
**ACTIVATION OF PERSONS FACING BARRIERS
TO LABOUR MARKETS**

**CONTRIBUTION TO A FIRST-PHASE
SOCIAL PARTNER CONSULTATION**

Preliminary remarks

CESI welcomes the opportunity to respond to the first-phase consultation under Article 154(2) TFEU on possible EU action concerning the activation of persons facing significant barriers to enter the labour market.¹ The coexistence of labour and skills shortages with persistent labour market exclusion requires a coordinated response. Such a response must be grounded in social rights and quality employment, not in a narrow objective of increasing labour supply.

Activation must be understood as the removal of structural, institutional, workplace and individual barriers to freely chosen, sustainable and quality employment. It must not be reduced to conditionality, sanctions or pressure to accept unsuitable work. Persons who cannot work, are temporarily unable to work, are undertaking education or training, or provide care must retain access to adequate income support and enabling services. The right to social protection must not be made dependent on outcomes that public authorities and employers have failed to make realistically attainable.

CESI draws in particular on the findings of its previous EU co-funded ACTIVER project, which demonstrated that active labour market policies are most effective when trade unions and social partners co-design, co-govern and co-monitor them.² Public employment services (PES), social services, education and training systems, health services, care services and labour inspectorates must have sufficient staff, expertise and resources to deliver individualised support. EU action must therefore be accompanied by sustained public investment and meaningful social partner participation at European, national, sectoral, regional and local levels.

I. Do you consider that the issues and possible areas for further EU action are correctly identified in this document?

CESI broadly agrees with the European Commission's identification of the principal barriers and the possible areas for EU action. The consultation correctly recognises that exclusion arises from the interaction of supply-side, demand-side and policy-driven barriers and that persons in vulnerable situations frequently face several barriers simultaneously. CESI also supports the focus on outreach, individualised pathways, care, integrated services, job retention, financial incentives, employer practices and social dialogue.

However, the analytical framework should be strengthened in six respects.

¹ [European Commission, First-phase consultation of social partners under Article 154 TFEU on possible EU action on activation of persons facing significant barriers to enter the labour market, C\(2026\) 8200 final, 22 July 2026.](#)

² [CESI, Active labour market policies in Europe: Successful designs and implementation through trade union participation - Takeaways of CESI's ACTIVER project, 12 November 2025.](#)

1. A rights-based definition of activation and deconstruction of stereotyping

The consultation gives substantial weight to competitiveness, labour shortages and fiscal sustainability. These are relevant considerations, but activation policy must first give effect to the right to work, equal treatment, social inclusion, adequate social protection and access to essential services. The person concerned must be treated as a rights-holder and an active participant in the design of the pathway, rather than as an available unit of labour.

The objective must be access to quality employment. Placement rates in quantitative terms alone are insufficient. Instead, the assessment of activation measures must cover job security, pay, working time, occupational safety and health, access to training, collective bargaining coverage, career prospects, equality and retention. Publicly supported placements must comply with applicable labour law and collective agreements and must not replace regular jobs, depress wages or subsidise repeated cycles of precarious employment. For women in particular, successful activation should also strengthen long-term economic independence. Assessments should therefore not merely aim at activation in itself but consider sustainable earnings prospects, individual social security and pension entitlements, access to training and career progression, and whether measures contribute to narrowing gender employment, pay and pension gaps.

Moreover, those in need of help to access labour markets should not face stereotyping. Many of those in need require help not for their own fault but because of reasons that are beyond their capacity to change. Society, companies, and politics should give them the support they need without attaching any kind of blame to them.

2. Adequacy of income support

The European Commission rightly identifies benefit traps and abrupt withdrawal of support as challenges to address. It should equally identify inadequate benefits, punitive conditionality and sanctions as possible drivers of poverty, ill health and disengagement. The 2023 Council Recommendation on adequate minimum income links adequate income support, enabling services and inclusive labour markets.³ These three strands should be mutually reinforcing and complementary also in this initiative.

3. Voluntary participation

Individualised pathways to labour markets should be based on informed participation, reasonable mutual commitments and access to appeal for concerned people. Refusal of a placement should not trigger a sanction where the job is unsuitable because of working conditions, skills mismatch, care duties, disability, health, transport, housing or other substantiated constraints. No person should be compelled to accept self-employment or bogus self-employment.

4. Public-service capacity and territorial disparities

The consultation document recognises fragmented services as challenges for people out of labour markets but gives insufficient attention to capacity constraints. Effective outreach and case management require adequate staffing, manageable caseloads, continuous professional training and stable financing for PES and all connected public services. A single point of contact will not improve outcomes if it merely places an additional coordination duty on under-resourced personnel.

Moreover, territorial disparities should be addressed explicitly. Rural, remote, border and disadvantaged urban areas may combine limited job opportunities with inadequate transport, broadband, housing, childcare, health care and training provision. EU action should require territorial needs assessments and ensure that activation obligations are proportionate to the actual availability of jobs and services.

³ [Council Recommendation of 30 January 2023 on adequate minimum income ensuring active inclusion, 2023/C 41/01.](#)

5. Workplace demand and workplace flexibility

CESI supports the proposed attention to barriers created by employers (even if unintended), but voluntary guidance to employers is not sufficient where discrimination or inaccessible workplaces prevent labour market entry. EU action must reinforce enforcement of equal-treatment legislation, pay transparency, accessibility requirements and the duty to provide reasonable accommodation. To this end, labour inspectorates and equality bodies require adequate mandates and resources. Social clauses and accessibility conditions should be embedded in publicly financed activation and procurement measures.

The added value of flexible working arrangements mentioned in the consultation document may support labour market participation, especially for carers and persons with disabilities, but flexibility must be voluntary and must not entrench women in involuntary part-time, insecure or low-paid employment. Adapted working time should be accompanied by equal treatment, predictable schedules, access to training and career progression, and the right to return to previous working patterns where applicable.

6. Digitalisation, data protection and human oversight

Digital tools as referenced in the consultation document can support outreach, skills assessment and job matching, but they must complement rather than replace accessible face-to-face services. Non-digital and multilingual channels must remain available. Automated profiling must not lead to discrimination, exclusion from services or sanctions.

Trade unions and worker representatives should be consulted before such digital systems are procured or deployed. Independent bias testing, impact assessments, explainability, human review, complaint mechanisms and periodic audits should be mandatory and carried out in cooperation with worker representatives.

II. Do you consider that EU action is needed to address the identified issues? If so, what should be the direction and scope of that action?

CESI considers that EU action is necessary. The persistence of common barriers across Member States, the interaction with free movement and EU equality law, and uneven implementation of existing recommendations demonstrate clear European added value. Action should establish a coherent rights-based framework while respecting national competences, collective bargaining systems and the role of social partners autonomy.

CESI supports a package with targeted binding measures where enforceable minimum rights are required. It should integrate and update the existing frameworks on long-term unemployment, adequate minimum income and effective active support to employment.^{4,5} It should set measurable standards, implementation timetables and monitoring indicators. Binding action under Article 153 TFEU should be considered for matters falling within EU competence where soft law cannot secure equal treatment, access to rights, consultation, data safeguards or minimum employment standards.

⁴ [Council Recommendation of 15 February 2016 on the integration of the long-term unemployed into the labour market, 2016/C 67/01.](#)

⁵ [European Commission Recommendation \(EU\) 2021/402 of 4 March 2021 on an effective active support to employment following the COVID-19 crisis \(EASE\).](#)

1. Identification, outreach and registration

Outreach to affected persons should be proactive, trusted and accessible, but never coercive. It should be delivered through adequately staffed public services in cooperation with local authorities, trade unions, community organisations, disability organisations and other representative bodies. Member States should provide free, accessible, multilingual and non-digital information on rights, services and complaint procedures. Outreach must respect the freedom of persons who are not claiming benefits or other public support not to seek employment. EU action should not establish or encourage systematic identification, profiling or registration of economically inactive persons who have not sought support, and any processing of personal data must comply fully with applicable data-protection law and the principles of necessity, proportionality and purpose limitation.

1. EU action should require outreach strategies to be co-designed with social partners and organisations representing the persons concerned, with specific measures for persons not registered with PES.
2. Registration should give access to services and entitlements; it should not automatically trigger sanctions or intrusive surveillance.
3. Public authorities should be prohibited from using sensitive outreach data for unrelated enforcement purposes, except where strictly required by law and subject to effective safeguards.

2. Individualised pathways to quality employment

Every person seeking activation support should receive a timely, multidisciplinary assessment and a written, regularly reviewed integration agreement. Building on the 2016 Recommendation on the integration of the long-term unemployed into the labour market, a named case manager in public employment services should coordinate employment, training, income, health, housing, transport and care support. The person concerned should participate fully in setting objectives and should have access to an independent review and appeal procedure.

1. Assessments should recognise formal, non-formal and informal learning, occupational experience and transferable skills, without lowering professional standards.
2. Offers should include guidance, certified training, paid work experience, supported employment, rehabilitation and workplace accommodation as appropriate.
3. Training should respond to regional and sectoral needs identified with social partners and should be accompanied by adequate income support and coverage of participation costs.
4. Activation providers should be evaluated on sustainable quality-employment outcomes, not rapid placement alone. Private employment provider platforms must meet the same transparency, quality and accountability requirements as public employment service providers.

3. Childcare, long-term care and gender equality

CESI supports an enforceable guarantee of access to affordable, accessible and high-quality early childhood education and care for job-seeking and working parents, from the end of childbirth-related leave until compulsory schooling. Implementation should support the EU's Barcelona targets for 2030.⁶

EU action should also address out-of-school care, long-term care, transport and support for informal carers. It must improve working conditions, staffing levels, pay and career development in the care sector; otherwise, expanding access will deepen labour shortages and undermine service quality in this sector. The EU's Work-Life Balance Directive and the

⁶ [Council Recommendation of 8 December 2022 on early childhood education and care: the Barcelona targets for 2030, 2022/C 484/01.](#)

Council Recommendation on long-term care must be fully implemented and respected.^{7,8} Care-related barriers should be addressed in a gender-sensitive but inclusive manner, recognising diverse family and partnership arrangements, including same-sex couples, and the fact that care responsibilities may be distributed unequally within any household.

1. Member States should ensure affordable care based on transparent entitlement criteria, with priority for households facing the greatest barriers.
2. Non-transferable, adequately paid leave for fathers and second parents should be further promoted, while return-to-work support must remain voluntary and compatible with family responsibilities.

4. Integrated services and public investment

Member States should establish interoperable referral arrangements for affected persons and a genuine single point of contact for them, supported by clear institutional responsibility and adequate resources.

1. The EU framework should establish qualitative benchmarks for staffing, accessibility, waiting times, continuity of case management and professional training for staff.
2. The European Semester should systematically monitor public service capacity and territorial access to enabling services, not only activation rates or benefit expenditure.
3. The ESF+ and other relevant EU funds should, also in the next MFF period, support long-term capacity and training in public employment services and other concerned public services, and it should further seek to promote accessibility to employment services for long-term unemployed – with trade union participation in programming, implementation and evaluation.

5. Job retention and post-placement support

Activation does not end on the first day of employment. PES should provide systematic follow-up for at least the first six months, and longer where justified, in coordination with the worker and, with consent, the employer and trade union representative. Support should cover mentoring, further training, workplace adaptation, occupational health, care and transport.

1. Public subsidies for post-placement matters should be temporary, targeted and dependent on minimum retention periods by employers.
2. Schemes should include anti-displacement rules, transparency, monitoring, recovery of support in cases of abuse by employers and exclusion of repeat offenders from future funding.
3. Transitions from part-time to full-time work should be enabled where desired, but part-time work must not be treated as a failure where it reflects the worker's informed choice or necessary accommodation. Activation policies should create the conditions for genuine choice regarding both the extent and form of labour market participation. Accessible and affordable childcare, out-of-school care, long-term care, transport and other enabling services are prerequisites for enabling workers, particularly women who continue to shoulder a disproportionate share of care responsibilities, to increase working hours where they wish to do so and to pursue sustainable career development. This is especially true for feminised sectors such health care and social care. Measures should support working hours that enable economic independence, adequate social protection and career progression, while fully respecting individual preferences and necessary accommodations.

⁷ [Directive \(EU\) 2019/1158 of the European Parliament and of the Council on work-life balance for parents and carers.](#)

⁸ [Council Recommendation of 8 December 2022 on access to affordable high-quality long-term care, 2022/C 476/01.](#)

6. Financial incentives and adequate social protection

The transition into work should produce a clear and proportionate increase in disposable income. Member States should phase out benefits where appropriate, preserve access to enabling services during the transition and cover unavoidable costs such as childcare, transport, equipment and accommodation. Reform must be assessed at household level, with particular attention to single-parent households and second earners. No person taking up work should be left financially worse off because of the combined withdrawal of benefits and unavoidable participation costs arising from inadequate infrastructure or service provision, including transport and training costs.

At the same time, adequacy must not be sacrificed to incentives. Minimum-income and unemployment-protection systems must provide a dignified standard of living and legal certainty. Conditionality must be proportionate and individualised, and sanctions must be a measure of last resort and subject to prior assessment, written reasons and suspensive appeal.

7. Employers and social partners

Employer support should facilitate inclusive recruitment, workplace adaptation and return-to-work arrangements. Existing equal-treatment, pay-transparency and accessibility rules must be effectively implemented.⁹ Public support should be conditional on non-discrimination, accessibility, respect for collective agreements, worker information and consultation, and cooperation with labour inspectorates.

Sectoral and territorial social partners should jointly map labour and skills needs, define quality criteria for placements and training, and monitor outcomes, in order to facilitate the integration of persons facing barriers to enter labour markets.

8. Governance, monitoring and financing

The initiative should contain a multiannual implementation and monitoring framework with common qualitative and quantitative indicators developed with all European horizontal and sectoral social partners. Indicators should cover access, waiting times, participation, completion of certified training, quality and durability of employment, income progression, equality outcomes, user experience and recurrence of inactivity. Equality indicators should be disaggregated by sex where relevant and should assess not only labour market entry but also working hours, pay and income progression, career development, and the accumulation of individual social security and pension entitlements, in order to determine whether activation measures reduce gender employment, pay and pension gaps.

National action plans should be prepared, implemented and reviewed with all national social partners. The European Commission should report regularly to the Employment Committee and the Social Protection Committee and should involve European social partners in monitoring, including through the European Semester.

Adequate and predictable financing of the initiative is indispensable for its success. EU funds should complement, not replace, necessary further national investment in PES, social services, care, education, health care, housing and transport. The EU's fiscal governance framework and country-specific recommendations should recognise as productive social investments those expenditures that strengthen inclusive labour markets and essential public service capacity.

III. Would you consider initiating a dialogue under Article 155 TFEU on any of the issues identified in this consultation?

CESI is not involved in the cross-sectoral social dialogue. The European Commission should swiftly pursue an initiative unless the recognised European cross-sector social partners can come to an understanding on an ambitious agreement to address the subject matter in a meaningful way.

⁹ [Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation](#); [Directive 2006/54/EC on equal opportunities and equal treatment of women and men in matters of employment and occupation](#); and [Directive \(EU\) 2023/970 on pay transparency](#).