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**COMMISSION COMMUNICATION ON THE MID-TERM REVIEW OF THE SOCIAL  
POLICY AGENDA****UNICE POSITION PAPER**

UNICE has noted the Commission communication on the mid-term review of the social policy agenda for 2000-2005. In this document, the Commission recalls that the main aim of this agenda is to modernise the European social model and is an integral part of the Lisbon strategy and highlights a number of actions which have been pending since adoption of the social policy agenda by the European Council in Nice.

UNICE is convinced that competitiveness requires efficient social systems. However, it does not share the one-sided analysis on the cost of not having a social policy, which disregards the fact that economic social challenges are linked and that attempts to extend social measures without serious regard for their cost is counterproductive. Moreover, the Commission understanding of what respecting the autonomy of the social dialogue means clearly differs from that of the social partners.

With bleak prospects for economic growth and rising unemployment, UNICE believes that improving competitiveness and facilitating business is more than ever the first priority for Europe. Moreover, in view of a successful enlargement of the European Union, special attention must be given to economic growth and employment in the 10 acceding countries.

UNICE believes that, during the remaining two years of the Nice social agenda, the EU institutions should focus exclusively on measures which fulfil three criteria.

1. The envisaged measure will help turn Europe into the most competitive knowledge-based economy in the world and integrate more people in employment rather than creating new rights for those already working.
2. It will assist the new Member States to become actively involved in the implementation of the Lisbon strategy and to live up to their commitment to respect the existing legal acquis in the social field.
3. The initiative does not interfere with the autonomy of the social dialogue, in particular on themes that the social partners included in the work programme of the social dialogue for 2003-2005.

European employers could, in principle, support many initiatives envisaged by the Commission by 2005 provided that they their content truly brings the Lisbon agenda forward and remains within the remit of EU competences. Examples of actions that UNICE would, in principle, support include:

- implementation of the revised European employment strategy,

- using the European social fund to support investment in human capital,
- the simplification and codification of health and safety legislation, and preparation of practical guidelines to facilitate the application of the chemical agents, vibration and scaffolding directives.

However, UNICE is strongly opposed to the following initiatives.

- Inviting the social partners to submit an input into the Tripartite social summit is not necessary as a number of possible joint contributions are already foreseen in the work programme of the social dialogue.
- Publishing a communication on the implementation of voluntary agreements negotiated at the European level is premature since the only inter-professional agreement of this type negotiated so far contains a commitment to follow it on in the Member States by July 2005. At best, this communication would remain a theoretical exercise ignoring the fact that follow-up requirements can vary depending on the subject of the agreement and, at worst, interfere in the autonomy of negotiations between the social partners. Nor do we see the need of making a study on trans-national collective bargaining.
- The task of reporting on the implementation of the social partners autonomous working programme should be left to the social partners.
- Following on the discussion of the social partners on the social consequences of restructuring should not require any new initiatives since the social partners prepared orientations of reference for managing change and its social consequences which should be approved by all the organisations concerned shortly.
- Consulting the social partners on possible revisions of existing directives or amending and complementing EU social directives as is envisaged for the directives on European Works Council, data protection or in the recasting of equal opportunities legislation would send the wrong signal at a time where new member states' efforts should focus on effective implementation of the existing legal acquis.
- Maintaining a reference to a possible follow-up of the consultative document of the social partners on alternative modes of dispute resolution disregards the fact that both sides of industry had strong reservations on the ideas expressed in the Commission document.
- Establishing a technical group to develop indicators on the quality of industrial relations disregards the fact that both sides of industry expressed the strongest doubts about the desirability and feasibility of developing such indicators.
- Following on the study on individual dismissals or consulting social partners at EU level on the feasibility of a minimum income disregards the limits of EU competences.

To sum up, during the last two years of the Nice social policy agenda, EU institutions should concentrate on making real progress on the initiatives that can genuinely bring the Lisbon strategy forward and contribute to effective integration of the acceding countries in the European Union.

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