



Sectoral Social Dialogue Committee on Local and Regional Governments Working Group

22 May 2015 10:15 – 16:30

DRAFT MINUTES

Morning session chaired by Leonie Hertel (CEMR, COSLA)

1. Adoption of the minutes of the Working Group meeting of 23 February 2015

No comment. Minutes approved

2. Follow-up of the High level Conference of 5 March 2015 on the restart of social dialogue

Stefano Martinelli (DG EMPL, European Commission) shortly reported the Conference, 30 years after the Val Duchesse Summit, underlining that the restart of social dialogue was a promise and a priority of the President Juncker. This event gathered social partners at all levels (CEMR and EPSU attended) and representatives from the European Parliament, the Council and the European Commission. The key topics of industrial relations and policy priorities (Energy Union, Digital Single Market, 'Juncker Plan') were addressed. In order to accompany this restart, two Working Groups on economic governance and on Better Regulation have been created and the Commission expects social partners, through the SSDC and cross-sectoral SDC to submit proposals and inputs. The proposal on Better Regulation published 19 May preserves and promotes social dialogue.

The Chair presented the work undertaken by the SSDC on LRG (press release + joint statement). It has been decided to shorten the statement and to clearly mention that our SSDC is only competent to deal with issues linked to social bargaining and collective agreements between LRG as employers and the Unions of LRG. After discussions, members agreed to refer not only to local and regional level, as the bargaining and agreements at national level have an impact.

Finally, the Steering group has been mandated to finalise the document and to approve it, without waiting for the Plenary meeting in December, so the statement does not become outdated. This procedure could be used for this kind of documents in the future (based on the rules of procedure).

3. Gender Equality Strategy

S. Martinelli apologised on behalf of DG JUST because no representative could attend the meeting, as there is no progress on the strategy post-2015. Nevertheless, DG JUST is expecting inputs from the SSDC on LRG and a representative will be present during the Plenary meeting in December.

Regarding the 2007 guidelines, the Chair said that they were still relevant and accurate. A review may be needed to update them. Members will prepare a common response to the Public consultation

opened until 21st July. The European Parliament will vote the draft report in June and on this basis the Commission will elaborate and publish the post-2015 strategy.

A Working Group has been created with Gudrun Gudmundsdottir, Malin Looberger and Abderrazak El-Omari (CEMR) and Maarianvaara Jukka, Rovik Rand, Dan Nielsen to follow the public consultation's response and the review on behalf of the SSDC. The Steering group will validate the document (format and content to be defined and formal approval in the SSDC Plenary meeting) and send it to the European Commission along with the guidelines.

EPSU Secretariat added that the ediscussion should deal both with the process and the substance, especially since the Juncker Plan does not contain any measure related to gender equality.

CEMR presented briefly the project on the role of LRG in the implementation of the Charter on Gender Equality on local and regional level and the indicators developed to measure it. The results will serve for the review process of the guidelines.

4. Follow-up KS/NUMGE project – New Norway Grants Programme for ‘Decent Work and Tripartite Dialogue’

Liss Schanke (KS) is in charge of the coordination of the activities of the programme. Increasing and deepening social dialogue is a mean to achieve the objectives of the project and one can witness a strong willingness to collaborate on these issues within the SSDC. Two meetings in 2015 (on 21st May and 1st December) will be the occasion to exchange ideas and tools to reach the aims of the project, as mutual learning is the key of this project. The negotiations for the continuation of the Programme are still ongoing and a new programme could be launched late 2015/early 2016. The NG projects 2012-2014 involve 7 projects, between 12 and 13 are expected for the next period. The project will be addressed in the framework of the 4th Seminar entitled ‘Contribution of social dialogue to support well-being and health and safety at work in local public services’.

5. Pre-adoption of the rules of procedure of the Social Dialogue Committee and its Steering group

The draft rules of procedure were pre-adopted. The objectives would have to be re-discussed but otherwise the Committee agreed that the draft rules of procedure were satisfactory for everybody with the exception of Thomas Bemann (DBB) who remarked that he abstains from a pre-adoption of the document awaiting further exchanges on the trade union side between CESI and EPSU. Members agreed on establishing more regular contacts, beyond and besides formal meetings, in order to enhance the exchanges of views and information.

6. EPSU-CEMR Project 2015-2017

EPSU Secretariat shortly presented the project and reported from the last Steering group meeting on 6 May. The research will be undertaken by an external expert, **Jane Lethbridge**, working at the Public Services International Research (PSIRU) - j.lethbridge@gre.ac.uk, officially appointed on 6 May and the outcomes of the 4 Seminars will be compiled in a final report.

- ❖ 'Identifying new forms of service delivery in municipalities, technological developments and the impact on the workforce and employers' – 21st September 2015 in Brussels (previously planned in Luxembourg), with a specific focus on digitalisation of services.
- ❖ 'Global challenges: climate change, energy transition, migration and their impact on municipalities and citizens'- 10th November 2015 (venue tbc, planned to be in Prague): a questionnaire will circulate to determine if members prefer to address the climate change or migration issues, knowing that it is unrealistic to work on both in a one-day meeting.
- ❖ 'Recruitment of young workers and retention of older workers in local public services: developing new skills and life-long learning' – 13th April 2016 (venue tbc, Brussels again?):
- ❖ 'Contribution of social dialogue to support well-being and health and safety at work in local public services' – 8th June in Zagreb (tbc)

In-depth discussion entails the identification of common will and concerns regarding the seminars: members want to have constructive seminars, with informative substance, as it is impossible to exchange information without background information and committed participants. It would be useful to clearly identify themes of interest and the potential role to take for some members. It would bring a significant added-value to have national experts attending to feed the discussions.

The overarching objective to be reached is to have concrete outcomes for this project and each seminar, noticing that 4 of them will be preceded by a background document and draft conclusions, as it was agreed during the Steering group meeting.

Afternoon session: Mads Samsing (EPSU, HK Kommunal)

7. Information and consultation of workers – Presentation of the review of the directives in the framework of the RE-FIT Programme 2015 of the European Commission

Nadja Salson (EPSU Officer National and European Administration) presented a state of play on this issue directly linked to fundamental rights of information and consultation for workers.

The negotiations are ongoing so no further detail on content or timetable. They currently focus on minimum standards because there is a shared analysis of the main challenges for public sector (central and LRG, social care and health sector, etc.) as a whole, in the context of accelerating restructuring. Information, consultation and negotiation are the 3 pillars of social dialogue which is deteriorating. The reforms have to take place very rapidly and LRG must have a role. This happens in the context of new economic governance with the European Semester, which has put the reforms of administration and industrial relations at the central stage. The recommendations are meaningful and impact public structures and the way they exert their competences.

The RE-FIT exercise undertaken by the Commission will enable to examine if the directives are still fit for purpose, what are the shortcomings, the successes, the improvements foreseen.

How to close the existing gap? How to update the directives to meet the needs and fulfil the objectives? Should agreements be binding or flexible? What appreciation for employers and employees' side?

There is a consensus to establish a level playing field with common minimum standards and set a non-regression clause

The definition of 'information', 'consultation', 'restructuring', 'civil service' and 'civil servant'; vary according to the country. Exemptions and reservations are emerging and to avoid any loophole, the reference standards should be International Labour Organisation ones.

EPSU is willing to promote minimum standards at all levels of government, excluding any 'split' approach but a common and similar approach and framework.

On the consultation of the European Commission (deadline 30 June): EPSU wants to respond jointly with CEMR, seeing it as a duty as social partners and especially because it is one of the few times that public sector is highlighted to the eyes of the Commission. EPSU stands that any public sector employee is entitled to information and consultation rights and therefore common minimum standards must become compulsory for both public and private sectors, through an extension of the scope and provisions of the directives.

Mr Bertrand from the Labour Law Unit – DG EMPL completed the presentation by explaining that the consultation on the 3 Directives concerns all level => 'translevel' approach

The European Commission is well aware of the shortcomings and seeks for keeping the legislation up-to-date. The Directives will be revised according to the results of the consultation and could be merged into one single text through a recast. The coverage of public sector is obviously the key question of the consultation and the objective is also to ensure legal certainty.

CEMR stated that there is an issue with the mandate because it is highly problematic to allow SSDC on central administration to agree on any new legislative proposal if this also affects other levels of public administration (which is for certain in light with territorial reform and in a context of restructuring, crisis, etc.). CEMR stands for not reopening of the discussions and opposes a review.

EPSU regretted this decision and wished members could find each other in the middle, otherwise there would be no foreseeable progress. Employers and employees have their own views on information and consultation and all agree that there are clear shortcomings. Nevertheless CEMR iterated its refusal to respond, even if the green paper on restructuring (2009) could be used as a contribution for members willing to act on it.

8. Public consultation on the Working Time Directive

CEMR and EPSU agree on the process, since there is clearly no satisfactory solutions suggested by the European Commission and the process is not open and transparent enough.

The SSDC on LRG is relevant for this issue and willing to be proactive on this issue.

However if a consensus is possible on the critics on the process, but there are major differences between the respective positions between EPSU and CEMR. Reopening the discussions is very difficult in the current state of play, especially if there is only the opportunity to tick boxes.

Sending a common message is tricky because CEMR and EPSU disagree on the substance, but in the end members agreed not to intervene at this stage as no initiative is to be expected before 2016.

9. Next meeting

Wednesday 2 December

Warning: 2 Seminars will be organised in 2015 in the framework of the EPSU-CEMR project on 21st September in Brussels and 10th November (venue to be determined)

List of participants

EPSU

UNGER Günter	GdG-KMSfB	Austria
SUCHA Blanka	OSSOO	Czech Republic
SAMSING Mads	HK/Kommunal	Denmark
LANGBAKKE POULSEN Bjorn	OAD	Denmark
LIIVAMÄGI Kalle	ROTAL	Estonia
HAMALAINEN Mika	JHL	Finland
MAARIANVAARA Jukka	TEHY	Finland
FALBA André	FPSPSS-FO	France
SYBERG Thomas	DBB	Germany
KALNINS Juris	LAKRS	Latvia
PETRAITIENE Irena	LTUSE	Lithuania
ANDERSEN Knut Roger	Delta	Norway
ROVIK Randi	NUMGE	Norway
SORIN Stan	COLUMNNA	Romania
GASULL Joan	FSC-CC.OO	Spain
GALLEGO Jesus	FSP-UGT	Spain
HANSSON Maria	Kommunal	Sweden
JONSSON Anders	Kommunal	Sweden
BERGMAN Nina	SAHP/Vårdförbundet	Sweden
FURUBERG Markus	SSR	Sweden
OSTBERG SVANELIND Maria	SSR	Sweden
HAGBERG Anneli	Vision	Sweden
NIELSEN Dan	Vision	Sweden
NILSSON Eva-Lotta	Vision	Sweden
ERILLI KURUMLU Yüusra	Hizmet-Is	Turkey

EPSU Secretariat

JAKOB Christine EPSU

PRAIRIAL Jessica EPSU

CEMR

ABSENGER Bettina	City of Graz, Social Welfare Office	Austria
SOUKUPOVA Radka	Union of Towns and Municipalities of the Czech Republic	Czech Republic
SIVONEN Sirpa	Comission for Local Authority Employers	Finland
THALER Andreas	German County Association	Germany
KRAUSZ Veronika	Hungarian National Association of Local Authorities (TÖOSZ)	Hungary
STEINER Erika	Hungarian National Association of Local Authorities (TÖOSZ)	Hungary
GUDMUNSDOTTIR Gudrun	SAMBAND	Iceland
REITERE Vineta	Latvian Association of Local and Regional Governments	Latvia
RIMSANE Inta	Latvian Association of Local and Regional Governments	Latvia
VAREIKYTE Audrone	Association of Local Authorities in Lithuania	Lithuania
TONDEVOLD Anne	KS	Norway
NAAVIK Gunnbjørg	The Norwegian Association for Local and Regional Authorities	Norway
SCHANKE Liss	The Norwegian Association of Local and Regional Authorities	Norway
ORNOCH-TABEDZKA Malgorzata	Association of Polish Cities	Poland
LOOBERGER Malin	SALAR	Sweden
HERTEL Leonie	COSLA	UK

CEMR Secretariat

POTH-MOEGELE Angelika CEMR

FLIN Cédric CEMR