

# SOCIAL DIMENSION OF THE EU – THE PILLAR’S IMPACT ON EUROPEAN LABOUR LAW\*

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## Abstract

*Over the past decades, the world of work has been changed. The concept of flexicurity was to provide answers to the challenges that arised. What has happened with security in the European Labour Law, what can be discerned as the European Pillar of Social Rights has been adopted? How has the social dimension of the EU been altered? The article attempts to give an overview of the Pillar from a point of view, according to which the Pillar is an employment model and a social and labour market program in itself.*

**Keywords:** *labour law regulation, flexicurity, social and labour market program, European Pillar of Social Rights, social dimension of the EU.*

## 1. Broad context of the social dimension

The world of work has evolved significantly since the adoption of Directive 91/533/EEC on an employe’s obligation to inform employees of the conditions applicable to the contract or employment relationship („Written Statement Directive”). The last 25 years have brought about a growing flexibilisation of the labour market. In 2016 a quarter of all employment contracts were for „non-standard” forms of employment and in the last ten years more than half of all new jobs were „non-standard”. Digitalisation has facilitated the *creation of new forms of employment* whereas demographic changes have resulted

in a greater diversity of the working population. The flexibility coming with new forms of employment has been a major driver of job creation and labour market growth. Since 2014, more than five million jobs have been created, of which almost 20% in new forms of employment. The adaptability of new forms of employment to changes in the economic context has enabled *new business models* to develop, including in the *collabourative economy*, and has offered entry into the labour market to people who previously would have been excluded. The employment level in the EU is an all-time high, with 236 million men and women employed<sup>1</sup>.

However, these trends have also led to *instability* and an increased *lack of predictability* in some working

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<sup>1</sup> COM (2017) 797: Proposal for a Directive of the European Parliament and of the Council on transparent and predictable working conditions in the European Union. Brussels, 21.12.2017

relationships, especially for workers in the most precarious situations. Inadequate legal frameworks can subject workers in *non-standard employment to unclear or unfair practices* and make it difficult to enforce their rights. *More flexible work arrangements can create uncertainty as to applicable rights*<sup>2</sup>.

Under these social and economic circumstances where the security could be found? How does the social dimension of the European Union change follow up the challenges the regulation faces?

I suppose there is a change in the focus of social dimension of the European Union, and this change can be discerned in the *European Pillar of Social Rights*. On this bases, it is going to be presented how this change might be inherently in this declaration if the „players of social policy” became devoted to it.

## 2. Introduction to the current trend

The traditional interpretation of labour law is confronted with new economic challenges, the requirements of competitiveness and supranational economic liberalization. The change in the social dimension of the European Union shall be therefore a response to the complex reality of globalization, new labour market trends, the European Union and the

enlargement of the euro area as mentioned in the borad context of the examination.

The changes in the economic and social environment are immensely mapped out in the development of the social dimension of the European Union, when the deregulation efforts in the 1980s did not contribute to the strengthening of the social Europe. In 1993, the European Social Policy came to a critical point with the Green Paper. The aim was to tackle high unemployment, and the Green Paper has made it clear that we need to think at national and European level to solve the problem, and to define the new direction of social policy (including labour law). In the European Social Strategy, a compromise between flexibility and security, which was firstly based on soft law and then on regulation, seem to be excellent. It is also true that one of the driving forces behind the social dimension of the Union has been the principle of equal treatment.

Before moving on towards the analysis of the Pillar we shall to look closer of the felxicity concept. Protection regulation can be implemented by *flexicurity* as a *social and labour market program*<sup>3</sup> and the relating transit labour market program through a system of social security, job search and rehabilitation services. This approach to protection thus contributes to the creating protection not only for employees but also *workers, working people*.

<sup>2</sup> Between 4 and 6 million workers are on on-demand and intermittent contracts, many with little indication when and for how long they will work. Up to 1 million are subject to exclusivity clauses, preventing them from working for another employer. Only a quarter of temporary workers transition to a permanent post, and the rate of involuntary part-time had reached some 28% by 2016. EU Labour Force Survey (EU-28, 2016). Commission Communication A European Agenda for the Collaborative Economy COM(2016)356 final.

<sup>3</sup> Auer Peter – Gazier Bernard: Social and labour market reforms: four agendas. In: Ralf Rogowski – Robert Salais – Noel Whiteside (ed.): Transforming European Employment Policy. Labour Market Transitions and the Promotion of Capability. Edward Elgar, Cheltenham, UK, Northampton, Ma, USA, 2011. Auer and Gazier present flexicurity as a social and labour market program such as the flexibility, capability, and transitional labour market. This approach is holistic based on systematic thinking. See more in: Rogowski, R. – Salais, R. – Whiteside, N. (ed.) Transforming European Employment Policy. Labour Market Transitions and the Promotion of Capability. Edward Elgar, Cheltenham, UK, Northampton, MA, USA, 2011. European Commission 1998: Transformation of labour and future of labour law in Europe. Final Report, June 1998.

It is therefore clear that, when applying the principle of equal treatment, the status of vulnerable groups is a wider employment issue. *Employability* includes employment rehabilitation, labour safety, employment policy, education policy, labour inspection rules and measures, job search support system, active labour market policy and the operation of a sustainable social care system.

*Upon this approach the Pillar is a new stage* in the European Union's social dimension, in which the Delors' social space is expanding and there is a much greater chance of *influencing European labour law* than ever before. The principles laid down in the Pillar aim to develop an employment model, in which the degree of compromise between flexibility and security has become apparent<sup>4</sup>. The Pillar states that the European Union considers the minimum level of social protection in order to maintain and enhance competitiveness, as Member States can promote social rights in a more ambitious way than the rights laid down in Pillar. According to the Pillar it can be stated that the realization of economic and social development being in compliance with the social and economic environment could be achieved according to the following principles: *equal opportunities and employment rights, fair working conditions, social protection and social inclusion*. These can be considered as pillars of the employment relationship while building up a new employment model in which flexicurity and security compromise. The „*Fair Work Conditions*” section sets out the basic rules of the labour law, which includes the principles and rights of the pillars: *safe and flexible employment, wage protection,*

*information on employment conditions, protection against dismissal, social dialogue and employee rights. participation, work-life balance, a healthy, safe and well-designed working environment and data protection.*

The Pillar's Preamble emphasizes that „*Economic and social progress are intertwined, and the establishment of a European Pillar of Social Rights should be part of wider efforts to build a more inclusive and sustainable growth model by improving Europe's competitiveness and making it a better place to invest, create jobs and foster social cohesion.*”<sup>5</sup>

We can say that *the Pillar goes beyond* the scope of the Community Charter, redefining the areas concerned, but is based on the principles and rights enshrined in the EU Charter of Fundamental Rights and Solidarity. However, in my opinion, the rights and principles set out in the Pillar so as in the EU Charter of Fundamental Rights are formulated *as the Union's social and labour market agenda*. Looking at fair working conditions, it is obvious that flexibility and security provisions can be set out. All this gives us a picture of *how the protection of workers can be strengthened in the social dimension of the Union*, as flexibility can make the worker unprotected. Therefore, the need for a minimum level of protection is clearly needed to keep flexibility and security. In fact, this defense approach shall transcend the whole Pillar, so the Pillar's fair working conditions shall certainly have a serious impact on European labour law.

Inside labour law, according to Auer and Gazier's reasoning, the inner side of

<sup>4</sup> See more on the core labour rights in: Kaufmann, C.: *Globalisation and Labour Rights. The Conflict between Core Labour Rights and International Economic Law*. Hart Publishing, Oxford and Portland, Oregon, 2007.

<sup>5</sup> Commission Recommendation of 26.4.2017 on the European Pillar of Social Rights; 11. [https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights/european-pillar-social-rights-20-principles\\_en](https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights/european-pillar-social-rights-20-principles_en).

security is the right minimum wage, the principles of predictability of wage setting, the promotion of indefinite employment, the prohibition of misuse of atypical contracts, the reasonable period of probation, the reasonable period of notice, flexible working in case of childbirth, flexible work services.<sup>6</sup> It seems to be that the Pillar's spirit cannot be different, as efforts must be made to spread innovative forms of work with a minimum level of protection. *Social dialogue and employee participation* can be an *effective measure* of achieving both flexibility and security. Applying these rights *in an innovative way* means that the parties acknowledges the need for new types of bargaining<sup>7</sup>. This gives the opportunity to change working conditions *in a predictable way when the employer has to react quickly*.

As a result, it is clear that the collective will, and thus the partnership principle, is of enormous importance in finding a compromise between flexibility and security.

### 3. The Pillar's Principles and Rights - a New Framework for the Social Dimension

While analysing the Pillar, it is already obvious that we are talking about *principles* and not rights. The development of the social dimension, which has been emphasized since the Paris Declaration, is therefore a precondition for a competitive and sustainable Europe, in which the principles

laid down in Pillar aim to develop an employment model. What is this model like? I'm looking for the answer to this question below.

The Pillar provides guidance to meet the basic needs of people. If a principle applies to employees, it affects all working people, regardless of their employment or working status, the way and duration of employment. In my view, the minimum level of working life has been formulated in this document, in which the value of work is unquestionable. A work-based society can truly remain competitive in the 21st century. The way in which this should be done, the conditions under which it should be implemented, the European Commission has provided a guide by means of the Pillar. The European Commission has carried out a serious control over Member States with regard to economic governance. The question is whether it manages to influence the social dimension of the Union.

The role of the social partners has been constantly evolving over the last sixty years (since the adoption of the Treaty of Rome in 1957). In the Pillar, it is clearly stated that the social partners have a very important role to play in the development of the employment model, so the freedom of organization and the right to take collective action can also be regarded as the core of the Pillar rights.

The employment model outlined by the Pillar shall be looked at as a social and labour market program. From now on, I will examine the Pillar from this point of view.

<sup>6</sup> See more Auer Peter – Gazier Bernard: Social and labour market reforms: four agendas. In: Ralf Rogowski – Robert Salais – Noel Whiteside (ed.): Transforming European Employment Policy. Labour Market Transitions and the Promotion of Capability. Edward Elgar, Cheltenham, UK, Northampton, Ma, USA, 2011. 34-46. See more: Mélypataki Gábor: Social Innovation and Civil Service Law. Lex et Scientia, XXVI (1), 7-19. Jakab Nóra – Mélypataki Gábor: The Separation and Reflexivity of Civil Service Law. Current Juridic, XXII (2), 2019, 46-56. Mélypataki Gábor: A közszolgálati jog és a politika kapcsolata, Közjogi Szemle, 3, 2017, 33-39.

<sup>7</sup> See more on the need for new partner relationships: Blainpain, R. – Hendricks, F. (2011) (ed.): *Labour Law between Change and Tradition*. Liber Amicorum Antoine Jacobs. Kluwer Law International, The Netherlands. Time to move up a Gear The European Commission's 2006 Annual Progress Report on Growth and Jobs, 6. Council and Commission Joint Employment Report 2005/2006, 6, 12-13. [http://aei.pitt.edu/40091/1/COM\\_\(2006\)\\_30\\_3.pdf](http://aei.pitt.edu/40091/1/COM_(2006)_30_3.pdf) (2014.06.24.).

In my opinion, in the Pillar such an employment model has been developed, which has shown the degree of compromise between flexibility and security. The Pillar states that the European Union considers the minimum level of social protection in order to maintain and enhance competitiveness, as Member States can promote social rights in a more ambitious way than the rights laid down in Pillar. Based on the Pillar it can be stated that the realization of economic and social development can be achieved according to the following principles: equal opportunities and employment rights, fair working conditions, social protection and social inclusion. These can be considered as the pillars of the employment relationship in the development of the employment model.

The social and labour market program includes several areas: labour law regulation, support for job seekers, and the operation of the social protection system. In fact, the principles and rights of the Union are a good example of the Union's social and labour market program. This employment model is based on equal opportunities. Furthermore, everyone has the right to actively support employment, and finally, we have come to the employment policy within the social and labour market program. It is clear from the provisions that job seekers should be provided with services that help them to return into the labour market as soon as possible. The principles of the transit labour market are also formulated in this section.

The Fair Working Conditions section sets out the basic rules of labour law, which include the following principles and rights: safe and flexible employment, wage protection, information on employment

conditions, protection against dismissal<sup>8</sup>, social dialogue and employee rights, participation, work-life balance, a decent, secure and well-designed working environment and data protection.

In addition to the employment policy and labour law regulations within the social and labour market programme, the social protection system is also emerging. I regard employment policy as part of the social protection system, but it seems to be separate here. Social protection and social inclusion are important building blocks of the social dimension.

#### 4. Game rules of labour law

In my opinion, the section of fair working condition clarifies the rules of the labour law in the *new game* regarding secure and adaptable employment, wages, information about employment conditions and protection in case of dismissals, social dialogue and involvement of workers, work-life balance, and healthy, safe and well-adapted work environment and data protection.

In the Pillar, the Community Charter of Fundamental Social Rights for Workers appears almost entirely. It lays down more principles for the salary part, since the fair minimum wage - fair wage in the Charter - is one that ensures that the needs of the worker and his family are met, while ensuring access to employment and the promotion of work. The principles of flexibility and security have been formulated in a novel way in the Pillar linked to the

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<sup>8</sup> See more: Tóth, H.: Rugalmas biztonság elve a munkaviszony megszüntetése során, *Miskolci Jogi Szemle: A Miskolci Egyetem Állam- és Jogtudományi Karának Folyóirata*, XII (2), 2017, 620–630. . Prugberger, T. – Szöllős, A. - Tóth, H: The Development of the Hungarian Labour and Public Service Laws After the Regime Change, *Polgári Szemle: Gazdasági és Társadalmi Folyóirat*, 14, 2018, 337–351.

improvement of the living and working conditions of the Community Charter.<sup>9</sup>

We can say that Pillar goes beyond the scope of the Community Charter, redefining the areas concerned, but is based on the principles and rights enshrined in the EU Charter of Fundamental Rights's part about Equality and Solidarity. However, in my opinion, the rights and principles of the EU Charter of Fundamental Rights are formulated in the Pillar as the Union's social and labour market agenda. Thus, in the Charter of Fundamental Rights of the EU, children, the elderly and people with disabilities included in the Equality section are included in Pillar's social protection. In the EU Charter of Fundamental Rights, the rights and principles enshrined in the Solidarity Section are included in the Pillar Fair Working Conditions, so workers' rights in the enterprise are the right to information and consultation, collective bargaining and action, the right to use agency services, protection against unjustified dismissal, decent and fair working conditions, the prohibition of child labour and the protection of young people at work, family and work. In the EU Charter of Fundamental Rights, the section on Solidarity includes social security and social assistance, health protection; access to services of general economic interest, now it is part of Pillar's social protection and social inclusion.

Most vizsgáljuk meg, hogy a tisztességes munkafeltételek részből milyen következtetések vonhatók le.

Looking at fair working conditions, I found it interesting to set up flexibility and

security provisions. All this gives us a picture of how the protection of workers can be strengthened in the social dimension of the Union, as flexibility can make the worker unprotected. Therefore, the need for a minimum level of protection is clearly needed to keep flexibility and security at the same time. In fact, this defense approach overpins the whole of Pillar, so it might be sure that Pillar's fair working conditions in European labour law have a serious impact.<sup>10</sup>

The followngs can be considered a novel formulation of the internal side of safety in labour law regulation: appropriate minimum wage, principles of predictability of wage setting, support for employment of indefinite duration, prohibition of abuse of atypical contracts, a reasonable period of probation, the notice period is reasonable, and in the case of childbirth, access to flexible work and care services.

As principles serving flexibility, I appreciate the need to promote innovative forms of work that provide quality working conditions. Entrepreneurship and self-employment should be encouraged. Occupational mobility should be facilitated. Obviously, this principle supports the interoperability between independent and dependent work relationships. However, the Pillar's spirit cannot be different, as efforts must be made to spread innovative forms of work only with minimum protection. When EU activities to promote self-employment and policies are designed, it is important to distinguish between different types of self-employment, either to encourage self-employment or to protect self-employed

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<sup>9</sup> The spirit of the Community Charter is present throughout Pillar, such as freedom of social protection, association and collective bargaining, vocational training, equal treatment of men and women, the right of workers to information, consultation and participation, health and safety at work, children, juveniles and protecting the elderly.

<sup>10</sup> (1) Everyone has the right to education and to participate in vocational training and further training.

(2) This right includes free participation in compulsory education.

(3) The freedom to establish educational institutions on the basis of democratic principles and the right of parents to provide education to their children in accordance with their religious, philosophical or pedagogical beliefs shall be respected in accordance with the national laws governing the exercise of these rights and freedoms.

more effectively<sup>11</sup>. Digitization is expected to further increase the existing diversity.<sup>12</sup>

I also consider it important to pay attention to avoiding work relationships that lead to the exclusion of workers, precarious work<sup>13</sup> even as a result of improper exercise of atypical contracts<sup>14</sup>. In practice, these two statements may be counterproductive, as a study by the Committee on Employment and Social Affairs in 2016 suggests that work without precariousness, insecurity, and labour rights guarantees often affects self-employed workers, whether self-employed or self-employed without an employee. At the same time, if the goal is to achieve decent working conditions in the Pillar, all self-

employed workers should benefit from minimal protection.

Social dialogue and employee participation can be an effective means of achieving both flexibility and security. This gives the opportunity to change working conditions in a predictable way when the employer has to react quickly. Consequently, it is clear that the collective will, and thus the partnership principle, is of enormous importance in finding a compromise between flexibility and security.

The Pillar shall be handled together with two other EU legislative actions, which are in compliance with the Pillar's provisions

<sup>11</sup> Eurofound (2016), *Exploring the fraudulent contracting of work in the European Union*, Publications Office of the European Union, Luxembourg. Executive summary, 2. A Digitalizáció hatását megerősíti más jelentés is: Eurofound (2017), *Aspects of non-standard employment in Europe*, Eurofound, Dublin. 3. Lásd erről még:

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<sup>12</sup> On the definition of self-employment and labour law protection see: Szekeres, B.: Munkajogon innen - munkaviszonyon túl. Miskolci Egyetem, Deák Ferenc Állam- és Jogtudományi Doktori Iskola, 55-68. Szekeres, B.: A foglalkoztatási jogviszonyok átalakulása, a jogalkalmazás (és jogalkotás) előtt álló kihívások. In: *Quid Juris? Ünnepi kötet a Munkaügyi Bírák Országos Egyesülete megalakulásának 20. évfordulójára*. 2018, 472-484. Szekeres, B.: Gondolatok a munkavállalóhoz hasonló jogállású személyek helyzetéről - a munkajog és a polgári jog kapcsolatáról, Miskolci Jogi Szemle, 12. (2.) 2017, 561-569. Szekeres, B. A munkavállalóhoz hasonló jogállású személy státuszának jogkövetkezményei – a magyar javaslat és a német megoldás részletei. *Munkajog* 2, 4, 2018, 24-31. Szekeres, B.: A változó munkavégzés megjelenése és megítélése a bírói gyakorlatban, Miskolci Jogi Szemle: A Miskolci Egyetem Állam- és Jogtudományi Karának Folyóirata, XIII. (1.), 2018, 128-144. Szekeres, B.: A munkavállalóhoz hasonló jogállású személyek munkajogi és kötelmi jogi védelme a német jogrendszerben

In: Keresztes, Gábor (ed.) *Tavaszi Szél 2016 = Spring Wind 2016*. Tanulmánykötet. III. kötet: Közigazgatástudomány, matematika- és informatikai tudomány, műszaki tudomány, művészeti és művészettudomány, nyelvtudomány, orvos- és egészségtudomány, Budapest, Magyarország : Doktoranduszok Országos Szövetsége, 2016, 356-361.

<sup>13</sup> See more: *Social protection rights of economically dependent self-employed workers*; Study; (2013); Directorate General for internal policies; Policy department A: Employment policy; 14.

<sup>14</sup> See more „Commission Recommendation of 26.4.2017 on the European Pillar of Social Rights; [https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights/european-pillar-social-rights-20-principles\\_hu](https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights/european-pillar-social-rights-20-principles_hu) (access on 5th March 2018).

as “*Employees have the right to be informed in writing of their employment rights and obligations, including the probationary period, upon commencement of employment. ... Employees, regardless of the type and duration of their employment, and self-employed workers under similar conditions are entitled to adequate social protection...*”

The Pillar is a guideline for a renewed upward convergence of social standards, with a view to changing the realities of the world of work, providing guidance on the supposed balance of flexible and secure employment. One of the great manifestations of this is the Proposal for a Directive of the European Parliament and of the Council on transparent and predictable working conditions in the European Union, notably in relation to Pillar 5 („Secure and flexible employment”) and 7 („Information on conditions of employment and protection in the event of dismissal”). The proposal for a directive, in connection with the Pillar, expands the content of the information, thereby strengthening the protection of the worker. The proposed Directive will also contribute to the implementation of the following principles set out in the European Pillar of Social Rights: education, training and lifelong learning, gender equality, secure and flexible employment, education, training and lifelong learning, gender equality, information on the conditions of employment and protection in the case of

dismissal, social dialogue and employee participation<sup>15</sup>.

An important message of the transit labor market program is the proper management of transitions between different life situations or workplaces, labor market status, by protecting and retaining acquired rights. All this is essential when a person's job profile changes several times during their lifetime. In certain working conditions and in the periods between them, social protection of the worker is indispensable, which in my interpretation means the external side of safety and protection<sup>16</sup>.

Article 153 (1) (c) of TFEU allows the Union to support and complement Member States' activities in the field of social security and social protection of workers, and the Council Recommendation on access to social protection for workers and self-employed workers is clarified. The broad consensus behind the recommendation is that shortcomings in access to social protection due to the labor market situation and the type of employment may hamper the use of the transition from one labor market situation to another, if it leads to loss of entitlements, and ultimately reduce labor productivity growth. Thus, these shortcomings do not support entrepreneurship as well as hinder competitiveness and sustainable growth. In the long run, the social and economic sustainability of national social protection systems is at stake.

<sup>15</sup> See more: Toumieux, C. (2016) 72-74.

<sup>16</sup> At the international level, it is important that the International Labor Organization's 2012 recommendation on minimum social protection be adopted. „*The social protection floors referred to in Paragraph 4 should comprise at least the following basic social security guarantees:*

(a) *access to a nationally defined set of goods and services, constituting essential health care, including maternity care, that meets the criteria of availability, accessibility, acceptability and quality;*

(b) *basic income security for children, at least at a nationally defined minimum level, providing access to nutrition, education, care and any other necessary goods and services;*

(c) *basic income security, at least at a nationally defined minimum level, for persons in active age who are unable to earn sufficient income, in particular in cases of sickness, unemployment, maternity and disability; and*

(d) *basic income security, at least at a nationally defined minimum level, for older persons.”*



Principle 12 of the Pillar explicitly states that regardless of the nature and duration of employment, self-employed workers under the same conditions are entitled to adequate social protection. The aim of the Recommendation is to contribute to the implementation of this principle and to the implementation of other parts of the pillar, such as safe and flexible employment, unemployment benefit, access to healthcare and old age income and old age pensions.

The Recommendation explicitly states that the aim of the initiative is to support self-employed and atypical workers who, due to their employment contract or their status in the labor market, are not adequately covered by unemployment protection, sickness, maternity, paternity, accidents at work and occupational disease, provided by social protection systems, in the case of disability and old age. With this, Supiot's labor market status theory is confirmed<sup>17</sup>.

It is important to note that this recommendation applies to sectors of social protection that are more closely related to labor market status or to the type of employment relationship, and mainly to protection against loss of work-related income when certain risks arise. The Recommendation complements existing EU guidelines on social services and support and, more broadly, guidelines on the active inclusion of people excluded from the labor market.

## 5. Concluding remarks

I believe that the Pillar will have a major impact on the changes to European labour law, and this assumption can be considered justified if the information directive is adopted. The proposal for a directive, in connection with Pillar, expands

the content of the information, thereby strengthening the protection of the worker. The rights laid down are based on provisions aimed at overcoming the shortcomings in the implementation of Directive 91/533/EEC and on implementing measures arising from other elements of the EU acquis in similar situations. The proposed directive will provide basic universal protection for all existing and future employment contracts.

In my opinion, the Proposal defines the minimum level of protection of this labour law, seeking a compromise between flexibility and security. Helping parallel employment and shifting to another form of employment is in any case in the direction of flexible working arrangements. As a result, I believe that European labour law is clearly turning to safer employment, as has been the case in the earlier Kampelmann and Lange cases relating to the Information Directive.

I believe that the proposal for a directive on information provides answers to the labour law issues raised by new forms of employment. Clearly provide the opportunity for flexible employment within the framework of security. Thus, Pillar's flexible and safe employment model outlines the future direction of European labour law if the European Court of Justice is to treat Pillar as a reference. This is a matter of political consensus.

The employment model outlined in Pillar is also united by the spirit of the recommendation on access to social protection for workers and self-employed workers. Although self-employed workers are not subject to conditions of decent working conditions, the protection of workers on the basis of equal treatment seems to be achieved by ensuring adequate social protection.

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<sup>17</sup> Over the years, an EU legal framework for the protection of rights has been created through the directives on temporary agency work and agreements between the social partners in the field of temporary agency work, through the directives on part-time employment and fixed-term employment has also been realized. However, as the guidelines apply to employment conditions, their impact on social protection has been very limited.

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