



EUROPEAN COMMISSION
DG Employment, Social Affairs and Inclusion

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

Brussels, 2 September 2014

Sectoral Social Dialogue Committee on Professional Football

Minutes of the Working Group Meeting "Contractual Stability and Respect of Contracts"

6 May 2014

1. Adoption of the agenda and of the minutes of last meeting

The meeting was chaired by Mr Grafström (UEFA). The agenda was adopted. The minutes of the 6 March 2014 working group meeting were adopted with comments provided by FIFPro.

2. Implementation plan of PFSC Working Group recommendations

a) Recommendations to FIFA

The UEFA PFSC has formally approved the working group's recommendations as such; these have been sent to FIFA before the Players' Status Committee. ECA complained about the fact that FIFPro had sent another document to FIFA with supplementary recommendations (those already raised within the PFSC sub working group); ECA was unhappy with this process which should not happen again. FIFPro confirmed that the players wanted to stick to the recommendations and to have a joint progress agreed by the social partners. However, the organisation had additional recommendations which they also wanted to discuss on global level in the FIFA Player Status Committee. It was agreed that the social partners should jointly promote the PFSC agreement within the specific FIFA working group in which UEFA was not represented.

b) Mapping of regulations on overdue payables in Europe

Mr Dapoto (UEFA) presented an analysis of current rules and regulations on overdue payables at domestic level (see document disseminated). The difference in terms of sanctions was apparent. EPFL wondered how effective controls were. UEFA acknowledged that the study showed what was in place, not how effective it was. Asked by FIFPro about the definition of "overdue payables", UEFA referred to Annex 8 of UEFA where there existed a definition for the purpose of club licensing. The parties held a short exchange about bad practices. FIFPro informed the participants that their members had reported that with FIFA (DRC) only international disputes were registered. Punctuality of payment was a problem in Eastern European countries as well as in other markets. EPFL provided an update of their presentation made at the last meeting: in IT the legislation has changed on 30 April; in ES there is a new economic control system (a priori and a posteriori).

c) Feedback from ECA and FIFPro on current regulatory framework

FIFPro provided the preliminary findings of their members that had replied from 17 different countries. 11 unions said that there was a high prevalence of overdue payables. NL, Scotland, DK and Norway were not concerned, in IT and SE there was a low prevalence. FIFPro assessed that there was a link between the involvement of unions in the development and implementation of overdue payable mechanisms and the existence of problems. FIFPro would send the findings to the participants once finalised. ECA reported that their members were not really concerned since all of them participated in the European championship. UEFA stressed that it was up to the national level to decide upon the composition of licensing committees. FIFPro stressed that the licensing system on its own was not sufficient; one would need other tools (individual and collective ones) to ensure that players get paid.

d) Tools available in social dialogue

FIFPro presented available tools such as recommendations to be issued at national level and to make a second agreement. Regular monitoring was necessary. ECA doubted that an agreement was feasible and needed on this subject. Both ECA and EPFL favoured the use of recommendations. Parties also envisioned implementing the recommendations on overdue payables through the creation of a “toolbox” on establishing a proper system for preventing, monitoring and sanctioning overdue payables. In that framework, European stakeholders notably expressed a common view that, as a best practice, regulations on overdue payables should be extended to lower-tier professional divisions as opposed to top divisions only. EPFL also stressed that any recommendations with regards to overdue payables should mainly be addressed to countries where no regulations were in place or where they were deemed inefficient – which required to first identify what those countries were. Ms Durst (DG EMPL) informed the participants about the different tools available¹ and that they included the so-called “process-oriented texts” which include regular follow-up and monitoring.

e) Timeline and next steps

FIFPro would send their findings early June, ECA would send their feedback. UEFA would check if there was further information available.

3. ECA Study on the Transfer System in Europe

ECA presented the content of their study on the transfer system in Europe² (see slides), which had been commissioned after the Commission’s study on transfers. ECA invited the other parties to have a closer look at the study and its conclusions (competitive balance to be improved).

4. Next meeting

The next working group meeting will be held on 2 September 2014 in Brussels.

¹ See Annex 2 of <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2004:0557:FIN:EN:PDF>

² <http://www.ecaeurope.com/news/european-club-association-publishes-study-on-the-transfer-system-in-europe/>

Participants 6/5/2014

<p>Employers (4 ♂, 0 ♀)</p> <p><u>ECA</u> Mr Lambrecht</p> <p><u>EPFL</u> Mr Abatan Mr Diallo (FR) Mr Stincardini (IT)</p>	<p>Workers (5 ♂, 0 ♀)</p> <p><u>FIFPro</u> Mr Bär-Hoffmann Mr Boeykens (BE) Mr Øland (DK) Mr Stefanovic (SI) Mr van Megen</p>
<p>European Commission</p> <p>Ms Durst (DG EMPL)</p>	<p>UEFA</p> <p>Mr Dapoto Mr Grafström</p>