



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 5 May 2009

7341/09

LIMITE

PV/CONS	14
SOC	169
SAN	47
CONSOM	48

DRAFT MINUTES

Subject : **2930th** meeting of the Council of the European Union (**EMPLOYMENT, SOCIAL POLICY, HEALTH and CONSUMER AFFAIRS**), held in Brussels on 9 March 2009

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1. Adoption of the agenda

6873/09 OJ CONS 13 SOC 141 SAN 36 CONSOM 36

The Council adopted the above agenda.

2. Approval of the list of "A" items

7087/09 PTS A 11

The Council approved the list of "A" items contained in 7087/09.

3. Preparation of the Spring European Council

(a) Key Messages based on (b) to (h)

- Adoption
- Policy debate
(Public debate, pursuant to Article 8(3) CRP (proposed by the Presidency))
6449/09 SOC 95 ECOFIN 114 EDUC 21
+ COR 1 (de)
6690/09 SOC 127 ECOFIN 138 EDUC 37

(b) Communication from the Commission to the European Council: "A European Economic Recovery Plan"

16097/08 ECOFIN 541 UEM 205 EF 116 COMPET 514 SOC 722 ENER 418
AG 39

(c) Joint Employment Report 2008/2009

- Adoption
6452/09 SOC 96 ECOFIN 115 EDUC 22
+ COR 1

(d) Proposal for a Council Decision on Guidelines for the Employment Policies of the Member States

- General approach
5881/09 SOC 49 ECOFIN 66 EDUC 14
6456/09 SOC 99 ECOFIN 117 EDUC 24
6677/09 SOC 125 ECOFIN 136 EDUC 36

- (e) **Implementation of the Lisbon Strategy Structural Reforms in the context of the European Economic Recovery Plan – Annual country assessments: Recommendation for a Council Recommendation on the 2009 up-date of the broad guidelines for the economic policies of the Member States and the Community and on the implementation of Member States' employment policies**
 - Political agreement
 - 5981/09 ECOFIN 77 SOC 60 COMPET 56 ENV 61 EDUC 17 RECH 26
ENER 41
 - 6638/09 ECOFIN 133 SOC 122 COMPET 97 ENV 126 EDUC 33
RECH 50 ENER 63
- (f) **Joint Report on Social Protection and Social Inclusion 2009**
 - Adoption
 - 6475/09 SOC 107 ECOFIN 120 FSTR 23 EDUC 26 SAN 25
 - 6495/09 SOC 112 ECOFIN 125 FSTR 25 EDUC 29 SAN 27
 - + ADD 1
 - + ADD 1 COR 1
- (g) **Report from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions on equality between women and men, 2009**
 - 7017/09 SOC 151
- (h) **Preparation of the Tripartite Social Summit**
 - Information from the Presidency

The Council held a policy debate, concentrating especially on the questions set out in the Presidency's note in 6690/09. At the conclusion of the debate, the Council:

- adopted "Key messages" regarding employment and social policies in times of economic crisis, regarding preventing and tackling unemployment while keeping labour market reforms on track, and regarding strengthened commitment to the social inclusion and social protection objectives, as set out in 6449/09, and agreed to submit them to the European Council as the EPSCO Council's contribution;

- adopted the Joint Employment Report as set out in 6677/09 and agreed to submit it to the European Council;
- agreed on a general approach on the Employment Guidelines as set out in 7436/09 and agreed to send the text of the general approach to the European Council;
- reached political agreement on the Council Recommendation as set out in 6638/09, with a view to its being formally adopted at a forthcoming Council session, following endorsement by the European Council;
- adopted the Joint Report on Social Protection and Social Inclusion as set out in 6495/09 + ADD 1 and agreed to submit it to the European Council;
- took note of the Commission report on equality between women and men, 2009, as set out in 7017/09 SOC 151, and agreed to submit it to the European Council;
- took note of the state of preparation of the Tripartite Social Summit.

4. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1927/2006 on establishing the European Globalisation Adjustment Fund

- Progress report
(Public deliberation, pursuant to Article 8(1)(c) CRP)
5005/09 SOC 1 ECOFIN 1 FSTR 1 COMPET 1 CODEC 1
6476/1/09 SOC 108 ECOFIN 121 FSTR 24 COMPET 89 CODEC 169 REV 1
+ REV 1 COR 1

The Council took note of the Presidency's progress report contained in 6476/1/09 REV 1 + REV 1 COR 1 and invited Coreper to continue work on this file as a matter of urgency, with a view to reaching a first-reading agreement with the European Parliament.

5. **Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: New Skills for New Jobs "Anticipating and matching labour market and skills needs"**

- Adoption of Council conclusions
17537/08 EDUC 292 SOC 807 MI 569 COMPET 590
6479/09 SOC 109 ECOFIN 122 EDUC 27

The Council adopted the conclusions set out in 6479/09.

6. **Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: The impact of free movement of workers in the context of EU enlargement – Report on the first phase (1 January 2007–31 December 2008) of the Transitional Arrangements set out in the 2005 Accession Treaty and as requested according to the Transitional Arrangement set out in the 2003 Accession Treaty**

- Professional and geographical mobility of the workforce and the free movement of workers within the European Union
 - Adoption of Council conclusions
16162/08 SOC 715 MI 481
6480/09 SOC 110 MI 60
+ REV 1 (de)

The Council adopted the conclusions set out in 6480/09.

7. **Proposal for a Directive of the European Parliament and of the Council amending Council Directive 92/85/EEC on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding**

- Policy debate
(Public deliberation, pursuant to Article 8(1)(c) CRP)
13983/08 SOC 575 SAN 217 CODEC 1285
+ COR 1
6573/09 SOC 118 SAN 29 CODEC 193

The Council held a policy debate on the basis of a questionnaire set out in 6573/09 by the Presidency, with a view to obtaining guidance for further work on this dossier.

A large majority of delegations affirmed the objectives of the proposal. The Danish and German delegations, however, questioned the need for the proposal and expressed the view that the current Directive provided sufficient protection for pregnant workers. These delegations, like a large majority of other delegations, linked the discussions on maternity leave with the on-going discussions by the social partners on parental leave available to both parents.

In general, the delegations considered that it was important that the protection reserved solely to mothers should not affect negatively women's situation on the labour market.

The delegations stressed that the Community rules were only minimum standards and that the Member States should be allowed to decide the other rules concerning maternity leave in national legislation, referring for example to the obligatory nature of maternity leave.

While the delegations acknowledged the importance of the equality aspects included in the proposal, a number of them stressed that the proposal was essentially for a health and safety Directive.

At the end of the debate, the President took note of the different views expressed by the delegations, including the difficulties identified and the reticence expressed by certain delegations. He concluded that work on this dossier would be actively pursued under the Czech Presidency.

8. Any Other Business

(a) **Communication from the Commission: Driving European Recovery**

- Information from the Commission
7084/09 ECOFIN 168 UEM 62 EF 41 AG 24 SOC 159 POLGEN 41

The Council took note of the information provided by the Commission.

(b) **Work Programme of the Employment Committee 2009**

- Oral information from the Chair

The Council took note of the presentation of the above programme by the Chairman of the Employment Committee.

(c) **Work Programme of the Social Protection Committee 2009**

- Oral information from the Chair

The Council took note of the presentation of the above programme by the Chairman of the Social Protection Committee.

(d) **Presidency Conferences:**

- (i) "Parental Childcare and Employment Policy: Collision or Complementarity",
(Prague, 5-6 February 2009)
7078/09 SOC 156
- (ii) "Strengthening EU Competitiveness – the Potential of Migrants on the Labour
Market", Prague, (26-27 February 2009)
7079/09 SOC 157 MIGR 28 ECOFIN 167 COMPET 118
- (iii) "EU Enlargement – 5 years after", (Prague, 2 March 2009)
7080/09 SOC 158
- Information from the Presidency

The Council took note of the information provided by the Presidency.

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