

Sectoral Social Dialogue Meeting for ports

October 23rd, 2015

Draft Report

1. Adoption of the provisional agenda

The Commission requested that topic 9 (EUPortraits: latest developments on the project) be moved to Topic 4. The proposal was accepted. The agenda was adopted unanimously.

2. Adoption of the report from last meeting

The report was adopted unanimously.

3. Developments in Maritime Transport

a. Presentation of the OECD study 'The impact of mega-ships', by Olaf Merk, International Transport Forum – OECD

Mr. Olaf Merk (OECD) presented the findings of the OECD study on "*The Impact of Mega Ships*". Mr. Merk communicated that the deployment of larger vessels will mean significant changes in the logistics chains such as higher peaks. This will in turn have consequences for ports such as the need to adjust labour organization to handle such peaks as well as the need for investment for ports and port operators to be able to handle larger vessels.

b. Debate on socio-economic consequences of mega-ships on the cargo-handling sector

The Social Partners thanked Mr. Merk for presenting the findings of the OECD study. The Social Partners were of the opinion that the consequences of the deployment of larger vessels are a challenge for the port sector. The employee's delegation raised concerns about the possibility of shipping alliance leading a lack of competition between shipping lines and to concentrations of cargo in certain ports, all of which will have an impact on port employment. The points raised by the Social Partners were noted by DG EMPL and DG MOVE.

It was agreed that the Secretariat would work to identify possible ways to carry the debate on developments in maritime transport. A proposal will be made at the next Committee meeting.

4. EUPortraits: latest developments on the project

Ms. Boile provided an overview of the latest developments of the EUPortraits project. It was communicated to the Social Partners that the project is currently in the middle of national

workshops. Ms. Boile communicated that there are differentiations between the health and safety priorities raised by the social partners and those raised in the individual national workshops.

5. Safety on Ships

a. Legal obligations from directive 89/391/EEC and implementation from Member States, by DG EMPL Unit B3

DG EMPL communicated that Directive 89/391/EEC on the introduction of measures to encourage improvements in the safety and health of workers at work is applicable to all workplaces in the European Union. That being said, it was stated that the Framework Directive does not prescribe specific types of controls and supervision, but leaves Member States free to choose between the different solutions suitable for achieving its objective. DG MOVE stated that they are carrying out a legislative review on this issue. DG MOVE will report the findings of its review in due course. Social partners requested DG Employment to have more investigation on legal obligations and implementation of art. 6 par. 4 of the Directive: “Without prejudice to the other provisions of this Directive, where several undertakings share a work place, the employers shall cooperate in implementing the safety, health and occupational hygiene provisions and, taking into account the nature of the activities, shall coordinate their actions in matters of the protection and prevention of occupational risks, and shall inform one another and their respective workers and/ or workers' representatives of these risks”

b. Possible cooperation with EMSA on database on maritime accidents

DG MOVE communicated that further time will be required to evaluate the possibility of using EMSA database on maritime accidents in relation to possible risk on board vessels. DG MOVE will also establish whether a legislative review is required to expand the scope of the EMSA database.

c. Possible future initiatives of the SSDCP, based on the written proposal prepared by the workers' delegation

The Social Partners were of the view that the Commission should continue its legislative analysis and welcomed DG MOVE's initiative on this point. The Social Partners viewed it as important for discussions to continue on possible methods of sharing information. It was agreed that a secretariat meeting (plus one representative per organization) will take place on 08 December.

6. Explosion in Tianjin port and possible occupational health consequences on EU port workers

a. Information from the workers' delegation The Employee's Delegation made a statement on the possible health risks related to dangerous substances arising from the Tianjin port explosion. The primary concern of the workers delegation was that workers could become exposed to dangerous

substances which may have contaminated cargo arising from Tianjin. The employee's delegation requested that the Commission provide information on steps being taken to avoid such contamination.

- a. Discussion with DG EMPL Unit B3 on the existence of procedures to be followed to avoid contamination of workers

DG EMPL stated that controls and safety inspections are primarily the responsibility of Member States and, in particular, the national relevant authorities. The Commission had been informed that national environmental safety departments have requested information on containers originating from Tianjin and, where applicable, containers have been quarantined and tests have been carried out.

7. Fumigation of Containers

- a. Assessment of the IMO recommendation on the safe use of pesticides in ships is applied in EU legislation (as requested at the last SSDC meeting), by DG EMPL Unit B3

Further time is needed to examine whether IMO recommendations create a legal requirement for shippers to communicate information on fumigation. DG MOVE requested further documentation on this issue from the social partners.

- b. Activities on fumigation in other SSDCs

Fumigation is currently not being discussed as a specific issue within the framework of other social dialogues.

The Social Partners communicated that EU-OSHA will carry out a study on health risks arising from exposure to fumigants in cargo-related activities. The project manager for the study will participate in the Social Dialogue meeting of 09 December. This project was viewed as a positive achievement by the Social Partners and DG EMPL as it was an example of Social Partners raising awareness for an issue which concluded with the launching of an EU project.

8. Chairmanship of the Committee

It was agreed that the Chairmanship of the Committee will become effective as from December 3rd Committee meeting.

9. Adoption of Calendar for 2016

DG EMPL stated that the Commission was in the process of finalizing the meeting dates for 2016. Proposed dates for 2016 will be circulated in due course.

10. Any other business

No other business was raised.