

# Public consultation on a possible EU action addressing the challenges of access to social protection for people in all forms of employment in the framework of the European Pillar of Social Rights

Fields marked with \* are mandatory.

## I. Identifying information

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**Language of your contribution:**

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**You are a(n):**

- Individual citizen
- Central government / ministry
- Other public authority (local, regional, etc.)
- Workers' organisation/ trade union
- Employers' organisation
- Self-employed organisation
- Civil society
- Researcher/academic
- Think-Tank / Consultancy
- European Institution
- International organisation
- Occupational / Mutual funds
- Company
- Other

**Please specify:**

Advocacy organisation

**Register ID number** (if you/your organisation is registered in the [Transparency register](#)). If your organisation is not registered, please refer to the [Transparency register home page](#) to see how to proceed.

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**Your reply:**

- can be published with your personal information (I consent to publication of all information in my contribution and I declare that none of it is under copyright restrictions that prevent publication)
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## II. Questionnaire

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Providing access to social protection and related employment services for people in all forms of employment is crucial not only for the economic and social safety of the workforce, but also for well-functioning labour markets and economies that create quality jobs and sustainable growth. Yet, there are groups of employed who are left without sufficient access to social protection and related employment services. The Commission has identified and described relevant challenges in the background document.

**Respondents to this questionnaire are recommended to read the background document before proceeding.**

**1. The background document identifies some challenges regarding social protection and related employment services.**

**Do you agree with the identification of the challenges outlined in the background document?**

	I do agree	I rather agree	I rather do not agree	I do not agree	I don't know
Gaps in formal coverage	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Gaps in effective coverage	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Insufficient transferability of rights	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Insufficient transparency of rights and	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Regulatory complexity	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
There are other challenges in access to social protection and employment services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

**Please specify:**

*200 character(s) maximum*

We agree that non-standard employees and self-employed have less access to social protection (EU28). However, there is large variation between MSs and their social and labour laws.

**2. Social protection covers several benefits and services from unemployment benefits to long-term care, and employment services are connected to some of these benefits.**

**Which areas of social protection and employment services (listed below) do you consider to be relevant for a possible EU initiative promoting access?**

**2.1 for workers in non-standard forms of employment?** (please choose max. 3 items on the list)

**Social protection:**

	High relevance	Medium relevance	Low relevance	Not relevant at all	Don't know
Unemployment benefits	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sickness benefits	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Benefits in respect of accidents at work and occupational diseases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Old-age benefits	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Invalidity benefits	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Survivor's benefits	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Maternity and equivalent paternity benefits	<input type="checkbox"/>				
Family benefits	<input type="checkbox"/>				
Health care	<input type="checkbox"/>				
Long-term care	<input type="checkbox"/>				

## 2.1 for workers in non-standard forms of employment?

### Employment services:

	High relevance	Medium relevance	Low relevance	Not relevant at all	Don't know
Guidance, counselling and placement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Training and updating skills	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rehabilitation and re-insertion measures	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## 2.2 for self-employed? (please choose max. 3 items on the list)

### Social protection:

	High relevance	Medium relevance	Low relevance	Not relevant at all	Don't know
Unemployment benefits	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sickness benefits	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Benefits in respect of accidents at work and occupational diseases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Old-age benefits	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Invalidity benefits	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Survivor's benefits	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maternity and equivalent paternity benefits	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Family benefits	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Health care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Long-term care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## 2.2 for self-employed?

### Employment services:

	High relevance	Medium relevance	Low relevance	Not relevant at all	Don't know
Guidance, counselling and placement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Training and updating skills	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rehabilitation and re-insertion measures	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**3. Some common principles could be promoted to help increase access to social protection and employment services to all people, regardless of their form of employment, and so foster upward social convergence in the EU. Do you think that the following general policy principles should be pursued by a possible EU initiative?**

	I do agree	I rather agree	I rather do not agree	I do not agree	I don't know
Regardless of the type and duration of their employment relationship, workers, and, under comparable conditions, the self-employed, have the right to adequate social protection;	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tying rights to individuals as they work (and not to the contract) and making rights transferable;	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Making rights and related information transparent;	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Simplifying administrative requirements.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
No action required	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**4. People in non-standard forms of employment and self-employed are facing gaps in formal coverage to social protection and their effective coverage is limited by rules of eligibility, low-levels of benefits, complexity of rules and the risk of under-insurance. Action to address gaps in access to social protection may be taken at EU, national and regional level.**

**4.1 Which avenues do you consider most appropriate to address the challenges of the gaps in formal and effective coverage by social protection?**

**4.1.1 for non-standard forms of employment**

**4.1.1.1 The social protection rights and obligations not yet formally covered should:** (Please choose only one answer from the list)



- be mandatory (for every kind of job, irrespective of the type of contract)
- be voluntary (for every kind of job where gaps exist, irrespective of the type of contract)
- be partly mandatory and partly voluntary (for every kind of job where gaps exist, irrespective of the type of contract)
- remain as they are (no action required)

**Please specify:**

It is very difficult to evaluate all forms of "social protection rights and obligations not yet covered" simultaneously from the point of view of non-standard employment. Taking into consideration the great variety of circumstances between EU28, MSs' and social partners' discretion over social and labour law as well as division of competences within the EU should be respected.

**4.1.1.2 What should be the level of protection in the case of rights not yet formally or effectively covered?** (Please choose only one answer from the list)

- Mandatory protection and contributions aligned to the level of standard workers
- A minimum level of mandatory protection and contribution is defined for all people in employment
- Differentiated levels are defined
- Remain as it is (no action required)

**4.1.1.3. What is the most appropriate way to ensure effective coverage?** (Multiple answers possible)

- A single social protection scheme covering all people in employment
- Specific mandatory social protection schemes could co-exist and their qualification criteria, contribution rules and benefit calculation could be tailored to the specificities of each group
- Temporary and decreasing incentives for low income people in non-standard forms of employment to enable them to fully and/or effectively participate on a mandatory basis in social protection schemes.
- Access to unemployment benefits and employment services tied with activation measures for all people in employment, regardless of their employment contract
- Automatic enrolment with opt-out clauses
- Creation of voluntary schemes accompanied with better information and reduced administrative burden
- Tailoring better the qualification criteria, contribution rules and benefits' calculation of the voluntary schemes to the needs and specificities of each group
- Temporary and decreasing incentives for low income people in non-standard forms of employment to enable them to fully and/or effectively participate on a voluntary basis in social protection schemes
- Other

**4.1.1.4 In your view, is there a need for EU-level action to ensure access to social protection and related employment services for people in non-standard forms of employment where gaps exist?**

- Yes
- No
- I don't know

#### 4.1 Which avenues do you consider most appropriate to address the challenges of the gaps in formal and effective coverage by social protection?

##### 4.1.2 for self-employed not yet covered

4.1.2.1 The social protection rights and obligations should (Please choose only one answer from the list)

- be mandatory for all self-employed
- be voluntary for self-employed not yet covered
- be partly mandatory and partly voluntary
- remain as they are (no action required)

Please specify:

It is very difficult to evaluate all forms of "social protection rights and obligations not yet covered" simultaneously from the point of view of the self-employed. Taking into consideration the great variety of circumstances between EU28, MSs' and social partners' discretion over social and labour law as well as division of competences within the EU should be respected.

4.1.2.2 What should be the level of protection? (Please choose only one answer from the list)

- Mandatory protection and contribution aligned to the level of standard workers
- A minimum level of mandatory protection and contribution is defined for all people in employment
- Differentiated levels are defined for self-employed according to their specific needs
- Remain as it is (no action required)

4.1.2.3 What is the most appropriate way to ensure effective coverage? (Multiple answers possible)

- A single social protection scheme could be envisaged to cover all people in employment
- Specific mandatory social protection schemes could co-exist and their qualification criteria, contribution rules and benefit calculation could be tailored to the specificities of each
- The choice of contributing to a public or private insurance scheme is left open to self-employed as long as they are part of an insurance scheme which would protect them in case of need
- Temporary and decreasing incentives for low income self-employed to enable them to fully and/or effectively participate on a mandatory basis in social protection schemes
- Access to unemployment benefits and employment services tied with activation measures
- Automatic enrolment with opt-out clauses
- Creation of voluntary schemes accompanied with better information and reduced administrative burden
- Tailoring better the qualification criteria, contribution rules and benefits' calculation of the voluntary schemes to the needs and specificities of each group
- Temporary and decreasing incentives for low income self-employed to to enable them to fully and /or effectively participate on a voluntary basis in the social protection schemes
- Other

4.1.2.4 In your view, is there a need for EU-level action to ensure access to social protection for self-employed where gaps exist?

- Yes
- No
- I don't know

**4.2 Transferability and transparency of social protection rights could help to ensure secure labour market transitions. Which avenues do you consider most appropriate to address those gaps ?**

	Highly appropriate	Moderately Appropriate	Low appropriate	Not appropriate at all	Don't know
Stipulating minimum standards for timely acquisition, preservation and transferability of social protection and employment service rights	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Creation of individual accounts for social protection and/or employment service rights (in order to avoid losses of social entitlements when changing jobs)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Simplifying administrative procedures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

**4.3 The background document identified gaps in access to employment services for some groups. Which avenues do you consider most appropriate to address the challenges of the gaps in access to employment services?**

	Highly appropriate	Moderately Appropriate	Low appropriate	Not appropriate at all	Don't know
Access to <b>employment services</b> for workers should be ensured, irrespective of type of contract, and for self-employed	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Some social protection benefits should be bound to the participation in specific employment related programmes.	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**4.3.1 If your response is highly or moderately appropriate, is there a need for EU-level action to ensure that rights and obligations to employment services are voluntary where gaps exist?**

- Yes
- No
- I don't know

**5. According to your assessment, the impact of making social protection rights mandatory in all forms of employment would be positive, neutral or negative for**

	positive	neutral	negative
The European society: Cohesion in society	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
The European society: Intergenerational justice	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
The labour market: Labour market transitions	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
The labour market: Transparency	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
The economy: Competitiveness	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
The economy: Resilience and adaptability	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
The economy: Economic growth	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
The workers: Security of workers	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
The workers: Investment in people and their skills	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Social protection and public finances: Financial sustainability of social protection systems	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Social protection and public finances: Adequacy of social protection benefits and services	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Social protection and public finances: Public budget	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Small and medium sized enterprises: Cost	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Small and medium sized enterprises: Competition	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

**5.1 In your opinion, what is the most important positive and negative impact of making social protection rights mandatory in all forms of employment?**

*400 character(s) maximum*

**6. According to your assessment, the impact of making social protection rights voluntary where gaps currently exist would be**

	positive	neutral	negative
The European society: Cohesion in society	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
The European society: Intergenerational justice	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
The labour market: Labour market transitions	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

The labour market: Transparency	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
The economy: Competitiveness	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
The economy: Resilience and adaptability	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
The economy: Economic growth	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
The workers: Security of workers	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
The workers: Investment in people and their skills	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Social protection and public finances: Financial sustainability of social protection systems	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Social protection and public finances: Adequacy of social protection benefits and services	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Social protection and public finances: Public budgets	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Small and medium sized enterprises: Cost	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Small and medium sized enterprises: Competition	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

**6.1 In your opinion, what is the most important positive and negative impact of making social protection rights voluntary where gaps currently exist?**

*400 character(s) maximum*

**7. If you have any additional comments and/or suggestions, feel free to use the open answer box below.**

*1500 character(s) maximum*

There are major differences between MSs regarding the adaptability of social protection and social and labour laws to changing labour market patterns. We underline that the competence of the MSs and role of social partners in formulation of social protection/social and labor laws must be respected in accordance with the existing division of competences within EU.

We recognize the potential of European Semester to be the main driver for developing progressive social agenda including access to social protection initiative. We emphasize the role of Social OMC and collaboration with EU committees.

Access to social protection consultation covers old-age benefits, which were included in the declaration of social pillar as well. We support the pillar's pension principles and the rights of workers and self-employed to pension benefits, which are overall adequate and relative to contributions.

The rise of precarious employment and entrepreneurship create concerns for future pension adequacy if they are not addressed. Given the variety of old-age benefits in MSs, there is a need to differentiate between pension providers. Mandatory I-pillar social protection pensions can potentially create strong inclusion to benefits for those in non-standard employment or as self-employed. Also promotion of intra-EU worker and entrepreneur mobility should not be forgotten, where statutory pensions (regulation 883/2004) are by far the least problematic, since they are coordinated within EU.

8. If you wish please send your written contribution to [EMPL-ACCESS-SOCIAL-PROTECTION-OPC@ec.europa.eu](mailto:EMPL-ACCESS-SOCIAL-PROTECTION-OPC@ec.europa.eu)

## Contact

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