

# **NETWORK OF EUROPEAN PUBLIC EMPLOYMENT SERVICES**

## **RULES OF PROCEDURE**

Adopted on 27 June 2016 (revision 2020)

The Network of European Public Employment Services (PES) is established to contribute to the achievement of the Europe 2020 Strategy employment rate headline and to the reduction of youth unemployment, notably by enhancing the evidence base on successful policy implementation and by taking strategic action for the modernisation of the PES in line with the common PES EU 2020 strategy<sup>1</sup>.

In order to enable the Network of European Public Employment Services to fulfill the tasks conferred upon it by Decision No 573/2014/EU as amended by Decision No EU/2020/1782 of the European Parliament and of the Council on enhanced cooperation between Public Employment Services (hereafter 'the Decision'), and notably in order to constitute the Board of the Network, the Network hereby adopts its rules of procedure:

### **I. MEMBERSHIP OF THE NETWORK**

#### **Article 1** **MEMBERS**

1. In accordance with Article 1 of the Decision the Network shall be composed of:
  - (a) the PES as nominated by the Member States;
  - (b) the Commission.
2. Member States shall notify in writing to the Secretariat the nomination of one Board member and one alternate member from the senior management of their Public Employment Services (PES) in accordance with article 6.1. of the Decision. The Secretariat will inform the members on the nomination of the European Commission member and alternate member of the Board.
3. Participation of the EEA member countries in accordance with the respective modification of the EEA Agreement shall be notified to the Secretariat.

#### **Article 2** **OBSERVERS**

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<sup>1</sup> <http://ec.europa.eu/social/BlobServlet?docId=9690&langId=en>

1. A representative of the European Employment Committee (EMCO) shall be invited as observer to the Board meetings.
2. The nomination and replacement of the EMCO representative acting as observer to the Board shall be notified to the Secretariat in writing.

## **II. GOVERNANCE OF THE NETWORK**

### **Article 3 THE BOARD**

1. The Board is the governing body of the Network, taking its decisions by simple majority in accordance with the provisions in Article 8 of the Rules of Procedure. It is composed of one nominated member for each Member State and for the European Commission. Alternate members shall replace members on the Board whenever necessary.
2. The Board of the Network shall adopt the annual work programme.
3. The Board shall establish working groups and nominate leaders of working groups on proposal from the Chair.
4. The Board shall establish an annual reporting mechanism for members, including among others the results of benchmarking, mutual learning and of the activities concerning mutual assistance.
5. The Board shall approve the publication of the reports of the Network.
6. The Board may organise joint meetings between the Network and other bodies.
7. The Board shall decide on the language arrangements of the Board and of the other Network meetings in the annual work programme.

### **Article 4 APPOINTMENT OF THE CHAIR AND THE VICE-CHAIRS**

1. The Board shall appoint the Chair and two Vice-Chairs of the Network from among the PES members of the Network.
2. The term of office of the Chair and of the first Vice-Chair shall be 2 years; for the first election the term of office of the first Vice-Chair shall be 2 ½ years.
3. The second Vice-Chair shall be the Board member from the Member State holding the rotating Presidency of the Council. Should the rotating Presidency coincide with the Member State represented by the Chair or first Vice-Chair, the position of second Vice-Chair shall be kept vacant for the period concerned.

4. Should a Chair or first Vice-Chair withdraw (resign, retire, etc.) from the national PES position, the Board will elect a new Chair or first Vice-Chair with a term of office of 2 years. In order to provide for continuity of the Network's leadership, the Board may choose to ensure that the term of office of the Chair and first Vice-Chair do not come to an end at the same time. To this end, the Board, on proposal of the current Chair, may decide, exceptionally and with due justification, to appoint the first Vice-Chair for a term of up to a maximum of 2 ½ years.

#### Article 5

##### **ROLE OF THE CHAIR AND THE VICE-CHAIRS**

1. The Chair shall represent the Network. In the event of being prevented from attending, the Chair shall be replaced by one of the Vice-Chairs. Following the agreement of the Board, the Chair can delegate to Board members/alternate members the task of representing the Network towards other networks and organisations. For specific events, the Chair can delegate representation functions to the Secretariat.
2. The Chair shall provide the internal leadership of the Network, ensuring active participation of all members in activities, and monitoring the implementation of the work programme.
3. The Chair and Vice-Chairs in close cooperation with the Secretariat shall identify proposals for the Board and prepare the meetings.
4. The Chair and Vice-Chairs in cooperation with the Secretariat shall initiate ad-hoc working groups to respond to the requests of the European Parliament, of the Council or of the Commission.
5. The Chair shall authorise the Secretariat to initiate written procedures for the adoption of reports.

#### Article 6

##### **ADVISORS FOR EUROPEAN PES AFFAIRS**

1. In-between the meetings of the Board, Advisors for European PES Affairs designated by each member of the Board and notified to the Secretariat shall coordinate the PES implementation of the annual work programme, the participation in the activities of working groups, and shall cooperate with the Secretariat including for preparation of the meetings of the Board.
2. Meetings of Advisors for PES European Affairs shall be convened by the Secretariat and take place at least twice a year, usually in Brussels, alternatively virtually, e.g. through video conferencing. The Secretariat will prepare the agenda of the meetings and will chair the Advisors for European

PES Affairs meetings.

#### Article 7

#### **THE SECRETARIAT**

1. The Commission services shall provide the Secretariat, which shall support the Board and the working groups and coordinate the implementation of the annual work programme.
2. The Secretariat together with the Advisors for European PES Affairs, in cooperation with the Chair and Vice-Chairs, shall prepare the Board meetings, as well as the annual work programme of the Network and its annual report.
3. The Secretariat shall support the Chair and the Vice-Chairs in the management of the Network in-between the Board meetings.
4. The Secretariat shall ensure coordination with the EMCO Secretariat.
5. The Secretariat shall publish the annual reports of the Network and the other Network reports on a dedicated website, following their approval by the Board.
6. The Secretariat shall represent the Network in specific events, as authorized by the Chair.

### **III. CONDUCT OF BUSINESS**

#### Article 8

#### **VOTING RULES**

1. Each Member State and the Commission have one vote on the Board. Only nominated Board members, or in their absence, alternate members can exercise voting rights on the Board.
2. As far as possible, the Network shall adopt its opinions, recommendations or reports by consensus. In case of a vote, dissenting opinions may be annexed to the document in question.
3. In the event of a vote, the outcome shall be decided by a simple majority<sup>2</sup> of the Board members that hold voting rights and are casting the vote. Abstentions are not taken into consideration for the calculation of the simple majority. For the election of candidates,<sup>3</sup> in case a decision cannot be reached in a first election round, a second election round shall take place between

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<sup>2</sup> In other words, more than 50% of the Board members that hold voting rights and are casting a vote, not counting abstentions or non-replies.

<sup>3</sup> e.g. Chair, 1<sup>st</sup> Vice-Chair

those two candidates that received most votes in the first round, following the same procedure

#### Article 9

##### **THE MEETINGS OF THE BOARD**

1. Meetings of the Board shall be convened by the Chair, either on his/her own initiative, or at the request of a simple majority of Board Members.
2. Meetings shall be convened at least twice a year, preferably in the Member States that hold the rotating Presidency of the Council. Meetings can also be held virtually, e.g. through video conferencing. Additional meetings may be convened by the Chair in cooperation with the Secretariat.
3. The Secretariat shall draw up the agenda under the responsibility of the Chair and send it to the members of the Board at least two weeks in advance of the meeting date.
4. Meeting documents shall be circulated by the Secretariat at least 10 days before the meeting of the Board.
5. Conclusions of the meeting shall be drafted by the Secretariat and shall be circulated through written procedure at the latest 3 weeks after the Board meeting. Following their adoption, the conclusions shall be published.

#### Article 10

##### **PARTICIPATION IN THE MEETINGS OF THE BOARD**

1. Member State delegations shall normally comprise not more than two persons, including the Board member/alternate member. Upon request by a Board member, the Chair may authorize additional participants, in accordance with the provisions of Article 1 of the Decision and indications of recital 12
2. The EMCO observer may attend all meetings of the Board except for restricted sessions.
3. The Chair can authorise the presence of experts or relevant stakeholders in the meetings of the Board.
4. The Chair can convene restricted meetings of the Board, limiting participation to one Board member per Member State and the Commission, except for agenda points on the annual work programme. Restricted meetings of the Board can be convened for decisions requiring confidentiality, such as the appointment of the Chair and Vice-Chair.
5. The meetings of the Board shall not be public.

6. Alternate members can only represent their PES in the Board in the absence of the regular member.

#### Article 11

##### **WRITTEN PROCEDURE**

1. If necessary, the Network's reports on specific matters may be adopted via a written procedure. To this end, upon request of the Chair, the Secretariat sends the Board members the report(s) and sets a time limit of at least 10 working days for their written observations. Reports are adopted if a simple majority of replies from Board members that hold voting rights and are casting a vote is positive, not counting abstentions or non-replies.
2. The Secretariat shall inform the Board of the outcomes of the written procedure.
3. If a majority of the Board members asks for the question to be examined at a meeting of the Board, the written procedure shall be terminated without result and the issue will be put on the agenda of the next meeting of the Board.

#### Article 12

##### **THE ANNUAL WORK PROGRAMME**

1. The annual work programme shall detail the deliverables of the Network and the working methods. The Network members shall actively contribute to its implementation.
2. A rolling indicative three year multi-annual plan will be annexed to the annual work programme.
3. The annual work programme shall include a permanent section detailing the technical framework for the delivery of the benchlearning initiative, including the benchmarking methodology and the learning instruments of the integrated mutual learning programme.
4. The Commission member of the Board shall ensure that the annual work programme is in line with the overall Network objectives as defined in Article 3 of the Decision . The Commission member shall advise the Board on the financial sustainability of the activities included in the work programme.
5. The work programme may be changed by the Board in the course of the year to respond to specific European Parliament, Council or Commission requests.
6. Members may submit to the Chair proposals related to the annual work programme.

7. The involvement of stakeholders and external experts may be mentioned in the work programme where relevant.
8. Additional voluntary benchlearning exercises shall be notified to the Board and be included in the annual work programme.
9. The Board shall adopt the annual work programme in the year preceding its implementation.

#### Article 13

##### **THE ANNUAL REPORT**

1. The annual report of the Network shall summarise the implementation of the annual work programme and of the initiatives included in Articles 4 and 5 of the Decision, including in particular the main results of the benchmarking and mutual learning and mutual assistance projects. The report shall include information on the setting up of working groups, their membership and a summary of their conclusions, as well as information on the Network's cooperation with relevant stakeholders.
2. In preparation of the report, the Advisors for European PES Affairs shall report to the Secretariat on the national level development and follow-up of benchmarking and on the impact of the Network's initiatives.
3. Following the adoption by the Board, the Secretariat shall publish the annual report.

#### Article 14

##### **FINANCING OF INITIATIVES**

The initiatives of the Network should be financed in accordance with the Multiannual Financial Framework 2021-2027) within the appropriations set by the budgetary authority. The Commission will use the appropriations according to its regular rules, procedures and own annual financing decisions, endeavouring to align them to the priorities of the Network's annual work programme.

#### **IV. WORKING GROUPS**

#### Article 15

##### **MANDATE AND MEMBERSHIP OF WORKING GROUPS**

1. The mandate of the working groups, their period of functioning, their membership, language regime and reporting requirements shall be decided by

the Board and included in the annual work programme. The leader of the working group shall be appointed by the Board.

2. Members of working groups are designated by each participating PES and by the Secretariat for the period of activity of the working group. The Board under the leadership of the Chair shall ensure a balanced participation and active involvement of each member PES in the working groups.
3. All PES shall become members of the PES Benchlearning working group; meetings of this working group shall be prepared by the Secretariat.
4. On proposal from the Chair and in consultation with the Secretariat, the Board will nominate additional stakeholder representatives or other experts for the working groups.
5. Members of working groups shall serve in a personal capacity.

#### Article 16

##### **WORKING GROUPS: CONDUCT OF BUSINESS**

1. Before the first meeting, the working group leader shall circulate a draft detailed work programme specifying the operational methods and objectives.
2. Working groups shall be supported by the Secretariat, which will participate in the meetings.
3. The working group leader supported by the Secretariat will convene the meetings with at least one month notice and will distribute the draft agenda and the meeting documents at least 10 days before the meeting.
4. The working group leader may assign specific tasks to one or more of the members of a working group.
5. Working group leaders shall report to the Chair on the progress of their work and to the Board during the Board meetings.
6. Operational conclusions from each working group meeting will be distributed to the members of the group no later than one week following the meeting.
7. Working groups shall contribute to the drafting of the annual report

#### Article 17

##### **AD-HOC WORKING GROUPS**

1. To answer to a specific request of the European Parliament, the Council or the Commission, the Chair in cooperation with the Secretariat may nominate ad-hoc working groups comprising a group leader and experts from 2-3 PES,



supported by the Secretariat. Whenever possible, meetings of ad-hoc working groups will be done virtually, e.g. through video conferencing.

2. Reports drafted by Ad-hoc working groups will be submitted for the adoption by the Board through written procedure.

#### Article 18

##### **REPORTS FROM WORKING GROUPS**

1. Working groups shall submit their reports to the Secretariat, which will distribute them to the Chair and to the Board. The Board will decide on the publication of the reports.
2. In case of disagreement within the Board with the majority view, the minority shall have the right to set out their views in a document annexed to the reports of the Network.
3. The Chair and the Secretariat are responsible for the communication of reports, proposals or opinions adopted by the Network to the relevant bodies.

#### **V. GENERAL PROVISIONS**

#### Article 19

##### **CORRESPONDENCE**

Correspondence relating to the Network shall be addressed to the Secretariat, for the attention of the Chair.

#### Article 20

##### **ACCESS TO DOCUMENTS**

In line with the general principle of transparency, documents, reports and opinions adopted by the Network should be publicly available on request after they have been transmitted to the addressee, except in exceptional and limited cases.

#### Article 21

##### **ENTRY INTO FORCE AND REVISION**

1. The rules of procedure enter into force upon the Board's unanimous approval.
2. The Chair may initiate further revisions of the rules of procedure, to be adopted with the support of a simple majority of the Board in accordance with the provisions of Article 8 of the Rules of Procedure.

