



Northern Ireland
Assembly
Research and Information Service

Table 1: European Commission Legislative Proposals 2011

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Paper 105/11

Eóin Murphy

NIAR 505-11

Strategic Initiatives (Legislative)	Title	Estimated date of Adoption	Current stage of progress	Type of Initiative	Description	Perceived Relevance to Northern Ireland	Prioritisation	Indicative date of when Committee can become involved	Any Identified Subsidiarity Issues?
	Posting of Workers (2011/EMPL/001)	20 December 2011	No Green or White Papers have yet to be produced, as such it is still in the early stages of being developed.	Legislative proposal, COD	The aim of this initiative is to ensure effective respect of the posted workers' rights (a worker is "a posted worker" when they are employed in one EU Member State but sent by their employer on a temporary basis to carry out his work in another Member State) and clarify the obligations of national authorities and businesses. It also aims to improve cooperation between national authorities, the provision of information for companies and workers and ensure effective enforcement.	All Member States are effected by this Initiative, although overall impact will be dependent on the Options selected in order to reform the Directive - As the number of posted workers sent and received by NI is not recorded by any agency it is not possible to assess the impact, although due to the land border shared with the ROI, it could impact on a portion of the NI workforce and businesses.	Low to Medium - Due to the close links between Northern Ireland and Republic of Ireland Businesses, the proposed legislation could impact on the workings of a number of companies in NI.	No Green Paper has yet been announced and as such the Legislation is still at an early stage of development - The Committee may wish to contact the Department in order to establish what information/actions they have taken in regards the Legislation.	The Roadmap document does not find any Subsidiarity issues - however, the House of Lords Select Committee identified the Posting of Workers of Directive as needing further scrutiny.
	Revision of the Working Time Directive (2010/EMPL/022) Com (2010) 801	4th Quarter 2011	2nd Phase consultation with the social partners launched on the 21 December 2010, with an impact assessment currently being developed. A Green Paper has yet to be launched.	Legislative proposal, COD	Adapt existing legislation to reflect the needs of workers, businesses, public services and consumers of the 21st Century. This includes consideration of issues such as on call time, timing of minimum rest periods and better reconciliation of work and family life.	As the Directive affects all workers it has an impact across all EU member states and for public and private bodies. It is noted in the related roadmap that the clarification regarding on-call time will have a significant impact on public service workers, especially those who work in 24 hour services (e.g. hospitals and emergency services). With the significant reliance on public sector employment in Northern Ireland, and the on-going budget constraints, the revision of the working time directive may have significant impact on NI. Working Time is a devolved matter in NI.	Medium	As the Green Paper has yet to be launched, development of the Revision is still at an early stage. A Cabinet Office Explanatory Memorandum (EM) states that devolved Administrations were consulted to inform the EM. The Committee may wish to ask DEL for details on its work to date on the Directive.	The Roadmap document does not find any Subsidiarity issues - however, the House of Lords Select Committee identified the Directive as needing further scrutiny.

	Regulation for the European Social Fund post 2013 (2011/EMPL/002)	3rd Quarter 2011	Mandatory Green Paper - No Green Paper launched at this date	Legislative proposal, COD	Contribute to the Europe 2020 strategy by supporting the development of the EU into a smart, sustainable and inclusive economy achieving high levels of employment, productivity and social cohesion.	Has budgetary implications for the EU. The ESF is managed by DEL in NI. ESF funding is an important part of the infrastructural development of Northern Ireland and as such future changes to the fund could have implications for NI's future economic growth.	Medium - High	Due to the potential importance of this Initiative, the Committee may wish to consult Departmental Officials as to what steps have been taken towards securing future funding for NI.	No identified subsidiarity issues.
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	Proposal for a decision of the European Parliament and the Council on the EU Programme for Employment and social solidarity - Progress for period 2014-2020	November 2011	Mandatory Green Paper - Green paper completed 27 May 2011 and report produced.	Legislative proposal, COD	The integrated programme for employment, social policy and inclusion will contribute to the delivery of the Europe 2020 Strategy and its mutually reinforcing headline targets through support to actions aiming to promote a high level of employment and adequate social protection, combat social exclusion and poverty and improve working conditions. The programme will include: the current Progress Programme which expires in December 2013; a new initiative for evidence based social innovation; and the European Microfinance Facility for which no further budgetary is foreseen beyond 2013.	The roadmap for the proposal states that regional authorities responsible for employment, social affairs and equal rights will be affected. In addition the Progress Programme will target challenges exacerbated by the Financial crisis such as limited labour market participation, shortcomings in skills development and social exclusion. All of these are significant issues for NI and as such the proposal will have significant relevance for NI.	Medium	Green paper completed - the Committee may wish to ask the Department what input they made to the Consultation (please note, it is not possible to identify if DEL made a submission as the list of respondents does not provide identity)	The Roadmap does not find any subsidiarity issues
	Directive amending Directive 2005/36/EC - Modernisation of the Professional Qualifications Directive (PQD) Green Paper - COM (2011) 367	A legislative proposal to modernise the Directive is planned for the end of 2011	Green Paper closing date 20 September 2011)	Legislative proposal, COD	The Directive is designed to simplify and modernise the existing systems for the recognition of qualifications across EU Member state borders in order to facilitate the mobility of professionals. Its main goals are around simplifying the existing rules governing Professional mobility such as simplification of the procedure to recognise qualifications and raising confidence in the system.	The Directive will have some impact in Northern Ireland, although this will be limited as the amendments focus on simplification of the existing system. Areas it may impact on are regulated professions, industry and business associations and responsible government departments (i.e. DEL and BIS).	Low	Green paper closed for submissions - the Committee may wish to ask the Department if any submissions have been made to the Consultation. Please note, the Cabinet Office Memorandum states that the devolved administrations were consulted as part of the process of writing explanatory memorandum.	Cabinet Officer Explanatory Memorandum found no subsidiarity issues. However, the HoL EU select committee has referred the green paper to the Social Policies and Consumer Protection Committee for further scrutiny
	Social Maritime Agenda Package: Proposal for a Directive on the minimum level of training of seafarers 2008/MOV/008	September 2011	Mandatory Green Paper - No Green Paper launched at this date	Legislative proposal, COD	Ensure that all seafarers on-board EU and non EU ships sailing in EU waters have been educated, trained and certified according to the minimum requirements of the Standards of Training, Certification and Watchkeeping (STCW) convention.	Northern Ireland has a declining fishing industry - the Maritime Agenda Package intends to help revitalise the industry through raising the employability of seafarers, improve the attractiveness of employment in the maritime sector and improve the training of maritime workers. As such the Agenda could be of significant benefit to the maritime sector in NI	Medium	Green paper not yet released	Social Maritime Agenda Package Roadmap states that there are no subsidiarity issues.

