

**Working Group Meeting
10 May 2006
Minutes (adopted on 2 October 2006)**

1. Adoption of the agenda

The meeting was chaired by Mr Koning (employers). The agenda was adopted. It was agreed that working hours should be discussed under “Any other business”. The minutes of the previous meeting (3 March 2006) were adopted.

2. Dutch study "Occupational profiles in Europe"

Ms Freling from ISEO Consult (NL) described the objectives of the project and its state of progress.

The ETF criticised the fact that the social partners at European level had not been involved in developing the project. The employers’ side confirmed that, although the project had been initiated by the Rhine Commission, it had been commissioned by a Dutch foundation. The social partners had been involved in the Netherlands.

With regard to the content of the project, the ETF suggested that not only sailors and ships’ masters but also other categories be examined. Ms Freling said that the study, for which only limited resources were available, did not claim to be comprehensive.

The expert explained why the EQF (European Qualifications Framework¹) had been used. It provided an appropriate and open scale of assessment for the industry.

The employees’ side stressed that it was important for nautical skills to be preserved but pointed to new requirements, such as computer and social skills, which were now essential in the workplace.

Ms Freling thanked the participants for their helpful suggestions.

3. Comparison of occupational qualifications (training requirements)

The social partners agreed that half of the next meeting would be spent discussing occupational profiles with a view to establishing uniform requirements. By then, everyone should have had time to read the documents available. These were: a study by the Social and Economic Council in Flanders (<http://www.serv.be/>), information from the Commission regarding the countries in Eastern Europe and the Dutch study presented on the day of the meeting.

It was still necessary to determine jointly what the ultimate objective of the exercise should be: harmonisation or mutual recognition of qualifications. The Commission representative suggested that a proposal for a project should be submitted, where

¹ http://ec.europa.eu/education/policies/educ/eqf/index_en.html

necessary, or that the Working Group should contact CEDEFOP (<http://www.cedefop.europa.eu/>).

4. Working hours

The ETF had two concerns. Firstly, it was not clear whether the proposal put forward personally at the last meeting by Mr Düttemeyer, for a working day of no more than 12 hours, had since been supported by all the employers. If this were the case, a third category was superfluous. Secondly, the employees' side wanted to know what the reaction of the employers' side was to the revised paper put forward by the ETF in September. The ETF repeated that this paper was not a negotiating position but a list of points which should be (not "would have to be") dealt with in an agreement of this kind.

The employers' side pointed out that the seamen's agreement had been kept relatively simple, and asked the employees why night work and standby duties were defined in such detail in the ETF proposal. The ESO also considered the seamen's agreement to be a sound basis for discussion. It would have to be made clear that the operation time of a boat was not equivalent to the working time of an employee, and that real self-employed persons were not subject to restrictions on working hours. In this connection, the Commission representative referred to a study on "quasi-subordinate (parasubordinate) employment"².

The ETF proposed that the Secretariats should draw up a joint text setting out the points on which both sides agreed, on the basis of the seamen's agreement. The employers' side suggested that a continuous text be drawn up which could also include points on which agreement had not been reached.

The Commission representative again proposed that, where necessary, specific issues relating to labour law should be clarified with the colleagues responsible for this area.

5. Next meetings

The next meetings were scheduled for 2 October und 10 November.

² http://ec.europa.eu/employment_social/labour_law/docs/parasubordination_report_en.pdf

List of participants 10.5.2006

<p><u>Employers:</u></p> <p>EBU: DALAISE, Jean-François DÜTEMAYER, Gunter KONING, Michiel NAABORGH, Jacques</p> <p>ESO: BECKSCHÄFER, Andrea VAN LANCKER, Christiaan VELDMAN, Jan</p>	<p><u>Workers:</u></p> <p>ETF: BEYER, Udo BLESER, René BRAMLEY, Nick BRANNSTRÖM, Thomas HERTOGS, Beatrice KERKHOF, Joris LALAK, Vladimir LAMERS, Lucy LEHNINGER, Gunter WEICKER, Raymond</p>
<p><u>Others:</u></p> <p>FRELING, Claire (ISEO Consult)</p>	
<p><u>European Commission:</u></p> <p>DURST, Ellen (DG EMPL/F.1)</p>	