Critical Assessment of Juncker’s Commission Structure and Policies

As the new Commission has just taken office, it is perfect timing to cast a critical eye on the new Commission structure and its policies.

The document attached does precisely that. Whether your interest is in the digitalisation of services, in trade, finance, commerce or on more cross-sectoral matters, you will find the analysis useful in your work. As you will see, Juncker opposes the level of inequality in Europe, he stresses social fairness, and believes in a social market economy.

But there are also many warning signs. Juncker adopts the previous Commission’s Better Regulation agenda. He claims the EU must be big on big things, small on small things. He hardly mentions the social partners in his work. He too is a master of grand statements, yet a pattern is forming. In every speech, document or paper, a grand statement is later conditioned – often in a sub sentence, a footnote or a fleeting remark. His policies in general come across as overtly business friendly.

Kind regards,

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Critical Assessment of Juncker’s Commission Structure and Policies

The new EU Commission – structure and strategies

This document sets out to summarise and evaluate three separate, yet interconnected, issues related to the new EU Commission. Firstly, the new two-tier structure of the College of Commissioners. Secondly, Juncker’s overall 10 point political guidelines. Thirdly, the mission letters sent by Juncker to the proposed Commissioners with special focus on the Commissioners that are especially interesting for UNI Europa in general, and the UNI Europa sectors. The documents were publicised following the sequence above over a period of 4 months. All three will be critically addressed below. Assessments summarising the main issues are boxed in.

This assessments aim is to pinpoint critical areas of interest for UNI Europa’s affiliates. These areas are both cross-sectoral as well as sectoral, and will be pursued in various ways: in close collaboration with the ETUC and other European Trade Union Federations, by UNI Europa on a cross-sectoral level, by the UNI Europa sectors and affiliates and finally in targeted networks with NGOs, consumer and environment organisation and think tanks. The channel of influence will depend on the issue.

Executive Summary of Assessment

Overall, the policies of the Commission seem to be mainly concerned with one thing: Juncker’s focus on “Better Regulation”. Juncker defines this as the aim to “present citizens with a European Union which can resolve the big problems and is timid or (non-existent) when it comes to minor problems” and continues “that respect for the principle of subsidiarity, proportionality and better regulation will be at the core of the work of the new Commission”. In other words, a push for a continuation of REFIT\(^1\) – the Commission’s regulatory fitness and performance program.

Indeed Better Regulation also shines through in the structure of the Commission. The hierarchical structure consisting of the President, a first Vice-President, 6 other Vice-Presidents and further 20 Commissioners, gives the vice-presidents a veto right over policy proposals from their project portfolio. Indeed, the first vice-president, Timmermans, can even veto any legislative proposal put forth by the other 6 vice-presidents, if it does not fit into the better regulation agenda.

Concerning the policies, we note Juncker’s political emphasis on social fairness and his assertion that policies should not lead to more social inequality. We must hold the Commission’s policies accountable to this. We also question a number of Juncker’s policies, and how they in practice will interlink with Juncker’s belief in a social market economy, which, per definition, has developed social policies and strong labour market parties. The first vice-president’s veto right over all legislative proposals is but one important warning sign.

We too question whether the new structure of the Commission in reality will follow the structure’s aims of making decision making more effective: not only is there a risk that important details get

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lost in the vast coordination responsibilities of the vice-presidents, power games between the Commissioners and vice-presidents can lead to adverse outcomes. This said, there is no doubt that the Commission is a powerful actor in shaping the conditions for businesses and employees in Europe. Strong forces also wish to see the Commission to become even more independent than it is today.

The UNI Europa Policy Working Group, on the background of this document, will continue to work actively and critically on the Better Regulation agenda as it unfolds in practices.

The following points summarise the key findings in this document.

- The political guidelines seem to be formed on the REFIT recommendations, i.e. with a strong intention to reduce regulatory costs, through what we see as a roll back of social and labour rights in Europe under the pretext of reducing administrative burdens. This despite Juncker’s occasional reference to social fairness.

- They come across as overtly business friendly, with the aim to remove “unnecessary” red tape to improve conditions for businesses. However, Juncker like Barroso, does not define what “unnecessary” refers to.
  - UNI Europa must follow what “unnecessary” red tape actually means and how this will affect our sectors.

- Although not mentioned in these documents, Juncker spoke about the “need for EU member states to put in place a minimum wage and a basic guaranteed income” in his Opening Statement to the EP on July 15, 2014.
  - UNI Europa must follow this work closely and proactively.

- Juncker’s Commission structure is de facto hierarchical giving veto powers to Vice-Presidents. Especially the First Vice-President, Timmermans, has a key role as gatekeeper for all Commission decisions. In actual fact, Juncker seems to be giving Timmermans the decisive say. As late as October 22 2014, Juncker in a speech to Parliament, proclaims:

  “There will be nothing that limits for the parties the access to national courts or that will allow secret courts to have the final say in disputes between investors and States.” Yet he later asserts that:
  “There will be no investor-to-state dispute clause in TTIP if Frans [Timmermans] does not agree with it too.”

In other words, whilst Juncker is against, Timmermans actually has the last say.
  - UNI Europa must attempt to follow the decision-making process closely on issues relevant to our sectors and policies and map which proposals are voted out and if possible where in the process. This should be done to see whether commonalities between what is voted out exist, and whether these are employer or employee biased.
  - UNI Europa must follow Timmermans’ de facto powers.

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• It is clear in the above case, but also in many other examples, that Juncker is a master of grand statements, followed later by exceptions and conditions.
  o UNI Europa must pay attention to these exceptions and conditions. They are often found in an interposed phrase, or much later in a text.

• Whilst we welcome that Juncker’s political guidelines highlight in places social fairness, sustainable growth and an awareness that policies should not lead to “more social inequality”, the employees/trade unions are seldom mentioned. Nor does Juncker in any document mention the gender wage gap, nor the pension wage gap when discussing inequality.
  o UNI Europa must be assertive and reclaim our core position in labour market affairs. The economy cannot be separated from the social. The social is economic.
  o UNI Europa must hold Juncker accountable to his beliefs in a social market economy, sustainable growth and social fairness.

• Juncker wants to push for a totally implemented Internal Market for trade and services
  o We must critically follow what our contacts say is underway; namely a new strategy for the single market for services.

• Juncker positively calls for a revision of the Posting of Workers directive, to ensure that social dumping has no place in Europe. Same work, same place, should be remunerated in the same manner, he asserts.
  o UNI Europa welcomes this and must follow the work. We must also question what Juncker means by “the same manner” - Why not simply equally?

• Juncker calls for a continued reform of the Economic and Monetary Union, and to “enhance the convergence of economic, fiscal and labour market policies between the Member States that share the single currency”
  o UNI Europa must follow what he means by a convergence of labour market policies and question why the social partners are not mentioned in this policy area.

• Juncker wants the Vice-President in charge of the Euro and Social Dialogue to promote “social dialogue and engage with social partners at EU level on all aspects of interest for the delivery of our priorities.” (my emphasis).
  o UNI Europa must question the limitation added here – what will happen to the social dialogue that falls outside of what the Commission calls a priority?

• Juncker wants, within 3 months, to present a Jobs, Growth and Investment Package that will aim at boosting private investment into the real economy through public funds. The package will be worth 300 billion euros over the next three years.
  o UNI Europa, together with the ETUC, have proposed a far more ambitious package worth 250 billion euros per year. We must continue to push for this.

The following three-part assessment goes into more critical detail with the Commission structure, the political guidelines and the Mission Letters to the Commissioners. Assessments are boxed in or summarised in bullet points.
Part 1: Assessment of the two (or three?)-tier college of Commissioners and its administration.

The new Commission structure, which we describe below, is briefly about grouping the
Commissions in various cooperative clusters to improve cross-Commission cooperation and,
some claim, to move away from the “silo” based policy-making structure in previous Commissions.
The idea is not new. It was already raised in 2004, but was rejected by Barroso.

Since then, various lobby groups have pushed for a new structural form. As late as July 2014, a
group called Friends of the Commission, which consists of a broad range of former EU officials,
advisers and private sector representatives, many of whom chose to remain anonymous to the
public, proposed a Commission re-organisation, which resembles very much Juncker’s final
structure. This indicates from the offset a significant influence on the Commission from industry
and those in support of “Better Regulation”.

As Annex 1 shows, the new structure is hierarchical and consists of 1 president, 1 first vice
president, 6 vice-presidents (VP) including the High Representative (Mogherini) and further 20
Commissioners. Three of the seven VPs are from the EPP, 2 from S&D and 2 from ALDE. Annex
2 shows the political affiliation of the 28 Commissioners in total, 14 are from EPP, including the
President, 8 are from the S&D group, including the first vice-president, Timmermans, 5 are from
ALDE, including the President and 1 is from AECR.

The Vice-Presidents and the High Representative lead “project-teams”, and thus have the
crosscutting coordinating responsibility of several (up to eight) Commissions. Click on the diagram
in Annex 1 to open a pdf that shows all of the project teams. Note that the Commissioners belong
to more than one project team, and thus must relate to two or more vice-presidents. Juncker
stresses that all Commissioners are equal, be they VPs or not. However, a careful scrutiny of
statements by Juncker to the press, as well as various Commission documents and Mission
Letters, the VPs will in fact have the power to:

“...stop any initiative, including legislative initiatives" of commissioners working under their
watch”.

This is slightly contrary to the notion of equality of power.

Whilst the European treaties specify that the legislative initiative is in the hands of the College of
Commissioners, and that this will not officially change, the new structure with VPs will thus serve
to wean out policies and legislative proposals the VPs do not support. Furthermore, from a legal
viewpoint, proposals for new European laws must have the support of the College of
Commissioners before being proposed to the European Parliament and the Council. And a simple
majority of the 28 commissioners sitting in the College is sufficient for them to be endorsed.
However, initiatives must appear on the agenda in the first place, and only the President of the
Commission can decide to put an item there. There is therefore a true pyramid structure of power,
where VPs can table a legislative proposal from one of their Commissioners, yet also see that
proposal vetoed out by firstly the first-vice president, who has the mandate to veto proposals if

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4 https://m.contexte.com/docs/4848/proposition-des-amis-de-la-commission.pdf
6 http://www.euractiv.com/sections/eu-priorities-2020/dutch-eu-nominee-wield-veto-right-over-excessive-
bureaucracy-308344
they do not meet Juncker’s Better Regulation requirements, and secondly by Juncker himself. The question is: Given that Commissions belong to more than one project-team, can a scenario be imagined where a Commissioner plays vice-presidents out against each other for adoption or approval of a policy?

As previously mentioned, Juncker’s definition of “Better Regulation” is the removal of what he calls “all unnecessary” red tape at both national as well as European level. It is therefore in line with the much-debated REFIT program (the Commission’s regulatory fitness and performance programme), which we have criticized heavily. We must therefore follow what how Juncker and his team in practice define “unnecessary” and see whether it is along the same line as in REFIT.

Whilst some, especially the left, are critical of this new power structure, others claim it will re-politicize the Commission’s work and pull back power from the DGs. Naturally, the power games between Commissioners on the various structural levels and the diplomatic necessity of compromise might well limit the actual use of the veto rights. It remains to be clarified whether this is a purely administrative test or indeed a political one.

The new Commission structure implies changes to the DGs. Some are new, others have new responsibilities. Interestingly, the vice-presidents do not have administrative support of their own in the form of designated DGs, but will be supported by the Secretariat General and may draw on any service in a Commission whose work is relevant for their area of responsibility.

**Assessment:**

Although Juncker claims that all Commissioners are equal, what seems like a de facto hierarchy of power actually exists in the structure. We should follow and critically map which legislative proposals of interest to our sectors and policies are blocked, where in the structure and why.

UNI Europa should follow the decision-making processes closely and also keep a track on the power games between the VPs, the second-level Commissions and the DGs. New channels of influence should be sought as the power hierarchy between VPs and Commissioners can affect the significance of direct lobbying on the grounds of national affiliation to a Commissioner.

Overall, the overarching better regulation” agenda must be followed and critically assessed. This includes monitoring future REFIT initiatives, surveying and participating in relevant impact assessments and raising our voice on when appropriate.
Part 2: A New Start for Europe – political guidelines for the next European Commission

In the following, we will be looking at Juncker’s political guidelines\(^7\) – his political programme for this Commission period and relate these to our political priorities as expressed in the UNI Europa Services Manifesto. The guidelines have formed the basis of the set-up of the College of Commissioners and the mission letters to each of the Commissioners. The mission letters, to which we turn to in part 3, stipulate in more details the roles and objectives for each Commissioner.

The assessment of the political guidelines will focus exclusively on statements and guidelines of specific interest for UNI Europa.

In the introduction Juncker specifically states that member states are far away from sustainable growth and that Europe is ill-prepared for digital age, race for innovation and skills, scarcity of natural resources, safety of food, cost of energy, impact of climate change, ageing of population, or the pain and poverty at Europe’s external borders. His 10 policy areas seek to address this ill preparedness. He also mentions that the measures taken during the crisis can be compared to repairing a burning plane whilst flying. They were successful overall. Yet mistakes were made. There was a lack of social fairness.

On the basis of discussions with all political groups in the European Parliament, Juncker proposes an Agenda for Jobs, Growth, Fairness and Democratic Change, consisting of the 10 policy areas shortly described below.

The 10 policy areas

1. New boost for Jobs, Growth and Investment

In the first 3 months, a Jobs, Growth and Investment Package, worth €300 billion in additional public and private investment over the next 3 years, will be presented. The aim of which will be to strengthen Europe’s competitiveness and through public funds stimulate private investment in the real economy for the purpose of job creation. Juncker stresses that sustainable growth cannot be built on ever-growing mountains of debt.

New sustainable and job-creating projects, through the EIB and the Commission, which will help restore Europe’s competitiveness need to be identified and promoted.

Juncker wants the right regulatory environment that does not stifle innovation and competitiveness. He then links to the VP for better regulation, and the aim to remove red tape. Juncker doesn’t define what the red tape is.

Assessment:

Juncker does not specify what types of jobs he wants to create. Nor does he mention the working poor. Warning signs around removal of regulation – what type of regulation will he remove?

Is a 300 billion euro investment package sufficient? In contrast the ETUC pushes for an annual 250 billion euro package.⁸

We must push for our demands in the Services Manifesto:

That the European economy must combine competitiveness with an inclusive European social model.

That investment must go into jobs and quality services for economic and social progress

That jobs created have a high level of health and safety at work

That collective bargaining, worker rights and effective employment protection is respected.

2. Connected Digital Single Market

Juncker wants to create one digital market across Europe, to boost digital skills and learning across society and to facilitate the creation of innovative start-ups.

Assessment:

A clear link to policy area 1 above in addition to creating a single European digital market. Nothing mentioned on the employment impact of this though.

UNI Europa must demand good digital working conditions and push for research on how digitalisation affects labour markets, working conditions etc. We must push for our demands in the Services Manifesto:

That the EU must invest in services infrastructure for a changing society and economy

3. A resilient Energy Union w., Forward Looking Climate Change Policy

Assessment:

Ambitious green thoughts – impact on employment, skills and costs not mentioned.

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⁸ http://www.socialistsanddemocrats.eu/sites/default/files/all_combined.pdf
4. A deeper and fairer internal market with a strengthened industrial base

Complete internal market for products and services, incl. agricultural products. Wants to bring industry’s weight in EU’s GDP up, services cannot stand alone. Calls for measures to make sure workers have the appropriate skills.

Key message here regarding Posting of Workers Directive:

“At the same time, I will ensure that the Posting of Workers Directive is strictly implemented, and I will initiate a targeted review of this Directive to ensure that social dumping has no place in the European Union. In our Union, the same work at the same place should be remunerated in the same manner.”

Assessment:

We must follow whether a Services Directive 2.0, as rumours say, is indeed underway.

Bringing industry’s share of EU GDP back up: What does this imply for labour? A rise in GDP does not necessarily mean a rise in number of jobs in the sector. There is also no reflection in the paper of the fact that a growing number of jobs in the traditional industry sectors are indeed service jobs.

Promising ambitions on a review of Posting of Workers Directive, to ensure that social dumping has no place in Europe. Same work, same place, should be remunerated in the same manner. The question is, why does he write “the same manner”, and not simply equally? We must follow up on this and clarify the significance in the words.

We must push for our demands in the Services Manifesto:

That a comprehensive EU services policy is developed

That a single market for quality services is established that impedes social dumping and protects services of general interest.

5. A deeper and fairer economic and monetary union

Quote: “I want to continue with the reform of our Economic and Monetary Union to preserve the stability of our single currency and to enhance the convergence of economic, fiscal and labour market policies between the Member States that share the single currency.”

Quote: We must make use of this pause [not expanding the EU with new members] to consolidate and complement the unprecedented measures we have taken during the crisis, simplify them and make them more socially legitimate.”

Quote: “I also propose that, in the future, any support and reform programme goes not only through a fiscal sustainability assessment; but through a social impact assessment as well. The social effects of structural reforms need to be discussed in public, and the fight against poverty must be priority. I am a strong believer in the social market economy. It is not compatible with
the social market economy that during a crisis, ship-owners and speculators become even richer, while pensioners can no longer support themselves”

**Assessment:**

This is the first policy area in which he explicitly mentions social legitimacy and calls for social impact assessments of the measures taken by the Commission. Both must be monitored and see through to realisation. He also mentions that fiscal reforms should not lead to social and income inequality – another important point to commit him on.

But, how does Juncker define ‘socially legitimate’? Socially as in the broader society, or as in the labour market? How does he define the social market economy? What too does he actually mean when saying convergence of labour market policies? He doesn’t explain, although he does mention that Europe’s social dimension must always be kept in mind.

Mentions the need to simplify again – i.e. REFIT. How does REFIT go hand in hand with his emphasis on a social market economy?

UNI Europa must follow up on these points and actively pursue that Juncker actually sticks to his word.

6. A reasonable and balanced free trade agreement with the U.S.

Note the words reasonable and balanced.

Juncker quote: “I will not sacrifice Europe’s safety, health, social and data protection standards or our cultural diversity on the altar of free trade. Notably, the safety of the food we eat and the protection of Europeans’ personal data will be non-negotiable for me as Commission President.”

Juncker continues: “Nor will I accept that the jurisdiction of courts in the EU Member States is limited by special regimes for investor disputes. The rule of law and the principle of equality before the law must also apply in this context.”

Juncker also insists on “enhanced transparency towards citizens and the European Parliament”

**Assessment:**

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<th>Important to:</th>
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<td>Follow the ongoing discussions in working groups (ETUC?).</td>
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<td>Keep Juncker to his word on enhanced transparency. Keep him to his words on social standards – whatever that covers.</td>
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<td>Juncker seems here to assert that no investor-State dispute settlement (ISDS⁹) mechanism will be part of the trade agreement. In the written response to the EP in preparation for the hearing of</td>
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⁹ The ISDS system would allow companies to adjudicate investment disputes before an international arbitration panel rather than in national courts.
Trade Commissioner-delegate Malmström, she too confirmed that ISDS would not have a part in the trade agreement. However, at the hearing, Malmström went against this, and said that the sentence was not written by her. Indeed Malmström who sits in the current Commission has expressed that she is for a ISDS mechanism, and has in fact together with the current Commission signed a trade pact with Canada in which a version of ISDS is included. UNI Europa must follow closely whether the trade agreement with the US will follow suit and include ISDS mechanisms, contrary to the initial statements by Juncker.

On October 22, Juncker again stated he was against an ISDS mechanism, but then want on to say that if Timmermann’s agreed to one, it would be fine.

We must push for our demands in the Services Manifesto:

That international trade agreements are negotiated transparently and improve working conditions worldwide. International trade must not compromise social progress.

7. An Area of Justice and Fundamental Rights based on mutual trust

Assessment:

Maybe most interesting here is to follow up on that he in no way accepts discrimination on whatever grounds.

8. Towards a New Policy on Migration

Juncker urges for more solidarity, we must protect those in need. Divergences in national implementation of the common asylum system must be removed.

Juncker wants to approach a new European policy on legal migration to address shortages of specific skills and attract talent. Mentions here demographic challenges in the EU.

Assessment:

Interesting to follow up on the new policy on legal migration – for us to map skill shortages and talent needs within our sectors

9. A stronger global actor

Juncker is unsatisfied with the current common foreign policy. Enlargement of the EU – says 13 new member states in 10 years needs to be digested.

Assessment:

We must work with affiliates from the accession countries and push for awareness of their positions.
10. A union of democratic change

Committed to political dialogue with the EP

Committed to enhanced transparency with regards to contact with stakeholders and lobbyists. Juncker will propose a mandatory lobby register, covering EP, Council and Commission.

Committed to working towards improving relation with national parliaments.

Assessment:

Time line missing on adoption of mandatory lobby register

While Juncker commits to transparency in who the EU institutions meet, there is no explicit commitment to balance of interests in High Level Groups, Impact Assessments, working groups and/or committees. Nor does he commit to linking who meets whom to any final decision making. We should push for this.

Assessment of the Political Guidelines

There seems to be little doubt that Juncker’s main focus is to support the business environment by, amongst others a) removing legislation (through REFIT) that is seen to be adverse for the growth of especially SME, b) by pushing for a full blown internal market for services and c) pushing for more job-creating investment directly from the EIB but also by boosting the investment will of private investors.

Juncker does though have a focus on social issues: He admits to the unfair social costs of austerity, he wants to promote a social market economy, and he seems to be aware that the Posting of Workers Directive has led to social dumping, and that he will not accept this. Likewise, Juncker proposes that any future support and reform programme goes through not only a fiscal sustainability assessment but also a social impact assessment. He asserts that fiscal reforms should not lead to social and income inequality.

We must hold Juncker and the College of Commissioners accountable to these points in what appears to be a Commission period that will focus on a) deregulation and/or re-regulation to the benefit of the business environment, b) international trade agreements, and c) a strengthened, more aligned services directive.

Part 3: Assessment of mission letters

The Mission Letters are written by Juncker and sent to each Commissioner. They detail Juncker’s expectations towards the Commissioner and the goals for their portfolios or Commission.

Juncker already in the introduction to each letter confirms that the VPs will have the right to refrain from recommending a proposal from one of the Commissioners in his or her project team. Thus reasserting the power hierarchy we discussed in part one above. Juncker again stresses that respect for the principle of subsidiarity, proportionality and better regulation will be at the core of the work of the new Commission.
The main responsibilities of the Vice Presidents most relevant for UNI Europa are listed below:

**Frans Timmermans**, First Vice-President in charge of Better Regulation, Inter-Institutional Relations, the Rule of Law and the Charter of Fundamental Rights

**Responsibilities:** Better Regulation, ensuring quality of impact assessments, relations with Parliament, for relations between Commissioners and national parliaments to bring EU closer to citizens. Also now responsible for TTIP and ISDS negotiation together with Commissioner Malmström.

**Jyrki Katainen**, Vice-President for Jobs, Growth, Investment and Competitiveness

**Responsibilities:** Deliver within 3 months the €300 billion Job, Growth and Investment Package; Keeping the competitiveness dimension prominently at the heart of the Commission’s policy work and helping improve the business environment in order to strengthen Europe as an attractive place to work and invest; Coordinate midterm 2020 strategy review; Work w. VP Dombrovskis to ensure that economic policy coordination is in line with goals of social market economy

**Valdis Dombrovskis**, Vice-President for the Euro and Social Dialogue

**Responsibilities:** European Semester of economic policy coordination, starting with its streamlining and reinforcement; social dialogue at EU level within Commission’s priorities; deepening of Economic and Monetary Union; rebalancing of stability support, incl making it more democratically legitimate and also with social impact assessments.

**Andrus Ansip**, Vice-President for the Digital Single Market

**Responsibilities:** completion of Digital Single Market; modernising consumer rules for online and digital purchases; review of data protection laws, support ways to make public EU administration more open and effective, including how to improve interaction with Members States’ administrations.

These four vice-presidents will be responsible for the portfolios that are most relevant for UNI Europa. Timmerman for what must be a continuous evaluation of the social and labour market consequences of Better Regulation. Katajnen for his overall responsibility for the labour market, including skills, labour mobility and both financial markets and the Internal Market. Dombrovskis for his overall responsibility for the Social Dialogue, and what seems to be the promotion of this purely within areas of priority for the Commission. And lastly, Ansip for the employment consequences of what seems to be a push for more harmonised digital markets

Our overall comments in relation to the Mission Letters to the VPs and the individual Commissioners in charge of Commissions relevant to our sectors are listed below.

1. Across the sectors, we question whether the new structure will work, or whether responsibilities will fall between chairs, and details get lost in coordination.

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2. We note that the Mission Letters emphasise the need to make conditions better for the business environment.

3. The key priorities across sectors seems to be job-creation, incl. the removal of barriers limiting job creation, an evaluation of the social fairness of regulation, improving legal migration to deal with demographic challenges, and putting measures in place that will boost investment into the real economy. Nothing is said though about what kind of jobs must be created, nor of the quality of said jobs. We also note that neither the social partners nor the employees are directly mentioned in connection with these policies.

4. Juncker does put emphasis on social fairness in several places and explicitly states that he believes in a social market economy. However, it also seems that he conditions this, such as in the Mission Letter to the VP of Euro and Social Dialogue, in which he states that the VP should focus on… “Promoting social dialogue and engaging with social partners at EU level on all aspects of interest for the delivery of our priorities.” (my emphasis). One can ask what happens to the social fairness aspect if it falls outside of what is an interest for the delivery of priorities, i.e. for better regulation?

5. In general, we note that Juncker wants to promote a more liberal market, across industry and service, and wants to remove “red tap” that he deems unnecessary for growth. For example, in the finance sector, we note Juncker asks Hill to “develop alternatives to our companies’ dependence on bank funding”. This we believe could lead to activities being moved out of the regulated banking sector to sectors currently not regulated as banks – but performing similar activities. i.e. a move into the shadow sector. Nowhere in Juncker’s policies or Mission Letters does he mention securing a “level playing field” – a term otherwise often used by the previous Commission aimed at mainstreaming across the sector equal policies for equal types of actor.

6. We note a pattern in Juncker’s statements. He tends to proclaim something big, and later in a text or speech he adds conditions and limitations.

7. Lastly, whilst it is positive that Juncker proposes social impact assessments of reform and support programmes, we can question why social impact assessments are not mainstreamed into all Commission regulation? If Juncker wants both a more socially fair Europe, and a “European Union that is bigger and more ambitious on big things, and smaller and more modest on small things” why not then include a social sustainability assessment of all Commission policies?

**Summary and moving forward**

UNI Europa remains critical to the better regulation policies and the underlying potential challenges these pose to European-wide fair, just and inclusive labour markets based on the recognition of the labour market parties role in building a strong and sustainable Europe.

We commit to a continued critical analysis of Commission documents and initiatives, paying attention to what is written but just as importantly on what is not written. We have noticed Juncker’s use of grand statements followed by either limitations to these statements or openings for change of them.
Annex 1: The new two-tier structure of the Commission (click on picture to view all project teams)

PRESIDENT
JEAN-CLAUDE JUNCKER

First Vice-President
Frans Timmermans
Better Regulation, Internal Market & Services, Taxation, Employment & Social Affairs

Vice-President
Kristalina Georgieva
Budget & Human Resources

Vice-President
Maroš Šefčovič
Energy Union

Vice-President
Syrri Karayel
Jobs, Growth, Investment & Competitiveness

Vice-President
Valdis Dombrovskis
The Euro & Social Dialogue

Vice-President
Andrus Ansip
Digital Single Market

High Representative
Federica Mogherini
High Representative of the Union for Foreign Policy & Security, Vice-President

Commissioner
Věra Jourová
Justice, Consumers & Gender Equality

Commissioner
Günter Oettinger
Digital Economy & Society

Commissioner
Pierre Moscovici
Economic & Financial Affair, Taxation & Customs

Commissioner
Marianne Thyssen
Employment, Social Affairs, Skills & Labour Mobility

Commissioner
Corina Creţu
Regional Policy

Commissioner
Johannes Hahn
European Neighbourhood Policy & Enlargement Negotiations

Commissioner
Miguel Arias Cañete
Climate Action & Energy

Commissioner
Neven Mimica
International Cooperation & Development

Commissioner
Karmenu Vella
Environment, Maritime Affairs & Fisheries

Commissioner
Margrethe Vestager
Competition

Commissioner
Violeta Bulc
Transport

Commissioner
Cecilia Malmström
Trade

Commissioner
Phil Hogan
Agriculture & Rural Development

Commissioner
Christos Stylianides
Humanitarian Aid & Crisis Management

Commissioner
Tibor Navracsics
Education, Culture, Youth & Sport

Commissioner
Carlos Moedas
Research, Science & Innovation

Commissioner
Neven Mimica
International Cooperation & Development

*The HRVP may ask this Commissioner (and other Commissioners) to deputise for her in areas related to Commission competence.
Annex 2: Overview of political affiliation of the Commissioners (note the red and blue colours do not relate to political affiliation)