

Topic: Revision of the Social Security Regulations

Brief description and main aims:

In December 2016, the European Commission presented a proposal for a revision of the existing Regulations on Social Security coordination (883/2004 and 987/2009).

Achieving a modernised system of social security coordination that responds to the social and economic reality in the Member States is one of the central drivers for this initiative.

This initiative is complementary to the revision of the “Posting” Directive which led to the adoption of the new “Posting” Directive (Directive 2018/957 of 28 June 2018).

As the revision of the Social Security Regulations is not making much progress, the European Commission and the European Parliament both launched alternative initiatives.

The European Commission has launched a pilot-project on a social security pass (ESSPASS), involving around 10 Member States and which should last until 2023.

The European Parliament has adopted a Resolution on the introduction of a European social security pass.

Why FIEC is dealing with this topic:

Mobility within the Internal Market is an issue of crucial importance for construction companies.

The proposal of the Commission focuses on different areas of coordination where improvements are required (economically inactive citizens' access to social benefits, long-term care benefits, unemployment benefits and family benefits), but FIEC mainly addressed those provisions that have a link with the issue of posting such as the need: to strengthen the cooperation and the exchange of information between national administrations; to reinforce the reliability of the A1 forms; to strengthen the provisions regarding the pursuit of activities in two or more Member States; to align some of the proposed changes with those concerning “Posting”, because companies, workers, labour inspectorates and public authorities need a clear and coherent legal framework, in order to be able to comply with it and to enforce it.

Actions and key dates:

13/12/2016 – Initial proposal of the European Commission

9/1/2018 – [FIEC position paper](#)

Autumn 2019 to Autumn 2020 – trilogue negotiations => blocking issues (i.e. derogation clause to prior notification)

1/3/2021 – [FIEC press release](#) “*Coordination of Social Security systems: FIEC says no to exemptions to prior notification for the construction industry*”

24/06/2021 – [FIEC-EFBWW joint statement](#) « EU construction social partners call for digital enforcement » in reaction to the European Parliament’s draft Resolution on the introduction of a European social security number with a personal labour card

13/10/2021 – FIEC-EFBWW joint conference on the above-mentioned European Parliament resolution and the digital enforcement of EU rules

25/11/2021 – European Parliament adopts resolution on the introduction of a European social security pass for improving the digital enforcement of social security rights and fair mobility (2021/2620(RSP))

December 2021 – Political agreement reached in trilogue... but later rejected by the Council...

Autumn 2022 – Trilogue negotiations are still stalling