ETUC MANDATE ON AUTONOMOUS FRAMEWORK AGREEMENT ON ACTIVE AGEING AND INTERGENERATIONAL SOLIDARITY

Adopted at the Executive Committee on 28-29 October 2015

Context and social partners’ commitment

According to Eurostat, there were slightly more than 87 million persons aged 65 and over on 1 January 2010 in the EU-27, some 17.4% of the total population. These latest figures can be compared with data from 1 January 1985, when there were 59.3 million persons aged 65 and over in the EU-27 (12.8% of the total population)¹.

A steady increase in life expectancy across the EU during the last century led to increased longevity, while in more recent decades – from the 1970s onwards – the EU has experienced falling fertility rates. These two developments impact upon demographic ageing, a process that has become established in the EU in the last 30 or 40 years. Demographic ageing is expected by many, to become further entrenched in the near future, as the absolute number and the relative importance of the population of older persons continues to grow. These demographic changes coupled with the current economic crisis, high unemployment rates (especially among young people) and austerity measures (which have impacted heavily on social protection systems) represent a serious challenge for labour markets, families and individuals. Sustainable and adequate public pension schemes based on inter- and intra-generational solidarity, which maintain living standards as well as more and better jobs have been identified by the ETUC as important means to address these challenges.

Active ageing features as part of the flagship policy Europe 2020 a strategy for smart, sustainable and inclusive growth. This growth strategy stressed the “importance of the European Union’s ability to meet the challenge of promoting a healthy and active ageing population to allow for social cohesion and higher productivity”. Indeed, one of the five headline Europe 2020 indicators is to reach an EU-27 employment rate of 75% for those aged 20-64 by 2020. This target should be seen in the light of an increased pressure on older workers (almost 40% of workers believe that they will be unable to perform their jobs when they will be 60 years old²) as well with the persistent barriers to employment for young people (4.746 million young persons -under 25- were unemployed in the EU28 in April 2015³).

The issues of active ageing and intergenerational solidarity have been at the centre of several EU-led initiatives which culminated in the designation of an ad-hoc European year in 2012⁴.

The main goal of the European Year for Active Ageing was to raise awareness about what population ageing means for individuals, families, the economy and society, as well as to demonstrate how older people can contribute to the economy and society. The European year 2012 encouraged policymakers and relevant stakeholders at all levels to take action aimed at creating better opportunities for active ageing and strengthening solidarity between generations.

² Eurofound, 5th European Working Conditions Survey 2010
³ Eurostat: http://ec.europa.eu/eurostat/documents/2995521/6862104/3-03062015-BP-EN.pdf/efc97561-fad1-4e10-b6c1-e1c80e2bb582
⁴ http://ec.europa.eu/archives/ey2012/
The ETUC has contributed greatly to this policy debate before and after the establishment of the EU year with a view to ensuring a balanced approach on core issues for both older and younger people such as guaranteeing quality of life and high quality jobs.

In June 2014, the Executive Committee indicated that active ageing and intergenerational solidarity could be one of the topics that the ETUC should include in the 2015–2017 work-programme on EU Social Dialogue.

**EU Social Partners Work Programme 2015 - 2017**

The fifth EU Social Partners Work Programme 2015 – 2017 was formally adopted in June 2015 by the ETUC Executive Committee. In their programme, the European social partners committed to negotiate an agreement on active ageing and intergenerational solidarity, in the framework of Article 155 (2) TFEU.

In response to demographic and active ageing challenges, they have pledged that “measures need to be implemented, where necessary at national, sectoral and company levels, to make it easier for older workers to actively participate and stay in the labour market”. In parallel, they believe that it is also important for “other measures to be taken in order to ease inter-generational transitions in the context of high youth unemployment”.

The 2015-2017 work programme equally states that “the European social partners looked into the issue notably in the context of the European Year for Active Ageing in 2012 and building on their framework of actions on youth employment negotiated in 2013 […] they will further discuss the practices and measures needed”.

Taking into consideration the Europe 2020 strategy, the EU social partners also affirm that “the ability of older workers to remain healthy and active for as long as possible in the labour market should be significantly improved, and that longer careers would contribute to maintaining sustainability and adequacy of pensions, social inclusion and cohesion and inter-generational solidarity in Europe”.

They are thus committed to negotiating an autonomous framework agreement on this subject, and “intend to ensure that the various labour market situations across Europe are duly taken into account and to reinforce the ownership of national social partners”.

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6 ETUC (and the Liaison Committee Eurocadres/CEC) , BUSINESSEUROPE, UEAPME, CEEP

7 “Agreements concluded at Community level shall be implemented either in accordance with the procedures and practices of specific to management and labour in the Member States or, in matters covered by Article 137, at the joint request of the signatory parties, by a Council decision on a proposal from the Commission.”

Executive Committee mandate

The Executive Committee, in Conformity with Article 14 of the ETUC Constitution, after having consulted national confederations and European trade union federations, hereby gives the ETUC a mandate to seek an autonomous framework agreement on active ageing and intergenerational solidarity, in accordance with Article 155 (2) of the Treaty, as foreseen by the social partners work programme 2015-2017.

The Executive Committee is asked to approve the proposed approach, the priorities and issues to be covered and validate the delegation’s potential composition.

The ETUC’s approach

The ETUC’s guiding approach and principles on active ageing and intergenerational solidarity are contained in the action programme 2012 and should be pursued in the context of the agreement negotiations.

According to the ETUC, “active ageing” essentially means implementing preventive measures that will enable and encourage older workers to remain in the labour market until the statutory age, taking into account the particular features and stresses of professions that require early retirement schemes. The ETUC is thus in favour of measures which comply with the aims of intergenerational solidarity, meaning simultaneously combatting all potential obstacles preventing younger people from entering the labour market and older workers from remaining employed.

Principles

The agreement will aim at:

- contributing to a labour market able to accommodate the different stages of life;
- ensuring a healthy and safe working environment and conditions;
- enabling people ability to work as long as they can and retire from the labour market with dignity;
- facilitating young workers’ transition in the labour market.

The agreement will need to be easy to understand and implement, and above all, geared to actual practice. It will equally need to be able to adjust to the national and sectoral realities, while guaranteeing that the social partners adopt measures associated with active ageing and intergenerational solidarity.

The agreement will lay down minimum standards, procedures and conditions. It will contain provisions for implementation, monitoring, and evaluation.

Priorities

The focus of the agreement shall be:

- ensuring that older workers are hired and maintained in employment under healthy conditions until they reach their retirement age;
- enabling knowledge and skills transfers between workers of different age groups

Helping young people into sustainable and quality jobs will be pursued as a complementary objective of the agreement.
Target group

The agreement will cover workers hired on an employment contract and the employers who employ them.

The concept of old and young worker, as well as what is involved in the principle of active ageing and intergenerational solidarity will be identified.

Beyond the objectives set out above and the measures described below, the issues of quality of employment, employment creation, tackling unemployment and insecure employment will need to be defended across all age groups.

Scope

In order to meet the general objectives set above the agreement will aim to include some of the following measures and related issues:

- **Active ageing**: The agreement will lay down measures and working conditions which would encourage and allow older workers to work for longer or to get back into the labour market, while taking into consideration the arduous nature of some occupations. These may include (but not be limited to): flexible working hours, reduction in working time, gradual transition towards retirement, updating/improving skills, and/or ergonomic and health and safety measures and rules such as physical and organisational changes to the workplace.

- **Management of the replacement of older workers**: The agreement will lay down measures enabling the management of the consequences for the labour market of increasing rates of retirement, notably: recruitment of new staff and allowing younger people into the labour market.

- **Mentoring**: The agreement will lay down measures related to management of HR in terms of induction, information and integration of new staff in companies (for example by appointing a mentor to facilitate integration into the company and the job, and anticipate skills requirements).

- **Skills transfers**: The agreement will lay down measures related to development of training and lifelong training in order to ensure the transfer of skills between older and younger workers and vice-versa. Measures identified will also foster the capacity of both young and older workers to better anticipate and adapt to changes in work organisation.

With regard to the measures to be set in the agreement they will need:

- to rely on clear diagnoses drawn up within companies with regard to the management of jobs and skills; and
- to be evaluated and to be fitted within long-term approaches.

Similarly, in parallel and as set out in the agreement on inclusive labour markets, the agreement will include a provision aiming at drawing up individual skills/competences development plans.

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The following texts form a solid source of inspiration:

- Belgian collective labour agreement (CCT 104 on age management) – 27 June 2012
- Ministerial decree n° 807 of 19 October 2012 (Staffetta generazionale’ intergenerational relay)
- The French generation contract (law of 1 March 2013)
- The contribution by our Scandinavian colleagues to the negotiations on the 2015-2017 work programme
The agreement will set provisions for ensuring the involvement of trade unions and workers’ representatives in the implementation of the different stages if the identified measures.

The agreement will take into account the principle of gender equality and non-discrimination.

Social protection – information and consultation

All the measures laid down in the agreement will need to be tabled with due regard to the social security and social protection provisions as well as the information and consultation processes.

SMEs

The agreement will take into account the specific features of micro, small and medium-sized enterprises in order to meet their specific needs while not undermining to meet the objective and purpose of the agreement.

The final clauses

The agreement will be binding on the member organisations of the signatory parties and contain a clause regarding interpretation, the effective implementation, monitoring and follow-up of at national, sectoral and European level.

Final clauses will include:

- The European social partners’ commitment to promote and implement the agreement in accordance with the procedures and practices specific to management and labour in the Member States and in the countries of the European Economic Area.
- The commitment of the member organisations in the applicant countries to promote, report and implement it.
- The agreement will be implemented within three years from its signature. The Social Dialogue Committee will prepare and adopt an annual table summarising the progress made with the implementation of the agreement. A full report on the measures to evaluate the implementation will be drawn up by the Social Dialogue Committee and adopted by the European social partners during the fourth year. In view to reach full EU28 implementation of the agreement, a provision will be included setting up measures to be undertaken in those countries which have not reported and/or implemented the agreement.
- At the request of one of them, the signatories will evaluate and revise the agreement at any time after the five years following the date of signature.
- In the event of a question on the content, the affiliated organisations involved may, either jointly or individually, address the signatories, who will respond either jointly or individually.
- The implementation of the agreement will not constitute valid grounds to reduce the general level of protection afforded to workers in the field of this agreement. The negotiations will also revisit a number of other related instruments, including a number from the social dialogue remit 10

- The agreement must not harm the social partners’ right to conclude, at the appropriate level, notably at European level, agreements to adapt and/or supplement it in a way that takes account of the specific needs of the social partners concerned.

Proposal for an ETUC Delegation for possible European negotiations on active ageing and intergenerational solidarity

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