



EUROPEAN COMMISSION
EMPLOYMENT AND SOCIAL AFFAIRS DG

Adaptability, social dialogue and social rights
Interprofessional social dialogue - Industrial relations - Adaptation to change

Hearing: "Governance luncheons" March 18th 2001

The social partners and the issue of Governance

UNICE

Wilfred Beirnaert (President, Social Affairs Committee)
Therese de Liedekerke (Social Affairs Director)

ETUC

Emilio Gabaglio (Secretary General)
Jean Lapeyre (Deputy Secretary General)

This meeting was chaired by Ms L. Pavan-Woolfe Director at the Employment and Social Affairs DG.

ETUC (presented by Emilio Gabaglio)

For ETUC, social dialogue has clearly a **specificity** in connection with other consultation mechanisms (such as civil dialogue).

Social dialogue is an essential component of labour relations in all the Member States. As it is widely acknowledged, social partners are considered to be the **key actors** to deal with labour relations issues.

However, Mr Gabaglio stressed that social dialogue at EU level goes beyond the consultation/negotiation procedure under article 138 of the Treaty. Social dialogue includes a bipartite relationship between labour and management which aims at permanently striking a workable balance between the interests of both sides of the industry. In addition, social dialogue also includes a tri-partite relationship where social partners are involved and consulted by European institutions on a large number of issues which go beyond working conditions (macro-economic dialogue, social dialogue summit, different consultations, etc.)

In this connection, social dialogue has a transversal dimension that it not always present in civil dialogue, in particular since many NGOs and other civil society associations are often one-issue organisations.

Other essential elements of distinction for social dialogue are representativeness and accountability.

It must be noted that social partners act on the basis of a mandate, which renders them accountable of their actions and initiatives. Social partners are therefore capable of committing their members.

Mr Gabaglio noted that such features as representativeness and accountability are not always present in civil society organisations.

Mr Gabaglio stressed that the debate about Governance is **a positive one for social partners**. The debate should also be the occasion for **clarifying** the different consultation processes implemented by the Commission.

In this respect, he noted that the social partners have already requested to the Commission the elimination of a number of advisory committees which overlap with each other.

Mr Gabaglio also noted that social partners would like to see more **transversal consultations**, since very often they only deal with DG EMPL within the Commission. Social partners would be interested and may have a valuable contribution to other policies conducted by other DGs such as DG ENTR or DG COMP.

Finally, Mr Gabaglio noted that ETUC is developing consistent **relations with a large number of NGOs and other civil society organisations**. ETUC considers that it is important to implement "*passerelles*" between civil society and social partners since an increasing number of issues are of common concern.

UNICE (presented by Wilfred Beirnaert)

Mr Beirnaert presented a short document summarising UNICE's position on governance. UNICE acknowledged that it was very much in agreement with ETUC's views.

UNICE highlighted the role of social partners supported by their level of **representativity and accountability**.

M. Beirnaert insisted on the importance of the social partner's **mandate**. He explained that when he acts as member of the Social and economic Committee, he is acting in his own capacity while representing a certain sensitivity (*sensibilité*).

However, when he appears as representing UNICE he does not act in his own capacity, but through an imperative mandate. In that capacity, he is entitled to commit European employers (provided he remains within the remit of his mandate). European employers would then be bound by the outcome of any agreement signed with the other side of industry.

Thus, the importance of the imperative mandate and full accountability of social partners is an essential element that should not be lost in the debate about Governance.

In this context, UNICE noted that the participation of civil society to the consultation process should also include sufficiently high standards of accountability and representativeness. To this end, **an inventory of organisations** which are consulted should be put together by the Commission. Such inventory should include representativeness criteria.

Finally, UNICE noted that it is necessary not to confuse **expertise** with **political representativeness and accountability**. Thus, while it is clear that NGOs may provide a high level of expertise in their particular field of interest, such circumstance should not have the same consequences as political legitimacy and accountability.

CONCLUSION

- Social partners are keen to participate to the debate about governance.
- Social partners consider that social dialogue should preserve **its specificity**. Social dialogue is a common component of labour relations of all the Member States. A number of issues pertaining to labour relations are better dealt with by social partners.
- Social dialogue at EU level goes beyond collective bargaining (article 138). It includes a wide array of joint initiatives, actions and which aim at facilitating the permanent dialogue of both sides of industry on a large number of subjects.
- Social partners are representative and accountable organisations, which act on the basis of a mandate from their members. Social partners draw their legitimacy from a sufficient level of representativity.
- Social partners consider that the discussion about governance should also aim at expanding the scope of consultation. The European consultation process should be rationalised and clarified and should have a more transversal dimension.
- The consultation process should also be based on an inventory of organisations which are consulted by the Commission. Such an inventory should include a number of minimum criteria of representativeness and legitimacy for the organisations.
- The discussion about governance can be seen as a way to reinforce social dialogue and to fully exploit all potential synergies with civil society dialogue, while preserving its specificity.