



## EUROPEAN COMMISSION

Employment, Social Affairs and Equal Opportunities DG

Social dialogue, social rights, working conditions, adaptation to change  
**Social dialogue and industrial relations**

### SECTORAL SOCIAL DIALOGUE COMMITTEE - INLAND NAVIGATION

## Meeting of 24 September 2010 Minutes (approved on 24 November 2010)

### 1. Adoption of the agenda and approval of the minutes of the previous meeting

The meeting was chaired by Mr Koning (employers). An item 'Social security of Rhine boatmen' was added to the agenda. The minutes of the previous meeting (17 June 2010) were approved.

### 2. Information from the Commission

The representative from DG Mobility and Transport (MOVE) reported on the informal meeting of Transport Ministers held in mid-September in Antwerp, at which their commitment on behalf of internal navigation had also been confirmed. The Ministers had responded positively to the 'Blue Belt' concept tabled by the Belgian Council Presidency, which was designed to promote maritime transport without barriers. Presidency conclusions relating to the informal meeting of the Ministers were available<sup>1</sup>.

The representative from DG Employment, Social Affairs and Equal Opportunities (EMPL) was asked about the Commission's communication on the coordination of social security systems in the EU, due to be adopted before the end of the year<sup>2</sup>. The social partners expressed a wish to be involved in preparing this communication. Following consultation of the competent Commission staff, the social partners were informed after the meeting that two different documents were planned:

(1) Guideline to the interpretation of Regulation (EC) No 883/2004<sup>3</sup> (Title II, Determination of the legislation applicable) in cases where persons are active in several Member States simultaneously or consecutively (e.g. in international transport) – to be adopted by the Administrative Commission on Social Security Systems before the end of the year; (2) Commission Communication on highly mobile workers (all sectors) – planned for mid-2011.

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<sup>1</sup> <http://register.consilium.europa.eu/pdf/en/10/st13/st13971.en10.pdf>

<sup>2</sup> See also <http://ec.europa.eu/social/main.jsp?catId=849&langId=en>

<sup>3</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:2004R0883:20100501:EN:PDF>

## 2. Social security of Rhine boatmen

The CCNR representative reported on the situation from the point of view of the Rhine states – which now intended to conclude an agreement within the meaning of Article 16 of Regulation 883/2004 by December 2010, in order to provide for exceptions concerning determination of the legislation applicable. This agreement was currently being prepared.

## 3. Progress on implementation of the work programme 2009-2010<sup>4</sup>

### *Working time*

The Chairman introduced the subject by noting that two points remained open: the recording of working time and the rules on exceptions for passenger vessels. The employees reported on the results of the meeting with passenger vessel representatives in Basel on 26 August. No agreement had yet been reached with the employers on one point (leave entitlement per eight weeks). The question of whether a distinction should be made between cruise ship services and seasonal shipping services was also unresolved. ETF was now waiting for the employers to produce draft rules for passenger vessels.

The participants also discussed the following aspects of the agreement: reference periods, fixed-term employment relationships, health and safety at work (text proposed verbally by ETF). The Commission representative suggested including a recital on the subject of passenger vessels. She asked the social partners to inform the Commission of the estimated number of employees concerned by the agreement. She also drew attention to a number of editorial imprecisions (e.g. ‘stand-by’ versus ‘on-call time’ in the English version), adding that a detailed examination from the legal point of view would not be possible until the overall package was available.

The DG EMPL representative informed the participants that the Hungarian Council Presidency was interested in the possible implementation of the agreement. The social partners confirmed that the dossier was due to be included in the Hungarian Council Presidency's work programme and they were aware of the time constraints. The following timetable was therefore agreed:

- 15 October: Informal discussion between the social partners on the fringe of a PLATINA meeting
- 20 October: Written proposal on passenger vessels from the employers;  
Text proposal from the employees on the subject of health and safety at work (new addition)
- 1 November: Employees’ reaction to the text on passenger vessels;  
Employees’ reaction to the employers’ draft letter
- 8 November: Editorial group meeting and if possible legal examination at this point in time.

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4

[http://circa.europa.eu/Public/irc/empl/sectoral\\_social\\_dialogue/library?l=/inland\\_waterways/2010&vm=detailed&sb=Title](http://circa.europa.eu/Public/irc/empl/sectoral_social_dialogue/library?l=/inland_waterways/2010&vm=detailed&sb=Title)

### ***Job profiles***

The 'PLATINA Joint Working Group on professional competencies' had last met in Rotterdam on 24 June, and the next meeting would be in Basel on 15 October. By then the various functions on board were to be allocated.

The BDB representative (employers) also briefed the meeting about a survey in preparation for a sustainable image and recruitment campaign. The questionnaires (for companies and trainees) would be available online until the end of October (<http://www.naiades.info/page.php?id=902&path=95>).

She also informed the participants about a conference for potential shippers, which would take in Brussels at the end of November/beginning of December (<http://bargetobusiness.eu/>).

### ***Minimum manning requirements***

The social partners confirmed the importance of this subject, but agreed it would make sense to discuss it when an agreement had been reached on working time. It would be included in the future work programme. The DG MOVE representative confirmed that there were no minimum standards at EU level. However, an external report on the subject produced in 2009 had concluded that there was no major need for harmonisation of national rules. He also informed the social partners that the informal Commission and CCNR technical working group ('JWG') was examining the technical requirements for inland waterway vessels (Directive 2006/87), but was leaving the manning requirements open. The CCNR representative reminded the meeting that the provisions applicable to the Rhine (chapter 23) had last been updated in 1995. The Chairman proposed that the Committee should already give thought to its own ideas (number of persons on board, necessary qualifications, etc.).

The meeting agreed to the proposal that the other subjects (working and living conditions, unfair competition) should be left pending for the time being.

## **Participants**

### **Employers (2 ♂, 2 ♀)**

EBU

Mr Koning (NL)

Ms Wenkel (DE)

ESO

Ms Beckschäfer (DE)

Mr Veldman (NL)

### **Workers (8 ♂, 0 ♀)**

ETF

Mr Apostol (RO)

Mr Arvanitopol (RO)

Mr Biesold (DE)

Mr Bramley (ETF)

Mr Frunza (RO)

Mr Jerabek (CZ)

Mr Lehninger (AT)

Mr Pauptit (NL)

### **European Commission**

Mr Dieter (DG MOVE)

Ms Durst (DG EMPL)

### **Others:**

Ms Tournaye (CCNR, Observer)