



Brussels, 13 October 2016

**SECTORAL SOCIAL DIALOGUE
COMMITTEE
TEMPORARY AGENCY WORK**

Minutes of the plenary meeting of 11 October 2016

1. Adoption of the agenda

The agenda was adopted.

2. Approval of the amended version of the minutes

The minutes of the last meeting (17 June) will be adopted via written procedure. Some comments have been sent by UNI Europa, whilst some further modifications will be put forward by World Employment Confederation-Europe and UNI Europa in written, for example on the wording for the Posting of Workers and under point 5 on open-ended contracts.

4. Current joint activities

- **Round table events to promote sectoral social dialogue on temporary agency work (state of play regarding Turkey and potential other countries).**
- **Planned joint research on online talent platforms, labour market intermediaries and the changing world of work: Presentation by UNI Europa on a study on the collaborative economy (tbc)**

A representative of UNI Europa Aileen Körfer presented the research project ‘‘Digital Footprint’’ being carried out by UNI Europa global union in collaboration with FEPS and the University of Hertfordshire. The project is conducting crowd working surveys in several MS including Germany, the UK, Sweden, the Netherlands and Austria. It aims at gathering data on the size of the gig economy, the income from crowd work, the age of crowd workers and the distribution of crowd work in different regions. An interim report and an academic article will be published in the coming months. For more information: <http://www.feps-europe.eu/en/digital-footprint-project>

This could also be used as an input for the planned joint project on the topic of labour market intermediaries, online talent platforms and the changing world of work. In carrying out the joint project, the definitions should firstly be clarified (different terms used, crowd working being a very specific form). New research has been published by McKinsey¹.

¹ <http://www.mckinsey.com/global-themes/employment-and-growth/independent-work-choice-necessity-and-the-gig-economy>

3. Rebranding of Eurociett and implications for the EU sectoral social dialogue on temporary agency work

- **Presentation by Eurociett on a new name, positioning and corporate identity**
- **Adoption of a joint sectoral social dialogue work-programme 2017/2018, reflecting the new name of Eurociett**

Mr. Pennel, Managing Director of the World Employment Confederation-Europe gave a presentation on the rebranding of former Eurociett. The change reflects the widened scope of activities of many of the member base beyond TAW to training, outplacement, career management etc., although temporary agency work remains the main focus of its work. The white paper on the ‘‘future of work’’ published by the World Employment Confederation in September 2016 is structured under four chapters along the lines of the ILO initiative on the ‘‘future of work’’ to which the World Employment Confederation is contributing. In his view, standard forms of employment should not be the norm, and net employment growth can derive from new forms of work. The white paper includes a set of policy recommendations. Key questions include: how to secure a level-playing field between LM intermediaries and avoid unfair competition; how to best adapt regulation and ensure safety nets for the new workers. The TAW sector can be a forerunner in addressing these questions. More information is available here: www.weceurope.org and www.wecglobal.org

Ms. Lelyte from UNI Europa congratulated on the rebranding –there appears to be an ambitious agenda linked to it. UNI Europa recognises the need for change and the developments in the world economy. This brings both opportunities and challenges for the trade union side. Emphasis should be on decent work and on good social and employment conditions. For this, there is a joint role for trade unions and employers alike.

In the discussion that followed some trade unions delegates (i.e. IT, FR) expressed concern that developments on labour markets may result in more job insecurity.

In concluding his presentation, Mr. Pennel mentioned that the report is a basis for starting a dialogue and to discuss the new opportunities and challenges for the TAW sector.

With regard to the adoption of the new work-programme 2017-2018, the World Employment Confederation-Europe has circulated a draft text. UNI Europa has comments, including minor wording but also more substantial remarks, notably on:

- a) Requesting to add a part on complimentary health insurance/H&S for the sector under the point on promoting national social dialogue
- b) Reviewing the text on restrictions and barriers for TAW
- c) Discussing cross-border labour mobility/impact on free movement of persons in the aftermath of the Brexit referendum
- d) Adding a discussion point on decent work i.e. access to credit for TAW workers

UNI Europa will send comments in written to the World Employment Confederation-Europe. If agreement can be found at secretariat level, the work programme can be adopted in written procedure. If divergences exist, the draft programme will be discussed for adoption at the next meeting (20/02/2017).

Points a, c and d are in principle supported by the World Employment Confederation-Europe. The EC will be kept informed.

With regard to the Turkey roundtable, both partners agree that the new developments in Turkey do not allow that the roundtable is carried out in 2017. UNI Europa will check with its affiliates on the possibility suggested by World Employment Confederation-Europe to carry out a follow-up roundtable in Serbia (this should probably meet TAIEX requirements and it should be checked if a new application should be made).

5. EU agenda for the Collaborative Economy

- **Presentation by DG GROW on the initiative**
- **Exchange of views and reactions from the social partners**

Ms. Claudia Felix Martinez legal officer at DG Internal Market, Industry, Entrepreneurship and SMEs (DG GROW) unit E1 (service policy for consumers) and Mr. Vesa Vanhanen, deputy head of unit E3 (digitisation of the single market) presented the Commission's communication on the Collaborative Economy². The collaborative economy may bring rapid growth opportunities for citizens and businesses. The Commission's communication aims to guide, not regulate. The presentation covered inter alia a) market access requirements, b) liability c) consumer protection, d) employment and e) taxation. The e-commerce directive sets certain obligations on member states. The Commission will continue to monitor what is happening in the markets and continue its dialogue with the MS (service providers, platforms etc). Surveys of consumers and businesses will be carried out. The Single Market Scoreboard follows what is happening at regulatory level in the MS.

The World Employment Confederation-Europe (at the time under the name of Eurociett) has contributed to the public consultation. Mr. Pennel mentioned that the TAW sector is strictly regulated at EU and MS level. Some platforms act as TAW but are not regulated. Fair competition is essential. Mr. Pennel probed as to the relevance of the EU level to address the often global nature of the collaborative economy. Mr. Vehenan responded that in his view EU level policy sets a standard. EC is also looking into the work of other international policy makers to see how they are moving on this.

Ms. Lelyte of UNI Europa recalled ETUC's position that calls for EU regulation on online platforms³. More emphasis should be put on social aspects linked to the operation of online platforms (lack of collective bargaining, weak social rights etc).

The World Employment Confederation-Europe (at the time under the name of Eurociett) and UNI Europa have applied for a joint project on labour market intermediation.

The discussion continued.

² http://ec.europa.eu/growth/single-market/strategy/collaborative-economy_en

³ http://ec.europa.eu/information_society/newsroom/image/document/2016-7/etuc_european_trade_union_confederation_13922.pdf

6. New Skills Agenda for Europe

- **Presentation by DG EMPL on the initiative (tbc)**
- **Discussion and exchange of views between sectoral social partners**

The new skills agenda for Europe package published on the 10th of June. The package was presented by the Commission at the July liaison forum.

Ms. Hadjiantoni presented the framework for the new skills agenda (included in the Commission's work programme for 2016; adopted by the Commission on 10 June; follow-up from 2008 work). She presented the evidence basis supporting the EU agenda.

Wide definition of skills. Strong focus on sectorial dimension. Joint agenda for the EU (EU level action will not suffice). 10 key actions. Work with the OECD to develop national skills strategies. The Skills Agenda also aims to help improve the use of funding for skills (i.e. COSME for SMEs, ERASMUS+, and ESF).

She presented the "Skills Guarantee" which provides for three components: a) a skills assessment, b) customised E&T and c) validation and recognition of skills. The Skills Guarantee is addressed to those not eligible for support under the Youth Guarantee and focuses on literacy, numeracy and digital skills. Discussions are currently on-going in the Council and EP.

A short introduction followed on the Digital Skills and Jobs Coalition (led by DG Cnect within the Commission services). The Coalition has a broader focus than its predecessor, focusing on improving digital skills for citizens in all ICT-using sectors of the economy. DG Cnect is supporting national digital coalitions between education, employment and industry stakeholders. A launch event will take place on 1st December 2016 in Brussels, to which social partners (cross-industry and sectoral) will be invited to participate. Finally, reference was made to the EQF. The EQF was introduced in 2008 through an EP/Council recommendation to enhance the transparency and comparability of qualifications in the European Union and to improve their portability and transfer across countries, systems and sectors, both for study and working purposes (and not to harmonise or provide EU-wide recognition).

Ms. Hadjiantoni also referred to the tool for third country nationals, and the revision of EUROPASS.

A VET skills week will take place during the first week of December, hosted by the Commissioner for Employment, Ms. Marianne Thyssen.

Mr. Freytag mentioned that skills are a key element of the social partners' work programmes and referred to the work undertaken in 2008-2009 on VET for agency workers which focused on up-skilling. Agency work has many good practices. 7 MS have a training fund.

Skills will be a key element of the TAW work programme 2017-2018.

Ms. Schaller also welcomed the Commission's focus on skilling and re-skilling. This is to be seen within the extended scope of activities that the World Employment Confederation-Europe is driving (in many case training providers). Several of its members have pledged involvement i.e. under the Digital Skills and Jobs Coalition or under the European Alliance for Apprenticeships. The quality element of education and training is also upheld (at least one member is involved with the European Youth Forum and the work on quality apprenticeships).

7. Update from UNI Europa and Eurociett members on national sectoral social dialogue and changes in regulation

There were updates/views from:

- Poland/employers: legislative proposal has been finalised, employers' view not taken into account

- Germany: legislative changes, new minimum wage as of 2017 or TAW workers, bill will be discussed at the end of October for the 2nd time by the Bundestag; provisions on supplementary income; the refugee crisis is also a major challenge (1 million in 2015), need for integration in the labour market
- Spain: Preliminary agreement for the 6th collective contract as a result of important work undertaken.
- Italy: EPC published on 20 September a study on the YG, reviewing also the model used in Lombardy (equal role of public and private operators).

9. Any other business

The Danish factsheet has been completed.

The dates for the 2017 meetings will be circulated as soon as possible.

List of participants 11/10/2016

<p>Employers</p> <p>Ms. Spangenberg (NL) Ms. Schaller Bossert (ADECCO) Mr. Kersten (DE) Mr. Freytag (World Employment Confederation Europe) Mr. Pennel (World Employment Confederation Europe) Mr. Tietge (?) Mr. Bonardo (IT) Ms. Zielinska (PL) Ms. Shoosmith (UK) Ms. Van Lieshout (NL)</p>	<p>Workers</p> <p>Ms. Goneva (BG) Ms. Zeman (AT) Ms. Dominguez Garrido (ES) Mr. Calado (PT) Mr. Van Heetvelde (BE) Ms. Riboni (IT) Mr. Borghesi (IT) Mr. Van den Bergh (BE) Ms. Hoffritz (DK) Mr. Håkansson (SE) Mr. Faintrenie (FR) Ms. Jakobowits (FR) Mr. Toth (HU) Mr. Pentenga (NL) Mr. Falk (SE) Ms. Varas (ES) Ms. Lelyte (UNI Europa) Mr. Waggmann (FR) Ms. Wirken (BE) Mr. Ballester (FR)</p>
<p>European Commission</p> <p>Ms Hadjiantoni (DG EMPL) Ms. Claudia Felix Martinez (DG GROW) Mr. Vesa Vanhanen (DG GROW) Ms. Christa Milo (DG EMPL)</p>	<p>Other</p>