



Sectoral Social Dialogue Committee (SSDC) on Personal Services

Working Group meeting 9 February 2016, Brussels

1) Welcome and approval of the agenda

Mr Vermeulen (Coiffure EU) chaired the meeting and welcomed participants. The agenda was approved.

2) General

Better Regulation and proportionate impact assessment process foreseen for Social Partner Agreements under Article 155 TFEU

Mrs Mona Björklund (Head of unit Impact Analysis SG) provided an overview of the Commission's Better Regulation Guidelines and how they apply to the Social Partner Agreements (SPA).

In their reactions social partners (Employers) questioned how the process would be influenced by the political context e.g. the Commission's answer to Prime Minister Cameron, they asked whether the spirit of the Treaty is respected, in particular the autonomy of social partners and the social partners' right to request the implementation of joint SPA through a Council decision.

The social partners from the employees' side also referred to the specificities of a social partner agreement compared to other Commission's initiatives. They complained in particular about the lack of transparency regarding the way the SPA will be assessed, the fact that the social partners are not associated to the impact analysis and that there are too many steps preventing the social partners to conclude and implement their SPA.

It was responded that the better regulation is about designing EU policies and laws so that they achieve their objectives at minimum cost and ensures that policy is prepared in an open, transparent manner, informed by the best available evidence and stakeholders' views. Impact assessments conducted by the Commission are only an aid to policy-making/decision-making and not a substitute for it. The purpose is to allow for an informed College decision based on factual analysis. After the SPA on hairdressing is going to be signed and sent to the Commission with a request for its implementation through EU law, work on the proportionate impact assessment will start. The Commission decision on accepting the SPA and present it to the Council will be informed by the best available evidence and the Commission welcomes input from social partners. It will take into account the elements (e.g. studies or evidence) that social partners will provide to support their agreement. The draft impact assessment report would be then scrutinised by the Regulatory Scrutiny Board, whose role is to check the quality of such documents and to issue recommendations for improvement. Commissioner

Thyssen reaffirmed again recently that the Commission is committed to support the social partners and to encourage the social dialogue notably through the New Start for Social Dialogue. Meanwhile, regarding the SPA on hairdressing the Commission cannot prejudge its outcome at this stage.

Formalisation/adoption of the social partners' work programme 2016

Mr Theodorakis (UNI Europa) informed that the agreed work programme 2015-2016 would be circulated again to indicate timing and will be formally submitted to the European Commission by the social partners.

Analysis of the structure of the sector and the development of undeclared work

The importance of understanding the structure of the sector and in particular the issue of undeclared work is shared by both social partners. The discussion was about how to launch such work notably due to the lack of available data. A Danish study was mentioned as a possible starting point. It will be examined whether to launch an EU project on this issue or if Eurofound could be tasked with that study.

Presentation of the launching of the representativeness study on the Hair and beauty sector (Eurofound)

Peter Kerckhofs (Responsible for the representativeness studies in Eurofound) presented the representativeness study (see slides) which was just launched by first getting the agreement regarding the scope of the committee (NACE code 62.03 Hairdressing and other beauty treatment) and the transmission of the questionnaire to Eurofound national correspondents in 28 EU Member States in order to get one national report per country. The next steps will be the consultation of European Social Partners on national reports (one week before the next meeting). After the draft overview report will be consulted with Social Partners and the final draft evaluation submitted to Eurofound Tripartite Advisory committee. The representativeness study should be finalised by the end of the year.

Rob Vos (EU Coiffure) commented that, regarding the scope of the sector, beauty is not covered by EU Coiffure.

3) Education

Social partner project: 3rd Education Congress

Mr Palmieri from the employer's delegation presented a project for a conference on training and education to be submitted in the framework of 2016 call for proposals for supporting the social dialogue to be organised by the Italian social partners with the support of the hairdressing chamber of commerce in May 2017.

François Laurent (employees) reacted quickly on the need to further assess the proposal in the light of the outputs that will be expected.

European Congress for the Hairdressing Industry.

Miet Verhamme introduced the congress organised by Coiffure EU, on Monday 25 April 2016 in Brussels which will deal with issues of circular economy and the Transatlantic Trade and Investment Partnership (TTIP).

Building opportunities in beauty sector' LLL project

Mrs Valeria Cibrario, from the international projects officer of the Confartigianato Vicenza presented the BoBs' project supported by the EU Lifelong learning programme with the aim to promote exchange of knowledge between countries (Italy, Belgium, Germany, Croatia, Slovenia Malta and Turkey). Beauty sector is characterised by developments, notably related to socio-demographic changes in Europe (ageing society, variety of ethnicity). Those changes would need to adapt the practices and training modules in the sector which should be developed through a new project.

4) Social affairs

Update on the Legal Opinion of the Commission services on the Hairdressing Social Partner Agreement

Mrs Eftimie (DG EMPL health and safety unit) presented the main issues remaining regarding the legality of the clauses of the draft Agreement received from the social partners on 8 October 2015. The number of cases of application of the Agreement to self-employed persons and employers working next to workers, would cover cases in which the behaviour of self-employed and/or employers can have an impact on workers' health and safety (i.e. risks to workers' health and safety arising from the presence on the same workplace of persons under different statuses). Secondly, clarifications are still needed concerning the substitution requirement for dangerous products in light of the existing requirements in Regulation cosmetic products (1223/2009).

The social partners reacted jointly by reminding that their aim is to cover the maximum of people working in the hairdressing saloon and by mentioning a Commission's response provided in 2010 regarding the coverage of self-employed. Regarding the substitution of dangerous products, the social partners insisted to find a solution for the substitution of some products which are to be considered as dangerous, despite this being denied by the Cosmetic industry. Social Partners argue that the principle of precaution should apply and the choice of the best products for health and safety should be possible.

The Commission staff explained that the aim of the comments provided to the social partners is to assure a text that can be implemented at EU level. In order to continue this work the social partners are invited to provide explanations to be discussed in a working meeting to be organised as a follow-up of this SSDC meeting.

State of play Skin test

Mr Verhamme (EU Coiffure) presented the problems encountered by hairdressers with a skin testing (see slides) and the outcomes of a working group on 'skin allergens'. After analysing the problems, the cosmetics industry is working on an improved harmonisation of the allergy test for consumers. The report on this project will be available by the end of 2017.

5) AOB

- A project Safe Hair 3.0 is being prepared to be submitted in the framework on the call for proposals for supporting the social dialogue.
- The issue of access to the profession will be discussed at the next meeting.
- The next plenary meeting is scheduled on the 17/05/2016.