



EUROPEAN COMMISSION  
EMPLOYMENT AND SOCIAL AFFAIRS DG

Adaptability, Social Dialogue and Social Rights  
F1 : Social dialogue, industrial relations

Brussels, 6 August 2007

**SECTORAL SOCIAL DIALOGUE COMMITTEE "PRIVATE SECURITY"**

**WORKING GROUP MEETING**

**held on 11 June 2007 in Brussels**

**DRAFT MINUTES**

**Chair:**

Mr. Dirk HADRICH (DG EMPL/F1)

**In attendance:**

|                |             |                                                    |
|----------------|-------------|----------------------------------------------------|
| ASENSIO GUERRA | Helena      | Fes-UGT (ES)                                       |
| COBAS URCELAY  | Eduardo     | CoESS/APROSER (ES)                                 |
| HAKALA         | Jorma       | Association of Supportive Service Industries (FIN) |
| HARTL          | Natascha    | Gewerkschaft VIDA (AU)                             |
| HELLMOUTH      | Joakim      | Svenska Transportarbetare forbundet (SE)           |
| JENAL          | Leon        | OGB-L (LUX)                                        |
| KALO           | Jozsef      | MBVMSZ (HU)                                        |
| KUPCSOK        | Peter       | VSZSZ (HU)                                         |
| LARSSON        | Gunnar      | Svenska Transportarbetare forbundet (SE)           |
| LINDSTRÖM      | Markus      | ALMEGA (SE)                                        |
| LUTTER         | Riho        | Est Sec. Ass. (EST)                                |
| NADAS          | Mihaly      | VSZSZ (HU)                                         |
| OORSPONG       | Marjolein   | UNI-Europa (BE)                                    |
| PENKOVA        | Vaska       | NAFTSO (BU)                                        |
| PINTEAUX       | Michel      | CoESS/SNES (FR)                                    |
| POSOCHOVAS     | Aleksandras | Lithuanian service workers trade union (LT)        |
| PROIETTI       | Fabrizio    | FEDERSICUREZZA (IT)                                |
| REID           | Madeleine   | DG EMPL                                            |
| RICHTER        | Gerald      | Verdi (DE)                                         |
| SARRAF         | Chistina    | VSOE (AT)                                          |
| VAN SAND       | Leen        | CoESS                                              |
| WARNECK        | Fabrice     | UNI-Europa (BE)                                    |
| WASCHULEWSKI   | Wolfgang    | BDWS (DE)                                          |
| ZAIMOVA        | Anna        | GSENTU (BG)                                        |

<http://www.ec.europa.eu/socialdialogue>

[http://ec.europa.eu/employment\\_social/social\\_dialogue/sectorial23\\_en.htm](http://ec.europa.eu/employment_social/social_dialogue/sectorial23_en.htm)

E-mail: [dirk.hadrich@ec.europa.eu](mailto:dirk.hadrich@ec.europa.eu)

The proposed draft agenda for the meeting was adopted with item 6 (CIT) moved to the beginning and with item 2 a (violence at work) postponed to the next meeting.

### **1. Report by the CIT subgroup for a joint declaration**

Due to several recent comments on the text the social partners decided to reconsider certain elements and to discuss it again together with Commission experts on 28 September 2007.

### **2. Implementation of social dialogue texts at national level. Debate on the basis of a draft proposal.**

UNI-Europa explained the joint draft proposal "From Brussels to the workplace". The work of 10 years has been collected and there is the idea to identify priorities, positive outcomes and difficulties. Local action plans could be considered and there should also be a follow up plan in 2008.

The draft joint proposal was approved by the social partners.

☞ Follow up:

1. Employers and workers want to exchange their current member lists.
2. Social partners want to analyse where and what is done at national level.
3. Members shall come back with concrete ideas on the proposal in September.
4. Social partners should present guidelines for follow up in September.
5. Members shall present national actions in December.
6. The result fields in the joint document are still empty and should be filled with short statements.

### **3a. Health and safety: Update violence at work interprofessional agreement**

The presentation of the ETUC expert was postponed to the September meeting.

UNI-Europa explained that it would be very important and necessary to stop violence at work. In this respect, UNI-Europa hopes to find ways to discuss this matter with CoESS.

CoESS explained that there would be a dimension of violence at work inherent to the workplaces of the sector. CoESS was looking forward to the ETUC presentation and showed its openness to discuss and to further develop the issue.

☞ Follow up: Presentation of ETUC expert should be arranged for the 28 September meeting.

### **3b. Health and safety: Questionnaire on stress**

UNI-Europa reported about replies of 8 organisations from 7 countries. Huge differences were found. Legislation was found sometimes good but also sometimes too weak.

CoESS reported on 12 replies providing information on the legislative framework, guidelines, standards and preventive measures.

Swedish employers and workers explained the Swedish SWEM system (Systematic Work Environment Management) and a specific check list. Employers would be obliged to prevent and to analyse risks at the workplace. Training courses have to be offered, frequent factors of stress

have to be analysed and efficient measures of prevention have to be taken. Most often communication would be very essential.

Spanish workers gave an overview on the work done in Spain. In 2003, an external observatory was created and a guide about good practice, identifying factors and measures has been developed afterwards. CoESS found this document extremely useful and a good basis for an EU document.

➤ Follow up:

1. Swedish social partners to make available their specific check list.
2. Social partners to find means to translate the Spanish guide.

#### **4. Best value project: Berlin and Warsaw**

German social partners reported about the Berlin event and the discussions on the selection procedure of the 'Deutsche Bundestag'. The quality aspect was highlighted as being very important for the whole society and not only for the social partners.

The Warsaw event was cancelled since it was not possible to guaranty sufficient means.

#### **5a. Setting a framework of modernisation of work organisation: Detailed presentation of a study project by UNI-Europa**

UNI-Europa explained the objectives and the plan of the project funded by DG Employment. It will cover the sectors 'Cleaning Industry' and 'Private Security' which both have a triangular relation with the clients. Differences and similarities shall be assessed and an overview on best practice in managing change at corporate level shall be established. In July/August an expert shall be selected who would draft and send a questionnaire in August/September. Replies to the questionnaire could be received in the October-December period. A final report should be prepared for the SSDC within 12 months.

➤ Follow up: Social partners to follow the project.

#### **5b. Setting a framework of modernisation of work organisation: The 2003/88/EC Directive on working time and the private security sector: implementation and specifics presented by the Commission**

CoESS explained to be interested to know about the application of the derogation for the sector in the working time Directive. There would be lacking information on the national realities and on possible national collective bargaining on working time. CoESS underlined the responsibility of the public authorities awarding contracts where companies could not manage to pay what was agreed by collective bargaining. Sometimes there would be lacking workers and licences and therefore more working hours would be necessary. Certain flexibility would be inherent and essential to the sector of private security.

UNI-Europa found the issue of working time very important since there would be information from some countries about 200-400 working hours per month and not decent salaries of less than 2 €/hour. UNI-Europa cannot agree with the generous derogation in the working time Directive and the non binding option of collective bargaining by social partners.

Several national members reported about high numbers of working hours found in practice and the difficulties of work-family conciliation.

Madeleine REID (DG EMPL) explained that the amended proposal for the working time Directive will be further discussed under the Portuguese Presidency in the Council. On many

issues agreements could be possible but the opt out provision is most difficult to agree. Several amendments could be relevant to the private security sector:

- The opt out provision removed in 3 years,
- The reference period for calculating average working time could be extended from 6 months to 12 months by legislation (at present this can be done only by collective agreement),
- On-call time at the workplace would be divided into active on-call time and 'inactive' on-call time during which the worker is not actually called upon to carry out any work. Active on-call time would continue to be treated as working time under the Directive. Inactive on-call time would not be included when calculating whether working hours exceeded the permitted limit, but nor could it be counted towards the minimum daily or weekly rest periods required by the Directive.
- There would be more flexibility on the timing of compensatory rest periods, which at present must follow immediately after a missed minimum rest: instead, compensatory rest could be taken within a 'reasonable period' defined by collective agreements or national law.

The Commission is also engaged in a parallel exercise, a report on the implementation of the Working Time Directive at national level. National governments have been requested to report by the end of June indicating the views of national social partners. At the same time the European social partners have also been consulted. The social partners are invited to comment before end of June both at European level and through their national governments.

The Commission will consider infringement proceedings to improve the enforcement of the Directive.

Responding to questions Madeleine Reid underlined that the Directive does not cover pay but it covers excessive working hours. However, additional initiatives of the social partners could be appropriate in this respect.

Social partners discussed the particularities of the sector regarding working time, the best reference period and the necessity to set a maximum working time.

➤ Follow up: Social partners to assess the implementation of the Directive and to comment to the Commission if appropriate via the national or European consultations.

## **6. 'Tour of Europe' of the social dialogue: Report by national members**

UNI-Europa reported about a joint agreement signed by 2 of 8 organisations in Poland.

CoESS pointed to the difficulties to balance good representativeness with high social standards.

From Lithuania improvements of social dialogue and signed collective agreements were reported.

Bulgarian members reported about positive changes in Bulgarian social dialogue but there would remain a lack of quality, uncertainties regarding the representatives and sometimes incorrect information.

Hungarian members reported about positive results and good working together on various issues except on working time and wages.

➤ Follow up: Social partners to follow the developments on social dialogue in the member states.

## **7. Gender equality: First debate for a joint declaration**

UNI-Europa explained the difficulties to hire staff in the private security sector. The industry branch is dominated by male workers. It would be uncertain if the sector can offer alternative work for pregnant employees and work life balance. It would be necessary to discuss if workers in the sector would have to be physically strong and if certain specifics of the sector would be cultural problems or economic problems. UNI-Europa hopes to be able to develop many points together with CoESS.

CoESS found it necessary to identify what good practices in Austria would be because in Austria 35% women would be employed in the sector. Generally, the number of female employees would increase and getting more women in the sector would be a good idea to balance staff shortages. However, more women get licences but they also leave the sector relatively quickly.

In Lithuania the cash in transit work would be 90% done by men but the cash handling and counting 90% by women.

➤ Follow up: Social partners to identify relevant research and specific interests.

## **8. Communications from the European Commission**

Dirk Hadrich informed about the second stage social partner consultation on work-life balance that was launched by the Commission on 30 May 2007. Numerous replies were received on the first stage social partner consultation and showed that further action would be needed on this issue. Social partners are invited to contribute before mid July.

Dirk Hadrich informed that the cross-industry social partners have concluded an autonomous agreement on harassment and violence at work on 26 April 2007. The agreement does not formally exclude cases of violence perpetrated by third parties from its scope and for complementary reasons this could be further discussed by sectoral social partners especially in those sectors with many contacts to people external to the work organisation.

## **9. Miscellaneous**

FORTHCOMING MEETINGS:

28 September 2007: Working Group

29 November 2007: Plenary