

European Sectoral Social Dialogue Committee on “Temporary Agency Work”

Work Programme 2013 – 2014

I – Labour market policies

EU employment strategy

Eurociett and UNI Europa will discuss the potential contribution of the social partners of the temporary agency work sector to the implementation of the Europe 2020 Strategy, with a special focus on the EU Employment Package “Towards a job-rich recovery, the European Semester and the relevant Country-specific recommendations, and the Partnership between Employment Services initiative (PARES).

In addition, the two EU sectoral social partners will closely follow up the developments of the European policies and legislations with regard to their impact on the sector and on the labour market in general. Such topics could include new initiatives related to active labour market policies, youth employment, work mobility, restructuring and transitions in the labour market. The European social partners will decide to initiate new activities linked to these developments.

II – Promoting National Social Dialogue

The European social partners envisage:

- A. Holding a roundtable event in 2013 in Croatia and in 2014 in Serbia in coordination with the national social partners. The roundtable will be organised in cooperation with TAIEX/European Commission and will aim at establishing and/or improving national social dialogue in the sector and promoting the European social dialogue as part of the social “*acquis communautaire*”.
- B. Using the meetings of the Sectoral Social Dialogue Committee to get a report from UNI Europa and Eurociett members on the latest developments regarding national sectoral social dialogue.
- C. Giving joint presentations of UNI Europa and Eurociett members about their respective collective labour agreements. These presentations will be given by the German, Austrian, Danish, Dutch, French, Spanish and Italian social partners or any others who would like to make a joint presentation.

III – TAW regulation

EU Directive on temporary agency work (2008/104/EC)

- A. In 2013, the European sectoral social partners will continue to support their members after the implementation of the Directive at national level. The EU sectoral social partners will identify joint actions to promote its full implementation through national and/or sectoral social partners at EU or Member States’ level.

- B. In 2013-2014, Eurociett and UNI Europa will use the Sectoral Social Dialogue Committee meetings to discuss and assess the implementation of the Directive. They will contribute to the review process of the European Commission by participating in the relevant meetings of the Expert Group.
- C. They will also use the Sectoral Social Dialogue Committee to exchange views and discuss the report of the European Commission on the implementation of the Directive to be published by 5 December 2013. Eurociett and UNI Europa will compare its results with their own respective reviews and, if needed, will raise the attention of the European Commission on some issues that should be addressed.
- D. Eurociett and UNI Europa will also request the European Commission for a legal commentary on the interrelation between the Agency Work Directive and the Directive on Posting of Workers.

Free movement of workers and cross-border mobility

- A. Eurociett and UNI Europa will continue to monitor the evolution of the proposed enforcement directive on Posting of Workers. They will use the Sectoral Social Dialogue Committee meetings to discuss any relevant developments, and if appropriate, may decide to issue a joint statement commenting on the main provisions of the adopted instrument.
- B. Eurociett and UNI Europa will monitor the EU policy developments in the area of freedom of movement for workers and labour migration, where relevant. In particular, they will discuss the impact of upcoming initiatives, such as the Directive on freedom of movement for workers within the Union, and the implication for the temporary agency work sector.
- C. Eurociett and UNI Europa will monitor illegal activities of rogue agencies involved in cross-border placements and they may decide to take joint action, e.g. issue a joint statement against such illegal practices.

Decent work, non-discrimination and equal treatment

On the basis of the contributions from their respective affiliates, UNI Europa and Eurociett will continue to collect best practices and measures regarding the fight against discrimination in general and actions to promote equal opportunities for all. This work will more specifically focus on:

- A. Diversity in the labour market
- B. Access to credit for temporary agency workers
- C. Access to complementary health care and pension schemes for temporary agency workers.
- D. Access to training for temporary agency workers.

To further explore this issue, Eurociett and UNI Europa will invite representatives of the bipartite training funds to present their best practices and activities to facilitate access to training for temporary agency workers.

Based on these contributions, a compendium of best practices will be published.

ILO Convention No. 181 and Recommendation No. 188

In close cooperation with their global counterparts (Ciett and UNI Global Union), the European sectoral social partners will continue to promote the ratification of ILO Convention No. 181 on Private Employment Agencies, and its accompanying Recommendation No. 188, as a relevant international framework for regulation on temporary agency work and as a way to promote decent work.

Together with these instruments, the promotion of social dialogue and the decent work agenda may be extended, if appropriate, to accessing countries to the European Union and to the members of the Council of Europe.

IV - Joint projects

How temporary agency work compares with other forms of work

In 2013/2014, Eurociett and UNI Europa will carry out a joint project, co-funded by the European Union, comparing temporary agency work in the labour market with other forms of work, for instance considering fixed-term contracts and self-employment. In particular, the project will consider the following dimensions, both from the quantitative and qualitative point of view:

- Their respective share in the labour market
- Their ability to represent themselves in the labour market through organised bodies/social partners and through the provision of reports, statistics and data about them
- Regulation of the different forms of work
- Access to social protection (healthcare, unemployment, sickness benefits)
- Occupational health and safety provision and practices
- Access to training
- Social dialogue and collective labour agreements
- Their impact in terms of labour market participation

The project will put forward some case studies, if appropriate data and research is available, based on countries, for example Spain, Germany, Netherlands and any other relevant country, or possibly on specific sectors.

The project will also take stock of and capitalise on the results of previous joint projects, and in particular it will build on the findings of the joint project on "the role of temporary agency work and labour market transitions in Europe", conducted in 2012.

Activities to be organised as part of the project might include:

- An independent research to analyse how temporary agency work compare on these dimensions with other non-traditional forms of work.

- The organisation of a European Stakeholder meeting to confront views with relevant key EU stakeholders (e.g. social NGOs, MEPs, European Commission, Academics);
- The organisation of a one-day pan-European conference to disseminate the results of the research amongst Eurociett and UNI Europa members and key external stakeholders.

Cross border activities within temporary agency work

Eurociett and UNI Europa will continue to develop the work of their European Observatory on cross-border activities within temporary agency work. The objective of the Observatory is to develop a better understanding (facts and figures, regulatory framework) of cross-border assignments and contracts within the temporary agency work industry in the EU, and to prepare information and background documents to support discussions within the Sectoral Social Dialogue Committee.

In 2014, Eurociett and UNI Europa may apply for a grant to fund additional activities of the Observatory.

The European sectoral social partners will investigate future cooperation and exchange of information with labour inspectorates and other relevant bodies within the temporary agency work sector across Europe. As part of best practices sharing, the sectoral social partners will invite the Dutch labour inspectorate and SNCU, “the CLA police”, to give a joint presentation about their activities to exchange information and ensure better enforcement against rogue agencies.

In addition, Eurociett and UNI Europa will continue to collect, exchange and disseminate information on companies in the temporary agency work sector that are not operating according to the rules and regulations of the Member States in question.

V – Sectoral developments and the economic situation

Eurociett and UNI Europa will closely follow up and discuss the state of the temporary agency work sector with regards to the economic situation in order to assess the link between the economic cycles and the temporary agency work market. They will also look at developing exchange of information with other sectors on topics of mutual interest, taking care of not interfering with the EU cross-sectoral social dialogue.

VI – Review

Sectoral social partners will assess the implementation of their work programme during the last Sectoral Social Dialogue Committee meeting of 2013. During this meeting, Eurociett and UNI Europa may decide to review and adapt the work programme for 2014.

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