

**Agreement between UNI europa and Eurociett
to set up a
European Observatory on crossborder activities
within the Temporary Agency Work sector**

Article 1: General scope

The European Observatory on crossborder activities within the TAW sector (below “the TAW European Observatory”) is a bipartite sectoral platform that will work under the authority and control of UNI europa and Eurociett. Its aim is to support the European sectoral social dialogue committee in the implementation of its work programme and activities and to promote knowledge of them. It will contribute to European debates on crossborder issues related to agency work and its outcomes.

Article 2: Composition

The TAW European Observatory will be composed of a maximum of 5 people from each European social partner, nominated by national affiliates of UNI europa and member federations of Eurociett, in addition to representatives from their Secretariats.

The TAW European Observatory can invite external experts and observers when deemed necessary to accomplish its tasks.

Article 3: Mandate of the TAW European Observatory

The mandate of the European Observatory is based on the following tasks:

i – Research and data collection:

- Network with social partners from both European and national level and from all relevant sectors, with European and national bodies such as statistic offices, labour inspectorate, public authorities and administrations
- Analyse existing information
- Promote and advise in the development of statistical data

ii – Review of existing regulation

- Provide background information and analysis with regard to the implementation of regulation that applies to cross border activities within the TAW sector
- Help social partners understand the implementation requirements of Directive 96/71/EC of 16 December 1996 concerning the posting of workers in the framework of the provision of services (with relation to TAW)
- Follow up and provide support to social partners during the implementation process of the directive 2008/104/EC of 19 November 2008 on temporary agency work into national legislation and collective agreements with regard to cross border activities

iii- Gather, analyse and assess good/ bad practices, cases of unfair competition, of enforcement and control in order to support the European sectoral social dialogue committee to take joint positions.

iv- prepare practical information tools for temporary work agencies and temporary agency workers wishing to work abroad regarding their rights and duties, the responsibilities of each stakeholder (user company, temporary work agency, public authorities) and relevant contacts in the host country (help line).

Article 4: Meetings

The TAW European Observatory will meet at least two times per year. Meetings will be co-chaired by UNI europa and Eurociett.

Article 5: Information tools

After funding has been found, a specific website will be set up by UNI europa and Eurociett for the TAW European Observatory to communicate all relevant information, in full respect with article 1.

Article 6: Funding of activities

In addition to the means that may be attributed by UNI europa and Eurociett in the framework of the European Social dialogue, the European Observatory will seek to identify possibilities for the necessary funding of its activities.

Article 7: Review and duration of this agreement

This agreement may be reviewed at any time upon joint agreement between UNI europa and Eurociett.

This agreement has an indefinite duration and may be terminated at any time under request of UNI europa or Eurociett. This termination should be requested with full consideration to the consequences related to current contractual obligations.

Brussels, 3rd December 2009

Bernadette Ségol, Regional Secretary
UNI europa

Annemarie Muntz, President
Eurociett