EU EMPLOYMENT GOVERNANCE REVISITED:
Towards an innovative legal framework for employment regulation
Nina Buettgen

1. Given the expansion of the EU objectives and legal recognition of fundamental common values, formally the Union’s social “face” has never been as manifest as today under the “Lisbon 2020” governance architecture.

2. The EU’s practice of “integrated coordination” of socio-economic policies imposes on policy-makers a special responsibility of safeguarding other values, such as social justice, rather than blindly applying a functional rationale to the design of policy solutions to complex governance problems.

3. In a governance environment more favourable to the safeguarding and promoting of workers’ rights across Europe, changes to the supra-national legal framework will ultimately be necessary for the true advancement of EU social policy through an extension of the partial “floor of rights” that currently describes the EU employment acquis.

4. Significant improvement in the alignment of fiscal policy measures with employment and social policy can only be expected if the mandate of the ECB is changed by including the objective of full employment, as a measure to address the difficult dependency between the Member States and the financial markets created by the EMU’s pervasive rationale of “market discipline”.

5. To provide a proper “floor of rights”, European employment law must offer more than the protection of the principle of equal treatment.

6. Research on European employment law would benefit from the (theoretical) development of the concept of the “principles of EU social law”.

7. EU governance has the effect of transforming policy objectives into legal concepts, the enforcement of which is controversial because their implementation is no task for a judge – nevertheless, like the Flexicurity objective they represent proper European legal concepts in the making.

8. Brexit will offer new opportunities for the development of Social Europe.

9. The Macro-Economic Dialogue (Cologne Process) should be properly integrated with the EU’s economic policy coordination through the framework of the European Semester.

10. Money is just a social convention, come about by agreement, invented to facilitate exchange – so by agreement it is within our power to change it or render it useless (based on Graeber, Debt, Melville, 2010, at 298).

11. This thesis posits that the European Semester provides a powerful platform for the EU to develop its role as a “problem solver” – complemented by the European Social Model as a political objective, it may help reviving EU Employment Governance as an integrated regime.

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