



## EUROPEAN COMMISSION

DG Employment, Social Affairs and Equal Opportunities

Social Dialogue, Social Rights, Working Conditions, Adaptation to Change  
**Social Dialogue, Industrial Relations**

### **RAILWAYS SECTORAL DIALOGUE COMMITTEE**

#### **Meeting of the steering committee**

**18 April 2008**

**Concise minutes (adopted on 5 December 2008)**

#### **(1) Adoption of the agenda and approval of the minutes of the last meetings**

The meeting was chaired by Mr Nigl (employers). The agenda was adopted. The minutes of the last steering committee meeting (5 December 2007) were approved with minor changes.

#### **(2) State of play of the negotiations at European level**

ETF and CER gave their point of view with regard to the negotiations at European level on the number of consecutive rests away from home as well as on compensation for the rest away from home (footnote 1 in Clause 4 of the Agreement on working conditions<sup>1</sup>). The participants were informed about the meeting with the Commission services on 15 April during which the Commission announced that the (preliminary) results of the study on the economic and social impact of the agreement would be made available to the social partners as soon as possible. CER and ETF would decide in their respective decision-making bodies whether the negotiations could be resumed. Both sides of industry agreed that the social partners should keep the file under their control.

#### **(3) State of play of the survey and report on the implementation of the Agreement on the European drivers licence**

Both sides of industry reiterated their will to produce a joint report on the implementation of the Agreement for the plenary meeting as agreed at the working group meeting on 18 February. However, ETF had not finalised their comments on chapter 1 yet (but outlined the direction in which these would go). Since parts of the Agreement had meanwhile been taken over by Directive 2007/59/EC, the DG EMPL representative suggested to identify the elements not covered by the Directive and to possibly make a new text for the sake of clarity. For ETF, it was unacceptable to state that the Agreement had no added value any more. The chair of the Sectoral Dialogue Committee confirmed that the points not covered by the Directive were still valid. The first step would be to identify these points.

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<sup>1</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2005:195:0015:01:EN:HTML>

**(4) Exchange between the social partners on possible informal consultation mechanisms with the European Railway Agency**

ETF considered that the social partners should specify their expectations towards the Agency with regard to informal consultation and the participation of experts at the social dialogue meetings. The experience during the last meetings did not reflect the content of the exchange of letters of May 2006. According to the workers' side, the Agency did not differentiate between social partners and other rail stakeholders. In addition, in their view the employers' representatives in the Agency's working groups did not always consider social and health & safety aspects because often, they did not have this expertise. CER pointed out that the experts in the working groups were proposed by the organisations but chosen by the Agency (as technical experts, not social ones). Therefore, the social dialogue had indeed a role to play.

The DG TREN representative admitted that the legislative texts were very general. The Agency wanted to keep the discussion within the working groups and not to displace it in the sectoral dialogue committee. However, a solution should nevertheless be found if the workers' expert in a working group raised social questions which the rest of the group did not like (or was not competent) to discuss. Here, one should have a frank discussion with the Agency together with the Commission. It was agreed that ETF would take the initiative for such an exchange in the near future.

**(5) Information by DG TREN**

Mr Grillo (DG TREN) informed the participants on recent developments (see also [http://ec.europa.eu/transport/rail/whatsnew/index\\_en\\_2008.htm](http://ec.europa.eu/transport/rail/whatsnew/index_en_2008.htm)).

**(6) Any other business**

The parties discussed the draft work programme and the draft agenda for the plenary meeting of 22 May 2008.

Participants:

<b>Employers:</b> Ms Abu-Dayeh Mr Blomberg Mr Hara Mr Inglese Mr Nigl Mr Preumont Ms Streichert	<b>Employees:</b> Mr Bartl Mr Greivelding Mr Le Reste Ms Trier Mr Waccin
<b>European Commission:</b> Ms Durst (DG EMPL F/1) Mr Grillo (DG TREN E/2)	