



EUROPEAN COMMISSION
Employment, Social Affairs and Inclusion DG

Employment and Social Governance
Social dialogue

Brussels, 20 June 2017

**SECTORAL SOCIAL DIALOGUE
COMMITTEE
TEMPORARY AGENCY WORK**

Minutes of the working group of 20 June 2017

1. Adoption of the agenda

The agenda was adopted.

2. Approval of minutes of the last meeting (20 February 2017)

The minutes will be adopted at the next meeting as the affiliates of UNI Europa did not receive the draft text.

3. Joint project on 'Online talent platforms, labour market intermediaries and the changing world of work

This point on the agenda started with a presentation by CEPS, the institute selected as the external expert for the project. The expert team is collaborating also with IZA, the research institute in labour economics. CEPS is involved in multiple research work on online platforms (see slides of presentation). There is currently limited or incomplete data available on platform work. The expert team presented the methodology and timeline for the project. There will be an analysis of key characteristics including on working conditions and a comparison with temporary agency work. The experts urged the members to share information from national/local sources for phase 2 of the project.

Mr. Pennel characterised the project as complex and timely. He highlighted the diversity and heterogeneity of platform work. It is important to differentiate between the various business models. In some countries there exists a classification also for platform workers. Access to social protection is crucial. The project will hopefully result in clear recommendations. An exchange took place with Mr. Luca Visentini of the ETUC the previous today on responsible intermediation. TAW can serve for best practice sharing. There was reference to the work of Germany in the metal sector. Mr Freytag referred to the large survey currently underway by World Employment Confederation-Europe on TAW regulation. This focuses on matters such as regulation on labour contracts, conditions to use TAW, national regulation on equal treatment and equal pay etc. It is almost completed and can also feed into the on-going project. Ms. Colclough from UNI Global Union (takes over the TAW committee on the side of UNI Global Union replacing Ms. Giedre Lelyte) made links with the work of the ILO. She highlighted that all workers in all types of contracts should have the same rights. This was also underlined in the G20 declaration adopted in Berlin and the EP resolution on platform work of 19 June. The focus on training is welcome. The key question is who will foot the bill. There should be focus on good practices in training for workers of all types of employment contracts. The portability of benefits is an important aspect. Ms. Colclough also underlined

the importance of social standards for a level playing field. TAW is now regulated, online platforms should also be. The platform economy is data driven, thus regulation can be dealt with.

Ms. Muntz referred to the relevant work of the OECD. Mr. Stefano Scarpetta (Director for employment, labour and social affairs at the OECD), gave a presentation at the last OECD forum on the rise of online platform vacancies. Businesses need to integrate automation in their business models or risk being left out of the game. Skilling and re-skilling are crucial. There is a responsibility for the individual to up-skill and for societies to provide appropriate training, infrastructure and cover the cost for training. The protection of work conditions is also important. A report on artificial intelligence and robotics has just been published by the International Bar Association.

DK/employers mentioned that DK is looking into platform work. 3 types of platform work have been identified (freelance workers from abroad, local freelance workers and platforms sharing workers from other companies). The regulatory environments differ greatly. What is needed is better enforcement of existing regulation.

On the state of play of the project, Mr. Freytag gave an update: the 1st steering committee took place and discussed the format and size of the case studies. There will be more case studies than foreseen in the project application but of a shorter length. The project's implementation is delayed by 6-8 weeks thus an extension has been requested and granted by the EC. In terms of next steps, there will be a stakeholder's workshop and the 2nd steering group meeting in mid-September.

4. Presentation by Vincent Vandenameele (VFU-FFI) of the project APP-titude focusing on soft skills

The training fund for intermediaries was set up in 2006. The project is an EU co-financed project under ERASMUS+. It focuses on soft skills to help youth employment. It is supported by scientific work by KU Leuven. The project consists of the following partners: BE, NL, LUX and FR. A follow-up project is foreseen. The research carried out demonstrated that there is a gap between what employers and young people see as required skills. On this basis, a typology of soft skills has been developed and a mobile responsive site has been set up to test the skills of young persons. 13 sets of soft skills have been identified and 6 key skills have been selected. Amongst the most important skills to find a job are: to be able to present oneself; being flexible; having the right attitude; being on time; oral communication. Users can also receive feedback and print a pdf file with their results to present to a potential employer. The site counts 8,000 users since its launch in April. The target group were young people aged 18-25 with secondary level education. The site can be visited on www.testyourselfie.eu. It has been nominated for the dot.eu award and voting is on-going.

5. European Commission proposal for a European Pillar of Social Rights

Ms. Hadjiantoni presented the package adopted by the European Commission on 26 April. The Pillar reaffirms the rights already present in the EU and international legal acquis and complements them to take account of new realities (ageing population, digitisation of the economies, effects of the crisis etc.). It contains 20 principles and rights that are structured around three categories (equal opportunities and access to the labour market; fair working

conditions; and adequate and sustainable social protection). It contains specific initiatives notably on work-life balance, access to social protection, the working time directive and the written time directive. The Commission hopes that the Pillar will serve as a compass for a renewed progress of convergence towards better working and living conditions among participating Member States.

A detailed presentation will also be provided at the next liaison forum (26 June), including on the work-life balance proposed initiative. The presentation will be circulated.

Mr. Freytag referred to the position of World Employment Confederation-Europe. Further contributions are being finalised and should be made public soon notably on access to social protection and the transferability of entitlements and on the written statement directive. A general paper will also be published on the 20 principles.

6. European Commission proposal on a revision of the Posting of Workers Directive (tbc)

Ms. Hadjiantoni gave a brief update:

- Despite the efforts of the Maltese Presidency, the EPSCO Council on 15 June 2017 did not reach a general approach. The Presidency presented a Progress Report, which included in Annex the last compromise text presented by the Presidency.
- The EC supported strongly the Maltese Presidency's efforts to reach a general approach. Although the EC was not entirely satisfied with the compromise text (it regretted in particular the suppression of the clause on subcontracting and the introduction of a transitional period of 3 years for the application of the Directive), the EC believes it was a good compromise and a good basis for the discussions with the EP.
- The EC is confident that the Estonian Presidency will continue the work of the previous Presidencies and do the necessary for a global approach to be reached during the second Semester.

7. National social dialogue, changes in regulation on temporary agency work and new developments linked to collective bargaining

- **Tour de table on national social dialogue, regulation and collective labour agreements**
- **Discussion on a potential round table event in Serbia to be organised in 2017, if support and funding of TAIEX can be obtained**

All members are encouraged to share developments in their respective MS.

ES/unions hope that the negotiations underway will be concluded shortly. There are currently no blockage points. An update can be provided at the next meeting. ES/employers concurred and were confident that an agreement is imminent.

DE/employers mentioned that there are on-going negotiations on sector specific supplemental payments. An update can be provided at the next meeting.

IT/unions mentioned that negotiations are underway with the objective to agree on a regulatory framework on working conditions for workers. There should be developments in

the autumn. IT/employers agreed. A previous system of vouchers which was seen as discriminatory has been scrapped by the government. The system is developing in a positive way.

SE/unions mentioned that collective negotiations have just been concluded on: a) an agreement on flexible pension (supplemental part) that foresees increased payments up to 2% and the possibility to work less hours when reaching a certain age and b) on a national collective agreement with a 3 year horizon (until 2020) which foresees a 6,5% wage rise.

FR/unions mentioned that an agreement has been reached on H&S in the workplace in the TAW sector (3 March). The agreement foresees the prevention of risks in the workplace for permanent workers but also deals with medical appointments etc. This was the result of lengthy discussions

FR/employers complemented that the talks took into account an earlier 2002 agreement and that four trade unions were part of the agreement.

It will be seen if the agreement could not be presented at the next meeting (proposal).

8. Any other business

The next meeting will take place on 19 October.

<p><u>Employers</u> (6♂, 7♀)</p> <p>Ms. Muntz (World Employment Confederation-Europe) Mr. Pennel (World Employment Confederation-Europe) Mr. Freytag (World Employment Confederation-Europe) Mr. Farrelly (IRL) Mr Hagelien (NO) Mr. Bonardo (IT) Ms. Slivneanu (RO) Ms. Spangenberg (NL) Ms. Van Lieshout (NL) Ms. Lucas (ES) Ms Bonnichon (FR) Mr. Kersten (DE) Ms Zielinska (PL)</p>	<p><u>Workers</u> (8♂, 7♀)</p> <p>Ms. Colclough (UNI Global Union) Ms. Jakabowits (FR) Mr. Toth (HU) Mr. Borghesi (IT) Mr. Chaker (SE) Ms. Goneva (BG) Ms. Grauwels (UNI Europa) Mr. Håkansson (SE) Ms. Belhouchat (SE) Ms. Sousa (PT) Ms. Hoffritz (DK) Mr. Touze (FR) Mr. Herve (FR) Mr. Colapinto (IT) Mr Leon (ES)</p>
<p><u>European Commission</u></p> <p>Ms Hadjiantoni (DG EMPL) Ms. Milo (DG EMPL)</p>	<p><u>Others</u></p> <p>Mr De Groen (CEPS) Ms. Lenaerts (CEPS)</p>