

European Labour Law

Institutions and their
Competencies

1. General Institutions

- European Parliament
- European Council
- Commission
- Council of the European Union
- European Court of Justice
- (Court of First Instance)

European Parliament

- Represents the interests of the EU citizens
- **Seat:** Brussels, Luxembourg, Strasbourg
- **Composition:** representatives of peoples of Member States elected every five years (736 members in total, the Czech republic has 22 representatives)
- President Jerzy Buzek (Poland)
- EP acts by an absolute majority of the votes except of cases state in the Treaty

Main Competencies of the EP

- Passes the laws (jointly with the Council)
– co-decision procedure
- Consultative role – e.g. Migration policy
- Exercise of democratic supervision over the other EU institutions
- Approves the EU budget jointly with the Commission.

European Council

- Represents the interests of the EU Member States
- **Seat:** usually Brussels
- **Composition:** Heads of States or Heads of Governments of the Member States, the President and the President of the Commission
- **President.** Herman Van Rompuy

Council of the European Union

- Main decision making body
- Represents the Member States
- **Composition:** one minister from each Member State responsible for the related agenda

Main Competencies of the Council of the EU

- Passing laws
- Passing laws jointly with the European Parliament
 - regulations, directives - on a proposal of the Commission, opinions, recommendations
- Approves the EU budget jointly with the European Parliament
- Co-ordinating the policies of the Member States

European Commission

- Represents the interests of the Union
- Independent of national governments
- **Seat:** Brussels
- **Composition:** commissioners one from each Member State
- Appointed every five years
- **President:** José Manuel Barroso (Portugal)

Main Competencies of the Commission

- Drafts proposals for new European laws (directives, regulations) the right to initiative)
- Implements EU policies
- Enforces European law (jointly with the Court of Justice)

European Court of Justice

- Main judiciary body of the EU
- **Seat:** Luxembourg
- **Composition:** one judge from each Member State appointed by Governments for six years
- Advocates General (8 in total) state their opinions before the Court's decision

Competencies of the ECJ

- Reviews the legality of the acts of the institutions of the European Union
- Ensures that the Member States comply with obligations under the Treaties (the Commission can start the proceedings against the Member State)
- Provides interpretation of European Union law at the request of the national courts and tribunals (preliminary ruling)

Types of proceedings

- Reference for preliminary rulings
 - Cooperation of ECJ with national courts
 - Objective: uniform interpretation of EU law in Member States
 - The judgement or reasoned order of the ECJ is binding for the national court
- Action for failure to fulfill obligation
 - Commission or the Member State have the power to start proceedings
 - Action relating to non compliance with EU law in the Member State e.g. non implementing a directive or non implementing it properly
 - Fixed or periodic financial penalty may be imposed upon a Member State

Institutions Acting in the Field of the Social Policy

- **Institutions Based on Treaties**

European Economic and Social
Committee

Standing Committee on Employment

European Social Fund

Institutions Established by an Act of Secondary Law

- European Agency for Health and Safety at Work
- European Centre for Development of Vocational Training
- European Foundation for Improvement of Living and Working Conditions