

# CHAPTER 5: European social dialogue developments 2012-2014

*European social dialogue refers to discussions, consultations, negotiations and joint actions involving organisations representing the two sides of industry (employers and workers) at the European level. This chapter provides an overview of developments from September 2012 to December 2014, with a focus on processes, actors and outcomes.*

## 5.1. Introduction

EU social dialogue was set up in the mid-1980s as part of a collective effort to re-launch the EU integration process. It was both a top-down and a bottom-up process in which the Commission and the EU social partners agreed on a possible approach to ensuring that EU integration process would provide benefits for both workers and employers and then developed as a way of ensuring that the single market would have a “social dimension” (echoing the notion of “EU social model”). This approach was recognised in the Treaties of Maastricht and Amsterdam through specific ‘social dialogue’ provisions, based on an EU social partners’ agreement of 1991. Within this frame, EU social dialogue (both at cross-industry and sectoral level) has contributed to the shaping of the EU legislation and policies.

These key Treaty provisions on social dialogue (art 154-155 TFEU) were introduced at a time when legislation was the major instrument of EU action in the employment and social policy field. They were progressively complemented by provisions relating to the development of concertation under the so-called “Open Method of Coordination” since 2000, with the increasing role of policy coordination as instrument of EU action, new elements were introduced in the practice of EU social dialogue, and then in the Treaty, to initiate some concertation between EU institutions and social partners in the framework of the Employment Committee (EMCO) and the Social Protection Committee (SPC) (Art. 150 and 160 TFEU), and at the highest level within the Tripartite Social Summit (Art. 152 TFEU). With the financial crisis and its impact within the Eurozone, economic policy coordination and budgetary

surveillance gained increased prominence among the range of instruments of EU action. Building on this gradual shift towards more EU-level tripartite concertation, a consensus has emerged on the need to further strengthen the involvement of social partners in EU governance and to reinforce existing fora of social dialogue. The chapter considers these developments in further detail.

In recent years, European social dialogue took place in a very challenging socioeconomic context: since 2008, Europe has experienced a crisis, with high unemployment, growing disparities between Member States, and major concern for social cohesion between and within Member States. As was shown in Industrial Relations in Europe 2012, the second phase of the crisis, in particular, has put national industrial relations systems under severe strain. At European level, the cross-industry social partners differ in their views on the causes of the crisis, the appropriate policy responses to it, the fiscal consolidation programmes, the macroeconomic policy mix and the contents of structural reforms. Furthermore, the confidence of EU citizens in the ability of European institutions to bring support and policy advice has dramatically declined, in particular in countries under assistance. The last two years’ developments of the European social dialogue need to be considered in this context.

The first section of this chapter considers the three processes of social dialogue at European level: tripartite concertation (including the Tripartite Social Summit); social dialogue at cross-industry level and social dialogue at sectoral level. Developments on the Commission side over the past two years include proposals on how to strengthen the role of

social partners in EU governance and the European Semester and the proposal for a revision of the Council Decision on the Tripartite Social Summit. The same period also saw the creation of two new sectoral social dialogue committees (ports; graphical industry) and the launch of a test phase for sports and active leisure. The second section (actors) highlights the role of European social partners (employers’ and workers’ organisations) that are consulted under article 154 TFEU. The third section focuses on outcomes<sup>(1)</sup>. It briefly introduces the typology of text-based outcomes of European social dialogue (agreements, process oriented texts, joint opinions and tools, procedural texts) and other achievements (such as joint projects and conferences). This section presents updated statistics and provides a thematic overview of social dialogue initiatives over the past two years. The concluding section presents some of the key challenges for European social dialogue and an outlook for the further work ahead to support social dialogue at the EU level.

## 5.2. Processes

### 5.2.1. Tripartite concertation

The Tripartite Social Summit for Growth and Employment (TSS) usually meets twice per year immediately before the spring and autumn European Council meetings and brings together at the highest level representatives of the EU institutions (President of the European Council, President of the Commission, President of the Council in office) and of the social partners. The agenda of the Summit is always closely linked to

<sup>(1)</sup> Given the large body of work produced by the European social partners at cross-industry and sectoral level, there is no claim to exhaustiveness. For a more detailed overview, the reader can refer to the EU Social Dialogue website and database: [www.ec.europa.eu/socialdialogue](http://www.ec.europa.eu/socialdialogue)

the items subsequently discussed in the European Council.

Over the past two years, the Tripartite Social Summit discussed in particular policy responses to the crisis and the involvement of social partners in EU economic governance and the European Semester.

At EU level there has been a gradual recognition of the importance of involving social partners in the European Semester process. In the Communication on “Strengthening the social dimension of the Economic and Monetary Union<sup>(2)</sup>” the Commission underlined the objective of strengthening social dialogue by both making better use of existing fora (the Social Dialogue Committee, the macroeconomic dialogue and the tripartite social summit) and by enhancing the involvement of social partners in the European Semester process, including at national level, in the preparation and adoption of national reform programmes. At European level, the Commission proposed to associate the Social Dialogue Committee to the preparation of the Annual Growth Survey.

The Commission consulted the EU social partners ahead of the 2013, 2014 and 2015 Annual Growth Survey and their views on the priorities to be considered were made public through a Commission dedicated web link at the occasion of the publication of the AGS. The Commission will continue to implement this practice at EU level, while inviting the Member States to involve national social partners more timely and effectively in the elaboration and implementation of National Reform Plans.

The European social partners (ETUC, BUSINESSEUROPE, UEAPME, and CEEP) issued a joint declaration at the Tripartite Social Summit of 24 October 2013 covering ten principles aimed at strengthening their participation in all stages of the European Semester: the preparation

of the Annual Growth Survey and of the national Reform Programmes as well as the preparation of the Country Specific Recommendations and the macroeconomic imbalance procedures.

They consider that their further involvement in EU economic governance can be organised within the framework of existing social dialogue fora, subject to limited adjustments to their mission and format. They attach particular importance to their autonomy in wage setting and labour issues: “European social partners stress that wage setting is and must remain the competence of national social partners at an appropriate level, in accordance with the diversity of industrial relations systems” (BUSINESSEUROPE, CEEP, ETUC, UEAPME 2013: 4).

Even if social partners have shown reluctance to engage in discussions on wage developments at EU level, the growing interdependence of EU economies and strengthened EU economic governance will inevitably bring back the question of the desirability of further coordination of wage bargaining at European level. This will need to be considered however in a context of increased decentralisation of collective bargaining in the Member States themselves.

The TSS was an informal practice since 1998 but had been formally established by Council Decision of 6 March 2003 establishing a Tripartite Social Summit for Growth and Employment<sup>(3)</sup>. On 31 October 2013, the Commission submitted a proposal for a Decision aiming at adapting Council Decision 2003/174/EC to the institutional changes brought in by the Treaty of Lisbon, notably the creation of the function of President of the European Council. Indeed, under the new Treaty, Article 152 TFEU provides that the Union as a whole – and not only the Commission – is committed to promoting social dialogue. Moreover, the proposal for revision reflects the positive results of recent

practical experience with the TSS. The Commission proposal is based on Article 352 TFEU (unanimity) in Council and consent of the European Parliament prior to the final adoption by the Council. The proposal aims at a technical, limited revision of the 2003 Council Decision. On 10 March 2014, the Council, in its Employment, Social Policy, Health and Consumer Affairs configuration, reached agreement in principle on the text. Due to national procedures in Germany, the United Kingdom and the Czech Republic for the ratification of EU texts based on Article 352 TFEU, the consent procedure with the European Parliament was not completed before the May 2014 elections. It is expected that Germany and the UK would complete their respective national procedures in February and May 2015, enabling the Council and the European Parliament to reopen the discussion with a view to finalising the text.

Beside the TSS, EU social partners are involved in European macroeconomic governance through the Macroeconomic Dialogue, established in June 1999. In this forum representatives of social partners at EU level are invited to discuss with the European Council, the Commission and the ECB “to ensure mutually supportive interaction between wage developments and monetary, fiscal and structural policies conducive to non-inflationary growth”. An important direct link is thus created between social dialogue and the economic and monetary institutions of the European Union. The main objectives of the Macroeconomic Dialogue are exchanging information and building consensus around economic policies, as “it is based on the principle that key macroeconomic policy stakeholders and decision makers on the one hand, and those responsible for wage formation (management and labour organisations) should have a proper understanding of each other’s positions and constraints”<sup>(4)</sup>.

<sup>(2)</sup> COM(2013) 690 of 2 October 2013.

<sup>(3)</sup> OJEU L 70 of 14.3.2003, pp. 31-33.

<sup>(4)</sup> [http://ec.europa.eu/economy\\_finance/eu\\_med/index\\_en.htm](http://ec.europa.eu/economy_finance/eu_med/index_en.htm)

### 5.2.2. Social dialogue at cross-industry level

The Social Dialogue Committee (SDC) is the main European forum for bipartite social dialogue at the cross-industry level. It normally convenes 3 times per year. The SDC consists of maximum 64 representatives of the social partners, equally divided between the employers' and the workers' representative organisations and including the EU Secretariats of the cross-industry social partners, as well as representatives from the national member organisations on each side. The parties negotiate and adopt joint texts, plan and follow up on their joint initiatives.

The latest work programme of the social partners at cross-industry level covered the period 2012-14. In addition to the activities regarding economic governance outline above, the main joint priorities outlined in the work programme concerned youth employment<sup>(5)</sup>; in depth employment analysis; gender equality (building on the 2005 framework of actions); education and lifelong learning; mobility and economic migration; as well

as better implementation impact of social dialogue instruments and capacity building.

In November 2013 the cross-industry social partners started a joint in depth employment analysis, following up on a similar exercise in 2007. The initiative has a particular importance given the opposing views that had emerged between employers and trade unions on the causes of the crisis, the fiscal consolidation programmes and the appropriate macroeconomic policy mix and structural reforms, as reported in Industrial Relations in Europe 2012. The joint analysis builds on the consensus that emerged on the joint priorities with regard to growth and jobs, and social partners' shared belief that they have a key role to play with regard to labour market regulation. The social partners' analysis addresses the challenges deriving from the crisis, the drivers of competitiveness and scope for efficient and fair labour market improvements. It also looks at the reasons why some national policies have so far been able to overcome the crisis in a much more effective way than others, notably in terms of employment and skills.

### 5.2.3. Social dialogue at sectoral level

In addition to the social dialogue at cross-industry level, the Commission supports social dialogue at sectoral level. As foreseen in Commission Decision (1998/500/EC), the sectoral social dialogue committees have a dual aim. They are a platform to consult and inform the European social partners regarding developments at Union level, having social implications in the sector for which they are established. Moreover, they are the forum in which the autonomous social partners develop and promote the social dialogue at sectoral level. Furthermore, there is tripartite of concertation within sectoral social dialogue committees (for instance on transport or energy policy).

The 1998 Commission Decision had streamlined pre-existing social dialogue processes at sector level. In addition, the Decision gave an impulse for the creation of new committees. As can be seen in Annex 5.1, the number of sectors covered by European social dialogue has increased steadily since 1998. Two new sectoral social dialogue committees were (formally) created in 2013 (See Box 5.1). The Commission also launched a test phase for the 'sports and active leisure' sector in 2012 (see Box 5.2).

<sup>(5)</sup> For more information, particularly on the 'Framework of Actions on Youth Employment' (June 2013), see chapter 4.

#### Box 5.1. New sectoral social dialogue committees

##### *Graphical industry*

On 8 May 2013 in Brussels, the sectoral social dialogue committee for the graphical industry held its inaugural meeting, thereby becoming the 42<sup>nd</sup> such committee. The committee brings together Intergraf (the European employers' organisation) and UNI Europa Graphical (the European workers' organisation) who represent a sector which currently employs some 700 000 workers across the EU.

The graphical industry is part of the manufacturing industries, producing newspapers, books, periodicals, business forms, greeting cards, identification documents and other printed materials. In recent years, printing companies have enlarged their scope of activities to include value added services such as database management for clients and the production of e-documents or websites. The main challenges for the sector are: the rise of the internet as a source of information and advertising, the drop in the number of people reading newspapers and magazines, and globalised competition – leading to job losses and structural overcapacity.

The committee's work programme for 2013-2015 reflects the commitment of the social partners to address these challenges jointly, covering topics such as the technological, social and economic situation and trends of the sector, socially responsible restructuring, and the development of skills in light of the changing needs of the business.

### Ports

On 19 June 2013, a new social dialogue committee in the port sector (becoming the 43<sup>rd</sup> such committee) was launched with port authorities, terminal operators, dockers and other port workers. This newly created committee brings together the European Sea Ports Organisation (ESPO), the European Federation of Private Port Terminal Operators (FEPORT), the European Transport Worker's Federation (ETF) and the International Dockers Coordination Europe (IDC), representing dockers and port workers.

European ports across the 22 EU maritime Member States employ 1.5 million workers directly, and an additional 1.5 million workers indirectly. In the next 15-20 years, European ports will face a challenging growth in traffic, and need to adapt to new generations of ships coming into service, new energy trades in gas and biomass and new logistic complexities regarding terminal operations and connections of ports with the hinterland. This potential growth is expected to create many new jobs, in particular for young workers. However, the technological developments are changing training requirements. These new requirements could affect working conditions and give rise to new risks and hazards for workers.

The committee's work programme for the next years reflects the commitment of the social partners to address these challenges jointly, covering topics such as training and qualifications; attractiveness to young workers; health and safety; and promotion of female employment.

### Box 5.2. Test phase for sports and active leisure

Over the past two years, the consolidation of social dialogue in the sports and active leisure sector has made further progress.

In 2008, the European Association of Sport Employers (EASE) and UNI Europa Sport have mutually recognised one another as social partners for the sport and active leisure sector, including not-for-profit sport, professional sport and active leisure.

On 17 June 2011, the two organisations signed a Joint Statement on the Informal European Sectoral Social Dialogue Committee for sports and active leisure where EASE and UNI Europa Sport reaffirmed the importance of having one European Sectoral Social Dialogue Committee for the whole sector as is the case for professional football.

The two organisations also validated the operational structure of the future Committee.

On 11 and 12 December 2012, the Commission launched the start of a test phase for this sector covering a period of approximately two years in order to allow EU social partners to make progress towards sectoral social dialogue at EU level where they face difficulties.

The two-year test phase is supported by a project under the social dialogue budget heading (see Box 5.5).

The activities of the project include two conferences focused around priority themes as established by the steering committee of the European Sectoral Social Dialogue Committee; round tables in Germany, Sweden and Romania to build capacity. A steering committee coordinates the work and incorporates its anticipated results into the work of the test phase of the European Sectoral Social Dialogue Committee.

On 11 December 2013, the Commission organised for social partners a **Thematic Liaison Forum** entitled 'EU Social Dialogue – Quo Vadis' to mark 15 years of EU sectoral social dialogue. The main objective was to take stock of the achievements, but also to discuss challenges, in particular the capacity of identifying, analysing and addressing structural changes at sectoral level, the added value of EU sectoral social dialogue, the follow-up and reporting mechanisms of EU social dialogue outcomes and the visibility of EU social dialogue achievements at all levels (see Box 5.6).

### 5.2.4. Social partners' consultations

Under Article 154 TFEU, the Commission has to promote and support the consultation of management and labour at the European level. The Commission must consult the social partners twice on each legislative proposal in the fields of social policy: first on the possible direction of EU action, and in a second stage on the content of the Commission's proposal. In response to either a first- or second-stage consultation, the social partners can inform the Commission that they wish to start formal negotiations on the

given subject. If they decide to do so, the social partners have nine months to reach agreement, during which the Commission suspends its work on the proposal. The nine month period can be extended if needed and agreed with the Commission.

On the **Quality Framework for Traineeships**, a two-stage social partner consultation took place between October 2012 and February 2013. To a large extent, the social partners restated the positions they had taken in the earlier public consultation, where the trade union side argued for a legally

binding proposal. The employers' side expressed concerns about flexibility and the burden on business. Social partners did not launch negotiations on a possible agreement under Article 154 TFEU. Still, their discussions provided substantial input, both for the Framework of Actions on Youth Employment (FoA) which ETUC, BUSINESSEUROPE, CEEP and UEAPME presented on 11 June 2013 (see below) and to the Recommendation proposed by the Commission (see 6.2.5.).

The Commission organised a two-stage consultation of social partners on an initiative to enhance EU cooperation in the **prevention and deterrence of undeclared work**. In the first stage consultation (4 July – 4 October 2013), social partners generally agreed with the overall problem description. They conveyed to the Commission their opinion that action at EU level is justified with the main objective of assisting national authorities, such as labour inspectorates, social security and tax authorities to prevent and deter undeclared work. In general, social partners agreed that a European platform could be an appropriate vehicle for enhancing cooperation between Member States.

In the second stage consultation (30 January – 13 March 2014), the Commission outlined the content of the planned initiative with the aim to obtain social partners' views on it. Social partners reiterated their views expressed during the 1<sup>st</sup> stage consultation regarding the objectives, scope, tasks/initiatives, participation and form of the Platform. The Commission's proposal foresees an observer status for European social partners, both from the cross-industry level and sectors particularly affected

by undeclared work. The Commission adopted its proposal on 9 April 2014 (see 6.2.4.).

As part of its Better Regulation Agenda, the Commission has also developed the practice of public consultation, open to all stakeholders. Such consultations can be developed in parallel or complementarity to social partner consultations. In line with Articles 8-10 TFEU, the European Commission conducts comprehensive assessments of the potential impacts of all its policies and initiatives. Stakeholders are consulted in a systematic manner during the preparation of these impact assessments. In 2014, the Commission launched a process to revise the guidelines used in preparing stakeholder consultations<sup>(6)</sup> and impact assessments<sup>(7)</sup>.

### 5.3. Actors: The European social partners

The main actors in European social dialogue are the 88 'European social partner' organisations representing workers and employers at the European level. Annex 5.2 provides the list of the organisations that are consulted under article 154. The representativeness of these organisations (as well as of organisations who have requested to be consulted) is regularly assessed in representativeness studies (see Box 5.3).

At cross-industry level, the main trade union organisation is the European Trade union Confederation (ETUC). The Council of European Professional and Managerial Staff (Eurocadres) (working

under ETUC's auspices) and the European Confederation of Executives and Managerial Staff (CEC) represent specific categories of workers. These two organisations have established a liaison committee through which they participate in EU-level cross-industry negotiations, within the ETUC delegation.

On the employer side, the general cross-industry social partners are BUSINESSEUROPE (with membership mainly in the private sector) and the European Centre of Employers and Enterprises Providing Public Services (CEEP) representing individual enterprises and employers' associations in public services — both organisations with full or partial public ownership and those carrying out activities of general economic interest, whatever their legal ownership/status.

The European Association of Craft, Small and Medium-sized Enterprises (UEAPME) is consulted by the Commission as a cross-industry organisation representing certain categories of undertakings. It participates with BUSINESSEUROPE and CEEP in the employers' group for dialogue and negotiations with the ETUC.

At sectoral level, a total of 65 employers' organisations and 16 trade union organisations meet. Considering the number of sectoral social dialogue committees (43), it follows that a number of trade union confederations are involved in several sectoral social dialogue committees. On the employers' side, the scope of the organisations tends to be narrower than for trade unions: the majority of employers' organisations are involved in a single sectoral social dialogue committee.

<sup>(6)</sup> [http://ec.europa.eu/smart-regulation/impact/consultation\\_2014/index\\_en.htm](http://ec.europa.eu/smart-regulation/impact/consultation_2014/index_en.htm)

<sup>(7)</sup> [http://ec.europa.eu/smart-regulation/impact/planned\\_ia/consultation\\_2014/index\\_en.htm](http://ec.europa.eu/smart-regulation/impact/planned_ia/consultation_2014/index_en.htm)

### Box 5.3. Representativeness studies

In order to identify the relevant sectoral social partner organisations that can participate in social dialogue, the Commission asks the European Foundation for the Improvement of Working and Living Conditions (EUROFOUND) to accomplish regular representativeness studies per sector, as demarcated by the relevant NACE codes. The Commission Decision on sectoral social dialogue (1998/500/EC) specifies that organisations which are eligible to be consulted shall: “(a) (...) relate to specific sectors or categories and be organized at European level; (b) (...) consist of organizations which are themselves an integral and recognized part of Member States’ social partner structures, which have the capacity to negotiate agreements, and are representative of several Member States; (c) (...) have adequate structures to ensure their effective participation in the work of the Committees.

Hence, the representativeness studies not only focus on the quality and capacity of European social partner organisations, but also on the extent of their national membership and on their capacity to negotiate on behalf of these members. National organisations are considered as relevant in a respective study if they are either regularly participating in sectoral collective bargaining and/or affiliated to a sector-related European association of employers or workers mentioned on the official list of recognised European social partners.

From 2012 to 2014, sectoral representativeness studies were completed for Hotel, restaurant and catering (Horeca); Industrial cleaning; Private security; Insurance; Paper; Sea fisheries; Textiles and clothing; Sport and active leisure (including professional football); Live performance; Food and drink; the Audiovisual sector; Electricity; the Chemical sector and Woodworking.

In 2014, a representativeness study for the cross-industry social dialogue was published. The aim of this representativeness study is to identify the relevant national and European actors in the field of cross-industry industrial relations on the two sides of industry. The study covers the entire national economy, including both private and public sectors.

## 5.4. Outcomes

### 5.4.1. Joint texts: Typology and statistics

With a view to aiding understanding of the various social dialogue instruments and helping the social partners to improve transparency, the European Commission<sup>(8)</sup> proposed in 2004 a typology of the results of European social dialogue – summarised in the table below – that identifies four broad categories, each of which has sub-categories: agreements implemented in accordance with Article 154(2) TFEU; process-oriented texts; joint opinions and tools; and procedural texts. The Commission encourages the social partners to draw on this typology when drafting their texts of European social dialogue.

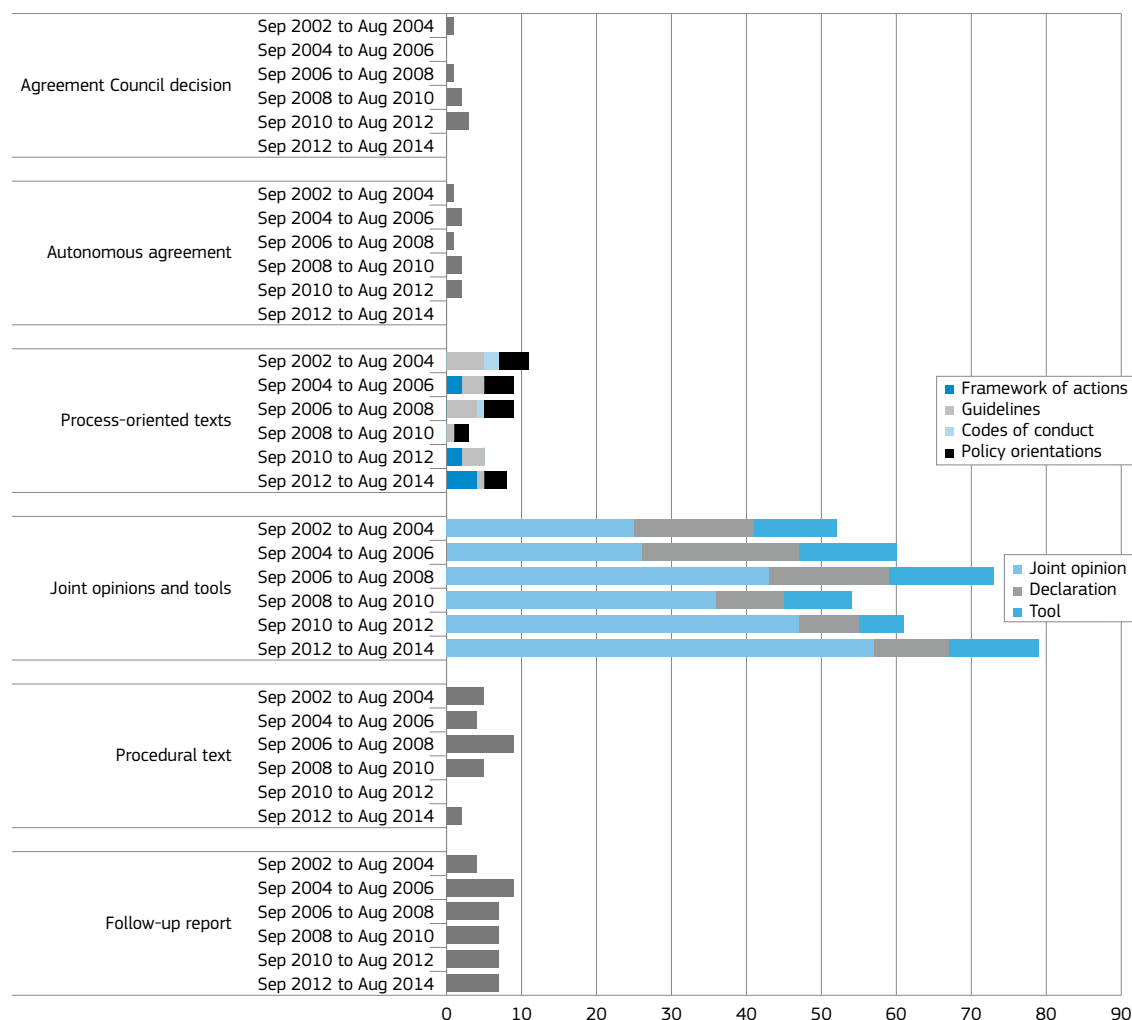
Table 5.1. Typology of joint social partner texts

| Category of texts        | Sub-categories  | Follow-up measures                           |
|--------------------------|---|--|
| Agreements               | Implementation by directives or Implementation by social partners (Article 155) | Implementation reports                       |
| Process-oriented texts   | Framework of actions, Guidelines, Codes of conduct, Policy orientations         | Follow-up reports                            |
| Joint opinions and tools | Declarations, Guides, Handbooks, Websites, Tools                                | No follow-up clauses; promotional activities |

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<sup>(8)</sup> Communication from the Commission. Partnership for change in an enlarged Europe. Enhancing the contribution of European social dialogue COM(2004) 557 final.

Chart 5.1. Number and type of texts adopted by the European social dialogue committees, 2002-2014



Note: There might be slight inconsistencies with previous editions of Industrial Relations in Europe due to corrections and reclassifications.

Chart 5.1 provides an overview of the number of texts adopted by EU social partners from September 2002 to August 2014. This graph provides a basic indication of main developments of social dialogue outcomes in quantitative terms; it does not provide information on the impact of the texts at national or European level.

The two previous editions of Industrial Relations in Europe had observed a decrease in the total number of joint texts, but an increase in agreements. This trend did not continue over the past two years: while no new social

partner agreements were signed, there were notable increases for process oriented texts (notably frameworks of actions) and joint opinions and tools.

## 5.4.2. Agreements

The EU social partners can negotiate binding agreements at EU level either in response to a Commission consultation or on their own initiative. According to Article 155 TFEU, agreements reached by the social partners can be implemented in two ways.

Agreements can be adopted “in accordance with procedures and practices specific to management and labour and the Member States”, which means that the social partners are responsible for implementing agreements at national level and in a way stipulated by national legislation or practice (**autonomous agreements**). This procedure can be used for agreements between the social partners on any subject.

The most recent example of such an agreement concerns the “Autonomous Agreement regarding the minimum requirements for standard player

contracts in the professional football sector” signed in April 2012. In December 2012, the signatories established a working group to follow up on the implementation of the agreement (see 5.3.3).

On matters falling under Article 153 TFEU, the EU social partners can jointly request for their agreement **to be implemented through EU legislation under Article 155.2 TFEU**. In this case, EU social partners request the Commission to submit their agreement to the Council, which can adopt it by decision, making it legally binding in the EU. The European Parliament is informed if this legislative procedure is used. If the agreement is adopted as a legislative act, the Member States are obliged to implement its provisions as in the case of other legislation and the Commission monitors the transposition process to the national legal systems. Article 153 TFEU also allows the Member States to entrust national social partners with the implementation of a Directive’s provisions.

While no new agreements were signed between September 2012 and August 2014, there were a number of notable evolutions with regard to agreements and for which signatories had requested implementation by European legislation.

The principles for the assessment of EU social partner agreements for which implementation by Council Decision is requested are laid down in successive Commission Communications<sup>(9)</sup>. Before any legislative proposal implementing an agreement is presented to the Council, the Commission carries out an assessment involving consideration of the representative status of the contracting parties, their mandate and the legality of each clause in the collective agreement in relation to EU law, and the impact of its provisions upon small and medium-sized enterprises. It is important to emphasise that the Commission does not make a legislative proposal to the Council making the agreement binding if it considers that the signatory parties are

not sufficiently representative in relation to the scope of their agreement. In this regard, Eurofound’s representativeness studies are an essential information source for the Commission’s assessment.

Since 2012, the Commission examines the agreements in the light of the Smart Regulation agenda and assesses the appropriateness of EU action in the field covered by the social partner agreement. For this purpose the Commission undertakes an analysis of the cost and benefits of implementing the agreement. The Commission services launched assessments for three agreements that were signed in 2012.

Following its assessment of the ‘European Agreement concerning certain aspects of the organisation of working time in inland waterway transport’, the Commission presented a proposal for a Council Directive (see 6.2.3.).

With regard to the ‘European framework agreement on the protection of occupational health and safety in the hairdressing sector’, the Commission announced in the Regulatory Fitness and Performance (REFIT) Communication of 2 October 2013, that while it would continue the assessment of the agreement, it would not present a proposal for legislative implementation during its present mandate (which ended in October 2014).

With regard to the agreement to implement the work in Fishing convention, the Commission is currently considering the social partners’ request (see 6.2.3.)

### 5.4.3. Thematic overview of social dialogue outcomes

European Social partners’ initiatives – both at cross-industry and sectoral level – on youth employment have been covered in chapter 4. More generally, several sectoral social dialogue committees have joint initiatives on demographic change.

## Demographic change

In the **agriculture** sector, the European social partners developed a joint project entitled “demographic change in the Agriculture sector”. The project analyses challenges of the ageing of the agriculture workforce, delivers statistics and global trends, and makes recommendations to support actions in the sector dedicated to re-orientation of farmers or workers to some other forms of work within the same sector, including development of micro activities in the agro-tourism, training for young workers. The report outlined also the need for a new generation of workers and farmers and proposed a sectoral action strategy to combine both the installation of young workers and adaptation of working condition and nature of the oldest ones. The report and its outcomes were presented and discussed in a final conference in November 2013 and the social partners decided to keep on working on the demographic challenges during 2014 and 2015.

In the **food and drinks sector**, the European social partners developed a joint project entitled ‘Bringing in new talents and managing an ageing workforce: two sides of the same coin’. The project analyses challenges of an ageing workforce taking stock of policies and initiatives at Member State, sector and company level.

In December 2013, HOSPEEM and EPSU signed the “Joint guidelines and examples of good practice to address the challenges of an ageing workforce in the **healthcare sector**”. The document provides guidance to social partners and stakeholders at national, regional and local level, addressing different aspects related to age management policies such as flexible working arrangements, talent management and training, health and safety at work, workforce planning and retirement planning.

The social partners of the **insurance** sector published the outcomes of their project “Addressing the demographic challenge in the insurance sector” in November 2012.

<sup>(9)</sup> Most detail to be found in COM (93) 600 final and COM (1998) 322 final

In the context of the project, a survey was jointly prepared and carried out. National and company level initiatives were regularly presented at sectoral social dialogue committee meetings and a joint follow-up action, targeting Central and Eastern European countries was prepared.

In the **postal service sector**, through a joint project the social partners aim to raise awareness on the impact of demographic challenges on the postal industry and discuss generation management practices to sustain the employability and promote the health and ability to work of an ageing workforce. The project is developing concrete initiatives for the sector both at European and national level to facilitate longer working lives and to benefit from the huge social and economic contribution older employees can make.

The joint social partner project 'Tackling demographic changes in the **wood-working** industry' collected data on the demographic situation of the sector in several countries. The project analyses the factors behind early retirement decisions and creates an inventory of best practices to attract young workers and retain experienced workers.

### Attractiveness of the sector and recruitment

The European social partners of **Central Government Administrations**, TUNED and EUPAE, managed the joint project 'Improving the Image of Central Government Administrations in Europe'. In a context of fiscal consolidation measures, restructuring and demographic changes, the project identified measures to enhance the attractiveness of the sector. A final conference was organised in Prague on 5 October 2012.

In December 2013, the social partners of this sector agreed on a set of political guidelines to improve human resources management with a view to better anticipate and manage change. Beyond imposed cuts in jobs and wages and restructuring

triggered by fiscal consolidation measures, the guidelines calls for a new HRM strategy where social dialogue and trade union rights are devoted to maintain high quality standards of working life. The political guidelines, whilst not binding, set out a number of actions for social partners at national level.

In November 2012, the social partners of the **education** social dialogue committee adopted a number of recommendations regarding recruitment and retention in the sector. In a joint project on the topic, social partners obtained a clear picture on the current problems and weaknesses with regard to the teaching profession and quality education. The sectoral social dialogue committee continues to monitor this issue. Moreover, the social partners of the **education** sector managed the joint project '*The development of the teaching profession in times of economic crisis*', with the aim of analysing the decreasing attractiveness of the teaching profession. In view of addressing the forecasted shortages of skilled teachers, the project identifies best practices and formulates recommendations for EU/national policy-makers and social partners.

In the **food and drinks** sector, social partners jointly managed a project 'Attractiveness of the EU food and drink industry'. The project identifies the best practices by companies in the EU food and drink sector. It promotes recommendations for action by the Commission, Member States, companies and the social partners Governments.

Social partners of the **hospitals and healthcare sector** and their respective members continued their joint activities to address inequalities and unnecessary burdens on healthcare caused by unethical recruitment practices related to the mobility and migration of health workers. Building on their 2008 code of conduct, the social partners adopted a follow-up report on its dissemination and use at national level, published in September 2012.

'Leather is my job!' is a joint project, aimed at promoting the **tanning and**

**leather** sector as an attractive opportunity for young people and job-seekers. The joint project focuses on raising awareness regarding the potential of social dialogue to face the current sector-related challenges, using appropriate information and dissemination material.

### Skills and training

As stated in the EU's Agenda for New Skills and Jobs, the Commission supports the setting up of **European Sector Skills Councils** designed to anticipate the need for skills in specific sectors more effectively and achieve a better match between skills and labour market needs.

Several sectoral social dialogue committees had completed feasibility studies, including the audiovisual and live performance sectors, construction; electricity; furniture, gas.

A first European Skills Council for textile, clothing and leather had been launched in November 2011 by industriAll, Euratex and Cotance; at a later stage the footwear sector was involved through the inclusion of CEC (Confédération européenne de l'industrie de la Chaussure) as a partner. In December 2012, UNI Europa and EuroCommerce representatives signed the agreement establishing the European Skills Council in the **commerce** sector, which started being operational in 2013.

The social partners of the **banking** sector managed a joint project to disseminate and promote their joint declaration of 2003 declaration on lifelong learning at national and European level. The project also focused on capacity-building in Central and Eastern Europe and the inclusion of social partners from these Member States in sectoral social dialogue committee.

The social partners of the **education** sector co-managed a project to examine how the European social partners in education could better support early career researchers in higher education.

In March 2013, social partners of the **electricity** sector adopted a Joint Framework of Actions, on competences, qualifications and anticipation of change. The joint text focuses on equality mainstreaming, increasing the number of apprenticeships in the companies and promoting age diversity and the retraining of older workers.

Social partners of the **graphical sector** launched a project on future skills in the graphical industry. The objectives of this project include providing an overview of processes used for analysing skills and skills development in various countries of the EU; selecting and describing best practices and disseminating these via the networks of the project partners.

In September 2013, the social partners of **inland waterways** adopted a joint position on professional qualifications and training standards for crew members on inland waterway transport vessels.

In their joint opinion of June 2013, CEEMET and IndustriAll (**metal industry**) welcome the Commission Communication on “Rethinking Education” and its focus on renewing efforts to reform education and training across Europe. The social partners agree with the Commission that greater efforts must be made to highlight science, technology, engineering and mathematics as priority areas of education at all levels. Nevertheless, they indicate several areas of European policy – especially the reform of vocational education – that require further rethinking and call on the Commission to integrate the social partners fully into this exercise.

In 2013, the Social Partners of the **postal services** sector carried out a joint project on training, examining the impact of the introduction of new technologies in the sector and sharing experiences on matching skills and jobs. The project gave an overview of the different strategies implemented by postal operators and trade unions in the EU to address skills mismatches in a rapidly changing sector. The social partners focused especially on ICT/finance, changing requirements

in sorting/delivery, and skills certification and transferability.

Building on the outcomes of the joint project, the social partners adopted a joint declaration on matching skills and jobs in the European postal sector (November 2014). The declaration underlines the importance of anticipating skills needs to face the challenges of a postal sector in transformation. The social partners also point to the recognition, validation and certification of skills as an important factor for their transferability inside and outside the sector, enhancing workers’ employability. The social partners commit to promoting the key role of social dialogue in supporting training and the matching of skills and jobs.

In October 2012, the IRU and ETF adopted conclusions and recommendations on training in the **road transport** sector, covering mobile and non-mobile employees of road transport companies. A joint project “STARTS” (Skills, Training And the Road Transport Sector) had identified the most important challenges and best solutions for improving the training of drivers and other workers performing certain non-mobile, logistics-related tasks.

Following up to the recommendations of the projects, the social partners of the urban public transport issued a joint statement on the application of the Directive 2003/59 on qualifications and training of drivers. In this joint text, the social partners stressed the importance of quality examination and quality training and the need for regulation of the training’s financing.

Linked to the committee’s 2013-14 work programme, the CLOSER project complements the results of the TRACE (Transport Regulators Align Control Enforcement) action. With a view of achieving more efficient harmonised enforcement of European road transport legislation, the action focuses on common learning objectives for key professional transport actors (drivers, transport operators, enforcers), from the perspective of road side and company checks. The project, funded by the EU, is carried out by a consortium composed

of the ETF, IRU, *Association pour le développement de la formation professionnelle dans les Transports* (ATF), *Euro Contrôle Route* (ECR) and the Confederation of organisations in road transport enforcement (CORTE).

In June 2013, three years after their 2009 autonomous agreement on the implementation of the European Hairdressing Certificate, the European sectoral social partners of **Personal services/ Hairdressing** adopted a follow-up report that outlines the practical steps taken to prepare for issuing these voluntary EU-wide training certificates. A secretariat has been set up to manage the administrative tasks and a website is available with more information, including the prices of the certificates for national social partners ([www.euhaircert.eu](http://www.euhaircert.eu)).

The EU social partners in the **telecommunications** sector; ETNO and UNI Europa launched a joint project to fill the skills gap in the sector. The project sets out to map of the qualification landscape in the sector and to identify best practices and innovative approaches. In November 2014, the social partners of the sector adopted five key recommendations intended to draw the attention of the national members to the ICT skills gap in the sector.

## Gender equality

The social partners of the **audiovisual** sector managed a joint project to disseminate and promote the implementation of their Framework of Actions on Gender Equality of October 2011. The outcomes of the project include a leaflet in 10 languages. A seminar was organised in November 2013 with the purpose of promoting the FoA, hearing from experts, sharing best practices in the sector and learning about initiatives undertaken by social partners in Member States which have followed on from the FoA.

The project ‘Improving the conditions for equal treatment of women in employment in the European chemical industry – Best

practices and strategies' built on the results of two previous projects by the social partners in the **chemical industry**. The project addressed reconciliation of work and family life as a major obstacle for female employment in the sector.

In January 2014, the Community of European Railway and Infrastructure Companies (CER) and the European Transport Workers' Federation (ETF) published the results of the 2013 questionnaire on the development of female employment in the **railway** sector in Europe.

The results show that the average share of women working in the rail sector remains constant at around 20%. Women are still underrepresented in technical professions. Following the conclusion of their joint project on women in rail ("WIR"), surveys will be provided annually to evaluate the efforts and measures of European railway companies to ensure equality between women and men.

In the **road transport** sector, which is highly male-dominated and facing demographic challenges linked to ageing of workers, the European social partners of urban public transport (ETF and UITP) continue joint efforts to promote female employment. Aiming at analysing the causes of under-representation of women in the sector, in 2011 and 2012 the social partners carried out a project, which envisaged surveys and interviews, as well as meetings to share best practices in five cities – Antwerp, Berlin, Bucharest, Helsinki, and Sofia. The joint activities resulted in guidelines for a more conducive work environment, with recommendations focusing on training and recruitment opportunities.

On 8 April 2014, ETF and UITP issued a joint recommendations on strengthening women employment in the sector. The social partners took further the guidelines of the project and committed to increase the average rate of women working in the urban public transport companies from 17.5% currently to at least 25% in 2020 and 40% in 2035. The recommendations, available in English, German and French,

were elaborated during the UPT sub-group meetings in 2012 and 2013 and subsequently disseminated via the internal networks of both organisations.

With a view of contributing to the employment goals of the Europe 2020 Strategy, as well as addressing staff shortage in their sector industry, the EU **telecommunications** social partners called upon their members to pay more attention to achieving effective gender equality in the sector and identified the main four areas for action. The joint declaration on this issue was signed on 22 September 2014.

### Health and safety of workers

In line with their work programme, the social partners of the **commerce** sector launched a joint initiative on health and safety at workplace, which envisages the organisation of three workshops as well as gathering of good practices on ergonomics (prevention of musculo-skeletal disorders), stress at work and psychosocial risks at work.

The social partners of the **construction** sector of launched a joint project to further disseminate their EFBWW-FIEC "Guide for developing a H&S management system" and "Information modules for the safer handling of asbestos", including additional translations, and a number of regional seminars in Central and Eastern Europe and candidate countries (Turkey). In December 2012, the social partners of this sector adopted a joint position on the 'New community strategy on health and safety for 2013-2020'.

In November 2013, the social partners of the **electricity** sector adopted a joint opinion on Safety and security in the European nuclear industry. In this joint text, EURELECTRIC, industriAll and EPSU expressed their appreciation for the Commission's proposed directive for the nuclear safety of nuclear installations [(COM/2013/0715-2013/0340 (NLE)], as the draft directive addressed a number of issues that were outlined in the social

partners' joint position on nuclear safety of 2011, particularly with regard to the safety of subcontracted workers.

In September 2012, the European social partners of **extractive industries** adopted a joint statement on further improvement of working conditions and occupational health of employees. The statement provided an update of the 2004 joint statement, taking into account the enlargement of the European Union and the participation of new partners in the Sectoral Social Dialogue Committee. Moreover, in February 2014, the social partners of this sector adopted a joint opinion on the draft recommendations of the Scientific Committee on Occupational Exposure Limits (SCOEL) for occupational exposure limits on the workplace for NO<sub>2</sub> and NO. SCOEL has a mandate to advise the European Commission and its recommendations are used to underpin regulatory proposals on occupational exposure limits. The social partners closely monitor SCOEL's activities and in their joint opinion they criticised some methodological shortcomings present in its recommendations.

At their plenary meeting on 22 November 2012, the social partners of the **furniture** sector adopted a joint declaration on the use of nanotechnology and nanomaterials in their sector. The declaration builds on a joint project regarding stakeholder awareness of nanotechnology and risk exposure throughout the value chain.

In September 2014, the social partners of the **chemical** industry adopted a joint declaration on the same topic, stating that the REACH Regulation provides the most appropriate framework to address all chemical substances, including nanomaterials, and firmly supporting awareness raising activities to ensure safe use of nanotechnology and nanomaterials, as they do for all other chemical substances.

In October 2014, the **hospitals** and healthcare sector, HOSPEEM and EPSU have launched a joint project "Assessing health and safety risks in the hospital sector and the role of the social partners in

addressing them: the case of musculoskeletal disorders and psycho-social risks and stress at work.

The social partners of the **local and regional governments**, represented by EPSU and CEMR submitted a joint response to the open consultation on a new "Occupational Safety and Health Policy Framework" (September 2013). In this text, the social partners draw attention to changing public service delivery, the use of new technologies, along with a rapidly ageing workforce. In their view, it is fundamental that such changes are taken into consideration for the new strategy. Moreover, they argue that work intensification and high demands on service quality in municipalities with less financial and human resources will increase and are putting at risk the health of the work force.

In the **paper** industry, CEPI and EMCEF (now industriALL) have jointly produced a Guide on good health & safety practices for the sector. The Guide "No paper without skilled healthy and safe people" was successfully presented at the Launch Conference in September 2012.

In order to raise awareness and support the implementation of their 2012 agreement on health and safety in the hairdressing sector, the social partners of the **personal services** sector launched two joint projects addressed at the national level. The projects aim at disseminating the achievements of the sectoral social dialogue committee, and more generally, they support and promote social dialogue in the hairdressing sector in countries where no national social partner organisations exist. The projects also help increase the capacity of existing national social partner organisations that are affiliated to UNI Europa Hair & Beauty or Coiffure EU.

The European social partners in the **railway** sector are of the opinion that psychosocial risks (PSR) affect the occupational safety and health of rail employees. The overall aim of their joint recommendations adopted on 11 March 2014 is to contribute to improving working conditions in the rail sector by tackling the problem of PSR and identifying sector-specific measures contributing to diminishing the problem. The specific

objectives are to increase the awareness and understanding of employers, workers and their representatives to work-related PSR and to draw their attention to signs indicative of risk. In the course of a joint project in 2013, a joint CER/ETF study identified important factors (situations, conditions, etc.) liable to produce PSR in rail occupations. The signatory parties would like to see strategies and action initiated in their affiliated unions and companies with an aim to preventing and managing work-related PSR. Member organisations will report on the implementation of the recommendations to the Social Dialogue Committee. The signatory parties will evaluate the implementation of the recommendations after three years.

Following up on previous activities, the social partners of the **woodworking** sector launched a project to further disseminate the "Less Dust" brochure (including translations), with a focus on Central and Eastern European countries, and candidate countries. In January 2013, the social partners of the sector adopted a joint position on the 'new OSH Strategy'.

#### Box 5.4. Online interactive Risk Assessment

The European Agency for Safety and Health at Work (EU-OSHA) has developed **OiRA** (Online interactive Risk Assessment tool) with the aim to support micro and small companies in their task of assessing their occupational risks. The software enables social partners as well as national authorities to develop sector targeted risk assessment tools with their own content.

In December 2012, the EU social partners from the **leather and tanning** sector developed the first EU OiRA tool. In December 2013, the social partners of the **private security** sector validated their tool. The European social partners of the **live performance** sector published their tool in the final months of late 2013, and followed this up with a further dissemination project in the following year. In 2014, the social partners for the **personal services** sector developed an OiRA tool on hairdressing. In the same year, the social partners of the industrial cleaning sector developed a tool on general office cleaning.

An additional tool is under development by the European social partners in **maritime transport. Sports and active leisure** social partners have initiated discussions in view of a Memorandum of Understanding on an OiRA tool.

#### Violence and harassment / Third party violence

Following up to the **multi-sectoral guidelines** to tackle third-party violence and harassment related to work (2010) the social partners involved in the initiative

(EPSU-HOSPEEM-CEMR-UNIEUROPA-EUROCOMMERCE-ETUCE-EFEE) adopted in November 2013 a joint "Report on the follow-up and implementation of the multi-sectoral guidelines to tackle work-related third-party violence", outlining achievements and identifying further steps beyond 2013.

The report includes key facts and trends of third-party violence, examples of projects implementing the guidelines on TPV at national and European level, as well as results of a questionnaire carried out within the local and regional government, health and social services and commerce sectors. A further follow-up

report should be conducted by 2015, to evaluate progress on the implementation of the guidelines and identify the potential need for further action.

In November 2013, social partners of the **education** sector presented an implementation guide on the prevention and mitigation of third party violence and harassment in schools. Contributing to the joint report of all signatory parties on the follow-up and implementation of the Multi-Sectoral Guidelines, the education social partners adopted their own report on implementation in their sector, highlighting in particular their joint project that led to the elaboration of the abovementioned implementation guide.

In recent years, insecurity and the feeling of insecurity in public transport have been the focus of attention of **railway** undertakings, strongly committed to seek the most effective response to those problems. Through joint recommendations, adopted in December 2012, European social partners aim at taking measures to prevent violence and deal with the consequences caused by third-party violence, especially against railway company employees. The text was presented to bodies in charge of security, such as COLPOFER (Collaboration of railway police and security services), an independent special group of UIC (International Union of Railways). The further dissemination of results is part of the sectoral dialogue committee's work programme.

In 2014, the European Community Shipowners' Association and the European Transport Workers' Federation, recognised social partners within the Sectoral Social Dialogue Committee for **Maritime Transport**, agreed on updated Guidelines to shipping companies for eliminating workplace harassment and bullying in the context of a EU-funded joint project.

### Posting of workers (see 6.2.1.)

The European social partners in the **agriculture** sector decided to launch a study project on the implementation of the newly revised European Directive on posting workers. This project aims at establishing a mapping of national effective implementation of this directive in the sector.

In a joint position of November 2012, the social partners of the **construction** sector proposed several amendments to the Commission proposal for an enforcement Directive regarding posting workers. The joint opinion stresses that application of the legislation, collective agreements and practices go hand in hand with the availability of proper and correct information, effective controls and inspections and targeted dissuasive enforcement measures. In June 2013, the social partners adopted a joint statement, proposing that the rules of the host country apply in the case of fake or non-genuine posting, and arguing in favour of the inclusion of a minimum set of mandatory controls. Moreover, as part of their work programme 2012-2015, the social partners launched an update of their 2009 'Posting website'. The follow-up project aims at an update of existing information, extending country coverage and increasing the visibility of the site.

In December 2012, the European social partners of the **cleaning industry** adopted a joint position welcoming the Commission's initiative to enforce the application of the posting directive. The joint text contains a number of specific comments, emphasising the need to promote better administrative cooperation and mutual assistance between Member States. In view of more effective compliance monitoring, the social partners call for a non-exhaustive list of possible administrative requirements

and control measures to be included in the directive. They also argue in favour of a possibility for national authorities to request translation of relevant documents. Finally, they ask the co-legislators to maintain existing possibilities for effective inspections and for correct application of legislation at national level.

### Undeclared work (see 6.2.4.)

In reply to the first stage of the Commission's social partner consultation on setting up the Platform on Undeclared Work, the European social partners of the **commerce** sector and **central government administrations** provided a joint contribution (October 2013).

The social partners of the **industrial cleaning** sector jointly responded to the second stage consultation, through a joint position of March 2014. In November 2014, EFCI and UNI Europa followed up with a joint position, calling for clear procedures to select the sectors to be involved in the platform, and arguing for the involvement of social partners of the cleaning industry.

The social partners in the **agriculture** sector adopted a common position to fight against undeclared work, and decided to launch a study in order to get a clear view and to make further recommendations.

The European social partners of the **construction** industry managed a joint project entitled 'Towards a European Social ID in the construction industry?' The project maps the existing systems of Social Identity Cards (SIC) in Europe, and assessed the legal scope for a European system. The project was finalised in January 2015, with the launch of a final report at a European conference in Brussels.

## Taxes

In December 2012, the social partners of the **live performance** social dialogue committee co-signed an open letter from the International Cultural Industry Associations, expressing strong concerns about the decision of the Spanish government to more than double VAT on admissions to cinema, live music events and theatre from 8 to 21 per cent.

In December 2013, the same sector adopted a joint opinion on the issue of double taxation of artists performing abroad – as they are often both taxed in the country of performance and the country of residence. In March 2014, they addressed a joint letter to the Commission and the OECD, calling upon them to address this problem which seriously hinders performing artists as they develop their international career.

In their joint input to a public consultation by the Commission's Directorate-General for Taxation and Customs Union, social partners of **personal services/hairdressing** strongly support the continuation of lower VAT rates on labour-intensive services. In the joint contribution, dated January 2013, Coiffure EU and UNI Europa Hair & Beauty contend that the lower VAT rates for these services have contributed to significant job creation over the last decade, and that any abolition of the reduced VAT rates would lead to the loss of jobs.

In the **food and drink** industry sector, European social partners adopted a joint position on the effects of taxation on food and drink products in terms of competitiveness of the European industry and its consequences on employment and issued a joint statement where they acknowledge the increase incidence of obesity and non-communicable diseases, are committed to manufacture, promote and sell products that are not only safe and tasty but also healthy as part of a balanced diet. In the statement the social partners advocate that discriminatory taxes are not the right solution,

a holistic approach on the society would be more appropriate.

## Wages

Following the tripartite exchange of views on wage developments on 1 February 2013, the ECEG, EURATEX, CEEMET, and industriALL Europe opposed interference in wage-setting mechanisms from the European level. In a multi-sectoral joint opinion (March 2013), the four organisations asserted their view that wage-monitoring by the Commission should not be regarded as any kind of first step towards action in the area of wage-setting conducted at national level.

## Pensions

Throughout 2012 and early 2013, the Commission services were working on a revision of the 2003 Institutions for Occupational Retirement (IORP) Directive, which sets out the rules for management of the occupational pension schemes. For some sectors and depending on the country, these schemes can be managed by the social partners. In February 2012, ETUC and BUSINESSEUROPE sent a joint letter to President Barroso underlining that applying a Solvency II-type regime to pension funds would not take due account of the specificity of occupational retirement provision.

In September 2012, CEEMET, ECEG and IndustriAll adopted a **multisectoral joint position** opposing the increase of capital requirements for managing the occupational pension funds, followed by a similar joint statement of the social partners of the **commerce** sector in March 2013.

In April 2013, the EU social partners in the **food and drink** industry adopted their Joint Statement on Solvency II, in which they highlight the importance of occupational pension schemes in providing citizens with an adequate income in retirement.

## Public procurement

In February 2013, the social partners of the **construction** industry adopted a joint position on the topic of Abnormally Low Tenders (ALTs) in public procurement. In their position, the social partners regret that ALT 'identification criteria' proposed by in the Commission's proposed directive on public procurement were not withheld by Council and European Parliament. Moreover, they regret that mandatory rejection of ALTs does not apply to state aid cases. In the joint text, EFBWW and FIEC call upon the Council and European Parliament to strengthen provisions aimed at fighting ALTs, through mandatory criteria based on mathematical formulas, and to systematically reject ALTs, regardless of the underlying reason.

As part of an evaluation of different social rules in **railway** passenger transport linked to the Regulation 1370/2007 (public service obligations), the social partners CER and ETF decided to conduct a study on social aspects and the protection of staff in competitive tendering of rail public transport services and in the case of change of railway operator. The project developed by the social partners has shown that there are very different national situations with regard to the protection of personnel. In the context of the Commission's proposals on the 4<sup>th</sup> railway package, which include the opening of the domestic railway passenger market, CER and ETF agreed on statements of principle addressed to the European co-legislators and to national authorities. In their joint opinion of September 2013, the parties insist, amongst other things, that it must be compulsory for every EU Member State, where such protection does not exist, to create a social level playing field by setting binding social standards (on a national, regional or local level) in order to protect working conditions existing at the moment of change of operator and/or requiring a transfer of staff previously taken on to provide services. Such social standards have to include at least provisions on wages,

working time, health and safety and training. CER and ETF also recommend using the experience and knowledge of the social partners in the whole tendering process.

In a joint statement of August 2014, the social partners of the **private security sector** welcomed the renewed public procurement directive, adopted in February 2014. The European social partners urge their members to closely follow the transposition process at national level, with particular attention to the full application of the directive to the private security sector, respect of collective agreements, exclusion criteria and use of the most economically advantageous tender (MEAT) criterion in awarding contracts.

In view of the new directive on public procurement of 2014, the social partners of the **private security** sector updated their 'manual providing guidance for organisations awarding contracts for private guarding services'. Aimed at buyers in both the public and private sectors, the manual covers all aspects of a tendering process: defining quality, drawing up tender documents, comparing tender submissions and evaluation of the bids based on the selected quality criteria, in view of awarding a contract.

## Corporate Social Responsibility

In the **banking** sector, UNI Europa Finance on the trade unions side, and three sectoral employers' associations (European Banking Federation, European Association of Co-operative Banks and the European Savings and Retail Banking Group) adopted a joint statement of understanding on CSR (January 2014). The text introduces updates to the previous Joint Statement of 2005, taking into account the sector's current challenges since the financial crisis.

In January 2014, the social partners of **electricity** adopted a follow-up position on the social aspects of Corporate Social

Responsibility. This statement renews the commitment of the social partners as laid down in their 2009 Joint Statement. The joint position includes recommendations for companies that are developing follow-up policies, particularly on social dialogue at the relevant level and setting up joint bodies.

On 28 February 2013, the social partners of the **sugar** Industry presented the 2012 implementation report of their CSR code of conduct. This report, prepared jointly by CEFS and EFFAT Secretariats on the basis of a membership consultation, highlights the economic and political challenges for the sector, including management of restructuring and the economic crisis. The texts also present concrete elements on the implementation of the code of conduct in 2012.

The European social partners of the **textile and clothing** sector jointly launched a project to develop an innovative, sector-specific and widely accepted approach to Corporate Social Responsibility (CSR) at European and international level. The project identifies existing CSR activities in the sector and maps all activities and standards identified on ISO 26000 requirements in the sector. Together with key stakeholders along the value chain, the aim is to develop a matrix containing all existing and collected requirements, resulting in a tool for the risk analysis and management linked with CSR compliance. The project foresees a pilot phase for CSR risk analysis and management, and a strategic report containing cost-benefit analyses related to residual risk. After validation of the data and the tool, guidelines for definition and implementation of CSR in the sector will be realised.

## Environment

In December 2013, the ECEG and industriAll welcomed the consultation launched by the Commission with a view to drafting a future 2030 framework for climate and energy policies as an opportunity to

redefine the means needed to meet the goals of the Horizon 2020 framework. In their joint opinion, the social partners of the **chemical sector** reaffirmed their support for the EU Emissions Trading System and for an increase of the share of renewables in Europe's energy generation. The social partners emphasise the need for a diverse mix of energy sources, the importance of the completion of the single market for energy, as well as the need for an international agreement on CO<sub>2</sub> reduction.

In December 2013, the social partners of the **electricity sector** welcomed the initiative by the European Commission to determine further climate targets for the time beyond 2020. They emphasised the importance of setting both long-term and intermediary targets in order to provide a framework for investments, both in technologies and the necessary skills, and the role of social dialogue in the transition. This followed on earlier joint statements in November 2013, which had considered the role of social partners in ensuring a social dimension to the low-carbon transition, and a statement on the role of technology and innovation in the sector.

The European social partners of **extractive industries** closely scrutinise EU energy and climate policies, engage in dialogue with relevant Commission services and comment on policy proposals. In February 2013 they released a joint position on ETS backloading, in which they expressed their opposition towards proposed cuts in greenhouse gas emission allowances resulting in higher carbon price. They favoured long-term and stable framework instead of the intervention in ETS mechanism.

The social partners of the **postal** sector culminated their work on the environmental pillar of corporate social responsibility with the signature of joint conclusions in April 2013. Based on the findings of the CSR working group in 2011 and 2012, this joint document presents the different ways in which the

social partners will contribute to reduce the environmental impact of the postal activities, providing employees' with adequate green skills and raising the awareness and acceptance of green change amongst the sectors' main stakeholders.

The sectoral Social Partners for **tanning and leather** have managed a joint project to promote the implementation of the 2008 Framework Agreement on social and environmental reporting. The project aims at increasing coordination and setting a European baseline by means of a first European report on social and environmental performance in the EU tanning sector.

### High-quality public service

In December 2012, EUPAE and TUNED signed a European framework agreement for quality service in **central government administrations** by which they commit themselves and their national affiliate members to implement public service values such as the high level of quality, safety, affordability, equal treatment, the promotion of universal access and of user rights, as set out in Protocol 26 on services of general interest as well as fundamental rights enshrined in the Charter of the European Union including the right to good administration. The social partners launched a joint project to support the implementation of the framework.

In November 2013, the social partners of the **education** sector adopted a joint declaration on the promotion of self-evaluation of schools and teachers. Agreeing that good self-evaluation tools and related data contribute to the improvement of the quality of teaching and of social dialogue in schools, they stress that self-evaluation tools and data need to respond to school community context and to individual needs and underline the importance of clarity, inclusiveness, simplicity and consistency in the process.

In a joint project, 'Professional autonomy, accountability and efficient leadership' the social partners of the **education** sector focussed on the role of employers and teacher trade unions in stimulating the effectiveness of school leaders in realising educational quality.

The social partners in the **local and regional government** sector managed a common project entitled "Future of the workplace: providing quality jobs, modern and sustainable workplaces in local and regional government", as part of this project, the social partners developed a common European framework for action for municipalities and regions as employers, which was adopted in December 2012. The recommendations concern: improving performance and securing necessary resources, recruitment and retention, skills and lifelong learning, gender equality, migration and providing sustainable workplaces.

### Social standards

A joint project by social partners in the **furniture** industry studies the feasibility of introducing a voluntary social quality label for furniture. The project maps existing voluntary labels with social requirements or successful labels related to the sector, as well as interested stakeholders. Moreover, an inventory of social requirements for a label is considered, as well as bodies that could be involved in the certification process. Taking into account the financial sustainability of a social label, a business plan can be prepared, resulting in a substantiated decision by the sector's representatives.

In October 2013, SEA Europe and industriAll adopted a Joint Statement on Social Standards in the European **Shipbuilding** and Ship Maintenance, Repair and Conversion Sector. In the context of a highly challenging business environment for the sector, which is undergoing its most severe crisis in decades, the European social partners

promote a set of guidelines on minimum social standards in the European Union, covering collective agreements, rights of association and workers' representation, health and safety, the environment, training and innovation, working conditions, restructuring, and relations with sub-contractors and suppliers.

### Capacity building

The sectoral social dialogue committees for the **audiovisual** and **commerce sectors** managed joint projects, aimed at encouraging social dialogue in the sector in Central and Eastern Europe and at facilitating their integration in the European sectoral social dialogue committees.

The social partners of the **education** sector also joined forces in the context of a project targeting six Central and Eastern European Member States and Candidate Countries, with a view to promote and reinforce national social dialogue in the sector and foster stronger involvement of these countries in social dialogue at European level.

Following the re-activation of the sectoral social dialogue committee of the **footwear** sector, the social partners launched a joint project on the state of the footwear industry and the national industrial relations systems. The project aims to create the conditions for the renewal and adaptation social dialogue at EU level to the changes in employment and work.

On 1 July 2013, Eurociett and UNI Europa's members organised, with the financial support of TAIEX, a round-table on **temporary agency work** social dialogue in Croatia (Zagreb). The purpose of the meeting was to bring together Croatian social partners to discuss key issues, challenges and opportunities about temporary agency work Croatia, with a view to favouring social dialogue.

In the **personal services/hairdressing** sector, the PROBES project aimed at strengthening the participation of professional beauticians in social dialogue. In order to achieve this goal, it promoted the cooperation between beauticians and hairdressers' organisations. In the new Member States the project focused on analysing the current situation of social dialogue and proposing measures to improve it. The project was based on a sector survey and resulted in the creation of a network of experts and a dedicated website.

In 2014, the **railways** social partners carried out a joint project on social dialogue in the railway sector in Western Balkan countries. This project aimed at reinforcing the impact and visibility of European social dialogue outcomes in the Western Balkan countries and at strengthening the capacity of social partners of the target countries to establish or foster a national social dialogue. Country visits and a seminar on experience and information exchange on the national and European social dialogue in the railway sector (which took place in June 2014 in Croatia) formed the main measures of this project.

### The international dimension

In March 2013, the social partners of the **electricity** sector adopted a joint response to the Consultation Paper on the Outline of the Social Strategy of the Energy Community.

In September 2012, the social partners of the **maritime transport** expressed their concern about the sustained piracy and high-jacking attempts in an ever-growing area around the Gulf of Aden – despite important and successful international and European efforts – and the huge challenges and great risks for seafarers and shipping companies operating in that area. As a follow-up, the social partners liaised with EU External Action Services to identify best practices.

### Sector-specific initiatives

The social partners of the **agriculture** sector have launched a project to evaluate the impact of the new Common Agriculture Policy (CAP) on employment. This project addresses precarious jobs, the coherence of the CAP with Europe2020, the employment situation in the agriculture sector in the EU as well as the involvement of social partners in the evaluation of the new policy.

In September 2012, the European Social Partners of the **audiovisual** sector adopted a joint opinion, supporting the call of the Advisory Committee of the European Audiovisual Observatory (<http://www.obs.coe.int/>), to “endeavour to add economic and employment statistics to its range of statistical data aggregation activities”. The Social Partners highlight the need for reliable and frequently updated statistics. They call upon the European Commission, Member States and other relevant bodies to support and facilitate requests which the Observatory could submit in order to respond satisfactorily to the call of the Advisory Committee.

Reacting to the decision of the Greek government to close down the Hellenic Broadcasting Corporation (ERT), the social partners of the **audiovisual** sector expressed their “profound dismay” in a joint opinion dated June 2013. Acknowledging the difficult situation which Greece finds itself, they consider that the action concerning ERT is contrary to the values enshrined within the European Social Model. The social partners urged the Greek government to immediately reverse its decision, to fulfil its duties to ensure pluralism and to respect the independence of the media. They also called upon the EU Institutions to address this serious issue as a matter of urgency.

In September 2014, in their joint response to the public consultation on the revision of the European Commission's Impact

Assessment guidelines, the social partners of the **audiovisual and live performance sectors** stressed that the revised guidelines must maintain the requirements for consultation of social partners as laid down in the 2009 guidelines. Where a sectoral social dialogue committee exists, the social partners concerned should be consulted on initiatives with implications for their sector. Social partners in both social dialogue committees also consider that it is of vital importance to improve the consultation process, making it more effective and transparent.

In October 2013, the social partners of the Air Traffic Management (ATM) working group in the **civil aviation** sector reacted to the Commission's proposal for the “Single European Sky II+”. They underscore their commitment to improving the overall European ATM system, but highlight the need for integrating the contribution of social partners in the further developments to achieve a shared vision of the future. In particular, they call for a key performance indicator on safety to be developed and emphasise that Member States should keep the decisive role in adopting EU-wide and local targets. The social partners criticise that the mandatory unbundling of support services as proposed by the Commission is not adequate for addressing local needs and could even put safety at risk.

In June 2014, three EU social partners of the air crew working group of the **civil aviation** sectoral social dialogue committee, representing airlines, cockpit and cabin crew, adopted a joint declaration against EU-based flags of convenience in aviation. The social partners expressed concerns with new business models of airlines that involve the setting up of subsidiaries in Member States where they do not have substantial aviation activities, with the alleged motive to avoid the social and employment regulations of their home country. According to the declaration's signatories, this

‘forum-shopping’ distorts fair competition and harm the employment in the industry.

In September 2012, the social partners of the **hospitals and healthcare** sector adopted a joint statement on the Action Plan for the EU Health Workforce.

In their joint opinion “The paper sectoral social dialogue calls for boosting the re-industrialisation of the EU” (February 2014) the European social partners of the **paper** industry expressed concerns about the declining competitiveness of the European manufacturing industries and the resulting employment loss, related to the economic crisis. In their view, the EU industrial policy should take a more holistic view going beyond the ambition to increase the contribution of the industry to 20% of the GDP by 2020. More in particular, environmental, energy-related and demographic aspects should become substantial elements of an ambitious EU industrial policy that would address the concerns of the EU paper industry.

In a joint resolution on the EU bio-energy policy, signed on 17 June 2014, the social partners of the **paper** industry acknowledge the potential benefits of bio-energy. However, they also point at the difficult position of the sector in facing competition on the biomass markets. They call upon the EU to develop policies promoting efficient use and sustainable supply of biomass, and to avoid granting subsidies distorting fair competition on the biomass market.

In October 2014, the social partners in the **personal services** sector adopted a joint resolution on securing employment in the hairdressing sector. They express their concern that professionally managed hairdressers salons are on the decline due to ruinous competition from unregulated (home) hairdressers. This jeopardises jobs in the hairdressing sector and encourages precarious forms of employment, such as (bogus)

self-employment through chair renting, but also undeclared work. The social partners call for measures to professionalise the sector by maintaining quality standards through regulation, and call upon the Commission to refrain from further steps to eliminate regulations on access to the hairdressing profession.

Social partners of the **postal services** continued their work on restructuring. The project ‘Developing a quality postal service in the digital age’ identified future major challenges for the sector, shared lessons among operators and unions, and promoted a better understanding of national good practice. At the final conference in February 2014, social partners and experts discussed the evolution of the sector in the context of the implementation of the postal directive, which together with the decline in mail volumes and technological change has fundamentally altered the sector.

In the **professional football sector**, social partners jointly manage a project on the implementation of their Autonomous Agreement regarding the minimum requirements for standard player contracts, signed in April 2012. The Social Partners strive for compliance of national industries with the minimum requirements, thus, raising the standards of labour relationships, improving contractual stability and harmonising the European football industry. Close cooperation took place between the associate organisations and members of the Social Dialogue Committee – UEFA, FIFPro, EPFL and ECA.

In a joint opinion of October 2012, the social partners of the **road transport** sector called on the EU to refocus the implementation of the 2011 Transport White Paper around a well-balanced regulatory framework; legally binding social standards, sustainable social practices and fair conditions of competition; a fiscal and operational level playing field between all modes of transport; and the promotion of green road transport.

In December 2012, the social partners issued a further joint statement on the further opening of the EU road haulage market, stating their view that at the moment conditions are not in place to allow further opening of the market. The social partners consider that any changes to the cabotage rules shall be linked with accompanying harmonisation measures in the enforcement, social and fiscal area.

In February 2013, the social partners submitted joint policy recommendations on the proposed changes to the EU Regulations on access to the profession of road transport undertaking) and on access to the road haulage market. In the proposed joint policy package, ETF and IRU elaborated on the policy options preferable, in their views, as a way forward.

In November 2014, the social partners adopted a joint position towards the EU institutions on establishing a new EU agency dealing with road transport. Specifically, the social partners stressed the importance of more cooperation on enforcement of the social legislation in the sector.

In September 2013, the European social partners of the **sea fisheries** sector adopted a joint position on deep-sea fishing. In the joint text, the EU social partners criticise the Commission’s proposal for a Regulation establishing specific conditions to fishing for deep-sea stocks in the North-East Atlantic and provisions for fishing in international waters of the North-East Atlantic. The social partners question the social impact assessment and argue that bans are excessive, not supported by scientific evidence. Instead, they argue in favour of implementation of the FAO International Guidelines for the Management of Deep-sea Fisheries in the High Seas.

In November 2013, the social partners of this sector adopted a common text on a “social clause”, requesting the Commission to include it into its future

Partnership Agreement in order to enhance the social dimension of the EU fisheries policies. This social clause was updated in April 2014.

In April 2014, the social partners adopted a joint statement on the EU “de minimis” aid in the fishery and aquaculture sector. While stating that, in general terms, the aid regime has had a positive impact, the joint texts issue a number of recommendations, aimed at granting concessions per vessel (rather than per firm), raising the ceiling of grants, and supporting grants to invest in health, safety, welfare and/or accommodation facilities on board.

In April 2014, the social partners commented jointly on the Commission and High Representative for Foreign Affairs and Security Policy’s ‘Joint Communication for a European Union maritime security strategy’. While endorsing the proposal and its main thrusts, the social partners propose elements for reflection, notably on the role of actors and legislation involved at EU and International level, on maritime security interest and immigration into the EU by sea.

In a joint declaration of 25 June 2013, EUROFER and IndustriALL have welcomed the Commission’s Action Plan for a competitive and sustainable **steel** industry in Europe. In their declaration, the social partners, who had contributed to the development of the Action Plan, commit themselves to accompany this

process by means of an active European social dialogue.

With a Joint CEFS-EFFAT-CIBE-ACP position ‘CAP towards 2020: Extension of the Single CMO for **sugar** necessary to ensure a smart, sustainable and inclusive future for the sugar sector,’ CIBE, CEFS, EFFAT and the ACP/LDCs asked Members of the European Parliament to support the proposal on the Single CMO for sugar in the plenary vote on 13<sup>th</sup> March 2013, as it was voted in the Committee on Agriculture and Rural Development on 23<sup>rd</sup> January: Prolonging the Single CMO for sugar until 2019/2020 would go a considerable way to guaranteeing decent employment, improving the sector’s sustainability and providing sufficient sugar supplies at sustainable prices for farmers, processors, suppliers, workers and consumers.

In February 2014, the European social partners of the **tanning and leather** sector signed their Joint Declaration on the Defence of the European Leather Industry. The document draws the attention to outstanding trade barrier issues and the absence of authenticity labelling obligations for leather. It calls upon the European Commission to strictly apply the requirements for countries obtaining the GSP+ status, and to enforce respect of the underlying conventions.

In their joint letter addressed to Commission President Juncker on 19 December 2014, the EU social partners

of the **tanning and leather** sector called upon the European Commission to address sector-specific issues in the areas of trade and industrial policies, consumer protection, and education and training. They pleaded for political will in responding to important concerns of a relatively small industrial sector.

In December 2012, the social partners for the **temporary agency work** sector published a report on “The Role of Temporary Agency Work and Labour Market Transitions in Europe” presenting facts and figures regarding the stepping stone function of temporary agency work. Based on the results of the project, the social partners had earlier signed joint recommendations to the European Commission (December 2012). These recommendations argue in favour of regulation of temporary agency work especially through the full implementation of the Directive on temporary agency work (2008/104/EC). Eurociett and UNI Europa also encourage social dialogue and cooperation between public, private and third sector employment services as a means of bringing about transitions in the labour market.

As part of their 2013/2014 work programme, the social partners of **temporary agency work** carry out a joint action that aims at comparing temporary agency work in the labour market with other forms of work, for instance considering fixed-term contracts and self-employment.

### Box 5.5. Financial support

The European Commission's promotion of European social dialogue includes financial support, mainly in the form of grants to social partners and other industrial relations stakeholders. On the basis of Article 154 TFEU, the most important financial programmes are the headings in the EU budget earmarked for support to social dialogue; information and training measures for workers' organisations; information, consultation and participation of representatives of undertakings; and improving expertise in industrial relations.

The measures should help the social partner organisations (representatives of management and labour) to contribute to addressing the overarching EU employment and social policy challenges<sup>(1)</sup>.

Further details on these funding opportunities can be found on the following website: <http://ec.europa.eu/social/main.jsp?catId=629&langId=en>

#### *Support for social dialogue*

This budget heading provides support for promoting social dialogue at cross-industry and sectoral level in accordance with Article 154 of the Treaty on the Functioning of the European Union (TFEU), and for developing European social dialogue in its different dimensions of information exchange, consultation, negotiation and joint action.

#### *Information and training measures for workers' organisations*

This budget heading provides support for information and training measures for workers' organisations carried out by European, national and regional workers' organisations. This budget heading also provides support to the European Trade Union Institute (ETUI) and the European Centre for Workers' Questions (EZA), which are the major European institutions providing training and research for European workers' organisations.

#### *Information, consultation and participation of representatives of undertakings*

This budget heading provides funding for operations aimed at developing employee involvement in undertakings – meaning any mechanism, including information, consultation and participation, through which employees' representatives may exercise an influence on decisions to be taken within the company – in particular by raising awareness and contributing to the application of EU law and policies in this area.

#### *Improving expertise in the field of industrial relations*

This budget heading is intended to cover actions to support industrial relations measures, in particular those designed to develop expertise and the exchange of EU-relevant information, as well as actions to improve knowledge on industrial relations institutions and practices across the EU and dissemination of results. The overarching objective is to improve expertise and knowledge on industrial relations, in particular through activities of analysis and research, at EU level as well as in comparative terms (identifying convergences and differences in the industrial relations systems in place in the EU Member States and in Candidate Countries), thereby contributing to developing and reinforcing industrial relations structures in Europe.

As part of the **European Structural and Investment Funds (ESIF)** funding is foreseen to develop administrative capacity of partners that are capable to participate in the ESIF implementation. In particular under the European Social Fund, possibilities for support to capacity building of social partners are foreseen under technical assistance as well as under two investment priorities:

- Investment in institutional capacity and in the efficiency of public administration and public services at the national, regional and local levels with a view to reforms, better regulation and good governance (article 3 (d) (i) ESF Regulation).
- Capacity building for all stakeholders delivering education, lifelong learning, training and employment and social policies, including through sectoral and territorial pacts to mobilise for reform at the national, regional and local levels (article 3 (d) (ii) ESF Regulation). <http://ec.europa.eu/esf/home.jsp?langId=en>

<sup>(1)</sup> As laid down in particular in the Europe 2020 Strategy Europe 2020: A strategy for smart, sustainable and inclusive growth, COM(2010)2020 and the European Council Conclusions of 25-26 March 2010 and 17 June 2010; the Commission Communications Towards a job-rich recovery (COM(2012)173), Moving Youth into Employment (COM(2012)727) and Towards Social Investment for Growth and Cohesion – including implementing the European Social Fund 2014–2020 (COM(2013)83); the Commission Communication Strengthening the social dimension of the Economic and Monetary Union (COM(2013)690).

## 5.5. Conclusion

The development of the financial and economic crisis impacted industrial relations in many Member States and this has left clear marks in the quality and dynamism of social dialogue at EU level. While social dialogue is recognised as a major asset of the European social model, and has the potential to contribute with workable solutions to the crisis, that can help management and labour to agree on win-win solutions at national level, these last two years proved difficult to reach agreement and concrete delivery.

Differences in views have emerged between the cross-industry social partners, and between the social partners (in particular the unions) and EU institutions regarding the causes of the crisis, as well as the appropriate policy responses to it, the fiscal consolidation programmes, the macroeconomic policy mix and the contents of structural reforms. Employers point to the competitiveness challenges, the need to reduce labour costs, simplify legislation, cut 'red tape' and increase external flexibility. Unions emphasise the non-labour cost aspects of competitiveness, the positive role of wages in aggregate demand and the relevance of improving the quality of work and investment in skills.

These divergences have been reflected in a number of debates between workers, employers and public authorities across Europe. In a number of Member States, these debates have led to agreements which have contributed to shaping policy reforms. In other Member States, and at EU level, however, the trend has been towards conflict and tensions.

Despite this difficult context, several steps forward were taken either by the social partners themselves, or by the Commission, in order to strengthen social dialogue mechanisms and reach agreement on platforms for joint action or shared analysis.

Important steps have been taken to strengthen **tripartite concertation**. Since 2000, policy coordination has become an increasingly important part of EU action in social affairs. This has promoted new developments in EU social dialogue (now incorporated into the Treaty) in order to promote concertation between EU institutions and social partners, such as the Employment Committee (EMCO), the Social Protection Committee (SPC), and at the highest level the Tripartite Social Summit. The more recent introduction of new forms of macroeconomic governance through the European Semester also touches upon core questions of employment and social policy, raising questions about the most appropriate way of involving social partners in the EU-level discussion. During the past two years, the Commission put forward proposals on strengthening the role of social partners in EU macroeconomic governance and the European Semester, and on revising the Council Decision on the Tripartite Social Summit to bring it into line with the institutional changes of the Lisbon Treaty, especially the creation of the post of permanent President of the European Council.

With regard to **autonomous social dialogue at the cross-industry level**, the social partners have jointly addressed the issue of high youth unemployment through their Framework of Actions on Youth Employment. Moreover, the social partners have made steady progress towards a joint in depth analysis of the labour market.

At the **sectoral** level, the creation of two new sectoral social dialogue committees and steady progress in a test phase for a third sector show that sectoral employers and trade unions are still interested in engaging at European level. Through joint opinions and declarations, the two sides of industry continued to provide valuable input and expertise in Commission initiatives and policy processes at national level. Via tools and joint projects, European

social partners share expertise and best practices to build capacity at European and national level.

The number of agreements resulting from EU sectoral social dialogue appears to have stopped rising, at least temporarily. Moreover, major questions have been raised about the uneven implementation of autonomous agreements. Implementation had been identified as an important challenge for social dialogue in the cross-sectoral social partners' work programme 2012-14, and as an important theme at the Thematic Liaison Forum to mark 15 years of sectoral social dialogue (see Box 5.6). The autonomous implementation of agreements cannot be considered in isolation from national industrial relations systems, especially in bargaining coverage. This affects national social partners' capacity to implement autonomous agreements effectively. On this point, Chapter 1 showed that recent developments in national industrial relations systems – particularly in Member States where they were quite weak even before the crisis – are not very promising.

In the relations between the social partners and the Commission, as well as other EU institutions, trust would seem to have been at a premium recently, especially in relation to the trade unions. A number of contentious issues have caused conflict in settings like the Tripartite Social Summit. This includes discussions on structural adjustment programmes, country-specific recommendations, alleged interference with collective bargaining at the national level, the focus of the Commission's regulatory fitness programme, the Commission's strategic framework for health and safety, and the Commission's assessment of the EU-level social partner agreements where the signatories have requested implementation by Council Directives.

Under the political programme of President Juncker, with its focus on social dialogue, the Commission has started to

work on re-launching and strengthening the dialogue with social partners. This was confirmed in a joint press statement of 17 November 2014 by Commission Vice-President Dombrovskis and Commissioner Thyssen: “Social dialogue at all levels

*is a prerequisite for the functioning of Europe’s social market economy and crucial to promote both competitiveness and fairness. The Commission will ensure a more substantial involvement of social partners in EU governance, in line with*

*the deepening of the EMU and the development of its social dimension. Social partners should play an increased role in structural reforms, alongside their formal role in the EU legislative process, with full respect for their autonomy”.*

#### **Box 5.6. Key messages from Thematic Liaison Forum: “15 years of EU Sectoral Social Dialogue – Quo Vadis?”**

On 11 December 2013, the Commission organised a thematic Liaison Forum for social partners, to mark 15 years of sectoral social dialogue (1998 Communication). The main objective of this Liaison Forum was to look back on the achievements of the past, but also to discuss forward looking challenges, in particular the capacity of identifying, analysing and addressing structural changes at sectoral level, the added value of EU sectoral social dialogue, the follow-up and reporting mechanisms of EU social dialogue outcomes and the visibility of EU social dialogue achievements at all levels.

In terms of latest developments, the increased visibility of outcomes at sectoral level came under discussion; in particular for sectoral agreements to be implemented through legislation.

The discussion considered the principles for the assessment of social partner agreements for which implementation by Council Decision is requested, which are laid down in two Commission Communications (1993 and 1998), complemented by the requirements of the Commission’s Smart Regulation agenda.

The framework agreement on health and safety in hairdressing was considered the crucial, politically prominent case, while several European social partners made critical remarks regarding the consequences of the Commission’s REFIT exercise.

Several suggestions for improvements to sectoral social dialogue were made at the event. In terms of capacity building, it was suggested to better integrate national social partners in EU-level social dialogue structures. A number of participants advocated an improved cooperation between European sectoral social partners of the sectoral and cross-industry level, as well as the development of flexible support structures for multi-sectoral initiatives.

Moreover, there were calls to improve communication between social partners and relevant DGs of the Commission, including a stronger role of social partners in studies, impact assessment and consultation procedures, with a higher priority to be given to EU social partners joint positions.

The discussions also considered the need to strengthen social partners and Commission’s analytical capacity to better anticipate structural change. In terms of follow-up and implementation, improved mechanisms for monitoring were proposed. A stronger focus on commitments and implementation was considered necessary. Finally, several social partner representatives urged the Commission to respect the autonomy of social partners and pay attention to their voice.

## ACKNOWLEDGEMENTS

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### Annex 5.1. List of sectoral social dialogue committees

| Sectoral Social Dialogue Committees (SSDC) |                        |      |                                    |                        |   |
|--|------------------------|------|------------------------------------|------------------------|---|
| Creation                                   |                        |      | Sector                             | Employees              | Employers                                   |
| Joint (advisory) Committee /               | Informal working group | SSDC |                                    |                        |   |
| 1951                                       |                        | 2006 | Steel                              | IndustriAll            | Eurofer                                     |
| 1952                                       |                        | 2002 | Extractive Industries              | IndustriAll            | APEP, EURACOAL, Euromines, IMA-Europe, UEPG |
| 1964                                       |                        | 1999 | Agriculture                        | EFFAT                  | GEOPA/COPA                                  |
| 1965                                       |                        | 2000 | Road Transport                     | ETF                    | IRU   |
| 1967                                       |                        | 1999 | Inland Waterways                   | ETF                    | EBU, ESO/OEB                                |
|  | 1969                   | 1999 | Sugar                              | EFFAT                  | CEFS  |
| 1972                                       |                        | 1999 | Railways                           | ETF                    | CER, EIM                                    |
| 1974                                       |                        | 1999 | Sea Fisheries                      | ETF                    | Europêche/COGECA                            |
|  | 1982                   | 1999 | Footwear                           | IndustriAll            | CEC   |
|  | 1983                   | 1999 | Hotel and Restaurant               | EFFAT                  | Hotrec                                      |
|  | 1985                   | 1999 | Commerce                           | UNI Europa             | EuroCommerce                                |
|  | 1987                   | 1999 | Insurance                          | UNI Europa             | ACME, BIPAR, CEA                            |
| 1987                                       |                        | 1999 | Maritime Transport                 | ETF                    | ECSA  |
|  | 1990                   | 2000 | Civil Aviation                     | ETF, ECA               | ACI-Europe, AEA, CANSO, ERA, IACA, IAHA     |
|  | 1990                   | 1999 | Telecommunications                 | UNI Europa             | ETNO  |
|  | 1990                   | 1999 | Banking                            | UNI Europa             | EACB, EBF-BCESA, ESG                        |
|  | 1992                   | 1999 | Construction                       | EFBWW                  | FIEC  |
|  | 1992                   | 1999 | Industrial Cleaning                | UNI Europa             | EFCI  |
|  | 1992                   | 1999 | Textile and Clothing               | IndustriAll            | Euratex                                     |
|  | 1992                   | 1999 | Private Security                   | UNI Europa             | CoESS                                       |
| 1994                                       |                        | 1999 | Postal Services                    | UNI Europa             | PostEurop                                   |
|  | 1994                   | 2000 | Woodworking                        | EFBWW                  | CEI-Bois                                    |
|  | 1996                   | 2004 | Local and Regional Government      | EPSU                   | CEMR  |
|  | 1996                   | 2000 | Electricity                        | IndustriAll, EPSU      | Eurelectric                                 |
|  | 1998                   | 1999 | Personal Services/<br>Hairdressing | UNI Europa             | Coiffure EU                                 |
|  | 1998                   | 2007 | Contract Catering                  | EFFAT                  | FERCO                                       |
|  | 1999                   | 2001 | Tanning and Leather                | IndustriAll            | COTANCE                                     |
|  |                        | 1999 | Temporary Agency Work              | UNI Europa             | Eurociett                                   |
|  |                        | 1999 | Live Performance                   | EAEA                   | Pearle*                                     |
|  |                        | 2001 | Furniture                          | EFBWW                  | UEA, EFIC                                   |
|  |                        | 2003 | Shipbuilding                       | IndustriAll            | CESA  |
|  |                        | 2004 | Audiovisual                        | EFJ, FIA, FIM, UNI-MEI | ACT, AER, CEP, EBU, FIAPF                   |
|  |                        | 2004 | Chemical Industry                  | IndustriAll            | CEEG  |
|  |                        | 2006 | Hospitals and Healthcare           | EPSU                   | HOSPEEM                                     |
|  | 2006                   | 2010 | Metal industry                     | IndustriAll            | CEEMET                                      |
|  |                        | 2007 | Gas                                | IndustriAll, EPSU      | EUROGAS                                     |
|  |                        | 2008 | Professional Football              | ECA, EPFL              | FIFPro                                      |
|  | 2008                   | 2010 | Central Government Administrations | TUNED                  | EUPAN                                       |
|  |                        | 2010 | Education                          | ETUCE                  | EFEE  |
|  |                        | 2010 | Paper Industry                     | industriAll            | CEPI  |
|  |                        | 2012 | Food and Drink Industry            | EFFAT                  | FoodDrink Europe                            |
|  |                        | 2013 | Graphical Industry                 | UNI Europa Graphical   | Intergraf                                   |
|  |                        | 2013 | Ports                              | ETF, IDC               | FEPORT, ESPO                                |

## Annex 5.2. List of European social partners' organisations consulted under Article 154 TFEU (May 2014)

### Liste des partenaires sociaux européens consultés au titre de l'article 154 du Traité TFUE

### Verzeichnis der europäischen Organisationen der Sozialpartner, die gemäß Artikel 154 AEUV gehört werden

| General cross-industry organisations  | Organisations interprofessionnelles à vocation générale   | Allgemeine branchenübergreifende Arbeitgeber- und Arbeitnehmerorganisationen  |
|---|---|---|
| BUSINESSEUROPE  | BUSINESSEUROPE  | BUSINESSEUROPE  |
| European Centre of Employers and Enterprises providing Public Services (CEEP)           | Centre européen des entreprises à participation publique et des entreprises d'intérêt économique général (CEEP) | Europäischer Zentralverband der öffentlichen Wirtschaft (CEEP)  |
| European Trade Union Confederation (ETUC)   | Confédération européenne des syndicats (CES)  | Europäischer Gewerkschaftsbund (EGB)  |
| Cross-industry organisations representing certain categories of workers or undertakings | Organisations interprofessionnelles représentant certaines catégories de travailleurs ou d'entreprises          | Branchenübergreifende Arbeitgeber- und Arbeitnehmerorganisationen, die bestimmte Arbeitnehmer- oder Unternehmensgruppen vertreten |
| CEC-European Managers   | Confédération européenne des cadres (CEC)   | CEC-European Managers   |
| EUROCADRES (Council of European Professional and Managerial Staff)                      | EUROCADRES (Conseil des cadres européens)   | EUROCADRES (Rat der Europäischen Fach- und Führungskräfte)  |
| European Association of Craft, Small and Medium-Sized Enterprises (UEAPME)              | Union européenne de l'artisanat et des petites et moyennes entreprises (UEAPME)                                 | Europäische Union des Handwerks und der Klein- und Mittelbetriebe (UEAPME)  |
| Specific organisations  | Organisations spécifiques   | Spezifische Organisationen  |
| Eurochambres  | Eurochambres  | Eurochambres  |
| Sectoral organisations representing employers   | Organisations sectorielles représentant les employeurs  | Branchenbezogene Arbeitgeberorganisationen  |
| Airports Council International – Europe (ACI EUROPE)                                    | Airports Council International – Europe (ACI EUROPE)  | Airports Council International – Europe (ACI EUROPE)  |
| Airport Services Association (ASA Europe)   | Airport Services Association (ASA Europe)   | Airport Services Association (ASA Europe)   |
| Association of Commercial Television in Europe (ACT)                                    | Association des Télévisions Commerciales européennes (ACT)  | Vereinigung kommerzieller Fernsehsender in Europa (ACT)   |
| Association of European Airlines (AEA)  | Association of European Airlines (AEA)  | Association of European Airlines (AEA)  |
| Association of European Professional Football Leagues (EPFL)                            | Association européenne des ligues professionnelles (EPFL)   | Association of European Professional Football Leagues (EPFL)  |
| Association of European Public Postal Operators (PostEurop)                             | Association des opérateurs postaux publics européens (PostEurop)  | Organisation der europäischen Postverwaltungen und Postunternehmen (PostEurop)  |
| Association of European Radios (AER)  | Association Européenne des Radios (AER)   | Vereinigung europäischer Radiosender (AER)  |
| Association of Mutual Insurers and Insurance Cooperatives in Europe (AMICE)             | Association des assureurs mutuels et coopératifs en Europe (AMICE)  | Vereinigung der gegenseitig und genossenschaftlich organisierten Versicherer in Europa (AMICE)                                    |
| Association of National Organisations of Fishing Enterprises in the EU (EUROPECHE)      | Association des organisations nationales d'entreprises de pêche de l'Union européenne (EUROPECHE)               | Vereinigung der nationalen Verbände von Fischereiunternehmen in der Europäischen Union (EUROPECHE)                                |
| Civil Air Navigation Services Organisation (CANSO)                                      | Civil Air Navigation Services Organisation (CANSO)  | Civil Air Navigation Services Organisation (CANSO)  |
| Community of European Railway and Infrastructure Companies (CER)                        | Communauté européenne du rail et des compagnies d'infrastructure (CER)  | Gemeinschaft der europäischen Bahnen und Infrastrukturgesellschaften (CER)  |
| Confederation of European Paper Industries (CEPI)                                       | Confederation of European Paper Industries (CEPI)   | Confederation of European Paper Industries (CEPI)   |

| <b>Sectoral organisations representing employers</b>   | <b>Organisations sectorielles représentant les employeurs</b>   | <b>Branchenbezogene Arbeitgeberorganisationen</b>  |
|--|---|--|
| Confederation of European Security Services (CoESS)  | Confédération européenne des services de sécurité (CoESS)   | Europäische Vereinigung der Sicherheitsdienste (CoESS)   |
| Confederation of National Associations of Tanners and Dressers of the European Community (COTANCE) | Confédération des associations nationales de tanneurs et mégissiers de la Communauté européenne (COTANCE) | Europäischer Verband der Gerbervereinigungen (COTANCE)   |
| Council of European Employers of the Metal, Engineering and Technology-Based Industries (CEEMET)   | Council of European Employers of the Metal, Engineering and Technology-Based Industries (CEEMET)          | Council of European Employers of the Metal, Engineering and Technology-Based Industries (CEEMET) |
| Council of European Municipalities and Regions (CEMR)  | Conseil des communes et régions d'Europe (CCRE)   | Rat der Gemeinden und Regionen Europas (RGRE)  |
| Employers' Group of the Committee of Agricultural Organisations in the European Union (GEOPA-COPA) | Groupe employeurs des organisations professionnelles agricoles de l'UE (GEOPA-COPA)                       | Arbeitgebergruppe der landwirtschaftlichen Berufsverbände der Europäischen Union (GEOPA-COPA)    |
| European Aggregates Association (UEPG)   | Union Européenne des Producteurs de Granulats (UEPG)  | Europäischer Gesteinsverband (UEPG)  |
| European Apparel and Textile Organisation (EURATEX)  | Organisation européenne du textile et de l'habillement (EURATEX)  | Europäische Organisation für Textil und Bekleidung (EURATEX)                                     |
| European Association for Coal and Lignite (Euracoal)   | Association européenne du charbon et du lignite (Euracoal)  | Europäischer Stein- und Braunkohleverband (Euracoal)   |
| European Association of Co-operative Banks (EACB)  | Groupement européen des banques coopératives (GEBC)   | Europäische Vereinigung der Genossenschaftsbanken (GEBC)   |
| European Association of Employers' Organisations in Hairdressing (Coiffure EU)                     | Confédération européenne des organisations patronales de la coiffure (Coiffure EU)                        | Europäischer Dachverband der Arbeitgeberverbände des Friseurgewerbes (Coiffure EU)               |
| European Association of Mining Industries (Euromines)  | Association européenne des industries minières (Euromines)  | Europäischer Bergbauindustrieverband (Euromines)   |
| European Association of Potash Producers (APEP)  | Association des producteurs européens de potasse (APEP)   | Vereinigung der europäischen Kaliproduzenten (APEP)  |
| European Banking Federation (EBF)  | Fédération bancaire de l'Union européenne (FBE)   | Europäischer Bankenverband (FBE)   |
| European Barge Union (EBU)   | Union européenne de la navigation fluviale (UENF)   | Europäische Binnenschifffahrts Union (EBU)   |
| European Broadcasting Union (EBU)  | Union européenne de radio-télévision (UER)  | Europäische Rundfunkunion (EBU)  |
| European Chemical Employers Group (ECEG)   | European Chemical Employers Group (ECEG)  | European Chemical Employers Group (ECEG)   |
| European Club Association (ECA)  | European Club Association (ECA)   | European Club Association (ECA)  |
| European Committee of Sugar Manufacturers (CEFS)   | Comité européen des fabricants de sucre (CEFS)  | Europäischer Verband der Zuckerindustrie (CEFS)  |
| European Community Shipowners Associations (ECSA)  | Communauté des associations d'armateurs européens (ECSA)  | Verband der Reeder in der Europäischen Gemeinschaft (ECSA)                                       |
| European Confederation of Private Employment Agencies (Eurociett)                                  | European Confederation of Private Employment Agencies (Eurociett)   | European Confederation of Private Employment Agencies (Eurociett)                                |
| European Confederation of the Footwear Industry (CEC)  | Confédération européenne de l'industrie de la chaussure (CEC)   | Zusammenschluss der Schuhverbände in Europa (CEC)  |
| European Confederation of Woodworking Industries (CEI-Bois)  | Confédération européenne des industries du bois (CEI-Bois)  | Europäischer Holzindustrieverband (CEI-Bois)   |
| European Construction Industry Federation (FIEC)   | Fédération de l'industrie européenne de la construction (FIEC)  | Verband der europäischen Bauwirtschaft (FIEC)  |
| European Coordination of Independent Producers (CEPI)  | Coordination européenne des producteurs indépendants (CEPI)   | Europäische Koordination unabhängiger Produzenten (CEPI)   |
| European Federation of Cleaning Industries (EFCI)  | Fédération européenne du nettoyage industriel (FENI)  | Europäischer Dachverband der Reinigungsbranche (EFCI)  |
| European Federation of Education Employers (EFEE)  | Fédération européenne des employeurs de l'éducation (FEED)  | European Federation of Education Employers (EFEE)  |
| European Federation of National Insurance Associations (Insurance Europe)                          | European Federation of National Insurance Associations (Insurance Europe)                                 | European Federation of National Insurance Associations (Insurance Europe)                        |

| <b>Sectoral organisations representing employers</b>                              | <b>Organisations sectorielles représentant les employeurs</b>                                | <b>Branchenbezogene Arbeitgeberorganisationen</b>                                  |
|---|--|--|
| European Federation for Print and Digital Communication (Intergraf)               | European Federation for Print and Digital Communication (Intergraf)                          | European Federation for Print and Digital Communication (Intergraf)                |
| European Furniture Industries Confederation (EFIC)                                | European Furniture Industries Confederation (EFIC)   | European Furniture Industries Confederation (EFIC)                                 |
| European Furniture Manufacturers Federation (UEA)                                 | Union européenne de l'ameublement (UEA)  | Verband der europäischen Möbelindustrie (UEA)                                      |
| European Hospital and Healthcare Employers' Association (HOSPEEM)                 | Association Européenne des Employeurs Hospitaliers (HOSPEEM)                                 | European Hospital and Healthcare Employers' Association (HOSPEEM)                  |
| European Industrial Minerals Association (IMA-Europe)                             | European Industrial Minerals Association (IMA-Europe)  | Europäische Vereinigung für industrielle Mineralien (IMA-Europe)                   |
| European Public Administration Employers (EUPAE)                                  | Employeurs des Administrations Publiques Européennes (EUPAE)                                 | Vereinigung öffentlicher Arbeitgeber in Europa (EUPAE)                             |
| European Rail Infrastructure Managers (EIM)                                       | European Rail Infrastructure Managers (EIM)  | European Rail Infrastructure Managers (EIM)  |
| European Regions Airline Association (ERA)  | European Regions Airline Association (ERA)   | European Regions Airline Association (ERA)   |
| European Savings Banks Group (ESBG)   | Groupe européen des caisses d'épargne (GECE)   | Europäische Sparkassenvereinigung (ESV)  |
| European Sea Ports Organisation (ESPO)  | European Sea Ports Organisation (ESPO)   | European Sea Ports Organisation (ESPO)   |
| European Ships and Maritime Equipment Association (SEA Europe)                    | European Ships and Maritime Equipment Association (SEA Europe)                               | European Ships and Maritime Equipment Association (SEA Europe)                     |
| European Skippers Organisation (ESO)  | Organisation européenne de bateliers (OEB)   | Europäische Schifferorganisation (ESO)   |
| European Steel Association (Eurofer)  | Association Européenne de l'Acier (Eurofer)  | Europäischer Stahlverband (Eurofer)  |
| European Telecommunications Network Operators' Association (ETNO)                 | Association des opérateurs européens de réseaux de télécommunications (ETNO)                 | Europäischer Verband der Telekommunikationsbetreiber (ETNO)                        |
| European Union of the Natural Gas Industry (Eurogas)                              | European Union of the Natural Gas Industry (Eurogas)   | European Union of the Natural Gas Industry (Eurogas)                               |
| Europe's Food and Drink Industry Organisation (FoodDrinkEurope)                   | Organisation européenne des industries alimentaires (FoodDrinkEurope)                        | Europäische Organisation der Lebensmittel- und Getränkeindustrie (FoodDrinkEurope) |
| Federation of European Private Port Operators (FEPORT)                            | Federation of European Private Port Operators (FEPORT)                                       | Federation of European Private Port Operators (FEPORT)                             |
| FoodServiceEurope   | FoodServiceEurope  | FoodServiceEurope  |
| Hotels, Restaurants and Cafés in Europe (HOTREC)                                  | Hôtels, Restaurants et Cafés en Europe (HOTREC)  | Hotels, Restaurants und Cafés in Europa (HOTREC)                                   |
| International Air Carrier Association (IACA)                                      | International Air Carrier Association (IACA)   | International Air Carrier Association (IACA)                                       |
| International Federation of Film Producers Associations (FIAPF)                   | Fédération internationale des associations de producteurs de films (FIAPF)                   | Internationaler Filmproduzentenverband (FIAPF)                                     |
| International Federation of Insurance Intermediaries (BIPAR)                      | Bureau international des producteurs d'assurances et de réassurances (BIPAR)                 | Internationaler Verband der Versicherungsvermittler (BIPAR)                        |
| International Road Transport Union (IRU)  | Union internationale des transports routiers (IRU)   | Internationale Straßenverkehrsunion (IRU)  |
| Performing Arts Employers' Associations League Europe (Pearle*)                   | Ligue européenne des associations d'employeurs dans le spectacle (Pearle*)                   | Europäische Liga der Arbeitgeberverbände der darstellenden Kunst (Pearle*)         |
| Retail, Wholesale and International Trade Representation to the EU (EuroCommerce) | Représentation du commerce de détail, de gros et international auprès de l'UE (EuroCommerce) | Vertretung des Einzel-, Groß- und Außenhandels in Europa (EuroCommerce)            |
| Union of the Electricity Industry – EURELECTRIC                                   | Union de l'Industrie Electrique – EURELECTRIC  | Union of the Electricity Industry – EURELECTRIC                                    |
| <b>Sectoral European trade union organisations</b>                                | <b>Fédérations syndicales européennes</b>  | <b>Europäische Gewerkschaftsverbände</b>   |
| European Arts and Entertainment Alliance (EAEA)                                   | Alliance européenne des arts et du spectacle (EAEA)  | Europäische Allianz für Kunst und Unterhaltung (EAEA)                              |
| European Cockpit Association (ECA)  | European Cockpit Association (ECA)   | European Cockpit Association (ECA)   |
| European Confederation of Independent Trade Unions (CESI)                         | Confédération Européenne des Syndicats Indépendants (CESI)                                   | Europäische Union der unabhängigen Gewerkschaften (CESI)                           |

|  |  |   |
|--|--|---|
| European Federation of Building and Woodworkers (EFBWW)  | Fédération européenne des travailleurs du bâtiment et du bois (FETBB)  | Europäische Föderation der Bau- und Holzarbeiter (EFBH)   |
| European Federation of Journalists (EFJ)   | Fédération Européenne des Journalistes (FEJ)   | Europäischer Journalistenverband (EFJ)  |
| European Federation of Public Service Unions (EPSU)  | Fédération syndicale européenne des services publics (FSESP)   | Europäischer Gewerkschaftsverband für den öffentlichen Dienst (EGÖD)  |
| European Federation of Trade Unions in the Food, Agriculture and Tourism Sectors and Allied Branches (EFFAT) | Fédération européenne des syndicats des secteurs de l'alimentation, de l'agriculture et du tourisme et des branches connexes (EFFAT) | Europäische Föderation der Gewerkschaften des Lebens-, Genussmittel-, Landwirtschafts- und Tourismussektors und verwandter Branchen (EFFAT) |
| European Trade Union Committee for Education (ETUCE)   | Comité syndical européen de l'éducation (CSEE)   | Europäisches Gewerkschaftskomitee für Bildung und Wissenschaft (ETUCE)  |
| European Transport Workers' Federation (ETF)   | Fédération européenne des travailleurs des transports (ETF)  | Europäische Transportarbeiter-Föderation (ETF)  |
| industriAll European Trade Union   | industriAll European Trade Union   | industriAll European Trade Union  |
| International Dockworkers Council (IDC)  | Conseil International des Dockers (IDC)  | International Dockworkers Council (IDC)   |
| International Federation of Actors (FIA)   | Fédération internationale des acteurs (FIA)  | Internationaler Schauspielerverband (FIA)   |
| International Federation of Musicians (FIM)  | Fédération internationale des musiciens (FIM)  | Internationale Musiker-Föderation (FIM)   |
| International Federation of Professional Footballers' Associations – Division Europe (FIFPro)                | Fédération Internationale des Associations de Footballeurs Professionnels (FIFPro)   | International Federation of Professional Footballers' Associations – Division Europe (FIFPro)   |
| Union Network International (UNI) Europa   | Union Network International (UNI) Europa   | Union Network International (UNI) Europa  |

### Annex 5.3. List of social partner joint texts January 2012 – December 2014

| DATE       | SECTOR                             | TITLE  | TYPE OF OUTCOME  |
|------------|------------------------------------|--|--|
| 16/01/2012 | Construction                       | Proposal for a directive on "Intra-corporate transfers" ("ICT") EFBWW-FIEC joint position paper in support of the compromise Amendment 24 adopted by the EMPL Committee ("Jaakonsaari Report") | Joint opinion  |
| 27/01/2012 | Extractive industries              | Budapest III declaration on Coal Policy  | Joint opinion  |
| 15/02/2012 | Inland waterways                   | European Agreement concerning certain aspects of the organisation of working time in inland waterway transport   | Agreement requested to be implemented through EU legislation under Article 155.2 of the TFEU |
| 28/02/2012 | Sugar Industry                     | Ninth Implementation Report (2011) on the Code of conduct on Corporate Social Responsibility   | Follow-up report   |
| 28/02/2012 | Sugar Industry                     | CAP and Sugar Reform – Towards 2020  | Joint opinion  |
| 28/02/2012 | Sugar Industry                     | EU sugar social partners call upon the EU institutions to maintain employment levels in the sector and to streamline EU policies   | Joint opinion  |
| 20/03/2012 | Chemical industry                  | Joint statement on the proposal of 22 June 2011 for a directive on energy efficiency   | Joint opinion  |
| 28/03/2012 | Education                          | Statement on the amendments of the Professional Qualifications Directive   | Joint opinion  |
| 29/03/2012 | Central Government Administrations | European Commission's Green Paper Restructuring and anticipation of change: what lessons from recent experience?   | Joint opinion  |
| 30/03/2012 | Local and regional government      | CEMR-EPSU joint response to the European Commission's Green Paper COM (2012) 7 final 'Restructuring and anticipation of change': what lessons from recent experience?                          | Joint opinion  |
| 30/03/2012 | Railways                           | Follow-up of the Joint Recommendations 'Better Representation and Integration of Women in the Railway Sector' – Implementation – Evaluation – Review   | Follow-up report   |
| 18/04/2012 | Postal services                    | New Joint Declaration on Postal Sector Evolution   | Declaration  |

| DATE       | SECTOR                                  | TITLE  | TYPE OF OUTCOME  |
|------------|---|--|--|
| 19/04/2012 | Professional Football                   | Agreement regarding the minimum requirements for standard player contracts in the professional football sector in the European Union and in the rest of the UEFA territory | Autonomous Agreement under Article 155.2 of the TFEU   |
| 24/04/2012 | Commerce                                | Contribution of the social partners for commerce regarding consensus social issues for the Retail action plan  | Joint opinion  |
| 26/04/2012 | Personal services                       | Declaration of the European social partners on health and safety in the hairdressing sector  | Declaration  |
| 26/04/2012 | Personal services                       | European framework agreement on the protection of occupational health and safety in the hairdressing sector  | Agreement requested to be implemented through EU legislation under Article 155.2 of the TFEU |
| 21/05/2012 | Sea Fisheries                           | Agreement on the work in fishing   | Autonomous Agreement under Article 155.2 of the TFEU   |
| 25/05/2012 | Private security                        | Joint position on the revision of the public procurement directive   | Joint opinion  |
| 29/05/2012 | Tanning and leather                     | Joint Statement on the Free Trade Agreement between the EU and Ukraine   | Joint opinion  |
| 29/05/2012 | Tanning and leather                     | Joint Statement on the Ban of Cr VI in Leather and Leather Products  | Joint opinion  |
| 14/06/2012 | Railways                                | WIR – Women In Rail – Good Practices and Implementation Guide (Tool)   | Tool   |
| 19/06/2012 | Cross-industry                          | Implementation of the framework agreement on inclusive labour markets – Yearly joint table summarising ongoing social partners' activities                                 | Follow-up report   |
| 21/06/2012 | Civil aviation                          | Guidelines for Consultation arrangements for Functional Airspace Blocks  | Tool   |
| 28/06/2012 | Multisectoral                           | Joint opinion on the modernisation of EU public procurement policy by CoESS, EFCI, UNI Europa, FERCO and EFFAT   | Joint opinion  |
| 12/07/2012 | Food and Drink Industry                 | Joint Statement on the CAP Reform  | Declaration  |
| 30/08/2012 | Road transport (Urban Public Transport) | Project report "Women Employment in Urban Public Transport Sector"   | Tool   |
| 31/08/2012 | Tanning and leather                     | <i>Online Interactive Risk Assessment (available via website EU-OSHA)</i>  | Tool   |
| 5/09/2012  | Hospitals                               | Joint statement on the Action Plan for the EU Health Workforce adopted by the Commission   | Joint opinion  |
| 5/09/2012  | Hospitals                               | Use and implementation of the EPSU-HOSPEEM Code of Conduct on Ethical Cross-Border Recruitment and Retention in the Hospital Sector  | Follow-up report   |
| 6/09/2012  | Extractive industries                   | Joint statement on the further improvement of the working conditions and occupational health of employees in the extractive industries                                     | Joint opinion  |
| 7/09/2012  | Maritime Transport                      | Joint Declaration on Maritime Piracy off the Somali Coast  | Joint opinion  |
| 10/09/2012 | Audiovisual                             | Joint opinion on the matter of the European Audiovisual Observatory  | Joint opinion  |
| 27/09/2012 | Multisectoral                           | Common position by CEEMET, ECEG and IndustriAll on the revision of the IORP directive  | Joint opinion  |
| 28/09/2012 | Paper                                   | No paper without skilled healthy and safe people/ Report of Good Health and Safety Practices in the European Pulp and Paper Industry                                       | Tool   |
| 24/10/2012 | Road transport                          | Joint Statement on the 2011 Transport White Paper  | Joint opinion  |
| 24/10/2012 | Road transport                          | Conclusions and recommendations of the STARTS (Skills, Training and the Road Sector) project   | Joint opinion  |

| DATE       | SECTOR                             | TITLE   | TYPE OF OUTCOME      |
|------------|------------------------------------|---|----------------------|
| 8/11/2012  | Education                          | A European Project by ETUCE and EFEE: "Recruitment and retention in the education sector, a matter of social dialogue" – Joint recommendations to the European Sectoral Social Dialogue Committee for Education   | Declaration          |
| 22/11/2012 | Audiovisual                        | Promoting Social Dialogue in the Audiovisual Industry – Tallinn Declaration   | Declaration          |
| 22/11/2012 | Furniture                          | Joint Declaration – Nano in Furniture   | Joint opinion        |
| 23/11/2012 | Furniture                          | Joint Position of UEA and EFBWW on the creation of a European Furniture Sector Skills Council   | Declaration          |
| 29/11/2012 | Construction                       | Joint FIEC-EFBWW proposed amendments on the proposal for a Directive on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services [COM(2012) 131]   | Joint opinion        |
| 30/11/2012 | Insurance                          | Addressing the demographic challenge in the insurance sector – conference and seminar reports   | Tool                 |
| 30/11/2012 | Insurance                          | Combating the demographic challenge in the insurance sector. A selection of initiatives   | Tool                 |
| 5/12/2012  | Railways                           | Promoting security and the feeling of security vis-à-vis third-party violence in the European railway sector – Recommendations of the European railway sector social partners   | Policy orientations  |
| 5/12/2012  | Railways                           | Promoting security and the feeling of security vis-à-vis third-party violence in the European rail sector – A good practice guide   | Tool                 |
| 6/12/2012  | Industrial cleaning                | Joint position by the European social partners of the Cleaning Industry regarding the European Commission proposal for a draft directive on the enforcement of the Posting of Workers' directive {COM (2012) 131final} as well as the draft report of Mrs Danuta Jazłowiecka (2012/0061(COD)) | Joint opinion        |
| 7/12/2012  | Road transport                     | Joint statement on the further opening of the EU road haulage market  | Joint opinion        |
| 7/12/2012  | Live Performance                   | Open letter from International Cultural Industry Associations on VAT increase in Spain  | Joint opinion        |
| 12/12/2012 | Central Government Administrations | Framework Agreement for Quality Services  | Framework of actions |
| 17/12/2012 | Construction                       | Joint opinion of EFBWW and FIEC on the New community strategy on health and safety for 2013-2020  | Joint opinion        |
| 18/12/2012 | Local and Regional Government      | Framework of action on Restructuring  | Framework of actions |
| 19/12/2012 | Temporary agency work              | Joint Eurociett/UNI Europa Recommendations on temporary agency work facilitating transitions in the labour market   | Joint opinion        |

| DATE       | SECTOR                | TITLE   | TYPE OF OUTCOME |
|------------|-----------------------|---|-----------------|
| 1/01/2013  | Woodworking           | Joint Position of the European Social Dialogue for the Wood sector on the New Community Strategy on Occupational Safety and Health  | Joint opinion   |
| 3/01/2013  | Personal Services     | Joint contribution to the public consultation reviewing reduced VAT rates for more efficient tax systems  | Joint opinion   |
| 6/02/2013  | Road Transport        | Social Sector Partners Proposal for a policy package for the next revision of EU Regulations 1071/2009 on access to the profession and 1072/2009 on access to the road haulage market | Joint opinion   |
| 8/02/2013  | Temporary Agency Work | Final Report for the Joint Project: Temporary Agency Work and Transitions in the Labour Market  | Tool            |
| 21/02/2013 | Construction          | Joint position on public procurement  | Joint opinion   |

| DATE       | SECTOR                        | TITLE   | TYPE OF OUTCOME      |
|------------|-------------------------------|---|----------------------|
| 25/02/2013 | Extractive industries         | Joint opinion on ETS backloading  | Joint opinion        |
| 28/02/2013 | Sugar                         | Tenth CSR Implementation Report (2012) on the Code of conduct on Corporate Social Responsibility  | Follow-up report     |
| 1/03/2013  | Sugar                         | Joint CEFS-EFFAT-CIBE-ACP position 'CAP towards 2020: Extension of the Single CMO for sugar necessary to ensure a smart, sustainable and inclusive future for the sugar sector' | Joint opinion        |
| 8/03/2013  | Commerce                      | Joint statement on the Institutions for Occupational Retirement provision (IORP) directive revision   | Joint opinion        |
| 13/03/2013 | Multi-sectoral                | Joint opinion on wage-setting   | Joint opinion        |
| 15/03/2013 | Electricity                   | Competencies, qualifications and anticipation of change in the European electricity sector – A Joint Framework of Actions   | Framework of actions |
| 15/03/2013 | Electricity                   | Joint Social Partners response to the Consultation Paper on the Outline of the Social Strategy of the Energy Community  | Joint opinion        |
| 15/03/2013 | Electricity                   | Joint Statement Eurelectric/EPSU/industriAll Europe – A quality framework for traineeships  | Joint opinion        |
| 4/04/2013  | Postal services               | Joint Conclusions on Environment  | Declaration          |
| 16/04/2013 | Food and Drink Industry       | EFFAT FoodDrinkEurope Joint Position on Discriminatory Food taxes   | Joint opinion        |
| 16/04/2013 | Food and Drink industry       | EFFAT FoodDrinkEurope Joint Position on Solvency II   | Joint opinion        |
| 8/05/2013  | Graphical industry            | Rules of procedures – Graphical industry  | Procedural text      |
| 29/05/2013 | Metal Industry                | Rethinking Education  | Joint opinion        |
| 11/06/2013 | Cross-industry                | Framework of actions on youth employment  | Framework of actions |
| 12/06/2013 | Personal Services             | Report on the European agreement on the implementation of the European hairdressing certificates  | Follow-up report     |
| 17/06/2013 | Construction                  | Joint statement on posting directive  | Joint opinion        |
| 17/06/2013 | Audiovisual                   | Joint opinion on the position of public service media in Greece   | Joint opinion        |
| 25/06/2013 | Steel                         | Joint EUROFER-industriAll declaration on the European Steel Action Plan   | Declaration          |
| 27/06/2013 | Cross-industry                | Implementation of the framework agreement on inclusive labour markets – Yearly Joint Table summarising ongoing social partners activities                                       | Follow-up report     |
| 1/07/2013  | Temporary Agency Work         | Joint statement on the roundtable on temporary agency work social dialogue  | Declaration          |
| 16/09/2013 | Inland Waterways              | Social Partners' position on professional qualifications and training standards for crew members on Inland Waterways Transport vessels  | Joint opinion        |
| 23/09/2013 | Railways                      | Social aspects and the protection of staff in competitive tendering of rail public transport services and in the case of change of railway operator                             | Joint opinion        |
| 26/09/2013 | Seafisheries                  | Joint position on Deep-sea fisheries  | Joint opinion        |
| 2/10/2013  | Commerce                      | Position Paper of Commerce Social Partners on the Consultation under Article 154 TFEU on undeclared work  | Joint opinion        |
| 14/10/2013 | Shipbuilding                  | Joint Statement on Social Standards in the European Shipbuilding and Ship Maintenance, Repair and Conversion Sector   | Declaration          |
| 15/10/2013 | Local and Regional Government | Supporting the EU framework of action on youth employment   | Declaration          |
| 22/10/2013 | Civil Aviation                | Statement of ATCEUC, CANSO and ETF on the Commission proposal on the SES II+ package  | Joint opinion        |
| 24/10/2013 | Cross-industry                | Social Partner Involvement in European Economic Governance  | Joint opinion        |

| DATE       | SECTOR                             | TITLE  | TYPE OF OUTCOME  |
|------------|------------------------------------|--|------------------|
| 29/10/2013 | Personal Services                  | Joint statement social partners agreement Health and Safety  | Joint opinion    |
| 31/10/2013 | Railways                           | Social aspects and the protection of staff in case of change of railway operator: the current situation (report)   | Tool             |
| 31/10/2013 | Railways                           | PSR RAIL – A guide to identifying and preventing psychosocial risks at work in the railway sector  | Tool             |
| 12/11/2013 | Education                          | Joint declaration on the promotion of self-evaluation of schools and teachers  | Declaration      |
| 12/11/2013 | Education                          | How to Prevent and Mitigate Third-Party Violence and Harassment in Schools. Implementation Guide for the Education Sector of the Multi-Sectoral Guidelines to Tackle Third-Party Violence and Harassment Related to Work | Tool             |
| 12/11/2013 | Education                          | Joint report from the Social Partners in the Education sector on the Implementation of the Multi-Sectoral Guidelines to Tackle Third-Party Violence and Harassment Related to Work                                       | Follow-up report |
| 13/11/2013 | Electricity                        | The social dimension of the 2030 Framework for Energy and Climate Policies   | Joint opinion    |
| 13/11/2013 | Electricity                        | Safety and security in the European nuclear industry and consultation of social partners   | Joint opinion    |
| 18/11/2013 | Electricity                        | The impact of energy technologies and innovation on the electricity sector and employment  | Joint opinion    |
| 21/11/2013 | Multi-sectoral                     | Report on the follow-up and implementation of the multi-sectoral guidelines to tackle work-related third-party violence  | Follow-up report |
| 21/11/2013 | Sea Fisheries                      | Social clause to be inserted in the Fisheries Partnership Agreements   | Joint opinion    |
| 29/11/2013 | Civil Aviation                     | ATM European social partners recommendations on mobility of workers within the ATM sector  | Tool             |
| 4/12/2013  | Hospitals                          | Guidelines and examples of good practice to address the challenges of an ageing workforce  | Tool             |
| 6/12/2013  | Chemical industry                  | Joint declaration on the Commission's Green Paper "A 2030 framework for climate and energy policies"   | Joint opinion    |
| 10/12/2013 | Central government administrations | Political guidelines on strengthening Human Resources by better anticipation and managing change   | Guidelines       |
| 10/12/2013 | Private security                   | Online Interactive Risk Assessment (available via website EU-OSHA)   | Tool             |
| 13/12/2013 | Live performance                   | Double taxation should be removed  | Joint opinion    |
| 17/12/2013 | Electricity                        | Joint EURELECTRIC/industrial/EPSU position on the 2030 Framework for Climate and Energy Policies   | Joint opinion    |
| DATE       | SECTOR                             | TITLE  | TYPE OF OUTCOME  |
| 14/01/2014 | Electricity                        | First follow-up of Joint position on the social aspects of Corporate Social Responsibility. Positive actions on Training/ Health & safety/Equal opportunity & Diversity  | Joint opinion    |
| 21/01/2014 | Railways                           | Results of the 2013 questionnaire on the development of women employment in the railway sector in Europe   | Follow-up report |
| 31/01/2014 | Banking                            | EU Bank Social Partners' review of the joint statement of 2005 on employment & social affairs in the European banking sector: some aspects related to Corporate Social Responsibility (CSR)                              | Declaration      |
| 10/02/2014 | Paper                              | The paper sectoral social dialogue calls for boosting the re-industrialisation of the EU   | Joint opinion    |
| 24/02/2014 | Tanning and Leather                | Joint Declaration on the Defence of the European Leather Industry  | Joint opinion    |

| DATE       | SECTOR                            | TITLE  | TYPE OF OUTCOME     |
|------------|-----------------------------------|--|---------------------|
| 28/02/2014 | Extractive industry               | Joint opinion on the draft recommendations of the SCOEL for occupational exposure limits on the workplace for NO <sub>2</sub> and NO   | Joint opinion       |
| 11/03/2014 | Railways                          | Joint recommendations Identify and prevent psychosocial risks within the railway sector  | Policy orientations |
| 12/03/2014 | Industrial Cleaning               | Joint position by the European social partners of the Cleaning Industry regarding the European Commission 2 <sup>nd</sup> Stage Consultation of Social Partners under Article 154 TFEU on enhancing EU cooperation in the prevention and deterrence of undeclared work | Joint opinion       |
| 13/03/2014 | Central Government Administration | Prevention and deterrence of undeclared work   | Joint opinion       |
| 17/03/2014 | Live performance                  | Joint letter on double taxation  | Joint opinion       |
| 17/03/2014 | Live performance                  | Motion regarding the negotiations of the French unemployment compensation system   | Joint opinion       |
| 8/04/2014  | Road transport                    | Joint recommendations: Strengthening women employment in urban public transport  | Policy orientations |
| 8/04/2014  | Road transport                    | Joint statement: The implication, application and further development of Directive 2003/59/EC on initial qualification and continuous training of professional bus drivers in urban public transport   | Joint opinion       |
| 9/04/2014  | Sea Fisheries                     | Social Clause in the Fisheries Partnership Agreements  | Joint opinion       |
| 24/04/2014 | Sea Fisheries                     | Comments on the EU maritime security strategy  | Joint opinion       |
| 24/04/2014 | Sea fisheries                     | Statement on the EU “de minimis” aid in the fishery and aquaculture sector   | Joint opinion       |
| 5/06/2014  | Civil Aviation                    | Joint Declaration against EU-based Flags of Convenience in Aviation  | Joint opinion       |
| 6/06/2014  | Industrial Cleaning               | <i>Online Interactive Risk Assessment (available via website EU-OSHA)</i>  | <i>Tool</i>         |
| 17/06/2014 | Paper                             | Joint resolution (on the EU bio-energy policy). Memorandum of Understanding between the European Agency for Safety and Health at Work (EU-OSHA) and the European Social Partners   | Joint opinion       |
| 2/07/2014  | Personal services                 |  | Procedural text     |
| 21/08/2014 | Private security                  | Joint Statement on public procurement  | Joint opinion       |
| 22/09/2014 | Telecommunications                | ETNO-UNI Joint Declaration on Gender Equality  | Declaration         |
| 30/09/2014 | Audiovisual                       | Joint contribution of social partners of the EU Audiovisual and Live Performance Social Dialogue Committees to the public consultation on the revision of the European Commission's Impact Assessment guidelines   | Joint opinion       |
| 30/09/2014 | Chemical industry                 | Joint Declaration on REACH and the inclusion of nanomaterials in its annexes   | Declaration         |
| 22/10/2014 | Personal services                 | Securing employment in the hairdressing sector   | Joint opinion       |
| 19/11/2014 | Road Transport                    | European Road Transport Agency – Indicative Terms of Reference   | Joint opinion       |
| 21/11/2014 | Postal services                   | Joint Declaration on Matching Skills and Jobs in the European Postal Sector  | Declaration         |
| 28/11/2014 | Industrial Cleaning               | Joint position by the European social partners of the Cleaning Industry regarding the Commission proposal for the establishment of a European Platform on undeclared work  | Joint opinion       |
| 28/11/2014 | Telecommunications                | Joint UNI Europa – ETNO declaration on future ICT skills needs   | Declaration         |
| 09/12/2014 | Tanning and leather               | Leather Industry's Social Partners' Joint Letter to Commission President Mr Juncker  | Joint opinion       |
| 31/12/2014 | Railways                          | 2 <sup>nd</sup> Annual report on the Development of women's employment in the European railway sector  | Follow-up report    |