



# CEPLIS TELEGRAM

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**The European Commission publishes an update of the Scoreboard on the Directive on Professional Qualifications.**

As you remember, the European Commission had published last year a Scoreboard aiming at evaluating the state of implementation of the Directive relating to the Mutual Recognition of Professional Qualifications (2005/36/EC) into the national legislation of each European Member State (*see Telegram 22/09*).

At the end of last month, the European Commission has updated the Scoreboard in question, publishing on the website of the Directorate General in charge of the Internal Market its second version. The document can be consulted by clicking on the following e-address:

[http://ec.europa.eu/internal\\_market/qualifications/docs/scoreboard\\_2010\\_en.pdf](http://ec.europa.eu/internal_market/qualifications/docs/scoreboard_2010_en.pdf)

The data provided by the Scoreboard show that there is very little evolution since the first publication of the table. Austria, Belgium, France, Greece and

Luxembourg have still not transposed the Directive into their national legislation. Finland is the only one of the “bad students” club to accuse progress, having established a table of concordance between the Directive and its national legislation.

CEPLIS will, of course, keep you informed on all evolutions through our Telegram.

**DG MARKT publishes a “Code of Conduct” defining the national administrative practices falling under the Directive on the Recognition of Professional Qualifications.**

On the 30<sup>th</sup> of April 2010, the Directorate General of the European Commission in charge of the Internal Market (DG MARKT) has published a “Code of Conduct” aiming at providing the guidelines that the national administrations of the 27 Member States of the EU should respect during the procedure of recognition of professional qualifications.

The document in question is divided in seven different chapters covering all aspects of the process of recognition:

- **Information:** it describes the information that should be given to the migrant worker by both the country of origin and the host country.
- **Documents:** it lists the documents that should be handed in by the migrant worker to the competent authorities of the host country in different situations.
- **Compensation measures:** these are the aptitude tests and the adaptation period that may be required by the competent authorities of the host country.
- **Charges:** it concerns the possible charges that a migrant worker could pay for his establishment in a host country.
- **Rules on reasoned decisions and appeals**
- **Coordination:** it gives advice on how to elaborate a network in order to share the experiences of the different competent authorities.
- **Linguistics knowledge:** it stipulates that in case of doubt of the accuracy of the qualification or the document supporting the linguistic knowledge, the host country could require from the competent authorities of the home country a confirmation of the accuracy.

This “Code of Conduct” aims at facilitating the administrative procedures for migrant workers, criticized in the past for their heaviness and considered by many to be burdens for a professional willing to work in another EU Member State.

The document in question can be downloaded by clicking on the following e-address:

[http://ec.europa.eu/internal\\_market/qualifications/docs/future/cocon\\_en.pdf](http://ec.europa.eu/internal_market/qualifications/docs/future/cocon_en.pdf)

## The European Parliament strengthens EU rules on equal treatment for self-employed men and women.

The European Union is currently revising the Directive of the European Parliament and of the Council on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity (86/613/EG).

In fact, the European Parliament has already voted a Resolution, thereby amending the proposal of the Council of Ministers. It is now up to the latter to approve the modifications proposed by the Parliament. The Resolution in question has been adopted with 592 pros, 30 cons and 36 abstentions.

**The objective is to guarantee a better social protection to self-employed women and to persons who are life partners and at the same time assistants of liberal professionals, among others.** The proposal declares that in all cases, a pregnant woman, whether exercising as self-employed or assistant in her quality of life partner, should have the right to a maternity leave of 14 weeks, this being the minimum requested by the current European legislation on maternity leaves. The document states however that it is up to the Member States to decide if this leave should be compulsory or voluntarily requested.

Among different MEPs commenting on the vote, Green/ICV MEP Raül Romeva said that *"Today's vote will help strengthen EU rules on the equal treatment of self-employed men and women and bring them up to date to the realities of modern family structures. Women play an essential role in sustaining self-employed business as owners, assisting spouses or life partners and it is crucial that this role is recognized and supported under EU legislation"*.

What are the next steps of the legislative process?

The Council (of Ministers) is expected to adopt the text the 24<sup>th</sup> of June. Then the Member States will have 2 years to implement these modifications to the Directive, with a maximum extension of 2 supplementary years if they experience real difficulties throughout this process.

This issue concerns various sectors of employment and amongst these the liberal professions.

## Conference and events to come

- **European Economic Policy in crisis** – AK Europa  
Date: 10<sup>th</sup> of June 2010  
Venue: Permanent Representation of Austria to the EU  
30, Avenue de Cortenberg, 1040 Brussels  
Hour: 19h00