

Eu Social Cit

European Social Citizenship

A Resource-Based conception for the analysis of the European Pillar of Social Rights: implication for further developments

Authors

Maurizio Ferrera

Federico Bruno

EuSocialCit working paper

August 2023



This project has received funding from the European Union's Horizon 2020 research and innovation programme under grant agreement No 870978



This working paper is published as part of the EuSocialCit project, which has received funding from the European Commission's Horizon 2020 Research and Innovation programme under grant agreement no 870978.

Disclaimer: This publication reflects the authors' view only. The European Commission is not responsible for any use that may be made of the information it contains

To be cited as: Ferrera M, Bruno F (2023) A Resource-Based conception for the analysis of the European Pillar of Social Rights: implications for further developments, *EuSocialCit Working Paper*, August 2023. Doi: 10.5281/zenodo.8288947.

Authors: Maurizio Ferrera is Professor of Social Policy at the University of Milan. Federico Bruno is Postdoctoral researcher at the University of Milan.

The authors wish to thank all the participants of the EUSOCIALCIT project and in particular Bea Cantillon and Francesco Corti.



This publication is licensed under the Creative Commons CC BY-NC. This information may be freely used, copied and adapted, provided that the source is acknowledged.

Summary

This paper summarises the conceptual framework developed by EUSOCIALCIT and shows how it can be fruitfully used for a detailed examination of the European Pillar of Social Rights (EPSR) as well as the actions and measures adopted to implement it so far. Section 2 presents EUSOCIALCIT's resource-based approach to social rights. We conceive of social rights as bundles of power resources that empower individuals to claim and obtain benefits, services, or the respect of certain rules from other individuals or from public authorities. In particular, we distinguish three types of power resources. Normative resources provide the basis and rationale for claiming social rights and can be divided into two categories: deontic resources (which define a desirable state of affairs which ought to be established in practice by means of individual enablement) and legal resources (which specify what category of people is entitled to what benefit). Instrumental resources include all channels – formal or informal, provided either by public authorities or by other actors – which make the social rights accessible to the right-holders. Enforcement resources, finally, allow right-holders to seek adjudication in case of dispute.

In section 3, we apply our conceptual framework to the EPSR and to the measures adopted to implement it. The 20 principles of the EPSR are treated as deontic resources. They enunciate 27 programmatic rights (i.e., the desirable creation of legal resources) and contain a number of specific prescriptions, in many cases recommending the creation of instrumental and enforcement resources. As regards the EPSR implementation, the paper identifies 48 measures which have created at least one type of power resource: 38 legal resources, 29 instrumental resources and 12 enforcement resources.

In section 4, we focus on instrumental resources. We identify four critical junctures in the acquisition of social rights: becoming aware of the social right, claim-making, acquisition of the benefit, problems and non-compliance. Then, we provide a (provisional) taxonomy of instrumental resources; these include channels of information; outreach and awareness-raising activities; (simplified) application procedures; accessible public administration; guidance and counselling; instruments to make benefits accessible; problem solving; assistance to access justice in case of non-compliance; the involvement of and consultation with civil society organisations.

The paper concludes with an overall assessment of the EPSR implementation so far, distinguishing between “adequate”, “limited” and “insufficient” implementation for each EPSR principle.

A Resource-Based conception for the analysis of the European Pillar of Social Rights: implication for further developments

Project name	The Future of European Social Citizenship
Project acronym	EuSocialCit
Grant Agreement ID	870978
Deliverable number	D2.3
Lead partner	University of Milan
Work package	<p>EuSocialCit is both an academic and policy-oriented research project. It is composed out of five <i>substantive</i> work packages (WPs 2-6). This report is produced as part of WP2 “<i>Social Citizenship in Europe and the role of the EU: conceptual framework, state of play and scenarios for improvement</i>”. EuSocialCit starts from the presumption that EU integration has reached a stage whereby social rights, commonly agreed at the EU level, should become part and parcel of European citizenship. This presumption triggers questions on ‘why’, ‘what’, ‘who’, ‘how’ and ‘criteria for priorities’. WP2 first addresses these questions on a conceptual level.</p> <p>Since well-considered answers to these questions cannot be given in abstract, WP2 will integrate the empirical analyses of social rights developed in WP3-5 (the mapping of risks and needs and the existing institutional structure; the study of outcomes, of shortcoming and possible improvements). WP2 will also integrate the assessment of citizens’ perceptions and attitudes and the study of the relationship between rights, inequality and economic growth in WP6. Additionally, it will consolidate all insights from WP 3-6 that are related to issues of gender and gender equality.</p>
Web address	For more information about the EuSocialCit project, please visit www.eusocialcit.eu . EuSocialCit’s output can also be found in its community on Zenodo: https://zenodo.org/communities/eusocialcit .

Table of contents

1. INTRODUCTION	6
2. EUSOCIALCIT’S RESOURCE-BASED CONCEPTION OF SOCIAL RIGHTS	7
3. A RESOURCE-BASED READING OF THE EPSR.....	10
4. A FOCUS ON INSTRUMENTAL RESOURCES	19
4.1 TOWARDS A CONCEPTUALIZATION OF INSTRUMENTAL RESOURCES.....	19
4.2 THE CRITICAL JUNCTURES OF SOCIAL RIGHTS ACQUISITION	20
4.3 INSTRUMENTAL RESOURCES AND THE EPSR: STATE OF THE ART	24
5. CONCLUSIONS	29
ENDNOTES.....	32
REFERENCES	34
APPENDIX A – A BREAKDOWN OF THE EUROPEAN PILLAR OF SOCIAL RIGHTS	36
APPENDIX B - A LIST OF THE 48 EPSR-RELATED MEASURES ESTABLISHING POWER RESOURCES	48
APPENDIX C – RESOURCE-BASED ANALYSIS OF 17 KEY EPSR-RELATED MEASURES	62

1. Introduction

The objective of this paper is to apply the resource-based conception developed by EUSOCIALCIT to the EPSR and to the actions, measures, and initiatives adopted to implement it since its inception. The conception views social rights as bundles of power resources: normative (broken down in deontic and legal), instrumental and enforcement resources. The availability of such power resources is a necessary condition for a concrete fruition of the content of social rights on the side of individuals. As a first step, we identify the social rights mentioned in the 20 EPSR principle. Then, we map the initiatives adopted since the proclamation of the EPSR in 2017 and identify the power resources they introduce. Our aim is to provide an overview of the advancement of the implementation of the EPSR principles: we do not evaluate the substantial impact of the individual measures, but we limit ourselves to taking stock of the adopted initiatives, in order to gauge the degree of implementation for each of the 20 principles in terms of the power resources they provide.

The paper is structured as follows. In the next section, we present our resource-based approach. Then, in section 3, we use it to analyse the EPSR and its related initiatives. In section 4, we focus on instrumental resources: first, we elaborate a conceptualisation of instrumental resources; then, we identify the instrumental resources established by the EPSR and by the Action Plan and focus on 4 policy areas: work-life balance, minimum income, childcare, access to social policy. Section 5 concludes. The conclusion wraps up and provides a summary evaluation of the state of implementation of each of the 20 principles. The paper also includes 3 appendixes. Appendix A is a breakdown of the EPSR, where we identify the 27 rights established by the 20 principles. Appendix B lists the 48 EPSR-related measures which establish power resources, broken down by EPSR principle, and contains a judgement on the implementation of each principle. Appendix C contains explanatory tables of 17 particularly important EPSR-related measures.

2. EUSOCIALCIT's resource-based conception of social rights

EUSOCIALCIT has developed a new conceptual framework for the analysis of social rights, drawing on both Weberian theory and the well-known tradition of power resources developed by Walter Korpi (1974) and Gøsta Esping-Andersen (1990) for the comparative study of welfare states (Vandenbroucke et al 2021, Ferrera, Corti, Keune forthcoming). According to this conception, social rights must be understood as bundles of individual power resources, which enable right-holders to obtain conformity from public authorities or other individuals and access a pre-defined range of benefits. More specifically, the bundle includes a “tripod” of resources:

- **Normative resources (NR)**, which provide the basis and rationale for claiming benefits. Such resources can be broken down in two categories: 1) deontic resources (DR), i.e., principles which define a “normative” situation”, i.e. a desirable state of affairs which ought to be established in practice by means of individual enablement and 2) legal resources (LR), which specify who (the personal scope) has the guaranteed power to claim a certain benefit (material scope) supplied directly or indirectly by public authority. The guaranteed power is an entitlement backed by the threat of legal constriction. It must be underlined that deontic resources often already contain a general definition of the desired right and thus the entire resource tripod. In this sense, it can be said that deontic resources are “meta-resources”: the outline a programmatic state of affairs endowed with legal, instrumental and enforcement resources – which must however be enacted/created by the pertinent authorities.
- **Instrumental resources (IR)**, that is the means and channels enabling the actual access to benefits. Instrumental resources, which will be further discussed in section 4, include for example the provision of information to make potential beneficiaries aware of their entitlements, of counselling and assistance in benefit applications, or in making complaints. Instrumental resources may take the form of a guaranteed individual power (what is often referred to as procedural right) or the form of collective instruments available to all (e.g., a website, a counselling service).
- **Enforcement resources (ER)**, which provide right holders with the faculty of seeking adjudication in case of dispute, on the side of a public body (typically a Court of justice). Most social rights are accompanied by such “secondary” guarantees.

These three types of power resources are usually created by a public authority by means of deliberation and legislation. Deontic resources typically result from official declarations or proclamations (e.g., the EPSR). A declaratory principle becomes a “programmatic” right (sometimes also called “manifesto” right), which originates a political obligation to promote its enactment. Legal and enforcement resources are created through law-making (in case of the former, sometimes collective bargaining). Legislative provisions may be accompanied by various legal complements, i.e., implementing acts (creating the operative conditions for making use of an entitlement) or delegated acts (for supplementing or refining the basic legislative act). Soft law can also play a role, as it provides

guidelines through non-binding acts that can inform the action of policymakers and the interpretation of legal resources.

Instrumental resources can in their turn result from legislation, under the guise of subjective procedural rights. But they are typically made available – often informally or on a voluntary basis – by public or non-public bodies or organisations (e.g., NGOs or trade unions). Finally, enforcement resources may be specified or implicit in the act establishing a legal right or may be the object of separate acts which specify the judicial procedures and channels for dispute settlements and the application of rules.

Some social rights (e.g., in the sphere of employment) take up the form of regulations, others provide power resources to claim and enjoy certain benefits. The latter must be however materially produced and distributed. Thus, social rights must be matched by corresponding obligations for a given organisation to produce and deliver those benefits. Cash benefits and services are the typical outputs of rights: they result from a production process on the supply side. Output production is typically “mandated” by a political authority (even though it can also be a voluntary process of a non-public organisation, for instance when civil society organisations provide guidance and assistance). Especially in the case of services, the mandate typically rests on some quality criteria about the output, which can be binding or not.

Output production requires the mobilisation of material resources, such as organisational, financial, human, and physical capital. The outputs themselves can be defined as means which the right-holders use to acquire other resources and ultimately reach their final aims. In EUSOCIALCIT’s conception, we keep a distinction between power resources which are inherent in social rights and the material resources which make up the outputs accruing to right-holders. Such material resources can be labelled as “output support”.

Different actors are involved in the establishment and in the provision of power resources. As we have seen, public authorities play a major role: they are the only actors entitled to enact laws. The role of non-state actors, however, should not be overlooked. They can play a role in the provision of instrumental resources, for instance by supplying information and guidance to beneficiaries. In some countries, trade unions play a central role in the provision of social benefits: an example is the so-called Ghent system, adopted by Denmark, Finland, and Sweden (and, to a certain extent, by Belgium), where trade unions are involved in the administration of (state-subsidised) unemployment benefits.

Crucially, different actors can contribute to the establishment and provision of power resources which relate to the same social right. In the case of the right to work-life balance, for instance, a European directive sets a series of standards (which are legal resources) that Member States must respect in their national legislation on parental and carers’ leaves (again, legal resources); Member States, together with trade unions, disseminate information related to parental and carers’ leaves (instrumental resources); finally, Member States must ensure legal protection to workers who apply for leaves (enforcement resources). The production of social rights, then, involves a variety of actors (public and non-public) at various levels (European, national, regional, local, etc.).

The European Union has become increasingly involved in the creation of social rights. We can distinguish three distinct layers of involvement. There is first a layer of EU social rights *stricto sensu*, which results from EU hard law. Even if the transposition of EU directives allows for a degree of

national differentiation, the EU *acquis* in this layer has now become part and parcel of the legal provisions which sustain citizens' security vis-à-vis risks and needs. The second layer includes Europeanized social rights, shaped by the principles, common objectives and targets set by EU soft law. Soft law alone cannot create legal resources; but it can provide deontic resources and thus important components for the definition and assemblage of social rights. In most areas, national social rights have thus acquired a European dimension: they have been linked to the EU's overall normative vision. The third layer of social rights is the strictly national type of rights. Yet, also on this front, the Union plays a certain role. Given the primacy of supranational law (primary and secondary, both monitored by the CJEU), any national social right (whether Dutch, or German or Italian) must be compatible with the EU legal order. In this third sense, it can be said that the EU has set "negative guarantees", a legal perimeter which constrains also the most "intimate" layer of nation-based social rights. Thus, even the basic national layer of social citizenship has become EU law observant.

3. A resource-based reading of the EPSR

EUSOCIALCIT’s resource-based conception can be used as a tool for analysing the internal structure of social rights. In the following, we show how this can be done for the European Pillar of Social Rights (EPSR) and for its related measures. As is well known, the EPSR contains 20 principles, organized in three chapters (equal opportunities and access to the labour market; fair working conditions; social protection and inclusion), aimed at promoting the social dimension of the EU in the aftermath of the Euro crisis. The 20 principles of the EPSR can be regarded as a set of deontic resources. Each of them establishes one or more (programmatic) social right, identifies a domain, the personal and material scopes of the right, and sometimes also includes some general prescriptions defining the criteria that should inform the creation of legal resources.

Some principles include more than one right, thus 27 rights can be identified overall. Table 1 reports the 20 principles, the number of rights they establish, and the number of general prescriptions they contain. We identify as rights the statements where it is explicitly stated that some categories of people are entitled to a right (e.g., ‘everyone has the right’, ‘workers have the right’). We identify as general prescriptions the statements that specify the rationale of a right or express a general encouragement towards certain goals (e.g., ‘The transition towards open-ended forms of employment shall be fostered’, ‘Adequate shelter and services shall be provided to the homeless in order to promote their social inclusion’), but do not establish a right in the strict sense. A breakdown of the rights established by the EPSR detailing the domain the personal and material scopes, the power resources mentioned, and the general prescriptions attached, can be found in the Appendix A.

Table 1. EPSR 20 principles

Chapter	Principle	Number of rights	Number of general prescriptions
Chapter I Equal opportunities and access to the labour market	1) Education, training and life-long learning	1	0
	2) Gender equality	1	1
	3) Equal opportunities	1	1
	4) Active support to employment	3	0
Chapter II Fair working conditions	5) Secure and adaptable employment	1	4
	6) Wages	1	1
	7) Information about employment conditions and protection in case of dismissals	2	0
	8) Social dialogue and involvement of workers	1	2
	9) Work-life balance	1	1

	10) Healthy, safe and well-adapted work environment and data protection	3	0
Chapter III Social protection and inclusion	11) Childcare and support to children	2	0
	12) Social protection	1	0
	13) Unemployment benefits	1	1
	14) Minimum income	1	1
	15) Old age income and pensions	2	1
	16) Health care	1	0
	17) Inclusion of people with disabilities	1	0
	18) Long-term care	1	0
	19) Housing and assistance for the homeless	1	2
	20) Access to essential services	1	1
Total		27	16

For the most part, the principles serve as foundation for legal resources and specify certain categories of people (personal scope) to whom certain benefits should be conferred (material scope). Table 2 reports the personal scope of the rights declared in the EPSR. A relative majority (12) of these rights are addressed at workers; the rest is either addressed at the general public (6) or at some specific categories. Some principles also refer explicitly to instrumental and enforcement resources. Principle 7 declares the right of workers to be informed of their rights and obligations in the workplace, principle 14 states that recipients of minimum income schemes must have effective access to enabling goods and services, and principle 16 recognizes the right to *timely* access to healthcare – all of which relate to instrumental resources. Principle 7 also recognizes to workers the right to access to effective and impartial dispute resolution, to redress, and to compensation, which relates to enforcement resources.

Table 2. Personal scope of the rights established by the EPSR

Category	Number
Children and young people	3
Elderly	1
People with disability	1
Poor or vulnerable people/groups	2
Unemployed	2
Workers	12
Everyone	6

According to our resource-based conception, implementing the principles of the Pillar means to shift from the deontic level to the practical level. Programmatic rights contained in each principle should be enacted through some form of legislation, indicating how the EU and especially the Member States intend to bring the 20 principles to actual fruition, ideally through the production of individualised legal, instrumental and enforcement resources. In 2021, the Commission adopted the EPSR Action Plan, a document that took stock of the state of the art in relation to the 20 principles and outlined a series of concrete actions to proceed with the implementation of the Pillar. It also defines headline targets for the EU to reach by 2030.¹

In the following, we analyse the actions and measures adopted to implement the EPSR from 2017. We based our assessment on two documents: the EPSR Action Plan, whose Annex I lists the key actions of the Commissions to implement the EPSR from 2020 onwards; and the [Staff Working Document](#)² accompanying the Action Plan, which reports the actions from 2017 to the first months of 2021. Overall, we have identified 91 EPSR-related initiatives.³ Not all these measures, however, establish power resources. Some of them take the form of generic plans that do not indicate specific measures, as is the case of the Lisbon Declaration on the European Platform on Combatting Homelessness. Others relate to the areas covered by the EPSR but elaborate more on the output than on the power resources, as in the case of Europe’s Beating Cancer Plan. Some others consist in very specific measures (e.g., the WiFi4EU initiative, related to Principle 20 “Access to essential services”, for the installation of Wi-Fi hotspots in public spaces). In the case of some other measures the social component seems rather marginal. For instance, among the initiatives related to principle 4 (“Active support to employment”), the New Industrial Strategy for Europe is mentioned, generally aimed at the creation of new quality jobs. If we only consider those measures that include the introduction of some power resources, the number decreases from 91 to 48. Of these, 5 are still under discussion.⁴

Table 3. Breakdown of EPSR-related measures by EPSR principle

Principle	Measures	Measures including the introduction of some power resources	Number of rights established by the EPSR
1. Education, training and life-long learning	23	11	1
2. Gender equality	6	2	1
3. Equal opportunities	9	3	1
4. Active support to employment	7	3	3
5. Secure and adaptable employment	7	5	1
6. Wages	1	1	1
7. Information about employment conditions and protection in case of dismissals	1	1	2

8. Social dialogue and involvement of workers	2	1	1
9. Work-life balance	1	1	1
10. Healthy, safe and well-adapted work environment and data protection	3	3	3
11. Childcare and support to children	2	2	2
12. Social protection	3	3	1
13. Unemployment benefits	2	0	1
14. Minimum income	1	1	1
15. Old age income and pensions	2	1	2
16. Health care	7	1	1
17. Inclusion of people with disabilities	8	7	1
18. Long-term care	1	1	1
19. Housing and assistance for the homeless	2	0	1
20. Access to essential services	3	1	1
Total	91	48	27

Table 4. Personal scope of the 48 measures

Category	Number
Children and young people	5
Elderly	1
People with disability	7
Poor or vulnerable people/groups	4
Unemployed	1
Workers	22
Everyone	9

Table 3 breaks down the measures by principle and reports how many of them establish power resources; the table also reports again the number of rights established by each principle. In some cases, the number of measures is higher than the number of rights: this means that the various measures develop different aspects of a same right. When the number of rights and measures is the same, it can either mean that each measure is devoted to each right (as in the case of principle 4), or that some rights have more related measures and others do not have any (as in the case of principle 10). Appendix B lists the measures related to each of the 27 rights established by the EPSR.

Table 4 reports the personal scope of the identified measures. The relative majority of measures are addressed at workers. The principle that counts most initiatives is 1, “Education, training and lifelong learning”, which reflects the effort of the EU in this field in the light of the green and digital transitions: the EU has in fact adopted a series of measures aimed at increasing the skills of European workers, fostering lifelong learning, and facilitating the access to training and education opportunities. The measures devoted to principle 2 “Gender equality” are 2: the EU Action Plan on tackling the gender pay gap and the proposal for a Directive on pay transparency. As regards principle 3 “Equal opportunities”, the measures establishing power resources are 3: the proposal for a Directive on equal treatment irrespective of religion or belief, disability, age or sexual orientation, aimed at fighting discrimination and fostering access to social protection, education, housing, and goods and services; the EU Roma Strategic Framework, a recommendation aimed at fostering the access of Roma people to education, employment, healthcare and social services, and housing and essential services; and a recommendation that establishes some common standards for the national equality bodies, whose task is to fight discrimination. Principle 5 “Secure and adaptable employment” includes 4 measures aimed at safeguarding the rights of various categories of seasonal, platform, transport, and posted workers, and the establishment of the European Labour Authority (ELA), a European agency which brings together a series of European bodies (EURES, the technical committee on the Free Movement of workers, the Committee of Experts on the Posting of Workers, and the European Platform tackling undeclared work) and has a series of tasks related to cross-border work-related issues (see Appendix C for a more detailed table on the ELA). Principle 12 “Social protection” counts 3 dedicated measures: the proposal for a revision of the social security coordination rules; a Recommendation on the access to social protection for workers and the self-employed (which will be discussed in the next section and in Appendix C); and the European Social Security Pass (ESSPASS), a pilot project aimed at ensuring the portability of social entitlements for cross-border workers.

Various principles only count one measure, but the latter can be particularly relevant. This is the case, for instance, of principles 6 “Wages” and 9 “Work-life balance”, where important directives were adopted: for principle 6 a directive on minimum wages, for principle 9 a directive on work-life balance. Power resources have also been established through non-binding acts such as recommendations. This is the case of the Recommendation “A Bridge to Jobs”, which builds on and reinforces the Youth Guarantee (principle 4 “Active support to employment”) or of the Child Guarantee, that prompts Member States to ensure free access to education, healthy nutrition, and adequate housing to children at risk of poverty or social exclusion (principle 11 “Childcare and support to children”). Another interesting non-binding measure is the “Guidelines on collective agreements by solo self-employed people” (principle 8 “Social dialogue and involvement of workers”), which deals with the rights of solo self-employed who work in similar conditions as employees and which reflects the willingness of expanding social rights to atypical workers (like platform workers, the main subjects of the guidelines) regardless of their formal employment status. Principle 7 “Information about employment condition and protection in case of dismissal” enunciates two distinct rights – the right to be informed about rights and obligations resulting from the employment relationship, and to be informed of the reasons and to be granted a reasonable period of notice in case of dismissal; these two rights are both served by a single measure, the Directive on transparent and predictable working conditions.

Further EU action is being discussed in relation to many areas covered by the EPSR – as testified, for instance, by the fact that, after the adoption of the Recommendation on Minimum Income Schemes, the European Parliament called the EU to consider the adoption a directive on the same issue.⁵

However, our analysis shows that some principles remain less developed than others. For example, principle 10 “Healthy, safe and well-adapted work environment and data protection” includes three rights: one related to safety and health protection, one about a fitting working environment, and one about personal data protection. The three measures related to this principle all focus on the first one, leaving out the other two.

Principle 13 “Unemployment benefits” counts three measures. The first is the Recommendation on Access to Social Protection – which covers unemployment benefits, but which we counted as part of principle 12 “Social protection”. The remaining two are the development of a methodology for benchmarking unemployment benefit systems and active labour market policies, which has been used as part of the European Semester since 2018, and a recommendation on the enhanced cooperation between Public Employment Services. Both initiatives are related to unemployment benefits, but do not establish power resources.

Principle 15 “Old age income and pensions” declares two rights: the right to fair pensions and to resources that ensure living in dignity. The Staff Working Document mentions two measures related to this principle. The first is a series of initiatives on demographic change, which hardly establish any power resource. The second is the technical assistance to the Member States for the creation of web portals and pension tracking systems provided by the Commission; this contributes to the establishment of instrumental resources but falls short of giving substance to right to fair pension enunciated by the principle. Moreover, the second right of the principle – the right to resources that ensure living in dignity – seems to be left out. This is especially problematic, considering that pension adequacy is a particularly pressing issue, especially for non-standard workers and the self-employed (see De Becker et al 2023).

The measures relating to principle 16 “Access to healthcare” focus primarily on the pandemic and on extremely specific issues like the strategies on pharmaceuticals or cancer treatment but seem not to establish power resources. The EU also financed some projects to study gaps in access to healthcare and to improve access to healthcare in medical deserts, but these do not establish power resources either. The only measure that (vaguely) relates to instrumental resources is the Communication on the digital transformation of health and care, which mentions the use of digital platform to improve health services. Again, this seems too little for such a fundamental social right as healthcare.

The 7 measures related to principle 17 “Inclusion of people with disabilities” that establish power resources are all focused on the access to goods and services in the market. The other aspects of the right established by the principle – income support, services to participate in the labour market and society, a work environment adapted to the needs of people with disabilities – seem overlooked.

As mentioned above, the main initiative of principle 19 “Housing and assistance for the homeless” is the Lisbon declaration: it launched the European Platform on Combatting Homelessness, which involves EU institutions, governments, municipalities, and civil society organisations with the aim of fighting homelessness, but which establishes no power resources. The Staff Working Document also

mentions the Renovation Wave initiative, which aims at making European buildings environmentally sustainable, but it refers to anti-homelessness policies only marginally.

As regards principle 20 “Access to essential services”, the Recommendation on energy poverty conceives the liberalisation of energy markets and the competition among energy providers as the main tools to tackle energy poverty; the Drinking Water Directive does mandates Member States to “take the necessary measures to improve or maintain access to water intended for human consumption for all, in particular for vulnerable and marginalised groups”, but overall the directive stresses more the quality of the water than the access to it.

Table 5. Power resources established by the EPSR-related measures (by principle)

Principle	Legal	Instrumental	Enforcement
1. Education, training and life-long learning	9	6	0
2. Gender equality	2	1	2
3. Equal opportunities	2	3	1
4. Active support to employment	3	2	0
5. Secure and adaptable employment	4	3	4
6. Wages	1	0	1
7. Information about employment conditions and protection in case of dismissals	1	1	1
8. Social dialogue and involvement of workers	1	0	0
9. Work-life balance	1	1	1
10. Healthy, safe and well-adapted work environment and data protection	3	2	2
11. Childcare and support to children	2	2	0
12. Social protection	2	2	0
13. Unemployment benefits	0	0	0
14. Minimum income	1	1	0
15. Old age income and pensions	0	1	0
16. Health care	0	1	0
17. Inclusion of people with disabilities	5	1	0
18. Long-term care	1	1	0
19. Housing and assistance for the homeless	0	0	0
20. Access to essential services	1	1	0
Total	39	29	12

Table 5 reports the type of resources established by the various initiatives. The majority of them (39) establish legal resources. These are usually standards that Member States must (in the case of binding measures) or are invited to (in the case of non-binding measures) respect when legislating in the relative areas. Several measures (29) contain some reference to instrumental resources, which include the provision of information to (potential) right-holders and the simplification of application and access procedures of the social benefits. Instrumental resources will be discussed more in depth in the next section. Finally, 12 measures include a reference to enforcement resources – legal protection, right to complaint and compensation, and controls and surveillance. The measures that include enforcement resources are those relating to the workplace, where workers must need protection from possible retaliation for asking compliance to their rights. Appendix C contains 17 tables that summarize the main features of the most significant policies related to the EPSR.

Table 6. Types of acts

Type of act	Number
Recommendation	18
Directive	16
Communication	4
Regulation	4
Other	6
Total	48

Table 6 reports the types of acts through which measures have been enacted. The relative majority (18) consists in (non-binding) recommendations, 9 of which cover principle 1 “Education, training and life-long learning”,⁶ 2 measures cover principles 3 “Equal opportunities”,⁷ 4 “Active support to employment”,⁸ and 11 “Childcare and support to children”,⁹ and 1 measure cover principles 12 “Social protection”,¹⁰ 14 “Minimum income”,¹¹ and 18 “Long-term care”.¹²

Of the 16 directives, 10 regard work-related issues,¹³ whereas the other 6 regard the accessibility of goods and services for people with disabilities.¹⁴ As regards the 4 communications, 2 of them consist in general plans related to, respectively, the digital transformation of healthcare¹⁵ and the gender pay gap;¹⁶ the other 2 refer to the protection of seasonal¹⁷ and platform workers.¹⁸ The 4 regulations include the regulation of the European Globalisation Adjustment Fund (aimed at displaced workers), the establishment of the European Labour Authority, the proposed revision of the social security coordination rules, and a regulation establishing new social rules governing the internal road transport market of the European Union.

Finally, the 6 measures labelled as “Other” in table 6 include two web portals for finding job and training offers (Europass and the Digital Skills and Jobs Platform), the support to Member States for the creation of pension tracking systems provided by the Commission through the Technical Support Instrument, and two pilot projects – ESSPASS and the EU Disability Card – aimed at assessing the feasibility of EU-wide tools to access social benefits. ESSPASS is a pilot project aimed at ensuring the portability of social protection entitlements for workers who work in another EU country. EU Disability

Card is a pilot project that allowed people with disability visiting another EU country to access the same benefits as nationals. The sixth measure is the announced Framework for social services of excellence for people with disabilities – which has not been presented yet.

4. A focus on instrumental resources

Let us now try to pin down more clearly the nature and types of instrumental resources. These are a variegated set of tools which make social benefits and services accessible to right holders. Even though “accessibility” is often mentioned alongside adequacy and affordability, instrumental resources tend to be overlooked by welfare research and policy debates. Given the novelty of this concept, an articulated typology has not been elaborated yet. In the following, we will bring under a common perspective a series of issues, raised in the literature on welfare and in policy debates, which are closely related to instrumental resources. Our aim is to elaborate a conceptualisation of instrumental resources that can be useful both for research and policy purposes. Then, we will discuss the instrumental resources that we have identified and focus on four policy areas: work-life balance, minimum income, childcare, and access to social protection.

4.1 Towards a conceptualization of instrumental resources

A first strand of literature that deals with issues strictly connected to instrumental resources is that on the non-take up of social benefits, which is recognised as a major weakness of the welfare systems of high-income countries and severely impairs the effectiveness of social policies. The literature generally identifies four main, interlinked roots of non-take-up: 1) the design of benefit schemes, often complex, unstable, or with stigmatising conditionality attached; 2) burdensome administrative procedures to access the benefits; 3) individual factors, like the unawareness of the benefit or of entitlement; 4) societal factors, like the stigma connected to the reception of the benefit (see, in this sense, the seminal work of Van Oorschot 1991. See also Goedemé and Janssens 2020, Ko and Moffit 2022, Holler and Benish 2022. For a discussion of non-take up in Europe, see Eurofound 2015). The concept of instrumental resource connects with the issues pointed out by the literature on non-take-up – namely, with the first three elements mentioned above. Reflecting on instrumental resources allows to reason on the possible ways to overcome the problem of non-take-up and to make social policies more effective.

Also the literature on social innovation provides useful insights for conceptualising instrumental resources. Social innovation stresses the importance of providing innovative and effective social policies in the light of new social risks and vulnerabilities (see for instance Moulaert et al 2014, Satalkina and Steiner 2022). This includes organisational methods that facilitate the access to social benefits and the involvement of various actors (public and non-public – see Ferrera and Maino 2014) at different levels so as to better reach out (potential) beneficiaries – what Madama et al. (2019) call *process innovation*. These themes are also the focus of the literature on street-level bureaucracy, which deals with the practices and dynamics of the ‘last mile’ of policy delivery (see for instance Brodtkin 2012, 2021).

These concerns are not limited to academic research. Their increasing relevance in policy debates is reflected in the wording of official documents, which stress the importance not only of recognising certain rights and benefits, but also to ensuring effective access to them. A particularly elaborated

reflection on this issue comes from the 2019 Recommendation on access to social protection. The recommendation aims at ensuring that all workers (employees and self-employed) have access to social protection schemes in six policy areas.¹⁹ It identifies 4 dimensions related to the effective access to social benefits:

1. **Formal coverage** – the formal recognition of social entitlements to certain categories of workers.
2. **Effective coverage** – the rules, criteria, and requirements that determine the ability of formally entitled workers to accrue and access the benefits.
3. **Adequacy** – which relates to the ability of the benefits to provide for adequate income support.
4. **Transparency** – this dimension consists of two categories: 1) “access to information”, which includes the provision of information and guidance to right-holders and the organisation of outreach and awareness-raising activities; and 2) “simplification”, which include the simplification of application procedures, of social protection schemes, and of the public administration.

Formal coverage and adequacy cover, respectively, the personal and material scope of the social benefits; thus, they are related to legal resources. Also effective coverage relates to legal resources, as it deals with the rules and criteria to access social benefits, which are part of the material scope of the social schemes. The category of transparency, instead, is fully compatible with the concept of instrumental resources, as it focuses on the means and channels through which right-holders can access the benefits.

4.2 The critical junctures of social rights acquisition

The concept of instrumental resources, then, can serve to bring under a common perspective a series of issues already present in welfare research and policy debates. Drawing on the above, it is possible to 1) identify the main junctures in the path leading to the actual encounter between right-holders and the outputs to which they are entitled and 2) to identify the instrumental resources which are most likely to support right-holders to successfully complete such path.

4.2.1 Juncture 1: becoming aware of the right

The first and obvious juncture is, of course, being/becoming aware of the right itself and its details regarding access. Knowledge is key in this phase; thus, power resources should be available for accessing clear, user-friendly information about rights and obligations relating to social protection. We can distinguish two kinds of instrumental resources at this juncture. The first is the provision of clear, updated, and user-friendly information. Information can be either general (i.e., aimed at the general public) or personalized (i.e., relating to the personal situation of the claimant). The second is the organization of outreach initiatives to raise awareness on social entitlements. These initiatives can be aimed at the general public, a specific group of people (e.g., vulnerable people or minorities), or to people at specific moments of their lives (e.g., when they become parents or when they reach retirement age). Information and outreach activities can be supplied either by public authorities

(national, regional, local) or by non-public actors (e.g., trade unions, Civil Society Organisations), through different channels: websites, contact points, mail, or more informal channels. These instrumental resources are often prescribed by the law (which mandates public offices to provide information in due time) but can also be supplied voluntarily by the different actors. Sometimes, public authorities are prompted to involve civil society organisations to better reach out potential beneficiaries of social policies.

Information is particularly important as the increasing complexity of schemes and rules and the transitions between different employment status and contracts forms tend to inhibit the possibility of taking informed decisions. Survey evidence does in fact show that a significant proportion of the population, especially among the self-employed and non-standard workers, is unaware of their social security entitlements coverage (up to 20% for some categories)²⁰. Comparative qualitative data show that generic information is available in all but five Member States. The effectiveness of information depends on the degree of specificity, the frequency at which it is available, and on the fact whether individuals need to take action to obtain the information. Personalised information, including through online simulation tools, is only available in about half of the Member States.

The domain in which more progress has been made in terms of personalised information is that of pensions. All Member States have put in place legislation granting the right to information about pension rules and, increasingly, the state of individual entitlements (an emblematic example of an instrumental resource under the guise of a procedural right). Some Member States pro-actively circulate annual pension statements. In most Member States, socially insured persons are entitled to individual information about the prospective pension amount. EU legislation on occupational pensions provides that both current and former scheme members have the right to information about the value and treatment of their rights, but many right holders still struggle to identify the pension fund associated with a former job, let alone keep track of their entitlements. Some Member States have set up pension tracking services, online platforms giving users one-stop access to information about their various pension rights (see Spasova et al 2023, p. 31).

4.2.2 Juncture 2: claim making

The second critical juncture in the access process is claim-making. Obstacles may be related to the supply side: complex procedures, paperwork burdens, demeaning practices (especially for means-tested benefits) absence of online channels and so on. Or they may be related to the demand side: low or insufficient skills for completing applications, making appointments, physically reaching service facilities and so on. Here we can distinguish three kinds of instrumental resources.

The first relates to application procedures. Ideally, the most effective is the automatic granting of rights and benefits. When this is not viable, simplified procedures accessible online, as well as the availability of user-friendly contact points represent valuable instrumental resources.

The second kind regards the simplification of the organizational framework and administrative management of social benefits. This includes, for instance, the streamlining of the databases of the public institutions, so to allow them to work according to the “once only” principle, whereby citizens are not requested to submit again personal information they have already submitted previously (for

instance, when applying for another social benefit). It also includes the availability of one-stop contact points and platforms, where citizens can easily access a variety of services and schemes.

Finally, the third kind regards the means and channels through which right-holders can receive personalised guidance or counselling when applying to or accessing social benefits or schemes. This includes, for instance, assistance in the application for social benefits, or assistance in finding vocational training or job opportunities. For their nature, the first two types of instrumental resources must necessarily be provided by public authorities. As regards the third type, it can be provided both by public authorities and by non-public actors.

4.2.3 Juncture 3: acquisition of the benefit

The third critical juncture is the actual acquisition of the benefit, in line with legal prescriptions. Also at this stage, some instrumental resources can be identified. The first regards the accessibility of the benefit or service itself: it relates to all tools and channels that simplify the fruition of a right. This category includes the measures that ensure the portability of social entitlements, for instance when changing employment status (e.g., when an employee becomes self-employed) or country (as in the case of ESSPASS), or the creation of individual accounts (as in the case of the Initiative on individual learning accounts) or cards (for instance, the EU Disability Card).

Other instrumental resources that may help at this stage were already discussed in the previous juncture: those related to the simplification of the public administration of social benefits; and the availability of channels to receive personalised guidance or counselling.

4.2.4 Juncture 4: problems and non-compliance

The last juncture is represented by the possible emergence of problems in the access of the social rights. For instance, administrative problems may arise, or providers of benefits may not comply. In these situations, a first kind of instrumental resource takes the form of problem solving and mediation. An example is SOLVIT, a network of national offices where EU citizens working in another Member State can submit their case if conflict of competences between the two countries arise and obtain assistance without the need to address a court. Another kind of instrumental resource is the provision of assistance in case of non-compliance by the provider. In this case it is important to have tools and channels to fall back on in order to complain (as a first step towards possible judicial action), e.g., through an ombudsman, a user organisation or board and so on. These instrumental resources can be supplied by various actors. At the European level, apart from SOLVIT, we can mention the European Ombudsman (which provides assistance in case of administrative irregularities) and the European Labour Authority (which deals with cross-border irregularities related to the workplace); at the national level – but also regulated at the European level – we can mention the equality bodies, which provide assistance in case of unfair discrimination also related to social policies. Trade unions and civil society organisations may also supply this kind of resources.

4.2.5 A (provisional) taxonomy of instrumental resources

Above, we have discussed the instrumental resources that may intervene in the different junctures of the path towards the acquisition of social rights. A last kind of instrumental resource, which cuts across the four junctures, remains to be discussed: the consultation and involvement of social stakeholders and the dialogue with social partners (e.g., civil society organisations, trade unions). Non-public actors are increasingly becoming involved in the provision of social benefits. The availability of networks of social organisations that inform right-holders of their entitlements, that assist them in applying for the benefits and in solving problems, and that also cooperate in the provision of the benefits (as in the case of the civil society organisations that deliver food assistance in the context of the FEAD), can represent instrumental resources to access social rights.²¹

Based on this, table 7 presents a provisional taxonomy of instrumental resources and provides some examples for each of them.

Table 7. A taxonomy of instrumental resources

Juncture 1 <i>Awareness of social right</i>	Juncture 2 <i>Claim-making</i>	Juncture 3 <i>Accessing the right</i>	Juncture 4 <i>Problems</i>
<p>Information</p> <p>Web portals Websites</p> <p>Outreach and awareness-raising</p> <p>Generalised or targeted awareness-raising campaigns</p> <p>Targeted communication in specific moments of life</p>	<p>Application procedures</p> <p>Automatic granting of rights/benefits</p> <p>Online applications</p> <p>Front offices</p>	<p>Accessibility of rights</p> <p>Portability of social entitlements</p> <p>Personal accounts</p> <p>Cards</p>	<p>Problem solving</p> <p>Mediation in case of conflicts of competence by public authority</p> <p>Assistance to access justice</p> <p>Mediation in case of non-compliance</p> <p>Acting on behalf of right-holders</p>
<p>Accessibility of public administration</p> <p>“Once only” principle</p> <p>One-stop contact points and platforms</p> <p>Guidance and counselling</p> <p>Assistance in applying for social benefits</p> <p>Assistance in finding training or job opportunities</p>			
<p>Involvement, consultation, social dialogue</p> <p>Involvement of civil society organisations and trade union for information, outreach, assistance, or delivery of social benefits</p>			

4.3 Instrumental resources and the EPSR: state of the art

Based on our conceptualization of instrumental resources, we now – first – discuss the instrumental resources which we have identified and focus on some relevant policy areas. Table 8 reports the instrumental resources we have identified in the 48 measures. The table shows that 16 measures explicitly include the provision of information to right-holders, while 6 mention outreach and awareness-raising initiatives. 8 measures include some reference to the accessibility of the benefit. These are usually generic calls to granting accessibility and do not necessarily indicate specific measures to adopt, thus leaving the Member States free to choose their strategy. In 4 cases, the measures explicitly mention the application procedures. The 3 references to guidance and counselling are contained in measures devoted to the inclusion into the labour market:²² beneficiaries of such schemes must receive personalised assistance to find proper training opportunities and job offers (which include, for instance, assistance in drafting a cv). Finally, 6 measures explicitly mention some kind of involvement of non-public organisations (including civil society organisations, trade unions, or workers’ representatives). Two of them are addressed at workers (the proposed directive on pay transparency and the Carcinogens and Mutagens Directive); the other four cover areas related to the new social risks: they are the Recommendation on access to affordable high-quality long-term care, the EU Roma Strategic Framework, the Recommendation on the integration of the long-term unemployed, the proposed Directive on improving working conditions in platform work.

Table 8. Instrumental resources identified in the 48 measures

Instrumental resource	Number
Information	16
Outreach and awareness-raising	6
Application procedures	4
Accessibility of the benefit	8
Accessibility of public administration	3
Guidance or counselling	3
Assistance in case of non-compliance	3
Involvement, consultation, social dialogue	6

We now focus on four policy areas where non-take-up is particularly relevant: work-life balance, minimum income, childcare, and access to social protection. We have identified instrumental resources in these areas based on secondary literature and on the reading of the most relevant European acts. According to a study of Eurofound (2015) which addresses the non-take-up of monetary social benefits, the magnitude of non-take-up of minimum income schemes ranges between 33% and 76%. As regards work-life balance, another study (Eurofound 2019) concludes that “data on parental leave suggest that this benefit is not yet fully exploited”. This is especially true for paternity leaves: despite the progress made in several countries the burden of parenting falls first and foremost on women. Eurofound suggests that this is due to issues related to the design of the parental leave

schemes (e.g., short periods of paternity leaves, lower levels of compensation of parental leaves, eligibility criteria) – so to the legal resources, as they relate to the *who* and to the *what* of the social benefit – and to social stigma, empirical research suggests that instrumental resources like availability of information and easily accessible administrative procedures can foster the take up of these benefits (de la Porte et al. 2022).

4.3.1 Work-life balance

Principle 9 of the European Pillar of Social Rights regards work-life balance. It recognizes to parents and people with caring responsibilities the right to suitable leave, flexible working arrangements, and access to care services; moreover, it encourages women and men to use their leaves in a balanced way. The major EU initiative on work-life balance is the 2019 [Directive on work-life Balance for parents and carers](#). The Directive establishes legal resources in favour of workers who are parents or carers by setting minimum criteria for parental, paternity, and carer leaves, for flexible working agreements, and for payment during parental or carers' leave. It also establishes enforcement resources, prompting Member States to ensure that workers who are discriminated or dismissed because they applied for or have taken leave have access to a court or a competent authority.

As regards instrumental resources, the Directive prompts Member States to disseminate information about the rights covered by the Directive. A recent EUSOCIALCIT study on the potential of the Work-life Balance Directive (de la Porte et al. 2022) analysed the work-life regulations in six European countries (Denmark, Poland, Netherlands, Germany, France, Spain) prior to the adoption of the directive. In particular, the study focuses on three kinds of instrumental resources: easily accessible (digital) application procedures; information targeted at workers (also through union representatives or HR departments); targeted information campaigns. The study highlights a difference in commitment to instrumental resources by the six countries. Denmark has made a digital tool available to parents to plan leave, whereas in other countries administrative procedures are more complex, with separate applications for the right to leave and the compensation. This complexity makes the provision of information crucial. In Denmark and the Netherlands, information campaigns targeted at fathers in sectors with lower proportions of paternity leave are planned but are organized by stakeholder representatives and there is no generalised strategy.

4.3.2 Minimum income

Principle 14 of the European Pillar of Social Rights recognises to everyone in need the right to adequate minimum income benefits and effective access to enabling goods and services. The main EU initiative in this domain is the [Recommendation on adequate minimum income ensuring active inclusion](#), adopted by the Council in January 2023. The recommendation creates legal resources by establishing a series of criteria and aims for minimum income schemes addressed to people lacking sufficient resources. In particular, minimum income schemes must:

- ensure adequate income support;
- have eligibility criteria so to cover all people lacking sufficient resources;
- foster the integration in the labour market of those capable of working;

- ensure access to enabling and essential services;
- provide individualised support.

As regards instrumental resources, the recommendation suggests a series of measures aimed at countering the phenomenon of non-take up which characterizes minimum income schemes. In particular, the recommendation suggests to:

- reduce the administrative burden (simplification of application procedures, introducing step-by-step guidance, ensuring availability of digital and non-digital tools);
- provide user-friendly, free of charge, updated information on rights and obligations;

proactive outreach of possible beneficiaries through the involvement of relevant stakeholders.

4.3.3 Childcare

Principle 11 of the European Pillar of Social Rights recognises to children the right to affordable early childhood education and care of good quality, and to protection from poverty; it also recognises to children from disadvantaged backgrounds the right to specific measures to enhance equal opportunities. A major EU initiative in this domain is the recommendation establishing a [European Child Guarantee](#). The recommendation is aimed at children under 18 at risk of poverty or social exclusion and urges Member States to provide:

- effective and free access to high quality early childhood education and care;
- effective and free access to education and school-based activities;
- effective and free access to at least 1 healthy meal on each school day;
- effective and free healthcare;
- effective access to adequate housing.

As regards instrumental resources, the prescriptions are generic. The recommendation stresses the concepts of “effective and free access” and of “effective access”, which entails that potential users must be made aware of the existence of the benefits and of their entitlement to them. The recommendation also prompts Member States to develop effective outreach measures at the regional and local level through the involvement of educational institutions, social workers, family-support services, civil society, and social economy organisations, with the aim of raising awareness and facilitating the take-up of the services.

The Recommendation on the Child Guarantee requires the Member States to submit national Action Plans for the implementation of the Child Guarantee; however, only 19 have submitted a plan. UNICEF and Eurochild monitor the implementation of the recommendation and publishes periodic updates on their website.

When implementing the Child Guarantee, the Member States should also take into account another recent initiative on early childhood care and education, the [recommendation](#) revising the Barcelona targets for 2030.²³ The recommendation prompts Member States to provide a series of instrumental resources: information and awareness raising; effective accessibility of education and care;

administrative support for enrolment; ‘impartial and accessible complaints procedures for reporting issues or incidents to the competent authorities’.

4.3.4 Access to social protection

Principle 12 of the European Pillar of Social Rights recognises to workers and self-employed under comparable conditions – regardless of the type and duration of their employment relationship – the right to adequate social protection. The main European initiative in this domain is the [Recommendation on access to social protection and the self-employed](#). The recommendation is addressed to workers and the self-employed and covers unemployment benefits, sickness and healthcare benefits, equivalent paternity benefits, invalidity benefits, old-age and survivors’ benefits, and benefits in respect of accidents at work and occupational diseases. The background of the recommendation is that welfare systems are still designed for standard workers and consequently large part of atypical workforce are not sufficiently covered by social protection. This is especially problematic, as atypical workers tend to be more likely to be in need of social protection.

As mentioned above, the Recommendation identifies four dimensions involved in the access of workers to social protection: formal coverage (i.e., the formal entitlement of some categories of workers to the social benefits), effective coverage (which relates to the rules and criteria whereby formal right-holders can accrue and access the benefits), adequacy, and transparency (i.e., the provision of information and the availability of simple procedures). Instrumental resources relate to this latter dimension. The recommendation urges Member States to ensure the preservation and transferability of entitlements; to provide updated, comprehensive, accessible, user friendly, and clearly understandable information on individual entitlements and obligations; to simplify the administrative requirements of social protection schemes.

Two reports – [one from the Commission](#) and one from the ESPN (Špasova et al 2023) – give a mixed picture as regards the focus and the level of ambition of the Member States in the implementation of the recommendation. The policies most frequently covered are pensions, unemployment, and sickness. According to the reports, the Member States focused mainly on the dimension of formal coverage. Consequently, most reforms regarded formal coverage, focusing on extending social protection for the self-employed. There also have been positive developments regarding effective coverage. However, the reports also mention a series of good practices of the Member States regarding transparency. As regards information, the reports mention the digital provision of general and personalised information through one-stop general government portals (where citizens can find comprehensive information on a wide range of political and social rights), one-stop portals devoted only to social security, and portals for each single social security branch; they also mention the availability of physical venues where citizens can access information in person from so-called navigators. The reports also mention awareness-raising initiatives, both general and specific to the six policy branches covered by the recommendation. As regards the application procedures, the reports mention the “only once” principle, whereby information is asked only once when the citizen applies for a certain benefit and then re-used when they apply for other schemes, and the automatic granting of social benefits; where automatic granting is not viable, the reports mention the digitalisation of application procedures. Finally, as regards the simplification of the structures of social protection administration, the reports mention the interoperability of digital platforms and databases, citing the

best practice of the Belgian “Crossroads Bank”, a database used to organise information exchange between the various actors – public and private – involved in welfare schemes.

5. Conclusions

In this paper, we used EUSOCIALCIT's resource-based approach to social rights to analyse the EPSR and the actions, measures, and initiatives adopted to implement it. Our aim was to illustrate how our conception can be useful for capturing the multidimensional nature of social rights, identify existing gaps and thus priorities for improvement and development.

The 20 principles of the EPSR establish 27 social rights. The principles serve mainly as bases for legal resources: they identify a series of benefits (material scope) that must be granted to certain categories of people (personal scope). Less space is given to instrumental and enforcement resources. While it is understandable that a document such as the EPSR focuses more on legal than on instrumental and enforcement resources, it must be highlighted that the EU could play a crucial role in promoting instrumental resources to make social rights accessible. This could be done through different channels: by directly providing them (as in the case of the European Ombudsman or of web portals such as EURES) or funding Member States for their creation; by nudging Member States into creating them through binding or non-binding acts; by spreading good practices.

We have identified 91 measures related to the EPSR since its proclamation. Of these, only 48 have established power resources. We try now to assess the degree of implementation of the EPSR principles. Our judgement is based on three criteria: 1) on whether all of the rights declared in each principle are covered at least by one measure establishing power resources; 2) on the relevance of the measures to the objectives of the right (i.e., whether the measures address a central or marginal aspect of the right); 3) on the existing *acquis* (i.e., the set of measures adopted before the EPSR). If all rights are covered by at least a measure and the measure addresses central aspects of the right, we argue that the principle has been adequately implemented. If not all rights are covered by a measure, or if the measures address marginal aspects of the rights, but a set of relevant measures existed prior to the adoption of the EPSR, we argue that the implementation was limited. If we could not find measures establishing power resources for all rights, or the measures addressed only marginal aspects of the right, and the *acquis* for that policy domain is poor, we argue that the implementation is insufficient. The aim of this assessment is to give an overview of the advancements and the weaknesses in the implementation of the EPSR so far and to point out possible developments in the future. Table 9 summarizes our conclusions on the implementation of the EPSR. In Appendix B, we explain our judgement for each principle and list the measures related to each principle.

Our analysis gives a mixed picture of the implementation of the EPSR. In the case of principles 1, 2, 3, 4, 5, 6, 9, 11, and 18, the measures adopted (and those that have been proposed) seem congruent with the rights and general prescriptions stated in the EPSR. The same cannot be said for the other principles. In the case of principles 7, 8, 10, 12, 14, and 17, we observe a limited implementation of the EPSR: the measures implement only partially the EPSR rights and general prescriptions. In the case of the remaining principles – 13, 15, 16, 19, 20 – there has been barely any advancement. The picture of the implementation of the EPSR becomes clearer if we consider the principles not by themselves but grouped in the three chapters. In the case of the first chapter, 'Equal opportunities and access to the labour market', all 4 principles (1-4) have been adequately implemented. In the case of the second

chapter, ‘Fair working conditions’, half (5, 6, 9) have been implemented adequately and half (7, 8, 10) limitedly. These two chapters deal with policy areas – employment, vocational education and training, and equal opportunities – which have long been the subject of EU action and for which a strong *acquis* exists. The same cannot be said about the third chapter, ‘Social protection and inclusion’. Here, only 2 principles (11 and 8) have been adequately implemented, and 3 (12, 14, 17) have been limitedly implemented; the other 5 (13, 15, 16, 19, 20), instead, have been insufficiently implemented. This chapter includes policy areas where the previous *acquis* is poorer and the limits to EU law are stronger. The measures adopted for the principles of this chapter are less numerous and tend to be of non-binding nature. Against this backdrop, it is possible to argue that the chapter ‘Social protection and inclusion’ represents the weak spot of the EPSR and must be strengthened.

Table 9. Advancement of the implementation of the EPSR

Judgment	Principles
Adequate implementation	1) Education, training and life-long learning 2) Gender equality 3) Equal opportunities 4) Active support to employment 5) Secure and adaptable employment 6) Wages 9) Work-life balance 11) Childcare and support to children 18) Long-term care
Limited implementation	7) Information about employment conditions and protection in case of dismissals 8) Social dialogue and involvement of workers 10) Healthy, safe and well-adapted work environment and data protection 12) Social protection 14) Minimum income 17) Inclusion of people with disabilities
Insufficient implementation	13) Unemployment benefits 15) Old age income and pensions 16) Health care 19) Housing and assistance for the homeless 20) Access to essential services

Our intent was to map the initiatives related to the EPSR since 2017 and to offer an overview of the advancements made for each of the principles. This leaves open to future research a series of questions. First, we did not assess the substantial impact of the single initiatives: the fact that a series

of actions were undertaken to implement a certain principle does not entail that they achieved their objective. A perfect example is the Recommendation on the access to social protection: the recommendation is at the forefront of the debate of the accessibility of social rights, but its nature of non-binding act might limit its impact. Nonetheless, our resource-based mapping of the EPSR-related initiatives remains a useful exercise in that it helps understanding whether they are fit to ensure that the social rights contained in the EPSR can be made accessible to EU citizens. Second, we focused on the advancements that have been made in a series of areas; however, the *lack* of advancement in other areas is just as important. Consider, for instance, two pillars of the welfare state: pensions (principle 15) and health care (16). The lack of any substantial step forward is particularly problematic, especially considering how the austerity-oriented EU fiscal rules affect these areas. The lack of advancements in many principles of the third chapter of the EPSR – ‘Social protection and inclusion’ – is also problematic for the achievement of the goals set out in the EPSR Action Plan. As stressed by Akarçeşme et al (2023), empirical evidence suggests that employment and equal opportunities policies (covered by chapters 1 and 2 of the EPSR) do not entail progress on poverty and social inclusion which, rather, need stronger social protection policies – that is the policies where the EPSR seems weaker.

Finally, we have focused on instrumental resources. This concept includes all means and channels through which social rights are made accessible to the public. This issue is dealt with in European documents under the concept of transparency. In this respect two observations must be made. First, the concept of instrumental resources is more comprehensive than that of transparency. The latter includes the provision of information and the availability of simple procedures to apply for or to access the benefit and to deal with the public administration. Instrumental resources include not only information and procedures, but also problem solving, assistance to access justice in case of non-compliance, and the availability of formal and informal networks that assist right-holders. Second, the theme of accessibility to social rights remains relatively underdeveloped. The type of instrumental resources mentioned most times is information; further action to promote other types of instrumental resources, such as those related to procedures, is advisable. In this sense, the idea of dedicating a recommendation or a directive to transparency, which is currently being debated (see De Becker et al 2023), is to be judged positively.

Endnotes

¹ The targets, to be achieved by 2030, are: 78% of employment rate of the population between 20 and 64; 60% of adult population participating in training every year; a reduction of 15 million in the number of people at risk of poverty or social exclusion.

² SWD/2021/46 final.

³ We attributed each action to a single EPSR principle. Consider that sometimes the Staff Working Document relates the same initiatives to more than one principle; in these cases, to avoid duplication, we attributed the measure to only one principle, based on which we judged the most appropriate.

⁴ They are the Directive on Pay transparency; the Equal treatment directive; the Directive on improving working conditions in platform work; the revision of the regulation on social security coordination rules; the Framework for social services of excellence for people with disabilities.

⁵ See the [European Parliament Resolution on adequate minimum income ensuring active inclusion](#), adopted on 15 March 2023.

⁶ They are: the Initiative on individual learning accounts; Upskilling Pathways; the Approach to micro credentials; European Framework for Quality and Effective Apprenticeships; the Recommendation on Vocational Education and Training; Key competences for lifelong learning; the Recommendation on promoting automatic mutual recognition of higher education and upper secondary education and training qualifications and the outcomes of learning periods abroad; the Recommendation on comprehensive approach to the teaching and learning of languages; Pathways to School Success.

⁷ They are the Recommendation on standards for equality bodies, and the EU Roma Strategic Framework.

⁸ They are the Recommendation on integration of the long-term unemployed in the labour market and the Recommendation A bridge to Jobs – Reinforcing the Youth Guarantee.

⁹ They are the European Child Guarantee and the Quality framework for early childhood education and care.

¹⁰ Recommendation on access to social protection for workers and the self-employed.

¹¹ The proposed Recommendation on adequate minimum income ensuring active inclusion.

¹² The Recommendation on the access to affordable high-quality long-term care.

¹³ They are: the EU Strategic Framework on Health and Safety at Work; the revised Carcinogens and Mutagens Directive; the revised Biological Agents Directive; the proposed Directive on pay transparency; the proposed Equal treatment directive; the Directive on the posting of workers; the Directive on adequate minimum wages in the European Union; the proposed directive on improving working conditions in platform work; the Directive on Transparent and Predictable Working Conditions; the Directive on Work-Life Balance.

¹⁴ They are: the European Accessibility Act; the European Electronic Communications Code; the Web Accessibility Directive; the Audiovisual Media Services Directive; the Marrakesh Directive.

¹⁵ [Communication on enabling the digital transformation of health and care in the Digital Single Market](#).

¹⁶ EU Action Plan on tackling the gender pay gap.

¹⁷ [Guidelines on seasonal workers in the EU in the context of the COVID-19 outbreak](#).

¹⁸ [Guidelines on collective agreements by solo self-employed people](#).

¹⁹ They are: unemployment benefits; sickness and healthcare benefits; parental benefits; invalidity benefits; old age and survivors' benefits; benefits in respect of accidents at work and occupational diseases.

²⁰ Percentages are higher among people which are not in standard employment. Maternity benefits seems to be the ones for which people are more aware despite the status and the type of employment. Invalidity and accidents at work and occupational injuries benefits seem to be the most problematic schemes in terms of transparency for non-standard workers, followed by old age pensions' rights and unemployment benefits. 15% of temporary full-time workers are not aware of whether they have coverage regarding sickness benefits, while the percentage is lower in case of part-time (both open-ended and temporary). 16% of temporary part-time also seems unaware of whether they have coverage with respect to unemployment benefits (while the share both for open-ended part-time and temporary full-time workers is 13%). Awareness concerning coverage regarding accidents at works and occupational injuries, and invalidity benefits is scarce also among the self-employed (21% for the self-employed without employees and 18% for the entrepreneurs are not aware of their entitlements). The share of those declaring to be unaware of whether they are entitled to old-age pensions is also high in the case of self-employed: 19% for the self-employed without employees and 17% for the entrepreneurs. Lack of awareness is also detected concerning unemployment benefits.

²¹ In a study by EUSOCIALCIT, for instance, trade union density is used as a proxy for the availability of instrumental resources. See Burgoon (2022).

²² The measures are: Upskilling Pathways, a recommendation that aims at providing low-skilled workers with a minimum level of competences; the Recommendation on the integration of the long-term unemployed into the labour market; the recommendation 'A Bridge to Jobs – Reinforcing the Youth Guarantee'.

²³ The Barcelona targets are a set of targets on childcare, aimed at increasing female labour-market participation. For 2030, the new Barcelona targets are: 1) 45% of children below the age of three participate in early childhood education and care; 2) 96% of children between the age of three and the starting age of compulsory primary education should participate in early childhood care and education. This recommendation was not included in the EPSR nor in the Action Plan, so we did not include it in our analysis.

References

- Akarçeşme, S., Aranguiz, A., Lemmens, A., Cantillon, B. (2023). Reaching the European social targets: the need for better-balanced Power Resources. EUSOCIALCIT Working Paper, May 2023.
- Brodkin, E. Z. (2012). Reflections on street-level bureaucracy: Past, present, and future, *Public Administration Review*, 72, 6, 940-949.
- Brodkin, E. Z. (2021). Street-Level Organizations at the Front Lines of Crises, *Journal of Comparative Policy Analysis: Research and Practice*, 23, 1, 16-29.
- Burgoon, B. (2022). Employment-related Social Citizenship and Its Resource-based Underpinnings: An Assessment of Country-year Data, EUSOCIALCIT Working Paper, July 2022.
- De Becker, E., Schoukens, P., Spasova, S., Haapanala, H., Marengo, M. (2023). Improving Access to Social Protection in the European Union: a proposal for further action: Paper providing expertise to the future Belgian Presidency of the Council of the European Union (January - June 2024).
- de la Porte, C. et al. (2022). Strengthening European social rights through the work-life balance directive? EUSOCIALCIT Working Paper, December 2022.
- Esping-Andersen, G. (1990). *The Three Worlds of Welfare Capitalism*, Cambridge: Cambridge University Press.
- Eurofound (2015). *Access to social benefits: Reducing non-take-up*, Publications Office of the European Union, Luxembourg.
- Eurofound (2019). *Parental and paternity leave – Uptake by fathers*, Publications Office of the European Union, Luxembourg.
- Ferrera, M., Corti, F., Keune, M. (Forthcoming). Social citizenship as a marble cake_ the changing pattern of right production and the role of the EU, *Journal of European Social Policy*.
- Ferrera, M., Maino, F. (2014). *Social Innovation Beyond the State. Italy's Second Welfare in a European Perspective*, 2WEL Working Paper Series, 2/2014, Turin: Luigi Einaudi Research and Documentation Centre.
- Goedemé, T., Janssens, J. (2020). The concept and measurement of non-take-up. An overview, with a focus on the non-take-up of social benefits, Deliverable 9.2, Leuven, InGRID-2 project 730998 – H2020.
- Holler, R., Benish, A. (2022). Into the Promised Land: Modelling the Role of Take-Up Agents in Realising Welfare Rights, *Social Policy and Society*, 21, 2, 157-171.
- Ko, W., Moffitt, R. A., (2022 forthcoming). Take-up of Social Benefits, NBER Working Paper Series 30148.
- Korpi, W. (1974). Conflict, Power and Relative Deprivation, *American Political Science Review*, 68, 4, 1569-78.
- Madama, I., Maino, F., Razetti, F. (2019). Innovating LTC policy in Italy from the bottom: Lombardy and Piedmont confronting the challenge of inclusive local care environments, *Investigaciones Regionales/Journal of Regional Research*, 44, 2, 125-141.
- Moulaert, F., MacCallum, D., Hillier, J. (2014). Social innovation: intuition, precept, concept, theory and practice, in Moulaert, F., MacCallum, D., Mehmood, A., Hamdouch, A. (eds) *The International Handbook on Social Innovation. Collective Action, Social Learning and Transdisciplinary Research*, Cheltenham: Edward Elgar Publishing, 1324.
- Satalkina, L., Steiner, G. (2022). Social Innovation: A Retrospective Perspective, *Minerva*, 60, 4, 567-591.
- Spasova, S., Atanasova, A., Sabato, S., Moja, F. (2023). Making access to social protection for workers and the self-employed more transparent through information and simplification: An analysis of policies in 35 countries, European Social Policy Network (ESPN), Luxembourg: Publications Office of the European Union.

- van Oorschot, W. J. H. (1991). Non-take-up of social security benefits in Europe, *Journal of European Social Policy*, 1(1), 15-30.
- Vandenbroucke, F., Keune, M., Corti, F., Ferrera, M. (2021). The rationale for and the nature and content of European social rights. EUSOCIALCIT Working Paper, February 2021.

Appendix A – A breakdown of the European Pillar of Social Rights

In this Appendix, we break down the 20 principles of the EPSR in order to:

- Identify the programmatic rights declared in the EPSR;
- Identify the personal and material scopes of those rights;
- Identify the power resources implicitly recommended to enact the principles.

Each principle includes one or more social rights. Moreover, some of them contain some general prescriptions or encouragement that further detail the aims of the rights; these prescriptions may also include a personal and/or material scope. Some principles consist of more than one paragraphs; therefore, for some principles, we use more than one box. Overall, we identified 27 rights established by the EPSR.

Principle 1			
<i>Domain</i>		Education, training and life-long learning	
<i>Declaration of a right</i>		Everyone has the right to quality and inclusive education, training and life-long learning in order to maintain and acquire skills that enable them to participate fully in society and manage successfully transitions in the labour market.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
<i>Power</i>	Legal	Everyone	<ol style="list-style-type: none"> 1. Quality and inclusive education 2. Training 3. Life-long learning
<i>Resource</i>			

Principle 2a			
<i>Domain</i>		Gender equality	
<i>General prescription</i>		Equality of treatment and opportunities between women and men must be ensured and fostered in all areas, including regarding participation in the labour market, terms and conditions of employment and career progression.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
		Everyone	Equal treatment and opportunities in all areas including: <ol style="list-style-type: none"> a. participation in the labour market

		b. terms and conditions of employment c. career progression
--	--	--

Principle 2b			
<i>Domain</i>		Gender equality	
<i>Declaration of a right</i>		Women and men have the right to equal pay for work of equal value.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
<i>Power Resource</i>	Legal	Everyone	Equal pay

Principle 3			
<i>Domain</i>		Equal opportunities	
<i>Declaration of a right</i>		Regardless of gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation, everyone has the right to equal treatment and opportunities regarding employment, social protection, education, and access to goods and services available to the public.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
<i>Power Resource</i>	Legal	Everyone	Equal treatment regarding: <ol style="list-style-type: none"> 1. Employment 2. social protection 3. education 4. access to goods and services available to the public
<i>General prescription</i>		Equal opportunities of under-represented groups shall be fostered.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
		Under-represented groups	Equal opportunities

Principle 4a	
<i>Domain</i>	Active support to employment
<i>Declaration of a right</i>	Everyone has the right to timely and tailor-made assistance to improve employment or self-employment prospects. This includes the right to receive support for job search, training and re-qualification. Everyone has the

			right to transfer social protection and training entitlements during professional transitions.
Scope		<i>Personal</i>	<i>Material</i>
<i>Power Resource</i>	Legal instrumental +	Everyone	<ol style="list-style-type: none"> 1. Assistance to improve employment or self-employment 2. Support for job search 3. Support for training 4. Support for re-qualification 5. Portability of social protection entitlements 6. Portability of training entitlements

Principle 4b			
<i>Domain</i>		Active support to employment	
<i>Declaration of a right</i>		Young people have the right to continued education, apprenticeship, traineeship or a job offer of good standing	
Scope		<i>Personal</i>	<i>Material</i>
<i>Power Resource</i>	Legal	Young people	<ol style="list-style-type: none"> 1. Continued education 2. Apprenticeship 3. Traineeship 4. Job offer of good standing

Principle 4c			
<i>Domain</i>		Active support to employment	
<i>Declaration of a right</i>		People unemployed have the right to personalised, continuous and consistent support. The long-term unemployed have the right to an in-depth individual assessment at the latest at 18 months of unemployment.	
Scope		<i>Personal</i>	<i>Material</i>
<i>Power Resource</i>	Legal	Unemployed people	<ol style="list-style-type: none"> 1. In-depth individual assessment 2. Personalised, continuous and consistent support

Principle 5a			
<i>Domain</i>		Secure and adaptable employment	
<i>Declaration of a right</i>		Regardless of the type and duration of the employment relationship, workers have the right to fair and equal	

		treatment regarding working conditions, access to social protection and training.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
<i>Power Resource</i>	Legal	Workers	Fair and equal treatment regarding: <ul style="list-style-type: none"> 1. working conditions 2. access to social protection 3. training
<i>General prescription</i>	The transition towards open-ended forms of employment shall be fostered.		
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
			Open-ended forms of employment

Principle 5b		
<i>Domain</i>	Secure and adaptable employment	
<i>General prescription</i>	In accordance with legislation and collective agreements, the necessary flexibility for employers to adapt swiftly to changes in the economic context shall be ensured.	
<i>Scope</i>	<i>Personal</i>	<i>Material</i>

Principle 5c		
<i>Domain</i>	Secure and adaptable employment	
<i>General prescription</i>	Innovative forms of work that ensure quality working conditions shall be fostered. Entrepreneurship and self-employment shall be encouraged.	
<i>Scope</i>	<i>Personal</i>	<i>Material</i>
		<ul style="list-style-type: none"> 1. Quality working conditions 2. Entrepreneurship and self-employment

Principle 5d		
<i>Domain</i>	Secure and adaptable employment	
<i>General prescription</i>	Employment relationships that lead to precarious working conditions shall be prevented, including by prohibiting abuse of atypical contracts. Any probation period should be of reasonable duration.	
<i>Scope</i>	<i>Personal</i>	<i>Material</i>
		<ul style="list-style-type: none"> 1. Precarious working conditions 2. Abuse of a-typical contracts

		3. Reasonable probation periods
--	--	---------------------------------

Principle 6a			
<i>Domain</i>		Wages	
<i>Declaration of a right</i>		Workers have the right to fair wages that provide for a decent standard of living.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
<i>Power Resource</i>	Legal	Workers	Fair wages

Principle 6b			
<i>Domain</i>		Wages	
<i>General prescription</i>		Adequate minimum wages shall be ensured, in a way that provides for the satisfaction of the needs of the worker and his / her family in the light of national economic and social conditions, whilst safeguarding access to employment and incentives to seek work. In-work poverty shall be prevented.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
		Workers	<ol style="list-style-type: none"> 1. Adequate minimum wages 2. Satisfaction of the needs of the worker and his/her family 3. Safeguarding access to employment and incentives to seek work 4. Prevention of in-work poverty

Principle 6c			
<i>Domain</i>		Wages	
<i>General prescription</i>		All wages shall be set in a transparent and predictable way according to national practices and respecting the autonomy of the social partners.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
			Wages

Principle 7a			
<i>Domain</i>		Information about employment conditions and protection in case of dismissals	
<i>Declaration of a right</i>		Workers have the right to be informed in writing at the start of employment about their rights and obligations resulting from the employment relationship, including on probation period.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
<i>Power Resource</i>	<i>Legal Instrumental</i> +	Workers	Information in writing about rights and obligations

Principle 7b			
<i>Domain</i>		Information about employment conditions and protection in case of dismissals	
<i>Declaration of a right</i>		Prior to any dismissal, workers have the right to be informed of the reasons and be granted a reasonable period of notice. They have the right to access to effective and impartial dispute resolution and, in case of unjustified dismissal, a right to redress, including adequate compensation.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
<i>Power Resource</i>	Legal	Workers	<ol style="list-style-type: none"> 1. Information on the reasons of dismissal 2. Reasonable period of notice
	Enforcement	Workers	<ol style="list-style-type: none"> 1. Access to effective and impartial dispute resolution 2. Right to redress and adequate compensation

Principle 8a		
<i>Domain</i>		Social dialogue and involvement of workers
<i>General prescription</i>		The social partners shall be consulted on the design and implementation of economic, employment and social policies according to national practices. They shall be encouraged to negotiate and conclude collective agreements in matters relevant to them, while respecting their autonomy and the right to collective action. Where appropriate, agreements concluded between the social partners shall be implemented at the level of the Union and its Member States.
<i>Scope</i>		<i>Personal</i>
		Workers
		<i>Material</i>
		1. Consultation

		<ol style="list-style-type: none"> 2. Negotiation for collective agreements 3. Respect of autonomy and right to collective action 4. EU level implementation
--	--	---

Principle 8b			
<i>Domain</i>		Social dialogue and involvement of workers	
<i>Declaration of a right</i>		Workers or their representatives have the right to be informed and consulted in good time on matters relevant to them, in particular on the transfer, restructuring and merger of undertakings and on collective redundancies.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
<i>Power Resource</i>	Legal instrumental	Workers	Information and consultation on relevant matters

Principle 8c			
<i>Domain</i>		Social dialogue and involvement of workers	
<i>General prescription</i>		Support for increased capacity of social partners to promote social dialogue shall be encouraged	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
			Social dialogue

Principle 9			
<i>Domain</i>		Work-life balance	
<i>Declaration of a right</i>		Parents and people with caring responsibilities have the right to suitable leave, flexible working arrangements and access to care services.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
<i>Power Resource</i>	Legal	Workers	<ol style="list-style-type: none"> 1. Suitable leaves 2. Flexible working arrangements 3. Care services
<i>General prescription</i>		Women and men shall have equal access to special leaves of absence in order to fulfil their caring responsibilities and be encouraged to use them in a balanced way.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
		Women and men	Special leaves (balanced use)

Principle 10a			
<i>Domain</i>		Healthy, safe and well-adapted work environment and data protection	
<i>Declaration of a right</i>		Workers have the right to a high level of protection of their health and safety at work.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
<i>Power Resource</i>	Legal	Workers	1. Health 2. Safety at work

Principle 10b			
<i>Domain</i>		Healthy, safe and well-adapted work environment and data protection	
<i>Declaration of a right</i>		Workers have the right to a working environment adapted to their professional needs and which enables them to prolong their participation in the labour market.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
<i>Power Resource</i>	Legal	Workers	Proper working environment

Principle 10c			
<i>Domain</i>		Healthy, safe and well-adapted work environment and data protection	
<i>Declaration of a right</i>		Workers have the right to have their personal data protected in the employment context.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
<i>Power Resource</i>	Legal	Workers	Personal data protection

Principle 11a			
<i>Domain</i>		Childcare and support to children	
<i>Declaration of a right</i>		Children have the right to affordable early childhood education and care of good quality.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
<i>Power Resource</i>	Legal	Children	Quality early childhood education and care

Principle 11b			
<i>Domain</i>		Childcare and support to children	
<i>Declaration of a right</i>		Children have the right to protection from poverty. Children from disadvantaged backgrounds have the right to specific measures to enhance equal opportunities.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
<i>Power Resource</i>	Legal	Children	Protection from poverty Equal opportunities

Principle 12			
<i>Domain</i>		Social protection	
<i>Declaration of a right</i>		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.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
<i>Power Resource</i>	Legal	Workers	Social protection

Principle 13			
<i>Domain</i>		Unemployment benefits	
<i>Declaration of a right</i>		The unemployed have the right to adequate activation support from public employment services to (re)integrate in the labour market and adequate unemployment benefits of reasonable duration, in line with their contributions and national eligibility rules.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
<i>Power Resource</i>	Legal	Unemployed	1. Activation support 2. Unemployment benefits (no disincentive to work)
<i>General prescription</i>		Such benefits shall not constitute a disincentive for a quick return to employment.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
			Unemployment benefits

Principle 14	
<i>Domain</i>	Minimum income
<i>Declaration of a right</i>	Everyone lacking sufficient resources has the right to adequate minimum income benefits ensuring a life in

		dignity at all stages of life, and effective access to enabling goods and services.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
<i>Power Resource</i>	Legal	People in need	Adequate minimum income benefits
	<i>Instrumental</i>	People in need	Effective access to enabling goods and services
<i>General prescription</i>		For those who can work, minimum income benefits should be combined with incentives to (re)integrate into the labour market.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
		People in need	Unemployment benefits

Principle 15a			
<i>Domain</i>		Old age income and pensions	
<i>Declaration of a right</i>		Workers and the self-employed in retirement have the right to a pension commensurate to their contributions and ensuring an adequate income.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
<i>Power Resource</i>	Legal	Workers	Pension
<i>General prescription</i>		Women and men shall have equal opportunities to acquire pension rights.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
		Women and men	Pension

Principle 15b			
<i>Domain</i>		Old age income and pensions	
<i>Declaration of a right</i>		Everyone in old age has the right to resources that ensure living in dignity	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
<i>Power Resource</i>	Legal	Elderly	Resources to live in dignity

Principle 16			
<i>Domain</i>		Health care	
<i>Declaration of a right</i>		Everyone has the right to timely access to affordable, preventive and curative health care of good quality.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
<i>Power Resource</i>	Legal	Everyone	<ol style="list-style-type: none"> 1. Preventive health care 2. Curative health care

	Instrumental	Everyone	Timely access
--	--------------	----------	---------------

Principle 17			
<i>Domain</i>		Inclusion of people with disabilities	
<i>Declaration of a right</i>		People with disabilities have the right to income support that ensures living in dignity, services that enable them to participate in the labour market and in society, and a work environment adapted to their needs.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
<i>Power Resource</i>	Legal	People with disabilities	<ol style="list-style-type: none"> 1. Income support 2. Services for labour market participation 3. Proper working environment

Principle 18			
<i>Domain</i>		Long-term care	
<i>Declaration of a right</i>		Everyone has the right to affordable long-term care services of good quality, in particular home-care and community-based services.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
<i>Power Resource</i>	Legal	Everyone	<ol style="list-style-type: none"> 1. Long-term care services 2. Home-care 3. Community-based services

Principle 19a			
<i>Domain</i>		Housing and assistance for the homeless	
<i>General prescription</i>		Access to social housing or housing assistance of good quality shall be provided for those in need.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
		People in need	<ol style="list-style-type: none"> 1. Social housing 2. Housing assistance

Principle 19b			
<i>Domain</i>		Housing and assistance for the homeless	
<i>Declaration of a right</i>		Vulnerable people have the right to appropriate assistance and protection against forced eviction.	
<i>Scope</i>		<i>Personal</i>	<i>Material</i>
<i>Power Resource</i>	Legal	Vulnerable people	Assistance and protection against forced eviction

Principle 19c		
<i>Domain</i>	Housing and assistance for the homeless	
<i>General prescription</i>	Adequate shelter and services shall be provided to the homeless in order to promote their social inclusion.	
<i>Scope</i>	<i>Personal</i>	<i>Material</i>
	Homeless people	<ol style="list-style-type: none"> 1. Shelter 2. Social services

Principle 20		
<i>Domain</i>	Access to essential services	
<i>Declaration of a right</i>	Everyone has the right to access essential services of good quality, including water, sanitation, energy, transport, financial services and digital communications.	
<i>Scope</i>	<i>Personal</i>	<i>Material</i>
<i>Power Resource</i>	Legal	Everyone
		Access to essential services (water, sanitation, energy, transport, financial services and digital communications)
<i>General prescription</i>	Support for access to such services shall be available for those in need.	
<i>Scope</i>	<i>Personal</i>	<i>Material</i>
	People in need	Support for access to essential services

Appendix B - A list of the 48 EPSR-related measures establishing power resources

In this Appendix, we list the 48 EPSR-related measures that establish power resources. In each box, we indicate:

- The EPSR principle;
- The right(s) contained in each principle;
- The measure(s) related to each right;
- The Union *acquis*, i.e. the most relevant measures adopted prior to the EPSR;¹
- The overall judgement on the implementation of each principle. The judgements are: **adequate implementation** (if all rights declared in each principle are covered at least by a measure, and the measures seem adequate to substantiate the right); **limited implementation** (if not all rights are covered by a measure, or if the measures address marginal aspects of the right, but there is a strong Union *acquis*); **insufficient implementation** (when there are no measures establishing power resources to substantiate the principle, or the measures are considered insufficient, and there is a weak Union *acquis*).

Principle 1 – Education, training and life-long learning

Right

Everyone has the right to quality and inclusive education, training and life-long learning in order to maintain and acquire skills that enable them to participate fully in society and manage successfully transitions in the labour market.

Measures

- Initiative on individual learning accounts
- Upskilling Pathways: New Opportunities for Adults
- Approach to micro credentials
- European Framework for Quality and Effective Apprenticeships
- Europass
- Digital Skills and Jobs Platform
- Recommendation on Vocational Education and Training (VET)
- Key competences for lifelong learning
- Automatic mutual recognition of higher education and upper secondary education and training qualifications and the outcomes of learning periods abroad
- Comprehensive approach to the teaching and learning of languages
- Pathways to School Success

¹ For a detailed resume of the Union *acquis* prior to the EPSR, see the Commission Staff Working Document accompanying the EPSR (SWD(2017) 201 final).

Union acquis

- Recommendation on key competences for lifelong learning (2006)
- Recommendation on further European cooperation in quality assurance in higher education (2006)
- Recommendation on the establishment of the European Qualifications Framework for lifelong learning (2008)
- Recommendation on the establishment of a European Quality Assurance Reference Framework for Vocational education and Training (2009)
- Recommendation on policies to reduce early school leaving (2011)
- Recommendation establishing a Youth Guarantee (2013)
- New Skills Agenda for Europe (2016).

Judgement: Adequate implementation

This principle counts several initiatives, including both legal and instrumental resources, to ensure inclusive education, training, and life-long opportunities. The existing *acquis* in this policy area is strong, although consisting only in soft-law instruments.

Principle 2 – Gender equality

Right

Women and men have the right to equal pay for work of equal value.

Measures

- Proposal of Directive on pay transparency
- EU Action Plan on tackling the gender pay gap

Union acquis

- Directive on the progressive implementation of the principle of equal treatment for men and women in matters of social security (1979)
- Directive on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (1992)
- Directive implementing the principle of equal treatment between men and women in the access to and supply of goods and services (2004)
- Directive on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (2006)
- Directive on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity (2010)
- Directive implementing the revised Framework Agreement on parental leave (2010)
- Recommendation on strengthening the principle of equal pay between men and women through transparency (2014)

Judgement: Adequate implementation

The *Union acquis* in this policy area includes a series of laws ensuring equal opportunities for men and women. The right declared in this principle focuses on the gender pay gap; in this sense, the proposed Directive on pay transparency seems a substantial step forward to the achievement of the objective of equal pay for men and women.

Principle 3 – Equal opportunities

Right

Regardless of gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation, everyone has the right to equal treatment and opportunities regarding employment, social protection, education, and access to goods and services available to the public.

Measures

- Recommendation on Equality bodies
- Proposed Equal Treatment Directive
- EU Roma Strategic Framework

Union acquis

- Employment Equality Directive (2000)
- Directive on the right to family reunification (2003)
- Racial Equality Directive (2004)
- Directive on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment (2009)
- Directive on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (2011)
- Directive on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State (2011)
- Seasonal workers Directive (2014)
- Intra-corporate transfers Directive (2014)
- Directive on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing (2016)

Judgement: Adequate implementation

The *Union acquis* in this policy area includes several laws to prevent the discrimination of third-country nationals, mainly in employment-related issues. The EPSR goes beyond the *acquis* in that it extends the guarantee against discrimination in the field of social security, healthcare, education, and access to goods and services.

The proposed Directive on equal treatment irrespective of religion or belief, disability, age or sexual orientation fits with the objective of the principle. The same can be said about the recommendation on equality bodies, which strengthens these bodies which function as instrumental resources. The EU Roma Strategic Framework fosters the access of Roma people to four areas of social protection (education, employment, healthcare and social services, housing and essential services) establishing both legal and instrumental resources.

Principle 4 – Active support to employment

Right

Everyone has the right to timely and tailor-made assistance to improve employment or self-employment prospects. This includes the right to receive support for job search, training and re-qualification. Everyone has the right to transfer social protection and training entitlements during professional transitions.

Measures

- European Globalisation Adjustment Fund

Right

Young people have the right to continued education, apprenticeship, traineeship or a job offer of good standing.

Measures

- A Bridge to Jobs – Reinforcing the Youth Guarantee

Right

People unemployed have the right to personalised, continuous and consistent support. The long-term unemployed have the right to an in-depth individual assessment at the latest at 18 months of unemployment.

Measures

- Recommendation on the integration of the long-term unemployed into the labour market

Union acquis

- European Employment Strategy (1994)
- Recommendation on the active inclusion of people excluded from the labour market (2008)
- Entrepreneurship Action Plan (2012)
- Recommendation establishing a Youth Guarantee (2013)
- Decision establishing the European Network of Public Employment Services (PES) (2014)
- Regulation establishing the European Network of Employment Services (EURES) (2016)

Judgement: Adequate implementation

The *Union acquis* in this policy area includes a series of soft-law instruments devoted to unemployed people.

The three rights contained in this principle are served by an action. The 2021-2027 European Globalisation Adjustment Fund grants, among the others, a series of opportunities (e.g., training, re-training, occupational guidance) to displaced workers and self-employed opportunities. 'A Bridge to Jobs' takes stock and brings forward the experience of the Youth Guarantee, which is consistent with the objective of ensuring continued education, apprenticeship, traineeship, or good job offers to young people. The Recommendation on the integration of long-term unemployed is consistent with the right to personalised, continuous, and consistent support. Overall, then, it is possible to claim that the initiatives are consistent with the objective of the principle.

Principle 5 – Secure and adaptable employment

Right

Regardless of the type and duration of the employment relationship, workers have the right to fair and equal treatment regarding working conditions, access to social protection and training.

Measures

- Guidelines on seasonal workers in the EU in the context of the COVID-19 outbreak
- Proposed directive on improving working conditions in platform work
- European Labour Authority (ELA)
- Directive on the posting of workers
- New social rules governing the internal road transport market of the European Union

Union acquis

- Written Statement Directive (1991)
- Framework Agreement on fixed-term work (annexed to Directive 1999/70/EC)
- Framework Agreement on part-term work (annexed to Directive 1999/81/EC)
- Directive on temporary agency work (2008)
- Entrepreneurship Action Plan (2012)

Judgement: Adequate implementation

The Union *acquis* in this policy area includes a series of laws that protect non-standard workers. The most relevant initiatives adopted to implement the EPSR in this area are the proposed directive on improving the working conditions in platform work, the establishment of the ELA, and the directive on the posting of workers, all of which contribute to the achievement of the stated objectives of the principle.

Principle 6 – Wages

Right

Workers have the right to fair wages that provide for a decent standard of living.

Measures

- Directive on adequate minimum wages in the European Union

Union acquis

- European Employment Strategy (1994)
- Recommendation on the active inclusion of people excluded from the labour market (2008)
- Recommendation on the establishment of National Productivity Boards (2016)

Judgement: Adequate implementation

The Union *acquis* in this policy area is rather weak and consists in soft law instruments; the weakness is motivated also by limits posed by the Treaties to the legislation on pays. In this context, the Directive on adequate minimum wages represents an ambitious initiative, fully in line with the stated objective of the principle. It remains open to discussion whether it will succeed in achieving its objective.

Principle 7 – Information about employment conditions and protection in case of dismissals

Right

Workers have the right to be informed in writing at the start of employment about their rights and obligations resulting from the employment relationship, including on probation period.

Measures

- Directive on Transparent and Predictable Working Conditions

Right

Prior to any dismissal, workers have the right to be informed of the reasons and be granted a reasonable period of notice. They have the right to access to effective and impartial dispute resolution and, in case of unjustified dismissal, a right to redress, including adequate compensation.

Measures

- Directive on Transparent and Predictable Working Conditions

Union acquis

- Written Statement Directive (1991)
- Directive on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (1992)
- Part-time Work Directive (1997)
- Directive on collective redundancies (1998)
- Employment Equality Directive (2000)
- Directive on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of undertakings or businesses (2001)
- Gender Equality Directive (2006)
- Directive on equal treatment between men and women engaged in an activity in a self-employed capacity (2010)
- Parental Leave Directive (2010)
- Recommendation on a Quality Framework for Traineeships (2014)

Judgement: Limited implementation

The *Union acquis* in this policy area includes a series of laws which oblige employers to inform workers on a series of employment-related aspects and protect them against unfair dismissal and unfavourable treatment. This principle contains two rights, but only one initiative is devoted to both.

Principle 8 – Social dialogue and involvement of workers

Right

Workers or their representatives have the right to be informed and consulted in good time on matters relevant to them, in particular on the transfer, restructuring and merger of undertakings and on collective redundancies.

Measures

- Guidelines on collective agreements by solo self-employed people

Union acquis

- Directive on collective redundancies (1998)
- Directive on the transfer of undertakings (2001)
- Information and Consultation Directive (2002)
- Directive on the establishment of a European Works Council (2009)
- EU Quality Framework for anticipation of change and restructuring (2013)
- Joint Statement 'A New Start for Social Dialogue' (2016)

Judgement: Limited implementation

The *Union acquis* in this policy area includes a series of laws and soft-law instruments to ensure the involvement of workers' representatives. An obstacle in the implementation of this principle is that it largely relies on the organization and in the willingness of (national) social partners. The only measure establishing power resources for this principle are the guidelines on collective agreements that involve only a specific category of workers: the solo self-employed. This seems too limited if compared to the objective of the right.

Principle 9 – Work-life balance

Right

Parents and people with caring responsibilities have the right to suitable leave, flexible working arrangements and access to care services.

Measures

- Directive on Work-Life Balance

Union acquis

- Directive on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (1992)
- Framework Agreement on part-time work (annexed to Directive 1999/81/EC)
- Directive on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity (2010)
- Directive implementing the revised Framework Agreement on parental leave (2010)

Judgement: Adequate implementation

The *Union acquis* in this policy area include a series of laws that guarantee the right to parental leave. The EPSR extends the existing *acquis* in that it extends the right to leave to all people with caring responsibilities and recognizes the right to flexible working arrangements. The Work-Life Balance Directive is an ambitious measure, fully congruent with the objective of the principle.

Principle 10 – Healthy, safe and well-adapted work environment and data protection

Right

Workers have the right to a high level of protection of their health and safety at work.

Measures

- EU Strategic Framework on Health and Safety at Work 2014-2020
- Revision of the Carcinogens and Mutagens Directive
- Commission Directive (EU) 2020/739 amending Annex III to Directive 2000/54/EC as regards the inclusion of SARS-CoV-2 in the list of biological agents known to infect humans and amending Commission

Right

Workers have the right to a working environment adapted to their professional needs and which enables them to prolong their participation in the labour market.

Measures

We could not identify any measure.

Right

Workers have the right to have their personal data protected in the employment context.

Measures

We could not identify any measure.

Union acquis

- Directive on the introduction of measures to encourage improvements in the safety and health of workers at work (1989) and other 23 related directives
- Directive on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (1992)
- Data Protection Directive (1995)
- General Data Protection Regulation (2016)
- Communication ‘Safer and Healthier Work for All’ (2017)

Judgement: Limited implementation

The Union *acquis* includes several laws that establish safety and health standards for workplaces. This principle contains three rights, but all the initiatives establishing power resources are devoted only to the first one. The third right is covered by the 2016 General Data Protection Regulation, which substituted the 1995 Data Protection Directive.

Principle 11 – Childcare and support to children

Right

Children have the right to affordable early childhood education and care of good quality.

Measures

- Quality framework for early childhood education and care

Right

Children have the right to protection from poverty. Children from disadvantaged backgrounds have the right to specific measures to enhance equal opportunities.

Measures

- European Child Guarantee

Union acquis

- Barcelona Targets (2002), reaffirmed in the European Pact for Gender Equality 2011-2020 (2011)
- Recommendation on the active inclusion of people excluded from the labour market (2008)
- Strategic Framework for European cooperation in education and training (2009)
- Communication on Early childhood education and care (2011)
- Recommendation on Investing in children: breaking the cycle of disadvantage (2013)
- Council conclusions 'Combating poverty and Social Exclusion: An Integrated Approach' (2016)
- The European Regional Development Fund and the European Social Fund foster the access to quality ECEC.

Judgement: Adequate implementation

The Union *acquis* in this policy area includes soft-law instruments and funding to promote access to ECEC. Overall, two measures establishing power resources were adopted to implement the two rights declared in the principle. Both initiatives devoted to this principle seem fully congruent with the stated objectives of the related rights.

Principle 12 – Social protection

Right

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.

Measures

- European Social Security Pass (ESSPASS)
- Recommendation on access to social protection for workers and the self-employed
- Revision of social security coordination rules

Union acquis

- Recommendation on the convergence of social protection objectives and policies (1992)
- Recommendation on common criteria concerning sufficient resources and social assistance in social protection systems (1992)
- Directive concerning the status of third-country nationals who are long-term residents (2003)
- Regulation on the coordination of social security systems (2004)
- Directive on the application of the principle of equal treatment between men and women engaged in self-employed activity (2010)
- Regulation extending Regulation (EC) No 883/2004 and Regulation (EC) No 987/2009 to nationals of third countries who are not already covered by these Regulations solely on the ground of their nationality (2010)

Judgement: Limited implementation

The *Union acquis* in this policy area consists primarily in soft-law instruments for the coordination of the national social systems. The laws relate mainly to the field of equal opportunities and non-discrimination.

While the Recommendation on access to social protection is fully in line with the stated objective of the principle, it remains a soft-law instrument, and is narrow in its scope – extending access to social protection also to the self-employed. For this reason, there is an on-going debate on the opportunity of complementing the Recommendation with another instrument – possibly a law – to foster the accessibility of social protection. Given the extreme relevance of social protection in mitigating the risk of poverty and exclusion, the measures adopted so far are important steps forward, but more is needed.

Principle 13 – Unemployment benefits

Right

The unemployed have the right to adequate activation support from public employment services to (re)integrate in the labour market and adequate unemployment benefits of reasonable duration, in line with their contributions and national eligibility rules.

Measures

We could not identify any measure.

Union acquis

- Regulation on the coordination of social security systems (2004)
- Recommendation on the active inclusion of people excluded from the labour market (2008)
- Decision establishing the European Network of Public Employment Services (PES) (2014)

Judgement: Insufficient implementation

The *Union acquis* in this policy area is rather weak. We could not identify any measure establishing power resources for this principle.

Principle 14 – Minimum income

Right

Everyone lacking sufficient resources has the right to adequate minimum income benefits ensuring a life in dignity at all stages of life, and effective access to enabling goods and services.

For those who can work, minimum income benefits should be combined with incentives to (re)integrate into the labour market.

Measures

- Proposed Recommendation on adequate minimum income ensuring active inclusion

Union acquis

- Recommendation on common criteria concerning sufficient resources and social assistance in social protection systems (1992)
- Recommendation on the active inclusion of people excluded from the labour market (2008)

Judgement: Limited implementation

The *Union acquis* in this policy area is rather weak and is based on soft-law instruments. The proposed Recommendation is fully congruent with the stated objective of the principle but remains a non-binding instruments.

Principle 15 – Old age income and pensions

Right

Workers and the self-employed in retirement have the right to a pension commensurate to their contributions and ensuring an adequate income.

Measures

- Pension Tracking Systems

Right

Everyone in old age has the right to resources that ensure living in dignity.

Measures

We could not identify any measure.

Union acquis

- Directive on the progressive implementation of the principle of equal treatment for men and women in matters of social security (1979)
- Recommendation on the convergence of social protection objectives and policies (1992)
- Directive on safeguarding the supplementary pension rights of employed and self-employed persons moving within the Community (1998)
- Directive on the implementation of the equal opportunities and equal treatment of men and women in employment and occupation (2004)
- Directive on the implementation of the Principle of men and women in the access to and supply of goods and services (2004)
- Regulation on the coordination of social security systems (2004)
- Directive on minimum requirements for enhancing worker mobility between Member States by improving the acquisition and preservation of supplementary pension rights (2014)
- Directive on the activities and supervision of institutions for occupational retirement provision (2016)

Judgement: Insufficient implementation

The Union *acquis* in this field includes a series of laws aimed at granting non discrimination between men and women.

The principle contains two rights, but we could identify only one initiative that establish power resource. The initiative consists in the assistance to Member States in implementing Pension Tracking Systems that provide personalised information on the status of pension entitlements. This does not seem sufficient to substantiate the objectives stated by the principle.

Principle 16 – Health care

Right

Everyone has the right to timely access to affordable, preventive and curative health care of good quality.

Measures

- Communication on enabling the digital transformation of health and care in the Digital Single Market

Union acquis

- Recommendation on the convergence of social protection objectives and policies (1992)
- Directive on the Community code relating to medicinal products for human use (2001)
- Regulation laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency (2004)
- Regulation on the coordination of social security schemes (2004)
- Directive on the application of patients' rights in cross-border healthcare (2004)
- Recommendation on patient safety, including the prevention and control of healthcare associated infections (2009)

Judgement: Insufficient implementation

The Union *acquis* in this field includes laws on pharmaceutical products and other issues related to healthcare.

The only initiative related to the EPSR that we identified establishes an instrumental resource related to the accessibility of the right to healthcare: the digitalisation of healthcare services. This does not seem adequate to the achievement of the stated objective of the principle.

Principle 17 – Inclusion of people with disabilities

Right

People with disabilities have the right to income support that ensures living in dignity, services that enable them to participate in the labour market and in society, and a work environment adapted to their needs.

Measures

- European Disability Card
- European Accessibility Act
- European Electronic Communications Code
- A framework for social services of excellence for people with disabilities

- Web Accessibility Directive
- Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018
- Marrakesh Directive

Union acquis

- European Agency for Special Needs and Inclusive Education (1996)
- Employment Equality Directive (2000)
- European Disability Strategy 2010-2020 (2010)
- The EU is also part of the UN Convention on the Rights of Persons with Disabilities

Judgement: Limited implementation

The *Union acquis* for this policy area includes a directive against the discrimination of people with disabilities as regards access to employment, self-employment, occupation, and vocational training. It also obliges employers to ensure that people with disabilities can have access to, participate in, and advance in employment.

A number of initiatives have been adopted in this area, but they all focus on the access to services and goods on the market, whereas the other aspects of the principle – enabling services, adapted work environment – remain less developed. This could partially be solved by the framework for social services of excellence, but we could not find any substantial information on this initiative.

Principle 18 – Long-term care

Right

Everyone has the right to affordable long-term care services of good quality, in particular home-care and community-based services.

Measures

- Access to affordable high-quality long-term care

Union acquis

- Recommendation on the convergence of social protection objectives and policies (1992)
- Recommendation on the active inclusion of people excluded from the labour market (2008)
- Regulation on the coordination of social security schemes (2008)
- European Structural and Investment funds foster the shift from an institution-centred model to one based on community care and integrated services.

Judgement: Adequate implementation

The *Union acquis* in this field includes some soft-law instruments that deal with long-term care and the provision of funds for long-term care policies.

The initiative we identified seems congruent with the stated objectives of the principle.

Principle 19 – Housing assistance for the homeless

Right

Vulnerable people have the right to appropriate assistance and protection against forced eviction.

Measures

We could not identify any measure.

Union acquis

- Recommendation on the active inclusion of people excluded from the labour market (2008)
- Union Framework for National Roma Integration Strategies (2011)
- Directive establishing minimum standards on the rights, support and protection of victims of crime (2012)
- Recommendation on investing in children: breaking the cycle of disadvantage (2013)

Judgement: Insufficient implementation

The Union *acquis* in this policy area is weak: it includes a few of soft-law instruments that deal, among the others, with the issue of housing.

We could not identify any measure that establishes power resources in this area.

Principle 20 – Access to essential services

Right

Everyone has the right to access essential services of good quality, including water, sanitation, energy, transport, financial services and digital communications. Support for access to such services shall be available for those in need.

Measures

- Revision of the Drinking Water Directive

Union acquis

- Universal Service Directive (2002)
- Regulation establishing the standard import values for determining the entry price of certain fruit and vegetables (2007)
- Electricity Directive (2009)
- Quality Framework for Services of General Interest in Europe (2011)
- Directive on the comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features (2014)
- Regulation on the opening of the market for domestic passenger transport services by rail (2016)

Judgement: Insufficient implementation

The Union *acquis* in this policy area includes a serial of sectoral laws that aim at guaranteeing access to essential services primarily through market competition.

We could identify only one measure that establishes power resources; it relates to only one essential good (water) and focuses more on its quality than on its accessibility. In this sense, we can claim that the initiative we identified is insufficient to substantiate this principle.

Appendix C – Resource-based analysis of 17 key EPSR-related measures

In this appendix, we take a closer look at 17 particularly important EPSR-related. For each measure, we report: the type of the act; the domain and the EPSR right it refers to; the power resources established; the material scope; the personal scope; the mode of creation; a short description.

Individual learning accounts

Name of the act	Recommendation on individual learning accounts
Type of the act	Recommendation
EPSR domain	1. Education, training and life-long learning
EPSR Right	Everyone has the right to quality and inclusive education, training and life-long learning in order to maintain and acquire skills that enable them to participate fully in society and manage successfully transitions in the labour market.
Power resources	<p><u>Legal resources</u></p> <p>The Recommendation urges Member States to:</p> <ul style="list-style-type: none"> - Ensure to all working-age adults individual training entitlements i.e., the right to access a personal budget to cover the direct costs of training, guidance and counselling, skills assessment or validation. - Provide additional entitlements to individuals who are most in need of upskilling and reskilling <p><u>Instrumental resources</u></p> <p>The Recommendation urges Member States to:</p> <ul style="list-style-type: none"> - Establish individual learning accounts i.e., a personal account that allows individuals to accumulate and preserve their training entitlements - Ensure portability of individual training entitlements - Establish an enabling framework that promotes the effective take-up of individual training entitlements, including: <ul style="list-style-type: none"> - Career guidance and validation opportunities - A national registry of opportunities that can be funded - A single national portal to access the individual learning account - Paid training leave - Undertake, together with social partners, civil society organisations, and regional and local actors, outreach and awareness activities and campaigns.
Material Scope	Training
Personal Scope	Working-age adults
Mode of creation	<p><u>Legal resources</u></p> <p>Indirect</p> <ul style="list-style-type: none"> • Defines the personal scope • Urges Member States to ensure individual training entitlements • Sets criteria for the provision of entitlements <p><u>Instrumental resources</u></p> <p>Indirect</p>

	<ul style="list-style-type: none"> • Urges Member States to establish an enabling framework to ensure the take up of training opportunities
Description	<p>The recommendation urges Member States to establish individual learning accounts, i.e., personal accounts that allow individuals to accumulate and preserve individual learning entitlements that can be used to receive training. Entitlements must be adequate and additional entitlements must be ensured to people most in need of upskilling and reskilling.</p> <p>The Recommendation especially focuses on the accessibility to learning entitlements: it highlights that, although insufficient funding for individuals remains a major barrier for participation in learning, time constraints and lack of awareness represent important barriers, as well. In this sense, the Recommendation urges Member States to adopt an enabling framework to facilitate the take up of training opportunities. This includes:</p> <ul style="list-style-type: none"> - Career guidance and validation opportunities - A national registry of opportunities that can be funded - A single national portal to access the individual learning account - Paid training leave.

Pay transparency

Name of the act	Proposal for a directive to strengthen the application of the principle of equal pay for equal work or work of equal value between men and women through pay transparency and enforcement mechanisms
Type of the act	Directive (proposed)
EPSR domain	2. Gender Equality
EPSR Right	Women and men have the right to equal pay for work of equal value.
Power resources	<p><u>Legal resources</u></p> <p>The proposed directive:</p> <ul style="list-style-type: none"> - Obliges Member States to ensure that employers' pay structures ensure that women and men are paid equally for the same work. <p><u>Instrumental resources</u></p> <p>The proposed directive prescribes that all workers have the right of being informed on their individual pay level and average pay levels, broken down by sex, for categories of workers doing the same work or work of equal value.</p> <ul style="list-style-type: none"> - Such information must be provided by employers upon workers' request; workers shall have the possibility of requesting such information through their representatives or an equality body. <p>Information on pay must also be provided by prospect employers to applicants.</p> <p>The proposed directive also recognizes to associations, organisations, equality bodies, and workers' representatives to engage, in behalf or support of workers, in judicial or administrative procedures to enforce the rights and obligations related to the principle of equal pay.</p> <p><u>Enforcement resources</u></p> <p>The proposed directive mandates Member States to ensure that judicial procedures are available to workers who deem themselves wronged as regards equal pay. Workers have also the right to compensation in case they suffered harm from an infringement of their right of equal pay.</p>
Material Scope	Equal pay
Personal Scope	Workers
Mode of creation	Indirect <ul style="list-style-type: none"> • The proposed Directive poses a series of obligations to the Member States
Description	The proposed directive prompts Member States to ensure the right to transparent information on pay. It prescribes that employers provide workers and applicants with detailed information on pay. The rationale of the proposed directive is that pay transparency contributes to the realization of the equal pay principle: on the one hand, it makes workers aware of their rights and empowers them to contest pay imbalances; on the other, it allows employers to be aware of their pay structures and avoid unwanted imbalances between the pay of men and women.

Roma equality, inclusion and participation

Name of the act	Recommendation on Roma equality, inclusion and participation
Type of the act	Recommendation
EPSR domain	3. Equal opportunities
EPSR Right	Regardless of gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation, everyone has the right to equal treatment and opportunities regarding employment, social protection, education, and access to goods and services available to the public.
Power resources	<p><u>Legal resources</u></p> <p>The recommendation prompts Member States to adopt national Roma strategic frameworks aimed at promoting equality and effectively prevent and combat discrimination and social and economic exclusion of Roma persons.</p> <p><u>Instrumental resources</u></p> <p>The recommendation stresses the importance of ensuring effective access of Roma people in need to a series of services.</p> <p>The recommendation also prompts Member States to involve a series of institutions and actors in order to better reach out Roma persons in need. These include:</p> <ul style="list-style-type: none"> - National Roma contact points, which must be provided with adequate and necessary resources, staff capacity, and institutional authority - Equality bodies - Local and regional stakeholders - Civil society organisations.
Material Scope	<p>Education</p> <p>Employment</p> <p>Healthcare and social services</p> <p>Housing and essential services</p>
Personal Scope	Roma persons
Mode of creation	<p>Indirect</p> <ul style="list-style-type: none"> • The recommendation prompts Member States to adopt national Roma strategic frameworks and prescribes a series of initiatives – including the involvement of various actors to better reach out Roma persons in need – aimed at promoting the equality and combating the discrimination of Roma persons.
Description	The recommendation is part of the European Anti-racism Action Plan and accompanies the EU Roma Strategic Framework . It prompts Member States to adopt initiatives aimed at ensuring that Roma people in need have effective access to education, employment, healthcare and social services, and housing and essential services, with the aim of promoting equality.

Reinforcing the Youth Guarantee

Name of the act	Recommendation on a bridge to jobs — Reinforcing the Youth Guarantee
Type of the act	Recommendation
EPSR domain	4. Active support to employment
EPSR Right	Young people have the right to continued education, apprenticeship, traineeship or a job offer of good standing
Power resources	<p><u>Legal resources</u></p> <ul style="list-style-type: none"> - Extends Youth Guarantee to all young people under 30 - Good quality offer of employment - Continued education - Apprenticeship - Traineeship <p><u>Instrumental resources</u></p> <ul style="list-style-type: none"> - Awareness-raising and outreach activities - Strengthening Public Employment Services counselling - Ensure that Youth Guarantee providers have adequate staff capacity - Strengthen partnership between Youth guarantee providers and stakeholders - Promote the development of integrated service models
Material Scope	<p>Good quality offer of employment</p> <p>Continued education</p> <p>Apprenticeship</p> <p>Traineeship</p>
Personal Scope	Young people under 30 years
Mode of creation	<p><u>Legal resources</u></p> <p>Indirect</p> <ul style="list-style-type: none"> • Clearly defines the personal scope • Prompts Member States to provide legal resources • Encourages Member States to make use of European and national funds <p><u>Instrumental resources</u></p> <p>Indirect</p> <ul style="list-style-type: none"> • Sets aims and criteria for instrumental resources
Description	<p>The Recommendation aims to support youth employment through national schemes consisting of measures that provide young people with a path towards labour market integration.</p> <p>The Youth Guarantee was established in 2013 with the aim of providing to all young people under the age of 25, within 4 months of becoming unemployed or leaving formal education:</p> <ul style="list-style-type: none"> - Employment - Continued education - Apprenticeship - Traineeship <p>The Recommendation reaffirms the Youth Guarantee, urging Member States to set up national schemes for young people, and extends the age limit to 29.</p>

European Labour Authority

Name of the act	Regulation (EU) 2019/1149 establishing a European Labour Authority
Type of the act	Regulation
EPSR domain	5. Secure and adaptable employment
EPSR Right	Regardless of the type and duration of the employment relationship, workers have the right to fair and equal treatment regarding working conditions, access to social protection and training.
Power resources	<p><u>Instrumental resources</u></p> <ul style="list-style-type: none"> - Facilitate access to information on labour mobility - contribute to the provision of relevant information on the rights and obligations of individuals in cross-border labour mobility situations, including through a single Union-wide website acting as a single portal for accessing information sources and services at Union and national level in all official languages of the Union - Coordinate EURES - Capacity building regarding the effective application and enforcement of relevant EU law <p><u>Enforcement resources</u></p> <ul style="list-style-type: none"> - Coordinate and support concerted and joint inspections - Mediation between Member States regarding individual cases of application of Union law
Material Scope	Freedom of movement Social security Tackling undeclared employment
Personal Scope	Workers
Mode of creation	<p><u>Instrumental</u></p> <p>Direct</p> <ul style="list-style-type: none"> - Information on labour mobility - EURES management <p><u>Enforcement</u></p> <p>Indirect</p> <ul style="list-style-type: none"> - Joint inspections - Mediation between Member States regarding individual cases of application of Union law
Description	<p>The European Labour Authority aims at ensuring easier access on information about rights, obligations, and services regarding labour mobility, improving cooperation between Member States, mediating and facilitating solutions where there are disputes between countries, and supporting cooperation to tackle undeclared work.²</p> <p>“The ELA is responsible for:</p> <ul style="list-style-type: none"> • improving the availability, quality and accessibility of information of a general nature offered to individuals, employers and social partner organisations regarding rights and obligations in relation to labour mobility;

² <https://eur-lex.europa.eu/EN/legal-content/summary/european-labour-authority.html>

	<ul style="list-style-type: none"> • supporting EU countries in providing services to individuals and employers through EURES, such as cross-border matching of job, traineeship, and apprenticeship vacancies with CVs; • facilitating the cooperation and rapid exchange of information between countries; • coordination and supporting concerted* and joint* inspections; • cooperating with EU countries to assess risks and carry out analyses on labour mobility and social security coordination; • supporting EU countries to build capacity for consistent enforcement of relevant EU law, for instance through mutual assistance and training, including developing common guidelines; • reinforce the work of the European Platform to enhance cooperation in tackling undeclared work to share best practices, develop expertise and analysis and encourage innovative approaches; • mediating in and facilitating solutions to disputes between EU countries to reconcile divergent points of view.”³ <p>The ELA brings together a series of existing European bodies: EURES, the technical committee on the Free Movement of workers, the Committee of Experts on the Posting of Workers, and the European Platform tackling undeclared work.</p>
--	--

³ <https://eur-lex.europa.eu/EN/legal-content/summary/european-labour-authority.html>

Adequate minimum wages

Name of the act	Directive on adequate minimum wages in the European Union
Type of the act	Directive
EPSR domain	6. Wages
EPSR Right	Workers have the right to fair wages that provide for a decent standard of living.
Power resources	<p><u>Legal resources</u></p> <p>The Directive prompts Member States with statutory minimum wages to establish the procedures for the setting and updating of statutory minimum wages. The setting and updating of statutory minimum wages must be guided by criteria aimed at ensuring the adequacy of the wages, at reducing in-work poverty, at promoting social cohesion and upward convergence, and reducing gender pay gap.</p> <p>The criteria must necessarily include:</p> <ul style="list-style-type: none"> - Purchasing power of the statutory minimum wages, taking into account the cost of living; - The general level of wages and their distribution; - The growth rate of wages; - Long-term national productivity levels and developments. <p>The criteria must be stated clearly; the decision on their relative weight is competence of the Member States.</p> <p><u>Enforcement resources</u></p> <p>The directive prescribes measures to strengthen the enforcement of minimum wage protection, including:</p> <ul style="list-style-type: none"> - The provision of effective, proportionate and non-discriminatory controls and field inspections conducted by labour inspectorates - Developing the capability of enforcement authorities to proactively target and pursue non-compliant employers.
Material Scope	Minimum wages
Personal Scope	Workers
Mode of creation	<p><u>Legal resources</u></p> <p>Indirect</p> <ul style="list-style-type: none"> • The directive prescribes that the definition statutory minimum wages must be guided at least by four criteria but leaves to the Member States the possibility of introducing further criteria (which must be oriented towards the principles of adequacy, reduction of in-work poverty, social cohesion and upward convergence, and gender equality) and the decision over the relative weights of the criteria. <p><u>Instrumental resources</u></p> <p>Indirect</p> <ul style="list-style-type: none"> • The directive obliges Member States to provide for the effective enforcement of minimum wage protection.
Description	<p>The directive establishes a framework for the adequacy of statutory minimum wages, for the promotion of collective bargaining on wage-setting, and for the effective access of workers to rights to minimum wage protection were provided for by national law and/or collective agreements.</p> <p>The directive does not oblige Member States to adopt statutory minimum wages or to declare any collective agreement universally applicable.</p>

	<p>It sets a series of criteria for the definition of statutory minimum wages for Member States where statutory minimum wage laws are in force. The directive also prompts the promotion of collective bargaining on wage-setting and mandates Member States to provide for the effective access of workers to minimum wage protection through the implementation of enforcement resources.</p>
--	---

Transparent and predictable working conditions

Name of the act	Directive on transparent and predictable working conditions in the European Union
Type of the act	Directive
EPSR domain	7. Information about employment conditions and protection in case of dismissal
EPSR Right	<p>Workers have the right to be informed in writing at the start of employment about their rights and obligations resulting from the employment relationship, including on probation period.</p> <p>Prior to any dismissal, workers have the right to be informed of the reasons and be granted a reasonable period of notice. They have the right to access to effective and impartial dispute resolution and, in case of unjustified dismissal, a right to redress, including adequate compensation.</p>
Power resources⁴	<p><u>Legal resources</u></p> <p>The directive sets a number of minimum rights for workers, including the right to:</p> <ul style="list-style-type: none"> - A probation period not exceeding 6 months, except for special cases - Work for another employer outside of working hours, except for objective incompatibility - Refuse a work assignment outside previously defined reference hours and days without consequences (for workers whose work pattern is decided by the employer and is entirely or mostly unpredictable) - Request more predictable and secure working conditions after six months of service - Receive cost free training, when the employer is required to provide training by EU or national legislation or by collective agreements. <p><u>Instrumental resources</u></p> <p>The directive recognizes to the workers the right to be informed by the employer as regards a series of basic elements of the employment relationship:</p> <ul style="list-style-type: none"> - the identity of the parties to the employment relationship - the place of work - the nature of the activity - the start and end date of the relationship - the duration and condition of probatory period - basic pay and other components of remuneration - duration of the workday or week - reference days and hours on which workers may be called upon to work, the minimum notice before starting work and number of guaranteed paid hours (in case of unpredictable pattern of work). - The duration of paid leave - Training entitlements - Collective agreements regarding the worker's conditions - The identity of the social security body that receives social contributions - Details about the notification of working relationship termination - Details of the user-undertakings (for temporary agency workers). <p>Employers must also provide specific information to posted workers.</p> <p><u>Enforcement resources</u></p> <p>The directive obliges Member States:</p>

⁴ <https://eur-lex.europa.eu/legal-content/EN/LSU/?uri=CELEX:32019L1152>

	<ul style="list-style-type: none"> - to ensure that workers who have not received relevant information in due time can submit a complain to a competent authority or benefit favourable legal presumptions - to ensure that workers have access to effective and impartial dispute resolution and a right to redress - to safeguard workers from adverse treatment as a consequence of a complaint - to prevent that workers are dismissed because they have exercised their rights.
Material Scope	Work contracts
Personal Scope	Workers
Mode of creation	<p>Indirect</p> <ul style="list-style-type: none"> • The directive assigns to the Member States the task of implementing its prescriptions
Description	The directive aims at improving working conditions through the promotion of transparent and predictable employment. It establishes a series of minimum standards for working contracts and obliges employers to provide workers with detailed information about working conditions.

Guidelines on collective agreements by solo self-employed people

Name of the act	Communication from the commission Guidelines on the application of Union competition law to collective agreements regarding the working conditions of solo self-employed persons
Type of the act	Communication
EPSR domain	8. Social dialogue and involvement of workers
EPSR Right	Workers or their representatives have the right to be informed and consulted in good time on matters relevant to them, in particular on the transfer, restructuring and merger of undertakings and on collective redundancies.
Power resources⁵	<p><u>Legal resources</u></p> <p>The communication clarifies that solo self-employed in a situation comparable to workers can negotiate collectively on a series of issues.</p> <p>The communication defines the conditions when solo self-employed are in a situation comparable to workers:</p> <ul style="list-style-type: none"> - when they provide services exclusively or predominantly to one undertaking - perform the same or a similar activity with workers of the same undertaking - provide their services through digital labour platforms <p>Issues covered by collective negotiations include:</p> <ul style="list-style-type: none"> - pay, reward and bonuses, - working time and patterns - holiday and leave - health and safety - insurance and social security - conditions under which they are entitled to stop providing their services or under which the undertaking is entitled to stop using their services.
Material Scope	Collective agreements of solo self-employed persons
Personal Scope	Solo self-employed
Mode of creation	Indirect
Description	The communication clarifies the conditions under which solo self-employed can negotiate collectively and the issues of the collective negotiation.

⁵ [https://eur-lex.europa.eu/legal-content/EN/LSU/?uri=CELEX:52022XC0930\(02\)](https://eur-lex.europa.eu/legal-content/EN/LSU/?uri=CELEX:52022XC0930(02))

Directive on Work-life balance

Name of the act	Work-life balance for parents and carers
Type of the act	Directive
EPSR domain	9. Work-life balance
EPSR Right	Parents and people with caring responsibilities have the right to suitable leave, flexible working arrangements and access to care services.
Power resources	<p><u>Legal resources</u></p> <ul style="list-style-type: none"> - Paternity leave - Parental leave - Carers' leave - Time off from work on grounds of force majeure - Payment or allowance - Flexible working arrangements <p><u>Instrumental resources</u></p> <ul style="list-style-type: none"> - Dissemination of information <p><u>Enforcement resources</u></p> <ul style="list-style-type: none"> - Legal protection
Material Scope	Paternity leave, parental leave and carers' leave; Flexible working arrangements for workers who are parents, or carers
Personal Scope	Workers who are parents or carers
Mode of creation	<p><u>Legal resources</u></p> <p>Indirect</p> <ul style="list-style-type: none"> • Sets criteria for legal resources. • Prompts Member States to take necessary measures to ensure legal resources. <p><u>Instrumental resources</u></p> <p>Indirect</p> <ul style="list-style-type: none"> • Prompts Member States to disseminate information about the contents of the directive among workers and employers. <p><u>Enforcement</u></p> <p>Indirect</p> <ul style="list-style-type: none"> • Prompts Member State to ensure that workers who are discriminated or dismissed because they applied for or have taken leave have access to a court or a competent authority.
Description	<p>The Directive aims at ensuring gender equality in labour market opportunities and treatment at work by facilitating the work-life balance of parents or carers.</p> <p>“The directive provides for minimum individual rights related to the following:</p> <ul style="list-style-type: none"> • paternity leave, parental leave and carers' leave; • flexible working arrangements for workers who are parents, or carers; and • legal protection for those applying for or making use of family-related leave and flexible working arrangements”⁶

⁶ <https://eur-lex.europa.eu/legal-content/EN/LSU/?uri=celex:32019L1158>

European Child Guarantee

Name of the act	European child guarantee
Type of the act	Recommendation
EPSR domain	11. Childcare and support to children
EPSR Right	Children have the right to protection from poverty. Children from disadvantaged backgrounds have the right to specific measures to enhance equal opportunities.
Power resources	<p><u>Legal resources</u></p> <p>Member States are urged to provide:</p> <ul style="list-style-type: none"> - free access to high quality early childhood education and care - free access to education and school-based activities - free access to at least 1 healthy meal on each school day - free healthcare - access to healthy nutrition and adequate housing <p>Member States are urged to address financial and non-financial barriers to participation in early childhood education and care, education and school-based activities</p> <p><u>Instrumental resources</u></p> <ul style="list-style-type: none"> - Guarantee effective access - Outreach measures (“in particular at regional and local level and through educational establishments, trained social workers, family-support services, civil society and social economy organisations, with a view to raising awareness and encouraging and facilitating the take-up of the services covered by this Recommendation”⁷)
Material Scope	High quality early childhood education and care Healthcare Healthy nutrition Adequate housing
Personal Scope	Children under 18 at risk of poverty or social exclusion
Mode of creation	<p><u>Legal resources</u></p> <p>Indirect</p> <ul style="list-style-type: none"> • Sets aims for legal resources. • Prompts Member States to make use of EU funds earmarked to tackle child poverty and social exclusion. <p><u>Instrumental resources</u></p> <p>Indirect</p> <ul style="list-style-type: none"> • Prompts Member States to grant effective access to benefits and to undertake outreach measures (instrumental resources)
Description	<p>“The European child guarantee aims to prevent and combat social exclusion of children in need by guaranteeing access to a set of key services, by combating child poverty and fostering equal opportunities.”⁸</p> <ul style="list-style-type: none"> • “The European child guarantee complements the strategy on the rights of the child, and in particular the socio-economic, health and education theme.

⁷ Council Recommendation (EU) 2021/1004 of 14 June 2021 establishing a European Child Guarantee

⁸ https://eur-lex.europa.eu/legal-content/EN/LSU/?uri=uriserv:OJ.L_.2021.223.01.0014.01.ENG

	<ul style="list-style-type: none"> • It puts into practice principle 11 of the European Pillar of Social Rights, on childcare and support for children. • It applies to children under 18 at risk of poverty or social exclusion. • It sets out a number of core recommendations for EU Member States including: <ul style="list-style-type: none"> ○ providing effective and free access to high quality early childhood education and care, education and school-based activities, at least 1 healthy meal on each school day and healthcare; ○ providing effective access to healthy nutrition and adequate housing; ○ breaking intergenerational cycles of poverty and disadvantage, while making the best interest of the child a primary consideration; ○ building a policy framework to identify and address financial and non-financial barriers to participation in early childhood education and care, education and school-based activities, especially for those groups of children experiencing specific disadvantages; ○ nominating a Child Guarantee Coordinator to monitor and coordinate implementation; ○ submitting national action plans for the period up to 2030 within 9 months of adopting the recommendation. • Member States can draw on EU funding to support their actions, in particular from the ESF+ and NextGenerationEU.⁹
--	--

⁹ https://eur-lex.europa.eu/legal-content/EN/LSU/?uri=uriserv:OJ.L_.2021.223.01.0014.01.ENG

Access to social protection for workers and the self-employed

Name of the act	Council Recommendation of 8 November 2019 on access to social protection for workers and the self-employed2019/C 387/01
Type of the act	Recommendation
EPSR domain	12. Social Protection
EPSR Right	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.
Power resources	<p><u>Legal resources</u></p> <p>Recommendation urges Member States to:</p> <ul style="list-style-type: none"> - Extend coverage of social protection to all workers, regardless of employment relationship, and the self-employed - Set the rules governing contributions so that individuals have the effective possibility of accruing and access benefits - Ensure that benefits are timely, provide appropriate income replacement, and prevent individuals from falling into poverty <p><u>Instrumental resources</u></p> <p>Recommendation urges Member States to:</p> <ul style="list-style-type: none"> - Ensure preservation and portability of entitlements - Ensure that information on individual entitlements and obligations are updated, comprehensive, accessible, user-friendly, and clearly understandable - Simplify the administrative requirements of social protection schemes
Material Scope	<p>Unemployment benefits</p> <p>Sickness and healthcare benefits;</p> <p>Equivalent paternity benefits;</p> <p>Invalidity benefits;</p> <p>Old-age benefits and survivors' benefits;</p> <p>Benefits in respect of accidents at work and occupational diseases.</p>
Personal Scope	<p>Workers</p> <p>Self-employed</p>
Mode of creation	<p><u>Legal resources</u></p> <p>Indirect</p> <p>Clearly defines the personal scope</p> <p>Establishes general aims and criteria which should inform the creation of the benefits</p> <p><u>Instrumental resources</u></p> <p>Indirect</p> <p>Urges Member States to ensure portability of entitlements, to provide information, and to simplify administrative requirements.</p>
Description	<p>The Recommendation urges Member States to provide access to adequate social protection to all workers and self-employed, and to establish minimum standards in the field of social protection.</p> <p>Member States should ensure for all workers and the self-employed:</p> <ul style="list-style-type: none"> - Formal coverage (formal entitlement to participate in a social protection scheme)

	<ul style="list-style-type: none">- Effective coverage (the opportunity to accrue and access the benefit)- Adequacy (benefits must be timely, assure a decent standard of living, and provide appropriate income replacement)- Transparency (individual must have access to information about their entitlements; administrative requirements must be simplified)
--	---

European Social Security Pass - ESSPASS

Name of the act	European Social Security Pass - ESSPASS
Type of the act	Pilot project
EPSR domain	12. Social protection
EPSR Right	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.
Power resources	<p><u>Instrumental resources</u></p> <p>ESSPASS aims at improving cross-border verification of social security coverage, and citizens' identification and authentication for social security coordination purposes. In its first phase, ESSPASS focuses on the cross-border digital verification of the Portable Document A1, which indicates the social security legislation applicable to the holder. In practical term, the aim is to avoid double payment of social contributions. In the second phase, the Commission will consider whether to include other procedures and documents.</p>
Material Scope	Social security
Personal Scope	Workers
Mode of creation	Direct
Description	ESSPASS was announced in the context of the European Pillar of Social Rights Action Plan and is a pilot project led by the Commission in cooperation with the Italian social security institution (INPS). 13 countries are involved in the pilot project. It aims at creating a digital tool, based on blockchain technology, that enables the portability of social security entitlements across borders.

Adequate minimum income

Name of the act	Recommendation on adequate minimum income ensuring active inclusion
Type of the act	Recommendation
EPSR domain	14. Minimum income
EPSR Right	Everyone lacking sufficient resources has the right to adequate minimum income benefits ensuring a life in dignity at all stages of life, and effective access to enabling goods and services. For those who can work, minimum income benefits should be combined with incentives to (re)integrate into the labour market.
Power resources	<p><u>Legal resources</u></p> <p>The recommendation prompts Member States to provide persons in need (i.e., living in households with insufficient, irregular, or uncertain monetary and material resources) with adequate income support, in-kind benefits, and access to enabling and essential services.</p> <p>The recommendation also prompts Member States to</p> <ul style="list-style-type: none"> - define transparent and non-discriminatory eligibility criteria so to ensure that the benefit is effectively accessible to those in need; - ensure labour market activation, remove barriers to enter and remain in employment, ensure incentives to work, tackle in-work poverty and market segmentation, incentivise formal employment and fight undeclared work; - safeguard effective access to essential services, including energy, and address financial and non-financial barriers to effective access to enabling and essential services. <p><u>Instrumental resources</u></p> <p>The recommendation prompts Member States to undertake measures to facilitate the full take-up of minimum income. The measures mentioned include:</p> <ul style="list-style-type: none"> - the reduction of the administrative burden, through the simplification of application procedure and the provision of step-by-step guidance - the provision of information on rights and obligations related to minimum income - outreach of possible beneficiaries to raise their awareness through the involvement of relevant stakeholders at national, regional, and local level <p>The Recommendation also prompts Member States to provide individual support to recipients of minimum income schemes by:</p> <ul style="list-style-type: none"> - carrying out a multi-dimensional assessment of their situation; - draw an inclusion plan that defines joint objectives and timelines and outline a package of support tailored to individual needs - assign a case manager or a single contact point the recipient can refer to.
Material Scope	Income support Enabling services Essential services
Personal Scope	People lacking sufficient resources
Mode of creation	<p><u>Legal resources</u></p> <p>Indirect</p> <ul style="list-style-type: none"> • The recommendation sets a series of criteria for minimum income schemes, which must be adopted and implemented by the Member States. <p><u>Instrumental resources</u></p>

	<p>Indirect</p> <ul style="list-style-type: none"> • The recommendation prompts the Member States to adopt a series of measures to increase the take-up of minimum income benefits, and to provide individual support to the recipients.
Description	The recommendation contains a series of criteria and suggestions for the Member States' minimum income schemes.

Digital transformation of healthcare

Name of the act	Communication on enabling the digital transformation of health and care in the Digital Single Market; empowering citizens and building a healthier society
Type of the act	Communication
EPSR domain	16. Health care
EPSR Right	Everyone has the right to timely access to affordable, preventive and curative health care of good quality.
Power resources	<p><u>Instrumental resources</u></p> <p>The communication stresses the importance on focusing on a series of instrumental resources aimed at ensuring the effective access of citizens to health care. These include:</p> <ul style="list-style-type: none"> - Access and sharing of health data across borders - Digital tools for citizen empowerment and person-centred care - Interoperability of platform through open exchange formats <p>In particular, the communication encourages the development of new care models, “the involvement of multi-disciplinary care teams”, “the active cooperation between care professionals and patients”, and “the utilisation of digital solutions” to “provide the necessary means for delivery of efficient and cost-effective care.</p>
Material Scope	Health care
Personal Scope	Everyone
Mode of creation	##
Description	<p>The communication illustrates the Commission’s vision for the digitalisation of healthcare. The Commission intends to take action in three main areas:</p> <ul style="list-style-type: none"> - Citizens' secure access to and sharing of health data across borders - Data to advance research, disease prevention and personalised health and care - Digital tools for citizen empowerment and person-centred care

EU Disability Card

Name of the act	EU Disability Card
Type of the act	Pilot action
EPSR domain	17. Inclusion of people with disabilities
EPSR Right	People with disabilities have the right to income support that ensures living in dignity, services that enable them to participate in the labour market and in society, and a work environment adapted to their needs.
Power resources	<u>Instrumental resource</u> The EU Disability Card allowed the mutual recognition of the status of disability in the Member States: this enabled cardholders to receive the same disability benefits as nationals in the sectors of culture, leisure, sport, and transport.
Material Scope	Disability benefits (in culture, leisure, sport, and transport)
Personal Scope	People with disability
Mode of creation	Direct
Description	<p>The EU Disability Card is a pilot initiative funded under the Rights, Equality and Citizenship Programme 2014-2020 and implemented between 2016 and 2018 in eight Member States: Belgium, Cyprus, Estonia, Finland, Italy, Malta, Romania, and Slovenia.</p> <p>It allowed the mutual recognition of the status of disability in the Member States involved in the experiment and allowed people with disability who visited or moved in these Member States to enjoy the same disability benefits (related to culture, leisure, sport, and transport) as nationals.</p> <p>A 2021 report on the implementation of the EU Disability Card concluded that it proved to be an effective and efficient tool. Based on this, the Commission will propose in the future the adoption of a European Disability Card to be recognised in all Member States.</p>

Long-term care

Name of the act	Recommendation on access to affordable high-quality long-term care
Type of the act	Recommendation
EPSR domain	18. Long-term care
EPSR Right	Everyone has the right to affordable long-term care services of good quality, in particular home-care and community-based services.
Power resources	<p><u>Legal resources</u></p> <p>The recommendation prompts Member States to ensure timely, comprehensive, and affordable long-term care to all people who need it.</p> <p>The recommendation sets eight quality principles for long-term care, which relate to:</p> <ul style="list-style-type: none"> - Respect of the people in need - Prevention - Person-centredness - Comprehensiveness and continuity - Focus on outcomes - Transparency - Skilled and competent workforce - Appropriate facilities <p>The recommendation also promotes quality employment and fair working conditions for long-term care workers and supports informal caregivers in their caregiving activities.</p> <p><u>Instrumental resources</u></p> <p>With regards to the promotion of fair working activities for formal carers, the recommendation promotes national social dialogue and collective bargaining in long-term care.</p> <p>The recommendation also prompts Member States to facilitate the cooperation between informal and formal caregivers, and to support the access of informal caregivers to the necessary training</p>
Material Scope	Long-term care services
Personal Scope	<p>People in need of long-term care</p> <p>Formal carers</p> <p>Informal carers</p>
Mode of creation	<p>Indirect</p> <ul style="list-style-type: none"> • The recommendation sets a series of criteria for long-term care and for long-term care work that should inform the Member States' legislation on long-term care.
Description	The recommendation establishes a series of criteria for long-term care and for formal and informal carers.

Drinking Water Directive

Name of the act	Directive on the quality of water intended for human consumption
Type of the act	Directive
EPSR domain	20. Access to essential services
EPSR Right	Everyone has the right to access essential services of good quality, including water, sanitation, energy, transport, financial services and digital communications. Support for access to such services shall be available for those in need.
Power resources	<p><u>Legal</u> The directive sets the quality standards for drinking water</p> <p><u>Instrumental</u> The directive mandates Member States to “take the necessary measures to improve or maintain access to water intended for human consumption for all, in particular for vulnerable and marginalised groups”. Against this background, Member States shall:</p> <ul style="list-style-type: none"> - “identify people without access, or with limited access, to water intended for human consumption, including vulnerable and marginalised groups, and reasons for such lack of access” - “assess possibilities for improving access for such people” - “inform such people about possibilities for connecting to the distribution network or about alternative means of having access to water intended for human consumption” - “take measures that they consider necessary and appropriate to ensure that there is access to water intended for human consumption for vulnerable and marginalised groups”
Material Scope	Drinking water
Personal Scope	Vulnerable or marginalised groups
Mode of creation	Indirect <ul style="list-style-type: none"> • The directive assigns to the Member States the task of adopting the necessary measures to ensure to vulnerable and marginalised groups access to drinking water.
Description	The directive sets the standards for drinking water in the EU. Article 16 mentions the obligation to take necessary measures to ensure that vulnerable people have access to drinking water.