

**Social Partners Peer Review, Thematic Network on Partnership
13 June 2019, Brussels (Belgium)**

Minutes

Summary

On 13th June 2019, the Thematic Network on Partnership (PTN) of the ESF Transnational Platform held a peer review with social partners. It was organised in collaboration with the Social and Economic Council of Flanders (SERV), the ESF Agency in Flanders (Belgium), Business Europe, SMEunited and the European Trade Union Confederation (ETUC).

The meeting brought together a selection of national social partner and ESF Managing Authority representatives to explore effective social partner involvement in ESF Operational Programme cycles and projects through the positive examples of Flanders (Belgium) and Germany. The peer review involved participants from Estonia, Latvia, Lithuania, Hungary, Poland and Romania. These countries were targeted because the need for capacity-building support for social partners has been identified in the Country Reports issued within the framework of the European Semester process.

Issues addressed in the meeting built upon the results of a survey conducted among participants from the six targeted countries. The survey had flagged the main challenges faced in relation to social partner involvement in the ESF.

Learning and results

The meeting emphasised:

- the specific role played by social partners in relation to ESF;
- the need to reinforce the implementation of the partnership principle and the European Code of Conduct on Partnership (ECCP); and
- the need to promote knowledge of successful institutionalised models of working with social partners within the ESF, especially among Member States whose participation could be improved.

Agenda: <https://ec.europa.eu/esf/transnationality/library?cid=475&fid=2406>

1. Welcome and opening remarks

In his opening address, Pieter Kerremans, General Director at SERV, pointed out the importance of creating increased opportunities for stronger social partner involvement in ESF programmes and projects.

Marianne Doyen (DG EMPL, ESF and FEAD: Policy and Legislation) echoed the importance of social partner engagement in ESF partnerships and stressed the role of transnational cooperation towards this goal; for example, through peer review exercises. Next Kristine Krivmane (DG EMPL, Social Dialogue) emphasised that reinforced social dialogue lies at the heart of the current European Commission's priorities. The European Semester is increasingly looking at social dialogue and country-specific recommendations (CSRs) have been issued on

the need to reinforce social dialogue structures in some Member States. The European Commission is committed to assessing progress made on social dialogue, giving recommendations and monitoring concrete dimensions - involvement, capacity, etc.- that should be specifically addressed in each country.

2. Leda Stott, Aims of the peer review and introduction to the day

Presentation: <https://ec.europa.eu/esf/transnationality/library?cid=498&fid=2414>

Leda Stott, Thematic Expert on Partnership, presented the main objectives of the peer review exercise. The meeting had three aims:

- to underscore the importance of implementing the partnership principles and the European Code of Conduct on Partnership (ECCP);
- to acknowledge the specific role played by social partners in relation to the ESF; and
- to share institutionalised models of working with the ESF with social partners where engagement could be more effective.

The meeting built on the call made by European social partners for their more effective involvement in the governance and use of the ESF in their [joint report](#) of June 2018.

3. Tim Buyse, Social dialogue in Flanders and Belgium

Presentation: <https://ec.europa.eu/esf/transnationality/library?cid=498&fid=2413>

In his presentation, Tim Buyse (SERV) gave an overview of the Belgian system of industrial relations, which is characterised by high levels of collective bargaining coverage and wage-setting coordination, as well as of employer and trade union density.

SERV represents Flemish trade unions and employer organisations and its function is to provide advice on general government policy - including the regional budget - labour and social policies, energy policy, equal opportunities and integration.

4. Caroline Meyers, Functioning of the ESF MA in Flanders and cooperation with stakeholders

Presentation: <https://ec.europa.eu/esf/transnationality/library?cid=470&fid=2290>

ESF Flanders is the Managing Authority of the ESF programme and, therefore, guarantees that the principles of collaboration and partnership are fulfilled. In Flanders, every legal entity of a public or private nature is entitled to submit projects and this includes social partners. Social partners and other stakeholders are formally involved in the management of the ESF as part of the monitoring, management and evaluation committees.

The implementation of the partnership principle takes place across the different stages of the ESF cycle. First, during the drafting of Operational Programmes (OPs). Secondly, as part of the 'captains' tables' organised as mid-term evaluation points to ensure that OPs are on track. Finally, there are public hearings with project promoters at least once a year. Engagement also takes place during the preparation of calls, when stakeholders have the opportunity to feed in to the process at both strategic and technical levels.

5. Ria Van Peer, Social Partner involvement in ESF Flanders

Presentation: <https://ec.europa.eu/esf/transnationality/library?cid=498&fid=2418>

Ria Van Peer (SERV) presented the results of desk research on social partners' involvement as project promoters and/or partners in Flanders in the most recent programming periods. The current programming period (2014-2020) has witnessed a slight decrease in social partner engagement in ESF projects in comparison with the previous period (2007-2013). The main project topics are linked to innovation and learning (employers), and career guidance and counselling (trade unions). SERV is an key facilitator of social partner engagement in the ESF, including through transnational projects ([social partners on the digital fast track](#)).

Questions/comments:

SMEunited asked about the division of labour between the Monitoring Committee and the Management Committee at the ESF Managing Authority > The Monitoring Committee is made up of all stakeholders plus the European Commission, meets twice a year and is mainly involved at strategic level. Therefore, its core responsibility mostly lies at the beginning of the OPs. The Management Committee meets every month and primarily deals with operational issues but stakeholders are still involved.

Participants also asked about the support provided by ESF Flanders to project promoters, which includes coaching. What form does coaching take? Could it be applied to social partners as part of capacity building? > The coaching takes place at different stages. The MA provides as much advice as possible before projects are submitted, especially on issues linked to the administrative burden, simplified cost options, etc. Coaching also takes place in the framework of visits to projects made by the MA. These visits are intended to be genuine coaching opportunities with space to implement changes, rather than control exercises.

ETUC: Who are the other main stakeholders involved in ESF partnerships? In particular, what is the engagement of NGOs? > NGO engagement has always been very high and remains stable. In addition to direct NGO representation, other Management Committee representatives work closely with umbrella organisations and partnerships develop indirectly as a result.

What is the level of cooperation between the ESF MAs in Flanders and Wallonia? > There is close cooperation in terms of sharing knowledge and looking at some of the broader, common topics, such as gender mainstreaming. In addition, there are cross-regional meetings. The implementation of partnerships in the ESF is underpinned by the same principles in all Belgian regions. In addition, SERV and the Walloon Region Economic and Social Council and its Wallonian counterpart (CESE Wallonie), play an active role in interregional ESF cooperation.

LV (Latvian Employers' Confederation): A comment: in some countries, collective bargaining is much less widespread than in Flanders and it is challenging to encourage employers to stay within agreements> In Belgium, coverage is enshrined in the law and there is a long historical background, so it is not an issue.

6. Brief presentation of Flemish social partners and their cooperation with the ESF

Next, Caroline Van de Sande (ACLVB, General Confederation of Liberal Trade Unions) and Joris Renard (UNIZO; Union of self-employed entrepreneurs and SMEs) gave their insights on how Flemish social partners are involved in the ESF.

The two organisations are part of the ESF Committee in Flanders and have an active engagement throughout the ESF process. Both speakers underlined the positive aspect of mutual trust established between different ESF actors and the flow of information between the

Managing Authority and social partners. 'Captains' tables' are another key positive element because they challenge stakeholders to present progress and outcomes of OPs.

Among the main challenges, UNIZO stressed the high administrative burden of taking part in ESF projects, which deters small businesses. In addition, knowledge sometimes gets lost and projects that existed in the past must be re-designed from scratch due to lost 'ESF memory'.

ESF BEnI mentioned that there have been improvements as regards the reduction of the administrative burden. However, a lot can still be done to promote simplification, for example through simplified cost options.

Participants also pointed out that national regulations are, in some cases, stricter than EU ones in terms of requirements. Member States are risk averse and such 'gold-plating' limits engagement with the ESF.

SMEunited stressed the importance of mainstreaming the idea that social partner engagement brings added value to ESF management, as this is sometimes not fully understood by some MAs. In this regard, ETUC asked whether the high level of ESF participation - and capacity - of social partners in Flanders is an exception rather than the norm in the EU.> Both UNIZO and ACLVB agreed that the importance given to social partners in Flanders is high and that there are no significant needs in terms of capacity-building.

Both speakers issued some final recommendations based on their experience. According to UNIZO, stronger cooperation between social partners and ESF authorities is key to improved governance and stronger policy orientation in the ESF. In this regard, the ECCP provides concrete guidance on how such partnership could be promoted.

According to ACLVB, there is room for increased participation of workers and their representative bodies, including in ESF projects submitted by employers; for example, the engagement of work councils would lead to greater ownership of projects and make them more likely to succeed.

7. Christina Stockfisch, The 'Fachkräfte sichern' programme

Presentation: <https://ec.europa.eu/esf/transnationality/library?cid=498&fid=2416>

Next, Christina Stockfisch presented the ESF Social Partner Guideline, a programme (EUR 162 million in 2014-2020) supported by the German Federal Ministry of Labour and Social Affairs and the ESF. Its aim is to promote a skilled workforce through continuing vocational education and training and the promotion of gender equality. The programme supports 150 projects in more than 4 000 companies and reaches over 40 000 employees. Projects are underpinned by strong partnerships between all relevant stakeholders at company level, i.e. management, human resources, work councils, employees, etc.

Questions/comments:

SMEunited: Do social partners need to formalise an agreement prior to submitting a project application? > It is not necessary if applicants are covered by a collective bargaining agreement. For gender equality projects, a declaration of interest is requested.

DG EMPL: How is the transferability of projects assessed? > The programme has not yet conducted an evaluation but a driver for transferability is the degree of involvement of social

partners across the different stages of the project. The greater the social partners' involvement, the more effective transferability will be.

HU (BusinessHungary) asked whether the programme allows for the participation of foreign social partners> There is currently no participation from foreign partners. With regard to this, RO (the Romanian National Trade Union Bloc - BNS) mentioned its partnership in the Fair Mobility project, funded by the German government and aimed at assisting in the enforcement of fair wages and working conditions for migrant workers from Central and Eastern European countries in the German labour market.

8. Challenges faced by social partners

Next, Leda Stott shared the main results of a survey conducted among participants targeted by the peer review. The main dimensions explored in the survey were participation in calls, involvement in monitoring committees and capacity building needs (and ESF support for these). According to the responses received,¹ there is a need for:

- increased cooperation between social partners and national authorities;
- improved and timely access to and engagement in all stages of the ESF process - from planning to evaluation; and
- reinforced social dialogue, including through capacity-building actions.

Following this initial input, Robert Plummer (Business Europe) kickstarted a moderated discussion on the main challenges faced by social partners in targeted countries to effectively engage in the ESF. The following points emerged:

HU (BusinessHungary) > the country lacks a tradition of social dialogue. Social partner involvement is still weak and the examples presented from Flanders and Germany are difficult to transfer at this stage. There are formal fora for social dialogue but consultations on key social and employment issues are sometimes not held with social partners but with other bodies (trade chambers). As regards the ESF, funds are allocated to an intermediate body at national level and information is not always shared.

LV (Latvian Employers Confederation): social partner engagement is very formal and does not allow for dynamic, meaningful participation.

EE (Estonian Trade Union Confederation): the projected increase in the co-financing rate in the next programming period will represent an issue in Estonia and will create difficulties for trade union participation in ESF projects.

RO (Romanian National Trade Union Bloc): social partners are not represented in the ESF Committees and social dialogue levels remain weak overall.

LT (Lithuanian Confederation of Industrialists): there are obstacles to transferring many of the features and learnings drawn from the good practices presented. Lithuanian organisations are very small and social partner density is very low. In addition, the social dialogue culture and

¹ Responses (6) were received from the Polish Craft Association, the Estonian Trade Union Confederation, the Employers' Confederation of Latvia, the National Trade Unions Bloc (BNS) in Romania, the Lithuanian Confederation of Industrialists and the Confederation of Hungarian Employers and Industrialists.

tradition is insufficient. Social partners are still in the process of building up mutual trust. With regard to the ESF, social partners should be made aware of ongoing initiatives in a more timely manner. Short timeframes at ESF Committee discussions limit the possibility to consult members and agree common positions.

PO (Polish Craft Association): social dialogue is impaired by the difficulty to engage new employers and entrepreneurs in business organisations.

In light of this discussion, participants addressed how *capacity building* should be promoted. Some participants (PO) called for increased support for capacity building at the ESF Committee in order to raise Managing Authorities' awareness on such needs. Other participants (ESF DE) pointed out that, in light of different capacity levels among social partners in different Member States, it would be necessary to target capacity building efforts to countries where these are specifically needed.

Next, participants addressed how the *partnership principle* could be boosted, in particular within the framework of current ESF+ negotiations. ETUC highlighted the need to review the ECCP and advocate for its compulsory application as a way to bridge the gap in social partners' involvement across Europe. SMEunited emphasised that the discussion on partnership belongs to a strategic, political level since some voices are calling it into question. Participants mentioned the need to share examples of well-functioning partnership in order to boost action towards a reinforced ECCP.

9. Practical solutions for addressing challenges

Following this, participants discussed in small groups some concrete proposals on key areas that could contribute to address social partner engagement in ESF.

Awareness raising:

- it is key to communicate effectively the advantages and added value of reinforced social dialogue; and
- all political levels should be targeted; the local and regional levels should not be overlooked.

Institutional involvement:

- different starting points in different countries must be taken into account;
- the EC (and the EU) should have an active role in monitoring effective engagement by social partners;
- greater interaction with MAs and involvement at every stage (while designing OPs, while designing calls);
- partnerships are key, as is knowledge management. It is crucial to build continuity in stakeholders' engagement with the ESF; and
- an open political mindset is needed. It should be possible to acknowledge social partner participation as an opportunity rather than a burden.

Capacity building:

- earmarking 5% of the ESF+ for capacity building of social partners could be an option. For some participants, the allocation should be mainstreamed beyond 'where relevant' only. In some countries, however, earmarking would not make any sense and the support should be used for other purposes; and

- mobility and transnational exchanges should be a lever for capacity building. The ESF should support these.

Leda Stott thanked participants for their input and proposals, which will be shared in her contribution to the plenary session of the upcoming ESF Committee meeting on 20th June.

10. Maria-Anna Paraskeva, Concluding remarks

Maria-Anna Paraskeva (DG EMPL, ESF and FEAD: Policy and Legislation) summarised the state of play of negotiations for the next Multiannual Financial Framework, with special attention to the provisions linked to partnership.

The European Parliament resolution called for a stronger, more explicit approach to the partnership principle in the CPR (art. 6). This was accompanied by a call for capacity building measures and a revision of the ECCP.

As regards the ESF+, the proposal that all Member States should allocate funding (2%) to capacity building for social partners and other stakeholders has been watered down by the Council (the provision now includes 'where relevant'). Trilogues on the ESF+ will start in September; they have begun already for CPR but remain at a preliminary level.

Ms Paraskeva was pleased with the peer review held by the TN on Partnership and looked forward to new opportunities for such targeted mutual learning exercises.