

Social Dialogue Committee for Central Government Administrations - SDC CGA

SD Committee for Central Government Administrations – Working Group meeting
21 December 2015, Brussels
Draft Minutes

Present		
TUNED		
BOSSIO Silvana	CSC SP	Belgium
GILLES André	CGSP	Belgium
LIIVAMÄGI Kalle	ROTAL	Estonia
TSIAKKAROS Stélios	CFDT Interco	France
HEIKKILA Katja	Pardia	Finland
CHIARAMONTE Salavatore	FP-CGIL	Italy
GRIECO Nicoletta	FP-CGIL	Italy
GALLEGO Jesus	FSP UGT	Spain
VAZQUEZ FERNANDEZ David	FSC CCOO	Spain
VERA CARRANCO José Manuel	FSC CCOO	Spain
AGUADO QUEIPO Fátima	FSC-CCOO	Spain
BRUNZELL Karin	ST	Sweden
LEJON Britta	ST	Sweden
LINDSTRÖM Anders	SSR	Sweden
OSTBERG-SVANELIND Maria	SSR	Sweden
KEMPEN Peter	USF	Europe
TUNED Secretariat		
SALSON Nadja	EPSU	Brussels
GOUDRIAN Jan Willem	EPSU	Brussels
HEEGER Klaus	CESI	Brussels
ORR Patrick	EPSU	Brussels
GASSNER Diane	EPSU	Brussels
EUPAE		
LEBRANCHU Marylise		France
SMANIOTTO Stéphanie		France
KRYKWINSKI Caroline		France
DJIDER Nacer-Eddine		France
LOREAL Simon		France
PAPPENSCHELLER Thomas		Austria
DRUART Jacques		Belgium
NECKEBROECK Bruno		Belgium
TALAMO Valerio		Italy
FICCHI Velia		Italy
SILES SUAREZ Teresa		Spain
CASADO LOPEZ Héctor		Spain
SARMAVICIUS Osvaldas		Lithuania
FEDROVA Michaela		Czech Republic
WAGENER Guy		Luxembourg
GANHAO Teresa		Portugal
European Commission		
PASERMAN Ruth	DG Employment	Brussels

KAUFFMANN Barbara	DG Employment	Brussels
DION David Pascal	DG Employment	Brussels
MARTINELLI Stefano	DG Employment	Brussels
DE SMET Anne-Pascale	DG Employment	Brussels

11:00 – 12:00 Separate preparatory meeting of TUNED (with interpreters)

13:30 – 14:30 Separate preparatory meeting of EUPAE (with interpreters)

15:00 WORKING GROUP MEETING

Only item on the Agenda: General framework for informing and consulting civil servants and employees of central government administrations: final adoption and signing of the agreement by the Committee.

As Committee's Chair, EUPAE-France, represented by Marylise LEBRANCHU, French Minister for Devolution and Civil Service, opens the meeting.

For EUPAE: summarized speech of Ms Marylise LEBRANCHU

- **On the Agreement**

Ms LEBRANCHU recalls that the work of the social dialogue committee to reach a framework for information and consultation rights for central government administrations was initiated in response to the formal consultation of the European Commission of 10 April 2015 by which the Commission asked the social partners on their will to reach a legally binding agreement under Article 155 TFEU. Indeed, this solution was preferable to the extension of the Directives applicable for the private sector.

After a few months of negotiations, the SDC CGA reached an agreement and Ms LEBRANCHU would like to thank TUNED and EUPAE members for the accomplished work as well as the European Commission for the support.

On the content of the agreement, Ms LEBRANCHU stresses that it constitutes a major step forward for central government administrations in Europe as it establishes a common core of minimum standards adapted to the specificities of public administrations.

This framework proposes indeed precise definitions of information and consultation, a list of targeted topics to be compulsorily covered by one or the other of these procedures. Moreover, it applies to all civil servants and employees of central government administrations. Employees' representatives are also supported by a protection status to allow them to interact properly with employers.

Ms LEBRANCHU highlights that effective social dialogue is vital for economic growth, quality labour relations, quality and efficiency of work and of public services. This text might be considered as insufficient by the trade unions as many legislations go further than this framework, but it provides a solid basis of minimum standards on which we can improve the reality and effectiveness of the dialogue, while we foresee to supervise the concrete application.

- **Review of the work of the Committee during the French presidency**

Ms LEBRANCHU stresses that France was pleased to chair EUPAE for the two last years and to assume the Presidency of SDC CGA in 2015.

First and foremost, it was important for France to ensure continuity in the work of the Committee. The programme set for 2014-2015 was fairly ambitious and France with all the members of the Committee put all of our efforts to meet the expectations placed on the components of the work programme.

Moreover, France tried to contribute to broaden the audience and the involvement of EUPAE through the SDC CGA. During this period, three new countries as observers within EUPAE: Austria, Germany and Portugal.

The main activities of the Committee in 2014-2015 were as follows:

- Gender pay gap - In view of the persistent gender pay gap in favour of men, the Committee continued its work on gender equality and adopted in September 2014 some recommendations towards closing the gender pay gap.
- Quality administration for vulnerable people - The Committee adopted a joint recommendation on EU-funded project Quality Administration for vulnerable people. France was glad to host the final seminar in Paris in November 2014.
- Quality service in central government administration - Adopted on 21 April 2015 by the SDC CGA, the final text of Policy recommendations for a quality service in central government administration is one of the one-year projects funded by the Commission's social dialogue budget line. The project aimed at promoting the dissemination and implementation of the European Framework Agreement for a quality service in central government administration, adopted by the SDC CGA on 12 December 2012.
- Health and security at work - The SDC-CGA committed to implementing its statement on health and safety adopted on 10 December 2013, with special attention to the psychosocial challenges at work. With this in mind, France (as EUPAE chair) and EPSU submitted in June 2015 to the European Commission a joint project on "*well-being and occupational safety and health (OHS) in central government administrations: tackling psychosocial risks at work*". The Commission selected the project, which has started in November 2015 and will continue until spring 2017.

At the end of these two years, France handovers the presidency of the Committee to TUNED and the EUPAE Chair to Italy and wishes every success to the new presidencies.

For TUNED: summarized speech of Ms Britta LEJON

Ms LEJON says that the agreement on Information and consultation rights is a landmark agreement for the workers, for the quality of public administrations, and for the future of EU social dialogue which is vital to a social and democratic Europe.

The agreement sets out common minimum standards for the fundamental human rights of workers and their trade union representatives to be informed and consulted. Workers will be better placed to deal with their employers, to influence them on changes in the work place, on working time, health and safety or work/life balance.

By setting out new EU minimum standards in central government, it closes a 10 year-old gap in EU legislation that until now only applied, to a large extent, to private sector workers. It puts on an equal footing millions of public workers with workers in the private sector. It is a concrete translation of the key EU principle of equal treatment.

True, the situation differs across EU member states and the Agreement will therefore have a differentiated impact. In some countries, those new EU standards will bring additional legal protection and safeguards against risks of deterioration of information and consultation rights. In others, it will help regain fundamental rights that have been taken away in the past

few years. Under no circumstances can the agreement be used to weaken existing rights at national level and under all circumstances will better rights prevail.

The Agreement is important for the future of the EU social dialogue which has seriously slowed down for the past few year. This agreement will contribute to its relaunch as called for by Commission President Juncker.

Importantly the Agreement is in line with the mandate that TUNED and EUPAE agreed: to improve social dialogue especially on restructuring.

Some parts of the text could have been broader, clearer but this is the consensus we have reached at this juncture taking into account 27 national industrial relations systems.

A monitoring clause every two years will allow a review and if need be improvements.

A directive is now the best way to ensure a level playing field so that all workers benefit from the same minimum rights, whilst leaving sufficient flexibility as to how governments can implement it by legislation or by a social partners' agreement. A directive will also be a strong instrument for the Social dialogue Committee to gain influence on the Commission's recommendations on administration reforms in the EU semester.

The Committee will now closely follow the transposition phase by the Commission.

To conclude, Ms LEJON would like to thank also EUPAE and TUNED members, as well as the European Commission.

Reaction of the European Commission

Ms Barbara KAUFFMANN, Director at the DG for Employment, Social Affairs and Inclusion, would like to congratulate the members of the SDC CGA for the agreement and reminds that the President of the European Commission, Jean-Claude Juncker, called to relaunch the Social Dialogue. This agreement shows that Social partners are able to improve social rights, here for more than 6 million of public employees.

The European Commission will now conduct a representativity test and an impact assessment during 2016 and then decide on the opportunity to submit the agreement to the EU Council.

Other reactions

EUPAE Belgium (Vice Chair of EUPAE) would like to reaffirm its full support to the agreement, which confirm in the best possible way the reality of the work of the SDC CGA, which has been founded in 2010. EUPAE Belgium encourages the Committee to go further in the future. EUPAE Belgium hopes that the European Commission will consider the agreement with all these specificities.

EUPAE Italy (Vice Chair of EUPAE) would like to thank the French Presidency and all the members of the Committee for reaching this agreement as well as the European Commission for its support. The agreement represents an important compromise between the member states that protects the collective bargaining choices. As new Chair of EUPAE, Italy will accompany as necessary the Commission in the transposition of the agreement into a Directive.

Stelios TSIKKAROS (Vice Chair of TUNED) also would like to thank all the members of the Committee and the Chair. He reaffirms that such an achievement after long negotiations strengthens the Social Dialogue in Europe and hopes that the Commission will transform the agreement into a Directive.

- **The SDC CGA unanimously adopts by the members present the agreement** on a General Framework for informing and consulting civil servants and employees of central government administrations.
- **The agreement is signed by :**
 - **For EUPAE :** Ms Marylise LEBRANCHU (French Minister for devolution and civil service)
 - **For TUNED:** Ms Britta LEJON (TUNED Spokeperson), Mr Jan Willem GOUDRIAAN (EPSU General Secretary) and Mr Klaus HEEGER (CESI General Secretary).
- **The SDC CGA will be responsible for providing a common interpretation of certain provisions of the agreement**, in order to avoid any difference of understanding during the implementation of the agreement.
The Committee commits to deal with the interpretation issues during a next SDC CGA meeting.

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