



DRAFT MINUTES
Social Dialogue Working Group Meeting
20 February 2013

Focus: Implementation of the Framework of Action and monitoring the impact of the crisis in the sector

Morning session 9h30–12h30: Chaired by Steve Comer (CEMR)

1. Follow-up on the Joint EPSU/CEMR response to the Green Paper on Restructuring and anticipation of change in local and regional government:
Discussion with EC representative Fernando Vasquez

Fernando Vasquez presented the latest state of play to the Working Group; this was followed by a round of question and answers. During the beginning of this presentation, it was highlighted that there is urgent need to anticipate processes of restructuring to avoid any further economic or social consequences.

The latest documents, published by the European Commission (2012) and the European Parliament (its resolution 15 January 2013) discuss the main challenges being faced in light of restructuring, the important role of Social Dialogue and the role of the local and regional authorities. However, to date, all European published documents do not refer to local and regional authorities as employers, and the processes of restructuring already in place.

In light of the EP resolution and the responses received by the European Commission last March, the Commission is now discussing on the next proposals. Mr Vasquez presented the 4 different options:

- i. 'Draft Directive'- after consulting the Social Partners
- ii. 'Recommendation from the EP and the Council'- This would be in consultation with the Social Partners
- iii. 'Recommendation by the European Commission'- Here the EC would draw up certain principles of restructuring which could be implemented at European level.
- iv. A sectoral approach with the publishing of 'factsheets and good practice': if the debate is too divided at European level, the EC would simply publish a catalogue of good practices from across Europe, with some basic guidelines on how to deal better with restructuring.

No clear indication was given as to which option would be taken forward, however the European Commission underlined that a decision will be taken quickly- at the latest by the end of March 2013. He said that the most probable political options were ii and iii.

He mentioned that BusinessEurope is strongly opposed to any European framework on restructuring and that the EC Commission would have to take account of this.

2. Working Groups: Preparing the Joint Response to the 2nd Consultation on restructuring (social partner only!) to be published end of January

Our working group split up into 3 sub-groups, all tackling different questions based on the EP resolution and the presentation by the EC earlier on in the morning.

- One rapporteur per group;
- Roundtable input from all participants
- Aim is to contribute with ideas for upcoming Social Partner Consultation of a possible EU legal act on information and consultation of workers, anticipation and management of restructuring as proposed by the EP resolution adopted on 15 January.

Comments to the European Parliament report on information and consultation of workers adopted on 15 January 2012

- 1. Adopted points raised by joint response CEMR/EPSU relating to recognition of government/public sector restructuring:*
 - *-B: reference to pressure to an alarming extent on workers, territories and all levels of gvt*
 - *-H: reference to the new economic governance that itself leads to restructuring and thus requires the involvement of social partners*
 - *-5: reference to redundancies as last resort measure but only for companies and if it does not reduce competitiveness*
 - *- in the proposed Act, paragraph 15: the new focus of economic governance is the consolidation of state budgets so that restrictions on public spending are jeopardising measures to cushion adverse effect of restructuring*
 - *-also recommendation 8, parag 2, parag on alternatives to redundancies including insourcing*
- 2. Otherwise, the scope of the proposed EU legal act remains limited to companies (both public and private) , **the role of local authorities being limited to the role of support (e.g. reference to employment services; skill assessment; financial support) and promoting “dialogue” not as an employer***
- 3. **As the Commission is now due to submit yet another consultation to social partners, we will would need to maintain the discussion not to exclude public sector from EU frameworks on workers’ rights to information or consultation***

1. The European Input- the role of local and regional government social dialogue committee and negotiating a European framework for restructuring?

- **Purpose:** Promote and facilitate information and consultation of workers in economic change and improve the way in which companies, workers’ representatives , public authorities and other relevant stakeholders, each with different responsibility at different stages in the process of restructuring , throughout the Union anticipate, prepare and manage in a socially and environmentally responsible way restructuring.
- What type of guidelines/framework would be helpful in the field of restructuring for local and regional authorities?
- How can such guidelines/framework strengthen your restructuring strategy?
- What restructuring practices exist for local and regional government in your country? How involved were the Social Partners in the development of these practices?

2. Preparing for Restructuring and good practice

- Except in circumstances where restructuring is triggered by unforeseen or sudden events, any restructuring operation, in particular when it is likely to have a significant negative impact, is preceded by an appropriate preparation with the relevant stakeholders, according to their respective competences, concerned with a view to preventing or alleviating its economic, social and local impact.
- Good restructuring practices require preparation as early as possible, starting as soon as the need to restructure is first contemplated making possible to avoid or to reduce to a minimum its economic, social, environmental and territorial impact.
- What preparation is in place for local and regional government in your country ahead of restructuring?
- What dialogue is in place between the Social Partners?

3. Anticipation of change and strategies during restructuring: focus on skills

- It is important that companies, in conjunction with workers' representatives, create tools for regular evaluation and reporting on their activities concerning the anticipation of restructuring.
- Companies establish, in cooperation with workers representatives and other relevant stakeholders:
 - o Mechanisms for long –term strategy of quantitative and qualitative employment and skills needs that are linked to innovation and development strategies and that take into account the foreseeable evolution of the economy, employment and skills and working conditions, both positive and negative as well as mechanisms to determine the current skill levels of individual employees;
 - o Multi-annual plans of employment, skills and working conditions development covering the most relevant areas, for example:
 - Identification and anticipation of competence and qualification needs;
 - Support for the creation of learning culture to help workers enrol in an adequate training;
 - Regular individual skills assessment leading to individual training maps;
 - Regular working conditions assessments especially in regard to the organisation of work;
 - Individual training plans with quantitative targets;
 - An annual training budget; training programmes (in house and external)
 - Individual learning accounts;
 - Specific training measures to deal with identified problems.
- Do such strategies exist in your country for local and regional government workplaces?
- How could such a legal act from the EU strengthen these strategies?

Coffee break 11h15-11h30

3. Summary of discussion and first proposals for joint response:

- *Reporting back from working groups*

The sub-group rapporteurs presented the main points from the discussions:

Group 1

It was difficult to look into the questions without a concrete proposal from the European Commission; however it is important to note that various structures already exist at national level, including national regulations. This would mean that any European level action would need to be well justified. A few thoughts on what any EU proposal should bear in mind:

- It should make sure that transparency between Social Partners is maintained;
- It is important to get information as early as possible when restructuring will occur;
- Rules of participation need to be observed (in some countries it is difficult to stick to agreements);
- Any EU guidelines should leave room for manoeuvre for differences at national level and the specificities of national agreements;
- Social partners should be strongly involved in any restructuring proposals at EU level- the necessity of a clear reporting system by Social partners: from local level to national level and then reporting to EU level;
- A catalogue on reporting systems throughout Europe would be interesting;
- In times of crisis, we need to be careful with interactions with the private sector. It is important to maintain the status of social dialogue- and in the public sector this is ongoing for quite some time.

Group 2

It is important to note from the outset the specific nature of Local and Regional Government as a workplace, as long-term planning perspectives have been implemented for a long time. This solidifies the fact that in most cases, the public sector has a history of good planning ahead of restructuring.

One point from which our sector could learn from the private sector is 'customer relations' and using this knowledge to develop innovative solutions to our challenges in the future.

Currently a lot of reforms are being imposed on our sectors- the reforms are necessary to ensure that the public sector can evolve and maintain its quality of services. During such reforms, good social dialogue, based on trust and seeking a win-win situation, is crucial. For example, in the Nordic countries a lot of focus is being placed on innovation in the public sectors- this is a positive approach vis-à-vis Restructuring. Such innovative reforms have been carried out with the full involvement of the trade unions. In particular there is an increasing need to look at job duration (part or full time), retirement and migration of workforce.

Group 3

The main issue of discussion was that in times of crisis and austerity, it is difficult for the public sector to plan ahead in the longer term: most countries budgeting is now done with short term view.

A key issue during this discussion was that at the moment social dialogue seems to look at the existing workforce- focusing on restructuring reforms and effects – rather than thinking

about the future workforce and conditions to be set for them. A few short-term issues included the demography of municipalities and the lack of recruitment of younger persons into the public sector.

A good point for Social Partners would be to look at Social Dialogue at Local Level; and the strengthening of this during the crisis. Examples, such as those in France and Scotland, have shown that councils have come together and discussed various challenges being faced in light of restructuring.

Finally, it is reported that any EU legislation in this field would not be the best means for getting results and being able to better anticipate and manage restructuring. Rather the role of the European Level would be to promote and spread best practices gathered in this field.

- *Examples of Social Dialogue agreements*

Sweden: Transition Agreement (Social Partners) Implementation of Cross-Sectoral Integrated Programme on FLEXICURITY

Lars Hallberg, CEO of the Transition Fund 'Omställningsfonden', presented the recently agreed Transition agreement by the Swedish Social Partners in Local and Regional Government. This agreement has been formally put in place by both Social Partners- through a transition 'fund' including representative organisations of municipal companies.

This was an excellent example of good Social Dialogue, producing a strong result for employees in the local and regional government sector facing redundancy. The slides with the explanation of the fund and how it was set up is available through the CEMR and EPSU secretariats.

Lunch 12h30-14h00

Afternoon session 14h00-16h00: Chaired by Anders Hammarbäck (EPSU)

- ***Roundtable: Update on impact of economic crisis on local and regional government: Strengthening Public Services Social Dialogue in an Era of Austerity: Stephen Bach - King's, College London***

The afternoon session kicked off with a comprehensive presentation by Stephen Bach on the European funded project focusing on "Strengthening Social dialogue in Public Services for local and regional government" and the effects of the austerity measures on the sector in six countries: UK, CZ, DK, IT, FR, NL.

The presentation was structured around 4 main areas:

- Aims of EC funded research project
- Research approach and model
- Social dialogue
- Themes:
 - restriction, resilience & reconfiguration
 - Case study of UK: a tale of two cities

Members of the Working Group then held a roundtable on the same topic, presenting the effects of the crisis on Social dialogue. With the majority of these effects being negative (Scotland, UK, DK, FI, SK, CZ, Croatia, NL), there were a couple of positive examples whereby local social dialogue was strengthened and created a sense of unity in the community (e.g in St Etienne, France, Norway).

Stephen Bach mentioned that in municipalities in the UK where in-house provision of services was politically promoted the effects of the crisis were more cushioned.

It was agreed that members of the working group will look through the various case studies, and this topic would be looked at again under the theme of our Framework of Action. EPSU mentioned that there is a need to focus however not only on roundtable discussions but also on outcomes of this Committee, which CEMR agreed with.

The presentation by Stephen Bach is available through the CEMR and EPSU secretariats.

More information on the project is available here:

- <http://www.kcl.ac.uk/sspp/departments/management/Social-Dialogue-and-Austerity-EU.aspx>

4. Conclusions from the meeting and discussion about joint outputs and next steps for implementing the Framework of Action- Action Plan

EPSU presented a number of ideas for themes for the upcoming meetings in 2013: related to our Framework of Action agreed by all, and the need to focus on outcomes of our Social Dialogue Committee.

CEMR reacted by saying that they will look into the proposals in more detail and discuss it in their “Employers Focus Group” to come up with proposals on how to bring forward the implementation of the Framework of Action: <http://www.epsu.org/a/9193> (EN/DE/FR)

17 June Working Group: Framework of Action: Recruitment and Retention/Skills & Life-Long Learning

- Implementing cross-sectoral agreement on youth;
- Youth in the Public Sector- how to promote and integrate more young workers, what strategies for the ageing workforce, what skills are needed?;
- Job Rotation examples (e.g. Denmark, others?) and training examples; Finnish Youth Guarantee- How effective is it?
- (Monitor impact of demographic change on local and regional government- outline current European context and policies, improve mutual understanding);
- What joint social dialogue approach to take on recruitment and retention, can we learn from other sectors hospitals, central administration, education?;
- What concrete outcomes for the working group meeting?

26 September Working Group: Framework of Action: Migration

- Collect sufficient examples from existing campaigns of integrating a migrant workforce in local authorities;
- Identifying the obstacles, challenges and opportunities of integrating a migrant workforce;
- Assess the contribution of EPSU/CEMR to the implementation of the cross-sectoral framework agreement on inclusive labour markets;
- Build on the CLIP recommendations (invite CLIP network to meeting);
- Draft a joint position/statement on how to integrate a migrant workforce in local and regional government.

12 December Plenary Meeting: Framework of Action: Gender Equality

SWEDEN

Malin LOOBERGER

Senior Negotiator
Swedish Association of Local Authorities and
Regions
(SALAR)

Lars HALLBERG

Omställningsfonden, Sweden.

UNITED KINGDOM

Steve COMER

Chair of the focus group
Local Government Association (LGA)

Leonie HERTEL

EU Policy Officer
Convention of Scottish Local Authorities (COSLA)

TRADE UNION GROUP- EPSU

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