

EURES CHARTER

(2010/C 311/05)

THE EUROPEAN COORDINATION OFFICE, hereinafter referred to as the EURES Coordination Office, as established under the terms of Article 21 of Council Regulation (EEC) No 1612/68,

Having regard to Commission Decision 2003/8/EC of 23 December 2002 implementing Council Regulation (EEC) No 1612/68 as regards the clearance of vacancies and applications for employment ⁽¹⁾, hereinafter referred to as the Decision, and in particular Article 8,

Having regard to the opinion of the Advisory Committee on free movement of workers and the Technical Committee on free movement of workers, and after consulting the EURES High Level Strategy Group,

HAS ADOPTED THIS EURES CHARTER:

To which the EURES members (the specialist services appointed by the Member States) and the EURES partners (all other participating organisations, including social partner organisations), in accordance with Article 3 of the Decision, shall adhere when carrying out activities within the framework of the EURES cooperation.

PART I

DESCRIPTION OF EURES ACTIVITIES

EURES activities shall be an integral part of the service offer of the EURES members, accessible at any of their local offices. EURES members shall take the European dimension, and in particular the European Employment Strategy, into consideration when defining their targets and performance indicators. EURES members and partners shall collaborate with a view to strengthening this integration.

Mobility should be promoted whilst ensuring the concept of 'fair mobility', particularly fighting undeclared work and social dumping, which is to ensure that labour standards and legal requirements are always fully respected.

1.1. Job-matching services

EURES members and partners shall actively contribute to an increased mobility on the European labour market by exchanging information between themselves on vacancies and applications for employment. Vacancy information shall be valid, accurate and sufficient to allow job-seekers to make an informed decision about applying. Special attention shall be given to job vacancies where the employer is specifically interested in recruiting workers from other European countries. Vacancy notices shall be exchanged according to the uniform system referred to in Part III.

EURES members and partners shall provide information services, counselling and advice to job-seekers and mobile workers (cross-border workers, migrant workers ⁽²⁾ and posted workers) as well as employers, including persons with special information needs such as the young, the elderly, the disabled and women as well as to family members of EU mobile workers. These services shall include:

— Job vacancies and applications

EURES members and partners shall help and advise job-seekers interested in working abroad about suitable vacancies and provide help and assistance with the drawing up of applications and CVs, in conformity with the recommended European CV format. Job-seekers shall be given the opportunity to register their CVs in the EURES CV database.

⁽¹⁾ OJ L 5, 10.1.2003, p. 16.

⁽²⁾ Third-country nationals can be covered as long as they have the right to work in another EU/EEA country (and Switzerland).

— Help in recruiting from another European country

EURES members and partners shall provide information and recruitment services to employers who wish to recruit from other countries, including advice and help to specify the profile of the potential candidates. They shall promote the EURES CV database as a tool to give employers access to a pool of those interested in working abroad.

— Information on living and working conditions

EURES members and partners shall provide information and advice on living and working conditions in the EURES countries, which is up to date, accurate and comprehensive.

— Information about labour markets

EURES members and partners shall provide information about current trends on the European labour market, including information about availability of manpower, and about labour shortages and surpluses.

EURES services are usually free of charge. When EURES members and partners charge any fees, there shall be no differentiation between the charges levied for access to EURES services and those applicable to comparable national services.

1.2. Transnational, sectoral and cross-border cooperation

EURES members and partners shall contribute to a strengthened cooperation within the network. EURES members and partners which specialise in certain occupations or specific categories of persons, such as management or research staff, shall support the development of transnational cooperation concerning these sectors both within the EURES network and in other relevant European level initiatives and structures.

In addition, EURES members shall support the development of cross-border cooperation together with local social partners, local authorities and other relevant local and regional organisations located in cross-border areas in order to improve the local labour market and facilitate the mobility of workers in these areas, with a view to contribute to the economic and social development of the area.

1.3. Monitoring, assessing and tackling obstacles to mobility

With a view to establishing a coordinated monitoring of obstacles to mobility and to contributing to the removal of such obstacles, EURES members shall, in cooperation with the relevant EURES partners or other relevant sources, regularly monitor the existence of specific surpluses and shortages of skilled workers as well as any specific obstacles to mobility that they identify, including differences in legislation and administrative procedures. They should identify the appropriate level for the removal of these obstacles.

PART II

OPERATIONAL OBJECTIVES, QUALITY STANDARDS AND OBLIGATIONS OF THE EURES MEMBERS AND PARTNERS

2.1. Integration of job vacancies databases

All vacancies that have been made public by a EURES member or partner shall be accessible to all the other members and partners using a uniform system and common models (as referred to in Part III) that allow them to be further distributed by up-to-date technology.

In addition, EURES members and partners shall ensure that those job vacancies for which the employer has expressed an interest in recruiting internationally or which otherwise are likely to be filled by nationals of other Member states are rapidly made known to EURES members and partners.

2.2. Exchange of information

2.2.1. Exchange of job vacancies

EURES members and partners shall see to it that all vacancies coming from other members and partners are immediately processed and advertised within the systems that come under their respective responsibility, and made available to the public.

They shall ensure that the vacancy information is of a high enough quality to allow job-seekers to search and make an informed decision about applying for a suitable job, and that employers receive applications from the most appropriate applicants.

EURES members must ensure that vacancies continue to be advertised only when they are still open.

- Vacancies must be immediately suspended, or closed, when the employer has enough candidates to consider, or has filled the vacancy.
- EURES members shall monitor all vacancies over a certain number of weeks old and ensure that old vacancies are verified as being still open, or close those that are not.

2.2.2. Exchange of job applications

EURES members and partners shall ensure the exchange of job applications and curricula vitae received from job-seekers both within and outside their respective country.

Applications for vacancies shall be carefully handled by the EURES members and partners, and job-seekers shall be kept fully informed:

- where applications for vacancies are made directly to the employer, the responsible service should, where possible, check with the employer the response to their vacancy advert and take appropriate action to encourage applications,
- where the application is made via a local employment service office or a EURES adviser, applicants must be informed if their application has been forwarded to the employer or not.

The EURES Coordination Office will draw on the practical experience of EURES members and partners in order to develop Europe-wide standards for job applications designed to improve their transparency, relevance and comparability.

2.2.3. Information on living and working conditions and labour market information

EURES members shall, on a regular basis, exchange information on living and working conditions in their respective Member country according to a uniform format, referred to in Part III, that enables the information to be easily interchanged between members and partners. In addition, they shall facilitate access to information on labour law, labour contracts and social legislation.

In addition to undertaking the regular monitoring and assessment of obstacles to mobility referred to in Part I, EURES members shall exchange, on a regular basis, information on the state and trends of the labour market, broken down by regions, sectors of activity and, where possible, by type of worker qualifications.

The information must be up to date, correct and easily accessible. To ensure accessibility, all information shall be provided in the relevant national language as well as in English, French and German.

EURES members shall regularly update the database on living and working conditions and the labour market information database according to agreed models and structures, and within the agreed time span.

2.2.4. *Any additional information necessary for the creation and maintenance of a joint EU information platform on jobs and mobility*

The exchange of information on the items mentioned above shall be part of an integrated European information platform on skills and mobility.

In order to further develop the services and the information provided, the EURES Coordination Office may request EURES members and partners to provide supplementary information that is of interest for job-seekers or employers. This should also contribute to improving the operation of databases on jobs and learning opportunities, at national or other levels, which will be interconnected at European level and further incorporated into the EURES website.

Access will also be provided to information collected by other networks operating at European level.

2.2.5. *Access to the information exchanged*

To ensure EURES advisers and the public full access to the information exchanged, the EURES members must provide the necessary technical facilities and services, such as publicly accessible IT terminals.

2.2.6. *Protection of personal data*

EURES members and partners shall respect all relevant provisions concerning protection of personal data when exchanging or providing access to information.

2.3. EURES personnel, qualifications and training

The success of EURES depends both on an efficient technical network and a qualified staff, willing to cooperate across borders.

2.3.1. *EURES managers, advisers and other personnel*

Each EURES member shall designate a **EURES manager** within the organisation. The EURES manager shall:

- promote integration of the European mobility dimension in general and the EURES cooperation in particular in the member organisation,
- coordinate the EURES activities and prepare and supervise the implementation of the EURES activity plans in the Member country in question,
- ensure that the EURES member meets its objectives and obligations in time,
- disseminate information to EURES advisers and other relevant stakeholders,
- represent the EURES member in the EURES Working Party,
- give feedback to the EURES Coordination Office and the EURES Working Party,
- advice on the identification of potential applicants (future or acting EURES advisers or others) for initial training, advanced training, or other forms of training.

Each EURES member shall ensure that all relevant personnel coming under its responsibility are prepared and trained to achieve the operational objectives and fulfil the standards and obligations described above.

In addition, EURES members and partners must designate **EURES advisers** who work in the framework of one of the EURES member or partner organisations. In order to qualify, EURES advisers must be able to speak English or French or German in addition to their mother tongue. They perform the following tasks:

- provide or coordinate the provision of information, guidance and assistance on placement to employers and job-seekers as experts on mobility issues,
- contribute to the integration of EURES services within their organisation and provide training and support for other staff,
- contribute to cooperation within the framework of the EURES network,
- contribute to the positive image of the EURES network by being professional courteous and client-oriented.

A variety of tasks is expected from the EURES advisers, some of which may require a degree of specialisation.

EURES managers and EURES partners employing EURES advisers shall establish their specific function and time allocation to EURES activities.

For each appointed EURES adviser, an individualised job description must be drafted and kept regularly updated. It must be agreed by all the involved parties (EURES adviser, EURES manager, line manager, Social Partners' organisations in the case of EURES advisers belonging to such organisations). The individualised job descriptions should serve as a basis for the identification of the training needs and learning path for the different types of EURES advisers.

EURES members or partners shall provide their EURES advisers with the necessary resources for carrying out their tasks. This concerns in particular:

- the authorisation to be available for EURES tasks, preferably on a full-time basis, but at least for half the time of a regular full-time equivalent,
- workplace equipment,
- tools necessary for information guidance and counselling,
- participation in initial and advanced training sessions (based on the identified training needs and the agreed learning path).

2.3.2. *Training*

EURES members and partners shall ensure that EURES managers, EURES advisers and other personnel likely to be involved in the delivery of EURES services are suitably qualified and trained.

All potential EURES advisers should follow the initial training programme organised at European level, after having followed the pre-initial training programme organised the EURES Members. Cross-border training will focus on specific topics, possibly targeted at the cross-border labour markets.

It is also recommended that all EURES managers, EURES advisers, and other personnel involved in the delivery of EURES services participate on a regular basis in advanced (classroom or virtual) training sessions, on the basis of the identified training needs and the agreed learning path.

EURES members and partners shall actively contribute to the delivery of all kind of training for the network by, for example, cooperating with the EURES Coordination Office in organising visits and assignments for officials of other Member countries, such as seminars and conferences, as well as additional programmes for specialist personnel.

2.4. EURES Guidelines and activity plans

2.4.1. EURES Guidelines

After consulting the EURES High Level Strategy group, the EURES Coordination Office shall, every three years, adopt EURES Guidelines for the activities of EURES covering the following three-year period hereinafter referred to as the EURES Guidelines.

The EURES Guidelines shall describe the overall operational objectives for the time period concerned and shall include the conditions for any financial assistance the European Community may provide.

2.4.2. Activity plans

Every three years, the EURES members shall submit their activity plans for the coming three-year period.

The activity plans shall be based on the EURES Guidelines and shall contain:

- the elements provided for in Article 9 of the Decision, namely:
 - (a) the main activities to be undertaken by the EURES member within the framework of the network, including the transnational, cross-border and sectoral activities provided for in Article 17 of Regulation (EEC) No 1612/68;
 - (b) the human and financial resources allocated for the implementation of Part II of Regulation (EEC) No 1612/68;
 - (c) the arrangements for monitoring and evaluation of the activities planned, including the information to be sent to the Commission on an annual basis.

The activity plans shall also include an assessment of the activities and progress achieved during the previous period.

- a description and assessment of the strategic development needed to implement each Guideline for the whole period covered by the EURES Guidelines.

Where relevant, the elements mentioned above should also cover their cooperation with the EURES partners.

2.4.3. Specific rules on cross-border activities

As provided for in the Decision, Article 8(2)(a)(ii), the EURES members and partners shall jointly develop cross-border cooperation, which should be organised in the framework of EURES cross-border partnerships and/or cross-border cooperation.

The main tasks of a cross-border partnership are:

1. to offer through the EURES advisers and other staff of the partnerships' member organisations client services to actual and potential cross-border commuters and their employers by providing and exchanging information and advice on job vacancies and job applications as well as on living and working conditions and other relevant information related to the labour market in the cross-border region, such as social security, taxation and labour law, etc.;

2. to facilitate the job-matching process on the cross-border labour market and develop joint job placement activities and projects as well as directing towards information about vocational and educational training opportunities;
3. to ensure a constant flow and exchange of information by direct and regular contacts between the EURES advisers in the cross-border region;
4. to monitor mobility obstacles in the cross-border region and propose suitable solutions on how to remove them to regional, national and European decision-makers;
5. to coordinate, contribute to and develop projects aimed at improving the functioning of the labour market in the cross-border regions, including cooperation with other relevant programmes with the objective of making the cross-border partnership coordination structures self-sustainable.

These tasks can be supplemented by additional tasks according to local situations as well as economic circumstances.

2.4.3.1. Organisation of EURES cross-border partnerships and activities

A cross-border partnership comprises the Public Employment Services of all the regions involved, together with trade union and employer organisations, as designated by the EURES members, in line with the relevant national rules and practices. Other partners can include:

- regional and local authorities or associations of these,
- organisations dealing with vocational training, universities and institutes of higher education,
- other relevant actors on the cross-border labour market.

All partners are committed to the objectives of the partnership and contribute to the financing of its activities. Cross-border partnerships are considered as permanent networks with clearly defined objectives.

EURES cross-border partnerships are a service provider covering a particular cross-border area in the EEA and Switzerland. They act under the strategic guidance of one EURES member which they determine in own responsibility. The involved EURES members' managers⁽¹⁾ are also members of the cross-border partnership's Steering Committee and have the right to vote.

2.4.3.2. Internal organisation of EURES cross-border partnerships

All partnerships are free to decide on their internal organisation, respecting the rules of sound and efficient financial management. A steering committee where all the participating organisations are represented should be created. This should include the relevant EURES member that has been selected to provide strategic guidance to the partnership. It should be the principal decision-making body of the partnership, which ensures the overall cohesion of the partnership and sets out its strategy in accordance with the EURES Guidelines. In particular, it:

- elaborates the proposals for activities to be included in the three-year and annual activity plans of the cross-border partnership, accompanied by an estimation of the budgetary means required to undertake these activities,
- ensures an effective implementation, monitoring and evaluation of activities, including their financing, and carries out regular assessments of the results,
- appoints a coordinator who ensures the proper functioning of the partnership.

⁽¹⁾ According to Article 3(a) of Commission Decision 2003/8/EC, the EURES members are the central offices of the national public employment services.

2.5. Promotion of the EURES network

It is crucial for the success of the EURES network that potential clients as well as persons active within the EURES members' and partners' organisations are fully aware of what the network can offer.

2.5.1. Communication strategy and plans

The EURES Coordination Office shall, together with the EURES members and partners, engage in an overall communication strategy, designed to ensure the consistency and cohesion of the network vis-à-vis its users.

The EURES members shall, in accordance with the overall strategy, develop their own promotion plans and include them in the respective national EURES three-year and annual activity plan.

The EURES partners will take part in information and promotion activities devised by the relevant EURES members and by the EURES Coordination Office.

EURES members and partners shall ensure that the information and promotional material they provide are coherent with the overall communication strategy and with the information coming from the EURES Coordination Office.

2.5.2. The EURES logo

The EURES service mark, as well as the logo characterising it, is the property of the Commission. EURES members and partners shall use the EURES logo in all their activities related to EURES.

Information presented under the EURES logo shall be in compliance with the policies and interests of the European Union and with the objectives of EURES.

Only the EURES Coordination Office may grant third parties permission to use the EURES logo, and inform EURES members and partners concerned accordingly. EURES members and partners shall inform the EURES Coordination Office without delay of any abuse of the logo by third parties.

2.6. Principles for monitoring and evaluating EURES activities

With a view to improving the quality and effectiveness of EURES services provided, EURES members and partners commit themselves to monitor and evaluate all EURES activities within their responsibility in terms of quantity, quality and impact.

EURES members and partners shall regularly provide the EURES Coordination Office with figures on the number of vacancies, job applications handled and the number of placements, according to common reporting models established within the network. They shall also provide figures on the number of customers seeking other types of advice. This includes information about the use of personalised services as well as of IT tools.

All activities and projects by the EURES members and partners shall include a clear definition of objectives and indicators that enable an assessment as to whether the objectives were achieved in accordance with the EURES Guidelines. These objectives and indicators shall be used in the regular reports submitted to the EURES Coordination Office.

The three-year activity plans of each EURES member shall include an overall evaluation of the state of EURES in that country, including an evaluation of the quality of the EURES activities and services, the customer satisfaction and an impact assessment.

The EURES Coordination Office will initiate an external evaluation of the operation of EURES at least once every three years following the adoption of the Commission Decision.

PART III

UNIFORM SYSTEM AND COMMON MODELS FOR THE EXCHANGE OF INFORMATION

The systems and procedures for the exchange of information are essential for the functioning of the EURES network. EURES members and partners shall comply with the uniform system and common models for the exchange of labour market and mobility-related information that are established by the EURES Coordination Office in close cooperation with the EURES members and partners.

The **uniform system** describes the general framework for the data exchange, such as

- the nature of the information to be exchanged,
- the frequency of data exchange,
- means of providing accessibility to other EURES members and partners.

The **common models** describe the contents and form in which each type of data is exchanged.

EURES members shall cooperate with other relevant services in their Member country to ensure complementarity and uniformity in respect of the information provided.

EURES members and partners shall collaborate with a view to develop tools and methodologies for the improvement of their services and information systems, inter alia by the use of new information technologies.

Done at Brussels, 26 October 2010.

For the EURES Coordination Office

Robert VERRUE

Director-General
