



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

Meeting of the Committee

18 November 2008

Minutes (adopted on 30 November 2009)

1. Adoption of the agenda

The agenda was adopted. The meeting was chaired by Mr Sugic (workers).

2. Adoption of the minutes of the last Committee meeting (16 October 2007)

The minutes were adopted.

3. Work programme

The parties discussed their work programme priorities on the basis of the draft work programme 2009-2010 jointly prepared.

IRU asked to add elements under 1c) ("for the European Investment Bank and other EU funding") and 1e) ("addressing problems and bottlenecks that occur both at the internal and the external borders of the EU"). ETF agreed with the proposals but made clear that they would not discuss questions related to weekend bans in relation to rest facilities.

As far as driver training was concerned, ETF stressed that collective bargaining was a possible means of transposition of European legislation and it should not be excluded from the scope of the social partners' work. Regarding the reference to driver shortages, the workers' side did not accept the presumption that new obligations arising from the directive would lead to driver shortages; one should rather refer to road safety in general. IRU' concern was to avoid that the directive would, through bureaucratic manners become a barrier. The employers' side wanted to focus first on the transposition of the directive and possibly look at collective agreements in 2010. Both sides finally agreed to delete "by national authorities" in 3a) and to work in a spirit which would be issues driven ("What are the problems and how can they be solved?"). The text 3b) stayed the same, and in 3c), "driver shortages" would be replaced by "the attractiveness of the sector to drivers and recruitment".

It was also agreed to shorten paragraph 2.b) on logistics which would now read: "The social partners should identify additional issues of mutual interest in logistics."

4. Presentation by the ILO

Mr Meletiou (ILO) presented the project "Strengthening the capacity of social partners in the road transport sector in Bulgaria and Romania to engage in effective and constructive social dialogue at international, national and enterprise level" and other ongoing ILO activities in the field of road transport (see slide presentation). The project was financed under budget heading 04 03 03 01 "Industrial relations and social dialogue" and carried out in partnership with IRU and ETF. The social partners very much welcomed the project.

5. Information by DG TREN

Mr Schmidt (DG TREN) presented the Commission's proposal to modify the directive on working time in road transport. He started by reminding the history of directive 2002/15/EC on the organisation of the working time of persons performing mobile road transport activities, which had been adopted thanks to a compromise leading to the exclusion of self-employed drivers from the scope of the Directive till March 2009¹. He informed the participants of the Commission's report and impact assessment as well as of the Commission's proposals in detail.

ETF stressed that since the proposal was also based on Article 137(2) of the EC Treaty, they had expected a proper social partner consultation according to Article 138 (beyond the consultation which took place within the study carried out for the Commission). The Commission representative took note of this institutional remark. The workers' representatives announced that they would issue a written position on the proposal. They also wondered how seriously distortion of competition through false self-employed could be fought without including vehicles with less than 3.5 tons. According to DG TREN, this weight was the generally acknowledged size for commercial goods transport. Nevertheless, a study on a possible new threshold would be carried out next year. IRU wanted to know what would be the situation with regard to self-employed as from March 2009 since the new proposal was not expected to be adopted by then. Here Mr Schmidt announced that this would be the Commission's discretion to decide how to deal with it.

6. Any other business

The Commission representative announced the planning of meetings for 2009. Meanwhile, the following meeting possibilities are planned (**to be confirmed**): 12/02 (confirmed), 24/03, 30/04, 2/07, 5/10, 30/11 (Plenary), and 15/12.

¹ See explanatory memorandum of proposal COM(2008)650 final of 15.10.2008

Annex: List of participants 18.11.2008

<p><u>Employers</u></p> <p>Ms Antignac (AFTRI) Mr Bundgaard (DB-DK) Mr Causse (FNTR) Mr Csányi (MKFE) Mr Dekindt (UITP) Mr Gentze (BGL) Mr Henry (FNTV) Mr Larsen (DTL) Mr Madsen (DTL) Mr Mannaerts (FBAA) Mr Medved (CESMAD) Mr Nielsen (IRU) Ms Pogonowska (ZMPD) Mr Riberio de Campos (ANTRAM) Mr Runia (KNV) Mr Viccars (IRU) Mr Yarsley (FTA)</p>	<p><u>Workers</u></p> <p>Mr Benjamins (FNV Bondgenoten) Ms Chaffart (ETF) Mr García Revuelta (FCT - CC.OO.) Ms Heinisch (ETF) Ms Kapitanffy (KMSZ) Ms Klementova (OSD) Ms König (Kommunal) Mr Kokoska (OSD) Ms Kostova (FTTUB) Ms Malinowska (LTWF) Mr Parrillo (CSC TRANSCOM) Ms Petrova (FTTUB) Mr Sandholm (Kommunal)) Mr Schönauer (VIDA) Mr Smidt (3F) Mr Sugic (CFDT) Ms Tilling (ETF) Mr Varga (KMSZ) Ms Volkers (ver.di)</p>
<p><u>European Commission</u></p> <p>Ms Durst (DG EMPL/F.1) Mr Pirkanniemi (DG TREN/E.1) Mr Schmidt (DG TREN/E.1) Mr Siebern-Thomas (DG EMPL/F.1)</p>	<p><u>Others</u></p> <p>Mr Meletiou (ILO)</p>