



“Cross-border territories: Day-to-day Europe”



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Workshop 3 “Employment and training”

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- ❖ **Topic 1: Facilitate direct access to employment**
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 - **Case studies:**
 - The insertion bonus in the Brussels-Capital region
 - The Activa plan
 - The Belgian return to work supplement
 - **Presentation of the recommendations**
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 - **Case studies:**
 - On the status of the cross-border trainee – CHAW project:
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 - On recognition of qualifications – CEVIROM project:
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 - **Presentation of the recommendations**
- ❖ **Topic 3: Facilitate worker mobility and encourage the development of businesses in cross-border living areas**
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 - **Case study**
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 - **Presentation of the recommendations**
- ❖ **Discussion with the audience**



INTRODUCTION

Mention is often made of the Lisbon strategy, which defines a reference framework for European strategy, but it is essential to remember that, within the European Union, the states have principal responsibility for employment policy.

The states define the measures that they consider most appropriate for the situation they have to deal with (long-term unemployment, youth employment, employment of women, etc.).

The effect of this is that border areas experience in full the distortions that may arise as a consequence of these national levels of responsibility. Although as a result they become places of friction between insufficiently-coordinated national policies, they also show significant growth in the free circulation of workers, a founding element in the construction of Europe. Considering the cross-border territory as an endogenous space for management of the labour market is far from becoming a reality.

Nevertheless, relevant experiments could be conducted in border areas, implementing practices adapted to the situations experienced, practices which could provide useful inspiration for European policy in terms of employment strategy.

Today there are already initiatives in cross-border living areas. We propose to highlight three aspects of these issues faced on either side of borders:

- access to employment
- qualification of men and women
- the future of the only European partnership-based cross-border mechanism likely to contribute to this.

PRESENTATION OF THE TOPICS

1. FACILITATE DIRECT ACCESS TO EMPLOYMENT

In cross-border territories the mobility of businesses and their employees is hampered by the imperviousness of employment aid measures.

Employment, a national competence supported by Europe

Most European countries implement employment aid measures for job-seekers with particular difficulties finding jobs (long-term unemployed, young people, persons with disabilities, etc.) and their employers.

These measures are in response to the joint employment strategy objectives defined by the states at European level since the Luxemburg summit. The "Lisbon strategy" clarified the joint objectives, leaving the states to implement them with regard to employment, which remains within their exclusive competence.

The European Social Fund (ESF) supports the measures adopted by the states.

Employment aid limited to the national space despite the explicit condemnation of such territorial restrictions by the CJEC

In many European countries the payment of employment aid to employers is refused when the recruited person is a border worker.

Reciprocally, a job-seeker who could receive bonuses for return to employment is deprived of these benefits if the new job is in the neighbouring country.

In order to be effective and useful, the right of workers to access without discrimination paid employment and work on the territory of another member state must have as

corollary the right of employers to recruit outside their national territory without suffering consequent disadvantage or discrimination.

In its judgement on case C-208/05 ITC Innovative Technology Center of 11 January 2007, the CJEC had the opportunity to restate the applicable principles. Regarding aid to job-seekers, the rule of exportability takes precedence.

Problem: To avoid duplication of benefits, national authorities refuse aid payments to businesses or workers not located exclusively on their territory.

CASE STUDIES

The three examples below are taken from Belgian legislation.

Counter-example: The insertion bonus in the Brussels-Capital region.

This aid, intended to encourage the professional insertion of handicapped persons, is not accessible under any circumstances to businesses that recruit border workers.

Qualified example: the Activa plan.

This aid is intended to stimulate the recruitment of long-term job-seekers. It is granted to Belgian employers who recruit a border worker, but it is not paid to Belgian job-seekers who find jobs on the other side of the border.

Example to follow: the Belgian return to work supplement.

The ONEM pays a monthly income supplement of €172.30 to job-seekers over 50 who return to work. This aid is paid to job-seekers registered with the ONEM, including when they find jobs in the neighbouring country.

PROPOSAL FOR RECOMMENDATIONS

The emergence of a cross-border employment and living area necessitates greater flexibility in employment aid. To avoid duplication, such payments can be made only within the framework of predefined coordination rules.

Recommendation 1: In order to guarantee greater flexibility in employment aid, it would seem judicious, on the basis of article 308 of the EC treaty, to adopt a coordination mechanism at EU level, such as the regulation EC 883/2004, on unemployment benefits.

Recommendation 2: The principle of the competence of the state responsible for paying unemployment benefits must be adopted for aid to job-seekers. Regarding aid to businesses, the state where the registered office of the business is located must be declared competent, including when the recruited person resides in another country.

Recommendation 3: The member states must incorporate the cross-border dimension in a consistent manner in the preparation of national measures such as employment aid.

2. PROVIDE LIFE-LONG TRAINING BEYOND BORDERS

A concept: life-long education and training

The concept of life-long education and training is at the core of the educational programmes of Europe and its member states. True drivers of cooperation, employment and the mobility of persons, education and training¹ are incontestably the major challenge of this knowledge-based Europe.

¹ The European Council in Lisbon on 23 and 24 March 2000 defined a strategic objective to make the European Union the most competitive and most dynamic knowledge-based economy in the world, capable of sustained economic growth accompanied by quantitative and qualitative improvement of employment and greater social cohesion. It also asked the "Education" Council to undertake a general examination of the concrete objectives of

Recognition tools

A number of tools have been developed to guide European citizens in their training pathways. They are intended to favour equivalences between the certifications² awarded by the different member states, and also to promote initiatives on interculturality and European mobility (EUROPASS systems).

A particular characteristic of cross-border areas

However, the obvious must be recognised, cross-border areas develop particular systems, intimately related to the reality of their labour and employment market. Training for adult employees or job-seekers in these areas is determined by the policies of the employment and living areas, now considered on a cross-border basis. Nevertheless, adults embarking on continuing vocational training continue to be governed by their national system giving them status, benefits and skill recognition. The development of vocational training programmes by the regions, and the definition of local needs for skills by businesses and their representatives (professional sector, etc.), accentuates territorial anchoring. This territory is considered as cross-border in terms of employment; it is then considered in terms of joint vocational training. This consideration draws on analyses of sectors experiencing shortages, economic development projects and the pressing need for pooling of knowledge and know-how.

The EUROPASS³, as a tool for recognition and certification of competence, cannot give a complete picture of this reality. It links a training pathway in one country with a host structure (internship, working visit) in another country of the European Community.

It thus does not indicate the constitution of a joint reference system between training institutions, nor the joint implementation of the training pathway. Implementation in an enterprise or in a work situation is the only evidence of European mobility.

Moreover, this tool does not take account of the inclusion of these pathways in stipulated plans and objectives (regional vocational training programmes, work-linked training, insertion plans, etc.).

CASE STUDIES

Ideas developed within the INTERREG III framework in Wallonia (BE) and Champagne-Ardenne (FR):

Two programmes were conducted on adult training. The first provided guidance for the development of distance-learning training courses, focusing on the development of the competences of those involved (trainers, coordinators, training managers, educational engineers, etc.). This programme developed tailored modular training pathways and skills recognition systems (using EUROPASS).

The second programme was intended for joint development of training solutions for job-seekers in the eligible area, adapted to the needs of the cross-border labour market. This programme produced joint skills and training reference systems, and set up 7 qualification systems co-managed by the two regions and their operators (GRETA network and FOREM Formation). Double certification of skills and training was developed to satisfy qualification recognition requirements.

On the status of the cross-border trainee

The CHAW project

teaching systems, focusing on the joint concerns and priorities while allowing for national diversity. *Decision n°1720/2006/EC of the European Parliament and of the Council of 15 November 2006*

² The communication from the Commission on the skills and mobility action plan noted that action at European level was still necessary to improve the recognition of qualifications acquired by education and training.

³ The Europass-Mobility is an official record of the completion of one or more European training experiences within a joint qualitative framework. It is based in certain principles: an effective partnership (based on an agreement) between the home training organisation and the host organisation; clear, precise and contractualised training objectives; close monitoring of the experience in the host country by a designated tutor.

On recognition of qualifications

The CEVIFORM project

PROPOSAL FOR RECOMMENDATIONS

Recommendation 4: Introduce the status of “cross-border continuing vocational training trainee” for adults in cross-border training.

Recommendation 5: Encourage procedures for validation of experience acquired in training and in enterprise.

3. FACILITATE WORKER MOBILITY AND ENCOURAGE THE DEVELOPMENT OF BUSINESSES IN CROSS-BORDER LIVING AREAS

The EURES system

Aware that persons resident in one country and working in a neighbouring country did not have information matching this reality, in 1989 regional trade union officers backed the idea of establishing a Euro social information centre, on the same principle as the SME-SMI Euro business information centres (which later became the Euro Info Centres). The Commission took over this initiative and established a system based on four missions:

- develop job vacancies and applications, a mission entrusted to the national public employment services
- provide information to employees about living and working conditions, a mission entrusted to employee trade unions
- act on the possibilities of development of a framework for cross-border social dialogue, including employer associations
- survey and assess life-long training systems.

In 1993 the network was renamed EUROpean Employment Services (EURES) and a Commission decision (93/569/EEC) defined the scope of its action.

- At transnational level, cooperation is organised between the different national public employment services.
- At cross-border level, cooperation is possible between the three types of partner meeting in a steering committee.

The system makes a substantial contribution to the identification and elimination of obstacles to free circulation experienced by border workers.

Effects of the 2002 reform

The Commission decision led to modification of the partnership arrangements, giving sole responsibility for financial management to the national public employment services, and of the cross-border arrangements, requiring the incorporation of the business plans of the inter-regional territory into the national business plans.

This resulted in a reduced role of socioeconomic partners at cross-border level.

CASE STUDY

The EURES-T Channel partnership (FR/BE/GB)

PROPOSAL FOR RECOMMENDATIONS

Recommendation 6: Ensure continuity of the EURES system at cross-border level by increasing its funding to assist cross-border mobility. Sufficient financial resources must be restored to the socioeconomic partners for them to continue to fulfil their missions properly.

Recommendation 7: Restore to the local partners a decision-making role in the governance of EURES-T partnerships at the level of the different territories.

Recommendation 8: Extend the system to all internal borders of the Union, principally between acceding countries, developing the opportunities for experience-sharing between existing Eures-T partnerships and new Eures partnerships being formed.