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**COMMUNICATION FROM THE COMMISSION
TO THE EUROPEAN PARLIAMENT**

pursuant to Article 294(6) of the Treaty on the Functioning of the European Union

concerning the

**position of the Council on the adoption of a Regulation of the European Parliament and
of the Council on European Union labour market statistics on businesses, repealing
Council Regulation (EC) No 530/1999 and Regulations (EC) No 450/2003 and (EC) No
453/2008 of the European Parliament and of the Council**

(Text with EEA relevance)

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1. BACKGROUND

Date of transmission of the proposal to the European Parliament and to the Council (document COM(2023) 459 final – 2023/0288 COD): 28 July 2023

Date of the opinion of the European Economic and Social Committee: NA

Date of the position of the European Parliament, first reading: 24 April 2024

Date of transmission of the amended proposal: 21 October 2024

Date of adoption of the position of the Council: 24 March 2025

2. OBJECTIVE OF THE PROPOSAL FROM THE COMMISSION

The proposal aims to modernise the existing legal framework for European labour market statistics on businesses. Its key objectives are to adapt the regulatory framework to allow for more flexibility in meeting emerging data needs, improve timeliness and extend the coverage of statistics to the whole economy, promote the use of innovative data sources and methods and ensure that gender pay gap data are provided by all Members States.

These objectives will be delivered by the following key elements in the proposal: i) the Commission is empowered by means of delegated and implementing acts to modify the list of detailed topics and the characteristics of the data provision as well as to define ad hoc data; ii) the coverage of data collections on the structure of earnings and labour costs are extended to the section ‘Public administration and defence; compulsory social security’ of the Statistical Classification of Economic Activities (NACE) and on job vacancy statistics to cover the whole economy in all countries (micro businesses are however exempted from data collections on the structure of labour costs to limit the reporting burden on them); iii)

timeliness is improved for the quarterly labour cost index and for the 4-yearly structure of earnings data and early flash estimates of labour costs index are introduced. Introduction of a mandatory data collection on the gender pay gap is also an element of the proposal.

3. COMMENTS ON THE POSITION OF THE COUNCIL

The position of the Council as adopted at first reading fully reflects the political agreement reached between the European Parliament and the Council on 12 December 2024. The Commission accepts the overall agreement. The main points of this agreement are the following:

The revised Regulation (EC) No 223/2009 on European statistics, specifically Article 17c, mandates that sectoral legislation define the categories of personal data that can be obtained from private data holders. To facilitate access to personal data for labour market statistics purposes, an additional provision has been incorporated into Article 3, "Sources and methods".

Principle-based safeguards have been added in relation to the delegated and implementing acts of Article 4. These safeguards emphasize the importance of minimizing the burden on respondents and conducting EU-financed feasibility or pilot studies before proposing any delegated or implementing acts. The periodicity, the reference periods and the transmission deadlines of detailed topics already included in the Annex will not be amended via a delegated act. Delegated acts may set the above-mentioned parameters only for new detailed topics.

The agreement replaces the provisions of the Commission proposal on ad hoc data requirements with new rules on temporary data production. Limitations have been introduced on the frequency, introduction year, and duration of data provision.

The duration of possible derogations from the Regulation and its implementing and delegated acts was tied to the periodicity of data collection. A four-year derogation will apply to multi-annual data collections, a two-year derogation to annual periodicities while a one-year derogation will apply to quarterly data collections. In justified cases, the Commission may grant a further derogation of one more year independently from the periodicity.

Due to the fact that this Regulation will be adopted later than initially foreseen, a number of first reference periods were changed from 2026 to 2027.

The quarterly indexes of total labour cost and of hours worked will be provided on a voluntary basis.

Neither the amendments of the Parliament nor the ones of the Council introduce potential additional burden on administrations or businesses. The safeguards proposed by the Council explicitly aim at avoiding significant additional cost or burden on the Member States or respondents.

The Commission recalls that availability of funding is a strict requirement under the Financial

Regulation and that the agreement does not prejudge the future Commission proposal on the next Multiannual Financial Framework.

4. CONCLUSION

The Commission accepts the results of the inter-institutional negotiations and can therefore accept the Council's position at first reading.