



EUROPEAN COMMISSION

Employment, Social Affairs and Equal Opportunities DG

Social Dialogue, Social Rights, Working Conditions, Adaptation to Change
Social Dialogue, Industrial Relations

SECTORAL DIALOGUE COMMITTEE ROAD TRANSPORT

Working group meeting "Social legislation" 27 March 2008

Adopted concise minutes

The meeting was chaired by Mr Sugic (workers).

Social rules in road transport

Ms Ptaszynska (DG TREN) informed the meeting about the establishment of a legal working group on the harmonized application of social rules in road transport under the auspices of the Committee on social rules in road transport. A number of guidance notes had been drafted by the Commission with the assistance of experts from enforcement bodies, employees' organisations and industry. They provided comments on certain provisions of the Regulation with the aim to improve efficiency and effectiveness in the enforcement of these rules. She encouraged the social partners to regularly consult the DG TREN website¹.

Since the guidance notes did not have any legal value, IRU suggested drawing up a transparent overview of what the Member States do with them. These examples could be presented at the next legal working group meeting with the expectation that the Commission could in turn monitor and act if appropriate to ensure the guidance notes were used in practice. The representative from the Commission agreed that in principle this approach could be considered. Other bodies such as the infringement working group or the coordination and cooperation between enforcement bodies could also address these issues.

As far as Switzerland was concerned, the Commission representative said that the country had not yet adopted the final provisions to implement the provisions of Regulation (EC) No 561/2006.

IRU and ETF exchanged their views on additional items which needed to be addressed and clarified by the Commission's legal working group, for instance how to qualify the time needed to fetch a vehicle in another member state or how to better define an

¹ http://ec.europa.eu/transport/road/policy/social_provision/social_driving_time_en.htm

independent self-employed (Article 3(e) of the working time directive²). ETF also expressed its wish that employers plan at least one weekly rest per month at home (better work-life balance).

IRU also made proposals: (1) to discuss the practical consequences of the fact that it was not possible to spend a full weekly rest in the vehicle; (2) to come to a common view with ETF on the consequences of DG TREN's letter to the Lease-Europe and the implication that the Regulation should not apply to occasional drivers; (3) to modify the EU leave letter so that amongst other improvements 'other work and weekly rest' could be recorded; and (4) to find means to avoid a double sanction as a consequence of extra-territoriality. ETF announced they needed a mandate from its affiliates on (1) and that they could agree with (2) under the condition that this concerned transport under 50 km. In addition, one should identify which questions should be addressed to the Commission's legal working group and which the social partners could address themselves. These (open) questions would again be addressed at the next meeting.

Secure and quality rest areas

Mr El Ameli (DG TREN) informed the participants on the progress of the pilot projects and the preparatory activities with regard to rest areas:

(1) SETPOS pilot project (Secure European Truck Parking Operational Services) which aims at defining and validating the common requirements of secure rest areas across the EU, including agreeing a labelling, inspection and evaluation scheme and the constructing secure parking areas in trans-border regions and upgrade existing rest places to demonstrate this standard;

(2) a second pilot project "LABEL" selected within the 2007 call for proposals (not confirmed yet at the time of the meeting as negotiations of the contract with the selected consortium were still on-going). This pilot project aims at the validation of the existing draft standards and certifying the quality³ of at least 50 rest places in at least 10 countries in the EU;

(3) and a preparatory action to promote secure and quality rest areas at the border crossing points between the European Union and the Russian Federation (closing date for submission of applications: 15/10/2008)⁴.

Mr El Ameli announced an Advisory Board meeting to be convened by SETPOS project and to which the social partners were to be invited.

The social partners felt that action was needed fast and asked the Commission to take into account the criteria established by the social partners⁵. However, there had been no

² http://eur-lex.europa.eu/smartapi/cgi/sga_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=EN&numdoc=32002L0015&model=guichett

³ http://ec.europa.eu/dgs/energy_transport/grants/doc/2007/ten_road/tren_pil_2007_call_en.pdf

⁴ http://ec.europa.eu/dgs/energy_transport/grants/proposal_en.htm#parking

⁵ http://ec.europa.eu/employment_social/dsw/public/displayRecord.do;jsessionid=Lpsp23TlxZL7k2FILZthx5JpT928bgkFj6yvvt1JmhYnB04RJmBIM!1194354540?id=1354

follow-up to ETF's proposal that the social partners address a letter to the Commission and to the EIB in which they would request to systematically take account of the criteria (see minutes of the plenary meeting of 16 October 2007).

The parties agreed to start working on the question of affordability of safe parking facilities, with a possible statement for freight transport.

Driver training issues

IRU announced they would envisage introducing the joint social dialogue project for the September deadline.

Annex: List of participants 27.3.2008

<p><u>Employers</u></p> <p>Ms Antignac (AFTRI) Mr Burch (CPT-UK) Mr Causse (FNTR) Mr Csanyi (MKFE) Ms Ivanova (AEBTRI) Mr Kamberski (IRU) Mr Kramer (TLN) Mr Larsen (DTL) Ms Maître (FNTR) Mr Marques (ANTRAM) Ms Pogonowska (ZMPD) Ms Radu (UNTRR) Mr Ribeiro de Campos (ANTRAM) Ms Vasarainen (ALT) Mr Viccars (IRU)</p>	<p><u>Workers</u></p> <p>Mr Benjamins (FNV Bondgenoten) Mr Buenestado (UGT-TCM) Ms Gauchet (CFDT Route) Ms Heinisch (ETF) Ms Hertogs (ETF) Mr Holm (NTF) Mr Moreels (BTB-ABVV) Mr Palfi (MOSZ) Mr Parrillo (CSC Transcom) Ms Petrova (FTTUB) Mr Sauerstam (SEKO) Mr Schönauer (VIDA) Mr Sugic (FGTE CFDT) Ms Tilling (ETF) Mr Varga (MOSZ)</p>
<p><u>European Commission</u></p> <p>Ms Durst (DG EMPL F/1) Mr El Ameli (DG TREN E) Ms Ptaszynska (DG TREN E/1)</p>	