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**ACTIVATING SOCIAL POLICY AND THE PREVENTIVE
APPROACH FOR THE UNEMPLOYED IN THE NETHERLANDS**

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ABSTRACT

It is now widely accepted that the interaction between the EU and its Member States is a two-way process: European governments are not simply confronted with initiatives that emanate from Brussels, but are actively involved in their formulation. Therefore, when analysing policies that are promoted at the European level – such as policies aimed at activating unemployed people to return to work – the development of these policies should not be analysed at only the national level. This paper examines the Netherlands' shaping of activation ideas and policies ('uploading' them to the EU) and its taking up of such ideas or policies ('downloading' them from the EU, or implementing them). Our research specifically aimed at establishing whether the Dutch have tried to upload ideas, interests or institutions to the EU agenda, and to what extent the policies originating from the EU have been implemented in the Netherlands. To this end, we analysed national documents and the literature, and conducted interviews with the key policy makers involved in the creation of employment policies at both the national and the EU level. Although we found that the Dutch have been rather successful in uploading some ideas to the European agenda – namely, the promotion of social policy as a productive factor for economic policy and the 'active and preventive' approach for the unemployed – we could not find evidence of the uploading of particular policies or policy instruments. The policies established at the EU level have been reasonably well transposed to Dutch politics.

TABLE OF CONTENTS

ABSTRACT	3
I. ACTIVATING SOCIAL POLICY AND THE PREVENTIVE APPROACH FOR THE UNEMPLOYED IN THE NETHERLANDS	7
1.1. Introduction	7
1.2. Analytical and methodological remarks	8
1.3. The Dutch context	9
1.3.1. Polity	9
1.3.2. Politics	10
1.3.3. Policies	11
1.3.4. The Dutch and EU polity and politics	14
2. THE SHAPING OF ACTIVATION POLICIES	17
2.1. Dutch activation policies prior to the EES	17
2.2. Findings from interviews	19
2.2.1. The uploading of policies and policy instruments	19
2.2.2. The uploading of ideas and interests	21
2.3. Conclusion	25
3. THE TAKING UP OF ACTIVATION POLICIES	27
3.1. Findings from the analysis of governmental documents and interviews	27
3.1.1. The taking up of the EES	27
3.1.2. The use of the ESF	31
3.2. Conclusion	33
4. A REFLECTION ON THE FINDINGS	35
REFERENCES	39
APPENDIX	43

I. ACTIVATING SOCIAL POLICY AND THE PREVENTIVE APPROACH FOR THE UNEMPLOYED IN THE NETHERLANDS

I . I. INTRODUCTION

The transition from passive to active social policies is taking place in all EU Member States. The idea is that rather than including people through income provisions, the policies should encourage inclusion through participation in work. Particularly in the 1990s, several measures were implemented in the Member States that encouraged this ‘activation and active social policy’. Although activation policies deal with national problems and are implemented at the national or even the local level, a shift from passive to active social policy has been facilitated by various EU policy initiatives, mainly the Open Method of Coordination (OMC) and the European Social Fund (ESF). We realized that to advance the empirical knowledge of activation policies in the Dutch context, we should look at the construction of contemporary employment policies at both the national and the EU level, and that we should not analyse them separately.

The interaction between the EU level and ‘home’ is a two-way process: European governments are not only confronted with new rules and legislation emanating from Brussels, but also have plenty of opportunities to be actively involved in formulating them. Similarly, the EU-level institutions are not operating autonomously in their contribution to the policy process, but are dependent on input and support from the Member States. Based on these insights, we analysed the Netherlands’ activation of social policy at both the national and the European level, and especially the introduction of the comprehensive approach for the unemployed, whereby after a certain period of time a job seeker is offered training or a job. We chose to concentrate on this particular element of active social policy for two reasons: first, because it lies at the heart of the European Employment Strategy (EES) that was launched in 1997, and second, because a part of it (the comprehensive approach for unemployed youth) has been incorporated in the nation’s employment policies since the late 1980s.¹

Our case study examined the policies that had implemented or revised the comprehensive approach since the early 1990s in the Netherlands.

¹ Furthermore, national policies for activation are profoundly fragmented, meaning that many instruments and schemes are used to achieve the same goals. Some of the activation measures are embedded in the social security schemes (e.g. unemployment benefit, disability benefit, social assistance), but many active measures also exist to complement the social security provision, such as training schemes, retraining schemes, as well as some measures that are ‘hidden’ in the tax system, social services, education system, job creation subsidies, and so forth. The comprehensive approach – which provides that after 6 or 12 months a job seeker is offered a job or training – and its development over time are on the contrary rather simple measures to analyse.

The aim was to find out whether the Dutch had tried to upload ideas, interests or institutions on to the EU agenda – and if so, whether they had been successful in this – and what the critical factors supporting and/or constraining these attempts had been.

We also wanted to find out to what extent the policies originating from the EU have been implemented in the Netherlands, whether these have been successful, and what the critical factors supporting and/or constraining the implementation of these policies were.

1.2. ANALYTICAL AND METHODOLOGICAL REMARKS

We analysed the development of the Dutch activation policies by examining both the shaping and the implementation of policies related to the comprehensive approach. As mentioned, particularly the OMC and the ESF have been seen as the main drivers of this shift from a passive to an active approach to long-term unemployment. The EES lays down rather specific targets on this: unemployed persons who are under the age of 25 should be offered a new start in the form of training, retraining, work practice, a job or another employability measure within the first six months of their unemployment, as opposed to twelve months for those who are over 25 (Guidelines 1 and 2, which were later integrated in Guideline 1). Moreover, the former Guideline 3 (now Guideline 2) stimulated Member States to fix a target for the number of persons benefiting from active measures to improve their employability. Member States should gradually achieve the average of the three most advanced Member States and a percentage of at least 20 per cent.

Furthermore, the actions of the EES receive financial support from the ESF.² In 1999, the European Parliament and Council issued a regulation on the ESF for the programming period 2000-2006, in which the principle was laid down that ‘the Fund shall contribute to the actions undertaken in pursuance of the European Employment Strategy and the annual guidelines on employment’ (Regulation no. 1784/1999 of 12 July 1999, L 213/5). The objectives of the ESF are thus explicitly meant to match the objectives of the EES. With regards to other EU social policy instruments – namely traditional EC law and European collective agreements resulting from social dialogue – the link to activating the unemployed is less strong since the two instruments are limited to merely protecting and regulating the rights and safety of the working population, whereas the OMC and the ESF also cover those who are outside the labour market. Therefore, in order to analyse the development of activation policies for the unemployed, we looked at the EES and the ESF and how they are negotiated at the European level and implemented at the national level, in this case, the Dutch level.

² According to the EC Treaty, the role of the European Social Fund is defined as the allocation of EU money ‘in order to improve employment opportunities for workers in the internal market’ (Article 146).

Activating social policy and the preventive approach for the unemployed in the Netherlands
~~For our study, we conducted a review of the literature and analysed the national documents (e.g. National Action Plans; NAPs) to determine the current state of the art. To fill the gaps in the literature (particularly with regard to the uploading of ideas to Europe), we conducted semi-structured interviews of nine key policy makers (i.e. civil servants at the Netherlands Ministry of Social Affairs and Employment, civil servants at the European Commission (EC) and the European Parliament (EP), and social partners at both the national and the European level). Additionally, we had access to the interview material (10 interviews) of the 2001 evaluation of the EES in the Netherlands. This material provided us with valuable information on the topic.~~

1.3. THE DUTCH CONTEXT

Before reviewing the development of the comprehensive approach in the Netherlands, I shall first discuss the main features of the Dutch polity, politics and policies in order to place the review in a national context. Here, 'polity' refers to the structure of Dutch politics, 'politics' to the processes of Dutch politics and 'policies' to the content of social policy-making between 1985 and 2006.

1.3.1. POLITY

Rather than being a federal state like Belgium, the Netherlands is a decentralized³ unitary state comprising twelve provinces and around 470 municipalities. Interestingly, many authors (see e.g. Schmidt 1999: 6) conclude that the EU has a greater impact on unitary states than on federal states. This is perhaps a simplistic view, since in the Netherlands – where the proportional representation system is used – policy-making must be based on consensus politics among coalitions. Thus, single fundamental revisions may be difficult to achieve in a unitary state.

Furthermore, in the Netherlands the political power is shared by actors who are outside the governmental arena. Following World War II, the social partners had an important role in the administration of workers' insurance, but since 2002 their role has been a merely advisory one through their representation on the Social-Economic Council (SER),⁴ in the Labour Foundation

³ That the Netherlands is a decentralized unitary state means that, even though the Netherlands is governed constitutionally as a single unit, with one constitutionally created legislature provinces, municipalities possess a large degree of autonomous powers with respect to central government. Provinces have very little power when it comes to matters at the national level, but in the field of the implementation of environmental and regional policy, Dutch provinces and municipalities have exclusive competences. At the EU level, Dutch provinces and municipalities operate through their respective lobby organizations, and at the national level, the interest organizations? of municipalities and provinces are formally engaged in preparatory and implementation phases of EU policy-making at the central government level.

⁴ The Social-Economic Council (Sociaal Economische Raad; SER) is the main advisory body to the Dutch government and parliament on national and international social and economic policy. It represents the interests of trade unions and industry, and advises the government (upon request or at its own initiative) on all major social and economic issues. The Labour Foundation (Stichting van de Arbeid; STAR) is a bipartite consultative body (which includes central employers' associations and trade unions) that stimulates the

(STAR) and on the Council for Work and Income (RWI). Collective bargaining and negotiating collective labour agreements are still the tasks of trade unions, but such negotiations usually cover only individuals who are employed, and are of very little use to those who are outside the labour market. It has been claimed that the Dutch opportunities to actively shape EU policies are weakened by a number of structural conditions and characteristics, such as the relatively high degree of fragmentation of the national political system and administration and the constant struggle to achieve consensus (van Keulen 2006).

The Dutch system is highly fragmented as a result of the departmental autonomy within the administration and of the diverging views in coalition cabinets, which might render the coordination of EU policies. If all goes well in the negotiation phase, many relevant stakeholders are prepared for and sympathetic to the reform, as they have participated in the uploading process; on the other hand, if things do not go well, the uploading might be interrupted or watered down. Furthermore, the prime minister is formally still dependent on a Foreign Ministry mandate to discuss matters with his or her EU colleagues in European Council settings. This makes it more difficult for the Dutch coordinating authority to decide upon conflicting preferences than it is for Member States that have a more centralized government organization.

1.3.2. POLITICS

With regard to political processes, activation in the Netherlands is regulated through legislation.⁵ In addition to the laws, it is possible to change rules by introducing administrative orders; for example, the general administrative order in the 1980s provided that workers older 57.5 no longer have to seek work in order to be eligible for unemployment insurance. The Dutch law also allows certain matters to be dealt with by social partners (corporatism). But, as discussed above, in the case of the activation of unemployed people, the social partners do not play a significant role in policy-making, apart from contributing to the formulation of the SER advice.⁶ For instance, Dutch collective

discussion of such labour issues as wage moderation, social security and pensions, education and training, personnel policy, and part-time or flexible employment. The Council for Work and Income (RWI), which includes social partners, also plays an advisory role.⁷

⁵ A bill becomes an act by following rather complicated steps. Since all acts of parliament have to be passed by both houses of parliament, it may take years from the introduction of the first draft of a bill to the passing of the act. If a minister or state secretary wishes to introduce a law, he or she asks civil servants to draft a text. This is then accompanied by an explanatory memorandum and discussed by the Council of Ministers. It is then sent to the Council of State (Raad van Staten), the government's highest advisory body for recommendations. Until 1995 it was compulsory to ask the advice of SER, but today this is no longer compulsory, but it is done often for questions in social and employment sphere. The draft is then returned to the Council of Ministers, who forwards it to the monarch. The law proposal (Green Paper) is then submitted to the Second Chamber with the recommendations and a note from the monarch. A committee discusses the bill, draws up a report, and finalises the bill. It is then sent to the Second Chamber to be discussed and voted upon. Once it has passed through both houses, the bill is signed by the monarch and by the relevant minister or ministers. It is then published in the *Bulletin of Acts and Decrees*.

⁶ Although the government determines the rules, the advice from the social partners is taken very seriously:

Activating social policy and the preventive approach for the unemployed in the Netherlands bargaining includes mainly activation measures for disabled and low-skilled workers,⁷ as well as for persons who have collectively been made redundant (*collectieve onstlag*), but not specifically for the inactive population.

1.3.3. POLICIES

Several changes have been implemented since the early 1980s in the field of employment and social policies (see also van Gerven, forthcoming). As a result of the two oil crises in the 1970s, the Netherlands underwent a deep economic and public finance crisis in the early 1980s. On top of this, between 1970 and 1985 the number of people depending on income transfers (from all programmes) doubled from 1.6 million to 3.2 million (Visser & Hemerijck 1997: 128). This rising number of welfare beneficiaries and the economic downturn led to a reaction known as the price policy (van Oorschot 2002). The main aim of the price policy was to keep the system sustainable and improve the competitiveness of the Dutch economy (TK 1977/78).

In the 1982 Wassenaar Agreement – the acme of the Dutch polder model of consensus decision-making – the social partners (trade unions and national employers' organizations) and the government agreed on a comprehensive plan to revitalize the economy by introducing shorter working hours and lower pay increases on the one hand, and more employment on the other. It was hoped that this would cure the 'Dutch disease' (see e.g. Aarts; Burkhauser & de Jong 1996), namely the high level of unemployment and the moderate economic performance in the 1970s and early 1980s. The implications of this for social policy were that all welfare 'nonsense' had to stop, according to Prime Minister Lubbers of the Christian-Liberal coalition of 1982-1986 (see e.g. Becker 2000). Social security benefit levels were cut, and to support wage moderation, the second centre-right government (Christian-Liberals, 1986-1989) announced a structural 'system reorganization' of social security (TK 1982/1983). This reorganization revised the unemployment and disability benefit programmes in particular (see e.g. Pennings 1990; van der Veen 1999; Visser & Hemerijck 1997; Hemerijck, Manow & van Kersbergen 2000).

Despite the price policy measures taken in the 1980s, the number of unemployed skyrocketed from 65,000 in 1980 to over 410,000 in 1994, while the number of people receiving disability benefit reached almost one million in the early 1990s (UWV 2005: 14, table 2.1). To counter these problems, political measures in the 1990s culminated in the 'volume policy' (van Oorschot 2002), which was aimed at reducing the number of people on benefits. In the summer of 1991,

the probability of adoption by the government is the largest when the SER is unanimously achieved, which is the case in over 80 per cent of the advices (SER 2006).

⁷A recent research report for ETUC (Sprenger et al. 2007) states that even among workers, marginal groups (e.g. women, the young, migrants) are under-represented in the activation measures provided for them

Lubbers's third cabinet (1989-1994, Christian Democrats with Social Democrats) introduced a major welfare reform package that was intended to reduce the level of protection, lower the entitlement to sickness and disability benefits, and close off other labour market exit routes (see e.g. SZW 1989/1990; 1992/1993).

Although there was widespread agreement that the changes were necessary, their implementation turned out to be politically risky: the Lubbers administration was defeated in the 1994 elections.⁸ Led by pro-welfare state Social Democrats, the 'purple' coalition and Prime Minister Kok carried on restructuring the Dutch social security system.⁹ The reforms of the two Kok cabinets (1994-1998 and 1998-2002) centred on the privatization of the sickness benefit scheme and on supporting employment. The responsibility for sickness provision was gradually shifted during the 1990s from the state to employers. Furthermore, high levels of labour market participation became the core of the social and economic policy of the Kok government. The 'Jobs, jobs and more jobs' slogan was implemented through support for wages and wage cost moderation. The cabinet reduced employers' social contributions and implemented tax incentives for the employed, in particular those at or near the minimum wage (SZW 1998b).

Furthermore, in 1996 there was a fundamental redesign of the institutional structure of the administration of social security (SZW 1993/1994; 1994/1995) and employment services.¹⁰ By introducing independent supervision and creating market incentives in the administration of social security, the government hoped to establish the institutional preconditions for a more effective social policy implementation. Supported by a more favourable international economic situation at the end of the 1990s and policy measures in the past, the Netherlands underwent strong economic growth and job creation, which today is known as the 'Dutch miracle' (Visser & Hemerijck 1997). The Netherlands succeeded in halving the unemployment rate from almost 14 per cent in 1983 to just over 6 per cent in 1997 (ibid.: 9) – the only EU country to achieve such success. The Flexibility

(incl. training).

⁸ The laws proposed in the early 1990s faced strong criticism. On 17 September 1991, nearly a million people demonstrated against the reform in what was probably the largest protest demonstration in Dutch history (Hemerijck, Manow & van Kersbergen 2000).

⁹ The purple coalition combined the red of the Social Democrats (PvdA), the blue of the Liberals (VVD) and the green of the Democrats (D66).

¹⁰ Between 1930 and 1991, the Dutch Public Employment Services (PES) had been a state monopoly (for an extensive analysis of the PES, see van der Meer & Visser 2004). Inspired by the success of corporatist undertakings after the Wassenaar agreement, in 1991 the PES underwent a major reform (arbeidsvoorzieningswet 1990), which changed the organisation for helping the long-term unemployed get back to work from a government service agency into a private body under public law, still financed largely by the Minister of Social Affairs and Employment. PES was thus brought under tripartite control (trade unions, employers organisations and government), and was financed by the government but run independently. Despite good intentions to involve social partners in employment services, critical evaluations (especially Buurmeier's report of 1993) led after only four years (i.e. in 1996) to another reorganisation of employment services.

and Security Act that was introduced in 1999 can also be seen as a tool to combat the growth in unemployment by enlarging the possibilities for flexible contracts and, at the same time, protecting workers who are on such contracts.

The Dutch miracle was based largely on the remarkable improvement in labour market performance and job growth. A steep rise in female part-time employment and an increase in employment in the services sector were claimed to be the main reasons for this success (cf. Visser & Hemerijck 1997; Becker 1999; Visser 2002).¹¹ In 2002 – just half a decade after the previous reorganization – the SUWI Act brought about another revision of the social security administration. The role of social partners in social security administration was further reduced, and since 2002 the Centre for Work and Income (CWI), the Social Security Agency (UWV) and the municipalities have formed the new organization of social security.¹² The reforms were intended to promote the reintegration of people who were out of work.

However, by the turn of the new millennium, the Netherlands was again drifting towards a serious economic recession. Haunted by a rising number of benefit recipients, three coalition cabinets – consisting of the Christian Democrats and the Liberal parties (2002 – 2006) and led by Prime Minister Balkenende – introduced further cutbacks to social spending (SCP 2004). On 15 October 2003, a ‘social agreement’ was reached between the government and the social partners. This agreement to some extent resembled the Wassenaar Agreement of 1982: the trade unions supported a temporary pay freeze (2004-2005) in collective agreements in exchange for the government dropping or at least moderating a number of cost-cutting plans. However, the desire for a revival of the Dutch polder model of consultation and consensus, once the fuel for the Dutch miracle, was less pronounced.

The social partners experienced considerable difficulties in reaching collective agreements in 2004, which led to several industrial strikes throughout the country.¹³ After difficult negotiations, the Balkenende cabinet proceeded with preparations to restructure social provision programmes and altered, for instance, the social assistance (in 2005), disability (in 2006) and unemployment (in 2006) benefit systems. In addition, reforms closed off labour market exit routes and a new health

¹¹ Significantly, the male labour force increased by only 20 per cent between 1970 and 1999, while the female labour force expanded by 139 per cent (van Oorschot 2001: 2).

¹² The division of labour of these institutions is as follows: the CWI registers the unemployed, determines the type of unemployment (that is, a person’s distance from the labour market) and supports people in finding jobs, the UWV judges the benefit claims (unemployment and disability benefits), supervises job search activities and pays the benefits; and the municipalities judge the claims and pay the benefits (social assistance) and help in the reintegration of claimants.

¹³ A high degree of social unrest stemmed from two issues in particular: early retirement and the level of continued wage payment during the first two years of illness. From one sector of the economy to the next, workers took action in the form of strikes or demonstrated to highlight their position in relation to the negotiations. Furthermore, in November 2004 some 400,000 people demonstrated in Amsterdam on the

insurance system and life course plan (which makes tax bonuses available for people who save towards taking leave) were introduced.

1.3.4. THE DUTCH AND EU POLITY AND POLITICS

The Netherlands was one of the six founding members of the European Union that created the European Coal and Steel Community (ECSC) on 1 January 1952. Harryvan and colleagues (2001: 17) have demonstrated that until the 1990s, the integration ambitions of the Dutch government were characterized by continuity and consensus. It is argued by van Keulen (2006) that the Dutch were mainly focused on trade (rather than on power) and that they considered their participation in European integration as instrumental in securing national economic benefits, not in the least in securing access to European export markets. A quote from Robert S. Wood (in van Keulen 2006: 97) clarifies this by saying that a well-known expression inside the European Communities is that 'the Dutch speak of supranationalism but what they really mean is cheese'.

In the course of the 1990s, it was claimed that Dutch EU policy was becoming less attached to its original core values. Van Keulen (2006: 100-103) mentions two important causes for this change: the growing concerns about the costs of EU membership and the consequences of EU enlargement. With regard to costs, until the 1990s, the Netherlands received more from EU funds than it contributed to them, but thereafter the net position (the sum of revenues and expenditure to the common budget) decreased rapidly due to an increase of the national contribution to the EU's agricultural policies and structural funds. In 1998, the liberal leader Frits Bolkenstein went as far as claiming that the Netherlands had 'played the accommodating, self-effacing, mealy-mouthed goody-goody for too long and to little effect' (van Keulen 2006: 101). Second, the gradual enlargement of the EU diluted the special status of the Netherlands to that of the largest of the small Member States: of the six founding Member States, the Dutch had still played a 'surprisingly large' role. These factors at least partially diminished the faith of the Dutch in European integration, and this eventually led to the rejection of the Constitutional Treaty in the Dutch referendum in June 2005 (see e.g. Boudewijn & van Keulen 2005).

Since then, the Dutch have been perceived as rather Euro-sceptic and reluctant to widen their repertoire in the EU. Because of the Netherlands' long membership, it has sometimes been claimed that the Dutch negotiators have learned their way around the EU-level venues. However, such authors as van Keulen (2006: 105) suggest the opposite, since the long membership might have led to that membership and its consequences being taken for granted in the Netherlands.

This, according to van Keulen (*ibid.*), might also be a reason for the low involvement of the Dutch

issue of early retirement.

parliament. Formally, a summary of all new EC proposals is sent to parliament, in order to inform MPs about the negotiation position to be taken by representatives of the executive. However, van Keulen (ibid.) observes that parliament's involvement in such negotiations, let alone in interventions, seldom occurs. This also implies that the stage of implementation of binding rules and directives is often the first stage at which parliament gets involved in EU dossiers and that the subsequent discussions may cause costly implementation delays (ibid.). There is a high risk that proposals are reviewed only after much of their content and format have been decided during the agenda setting and drafting phases.

2. THE SHAPING OF ACTIVATION POLICIES

2.1. DUTCH ACTIVATION POLICIES PRIOR TO THE EES

This section presents an assessment of whether Dutch policy makers have tried to upload ideas, interests and/or institutions at the EU level. By the mid 1990s – that is, before the launch of the EES – the activation of the unemployed had already been institutionalized in the Netherlands for the young. In other words, in the Dutch case there was a policy/institutional fit with regard to activating the young: several types of schemes have existed since the 1980s, aimed at encouraging the young to enter the labour market.¹⁴

For instance, the subsidized temporary work programmes (*Jeugdonthoofdplooiingsbanen* or ‘job schemes’) had been introduced for the young unemployed in 1984. These schemes provided subsidies for employers who hired long-term unemployed youths through a temporary agency and for a maximum of one year. Ideas for temporary jobs designed for unemployed youths were also noted in the coalition agreement of Lubbers’s second Cabinet (1986- 1989). Subsequently, a *Jeugdwerkgarantieplan* (JWG) was sketched in informal negotiations with the Association of Netherlands Municipalities (*Vereniging van Nederlandse Gemeenten*; VGN) and representatives of employers’ and employees’ organizations (for this process, see TK 1989/1990, 21 352). However, it was not until 1991 that the Guaranteed Work for Youth Act (JWG Stb. 1991, 250) was introduced.¹⁵

¹⁴ A distinction is often made between two interpretations of misfit. First, there is policy misfit, which more or less equals the compliance problems (cf. Falkner et al.) providing that a misfit may prevail between EU rules and regulations on one hand and domestic policies on the other hand. Second, there can be an institutional misfit, which suggests that not only domestic rules and procedures, but more importantly the collective understanding attached to them can provide a misfit.

¹⁵ This initial note on the Youth Guarantee Plan (Hoofdlijnennotitie of 13 November 1986, TK 19 700, Chapters XV, Nr. 18) was further debated in a working group with the Labour Foundation (*Stichting van de Arbeid*) and the Association of Netherlands Municipalities. The result of this was set down in the policy note of *Jeugdwerkgarantieplan* of 22 October 1987 (TK 20 278, nrs. 1-2). Advice was asked from the Social Insurance Board (*Sociale verzekeringsraad*), the Emancipation Board (*Emancipatieraad*), the Council of Municipalities’ Financing (*Raad voor de gemeente-financiën*), the Youth Policy Board (*Raad voor jeugdbeleid*) and the Council of General Social Assistance (*College Algemene Bijstandswet*). It was realized during the negotiations in the spring 1987 that, irrespective of the JWG being a breakthrough (in the sense that the Youth Policy board praised the JWG initiative by saying that there had never been such a broad consensus among the relevant authorities about the importance of the government taking responsibility for the re-employment of this group of job seekers), a legislative framing for the JWG could not be realized within the time period suggested by the Lubbers’s cabinet. Therefore on 16 March 1987, the cabinet launched a Temporary Assistance for Municipalities’ employment initiatives for the young (*Tijdelijke voorziening gemeentelijke werkgelegenheidsinitiatieven voor jongeren*; TV-GWJ) (Stcrt. 52, 16 March 1987). This was extended three times (Stcrt. 1987, nr. 247; Stcrt. 1988, nr. 127; and Stcrt. 1989, nr. 116) and gave the municipalities time to prepare for the JWG legislation to be implemented in 1991.

The JWG finally codified the comprehensive approach for the young (i.e. those up to 23 years of age), and provided that all young persons should be offered a temporary part-time job or training place during the first six months of their unemployment.

In the year the EES was launched (1997), a new law was introduced in the Netherlands, namely the Act on the Insertion of Job Seekers (WIW Stb. 1997, 760), which replaced the JWG and other acts and job creation measures (e.g. the Banenpool programme and 'Melkert Jobs') with the aim of reintegrating workers by getting them back to work. The WIW implemented (yet again) the comprehensive approach for the young and intensified the activation measures for the long-term unemployed. Thus, every young person who signed on at the employment office and claimed benefits was offered an integration programme that included training and work experience in the framework of WIW. If the training or work experience programme did not lead to a job within 12 months, the young person was offered employment at the legal minimum wage; in theory, this was a 32-hour-a-week job in the public, non-profit or private sector. Activation of the young was thus desired by the political elites (institutional fit), and this was put into action (policy fit) prior to the introduction of the comprehensive approach in the EES.

For adults, the situation prior to the EES was slightly different. Because the Netherlands is part of the continental welfare state, the starting point for activation for adults (former workers) was more difficult, as the country has a strong institutional preference for earnings replacement and the protection of wage workers (see e.g. Hemerijck, Manow & van Kersbergen 2000 for this pathological spiral of welfare without work inherent in the Dutch insurance scheme). Since 1994, the Dutch Public Employment Services (PES) had applied a diagnosis instrument for job seekers, namely a kind of graduated ruler that measures the distance of job seekers from the labour market (van der Meer & Visser 2004: 49), and the majority of existing activation measures (training schemes, job mediation, subsidized jobs and work experience places)¹⁶ were aimed at the long-term unemployed.

But for the 'normal' unemployed adult, very little guidance was offered, apart from the registration of job seekers and maintaining vacancies. With regards to EES Guideline 2 (introducing the comprehensive approach for adults after 12 months of unemployment), one could thus speak of policy misfit, since the comprehensive approach for adults did not exist at the time. The strong conviction of the Dutch social security system that it should provide earnings replacements for insured workers can also be seen an institutional misfit.

¹⁶ For instance, the WVA job creation scheme of 1996 and the Banenpool and Melkert programme for additional jobs of 1990 for the long-term unemployed.

An extension of the comprehensive approach to the adult unemployed was not thought necessary at the time, and such plans encountered much resistance from the Ministry of Finance. The prevailing philosophy at the Ministry was that the scarce resources should go to young people and to the most difficult categories of the long-term unemployed (Visser 2004: 18). The literature suggests that a certain degree of misfit between actual and inspired domestic policies and institutions might exist, leading governmental and other actors to challenge, oppose or question them. In our case, we found a misfit with regard to the activation of unemployed adults prior to the introduction of the EES. We therefore set out to find whether Dutch policy makers tried to upload ideas, interest or institutions in order to affect the EU employment policies established under the EES guidelines. We based our analysis on interviews with the key policy makers.

2.2. FINDINGS FROM INTERVIEWS¹⁷

Our analysis of the literature and the evidence from the interviews shows that the Dutch did try to shape, and were successful in influencing, the agenda of the European employment policies in the period of introduction of the EES (1997 onwards). However, they were successful only in uploading ideational sources to the EU agenda, rather than in uploading specific policies or policy instruments.

2.2.1. THE UPLOADED OF POLICIES AND POLICY INSTRUMENTS

It became clear from the interviews that the policies established under the EES guidelines had most likely not come from any single country. Rather, bits and pieces had been taken from, for example, the Nordic activation programmes (interviews EU 1 and EU5). In addition to Nordic countries, such countries as the UK, France and Luxembourg were named together with the Netherlands as the main architects of the EES and particularly of the comprehensive approach (interview EU2). These observations are confirmed by the literature. For instance, some authors (van Riel & van der Meer 2002: 3 17) have argued that the elements of Jacques Delors's 'White Book on Growth, Competitiveness and Employment' (1993) are more likely to be identified as the first employment guidelines.¹⁸ In other words, it is safe to assume that the employment issue was already on the European Council agenda before the Amsterdam Treaty and the Dutch presidency. Furthermore, van Riel and van der Meer (2002) argue that the reasons to implement, or the ideas behind the implementation of, more active labour market policies probably had much to do with the strength of

¹⁷ The appendix presents an overview of the interviews in the Netherlands and Belgium.

¹⁸ However, as the literature suggests, Delors only partially influenced the European Council, and it took another five years or so before the employment chapter was codified. Nevertheless, the elements of Delors's White Book were already identifiable in the action plans adopted at the Brussels Summit (December 1993) to combat unemployment, and they provided a common framework that would serve as a reference for the Member States' policy (and since the 1994 Essen Summit, the European Council also evaluates the action plans) and they gave a rough guideline of the employment policy later codified in the Amsterdam Treaty.

social democrats at this particular time. This was confirmed by our respondents (interviews EU 1, EU2 and EU5).

First, to make it clear to the Nordic countries that enlargement of the EU would not mean the end of the social democratic model, a significant part of the model – the active labour market policy and the goal of full employment – would have to be exported to Europe. A Swede – Allan Larsson, the chairman of an influential working group set up by the party of European Socialist (PES) – was named by van Riel and van der Meer (2002: 3 14) as a major proponent of the Treaty's employment chapter (the Dutch Minister Ad Melkert was also a member of this group). Second, the pivotal event between the Dublin Summit and the Amsterdam Summit was the change of government in the UK on 1 May 1997. It has frequently been argued (particularly by British scholars) that the election of the Labour government made it possible for all Member States (including France and Germany) to lend their support to the proposed employment chapter.

Furthermore, the literature suggests benchmarking as a possible uploading effort put forward by the Dutch. Visser (2004), for instance, shows that in preparation for the Luxembourg Summit, top civil servants at the Netherlands Ministry of Social Affairs and Employment (which was headed by Ad Melkert) called for a new European approach based on benchmarking and best practice learning. This call was based on two experiences of benchmarking studies in the Netherlands: following the initiative of the Ministry of Economic Affairs,¹⁹ the Minister of Social Affairs and Employment ordered a benchmarking study (SZW 1996; see also SZW 2000a) to compare Dutch social policy and labour market regulation with that of seven other European countries and the USA (Visser 2004: 17-1 8).²⁰ One respondent (interview EU2) admitted the possibility that the benchmarking originated from the Netherlands, but was hesitant to make any claims of uploading these instruments. The evidence from the interviews gives ground to suggest that the Dutch perhaps tried to upload to the EES their interests regarding the adoption of benchmarking, although we have no clear evidence of the actual uploading of any specific instruments.

¹⁹ This result emphasized that deregulation of product and labour markets would boost growth and innovation.

²⁰ The study rejected the hypothesis that a high level of social protection is an obstacle to economic growth and innovation (SZW 1996). Four years later, this benchmarking exercise – now using 39 indicators in 9 policy (including employment and social security) fields – was repeated (SZW 2000), which again underlines that good social policy can be the basis for good economic policy.

2.2.2. THE UPLOADING OF IDEAS AND INTERESTS

Rather than uploading instruments or specific institutions, our respondents indicated that the Dutch were relatively successful in bringing forward certain ideational resources in the debate on European employment policies. Based on our analysis, we can identify three examples of ideational uploading: 1) the promotion of 'social policy as a productive factor' prior to the Amsterdam Treaty, 2) the endorsement of a smaller number of (integrated) guidelines prior to and during the 2004 presidency, and 3) lobbying for the active and preventive approach by Minister Melkert (Netherlands Minister of Social Affairs and Employment between August 1994 and August 1998).

As the literature often suggests, the period during and around EU presidencies often provides Member States with a window of opportunity to promote their ideas and get matters put on the political agenda. The Netherlands twice held the EU presidency during the period observed here (i.e. from 1997 onwards). On both occasions (the first half of 1997 and the second half of 2004), the Dutch were active in promoting certain social policy initiatives.

First, the Intergovernmental Conference on Social Policy and Economic performance (January 1997) can be seen as an important moment for the Dutch to argue for their vision of social policy as a productive factor that contributes to economic performance rather than prohibits it (as is commonly argued in the economic sphere). At this conference, top EU social policy makers were brought together with representatives of trade unions and employers' organizations as well as with top academics in the field of the welfare state.

It is claimed that the outcome of this conference was a strengthening of convictions of economic value of social policy to modern standards. This also facilitated the new, coherent mandate in this spirit at the Amsterdam Summit in June 1997 (Hemerijck 1998). This view was confirmed by our respondents (interviews EU2, NL1, NL2 and NL3). According to one respondent at the EU level (interview EU5), it was crucial that the Dutch put forward the argument of labour market policy being an essential part of economic policy in order to include the employment chapter in the Amsterdam Treaty. Here, however, one must note that even though at the time the Dutch were actively striving for the inclusion of the social element, they did not want to promote social policy at the cost of economic policies. Rather, as our interviewees reported, the Dutch always strive for economically sound action at the EU level. The social element of social policy was supported as demonstrated above, but clearly the Dutch saw that employment policies must be left to the Member States and the policies depicted must follow the national politics (following the subsidiarity principle).

The second uploading effort of the Dutch prior to and during the second Dutch presidency in 2004 was their promotion of the streamlining of the guidelines and their preference for more focused guidelines. Since the introduction of the EES, the Dutch had strongly argued for simplifying the guidelines and limiting their number (interviews NL2, NL6, EU 1 and EU3). At the Lisbon Summit (March 2000), for instance, the Dutch lobbied for the integration of employment and broad economic guidelines (interviews NL2 and NL3). Some countries, such as Belgium and France, were more hesitant about the integration of these two fields and strove to keep the social and economic guidelines separated, as they were concerned about the withering role of social policy in this process. The Dutch civil servants we interviewed unanimously claimed that that the integration of economic and social guidelines improved the OMC process: the common ground is believed to be larger, guidelines are now more focused and the activation policies are integrated with the economic policies (interviews EU2, NL2, NL3 and EU3).

During the Netherlands' presidency in 2004, the Dutch also stressed the importance of focus within the social and employment policies in order to achieve the targets set in Lisbon and Stockholm. Another intergovernmental conference ('More people at work: policies to activate Europe's labour potential') was held in October 2004 in Amsterdam. It brought together top policy makers from the Member States, the EC, the EP, social partners, NGOs and academics to discuss a number of themes, such as active ageing and the need to attract more people to the labour market, a need that had already been stressed in the report of the Employment Taskforces that had been ordered by the EC and chaired by ex-prime minister Wim Kok (2003). The timing of the Dutch presidency in 2004 was crucial since, this was a time of change in Europe: enlargement of the Union took place on 1 May 2004, European Parliamentary elections were to take place and a new Commission was to be installed in November 2004. Also important was the fact that the current social policy agenda ran until 2005 and the EC was working on the social policy agenda for 2006-2010 during the Netherlands' presidency. The current objectives promote full employment, improvement of the quality and productivity of work, and the strengthening of social cohesion, and it seems safe to assume that at least some of the Dutch efforts in promoting the dedication to increasing labour market participation ('Jobs, jobs, jobs') were indeed uploaded to this agenda.

Additionally, the Dutch preference for a limited number of guidelines and indicators was also put into action by the Employment Committee (EMCO) in Brussels. Maarten Camps, a Dutch civil servant, campaigned during his chairmanship of the EMCO (2005-2007) for a reduction in the number of strict statistical indicators and numerical goals. He succeeded in reducing the number of indicators to fewer than 25, which according to one of our respondents (interview EU 1) was seen at the time as a rather profound change. To conclude, the general view among Dutch civil servants was

(and still is, at least among the interviewed civil servants involved with European issues) that the coordination of few broad policy goals is good, but that EU social policy should not have a coercive character.

Our third observation of the successful uploading effort by the Dutch concerns the role of persons in strategic places and their personal qualities in pushing forward ideas. In the Dutch case, this observation is exemplified by Minister Melkert's role in pushing forward the comprehensive approach. Melkert was repeatedly pointed out as one of the main architects of the EES and particularly of Guidelines 1 and 2 with respect to launching the comprehensive approach for unemployed (interviews NL2, NL4, EU2 and EU3). According to one of our respondents (interview EU2), Melkert was 'a man with a clear vision in the sense that he had a goal and the motivation and he could articulate his ideas'.

Although Melkert was a very internationally oriented man, he was not believed to be fighting for this issue in order merely to improve the European social model and common good. Rather, he was seen to lobby vigorously to achieve the comprehensive approach to the EES in order to realize it in the Netherlands (interviews EU2 and NL7). Melkert had encountered opposition when trying to persuade his Dutch colleagues to implement the comprehensive approach for adults. The Dutch political environment in the mid 1990s was much against the comprehensive approach for adults for two reasons, namely the governing coalition was against it and it was regarded as too expensive, both by the Netherlands Bureau of Economic Policy Research (CPB) and the Ministry of Economic Affairs (EZ) and by Melkert's own people at the Ministry of Social Affairs and Employment (SZW) (interviews EU2, NL8 and NL9). Here, it should be noted that the economic situation was in a dip in the early 1990s and unemployment was high (ref. the Dutch disease discussed earlier). Yet, minister Melkert had a vision of the need for more activating social policy and he kept on pushing his ideas. Together with his top civil servant Hans Borstlap, who at the time was also chairman of the European Labour Market Committee (the predecessor of the EMCO), Melkert wanted to push the comprehensive approach through the EES and the OMC between Member States, since he had not been able to do it in the Netherlands. The timing was excellent, as the Netherlands held the EU presidency in the first half of 1997. After Melkert's active lobbying, supported by a coalition of other pro-activation countries such as Sweden, Denmark and later the UK, the comprehensive approach was raised high on the EES agenda. As one of our respondents put it (interview EU5):

With Melkert, the Scandinavian argument was introduced in the EU. At the same time you had Juncker, the Luxembourg prime minister, who became EU president in 1997 and thought the same way. Mr Juncker saw the possible political gain and thus started marketing the EES.

So, a happy coincidence: the stars were in their right places. If we tried to start an EES at this very moment in time [2001], I'm not so sure that we would get it.

Yet, just before the signing of the guidelines in Luxembourg, it still seemed that this would require hard bargaining, since there was a lot of resistance from other Member States. However, one of our respondents (interview EU2) reported that, by chance, a week before the signing of the guidelines in Luxembourg, a Renault factory had been closed down in Vilvoord (near Brussels) and more than 2000 people had been made redundant. At the same time, several big corporations went bankrupt and were the subject of scandalous headlines in the media. In the eyes of this respondent (interview EU2), such pressures resulted in a political moment when the ministers of social affairs and employment throughout Europe wanted to make a political statement. Therefore, not much negotiation was necessary and the ministers of 15 Member States collectively signed the guidelines.²¹

Although we found rather convincing evidence of ideational uploading to the EES, our interviews show rather different findings in the shaping of the ESF – the EU fund that supports the EES guidelines. Here, our respondent (interview NL4) pointed out that during the negotiations for ESF rounds (1994-1999 and 2000-2006) the intention of the Dutch was that the ESF should not hamper the freedom of municipalities in their implementation of policies. Therefore, the Dutch strongly argued that the fields of intervention must be broad enough to allow this freedom. The Dutch wanted the national policies to be easily fitted in the themes/priorities and they preferred to use as many container concepts as possible. The Dutch also wanted to emphasize the integration of workers and not only the preventive approach, since they saw the integration of workers to be part of a preventive and active approach. In the Single Programming Document (EPD), in which Member States presented their development plans to the EC, the Dutch suggested three elements (reintegration, training and preventing youngsters from leaving school early) under one priority, but the EC found that there was insufficient attention to the active, preventive approach. The Dutch officials had set only one priority, under which these three elements were subsumed, to enable as much freedom for municipalities to implement the policies. Also the rules of the ESF require an acceptance from the EC if any funds are to be transferred from one priority to another. The Dutch officials wanted as much freedom as possible in this, and therefore suggested only one priority. But the EC did not approve this and the Dutch officials had to reformulate their EPD so that all three

²¹ It is worth mentioning that after the second half of 1998, Melkert's role in social policy-making diminished as he left the office of Minister of Social Affairs and Employment. Consequently, the preference of the Dutch with regard to social affairs issues has gradually shifted from the activation and comprehensive approach towards issues such as flexible labour market, flexicurity, and work first approach.

priorities were set out. In sum, the Dutch had to adopt the advice and reformulated the EPD in accordance with the EC's wishes (interview NL4).²²

2.3. CONCLUSION

The Dutch have been rather active, and successful, in getting certain ideas put on the European agenda. Yet, since the onset of the EES, Dutch officials have aimed at the OMC of employment policies, no more and no less. It became clear from the interviews that Dutch officials do not strive for EU social policy, nor EU employment policy, but only at coordination at the EU level. Although the social element is certainly supported by the Dutch, as demonstrated above, the Dutch stance taken in the negotiations at the EU level is that the employment policies must follow the national policies. Therefore, also with respect to the ESF, the Dutch standpoint was that the framework should be kept as wide as possible in order to allow municipalities enough room for manoeuvre.

The timing was essential to the successful uploading of these preferences, as argued above. In the late 1980s, policy makers became aware that the low labour market participation rate was the Achilles heel of the inclusive but passive system of social protection in the Netherlands (Visser & Hemerijck 2000: 240). There was certainly a need to tackle the long-term benefit dependency. However, the political climate in the Netherlands was against the introduction of the comprehensive approach for unemployed adults. Not only was it seen as too expensive, but politicians might have been hesitant about reforming the system also due to the considerable, and unfavourable, changes that had been made to the WW (Unemployment Insurance Act) and the WAO (Disablement Insurance Act) in the 1980s and early 1990s. After the painful reforms of the past, in 1994 the new coalition of social democrats and liberals (PvdA, VVD, D66) decided not to tamper with the level or duration of benefits. From this rather defensive position, the pro-welfare state Labour government, which included Melkert as Minister of Social Affairs and Employment, was keen to look into in-work benefits, subsidies for low-paid jobs, and increased efforts at guiding and training the unemployed – matters that perhaps favoured the pushing forward of ideas for an active social policy.

During the second presidency, the political colours had changed towards conservative and liberal coalitions, and the reasonably sound economic situation and low unemployment rate most likely fuelled the drive to pursue social and employment policies that would increase the productivity and flexibility of the labour markets. Also the ageing of the population – which is leading to a decline in the working population and to increased social security and health care expenditures – has without

²² Here, our respondent (interview NL4) sees the 'power' of the EC. This is not something set out in the Treaty, but the council has the last word and it is here where the EC can use its power over the Member States. It thus relates not so much to power over the substance of the priorities, as to power over the extent of priorities.

doubt created a need to increase the labour supply. In this context, the preference for more flexible labour market and social policies is understandable.

On the other hand, the Dutch context might also explain some of the success in uploading. It was noted earlier that some claim that the Dutch opportunities to actively shape EU policies are weakened by a number of structural conditions and characteristics, such as the relatively high degree of fragmentation of the national political system and administration and the constant struggle to achieve consensus (van Keulen 2006). Yet, this fragmentation of the Dutch system (the strong degree of departmental autonomy and strong policy networks) also has a positive side, as it gives the Dutch ministries much leeway to pursue their own goals, and this facilitates the promotion of novel ideas and innovations, also to the European level.²³ This also made it possible for Melkert to push so forcefully to achieve ‘his’ goals. Although the Netherlands is a country with a consultation culture, social partners were not intensively involved in the activation of unemployed persons, and therefore not much resistance was encountered from their side. It was suggested earlier that being one of the six founding Member States, the Dutch negotiators have learned their way around the EU-level venues. This might be true in our case, bearing in mind how Melkert and Borstlap – his compatriot and ELC chairman – successfully used the European path to upload ideas to the European agenda.

It is clear that the success of uploading ideas in these particular cases depended on both the timing and the presence of certain actors (and their qualities) in strategic places and the institutions in which they operated. That we found no clear evidence of the uploading of specific policies or instruments is understandable, given the complex nature of activation measures and the different contexts of European employment policies. It is not possible to develop policies that have one-size-fits-all qualities, and it is very difficult if not impossible to pinpoint direct policy transfers or the copying of policies. This is also not the intention of the new, ‘softer’ forms of governance such as the EES; rather, the EES aims at the convergence of policy agendas in the Member States and at promoting higher levels of employment.

²³ However, the prime minister formally still depends on a Foreign Ministry mandate to discuss matters with his EU colleagues in European council settings. This makes it difficult for the coordinating authority to decide upon conflicting preferences than is the case in Member States that have a more centralized government organization.

3. THE TAKING UP OF ACTIVATION POLICIES

3.1. FINDINGS FROM THE ANALYSIS OF GOVERNMENTAL DOCUMENTS AND INTERVIEWS

The EES was codified in the Amsterdam Treaty of 1997. It establishes guidelines (common objectives and benchmarks), provides bilateral recommendations based on country reports and promotes mutual learning through peer review programmes. This section of the paper concerns the extent to which the guidelines for the comprehensive approach for the unemployed were implemented, as well as the structural funds that were used (ESF round 2000-2006) to support this (priority 3). The success of these measures and the critical factors that supported or constrained them are also looked at.

3.1.1. THE TAKING UP OF THE EES

As argued, at the time the EES was launched, there was an institutional/policy misfit of the activation of adults. The EES introduced the process of National Action Plans (NAPs; later renamed as National Reform Programmes), in which Member States report on how far they have attained the objectives and on the policies they have planned and implemented. Since the introduction of the process, the Dutch have underlined the importance of complying with the EES and preparing NAPs. This was reported in the NAPs and confirmed by our respondents (interviews NL2 and NL3). It was noted in the 1999 NAP that this procedure, although mainly involving people at the ministries, and only occasionally social partners (in particular during the drafting of an NAP) and other actors,²⁴ is a fruitful annual exercise that brings together many ministries in the field of employment, the labour market and education to reflect on national policies and their future (SZW 1999: 4).²⁵ The Dutch also announced that the guidelines were giving a boost to employment policies (NAP 1999, p. 2); this perception was confirmed in interviews NL2, NL3, NL6, NL8 and NL9.

Our analysis of the NAP further indicates that with regard to the content of the Dutch NAP, the tone with reference to guidelines and their impact on Dutch policies has become sharper. The first NAPs (1998-1999) merely described the Dutch policies based on the new guidelines. In the NAP of 1998 – which was the first of its kind – the Dutch reported that they had complied with Guideline I

²⁴ Ministry civil servants and social partners participate in preparing the annual NAPs, but in 2000, for instance, the drafting also involved the Association of Netherlands Municipalities (NMG) and participants in the Territorial Employment Pacts (TEPs).

²⁵ The interviews with the social partners (NL5, NLI 1 and EU4), however, show that they are not very content with their role in this process. Rather they see an evolution of their role that reflects a change from a closed negotiation in the private sphere (with a possibility to bring about alterations up to 2003) to a mere messaging to the Second Chamber as a response to the latest reportage (the 'obligatory practice

(with JWG and WIW) and that they were to proceed with objectives 2 and 3 as quickly as possible²⁶ (SZW I 998a). Indeed, as discussed above, the WIW had not yet introduced the comprehensive approach for adults. What the WIW did was to classify²⁷ each unemployed person as being in one of four phases according to that person's level of detachment from the labour market, and aimed at a faster outflow from the benefit system and a more efficient activation of the long-term unemployed. The emphasis was thus especially on reintegrating the long-term unemployed and those in phase 4 (i.e. those at the greatest distance from the labour market). Activation measures were implemented under the new WIW (training, subsidized work, etc.). In the 1999 NAP, and under the new KoK II cabinet, intense efforts were made to comply with the guidelines and to improve the comprehensive approach for adults. Yet again these measures were primarily directed at the long-term unemployed and at getting them back to work.

Nevertheless, the NAP assessed messages from Brussels very positively. In particular, it was suggested in the 1999 NAP that guidelines formed an incentive for employment policy in the Netherlands (SZW 1999: 4). At the time, however, the Dutch still interpreted compliance with Guideline 2 as intensifying the comprehensive approach for the long-term unemployed only (SZW 1999: I 1). The target for the comprehensive approach was reported as having been met within four years. As of then, the coverage of the comprehensive approach was indeed extended from reintegrating the 'lost' into the workforce to a more preventive approach for all job seekers. From 2000 onwards, the NAPs were sketched according to the main priorities established in Lisbon. Guideline 2 was now interpreted by the Dutch as meaning that all unemployed persons should be included in the comprehensive approach within 12 months. Also the introduction of the new target related to lifelong learning was taken into account in the Dutch NAPs. The Dutch stated (SZW 2000b: 27) that the NAPs had speeded up the actual implementation of Guidelines 1 and 2 (as confirmed by interviews NL 1, NL2 and NL3). According to one of our respondents (interview NL8):

The comprehensive approach has clearly come from the EES to the Dutch agenda. If the EES had not been there, the Ministry would never have had the money. Moreover, the politicians were not ready to spend money on the newly unemployed.

Indeed, with the additional financing delivered through Kok's purple coalition, it was announced in 2001 that Guideline 2 had been almost fully implemented (SZW 2001), which was a year earlier than proposed in the 1999 NAP.

round during the summer holidays' (*verplichte oefenrondje gedurende de zomerrecess*)) (interview NL5).

²⁶ However, NAP 1998 (SZW I 998a) states that due to the forthcoming elections, the future reforms cannot be clarified this stage.

²⁷ Persons in phase 1 (i.e. approximately three quarters of all unemployed persons) will find themselves a job, and are only guided to the measures that are available (job mediation, some counselling); those in phase 2

Our analysis of NAPs and the interviews show that the Dutch are (or at least want to be) rather good pupils in the class with regard to the implementation of the comprehensive approach in the Netherlands. An analysis of the NAPs shows that the commitment of the Dutch grew as the years went by; however, this also applies to the EES guidelines themselves. Although the transformation of employment policies from passive to active and preventive has been the cornerstone of the EES from the start, a more comprehensive approach has been adopted along the way. It is true that the basic elements set out by the Luxembourg Job Summit have remained largely similar with regard to activation, but the previous Guidelines I and 2 (of 1998) have been merged into a single guideline with an emphasis on a more comprehensive approach to all unemployed persons, not just the young or long-term unemployed. Furthermore, the proportion of the long-term unemployed who were to participate in active measures was increased from 20 per cent in 1998 to 25 per cent in 2003.²⁸ Similarly, the focus of the Dutch NAPs has shifted from describing the national situation towards reforming the national situation in line with the guidelines. This evolution of commitment was also confirmed during interview EU2: at the beginning, the Dutch considered only the input (i.e. what should be done in the next six months), while later they also looked at the output (i.e. what has actually been done). Also a shift from a passive to an active and more curative approach is visible. However, we must take into account that prior to the guidelines, the Dutch were already rather advanced as far as activation is concerned, since such programmes for youths had already been implemented. Thus, it was perhaps easier for the Netherlands to follow the EES guidelines than it was for other Member States that had less developed employment policies. As one of our respondents put it (interview NL I 1): '[Where the effect of the EES is concerned], one can talk about an evolution, rather than a revolution.'

In the Dutch case, however, there were problems related to the incomplete administration of benefits, and this hindered the country's success. Since the rise of mass unemployment in the 1970s, the administrative and organizational setting had been undergoing continual change (for an extensive outline, see van der Meer & Visser 2004). After reforms of the administration body in 1991 and 1996, the SUWI Act of 2002 changed the administration of social security benefits and gave the task of providing employment services (job mediation, registration of job seekers and vacancies) to the CWI. This created a 'one-stop-shop' CWI, which brought together the municipalities, social security institutions and employment services.

or 3 require training; for those in phase 4, reintegration is not possible for the time being.

²⁸ We also observed that since 1998 there has generally been an evolution towards a more serious 'social agenda'. Although the employment Guidelines for 1998 did not contain specific guidelines relating to the modernization of the social protection schemes, pillar II for entrepreneurship and pillar III for adaptations contained targets to modernize the tax system and work organization. Gradually, however, the modernization of social protection schemes was brought into the EES, and through the streamlined Guidelines in 2003, the EES also included the objective of reforming tax and benefit systems (Guideline I C and ID).

The current government has recently suggested yet another reorganization, with plans to bring the CWI and the social security agency (UWV) under one roof in 2009.

This incomplete nature of the employment services and the constant reorganizations of the system have hampered the implementation of the activation policies. For instance, the 2001 NAP stated that the comprehensive approach had made less progress in 2000 than expected, given that additional funds had been allocated. The authors of the NAP suggested that this was partly due to the reorganization of the social security system, which caused a situation in which the employment services did not fully meet their targets regarding the number of programmes created (SZW 2001: 12).

In addition to these administrative problems, in the early years of the EES the Dutch suffered from an inability to comply with the quantitative targets set out in the EES (interview NL 10). Two Joint Employment Reports (1999 and 2000) stated that the Dutch data did not provide sufficient information to confirm compliance with Guidelines 1 and 3 (SZW 1999: 32),²⁹ and that therefore the Dutch should upgrade their statistical monitoring system so that they could have quantitative indicators for preventing unemployment and activating the unemployed. An observation arising from the interviews is that the Dutch tended to leave very little room to discuss these recommendations, which might have hampered the take-up of policies. We were told that when there was a problem (recommendation) that had to be addressed, often the response was that the Dutch civil servants explained how the EC had misunderstood the situation (interview EU2). This line of negotiation nevertheless encountered problems, as certain issues recurred year after year. For example, the Dutch received a recommendation regarding the problems of the activation measures for people in phase 4. The Dutch were unwilling to admit that something might be wrong, and sometimes even succeeded in blocking the recommendations that were to be made during the bilateral negotiations.

However, before the second presidency (2003-2004), there was a change of attitude: the famous stubbornness was starting to fade away and the Dutch became more interested in cooperating and going along with the rest. Our interviews reveal that this change of attitude mainly concerned people in strategic positions and their personal qualities. People from the ministries of Social Affairs and Employment, Economic Affairs, Finance, and Foreign Affairs came together to reflect whether the current way of doing things was the right way to go further in the EU. The approach taken was to allow more space in the bilateral discussions. At the same time, the opening up of the EU to new Member States was just round the corner. This meant that the Dutch were going to have a more modest role in the EU and there was increased public debate about the future.

²⁹ Furthermore, a new, specific Guideline 4 was established in 1999 to propose reforms to benefit and tax

This mood swing resulted in lively discussions (by the EMCO) and the increased willingness of the Dutch to discuss the problematic issues (such as phase 4 of the comprehensive approach). Then, however, the referendum was held and the Dutch voted against the European constitution. The Dutch returned to their old habits, sometimes being even more confined and reserved than before. The period of openness thus lasted only about two years (interview EU2).

3.1.2. THE USE OF THE ESF

We looked at the 2000-2006 ESF round, since this round promoted a tighter link between the ESF and the EES through a more efficient use of the ESF for the activation of the unemployed.³⁰ The plan for the Dutch Single Programming Document (SPD) for 2000-2006 was prepared by the Ministry of Social Affairs and Employment, and it was discussed with the social partners and presented to parliament. After intense bilateral negotiations between the EC and the Netherlands over the content of the Dutch SPD (related to the Dutch plans to place all measures under one priority, as explained earlier), the EC approved 1750 million euros for the Netherlands. The SPD contained three priorities, the first two of which are of interest to us.³¹

First, to prevent the long-term unemployment of adults, 630 million euros (36% of the budget) was used to tackle unemployment as referred to in EES Guideline 2. The aim was to extend the comprehensive approach to those who had been unemployed for less than 12 months and who would be older than 23 by the end of December 2002. The instruments used were mainly individual reintegration routes, some of which included a period of formal education. Other instruments were job interview training, job counselling, job hunting and work experience through wage subsidies. The plan was to use ESF monies to facilitate the construction of the new CWIs with their one-stop-shop approach. Second, to target training for the long-term unemployed, 788 million (45% of the budget) was used to improve the permanent employability of the working population as referred to in EES Guideline 3.³²

systems to provide incentives for the unemployed and inactive people in order to enhance employability.

³⁰ ESF monies are generally speaking available for developing employment opportunities and people's qualifications, but the measures used in the financing period 1994- 1999 consisted basically of school/training and pathways to reintegration under ESF-3, whereas the objectives of ESF-3 for the period 2000-2006 were set to develop more efficiently the active labour market policies to combat and prevent unemployment, to prevent long-term unemployment, to facilitate the reintegration of the long-term unemployed, and to support the labour market integration of young people and persons returning to work after a period of absence.

³¹ The third objective promoted lifelong learning in secondary vocational education (280 million euros, 18% of the budget): strategies included measures to combat leaving school early, the reinforcement of pathways and counseling for adolescents, and the reinforcement of vocational education.

³² The second priority comprised two measures for reintegration: A) The reintegration of long-term unemployed (36%): the reintegration of person who have been unemployed for longer than 12 months, and particularly inactive target groups such as the partially disabled, women re-entering the labour market, migrants, the homeless and ex-convicts. They are offered individual pathways, such as under priority 1. Also childcare might be offered

When considering the use of the ESF in the Netherlands, one cannot overlook a special occurrence in ESF history: the Dutch encountered problems accounting for ESF monies. At the beginning of the 1990s, ESF monies had been granted as a part of the subsidies for employment services to compensate for the cutbacks imposed by the cabinet in 1994. After this, it became unclear whether the ESF monies were factually used for concrete projects as required. An investigation was carried out by Henk Koning (the former president of the Dutch national audit office), and the Netherlands had to repay about 90 million euros. The issues related to the ESF led to problems in the implementation of the ESF in the 2000-2006 round. The midterm evaluation (Regioplan 2004) of the ESF showed that the image of the ESF in the Netherlands was poor among claimants, and that the number of take-ups (of ESF-3 in particular) was low. The respondents indicated that this had been the cause of the scandals during the 1994-1999 ESF period. For instance, from the ESF-3 grant aid, in mid 2003 the projects for improving reintegration routes for the short-term unemployed had a very low take-up of the budget (only 6%). The projects for the reintegration of the long-term unemployed and other forms of deployable labour force had applied for about a third of the available funds. In contrast, the projects for lifelong learning had applied for almost the full amount that was available, namely 98 per cent. The respondents hesitated to apply for ESF monies since they were afraid of the monitoring and thought that the rules were not clear.

Despite the problems, our interviews indicate that the ESF has been used rather successfully to facilitate the widening of the comprehensive approach. One respondent (interview NL4) pointed out that between 1994 and 1999, one million people took part in ESF-financed events. Yet, one must bear in mind that the ESF is used in the Netherlands based on the co-financing principle, that is, the financing of ESF projects always embeds a maximum ceiling of 50 per cent state funding. Our interviews show that the tasks at the local level have not changed profoundly, but that now the money may come from different budgets (interview NL4). The task (trying to help people to get back to work) has remained the same. Perhaps more, and more serious problems among the unemployed persons are arising, but those who are involved in this work see that the intervention remains the same, and the municipalities try to invest in people and help them restore their self-reliance. Indeed, several respondents (interviews EU 1, EU2 and NL4) pointed out that there is often a gap between the people involved in the ESF (who are at the local level) and those involved in the EES (who are at the governmental or European level). For instance, one respondent pointed out that (interview NL4):

as a part of the pathway package for persons who lack financial means (e.g. single parents). B). Training of workers (8%); a successor to ESF-4 from the previous period. In general, the responsibility for training workers lies with the social partners, but the government has decided to take responsibility for the most vulnerable workers, defined as those workers without a starting qualification.

Municipalities mainly do their work and try to get people back to work. They do not look at the policies or ideas emanating from Brussels. That is not their reality. Sometimes problems arise when political ideas should be implemented in the ‘real’ world. How do you materialize the creation of jobs and getting people back to work? Municipalities get the money, but also the responsibility of implementation, and they must see that the aims are achieved, not the European Council or Commission.

Despite the explanations from Brussels, the Dutch civil servants think that the developments in the Netherlands – particularly the introduction of the new Social Assistance Act (WVW) in 2004 – have provided a stronger financial incentive for municipalities to work together and get people back to work quicker than EU funds have. Since the introduction of the new WVW, municipalities have to co-finance the reintegration policies, and this is claimed to give the strongest incentive to get people back to work. Even though the success of the ESF was seen by one respondent (interview NL4) as being less substantial with regards to the reintegration of the unemployed, the ESF was given the credit for having played a prominent role in the training of workers and thus ensuring that their competences did not become outdated. Since 1994, the ESF has led to, through intentional gearing by the government, more ‘o&o’ funds (sectoral funds based on collective labour agreements) providing means for certain sectors to keep workers vital and up to date. Previously, many sectors had no such funds, but thanks to the ESF they now do.³³ This has also led to more bipartite cooperation between employers’ and employees’ organizations. Our interviews reveal that the UWV hardly ever takes an interest in the ESF; it is practically only the municipalities that use it (also to improve training for workers). Our respondents therefore see no causal relationship between the ESF and the municipalities, but only between the ESF and sectoral funds, in which our respondents see a success resulting from EU funding. To end with the words of one of our respondents (interview NL4):

The ESF has mattered. Perhaps it has not created something from nothing, but it has facilitated the progress from substantial to more substantial.

3.2. CONCLUSION

This analysis of the implementation of the EES guidelines and the use of the ESF reveals both a story of success and a story of difficulties encountered along the way. The EES and Guidelines 1 and 2 have been a success in the sense that the comprehensive approach for all the unemployed was implemented in the Netherlands in 2001 – a year earlier than first planned. We can assume that the EES played a role in this (see also Zijl et al. 2002). Furthermore, the introduction of the

³³ Whether they will continue to exist after the ESF funding runs out is something we do not know.

comprehensive approach has resulted in rather positive outcomes. The data from the UWV suggests that the duration of unemployment has been reduced by 10 per cent (van der Meer & Visser 2004: 52). Particularly youths, the higher educated and persons in phase 2 profited from the diagnosis. Job mediation seems to be favourable for clients in phase 4, and to a lesser extent for clients in phase 3. According to Visser (2002), some claim that the success of the comprehensive approach in the Netherlands is perhaps related to the 'Dutch miracle' in the second half of the 1990s, when labour market participation was booming. However, despite the Dutch miracle being praised both at home and abroad, the Dutch labour market still faces the problem of large numbers of long-term unemployed persons and disabled people, and a low labour market participation rate among women and the elderly. In addition, half of all unemployed persons have been unemployed for longer than 12 months (SZW 2005). These problems have not been resolved by the widening of the comprehensive approach for all adult workers after 12 months out of work. Additionally, there are disagreements concerning which routes (ranging from help in the form of a simple discussion, to help through training programmes) were efficient.³⁴

Importantly, the fact that the public employment services and the benefit administration are incomplete (or at least are undergoing continuous revisions) most likely obstructed the implementation of the EES and the success of the comprehensive approach in the Netherlands. At the time of the introduction of the EES, the public employment services were not yet fully operationalized and the administration of social security and reintegration was about to go through more extensive changes (in the 2000s).³⁵ Furthermore, with regard to the ESF, the problems detected in 1999 led to difficulties in the implementation of the ESF at the local level. The users' mistrust caused by the problems that had arisen in the past led to the less than optimal use of this instrument for activation purposes. The picture that emerged from our interviews with people involved in the ESF also indicates that the ESF has not been used to the maximum due to the current policy of the ESF to look only at the accounts and not at the results. The Dutch civil servants we interviewed believe that, for instance, the ESF would have been more successful had the EC given Member States more room for own action and had trusted them to do as well as they can. Here, the role of the EC could be as a good broker of information and solutions, bringing people from many countries together. One respondent summarized this by saying (interview NL 4):

A boat with many ropes keeps it in the harbour and it cannot make progress. You must untie the ropes and let it go in order to sail forward.

³⁴ People at the CWI have encountered problems, since the partners (the UWV and the municipalities) cast doubts on the categorization of clients. The municipalities think that the CWI sends too many people to phase 4, while the UWV thinks that too many people are incorporated in phase 1.

³⁵ The reintegration of the inactive population was altered under the WWB of 2004, which in practice abolished the WIW and subsidized labour.

4. A REFLECTION ON THE FINDINGS

This leaves the question whether things would have been different without the EES. A common conviction revealed by the interviews with civil servants is that the Dutch activation policies are products of national policies: since the 1980s, each Dutch cabinet has reflected upon work and how to increase the level of participation. Our respondents primarily see the EES as having accelerated the introduction of the comprehensive approach, yet in all probability the same policies would have been introduced without the EES. We will probably never be able to answer this question, since social reality has so many variables and their complex interrelations make it impossible to pinpoint what exactly explains what. What is clear, however, is that this is a question of causality. Based on our analysis, we believe that it is reasonable to suggest that there is a mutual influence: the Dutch take from the EU, and to a certain extent the EU takes from the Dutch. This assumption accords with the conviction we presented at the beginning of this paper, namely that the interaction between the EU and its Member States should be seen as a two-way process.

How can we explain our findings? We see that the Dutch context and timing were decisive in explaining the developments in the comprehensive approach. The Dutch were already rather advanced with the activating policies, especially in comparison to some central and southern European countries. Also, the Dutch already had rather well-developed labour market policies and could come up with good arguments when trying to upload their ideas. This idea is also incorporated in learning theories that suggest that policy learning can be most effectively achieved through success stories and promising examples. In the context of our study, this means that success stories must be present at the national level before they can be launched as a European example. To an extent, this is also the case with Dutch uploading: Melkert was able to use good arguments based on the comprehensive approach for the young that had been introduced back in 1991. We also suggest that the focus on supply-side employment policies might have helped the Dutch to increase the coverage of the comprehensive approach and to develop their active social policies.

With respect to the ESF, our belief is that the Fund was used to support the implementation of the comprehensive approach, but that its role seems to be less eminent in the Netherlands than in countries that are in greater need of financial resources. Moreover, timing was also important, since adopting such policies is always dependent on having the political momentum. In the first half of the 1990s, there was certainly a need for such policies in the Netherlands, since both unemployment and inactivity rates were high. Also, the fact that the Dutch held the presidency in 1997 was pivotal in creating a window of opportunity for the Dutch to share and promote their ideas. In addition, the

fragmentation of Dutch policies might have eased the uploading of policies, since it enabled a strong politician such Melkert to strive for his goals. Plus, the high fragmentation of the Dutch system gives the ministries a lot of autonomy to decide upon matters in their own fields, and this perhaps facilitated the relatively smooth implementation of the comprehensive approach at the turn of the millennium.

Also, the timing mattered: Melkert was in office, the Dutch had the presidency and there were pro-welfare governments in power. The uploading efforts around the second presidency were also rather successful, perhaps because the Dutch had learned how to play the game at the European level, and because of the timing of the presidency (coinciding with the preparations of the new social agenda) and the presence of strong strategic actors (Wim Kok in the Employment Taskforce, Maarten Camps on the EMCO) all embedded in the context of a favourable socio-economic situation suitable for promoting the Dutch goals of a flexible labour market, the creation of jobs and the improvement of the quality of jobs.

To conclude: does Europe matter and, if it does, how? Our findings illustrate the importance of Europe in the policy learning process. The employment policies at the EU level are guided through channels of the OMC, which in our view promotes policy learning. This view is supported by our case study. The Dutch learned together with others at the EU level when collectively shaping policies, as they also learned (albeit less prominently) from others in the implementation of the policies. The observations of learning are rather convincing in the shaping phase. The Dutch had already had rather positive experiences in the field of the activation of unemployed youths, and they could thus draw knowledge from their own experiences. It was perhaps for this reason that they were rather successful in putting forward their ideas and learning with others.

However, the learning element in the take-up dimension was less strong. As mentioned, the Dutch did not have to learn much, since the basic approach (for the young) already existed in the country prior to the EES. Yet, in our view the Dutch learned in the context of improving their statistical indicators and by participating in peer review meetings. It also clear by now that the OMC is not an instrument for transferring policies from one country to another, and that we should not say that the OMC is inefficient if such transfers are not happening (see also van Gerven & Beckers forthcoming in 2008). The differences across countries are too profound to proceed with exact copying or policy transfer. From the perspective of policy learning, it is important to realize that the OMC process includes mainly elements that support learning through the exchange of information and ideas.

For instance, the peer review processes at the heart of the OMC process, whereby Member States discuss best practices (in what are now called 'mutual learning programmes'), as well as the bilateral meetings with the EC concerning national report plans, can facilitate knowledge exchange and learning. The OMC also provides other direct and indirect possibilities for learning. For example, through learning by repetition – whereby the same ideas are repeatedly put on the agenda – and learning through irritation, the level of awareness grew sufficiently for these ideas to be adopted by the Member States, albeit in a somewhat rephrased form (for this, see Heidenreich & Bischoff 2006).

Overall, the OMC can be seen as an improved (but still far from perfect) instrument for learning, since it transforms diversity into an asset (Sabel & Zeitlin, forthcoming) and creates room for cooperation, the exchange of ideas, and common goals and targets. As a process involving multilevel governance and multilevel actors, it promotes learning both in the uploading and in the downloading phases of policy-making and facilitates the dissemination of ideas, interests and, to an extent, institutions. Perhaps this openness of the process makes it a more suitable instrument for learning than other instruments, for instance the traditional hard law, where most of the moments for learning occur only when actually implementing the policies at the national level.

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APPENDIX

Interviews for the [ETOS.BE](#) case study on the activation of unemployed people. All interviews were conducted by Minna van Gerven.

Code	Respondent	Interview date
NL1	Civil servant, SZW	22 June 2007
NL2	Civil servant, SZW	12 July 2007
NL3	Civil servant, SZW	12 July 2007
NL4	Civil servant, SZW/ESF	27 September 2007
NL5	Social partner FNV	5 September 2007
EU1	Civil servant, EMCO	16 August 2007
EU2	Civil servant, EP	16 August 2007
EU3	Civil servant, EMCO	12 October 2007
EU4	Social partner ETUC	22 June 2007

The following transcripts from the Dutch evaluation of the EES (Zijl et al. 2002) were used.

Code	Respondent	Interview date
NL6	Politician	17 October 2001
NL7	Civil servant, EZ	9 November 2001
NL8	Civil servant, SZW	12 October 2001
NL9	Civil servant, SZW	17 October 2001
NL10	Civil servant, SZW	30 November 2001
NL11	Social partners, FNV	12 November 2001
EU5	EU civil servant, EMCO	30 November 2001

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- 07-54 “Temporary agency work in the Netherlands”
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- 07-51 “Distribution of responsibility for social security and labour market policy – Country report: Denmark”
January 2007
Per Kongshøj Madsen
- 07-50 “Distribution of responsibility for social security and labour market policy – Country report: The United Kingdom”
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Jochen Clasen
- 07-49 “Distribution of responsibility for social security and labour market policy – Country report: The Netherlands”
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Judith Roosblad
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July 2004 Killian Schreuder
- 04-27 "Female Income, the Ego Effect and the Divorce Decision: Evidence from Micro Data"
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- 04-26 "Economische effecten van Immigratie – Ontwikkeling van een Databestand en eerste analyses"
Januari 2004 Joop Hartog (FEE) & Aslan Zorlu
- 03-25 "Wage Indicator" – Dataset Loonwijzer
Januari 2004 dr Kea Tijdens
- 03-24 Codeboek DUCADAM Dataset"
December 2003 Drs Kilian Schreuder & dr Kea Tijdens
- 03-23 "Household Consumption and Savings Around the Time of Births and the Role of Education"
December 2003 Adriaan S. Kalwij
- 03-22 "A panel data analysis of the effects of wages, standard hours and unionisation on paid overtime work in Britain"
October 2003 Adriaan S. Kalwij
- 03-21 "A Two-Step First-Difference Estimator for a Panel Data Tobit Model"
December 2003 Adriaan S. Kalwij
- 03-20 "Individuals' Unemployment Durations over the Business Cycle"
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- 03-19 Een onderzoek naar CAO-afspraken op basis van de FNV cao-databank en de AWWN-database"
December 2003 dr Kea Tijdens & Maarten van Klaveren
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October 2003 dr Adriaan S. Kalwij & Rob Alessie
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October 2003 dr Kea Tijdens, Tanja van der Lippe & Esther de Ruijter
- 03-16 "De invloed van de Wet arbeid en zorg op verlofregelingen in CAO's"
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September 2003 Sir dr A.B. Atkinson and dr. W. Salverda

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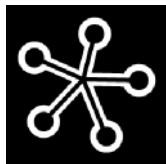
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