



## European Council of the Liberal Professions

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### *Position Paper of CEPLIS on the issues faced by the Liberal Professionals in the post-COVID-19 confinement reality*

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#### **EXECUTIVE SUMMARY**

#### **Liberal Professional SMEs are important for growth and employment in Europe**

All future EU legislation relating to SMEs and entrepreneurship and all economic support measures for companies (short work, secured loans etc)

must take into consideration the specificities of Liberal Professional SMEs and their importance for growth and employment.

#### **Most of the Regulations of the Liberal Professions are guarantees of Quality of Professional Advice, Public Health and Safety**

The COVID-19 Crisis once again clearly demonstrated how dependent our society in Europe and worldwide is from professional excellence based on high-quality qualifications sustained by continuous professional development. In the case of the professions of healthcare this has been saluted and celebrated publicly by society as a whole. Other liberal professions have supported the system from the second row, e.g. by engineering excellence for health infrastructure and technology, to support increased need of digitalization at all levels, by re-launching the economy with planning of building and infrastructure projects etc.

We feel that this must lead the EU institutions to re-think their approach to national professional regulations, in particular those that are conceived in order to maintain high standards in both ethics and quality of work delivered to the citizen, our patient and client. Risking the quality of the outcome of the work of liberal professionals because of a will of deregulation as an ultimate goal, the benefits of which on activity and employment have not been proved, must stop immediately. Europe is a knowledge-based economy that needs to enhance and not diminish its professional excellence.

#### **There is a need for more highly qualified Liberal Professionals in the EU**

EU citizens should be encouraged to turn only to their qualified professionals for every question relevant to their expertise. CEPLIS strongly believes that the EU institutions must fund public awareness campaigns aiming at explaining to the public that only qualified professionals can provide responsible information on issues related to their field.

We also request EU financial support to Member States in order to enable them to recruit necessary staff to keep up with health services and to ensure timely services to patients who were unable to be examined during the confinement.

The provision of the EU Directive on the Mutual Recognition of Professional Qualifications establishing Common Training Frameworks (CTF) in order to facilitate freedom of movement of professionals whilst keeping away “the bad apple” is also relevant in this case. (CTF) ensures same standards of training, education and professional ethics within a profession across all EU countries. We urge the EU to fast track the process of establishing Common Training Frameworks.

### **Liberal Professionals must always have the means to protect themselves whilst exercising their tasks**

Professionals must have always access to means of protection and sometimes receive necessary training and technical support in order to perform their tasks with the minimum level of health risks for them and their clients or patients.

### **Liberal Professionals of all sectors must be helped to overcome the post-confinement crisis**

The measures to support and revive the economy at European level must explicitly include liberal professional enterprise, which is too often forgotten.

European professional organisations should also be included in these measures.

Moreover, several liberal professionals do not form part of SME's but are self-employed. Therefore, funds should be accessible to them as well and the process of applying for them should be simplified for these individuals who do not have their own staff

### **Access to European Funds is capital for the Liberal Professions**

The liberal professions welcome the fact that the recent European strategy in favor of SMEs published by the European Commission on the 10<sup>th</sup> of March reflects an awareness of this difficulty. More information nevertheless must be given about existing programs such as access to finance and the said programs must be promoted by the Members States.

**Support measures** – such as the possibility for “short-time work” that is currently available in many EU Member States and partly covers personnel costs for a limited duration of time – **against the termination of employment contracts need to be open to liberal professionals and their employees. We expect the SURE system (Support to mitigate Unemployment Risks in an Emergency) to provide replacement income for the most affected liberal professionals and partial unemployment measures for employees in our field.**

### **The next EU Budget must support Liberal Professional SMEs and promote entrepreneurship, innovation and digitalization in our sector**

The next EU budget must be able to support the investment and innovation efforts of liberal professionals SMEs, in particular to ensure the necessary ecological and digital updating.

The liberal professions call for the rapid implementation of measures in favor of States, private companies and job protection based on the 540 billion EUR plan approved by the national finance ministers on the 25<sup>th</sup> of April.

In addition, they expect the €750 billion recovery plan proposed by the Commission on 27 May and submitted for the approval of the States that it reinforces, among others the economic dynamism of small and micro-enterprises, and in particular liberal professional businesses.

**CEPLIS requests from the European institutions a clear support to small liberal professions by grants and very affordable loans; a support to entrepreneurs who engage new staff or who do not terminate existing labor contracts; and a support to mobility of labor forces for sectors in need by an increased flexibility of the applicable rules.**

### **Strengthening the role of Liberal Professional Representative Bodies within the social dialogue**

Strengthening the role of Liberal Professional Representative Bodies as important Social Partners that can contribute to societal needs and therefore should to be involved in all democratic processes of consultation prior to any new legislation will be an important measure proving that we have learned something from the crisis.

**This is why we call for the formal recognition of CEPLIS as a Social Partner representing the liberal professions' sector so that our voice can be taken into account in the construction of solutions to the crisis but also for the development of a stronger and ever-closer Union.**

## **Position Paper of CEPLIS on the issues faced by the Liberal Professionals in the post-COVID-19 confinement reality**

The European Council of the Liberal Professions (CEPLIS) is the only inter-professional association bringing together the liberal professionals at the EU level.

Its members are national inter-professional and European mono-professional bodies representative of our sector. Several Working Groups ensure an efficient following up of all legislative proposals of relevance to the liberal professions and of issues specific to each one of the professional families.

### **Liberal Professional SMEs are important for growth and employment in Europe**

CEPLIS has always stood for loyal and constructive collaboration with the European institutions, sharing with them the dream of a United Europe, progressive, creative and growing for the benefit of its citizens, our patients and clients. In that spirit we would like today to bring to your attention the following points, deemed to be of the highest importance for all our membership:

There are 7 million professionals, employing almost 28 million people in the EU. Liberal Professions undeniably play a key role in Europe's growth not only because of their numbers but equally because of the jobs they create as employers. Studies have shown that during the last financial crisis liberal professional SMEs were proved to be amongst the most stable and reliable employers and this will most probably be the case again in the current post-COVID 19 economic situation. It is thus particularly important to clearly understand that the liberal Professions are the creators and the collaborators of a substantial number of SMEs, that are functioning with respect with the specificities proper to the nature of their professions and of their ethical and deontological codes. **In the light of the above the professions have always asked for liberal professional SMEs to be enabled to get access to all economic support measures for companies (short work, secured loans etc). All future EU legislation relating to SMEs and entrepreneurship must take into consideration the specificities of Liberal Professional SMEs and their importance for growth and employment.**

### **Most of the Regulations of the Liberal Professions are guarantees of Quality of Professional Advice, Public Health and Safety**

Liberal professionals have played and continue to play a major role in overcoming this COVID -19 crises in regard to both its health-related aspect and the economy-related one. Nobody ignores today, that the liberal professionals of the healthcare sector, including the therapeutic professions, were the front-line heroes of the battle against the deadly virus, whilst the COVID-19 Crisis once again clearly demonstrated how dependent our society in Europe and worldwide is from professional excellence based on high-quality qualifications sustained by continuous professional development. In the case of the professions of healthcare this has been saluted and celebrated publicly by society as a whole. Other liberal professions have supported the system from the second row, e.g. by engineering excellence for health infrastructure and technology, to support increased need of digitalization at all levels, by re-launching the economy with planning of building and infrastructure projects etc.

**We feel that this must lead the EU institutions to re-think their approach to national professional regulations, in particular those that are conceived in order to maintain high standards in both ethics and quality of work delivered to the citizen, our patient and client. Risking the quality of the outcome of the work of liberal professionals because of a will of deregulation as an ultimate goal, the benefits of which on activity and employment have not been proved, must stop immediately. Europe is a knowledge-based economy that needs to enhance and not diminish its professional excellence.**

## **There is a need for more highly qualified Liberal Professionals in the EU**

Furthermore, and in view of the considerable damage in human lives and thus in the economy, caused during the COVID-19 crisis by the spread of irresponsible or false information via several mass media and the internet in general, **EU citizens should be encouraged to turn only to their qualified professionals for every question relevant to their expertise. CEPLIS strongly believes that the EU institutions must fund public awareness campaigns aiming at explaining to the public that only qualified professionals can provide responsible information on issues related to their field.**

**We also request EU financial support to Member States in order to enable them to recruit necessary staff to keep up with health services and to ensure timely services to patients who were unable to be examined during the confinement. Long waiting lists are expected due to backlog of those who did not receive any type of medical advice during the lockdown period. Recruitment, especially in the public sector, is encouraged to improve the efficiency of healthcare services.**

**The provision of the EU Directive on the Mutual Recognition of Professional Qualifications establishing Common Training Frameworks (CTF) in order to facilitate freedom of movement of professionals whilst keeping away “the bad apple” is also relevant in this case. (CTF) ensures same standards of training, education and professional ethics within a profession across all EU countries. We urge the EU to fast track the process of establishing Common Training Frameworks, for example for key healthcare professions as that of Pharmacist Specialists in Laboratory Medicine, as well as for other professions such as for example Psychologists or Psychotherapists, towards which the public very often turns for vital advice in times of crisis.**

## **Liberal Professionals must always have the means to protect themselves whilst exercising their tasks**

The liberal professions' sector, like all the other sectors of the economy, has suffered and is still suffering from the economic slowdown linked to the pandemic. Many liberal professionals, including those who were not subject to an administrative obligation to cease all activity, like for example dentists or general practitioner physicians, psychotherapists and specialists in other medical disciplines, or lawyers, notaries, tourist guides and expert accountants, are literally suffocating economically. In addition to its economic and social impact this situation has, and will continue to have, given the activities of liberal professionals in the medical, legal or technical fields, serious consequences in terms of public health, public safety and rights of litigants.

The material conditions of health security (access to personal protective equipment (PPE's) in particular) are, of course, the prerequisite for a resumption of the activity of liberal professional activities be it as independent practitioners or as parts of an SME. **Professionals must have always access to means of protection and sometimes receive necessary training and technical support in**

order to perform their tasks with the minimum level of health risks for them and their clients or patients.

## **Liberal Professionals of all sectors and their representative bodies must be helped to overcome the post-confinement crisis**

Special attention must be given to those liberal professions who won't effectively recover their activities before some time. For some of them, in particular the professions linked to culture, recovery might come in an even longer time. One can already observe this phenomenon now because several budgets for the conservation of works of art and monuments have been frozen. **CEPLIS thus asks for increasing European funds for the protection of Cultural Heritage, precisely in order to compensate for the probable deficiency of Member States in this matter in the years to come.**

Several other professions, like for example the architects, or the surveyors, believe that the crisis will continue to have a significant impact on their activity through this calendar year and the next one. In general, the income of liberal professional cabinets will likely be lastingly and severely affected, since most observers predict serious recessions all over the EU. **The measures taken at European level should enable States to continue to support national economies, and in particular the liberal sector, in the medium term.**

At the national level, very often, the extension of several corporate rescue schemes to the liberal professional sector has been done in extremis. Some of the liberal professional SMEs could not be covered by these last moment planned measures and no alternative towards the replacement of their income has been provided for them. This constitutes yet another important reason to **insist that the measures to support and revive the economy at European level explicitly include liberal professional enterprise, which is too often forgotten.**

**European professional organisations should also be included in this. Our income relies on membership fees. We are forecasting that due to the economic situation, individual members may not be in a position to honour their national membership fees, which in turn will imply that those national organisations (our members) will have difficulty in paying their own membership fees.**

**Moreover, several liberal professionals do not form part of SME's but are self-employed. Therefore these funds should be accessible to them as well. Information should be more readily available and the process for these individuals who do not have their own staff should be simplified.**

## **Access to European Funds is capital for the Liberal Professions**

The next long-term EU budget (multiannual financial framework 2021-2027), which will be, as announced by the President of the Council, Mr. Charles Michel, "at the heart of the EU contribution to the recovery", should explicitly stimulate EU support for small and micro enterprises and, in particular, liberal professional ones. **Up to now budgets were rather vague regarding their eligibility for European funds. This ambiguity has been clarified and is now a given. However, it is necessary to simplify access to these funds for small structures lacking resources and technical means. The liberal professions welcome the fact that the recent European strategy in favor of SMEs published by the European Commission on the 10<sup>th</sup> of March reflects an awareness of this difficulty. More information nevertheless must be given about existing programs such as access to finance and the**

**said programs must be promoted by the Members States. In order to achieve this objective, Liberal Professional representative organisations must be granted more visibility. Member States must use these organisations as information channels and put in place the means to make organizations visible to professionals who need them.**

It already became clear during the financial crisis in 2008 that liberal professionals are an important pillar of the economy and reliable creators of employment. This will certainly be proven also during the post COVID-19 expected crisis. The employees of the liberal professionals are often qualified and experienced professionals themselves and thus cannot be easily replaced. In the field of the liberal professions therefore, terminating employees' contracts is almost always avoided even in cases of a temporary decline of activity, such as the one due to the lockdown restrictions. **Support measures** – such as the possibility for “short-time work” that is currently available in many EU Member States and partly covers personnel costs for a limited duration of time – **against the termination of employment contracts need to be open to liberal professionals and their employees. We expect the SURE system (Support to mitigate Unemployment Risks in an Emergency) to provide replacement income for the most affected liberal professionals and partial unemployment measures for employees in our field.**

## **The next EU Budget must support Liberal Professional SMEs and promote entrepreneurship, innovation and digitalization in our sector**

**In addition to promoting recovery, the next EU budget must be able to support the investment and innovation efforts of liberal professionals SMEs, in particular to ensure the necessary ecological and digital updating.** EU must invest in training for small businesses to adapt to the new realities. Grants should be given to small entrepreneurs who follow courses necessary for updating their skills, e.g. grants for architects learning about smart cities, grants for surveyors learning about BIM, for physicians learning about e-health practices. Telepractice, for instance, is a service delivery model that patients and clients can benefit from especially those living in remote areas with poor access to services and vulnerable people with limited mobility. We propose that member states review their legislation to ensure this service delivery model is possible and also review codes of ethics/practices to safeguard service users as well as provide guidelines to liberal professionals, most of whom had to change their way of practicing overnight.

**The liberal professions call for the rapid implementation of measures in favor of States, private companies and job protection based on the 540 billion EUR plan approved by the national finance ministers on the 25<sup>th</sup> of April.**

**In addition, they expect the €750 billion recovery plan proposed by the Commission on 27 May and submitted for the approval of the States that it reinforces, among others the economic dynamism of small and micro-enterprises, and in particular liberal professional businesses.**

Furthermore, liberal professions need a reduction of their administrative burdens to a minimum, (some controls can be performed ex-ante) and a delay and reduction of the taxation burden for the liberal professionals. The current situation requires a further cut of red tape and a simplification of procedures and administrative formalities. **CEPLIS requests from the European institutions a clear support to small liberal professions by grants and very affordable loans; a support to entrepreneurs who engage new staff or who do not terminate existing labor contracts; and a**

**support to mobility of labor forces for sectors in need by an increased flexibility of the applicable rules.**

## **Strengthening the role of Liberal Professional Representative Bodies within the social dialogue**

The crisis made the important role of the Representative Bodies of Liberal Professions as Social Partners more visible. Once again the Representative Bodies of Healthcare Professions were in the front row of organizing and supporting the national and regional medical support systems as a direct partner of the government. Similar support came from other Representative Bodies regarding the upkeep of infrastructure, the definition and distribution of support measures, the information processes for public and economy etc.

Strengthening the role of Liberal Professional Representative Bodies as important Social Partners that can contribute to societal needs and therefore should to be involved in all democratic processes of consultation prior to any new legislation will be an important measure proving that we have learned something from the crisis. In fact, in some EU Member States, as in France, this is already the case regarding national inter-professional representations. This should be proposed as “European Best Practice“. We need a more structured and more representative social dialogue. All professions in all countries must be able to enter in direct dialogue with public authorities in a sustained and coordinated manner. Perhaps the European Commission itself could make recommendations to countries in this regard. Likewise, at Community level, a structured dialogue between CEPLIS and the institutions could be particularly fruitful.

It has often been said, but it is necessary to repeat it, that a new start for an efficient Social Dialogue is needed. One of the hallmarks of the lack of preparedness for the current health crisis was the lack of consultation with the liberal professions. A better recognition of liberal professions and of their role within the European societies is a key component of a larger, more representative and more effective social dialogue mechanism. **This is why we call for the formal recognition of CEPLIS as a Social Partner representing the liberal professions’ sector so that our voice can be taken into account in the construction of solutions to the crisis but also for the development of a stronger and ever-closer Union.**

We look forward to your reaction and to engaging into an open and sincere dialogue for the greater benefit of the European society and its citizens.



## **This Position Paper was unanimously approved by CEPLIS members:**

### **Inter-professional**

- Union Nationale des Professions Libérales (France)
- Unión Profesional (Spain)
- Irish Inter-professional Association (Ireland)
- Confprofessioni (Italy)
- Malta Federation of Professional Associations (Malta)
- Uniunea Profesiilor Liberale din România (Romania)
- Union Nationale des Professions Libérales et Intellectuelles de Belgique (Belgium)
- Union Nationale des Professionnels de Santé (France)
- Bundeskonferenz der Freien Berufe Österreichs (Austria)
- Fédération luxembourgeoise des travailleurs intellectuels indépendants (Luxembourg)
- RETE Professioni Tecniche (Italy)

### **Mono-professional**

- Council of European Geodetic Surveyors
- European Nursing Council
- European Confederation of Conservators-Restorers' Organisations
- European Council of Engineer Chambers
- European Federation of Psychologists' Associations
- International Association of Automobile Experts
- European Association for Psychotherapy
- Orthoptistes de la Communauté Européenne
- CPLOL (Standing Liaison Committee of EU Speech and Language Therapists and Logopedists)
- European Union of Pharmacist Specialists in Laboratory Medicine

### **Observer members**

- European Federation of Tourist Guide Associations
- European Federation of National Engineering Associations
- Union Nationale des Professions Libérales (MAROC)

### **Correspondent Organisations**

- Association Professionnelle de Conservateurs-Restaurateurs d'Oeuvres d'Art (Belgium)
- Federperiti (Italy)
- European Association of Practice-oriented Professionals with Higher Education
- Die Bundeskammer der Architekten und Ingenieurkonsulenten :
- Croatian Dental Chamber
- Syndicat des laboratoires de biologie clinique
- Caisse interprofessionnelle des professions libérales (France)