



## EUROPEAN COMMISSION

Employment, Social Affairs and Inclusion DG

Employment and Social Legislation, Social Dialogue  
**Social Dialogue, Industrial Relations**

**SECTORAL SOCIAL DIALOGUE  
COMMITTEE  
LIVE PERFORMANCE**

### **MINUTES MAIN WORKING GROUP MEETING 04/02/2011**

**Chair:** Ms Anita DEBAERE (Pearle\*, employers)

#### **1. Opening of the meeting – Approval of the draft agenda – Approval of the draft minutes of the Working Group meeting of 10 December 2010**

The draft agenda was approved without modifications.

After inclusion of an amendment requested by the workers' delegation, the draft minutes of the main working group meeting of 10 December 2010 were approved.

Anita Debaere (AD) informed the Committee that the joint statement on "The contribution of culture in combating poverty and social exclusion", which was adopted on 10 December by the SSDC, was sent to: Commissioners Andor and Vassiliou, DGs EAC and EMPL, the Permanent Representations of the Member States and members and affiliates.

#### **2. Feedback from DG Employment on ongoing activities**

Stefaan Ceuppens (SC) provided an update on EU initiatives with relevance to the employment and social domain, including: an overview of the objectives and key areas of action of the recently presented Europe 2020 flagship initiative "European Platform against Poverty and Social Exclusion"; the main steps of the "European Semester", the new model for economic governance of the EU, including – as a first step in the process – the Commission's Annual Growth Survey, which analyses the macro-economic and employment situation and provides direction and priorities for action; a number of currently running public consultations.

SC also explained the state of play of the revision of the Working Time Directive (WTD), including: a short history of the Directive and the previous attempt to revise it; the main elements of the WTD and the issues at stake; the currently ongoing 2-phase consultation of the social partners (see presentation in [annex](#)).

In the ensuing exchange, delegates referred to the relevance of the WTD in the light of the tendency to increase the retirement age and confirmed the importance of social dialogue for finding appropriate solutions to the issues covered by the WTD, notably when it concerns specific professions such as those of the live performance sector.

### **3. Strengthening capacities of social partners in the sector: exchange**

On behalf of EAEA, Thomas Dayan (TD) explained a proposal for a joint EAEA-Pearle\* project aimed at capacity building of workers' and employers' organisations in a number of new Member States (4, to be chosen). It would consist of national workshops, separate for workers and employers, followed by a joint conference. A non-paper on this project proposal had been sent to Pearle\*.

Each side would decide on the topics to be covered in the national workshops. They could cover themes such as: internal organisation of workers/employers organisations; relations with members; internal democracy; finances; lobbying; relations with the government; etc.

EAEA would like to submit this proposal for funding to the Commission before the first deadline of call for proposals VP/2011/001, i.e. 25 March.

On behalf of Pearle\*, AD welcomed this initiative, agreeing that both workers' and employers' organisations in most of the new MS should be reinforced and supported. Pearle\* was however not in a position to respond quickly and asked EAEA to provide a more elaborate proposal for the next meeting of the Committee (9 June). At the request of EAEA, Pearle\* agreed to provide its first reaction on the objectives and priorities of the project by the end of May.

It was **agreed** that the final framework of the project would be discussed at the Committee's meeting of 9 June, with the aim of submitting the project to the Commission by the second deadline of the abovementioned call for proposals, i.e. 30 August.

### **4. Risk Assessment**

Referring to the presentation of Ms Chardon at the Committee's meeting of 6 October 2010, Anthony Marschutz (AM) provided a brief update on the state of play of the risk assessment project in France. He recalled the framework in which this project is being developed, namely the French labour code and the Agreement of 29 June 2009 on the health at work of the "intermittents du spectacle".

It includes amongst other the obligation for all employers in the live performance sector to adhere to the CMB (Service Interentreprises de Santé au Travail). As was explained by Ms Chardon in October, the CMB is developing an IT tool that assists employers and workers to complete the so-called "document unique" for the identification of potentially dangerous situations at the workplace.

At the request of AD, AM agreed to keep the Committee updated on the evolution of the project. AD asked all delegates to report on relevant developments in this area in their respective countries.

### **5. Mobility: information about the workshop on mobility of the European Platform on cultural and creative industries**

Unfortunately, the European Music Office, which manages the secretariat of the Platform on cultural and creative industries<sup>1</sup>, could not attend the meeting.

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<sup>1</sup> [http://ec.europa.eu/culture/our-policy-development/doc1583\\_en.htm](http://ec.europa.eu/culture/our-policy-development/doc1583_en.htm)

AD and TD participated in a meeting to prepare a workshop on the circulation of works and artists (one of the 5 working groups of the Platform on CCIs) in June. This workshop should result in recommendations to the Commission and the Member States in view of upcoming policy initiatives in this area.

Three sub-topics are being dealt with: obstacles to mobility (in/out/within the EU), including issues such as visas and social security coordination; financial support to promote the circulation of works and artists; access to information that could facilitate mobility.

At the proposals of AD, it was **agreed** to ask Richard Polacek to present the PRACTICS project<sup>2</sup> at the next meeting of the Committee.

## **6. Skills: feedback of the meeting with DG Education and Culture**

AD reported on the meeting of 26 January, organised by DG EAC in collaboration with DG EMPL, on the proposal of the Commission to explore the possibilities of establishing culture skills councils at EU level, as included in the Work Plan for Culture 2011-2014, adopted by the Council<sup>3</sup>.

The meeting was attended by representatives of the entire culture sector, including the SSDC of the Audiovisual and LP sectors, but also art and music schools, book publishers and shops, the European Music Office, the gaming industry. Overall, participants expressed their interest for this initiative, but several questions remained open: how broad/narrow should "culture" be defined in this context; must such a skills council be "all inclusive"; is the involvement of the social partners a condition or not; what is the role of stakeholders in sub-sectors where no European-level structured social dialogue exists?

AD concluded that both the AV and LP sectors are in favour of embarking into the first steps of the process proposed by the Commission (the "mapping" exercise), but that the all inclusive approach that seems to be favoured by DG EAC is far from obvious. After discussion in their respective social dialogue committees, the AV and LP sectors are to inform DGs EAC and EMPL of their conclusions and intentions.

TD and Johannes Studinger complemented AD's presentation by confirming the need of the LP sector to work on qualifications and the recognition of professional experience. They stressed that any initiative should produce concrete added value for both workers and employers and are therefore not in favour of an all inclusive approach, which is considered rather unrealistic.

Arguments pro and con a cooperation between the LP and the AV sectors in this context were exchanged.

SC confirmed that the Commission is preparing a call for proposals that will allow for financing a mapping exercise, probably to be published before the summer.

Both sides **confirmed their commitment**, already agreed in October 2010, to engage in the mapping exercise and will consider whether to do so in cooperation with the AV sector. Both DG EAC and DG EMPL will be kept informed of the outcome of further reflexions on this issue.

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<sup>2</sup> <http://www.practices.org/>

<sup>3</sup> [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/educ/117795.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/educ/117795.pdf)

## **7. Impact of the crisis**

AD recalled the Committee that a joint letter was sent to The Netherlands (namely the Parliament, the Ministry of Culture, the Ministry of Finance) regarding the alarming situation of the culture sector. Only the Ministry of Finance has replied at this stage, stating that the increase of VAT on tickets will be maintained, albeit starting in July instead of January as it was initially foreseen.

Mirjam Coronel-Timmermans further commented on the situation, in particular the intention to cut the budget of the cultural sector by 200 MIO euro, i.e. some 25% of the budget of orchestras and theatre/dance companies. These cuts are much more than the cuts of 8% in other sectors. On 11 February, a hearing at the Parliament of the sector on the consequences of the envisaged budget cuts will take place. She thanked Pearle\* and EAEA for the support letter.

Other delegates informed about the situation in their countries, including Bulgaria (reduction of staff of orchestras, having an impact on the repertoires; 75% of budgets to be based on ticket sales), UK (reduction of the budgets of the Arts Council of England, which provides grants to the sector, and of local authorities), Poland (2 radio orchestras maintained, with a work programme for the next 2 years), Germany (at the occasion of the World Day for Cultural Diversity, 21 May, organisation by the German Arts Council of joint actions to give a broad signal about the situation of culture).

## **8. AOB**

No issues were discussed under this point.

## Annexes

- Point 2 – Presentation ongoing activities in the field of employment and social affairs

Annex: List of participants 04/02/2011

<u>Employers</u>	<u>Workers</u>
<p><b>Pearle*</b> Ms Alexandra BOBES (FR) Ms Joëlle BOULLIER-DEBUF (FR) Ms Mirjam CORONEL-TIMMERMANS (NL) Ms Anita DEBAERE (BE) Mr Momchil GEORGIEV (BG) Ms Ilka SCHMALBAUCH (DE)</p>	<p><b>EURO-MEI</b> Mr Heinrich BLEICHER-NAGELSMANN (DE) Ms Yvette BUTOYI (BE) Ms Françoise CHAZAUD (FR) Ms Marisa GARIJO (ES) Mr Antonio MUNOZ LOBATON (ES) Mr Carlos PONCE (ES) Mr Johannes STUDINGER (BE) Mr Pierre VANTORRE (FR) Mr Pier VERDERIO (IT)</p> <p><b>FIA</b> Mr Marten GUNNARTZ (SE) Mr Stanislas IDE (BE) Mr Maciej PACUŁA (PL) Ms Katalin RAKSI (HU) Mr Andrej SRAKA (SI) Ms Laurette MUYLAERT (BE)</p> <p><b>FIM</b> Mr Thomas DAYAN (FR) Mr Jerzy GORZYNSKI (PL) Mr Anthony MARSCHUTZ (FR) Ms Diane WIDDISON (UK)</p>
<p>6 employers representatives (5 women, 1 man) (1 new MS, 5 old MS)</p>	<p>19 workers representatives (6 women, 13 men) (4 new MS, 15 old MS)</p>
<p><u>European Commission</u> Mr Stefaan CEUPPENS (EMPL.B.1)</p>	