arrangements;
- In May, EMCO finalises its draft horizontal opinion to the Employment, Social Policy, Health and Consumer Affairs Council (EPSCO) on the National Reform Programmes and the implementation of the CSRs. In this context, the social partners are involved in the EMCO assessment of the previous year's CSRs, providing their opinions on their relevance and implementation progress<sup>(9)</sup>. Furthermore, they are invited to the introductory session of EMCO country reviews.
- In June, the EMCO Steering Group meets European social partners' secretaries to gather their initial reactions to the draft CSRs (without touching upon country-specific issues)<sup>(10)</sup>. Finally, on 24 October 2016 the EMCO held a thematic review on the involvement of social partners in the European Semester at national level (see Section 2.3 for a detailed discussion).

**The Social Protection Committee (SPC).** Though cooperation remains less formal than with EMCO, both the European Trade Union Confederation (ETUC) and BusinessEurope are also increasingly invited by the SPC to discuss issues of common concern, such as in-work poverty and pension adequacy (Vanhercke and Zeitlin: 15). Consultations with the SPC take place before the Spring European Council (ETUC 2014c).

**The Social Affairs Council.** Beginning with the Italian Presidency (second half of 2014), the European social partners have been invited to participate in discussions at the informal meetings of the Employment and Social Affairs ministers meeting in the EPSCO Council formation (Eurofound 2016). The European social partners have also been invited to meetings with the Troika<sup>(11)</sup> on the fringes of the informal EPSCO council (BusinessEurope *et al.* 2013).

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9. In 2015, two meetings were held in May focusing respectively on the implementation of the 2014 CSRs and on initial reactions to the 2015 Country Reports and on the EMCO draft Horizontal Opinion on the implementation of the 2014 CSRs and its assessment of the Commission's draft 2015 CSRs (ETUC 2015b:1). As for the Horizontal Opinion, ETUC also sent written comments to EMCO, based on inputs from its affiliates (*ibid.*).

10. In addition, EMCO also proposed to involve the European social partners in its work concerning the updates of the Scoreboard of employment and social indicators and of the Employment Performance Monitor (EPM).

11. The Troika is a coordinated presidency of three Member States for 18 months: each country holds the office for a period of 6 months.

**The European Economic and Social Committee (EESC).** One of the main tasks of the EESC's 'Europe 2020 Steering Committee' <sup>(12)</sup> is to involve national Economic and Social Councils in Europe 2020 reform evaluations. The EESC publishes ex-post opinions on European Semester-related documents (notably the AGS Opinion, which is published in February each year) <sup>(13)</sup>, but its influence on these documents seems strictly limited. Perhaps more significant is that, through the Europe 2020 Steering Committee, the EESC also published a series of recommendations and proposals to improve stakeholder involvement (including civil society) in the Semester, and beyond <sup>(14)</sup> (see, among others, EESC 2014b) <sup>(15)</sup>. It would therefore seem that the EESC is willing to become an important forum for exchanges between national social partners, and could be even further used to share ideas and practices concerning national 'models' of involvement in the Semester.

**The Semester Alliance.** A further, although secondary, stakeholder involvement mechanism is the collaboration between social partners (notably, trade unions) and civil society organisations. In spring 2014, a coalition of 16 civil society organisations active in the social and environmental fields established the 'EU Semester Alliance' <sup>(16)</sup>. The Alliance has been invited to Semester meetings with EU institutions, including DG EMPL, DG Economic and Financial Affairs (ECFIN), and the Secretary-General (SECGEN) of the European Commission, as well as the Social Protection Committee. Although the ETUC formally supports the Alliance, it does not seem to consider it as strategic: ETUC is therefore not closely involved in Alliance activities. Conversely, some sectoral federations of the ETUC seem prone to engage with the Alliance, as seen with the European Public Service Union (EPSU) and the European Trade Union Committee for Education (ETUCE).

European social partners have also developed **internal mechanisms for monitoring** Semester developments at both EU and national levels. On the part of the trade unions (ETUC 2014c:1), one of the ETUC Deputy General Secretaries coordinates the Semester activities, with the other members of the Secretariat providing policy orientations in their specific areas of responsibility. The Executive Committee, which adopts key positions during the Semester, is informed through regular reports. Two permanent Committees hold the main responsibility for ETUC Semester activities (ETUC 2014c:1) <sup>(17)</sup>: the Economic and Employment Committee and the Collective Bargaining Coordination Committee.

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12. See <http://www.eesc.europa.eu/?i=portal.en.europe-2020>

13. See, for example, the 2013 EESC Opinion on the AGS (Rapporteur Xavier Verboven) (EESC, 2013).

14. The EESC indeed encouraged national social partner and civil society organizations to extend their influence to the Macroeconomic Imbalances Procedure (MIP) to '[...] ensur[e] compliance as well as raising its political profile and ownership at national level' (Eurofound 2016: 19).

15. The EESC has been promoting the involvement of national Economic and Social Councils in the NRPs and CSRs, and tried to foster cooperation between these national institutions.

16. The short name for the 'EU Alliance for a Democratic, Social and Sustainable European Semester'.

17. Several ETUC Working Groups discuss aspects of the Semester falling under their respective policy areas (e.g. the CSRs).

Since 2013, the ETUC Collective Bargaining Coordination Committee has developed a '*Toolkit for coordination of collective bargaining and wages in the EU economic governance*', with a view to supporting ETUC affiliates in dealing with economic governance. The toolkit has been developed to enhance affiliates' capacity for timely consultation and involvement in government decisions concerning NRPs and CSRs: it was initially focused on wage setting and collective bargaining <sup>(18)</sup>, (ETUC n.d.: 23; cf. also ETUC 2013c). Clearly the EU's 'unwanted' interventions in the latter two policy domains through the Semester have boosted ETUC interest in the process <sup>(19)</sup>; for more details on the ETUC Toolkit, see Annex 3. As can be seen in Annex 3, the Toolkit has recently been revamped and made more effective, especially with a view to supporting national affiliates to influence the drafting of the Country Reports on a broad range of policy areas (ETUC 2016).

On the **employers' side**, BusinessEurope publishes *annual reviews of the Semester process* <sup>(20)</sup>, focusing on the content and implementation of the CSRs and NRPs, based on regular consultation with its national affiliates (Vanhercke and Zeitlin 2015:15).

## ***1.2 Outcomes of European social partner involvement***

Evidence on actual outcomes (i.e. concrete results) of EU-level social partner involvement in the European Semester is scarce. Until 2014, both ETUC and BusinessEurope published general statements, position papers and resolutions <sup>(21)</sup> concerning key European Semester documents, such as the AGS, the NRPs and the CSRs, as well as on the European Semester process as a whole. In some cases, these documents drew on contributions from national members. This is, for instance, the case of the input from ETUC national confederations gathered through the ETUC Toolkit discussed above. According to the ETUC (n.d.: point 158), this input is at the core of ETUC reactions to the AGS and CSRs <sup>(22)</sup>. Clearly, involving national trade union affiliates in the Semester is not always an easy task. Thus, the ETUC's '*Toolkit for coordination of collective bargaining and wages in the EU economic governance*' initially contained a limited number of

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18. As stated in their 2013 joint declaration, the social partners consider their involvement essential '[...] in the elaboration and implementation of *policies affecting directly or indirectly employment and labour markets* all along the different steps of the European semester [...]' (BusinessEurope *et al.* 2013: point 7, emphasis added).

19. As the ETUC (2013c: 1) puts it: 'The EU economic governance introduced unwanted interventions on collective bargaining and wage setting mechanisms, particularly through the CSRs [...]. In this context a new method of internal and autonomous coordination is needed to prevent and/or counter such interventions, by involving the ETUC affiliates in a multi-level exercise (EU, national, sectoral), fully respecting the autonomy of social partners at the appropriate levels'.

20. See, among others, BusinessEurope 2014, 2015.

21. See, by way of example, BusinessEurope (2014, 2015); BusinessEurope *et al.* (2013, 2014, 2015b); ETUC (2012, 2014a, 2014b, 2014d, 2015a, 2015c, 2015d).

22. From September 2017 onwards, ETUC will regularly publish, in September, a 'ETUC for Growth and Social Progress: Priorities for the Annual Growth Survey (AGS)' report, based on Toolkit 1.

(sometimes sketchy) contributions made by the national confederations in 2014 and 2015. Some 13 contributions by as many countries (BE, BG, HR, DK, EE, FR, HU, IE, IT, PL, SI, ES, SE) are available from the ETUC website for 2014 <sup>(23)</sup>; 11 contributions from 10 countries (BE, HR, CY, CZ, DK, FI, FR, HU, LV, LU) have been submitted in 2015 <sup>(24)</sup>.

Since 2015, the ETUC has developed a new procedure for gathering its affiliates' views on the Semester. This procedure was fully implemented in the 2016 Semester cycle and, notably, in preparing the ex-ante consultation on the 2016 Country Reports. On that occasion, ETUC was able to present to the European Commission a report based on no less than 29 input papers from trade union organisations in 20 countries (i.e. twice as many as the year before). National inputs were prepared using a common template focusing on key themes, including: a) labour market and employment; b) collective bargaining and gender pay gaps; c) social inclusion and poverty; and d) investments, stability and fiscal rules. These inputs – the quality of which was uneven but generally deemed to be satisfactory (Interview ETUC 1) – formed the basis for the cross-country (and cross-topic) report presented to the Commission in a meeting held in December 2015. This meeting also provided the opportunity to discuss the possible contents of the future Country Reports in five countries (FI, FR, DE, IE and PT), which were represented by national trade union delegates. After the publication of the Country Reports, the ETUC prepares a short document assessing the overall approach taken by the Commission. In some cases, ETUC affiliates have sent their reactions to the respective Country Reports. In other cases, bilateral contacts between Commission officials and national trade union representatives continued after the early-stage consultation in December, and even beyond the publication of the Country Reports. According to our interviewees (Interviews EC 1, EC 2, ETUC 1), this was, among others, the case with Finland, Spain, Poland and Hungary.

On the employer's side, BusinessEurope's contributions are also based on input from national members and, according to our interviewees (BusinessEurope 1 and 2), the process of information gathering works in a rather satisfactory way. Again, the quality of contributions from national affiliates is uneven. This is often due to differences in organisational capacities (human resources) among the national organisations. Consequently, according to BusinessEurope, more efforts in capacity building are needed in a number of countries to enable a stronger participation of national social partners in the European semester process.

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23. Cf. <https://collective.etuc.org/SocialPartner>

24. Apart from the inputs on the European Semester provided by the ETUC Collective Bargaining Coordination Committee and Economic and Employment Committee, gathering comments on other sectors covered by the European Semester (e.g. pensions and social protection) has proved challenging (ETUC 2015b, 2015d).

Evidence on the social partners' ability to *influence EU-level decisions* in the context of the European Semester is scarce. For the pre-2014 period, given the very low and mainly 'reactive' <sup>(25)</sup> level of European social partner involvement (cf. Section 1.1), it seems safe to assume that *social partners were unable to influence key documents such as the AGS or the CSRs in any meaningful way*.

As explained above, some steps towards a more structured and timely involvement of the social partners in the compilation of key Semester documents have been taken since 2014. The *ex-ante* consultation by the Commission on the AGS and the Country Reports, the regular exchanges with EMCO and to a lesser extent the SPC, and attendance of the informal EPSCO Councils allow social partners to provide key decision-makers with their (oral and written) inputs in good time. According to both BusinessEurope and ETUC, the most promising development is the early-stage consultation on key Semester documents (since 2016). As one of our interviewees puts it:

*'The big change was maybe in 2015. In 2016, we have been able to improve a process which was already in place; but we also made some relevant improvements that are showing us the way ahead [...] The most important improvement was to move from ex-post assessments to an ex-ante consultation on documents such as the AGS and, especially, the Country Reports <sup>(26)</sup>'* (Interview ETUC 1)

The Country Reports (CR) are indeed increasingly seen as the key Semester documents, and for this reason European social partners have begun to focus their efforts on influencing their content. On the one hand, the CRs are the basis for the Country-specific Recommendations. As explained by Vanhercke and Zeitlin (2015), it is unlikely that a topic will appear in the CSRs if it has not been addressed beforehand in the CRs. On the other hand, amending draft CSRs is extremely difficult, even for national governments: it therefore seems more effective to upload analysis and ideas to the CR. All in all, our interviewees in the EU-level social partner organisations appear well aware of the importance of the CRs, though this awareness has not trickled down to their national affiliates:

*'The Country Report is not a scientific intermediate document. It is a political document that should orient policies at national level. [Our affiliates] still focus on the Country-specific Recommendations but the CSRs do not replace the Country Reports. You can still take the Country Report and say to your government: look, you should be more precise on this policy, etc. There are very few people that are aware that this is the role of the CRs. Everybody focuses on the CSRs [...]'* (Interview ETUC 1)

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25. For instance, social partner contributions to the AGS 2012 were published a few months *after* its publication.

26. According to the same interviewee, the quality of the first ex-ante consultation on the AGS was constrained by a number of factors, such as the lack of time for preparing trade union inputs (also in view of the ongoing ETUC Congress), the low quality of documents sent by the Commission (which did not clearly show the policy direction of the AGS).

At the same time, however, Vanhercke and Zeitlin (2015) found that trade union and civil society respondents questioned whether this enhanced consultation had made any difference to the substantive content and policy messages of the Semester (<sup>27</sup>), emphasizing the continuing gap between 'merely listening' and 'actually hearing – and even possibly heeding' what social stakeholders had to say (Clauwaert 2015: 17-18). Indeed, even in the new context of an objectively improved involvement in the elaboration of the Country Reports, both BusinessEurope and ETUC remain cautious about making any claims as to their actual impact on the contents of these documents, let alone on the CSRs. Our BusinessEurope respondents underline that, instead of lobbying for *specific measures*, priority should be given to defining the *right (broad) policy orientations*. National members' degree of satisfaction about these orientations however differs:

*'Some of our members are very unhappy with the direction of policies [...] But there are countries where we feel that there are the right policy orientations and in fact, when you go back to the overall assessment of the Semester (besides employment and social policy), we by and large think that the Commission tends to identify the right topics. The key issue is implementation.'* (Interview BusinessEurope 1)

As for trade unions, the overall feeling about their impact on the CSRs is rather gloomy:

*'Our members still think that the elaboration of the CSRs is something far from them [...]. To be sincere, they feel to be very distant from the text: they just go and check whether they agree or not. But nobody said: 'OK, I found myself [in the CSR] because I told this...'* (Interview ETUC 1)

The situation is more nuanced when it comes to the Country Reports. Workers' representatives appreciate the fact that analysis of the social situations in the Member States has improved. In most countries, however, trade union representatives find that the analysis has been (mis-)used to push austerity-oriented policies. Looking at the most recent round of CRs, some ETUC members appeared generally satisfied (Finland and Germany), others adopted a more neutral stance (Ireland), while two (France and Portugal) felt that their views had been ignored during the December early-stage consultation (Interview ETUC 1). A few examples illustrate this point:

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27. A recent ETUC document shows some impact of exchanges with the EMCO on the latter's Horizontal Opinion in 2015: 'At the European level the meetings with EMCO provide an opportunity for the ETUC to put forward trade union views and suggestions regarding the horizontal aspects of the Semester and the Commission's policy recommendations. From the discussions with the Committee, it is apparent that several Member States share the ETUC view on some issues and this is reflected to some extent in the EMCO Horizontal Opinion' (ETUC 2015b:2).



*'The Germans were somehow positive because they raised the issue of the need for more investments, the role of wages and attention to be paid to mini-jobs. And, finally, they found these issues [in the CR]. Maybe not with the same language but still...'* (Interview ETUC 1)

*'As for Portugal, it did not work very well. The contribution they gave on the impact of the reform of collective bargaining was extremely detailed and it was not taken on board.'* (Interview ETUC 1) <sup>(28)</sup>

The issue of social partners' substantive 'impact' on the Semester documents is a complex one and is closely linked to their (often divergent) expectations. It would seem that social partners (and especially trade unions), would be more willing to engage in the process were their input to be explicitly taken on board. Commission officials, however, explain that they are willing to listen and, where appropriate, take on board input from the social partners; but this does not mean that this input can easily be traced, let alone that the Commission would be willing to move towards a kind of 'co-decision' on the Semester documents.

In other words, while input from the social partners sometimes helps to refine and deepen the analysis and fine-tune recommendations to the Member States, ownership of these documents – including the CRs – remains firmly in the hands of the Commission. As one Commission official explains:

*'[Social partners] are heard but we generally stick to our line [...] So, you can indirectly see that [the contributions] have been heard, analysed, and somehow reflected in the text but it is obviously difficult to show that. But of course, what happens is that you have a draft Country Report with 100 footnotes: fifty percent goes [...]. So [...] you don't see these things. Then typically the ones that feel they are not heard, are the ones that give less substance or give nothing [...]. I think those that have engaged with us, have at least the feeling that this has really been taken seriously.'* (Interview EC 1)

Another Commission official explains the kinds of contributions that are more easily taken on board:

*'[The social partners] are more likely to feel listened to and engaged in the process if their input is targeted, if their input is analytically solid. That way they guide us in the right direction. Even if we disagree with what they are saying, they flag possible consequences of policy developments that we may have overlooked or we may have not given enough importance to. Or they may guide us to other data sources, which we then use in the Country Report. Or we look at them when we draft CSRs.'* (Interview EC 2)

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28. Yet, interviewees from the Commission (Interview EC 1) maintain that they took into consideration Portuguese trade unions' inputs concerning the minimum wage.

In addition to influencing 'the general line/emphasis placed' (Interview EC 1) during the 2016 Semester cycle, some more concrete examples of 'impact' emerge. In Finland, for example, some research findings on wage bargaining produced by the trade unions were taken on board in the Country Report, contributing to modifying to some extent the position of the EC: '*we adjusted our line. Not 180° turn, but there was certainly a clear adjustment*' (Interview EC 1). Input on changes in labour legislation provided by the social partners was taken into consideration when drafting the CSRs. Information on the state of social dialogue in Hungary, gathered by the Commission, *inter alia*, during a fact-finding mission, was deemed useful and will probably be included in the next CR. Input from Bulgarian trade unions was deemed very interesting by the Commission and some arguments were taken on board in order to 'fine-tune' messages in the CR (Interviews EC 1 and EC 2).

### ***1.3 Quality of involvement and developments during the 2016 cycle***

The detailed description above allows us to distinguish between three periods of European social partner involvement in the key stages of the European Semester. The period between 2011 and 2013 was characterised by the absence of structured mechanisms for timely and adequate involvement and the inadequacy of social partner resources allowing them to meaningfully influence the Semester process. As a result, social partners were at best *informed* about developments in the European Semester and reacted to these developments through statements, position papers and resolutions. Since 2014 – and in particular since the 2015 Semester cycle – more structured mechanisms to ensure earlier and more systematic *consultation* in relation to key stages of the Semester have been created or reinforced. Especially through contacts with the European Commission and the EMCO Committee, the European social partners now have the possibility to provide their inputs or feedback on documents such as the AGS, the CSRs and the CRs. Furthermore, the process of linking European social dialogue venues to the European Semester procedures is ongoing.

Since the 2016 cycle, new procedural elements have been added to the process (notably, the ex-ante consultation on the AGS and the CRs) that now can be considered as institutionalised. These initiatives have strengthened *consultation* of the social partners; however, the extent to which they will lead to actual *participation* in the future appears still uncertain. As one of our interviewees puts it:

*'I think that there is the perception that the process is mature; that it is working well to the satisfaction of the countries, although [we received] a few recommendations and requests for changes from some countries. This does not mean that it is all perfect: obviously, there are some improvements that can be made.'* (Interview EC 1)

Looking ahead, the Juncker Commission seems inclined to further explore arrangements for making better use of the existing ('relaunched') European social dialogue fora to improve social partner involvement in the Semester procedures <sup>(29)</sup>. The Five Presidents' report briefly mentions the role to be played by the Tripartite Social Summit and the Macroeconomic Dialogue (European Commission 2015d: 22; see also European Commission 2015e:5). Furthermore, in March 2015 the European Commission held a high-level conference on 'A new start for social dialogue' (European Commission 2015b) to launch a process aimed at: a) more substantial involvement of the social partners in the European Semester; b) a stronger emphasis on capacity building of national social partners; c) a strengthened involvement of social partners in EU policy- and law-making; and d) a clearer relation between social partners' agreements and the Better Regulation agenda (European Commission 2016: 4). Follow-up work has been carried out in the meantime in thematic groups, set up at the March 2015 high-level conference.

The European social partners have clearly welcomed this more open attitude from the Juncker Commission and, in particular, the 2015 streamlining of the process which allows more time to meaningfully contribute to the elaboration of the Semester's key documents (ETUC 2015c; BusinessEurope *et al.* 2015b; European Social Partners 2016). Some criticism has been raised however from the trade union side. While recognising that some progress has been made, the ETUC (2015d: 1) concludes that '[...] the approach is still fragmented [and it] does not ensure full involvement at all stages of the Semester, both at EU and national level [...]'. In order to achieve a meaningful level of involvement, the ETUC (*ibid.*:2) suggests a strengthening of social dialogue at all levels, in particular by a) more systematically linking discussions in the Macroeconomic Dialogue to the relevant steps of the Semester and decision-making bodies <sup>(30)</sup> and b) reshaping the format of the Tripartite Social Summits.

This interest in strengthening European tripartite fora <sup>(31)</sup> is shared by trade union and employers' organisations, who describe this issue to the European Commission as one of their key concerns (European Social Partners 2016: 15-36-37). Furthermore, the European Social Partners (2016:8-10) have stressed the importance of providing EU funding – through the European Structural and Investment Funds (ESIF), notably the European Social Fund (ESF) – for engaging in mutual learning and capacity building activities aimed at supporting social dialogue and social partner involvement in the European Semester.

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29. Furthermore, the Commission has stepped up direct contacts with the national social partners through the European Semester officers and Commission fact-finding missions (see Section 2.3).

30. Notably, top-level meetings should be organised between the social partners and the Eurogroup and the European Council of finance ministers.

31. The Tripartite Social Summit, the Macro-economic dialogue and the Social Dialogue Committee.

Some steps forward in this direction can be expected from the Council Conclusion on 'A new start for a strong Social Dialogue' (Council of the European Union 2016) and a Joint Statement by the Dutch Presidency of the Council, the European Commission and the European Social Partners. The latter (Dutch Presidency *et al.* 2016) tries to substantiate the renewed emphasis on social dialogue by identifying a series of actions and initiatives to be taken by relevant players and better defining their respective roles in the process <sup>(32)</sup>. When it comes, more specifically, to the way forward for improving the effectiveness of social partner involvement in the Semester process, statements are somehow vague <sup>(33)</sup>. In addition to this, proposals for increasing contacts between the social partners and the European Parliament have recently been tabled (cf. Eurofound 2016:19, European Parliament 2015:8).

On their part, the social partners are continuing their efforts in the area of capacity building for better monitoring and contributing to the Semester process. The ETUC plans to undertake a number of initiatives aiming at further developing the abovementioned Toolkit. Procedures for gathering national input for the early-stage consultation will be further improved, and new communication and capacity building instruments are being developed, including training courses for national affiliates. The ETUC will also produce an annual 'Survey for growth and social progress', to be published in September each year. Furthermore, the ETUC will continue its internal monitoring of its affiliates' involvement in the Semester at national level.

In the framework of the Integrated Projects of the EU cross-industry social dialogue, which receives financial support from the European Commission, the European social partners agreed to organise two meetings in 2017 and in 2018 bringing together their respective national affiliates. The meetings will be an occasion to bilaterally discuss social partners' involvement in the European Semester as well as the content of Country Reports (published in February). The final outcome of the meetings is expected to feed into the internal work of both employers and labour organisations and to be used for preparing analytical work and recommendations with a view to the CSRs. In BusinessEurope's view, these joint activities are an opportunity to improve social partner ownership of the labour markets reforms needed as part of the European Semester process with a view to achieving better implementation outcomes at national level.

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32. Among them, the cross-industry European Social Partners are expected to contribute to the enhancement of the Tripartite Social Summit and the Macroeconomic Dialogue and to improve capacity building at both national and European levels.

33. First, the plan is to organise two seminars to exchange practices for enhancing the role of the social partners in the process (Dutch Presidency 2016 *et al.*: 2). Second, the European Commission is invited to continue its efforts to enhance the involvement of the European Social Partners in economic governance and in the Semester (*ibid.*). Third, recalling the Council Conclusions mentioned above, the Member States are invited to '[...] ensure the timely and meaningful involvement of the national social partners, while fully respecting national practices, including throughout the European Semester, in order to contribute to the successful implementation of the Country Specific Recommendations (CSRs)' (*ibid.*3).

## 1.4 Remaining challenges

Despite the progress described in the previous Section, a number of important challenges and diverging views persist as to key features of EU-level social partner involvement in the European Semester. First, since the launch of the European Semester, the mechanisms and venues for involving the social partners at EU level have multiplied (cf. Section 1.1). According to our interviewees, clarification of 'who does what' should be considered: there is a need to agree on the *reference venues* for discussions. This is especially true when it comes to coordinating European and national-level involvement in the Semester. As explained by our respondents from both sides of industry, clarification is also needed on the respective roles of and linkages between consultations by the European Commission, the EMCO and social dialogue fora.

Second, different expectations among the key players emerge as to *the kind of contributions* social partners are expected to provide and the *impact they can plausibly expect* on decision-taking. The European Commission jealously guards its ownership when it comes to defining Semester priorities and overall policy orientations, and it expects the social partners to provide evidence-based analyses of national situations and the effectiveness of policy measures. Furthermore, business and employers' organisations are seen as key partners in the implementation of national reforms. BusinessEurope largely shares these views: except for some country-specific situations, the employers' organisation considers the overall policy orientations of the Semester to be (by and large) right. The ETUC, while appreciating the fact that the Commission's analysis of the social and employment situation has improved in recent years, appears much more critical of overall Semester orientations, still seen as geared towards austerity policies. A substantial change in these orientations and more particularly in the policy direction for structural reforms recommended to many countries would be needed before trade unions could engage more decisively in the implementation of these reforms.

Third, divergent views remain as to the next steps to be undertaken to increase social partner involvement in the Semester. Should the priority be on improving involvement *procedures*, or on starting joint reflections on *substantive policy issues*? Should the social partners provide *joint inputs* or should they act *separately*? In the eyes of BusinessEurope, both procedural and substantive aspects appear equally important and, besides a better organisation of the contributions to the Semester, it is believed that joint engagement on substantive issues is needed. As stated by one of our interviewees:

*'What I think is as important as what the Commission does is what we do as social partners. I think it also has to do a lot with this in terms of taking a role where we want to improve, so that is a shared agenda to try to improve, and that we are constructively engaging on discussing the substance of the*

*issues, and trying to understand each other better, so that we are more convergent on the agenda. For me that is really an important area, where progress is necessary [...] If social partners agree on something, there is a higher chance that the governments and the Commission will take seriously the message [...] A lot more could be done at the EU level.'* (Interview BusinessEurope 1)

According to business representatives, defining a shared agenda ('a partnership for reforms'), carrying out joint analyses and adopting common positions would make it easier to influence decisions taken in the framework of the European Semester, as it would be considerably more difficult for governments and the European Commission to ignore joint social partner positions.

The ETUC, however, sees filling existing gaps in social partner involvement procedures at both European and national levels as the key priority. Joint work in the framework of the Semester, in terms of policy substance as well as the elaboration of joint analyses and proposals, appears somewhat premature, as positions between employers' and workers' representatives are currently still too distant <sup>(34)</sup>. As our interviewees point out:

*'Frankly speaking, we are not seeking an involvement together with employers in the Semester. The strategy is to have the trade union's voice. And then, of course, we have the social dialogue that can somehow reinforce the request, but we never accepted to discuss the reforms in the Semester [...] On the process, yes, we will discuss.'* (Interview ETUC 1)

There are a number of reasons for the ETUC's cautious stance: disagreements on the overall ('ideological') policy approach of the Semester and especially with the Stability and Growth Pact (SGP); worries about sub-optimal policy decisions when discussing the substance of policies; the desire to clearly distinguish between trade union Semester involvement and European Social Dialogue, and the priority of improving social dialogue at national level (see below). ETUC stresses that social dialogue at all levels remains (and must remain) the '*raison d'être*' of the social partners. As suggested above, this caution is intrinsically linked to the fact that the Semester is perceived as a vehicle for promoting austerity policies, thus dividing the social partners and paralysing social dialogue at national level:

*'[W]hat the Semester has brought until a few years ago, and, in some cases, it continues to do, is to divide social partners. So, employers continue to bring the old demands, trade unions as well, and this has not helped social dialogue. And the Commission is probably aware of the fact that if it continues like this, there will be not be progress either.'* (Interview ETUC 2)

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34. This said, in some cases joint analyses – e.g. on the employment situation – have already been produced (cf. BusinessEurope *et al.* 2015a).

Fourth, and importantly, the link between the European Semester and European (and national) social dialogue is still unclear and, to some extent, controversial. While both employers' and workers' organisations agree that the functioning of important social dialogue venues (such as Tripartite Social Summits) has improved, opinions differ when it comes to how and to what extent these venues should be linked to Semester procedures. BusinessEurope maintains that the Semester and social dialogue are two distinct but strictly interrelated processes. In order to influence the Semester – viewed as a coordination process where the main responsibilities lie with the public authorities – social partners should, whenever possible, reach agreement with each other, allowing the use of national social dialogue, taking account of national traditions, to implement reforms. ETUC agrees that creating synergies between social dialogue venues and the Semester may have positive effects, provided that the right preconditions are met. For instance, the fact that a Social Dialogue Committee meeting was held the day before consultations on the 2016 AGS may have contributed to the willingness of national trade unions to be more involved, with a view to reaching agreement at national level. Yet workers' representatives make it clear that the Semester and European social dialogue are two separate processes, with social dialogue being much broader and therefore not limited to discussing the Semester's structural reforms. As a consequence, according to our interviewees in ETUC, the Semester should not be a recurrent theme of the Tripartite Social Summits<sup>(35)</sup>.

Several factors explain the ETUC's hesitant attitude. First, there is a need to preserve social partner autonomy, which is greater in the context of social dialogue than in a process like the Semester, where European institutions have the lead role. Second, for the reasons explained above, trade unions deem discussions on substantive Semester issues premature. Finally, the potential to strengthen EU social dialogue by linking it more closely to discussions on domestic reforms in the Semester is closely linked to the state of social dialogue in the Member States: improving national social dialogue seems to be a precondition for joint engagements at EU level; the ETUC finds the state of social dialogue in most countries to be far from satisfactory. For all these reasons, the Joint Statement on 'A New Start for Social Dialogue' drafted in 2016 remains rather vague regarding initiatives to boost social partner involvement in the Semester and to link the latter more closely to European social dialogue.

It should also be noted that the relationship between European-level NGOs and EU trade union organisations appears rather ambiguous and needs to be clarified. As discussed in Section 1.1, ETUC is among the 'lukewarm supporters' of the Semester Alliance, though its contribution is rather limited since it has chosen to concentrate efforts on formal Semester procedures, since they allow for independent, direct contacts with EU institutions at the highest levels. This lukewarm support is also due to the ETUC's desire to clearly separate civil and social dialogue. Yet sectoral

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35. The European Semester was among the topics discussed at the Tripartite Social Summit in March 2016.

ETUC federations, such as EPSU and ETUCE, engage more effectively in the Alliance. While ETUCE has recently asked to be part of the Alliance, EPSU is already a member and seems inclined to enhance its commitment, also contributing financial resources (Interview NGO 1).

## 2. National social partners and the European Semester

### 2.1 Mechanisms for influencing the 'national' Semester

The literature reviewed <sup>(36)</sup> reveals a variety of mechanisms for involving the social partners in the 'national Semester': this is the annual implementation stage of the European Semester <sup>(37)</sup>, supposed to take place between July and December of each year. Unsurprisingly in view of the non-constraining nature of the Semester, there is a great deal of variation in how seriously the Member States engage. As a result, serious doubts have been raised about the effectiveness of some of the implementation mechanisms. We identify six of these, some of which may coexist in the same country (Bellagamba 2014; ETUC 2015a; Eurofound 2016; Peña-Casas *et al.* 2015).

The first are the **Social and Economic Councils** (or functional equivalents). In several Member States, issues concerning the European Semester – and in particular the elaboration of the NRPs – are discussed by these Councils, whose composition varies. In some countries these are bipartite bodies, made up of representatives of employers' organisations and trade unions, while in other countries they are tripartite, including government representatives. In some cases, Social and Economic Councils also include representatives of 'other interest' groups. Unsurprisingly, the way these bodies engage with the national Semester varies a great deal according to the domestic situation. As shown in Annex 2 <sup>(38)</sup>, the involvement of the Social and Economic Councils – which have often established sub-committees dealing with EU Affairs – with the Semester can be qualified as 'medium to high' in ten countries (BE, BG, CZ, FR, HR, IE, LU, MT, NL, SI), with three of them (BE, FR, LU) showing a relatively high level of involvement. In four countries (FI, IT, PL,

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36. This Section draws on the comprehensive Eurofound (2016) study, which was checked against other sources. It should be noted that some players (e.g. Interview ETUC 1) disagree with the findings of the Eurofound study, arguing that it fails in adequately defining and measuring social partners' involvement.

37. Most of the studies focus on social partner involvement in the elaboration of the NRPs and, to a lesser extent, in discussions concerning the CSRs.

38. In Annex 2, we report on the results of a *preliminary analysis* of the level of involvement of National Economic and Social Councils in the European Semester. We distinguish between: a) *Low to medium* involvement: in these cases, evidence of involvement of the Councils has been found, however discussions are limited to specific issues, meetings are purely formal or held irregularly b) *Medium to high* involvement: in these cases, the Councils are involved in regular meetings on the Semester, discussions on several aspects of the Semester are held, or evidence of at least some impact on the contents of national Semester documents was found.



PT) the degree of involvement can be seen as 'medium to low'. Table 1 below provides two examples: Poland and Belgium.

**Table 1: Involvement of national Social and Economic Councils in the European Semester: examples**

<b>Country</b>	<b>Level of involvement</b>	<b>Description</b>
<b>PL</b>	Low to Medium	The Polish NRP 2015 refers to several social partners forming part of the Tripartite Commission for Social and Economic Affairs (MGPIPS), but makes no specific reference to this Commission. The MGPIPS published an English summary of its opinion on the 2015 NRP.
<b>BE</b>	Medium to High	The Central Economic Council (Conseil Central de l'Economie – CCE) and the National Labour Council (Conseil National du Travail – CNT), hold regular meetings with the Prime Minister's cabinet concerning the Annual Growth Survey, the NRP and the CSRs. Furthermore, contacts with the European Commission's Belgian Desk concerning the In-Depth Review (Macroeconomic imbalances procedure) take place in March, and exchanges with the Representation of the European Commission in Belgium take place in early June, before the approval of the CSRs.

**Source:** Annex 2.

**Specific structures for formal consultation** between the social partners and the government on issues related to the Europe 2020 Strategy – which is implemented and monitored in the context of the European Semester – have been set up in a number of countries. In some cases, these structures date back to the Lisbon Strategy (Eurofound 2016: 28-29; Peña-Casas *et al.* 2015). Examples include: the 'Europe 2020 working group' in BG; the 'contact committee for Europe 2020' in DK; the 'procedure for coordinating EU Affairs' (with a major role of the 'Committee for EU Affairs') in FI <sup>(39)</sup>; the 'Committee on Social Dialogue in European and International Affairs' in FR; the 'Inter-ministerial Committee for the Europe 2020 Strategy' in PL; and a 'formal structure for consultation matters regarding the Europe 2020 Strategy' in SE. In Malta, the 'Malta-EU Steering Committee' (MEUSAC) <sup>(40)</sup> involves the social partners in discussions around EU issues and legislative initiatives, including on the European Semester.

A third mechanism consists of **tripartite or bilateral meetings**. In some cases (e.g. AT, BE, CY, ES, IT, LV, UK), consultation about issues linked to the European Semester takes place within tripartite ad-hoc committees or meetings (Eurofound, 2016: 31). As an alternative (or, sometimes, in addition) to tripartite dialogue, governments sometimes involve trade unions and employers'

39. In Finland, a significant role is played by the Committee for EU Affairs, whose work is based on the activities of 37 sector-specific sub-committees. In addition to representatives of the competent ministries and civil servants, in their 'extended composition' the sectoral sub-committees include representatives of the various interest groups (Peña-Casas *et al.* 2015).

40. <http://meusac.gov.mt/theorganisation?l=1>

representatives in bilateral meetings. According to Eurofound (*ibid.*) this is the case in DE, EE, IT, and LU. In the Czech Republic, social partners are involved in formulating national positions on European social and employment policies through the 'Ministerial Coordination Group' of the Ministry of Labour and Social Affairs, while in Romania they have been involved through ad-hoc events and conferences (<sup>41</sup>).

**Parliamentary debates** are a fourth mechanism. In Italy, trade union representatives at the highest level (generally Confederal Secretaries) attend Parliamentary Committee hearings on the Economic and Financial Document (EFD), thus providing trade unions' opinions on the general document and on the NRP (one of the constitutive elements of the EFD) (Peña-Casas *et al.* 2015). The Finnish Parliament, too, consults the social partners on EU-related issues (*ibid.*).

**Written contributions** are the fifth mechanism. While in many Member States the social partners provide written opinions on the NRPs, social partner involvement in their elaboration consisted *exclusively* of written inputs only in one country: LT (Eurofound 2016:31) (<sup>42</sup>). Until 2014, the social partners' contribution to the Semester in ES was also limited to a written opinion on the NRP (*ibid.*).

**Direct communication with the European Commission** constitutes the sixth and final mechanism. These contacts have indeed increased considerably recently and take place partly during Commission 'fact-finding missions' in the Member States: these visits 'on the ground' (in Commission-speak) can be technical or political (including at the highest level, i.e. involving European Commissioners or even Commission Vice-Presidents. In some cases the Commission is represented by the European Semester Officer(s). Our sources (Eurofound 2016:37-38; see also ETUC 2015a; Peña-Casas *et al.* 2015) report regular such direct contacts in at least 12 countries: AT, BE, CZ, DE, DK, EE, FI, FR, LV, MT, SE, SI. These meetings are an opportunity to inform on/discuss a number of issues related to the Semester, with particular attention given to the CSRs (<sup>43</sup>). While in some cases the meetings with Commission representatives are a response to national social partners' or governments' requests, in many cases the European Semester Officers takes the initiative.

Three important caveats should be kept in mind regarding the mechanisms for national social partner involvement in the Semester. The first caveat is that the degree of institutionalization – defined in terms of regular, predictable and balanced consultations, with sufficient time for

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41. As highlighted above, the lack of clear definition of 'involvement' in the Eurofound study makes this grouping of countries in terms of involvement levels rather questionable.

42. Note that face-to-face meetings with the LT government were organised in 2015.

43. According to Eurofound (2016:39), national authorities involve the national social partners in the definition/implementation of the CSRs in only ten countries: BE, BG, CZ, FI, FR, LU, MT, NL, SE, and SI.

discussion – varies significantly across the countries, with a high degree of institutionalization reported in only 10 of the 22 cases <sup>(44)</sup> (Eurofound 2016: 34). Second, the exact role and weight of these mechanisms – which coexist in many countries – remains unclear. Indeed, the documents consulted do not always provide a complete picture of the situation, while some sources come to contradictory conclusions. Information is sometimes inaccurate, for example because sources do not clearly distinguish between bipartite and tripartite bodies, especially when it comes to national Social and Economic Councils. Further research into the institutional settings is needed in order to refine the analysis of social partner involvement in the EU semester.

The third caveat concerns the *relationship between social partner involvement in the Semester and the features of 'regular' social dialogue at national level*. While it seems quite obvious that these are linked, the relationship is not always linear. On the one hand, the deterioration of social dialogue and the increase of unilateral government decisions quite obviously penalises social partner involvement in the procedures linked to the European Semester (cf. Rocha *et al.* 2014). One example is the Czech Republic, where social partner involvement in the European Semester has increased only recently, following the election of a new government more open to social dialogue (in general) than its predecessors (Peña-Casas *et al.* 2015).

On the other hand, seemingly paradoxically, when social dialogue is a well-established and functioning mode of national decision-making and social partners are able to play a significant role in the process, their interest in engaging with the procedures of the European Semester at national level (e.g. the elaboration of the NRPs) *decreases*. Denmark and Finland are examples of this (Eurofound 2016: 36). As noted by Schellinger (2015:11-12), strengthening the links between national social dialogue and the European Semester may be a divisive issue within the trade union movement. Indeed, relatively weak trade unions may be eager to exploit the European level further, thereby strengthening their positions in the national context, while stronger unions may be suspicious of any further reinforcement of the role of the European Commission and of European social dialogue (we revisit this point in Section 2.4). In a number of cases, NRPs are perceived as governmental documents simply presenting decisions taken elsewhere, a circumstance that does not provide enough incentive for engaging with them.

## ***2.2 Outcomes of domestic social partners' involvement***

Our sources diverge – and in some cases contradict each other – when it comes to interpreting the capacity of domestic social partners to influence key Semester documents and decisions, such as the contents of the NRPs or the follow-up and implementation of the CSRs. In this Section, we

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44. Notably AT, BE, DK, EE, LT, MT, NL, PL, SE and SK.

provide some concrete examples drawn from the literature, without any presumption of completeness. We distinguish between four types of outcomes.

*First*, in a number of cases, social partners have **no influence whatsoever on the contents of the NRPs**, simply because they are not involved in any way in their elaboration. According to Eurofound (2016: 30), this is the case in HR, HU and RO. According to ETUC (2015a), in the 2014 Semester trade unions were not consulted on the NRP in SI, BG, IE and CY. Furthermore, despite some forms of involvement, social partners were unable to influence the NRPs in BG, DK and the UK, while in the case of CY, DE and ES the trade unions lacked influence (Eurofound 2016: 36).

*Secondly*, in a number of countries, social partner views are (formally) **annexed to the NRP**. According to Eurofound (2016: 36) this is the case for AT, ES (employers' views in the 2015 NRP), PL and SE. According to the ETUC (2015a), Belgian and Danish trade unions contributed to the 2014 NRP of their countries with unilateral positions, while the social partners were able to develop joint contributions in the case of the Netherlands and Sweden. According to Peña-Casas *et al.* (2015), however, in 2015 the position of the social partners was included in the Appendix of the NRPs only in FR<sup>(45)</sup>, NL and SE; in IE, the contributions submitted by the social partners as well as by other stakeholders were published on the website of the Department of the Taoiseach.

A third type of outcome is when social partners have **limited influence on the contents of the NRPs**: according to Eurofound (2016: 36), this was the case in 13 countries: AT, CY, CZ, DE, EE, ES, FR, IT, LT, LV, LU, SI and PL. In the case of CY, DE and ES, however, this limited influence was exerted by employers' representatives, while the role of the trade unions was insignificant. A more substantial impact on the NRP is reported in five cases (BE, FI, NL, MT and SE) (*ibid.*). Note that it is not always easy to distinguish between the influence exerted by the social partners through the *specific procedures* for elaborating the NRP, and their influence through the regular social dialogue, which is then incorporated into the NRP. In most of the cases mentioned above (e.g. FI, MT and NL), regular social dialogue seems to prevail (Eurofound 2016: 36)<sup>(46)</sup>.

We only found two illustrations of the fourth type of outcome, namely that national social partners were able to **significantly influence the contents of the CSRs**. This was the case in FI and SE. In both cases, this was the consequence of exchanges between the national governments and the social partners between the publication of the draft CSRs by the Commission and their final adoption by the Council of the EU. According to Peña-Casas *et al.* (2015), in 2015 discussions with the social partners in the Committee for EU Affairs led the Finnish government to ask for – and eventually obtain – the amendment of a draft CSR on wage-setting (cf. also ETUC 2015e;

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45. In France, the position of relevant stakeholders annexed to the NRP reflects the outcomes of the consultation process in the Economic, social and environmental Council (CESE).

46. This seems to be the case also in DK and LU (*ibid.*).

Vanhercke and Zeitlin 2015:14). According to Eurofound (2016: 40), in 2012 the Swedish social partners were able to persuade the government to block the approval of a draft CSR concerning the lowering of initial salaries and the revision of employment protection legislation. The draft recommendation was indeed amended by the Council of the EU (Zeitlin and Vanhercke 2014:50)<sup>(47)</sup>.

### ***2.3 Quality of involvement and developments during the 2016 cycle***

An overall assessment of the quality of social partner involvement in the national Semester is difficult since the situations in the Member States vary greatly, and there are discrepancies in the available sources. The latter diverge in their interpretation of the prevailing mechanisms for involvement, and in assessing their outcomes. Nevertheless, it can be said that in most cases the level of involvement in the national Semester **ranges between 'information' and 'consultation'**. Social partners are at least informed about government initiatives concerning NRPs in most of the Member States. However, real and regular consultation takes place in a more limited number of countries, and even in these cases its quality is not always satisfactory: for instance, problems are often reported linked to the timing of the consultation. Cases of actual **'participation'** are rare. In some countries, social partners succeed in having some of their views incorporated into the NRPs, while they have only sporadically been able to influence the contents of (some parts of) the NRPs, or of a CSR.

As shown in Section 2.1, social partner involvement in the national Semester varies a great deal across Member States, dependent primarily on differences in human resources and contextual situations. The willingness of national trade unions to be involved in the national Semester process (as well as the actual degree of involvement) depends on three factors<sup>(48)</sup>. First, a country's fiscal situation. For instance, when having to impose austerity measures, governments tend to rely on unilateral decisions and have less incentive to involve the social partners (as trade unions would presumably resist implementation). This was, for instance, the case in Spain, Portugal and Italy. Second, a country's politics plays a role, with liberal governments generally more prone to bypass intermediate organisations (e.g. in the Netherlands and Italy). Third, in countries with solid structures for ensuring the presence of the social partners in decision-making, involvement is easier. However, a number of countries lack these basic structures, and both the social partners and governments have limited capacities.

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47. As for the previous years, the ETUC (2013c:3) reports that 'In 2012, only the Finnish, Swedish and Italian governments obtained changes in their CSRs related to the Section concerning collective bargaining and wage-setting mechanisms, following a request from social partners'.

48. We would like to thank Interview ETUC 1 for pointing this out to us.

Despite the significant variation between countries, there seems to be an increasing awareness of the importance of the European Semester, and a growing willingness on both sides of industry to become involved. At the same time, national social partners tend to focus on the CSRs, while their awareness of the importance of CRs and NRPs is more limited (see Section 1.2 above).

It should be noted that the importance of the NRPs began to be acknowledged (rightly or wrongly so) during the 2016 Semester cycle. Contrary to claims made in most of the scholarly literature – which does not see the NRPs as strategic documents – a number of trade unions do not see these national reports as mere governmental and bureaucratic documents. The process of writing the NRPs is however opaque, as one of our interviewees explains:

*'The National Reform Programmes are extremely, extremely important, but in the public debate of most of the countries they are not recognized: people don't see the documents. [...] people, the citizens, can see the reform of pensions, etc... but they miss the framework document, which is the National Reform Programme. [...] When we draft the National Reform Programmes, what is important is to see how much the governments are able to respect the democratic process internally: the involvement of national parliaments, social partners, and key stakeholders or the beneficiaries. And to be sincere, here, if you want to make the entire Semester more democratic, it is something that cannot be left alone to the single member states. There is a need for mutual surveillance.'* (Interview ETUC 1)

The underestimation of important Semester documents, especially the Country Reports, is one of the factors explaining the limited *usage* of messages coming from those documents by national-level social partners (with some country exceptions). Other explanatory factors are: (a) a lack of awareness about the significance and usefulness of the Semester tools; (b) the feeling that the narratives developed by the Commission are biased towards austerity policies (at least according to some trade unions); and (c) limited capacity of some national social partner organisations to create agency.

As for the most recent developments, the initiatives underway during the most recent 2016 Semester cycle are moving in three, interrelated directions. First, attempts are being made to make the procedures for involving national social partners more consistent across countries (where possible and preserving national traditions). Second, activities are being launched to monitor the involvement of national social partners, with a view to improving the quality thereof. Third, initiatives aim at capacity building for national social partners.

The unevenness of stakeholder Semester involvement across Member States has been recognised as an issue requiring a more consistent approach from the Commission (Vanhercke and Zeitlin 2015: 16). BusinessEurope *et al.* (2015b:7) maintain that '[t]he way social partners are involved by the European Commission in the European semester process at national level is still patchy

[and] there is still room for improvement to ensure consultations take place in a more coordinated way and following a similar pattern throughout Europe'. The ETUC (2015d: 3) identifies national tripartite dialogue bodies as the main potential venues for involving national social partners in the Semester. Consequently, the ETUC (*ibid.*) has asked the Commission to recommend the establishment of such bodies in countries where they do not exist or the strengthening of their roles in countries where tripartite dialogue is not effective. This position has been recently reiterated by the European Social Partners (2016: point 32), jointly stating that 'National tripartite bodies should be established and/or developed when social partners want them, in particular where there is a need to strengthen social dialogue and social partners' involvement in the European Semester process, respecting the diversity of national industrial relations practices'.

One of the most interesting recent developments is that the Commission now reaches out directly to national social partners, especially through the intermediary of the Commission's 'European Semester Officers' (ESO) in the Member States. These ESOs play an increasingly important role both in involving domestic authorities and stakeholders in Semester procedures and in reporting the position of domestic players back to Brussels. Fact-finding missions and other activities for increasing and improving contacts with national players at the highest level have also been developed. As explained by our interviewees:

*'There have already been substantial improvements compared to previous years. When we do the fact-finding missions at the technical level we meet with the social partners. When we do political missions, like Vice-president Dombrovskis and Commissioner Thyssen [...] they systematically meet social partners. This is already happening. It is an improvement compared to previous years.'* (Interview EC 2)

Importantly, social partners – at least trade unions – are trying to adopt a more proactive stance towards the Commission's missions on the ground, requesting national visits where they deem these to be strategic:

*'Now, we are trying even to explore better with the Commission the possibility, for us, to encourage, prepare national visits for countries where we see there is a specific need [...] So, [the Commission] can still decide where they want to go, at what level; but we could also ask the Commission: 'here there is problem, try to see what is happening, if we can help.'* (Interview ETUC 1)

Here again, while welcoming this practice, both trade unions and employers' organisations highlight the need to streamline these country visits, insofar as they sometimes come across as random and *ad-hoc*, with proceedings and consultation formats varying across the countries (BusinessEurope *et al.* 2015b; ETUC 2015b; European Social Partners 2016). As explained by one of our interviewees:

*'It is something which could be improved in order to understand what the key moments of consultation are and also who does what from the Commission side. Because there is confusion coming from the European Semester Officers in the capital doing some part of the job, but they don't really know all the social dialogue and nuances. Their role in the country is important because they are the closest, but they perhaps don't always understand the dynamics in a social dialogue context. People in Brussels tend to understand better, but then you have people in Brussels going to different meetings, and they are not the same people. So, in terms of feedback, it is not very consistent'.* (Interview BusinessEurope 1).

To address these shortcomings, DG EMPL has issued more precise guidance to the European Semester Officers, setting minimum standards for the involvement of players on the ground (incl. the social partners) at defined milestones (i.e. before the elaboration of key documents and, importantly, in November in view of elaborating the Country Reports) (European Commission 2015e). Besides defining these milestones, the guidelines also include criteria for identifying players to be involved and the procedures for referring back to Brussels. With regard to the latter aspect, more systematic procedures have been developed for debriefing DG EMPL's headquarters, basically through short reports containing the main messages and concerns of national players. Our interviewees from DG EMPL stress that, for such an exercise to work, it is important for national social partners to adopt a constructive attitude. What the Commission needs is analysis and evidence of national situations: political statements have a different nature and are therefore much less useful in the context of the Semester, which is very analysis and fact-based.

To facilitate consultation, both ETUC and BusinessEurope were invited, during the most recent (2016) Semester cycle, by the Commission to identify national trade union and employer 'European Semester Contacts' (or liaison officers): both organisations responded favourably to this appeal. In the case of the ETUC, these officers will have a broader role than liaising with the Commission's European Semester Officers (e.g. when the Commission undertakes national missions). The ETUC Trade Union Semester Liaison Officers are expected to perform the following tasks: to communicate and disseminate the position of ETUC on the Semester at national level; coordinate the national inputs for early-stage consultations on Country Reports in November; liaise with other ETUC affiliates at national level with the aim of reaching single national positions; liaise and coordinate consultations with the European Commission (European Semester Officers and national visits); and regularly report on consultations with governments in the framework of the European Semester (interview ETUC1). In sum: their role will be to act as a reference point for national trade unions, and to coordinate with the ETUC.

Another way of tackling the great variation in practices is to develop monitoring of national social partner involvement in the European Semester (and, more generally, the state of social dialogue). This issue recently topped the agenda of the Employment Committee, spurred by the adoption of



Employment Guideline no. 7 in October 2015 <sup>(49)</sup>. EMCO held, for the first time, a multilateral surveillance review on this topic in October 2016 (EMCO 2015), including an in-depth analysis of the situation in the 28 Member States. Discussions were based on pre-filled country factsheets produced separately by national governments, employers' organisations and trade unions.

A number of key messages emerged from the review, including (EMCO 2016) that:

1. A well-functioning social dialogue is a pre-requisite for effective involvement of the social partners in the Semester procedures. Even when social dialogue is strong, existing mechanisms should be enhanced, in order to address the specificities of the Semester and of EU activities more broadly.
2. At national level, the timing of the procedures of the Semester remains a real challenge to social partner involvement. The consultation process should start well before the elaboration of the key documents.
3. Social partners wish to contribute and be consulted on the full content of the NRPs, and not just the employment and social policy sections. Clear and transparent procedures for involvement should be established.
4. Social partners ask for clear feedback on the impact of their contributions on the Semester once decisions have been taken. Joint contributions should be encouraged, since they are more likely to have an impact than separate contributions.
5. In many countries, social partners face capacity challenges. In order to address such challenges, European-level social partner organisations should be better involved and the potential of European and Member State funding (including the ESF) should be exploited.
6. A broad consultation process should be ensured, including civil society. Yet the specific role of the social partners must be recognised.
7. The social partners appreciated the renewed activism of the Commission at the national level (including the role of the ESOs). The Member States expressed their interest in being more closely involved in the Commission's activities on the ground.

The results of the EMCO review, including an overall assessment and the identification of best practices, are expected to be communicated to the EPSCO Council.

An important issue for the future concerns capacity-building activities to improve the national social partners' human resources to contribute to the Semester process. As shown in Section 1.3, this is an important aspect of the 'New start for social dialogue' initiative. Activities specifically

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49. Guideline no. 7 stipulates that 'In line with national practices, and in order to improve the functioning and effectiveness of social dialogue at national level, Member States should closely involve national parliaments and social partners in the design and implementation of relevant reforms and policies' (Council of the European Union 2015: Annex).

aimed at capacity-building in the European Semester appear limited. Most scheduled initiatives indeed concern social dialogue more broadly (considering the Semester as only one of its aspects). Further developments in this direction, however, might be hampered by the lack of appropriate funding. Indeed, besides limited resources from the ESF, funding for capacity-building is strictly limited and no new initiatives on this aspect are in the pipeline.

## **2.4 Remaining challenges**

The previous Sections pointed to the wide variations between Member States in the Semester involvement of the national social partners, but also flagged an overall increase in their awareness as well as some attempts to improve the quality of the involvement, especially by the European Commission. Indeed, national social partners may be important allies for the Commission when it comes to the implementation of the Semester's CSRs.

Nevertheless, a number of challenges and issues remain. First, while promising steps have been taken to improve and streamline the procedures for involving national social partners, it is too early to provide an assessment thereof. It remains to be seen how well the interactions among the various players involved (including the newly-appointed social partners' Liaison Officers) will be coordinated. At national level, attention should be paid to follow-up actions to the EMCO multilateral surveillance review on the topic.

Second, the relationship between 'national Semester' procedures and domestic social dialogue is a key and sensitive aspect to be further researched. As mentioned above, the literature has hypothesised that when social dialogue is strong and well-structured, social partners may have *less* incentive to become involved in the European Semester procedures: national documents related to the Semester would simply restate opinions voiced and decisions already taken through social dialogue. Conversely, when social dialogue is weaker, the social partners may have more incentives to actively use the European Semester procedures to have their positions taken into account by national governments. Findings from the present research, however, challenge this linear view. On the one hand, the willingness and capacity of the national social partners to be involved in the European Semester seem directly proportional to the strength of national social dialogue and the positions of trade unions. On the other hand, despite country variations, the overall usage by the social partners of Semester-related messages and documents in national debates (e.g. *vis-à-vis* national governments) seems rather limited.

A third aspect to be considered is again related to the links between national and European social dialogue and the Semester. On the one hand, trade unions hold that a closer link between the Semester and European social dialogue (e.g. on substantive policy issues) could work only if the situation of national social dialogue improves. On the other hand, it is possible to hypothesise the

opposite, i.e. that a better link between the Semester and a (relaunched) European social dialogue could have beneficial effects at the national level.

### **3. Future research agenda**

This Research paper allows us to identify some of the gaps in our understanding of stakeholder involvement in the European Semester: as has become apparent, there is a lot that we simply do not know. This Section therefore provides suggestions for a future research agenda.

First and foremost, there is a need to develop a coherent analytical framework for studying stakeholder Semester involvement. Many of the contradictions in the studies on mechanisms, outcomes and quality of stakeholder involvement are due to both a divergent use of key concepts and methodological shortcomings in the analysis. It is fundamental to: (a) clarify the concept of 'stakeholder involvement' and, in particular, its various sub-dimensions (e.g. information, consultation, participation and co-decision). Most studies refer implicitly or explicitly to these sub-dimensions, but they are not always coherently applied to the empirical analysis; (b) work on the operationalization of these dimensions; (c) develop adequate tools to broaden the number of key players reached, so as to avoid bias deriving from too low a number of respondents to surveys/interviews. Other suggestions for further research are organised according to the level of governance: EU vs. national.

#### ***3.1 EU-level involvement***

With regard to the EU-level social partners, at least six aspects should be further explored. First, this research highlighted the increased attention paid by the European Commission and the EPSCO Council (as well as its advisory bodies, EMCO and the SPC) to social partner involvement in the Semester procedures. Further research is needed to understand the reasons behind this recent move, which may be the consequence of strategic reasoning by these institutions and bodies in a wish to enhance their influence on the process or to ensure smoother national-level implementation.

Second, we described how European social partner organisations try to develop more effective arrangements for coordinating with their national affiliates. These efforts and their outcomes should be carefully monitored: their success in influencing the Semester process is crucial for the sustainability of the efforts made. Social partner motivations to take action should be better understood.

Third, the link between involvement in the European Semester and the (relaunched) European social dialogue needs further scrutiny. As this research demonstrates, enhancing this link is one of the most important current developments. While the European Commission is pushing for a closer interaction between the two, employers' and trade union stances and expectations differ: the outcome is therefore uncertain.

Fourth, attention should be paid to the kind of cooperation being developed between EU social partner organisations in the context of the Semester. Here again, social partners' views differ: employers are apparently willing to engage in closer cooperation with trade unions to develop common analyses and proposals, but trade unions seem rather reticent.

Fifth, further reflection is needed about how the European social partners can make the best use of the European Semester toolbox. For the past three decades, the ETUC has played a significant role in promoting 'mutual learning and capacity-building', in particular in Central and Eastern European countries (CEEC). However, in line with the recent 'Declaration on a new start for a strong Social Dialogue', new tools could be developed (especially in CEEC) in order to effectively use European Structural and Investment Funds for trade union involvement in the European Semester, while taking into account countries' specific model of social dialogue.

Finally, further research is needed to better understand the opportunities and challenges deriving from the interaction between the social partners and civil society organisations. The prevailing opinion among European social partner organisations is that social and civil dialogue should be clearly separated. Yet, some sectoral trade union organisations appear more inclined to develop closer cooperation with NGOs.

### ***3.2 National-level involvement***

At least five aspects should be further explored with regard to national-level social partner involvement. First, we have seen that various mechanisms for involving social partners coexist at national level. However, the actual operation of these mechanisms, their relative weight and, ultimately, impact are under-researched. These aspects should be further analysed through qualitative research.

Second, links between national social dialogue structures and national Semester procedures have emerged as an important explanatory factor. Further research is needed to shed light on the implications of this relationship, which may vary between Member States. This question is closely linked to the financial, legal, analytical, institutional and political resources available to national social partners. It is also related to the issue of how these organisations use these resources to

engage with the Semester. A reflection on this topic could be useful to assess how top-level organisations such as ETUC and BusinessEurope could assist their national members.

Third, in many cases, we found that trade union involvement at national level takes place at the confederal level. It would seem relevant to find out more about the internal mechanisms developed to coordinate with sectoral federations, and to understand the degree of interest of the latter in the European Semester.

Fourth, this research pointed to recent Commission attempts to reach out to national stakeholders – by involving them in fact-finding missions or through the European Semester Officers. It would be helpful to systematically examine how this works in practice, including its features and implications from a multilevel governance perspective, and also including the role to be played by social partners' newly-appointed Liaison Officers.

Finally, some forms of cooperation between the social partners (notably trade unions) and civil society organisations have recently been developed or strengthened (e.g. national Semester alliances). Empirical research on the implications and added value of these forms of cooperation is lacking.

## **4. Conclusion**

This Research paper has investigated social partner involvement in the European Semester procedures at both European and national levels. What emerges is a dynamic process where important steps have been taken at EU level (mainly since 2014) to increase this involvement, both by multiplying access to relevant decision-making venues and by improving the quality of the process. As for the national level, the situation differs greatly among the Member States, and steps towards the meaningful involvement of the social partners are relatively recent (mainly since 2016).

European Semester procedures appear sufficiently mature when it comes to involving the social partners, especially at European level. What the present research highlights is the emergence of a multi-level governance framework where the boundaries between the European and national levels are rather blurred. National and European players strategically act at both governance levels in order to increase their impact on the process and smooth the implementation of Semester decisions. On the one hand, besides the growing activism of the European social partners, national organisations are increasingly involved in activities and consultations in Brussels. On the other hand, the European Commission has multiplied its activities in the Member States, increasingly involving the social partners and other stakeholders. This has been done through the European

Semester Officers and fact-finding missions 'on the ground'. In a sense, this is an attempt to directly gather information and evidence in the countries (thus refining Semester messages and recommendations), overcoming the intermediation of the Member States, and thus contributing to blurring the boundaries between the EU and national levels of governance.

Research on social partner involvement in the European Semester is still at an early stage. In this Research paper, we propose a number of issues which should be part of a future research agenda. Besides conceptual and methodological work on the notion of 'involvement', further research is needed to better understand stakeholder strategies, expectations, motivations and cooperation dynamics. That is, if the shared goal is that social partners should indeed 'be heard', and not merely 'listened to', in the European Semester.

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## Annexes

### *Annex 1. List of interviewees*

<i>Interview no.</i>	<i>Organisation</i>	<i>Date</i>	<i>Mode</i>	<i>Code</i>
<b>1</b>	EU level NGO	6 July 2016	Face to face	NGO 1
<b>2</b>	EU level NGO	6 July 2016	Face to face	NGO 2
<b>3</b>	EC official	7 July 2016	Face to face	EC 1
<b>4</b>	EC official	7 July 2016	Face to face	EC 2
<b>5</b>	ETUC	14 July 2016	Face to face	ETUC 1
<b>6</b>	ETUC	14 July 2016	Face to face	ETUC 2
<b>7</b>	BusinessEurope	12 October 2016	Face to face	BusinessEurope 1
<b>8</b>	BusinessEurope	12 October 2016	Face to face	BusinessEurope 2

**Annex 2. Involvement of National Economic and Social Councils (or similar institutions) in the European Semester: examples**

<b>Country</b>	<b>Level of involvement</b>	<b>Tripartite/ Bipartite</b>	<b>Evidence</b>
<b>FI</b>	Low to Medium	Tripartite	According to some sources, high level discussions have been held within the Economic Council of Finland (VNK) and the SAK (Central Organisation of Finnish Trade Unions) in the framework of the European Semester. However, no evidence has been found in the NRP for 2015.
<b>IT</b>	Low to Medium	Bipartite	In Italy, Law 234/2012 states that any European document must be forwarded to the National Council for Economics and Labour (Consiglio Nazionale Economia e Lavoro - CNEL). The council can forward input on its own initiative and can establish committees focused on analysis of Europe-related documents. However, the NRP 2015 does not refer to the CNEL. Beside formal consultation, it is not clear to what extent inputs from the social partners are taken into account.
<b>PL</b>	Low to Medium	Tripartite	The Tripartite Commission for Social and Economic Affairs (MGPIPS). The NRP 2015 refers to several social partners (SP) forming part of the MGPIPS, but never explicitly refers to this commission. The council published an English summary of its opinion on the 2015 NRP.
<b>PT</b>	Low to Medium	Tripartite	The Economic and Social Council of Portugal (Conselho Económico e Social - CES) published an English summary giving its opinion on the NRP for 2015. According to the European Anti-Poverty Network, the CES is involved in consultations relating to the document.
<b>BE</b>	Medium to High	Bipartite	The participatory mechanisms, notably the Central Economic Council (Conseil Central de l'Économie - CCE) and the National Labour Council (Conseil National du Travail – CNT), hold regular meetings with the Prime minister's cabinet concerning the Annual Growth Survey (AGS), the NRP and the Country Specific Recommendations (CSRs). Furthermore, contacts with the European Commission's Belgian Desk concerning the In-depth Review take place in March and discussions with the Representation of the European Commission in Belgium take place in early June, before the approval of the CSRs.
<b>BG</b>	Medium to High	Bipartite	The Economic and Social Council of the Republic of Bulgaria (Икономическият и социален съвет, ИСС) highlighted a good level of involvement during 2013 and 2014. In detail, it refers to two different recommendations and one opinion drafted by the ESC which have been included in the 2014 Bulgarian Convergence Programme.
<b>CZ</b>	Medium to High	Tripartite	Social Dialogue in the country is focused on the activities of the Council of Economic and Social Agreement of the Czech Republic (Rada hospodářské a sociální dohody ČR - RHSD). Round tables focusing on the NRP include the RHSD; indeed, the NRP 2015 refers to the involvement of many social partners, members of the RHSD.
<b>FR</b>	Medium to High	Bipartite	The Economic, Social and Environmental Council (Conseil économique, social et environnemental - CESE) is involved in the European Semester. It is consulted in the drawing up of the NRP and stakeholders' contributions are attached to the NRP.
<b>HR</b>	Medium to High	Tripartite	The NRP 2015 refers to the Independent Service for Social Partnership (Samostalna služba za socijalno partnerstvo -SP). It highlighted the first thematic session, held in February 2015, concerning the 'The New Cycle of European Semester (ES) in Croatia'. Currently, the SP endorses the government's working methods; it has also discussed issues related to healthcare, public debt and the involvement of social partners in the European Semester.

<b>IE</b>	Medium to High	Tripartite	The NRP 2015 does not explicitly refer to the involvement of the National Economic and Social Council (NESC) in the elaboration process. However, the NESC was cited twice in the NRP 2015 on issues related to welfare and the environment; the latter referring to four different NESC studies/reports.
<b>LU</b>	Medium to High	Bipartite	A new mechanism was established in Luxembourg between 2014 and 2015. It is based on an annual cycle of meetings that include the involvement of the Economic and Social Council of the Grand Duchy of Luxembourg (Conseil économique et social du Grand-Duché de Luxembourg - CES). These meetings are held prior to the decision-making period. The NRP 2015 refers to this initiative. The council is seen as central in the process of reinvigorating regular social dialogue.
<b>MT</b>	Medium to High	Tripartite	The Maltese Council for Economic and Social Development (MCESD) is involved in the Semester. Two different meetings have been held to collect and discuss input from Social Partners concerning the NRP 2015, as the latter reported in the Section on stakeholder involvement.
<b>NL</b>	Medium to High	Tripartite (government members present as observers)	The Economic and Social Council of the Netherlands (Sociaal-Economische Raad – SER) plays a central role in SP involvement. The Labour Foundation (Stichting van de Arbeid) publishes the 'Contribution of the Dutch Social Partners', an annual report which reports SP contributions which emerged during the consultation between the Labour Foundation and the SER. This report is attached to the NRP as an annex.
<b>SI</b>	Medium to High	Tripartite	In 2015, the Economic and Social Council (Ekonomsko-Socialni Svet - ESC) published the 'Social Contract for the Period 2015-2016'. Through this document, the social partners and the government committed themselves to ensuring social partner involvement in the preparation of the strategic documents of the European Semester. The NRP 2015 actually refers to a 'Social Agreement for the years 2015-2016' and to the role of the social partners, but it does not mention the ESC.

**Source:** Bellagamba (2014); EAPN (2015); European Commission (2015c); European Economic and Social Committee (2010); Peña-Casas et al. (2015); Economic and Social Council of the Grand Duchy of Luxembourg (2015); National Reform Programmes 2015; Economic and Social Council - Slovenia (2015).

**Note:** Annex 2 includes the Economic and Social Councils in the EU, according to the website for Online Cooperation between Economic and Social Councils (CesLink). As for the 'level of involvement', we distinguish between: Low to medium involvement: in these cases, some evidence of involvement of the Councils has been found, however discussions are sometimes limited to specific issues, meetings are purely formal or held irregularly and, in any case, there is no or a very limited impact on decisions taken/documents produced; Medium to high involvement: in these cases, the Councils are involved in regular (and multiple) meetings on the Semester, thorough discussions on several aspects of the Semester are held, or, in any case, evidence of some impact on decisions taken (or, at least, on the contents of national documents related to the Semester) has emerged.

### ***Annex 3. The ETUC Toolkit for coordination of collective bargaining and wages in the EU economic governance'***

The ETUC Toolkit is made up of five 'sub-toolkits', each supporting a new method for coordinating collective bargaining in the context of the European Semester (ETUC 2013a; Peña-Casas *et al.* 2015). Toolkits 1, 2 and 3 aim at enhancing the position of trade unions in the European Semester. To do so, toolkit 1 presents and describes the two-phased 'ETUC Semester', through which ETUC affiliates coordinate with a view to participating in the EU system of economic governance. This illustrates the importance for trade unions of strategically coordinating their actions and reacting promptly to the AGS and other documents published during the Semester, enabling them to influence it in good time. Toolkits 2 and 3 map national practices, namely the strategies that ETUC affiliates use to participate in the Semester; they also include a barometer of trade union rights in Europe. In addition, the Collective Bargaining Coordination Committee has established a Task Force meeting at key stages of the Semester, such as after the publication of the CSRs (ETUC 2014c:2). The ETUC Toolkit has recently been strengthened by the development of a new methodology for trade union involvement in the Semester.

Work on the new methodology (the 'ETUC Toolkit Semester 2.0') was indeed finalised in 2016. The new Toolkit (ETUC 2016) aims at defining a more uniform and coordinated approach to ensure that trade unions at national and European level have the most opportunities to exercise influence at each stage of the Semester. The Toolkit is made of 4 tools. First, it appears necessary to develop a common set of EU objectives orienting the activities of national affiliates. This work will result in the publication, in September each year, of a document entitled 'ETUC for Growth and Social Progress: Priorities for the Annual Growth Survey (AGS)' (tool 1). Second, on the basis of national affiliates' inputs (tool 2), in December the ETUC will publish its 'Report on Trade Union Inputs for Early-Stage Consultation on Country Reports'. ETUC affiliates are also invited to elaborate, from October, their own country reports. Third, in order to assist national affiliates in their involvement in key steps of the national Semester (the elaboration of National Reform Programmes and Stability/Convergence Programmes, the drafting and implementation of the CSR), ETUC will monitor trade union involvement at national level, will assist in disseminating best practices, and will verify that all its affiliates are given the opportunity to be heard at national level (tool 3). Finally, ETUC will promote training and seminars for capacity-building relating to trade union involvement in the European Semester (tool 4)