

**EN**

**SOC/802**

**Imbalances in social protection**

Brussels,

**RECORD OF THE PROCEEDINGS**  
European Economic and Social Committee  
  
**Imbalances in social protection in general and specifically for the ‘new forms of work’ and ‘atypical workers’**(own-initiative opinion)

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591 plenary session  
  
Brussels  
23-24 October 2024

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Meeting of 23 October 2024  
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Agenda item 14

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**The president** moved that the Committee turn to agenda item 14 - adoption of an opinion on the

*Imbalances in social protection in general and specifically for the ‘new forms of work’ and ‘atypical workers’*

(own-initiative opinion).

The preliminary work had been carried out by the Section for Employment, Social Affairs and Citizenship (president: **Cinzia Del Rio**). The rapporteur was: **María del Carmen BARRERA CHAMORRO**.

Ms Barrera Chamorro noted that the opinion underscores the necessity of tackling social inequalities and ensuring adequate social protection for workers in atypical and new forms of employment. An increasing number of workers within the EU fall under this category, encountering challenges such as gaps in social protection and pension disparities, particularly affecting women more than men. She also emphasised the critical need for social protection systems that deliver fair and sustainable coverage, particularly to address the impacts of digital and green transitions, including for workers in non-standard and new employment. Consequently, there is a call to advance transparency and ensure effective coverage of social protection benefits for workers across all employment forms. The opinion further calls on the Commission to review the Directive on equal treatment in social security with a view to closing the existing gaps that hinder social progress and upward social convergence.

A debate followed, during which 1 member took the floor. Ms Neiiendam, who was the study group president, acknowledged that although the opinion’s subject is complex and sensitive due to differing views among groups, it stands as a product of constructive cooperation within all groups. She commended the work of all involved, thanked the members for their contributions and urged to vote in favour of the opinion.

The rapporteur expressed her gratitude to the study group members and the SOC Secretariat for their efforts, particularly for their flexibility in reaching a balanced compromise text.

The following amendment had been tabled to opinion SOC/802:

**Amendment 1** (tabled by René Blijlevens, Mariya Mincheva, Jean-Michel Pottier, Christa Schweng)

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| **Point 5.9**  **Amend as follows** |

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| ***Section opinion*** | ***Amendment*** |
| The EESC notes that the CJEU and national courts limit the possibility of introducing positive measures through national laws to remedy gender gaps in social protection. ***It therefore suggests that the Commission and the Council carry out reforms of Directive 79/7/EC to adapt it to the present day.*** The EESC therefore asks the Commission to assess, as soon as possible, the implementation of Directive 79/7/EC and***, where appropriate,*** to ***propose*** to ***the Council and the European Parliament*** the reforms deemed most appropriate for ***promoting,*** at the Member State level and within the framework of the social dialogue***, the effective correction of these gaps***, in ***accordance with Article*** 157(4) TFEU. | The EESC notes that the CJEU and national courts limit the possibility of introducing positive measures through national laws to remedy gender gaps in social protection. The EESC therefore asks the Commission to assess, as soon as possible, the implementation of Directive 79/7/EC and to ***encourage Member States*** to ***carry out,*** the reforms deemed most appropriate for ***correcting these gaps*** at the Member State level and within the framework of the social dialogue, ***by adopting positive action as provided for*** in ***Art*** 157(4) TFEU. |

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| The amendment was rejected by 90 to 82 votes, with 20 abstentions.  **Amendment 2** (tabled by René Blijlevens, Mariya Mincheva, Jean-Michel Pottier, Christa Schweng)  **Point 1.5**  **Amend as follows** |  |

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| ***Section opinion*** | ***Amendment*** |
| The EESC thinks that, without prejudice to the ***possibility of exploring a regulatory instrument***, the path outlined in the Council Recommendation for the Member States on access to sustainable social protection for employed workers and the self-employed will enable progress to be made on:  a) adequate social protection schemes (closing gaps in formal access);  b) rights that are cumulative or transferable between systems (effective coverage);  c) sufficient benefits, with a proportional contribution (adequacy);  d) adequate information on rights and obligations (transparency). | The EESC thinks that, without prejudice to ***eventual further EU measures to address*** the ***remaining challenges***, the path outlined in the Council Recommendation for the Member States on access to sustainable social protection for employed workers and the self-employed will enable progress to be made on:  a) adequate social protection schemes (closing gaps in formal access);  b) rights that are cumulative or transferable between systems (effective coverage);  c) sufficient benefits, with a proportional contribution (adequacy);  d) adequate information on rights and obligations (transparency). |

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| The amendment was rejected by 105 to 81 votes, with 12 abstentions.  **Amendment 3** (tabled by René Blijlevens, Mariya Mincheva, Jean-Michel Pottier, Christa Schweng)  **Point 1.9**  **Amend as follows** |

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| ***Section opinion*** | ***Amendment*** |
| The EESC notes that the Court of Justice of the European Union (CJEU) and national courts limit the possibility of introducing positive measures through national laws to remedy gender gaps in social protection. ***It therefore suggests that the Commission and the Council carry out reforms of Directive 79/7/EC to adapt it to the present day.*** The EESC therefore asks the Commission to assess, as soon as possible, the implementation of Directive 79/7/EC and***, where appropriate, to propose*** to ***the Council and the European Parliament the*** reforms deemed most appropriate ***for promoting***, at the Member State level and within the framework of the social dialogue***, the effective correction of these gaps,*** in ***accordance with Article*** 157(4) TFEU. | The EESC notes that the Court of Justice of the European Union (CJEU) and national courts limit the possibility of introducing positive measures through national laws to remedy gender gaps in social protection. The EESC therefore asks the Commission to assess, as soon as possible, the implementation of Directive 79/7/EC and ***encourage Member States*** to ***carry out*** reforms deemed most appropriate ***to correct these gaps effectively***, at the Member State level and within the framework of the social dialogue ***by adopting positive action as provided for*** in ***Art*** 157(4) TFEU. |

The amendment was rejected by 90 to 82 votes, with 20 abstentions (same result as amendment 1 on point 5.9 (linked amendments)).

The opinion was adopted by 140 votes to 13 with 51 abstentions.

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