



EUROPEAN COMMISSION  
Employment, Social Affairs and Inclusion DG

Employment and Social Legislation, Social Dialogue  
Social dialogue, Industrial Relations

SECTORAL SOCIAL DIALOGUE  
COMMITTEE  
LIVE PERFORMANCE

**MINUTES  
MAIN WORKING GROUP MEETING  
23/06/2014**

**Chair:** Denys Fouqueray (EAEA)

**1. Opening of the meeting – Approval of the draft agenda – Approval of the draft minutes of the meeting of 17 March 2014**

The draft agenda was approved. At the request of the workers' delegation, it was agreed to add an exchange on CITES under point 4b.

The draft minutes of the meeting of 17 March were approved.

**2. Update on employment and social affairs**

Stefaan Ceuppens (SC) provided an update on EU initiatives with relevance to the employment and social domain, including: the Commission proposal for a European Platform to enhance cooperation in the prevention and deterrence of undeclared work; the Commission Communication on an EU Strategic Framework on Health and Safety at Work 2014-2020.

He also mentioned the Toolkit for Gender Equality in Practice, developed by the cross-industry social partners, and he drew the attention of the delegates to a number of public consultations.

See the presentation in [annex](#).

**3. Health & safety**

**a) Update on finalisation of Online interactive Risk Assessment tool – Discussion on submission of follow-up project**

Dearbhal Murphy (DM) and Anita Debaere (AD) informed the committee that the new tool is ready. A follow-up project on dissemination and promotion of the tool will be submitted to the Commission for financing.

In this context, AD stressed the importance of accessibility of the tool, notably for SMEs, and of involvement of the education sector. Further "quality control" of the tool should also be foreseen in the context of the new project.

## **b) European Recommendation on occupational illnesses**

Thomas Dayan (TD) and Antonio Muñoz Lobaton reported on their meeting with the competent Commission unit (EMPL.B.3). Commission Recommendation 2003/670/CE, and notably its annexes I and II are currently being revised. The aim, as far as the workers are concerned, would be the inclusion of focal dystonia in (one of) these annexes. For this, scientific evidence needs to be provided, and political support should be sought. The workers proposed to elaborate a joint project for this purpose.

The employers are at this stage not entirely convinced that it is for the SSDC to tackle this issue, given, amongst others, the divergent national approaches; and concerns about the financial impact for employers and for management practice. Pearle\* agreed to launch an appeal to its members in order to assess to what extent they have been confronted with the issue. They also welcome additional information on the abovementioned revision process.

## **4. Mobility**

### **a) Travelling to the USA**

DM and AD informed the committee that the joint letter to the US authorities is being finalised, after having gathered additional concrete examples to be annexed. The EU's proposals for more flexible rules for non-EU companies touring in the EU, provide additional arguments in this respect.

Linking this issue with trade issues should be done with utmost caution, in order not to put the cultural exception into question.

### **b) Travelling with musical instruments: exchange and update on latest developments**

Not much has happened since the last SSDC meeting. The file is currently at the level of the Council. The Italian presidency will be contacted, and delegates are called upon to continue lobbying their national authorities.

After an exchange on the issue of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES<sup>1</sup>), requiring certificates to travel with certain instruments, it was agreed that the secretariats will continue their exchange on the topic with the aim of elaborating a coherent joint strategy, including building a broader coalition with instrument makers and record labels, as well as TRAFFIC<sup>2</sup>.

### **c) Double taxation of artists when performing abroad: update**

AD informed that committee that, following the adoption of the joint opinion of the SSDC, a letter was sent to DG TAXUD and the OECD.

In its reply, the Commission has reminded that taxation is still mainly a national issue, referring nevertheless to the public consultation on "tax problems faced by EU citizens when active across borders within the EU", and to the call for interest to participate in an expert group on this topic. The SSDC has put forward Dick Molenaar as a member of this group.

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<sup>1</sup> <http://www.cites.org/eng>

<sup>2</sup> <http://www.traffic.org/cites/>

The OECD has replied that the model tax convention is being updated, including a new "de minimis" paragraph under Article 17. This is welcomed as a positive first step. Social partners will consider if and how to respond to it.

In this context, Ada Kalogirou mentioned the recent thematic seminar on artists' mobility and the related social security/taxation problems, organised by DG EAC, where several national good practice examples were presented.

#### **5. Social dialogue and the role of social partners – ILO Global dialogue forum on employment relationships in media and culture**

John Myers introduced this point by referring to the 1961 ILO/UNESCO/WIPO Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations<sup>3</sup>, explained the specific (tripartite) format of the ILO Forum and highlighted the "points of consensus"<sup>4</sup> that resulted from it.

The delegates of the LP SSDC that attended the Forum considered it an interesting experience, and expressed the hope that the interaction between the work of the SSDC and the ILO would be continued.

#### **6. Education & training – Sector skills council: update on the joint project submission with the audiovisual social partners**

The committee is still awaiting the Commission's decision on the acceptance/rejection of its project application.

#### **7. Public funding**

##### **a) Update on the financial crisis & b) Feedback of activities and campaigns across Europe**

It was agreed that it may be the right time to elaborate a new joint opinion on the importance of culture to be considered as an investment – also given the fact that it had not been possible to finalise a manifesto ahead of the informal meeting of ministers for culture on 4-5 April in Paris.

Testimonies from delegates showed a mixed picture of evolutions in the Member States, including: the UK (continuing decline of culture funding), Poland (publicly funded cultural institutions maintained), France (possible "réforme territoriale" which may have an impact on culture funding; conflict regarding the unemployment insurance scheme and notably the provisions for "salariés intermittents"; debate on IPR; phenomenon of "métropolisation", i.e. the concentration of cultural activities in the bigger cities); the very difficult situations in Greece, Spain and Portugal; Norway (where the sector has managed to develop strong arguments on its added value); Italy (slight increase of culture funding and tax benefits for culture sponsoring).

#### **8. AOB**

None.

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<sup>3</sup> [http://www.ilo.org/sector/Resources/sectoral-standards/WCMS\\_162804/lang--en/index.htm](http://www.ilo.org/sector/Resources/sectoral-standards/WCMS_162804/lang--en/index.htm)

<sup>4</sup> [http://www.ilo.org/sector/activities/sectoral-meetings/WCMS\\_234991/lang--en/index.htm](http://www.ilo.org/sector/activities/sectoral-meetings/WCMS_234991/lang--en/index.htm)

## Annexes

- Point 2 – Presentation ongoing activities in the field of employment and social affairs

### Annex: List of participants 23/06/2014

<u>Employers</u>	<u>Workers</u>
<p><b>Pearle*</b> Ms Alexandra BOBES (FR) Ms Anita DEBAERE (EU) Ms Liesbeth DEJONGHE (BE) Mr Sébastien JUSTINE (FR) Ms Silke LALVANI (EU) Ms Anna MARKS (PL) Mr Mark PEMBERTON (UK) Mr Zdenek PROKES (CZ) Mr Pierre RENAULD (FR) Ms Ilka SCHMALBAUCH (DE)</p> <p>10 employers representatives (6 women, 4 men) (2 EU, 2 new MS, 6 old MS)</p>	<p><b>EURO-MEI</b> Ms Hanna HARVIMA (EU) Mr Pierre VANTORRE (FR) Mr Pier VERDERIO (IT)</p> <p><b>FIA</b> Mr Denys FOUQUERAY (FR) Ms Saliame KHELOUFI (FR) Ms Eva KRAS (SI) Ms Dearbhal MURPHY (EU) Ms Karan O LOUGHLIN (IE) Mr Maciej PACUŁA (PL) Mr Cristian Dumitru SOFRON (RO)</p> <p><b>FIM</b> Mr Thomas DAYAN (EU) Mr Antonio MUÑOZ LOBATON (ES) Mr Leonard-Octavian PADURET (RO) Mr Laurent TARDIF (FR) Mr David WEBSTER (UK)</p> <p>15 workers representatives (5 women, 10 men) (3 EU, 4 new MS, 8 old MS)</p>
<p><u>Other participants</u> Ms Alexandra KALOGIROU (EAC.E.1) Mr John MYERS (ILO) Ms Evi ROELEN (observer, Flemish Department of Foreign Affairs, BE)</p>	
<p><u>European Commission</u> Mr Stefaan CEUPPENS (EMPL.B.1)</p>	