



Brussels, 16 May 2013

Sectoral Social Dialogue Committee on Professional Football

Minutes of the Working Group Meeting "Implementation of the Autonomous Agreement"

21 March 2013

1. Adoption of the agenda and of the minutes of last meeting

The meeting was chaired by Mr Grafström (UEFA). The agenda was adopted. The minutes of the 17 December working group meeting were adopted with some changes. Amendments submitted by EPFL on point 3 were not taken into account since the proposed bullet points are part of the agreement.

2. Report on the kick-off meetings

Mr Grafström gave a brief overview over the three kick-off meetings which had kindly been organised by the UEFA (see minutes of last meeting). The general feeling was that the format of the meetings improved after the first meeting and was appropriate in the two subsequent meetings. The general feedback was very positive, in particular thanks to the fact that stakeholders had started to talk to each other when this had not been the case before (locally). In some countries existing frictions became apparent, too; these were the countries to focus on.

3. Update on EU funds application for round tables and task force

Mr Øland (FIFPro) regretted that the call for proposals in support of social dialogue was not published yet¹. This posed a problem since the national meetings should take place as soon as possible. All sides agreed that meetings needed to start independently of EU financial support in order not to lose focus.

4. Issues identified and addressed in each country

The participants went through the information gathered during the three kick-off meetings and listed the problems identified per country (see detailed annex).

From the first group of countries, the situations in Russia and Croatia were the most worrying. Regarding Bulgaria and other countries where national law was considered as an issue, the question was raised whether the signatories of the agreement or the UEFA should intervene and discuss with the respective government. If requested by both the

¹ It will be published in April at: <http://ec.europa.eu/social/main.jsp?catId=630&langId=en>

national association and the national social partners of the country concerned, UEFA could consider contacting the relevant government.

After having reviewed all countries concerned, it was agreed that the UEFA write a letter as a follow-up to the kick-off meetings to all football associations to address the identified problems and announce the upcoming country visits. This letter, which would be based on the social partners' input, should be ready at the end of April and would be in identical language distributed by the social partners to their respective national members. Between the letter and the visits, all parties should exchange information on any changes, in order to avoid surprises. It was agreed to discuss the specific country updates of the first five countries to be visited (see below) during the working group meeting in May.

5. Visits to individual countries

Taking account the above assessment, FIFPro proposed to visit Serbia and Croatia as soon as possible. Also, since FIFPro would hold their World Congress in Slovenia in October, a visit there before October would be welcome. All parties agreed to commence on own budget with country visits to Ukraine, Russia, Croatia, Slovenia and Serbia. In view of ECA's General Assembly (9-10 September), it was agreed to undertake these visits during the second half of August and the second half of September. ECA and EFPL called for a balanced and appropriate representation of all parties, which should be planned in advance. FIFPro considered that they would normally be represented by one or two delegates plus one local person; some flexibility was agreed considering that some countries, e.g. Russia, would need a high level representation. FIFPro suggested visiting Cyprus soon, too. Turkey, which still had some homework to do, should be the last country to visit. The first five countries should be visited before November, the other seven before the end of the year. UEFA agreed to propose rough dates for the envisaged country visits.

6. Any other business

Ms Durst (DG EMPL) asked the social partners to update/prepare their future work programme in accordance with the rules of procedure of the committee. The parties agreed to do so at the next steering committee meeting (24 April 2013 in Nyon). The draft minutes of the last steering committee meeting (5 November 2012) would be adopted then, too.

7. Next meeting

The next meeting of this working group will be held on 16 May 2013. Subject to the Commission's imminent approval, the meeting will be hosted by FIFPro in Amsterdam. The Commission representative stressed that the organisation outside of Brussels would be an exception and was only acceptable if the overall costs for the Commission were not higher compared to a meeting in Brussels.

Participants

Employers (3 ♂, 0 ♀) <u>ECA</u> Mr Dewaele Mr Roka (HU) <u>EPFL</u> Mr Blair (UK)	Workers (7 ♂, 0 ♀) <u>FIFPro</u> Mr Bär-Hoffmann (BE) Mr Boeykens (BE) Mr Higgins (UK) Mr Øland (DK) Mr Schwab (observer) Mr Stefanovic (SI) Mr van Megen (NL)
European Commission Ms Durst (DG EMPL)	Others <u>UEFA</u> Mr Grafström

Annex: Identification of problems country by country

Country	Collective bargaining agreement (CBA)	Employment contracts	Independent and impartial arbitration	Further remarks
Russia		There are double contracts. Contracts are not in compliance with minimum requirements.	The NDRC is not independent.	There are two players' unions but only one of them affiliated to FIFPro.
Ukraine	Yes	Yes	Yes. To be checked if it is implemented through contracts and goes down to the club/player level.	A lot of progress has been achieved recently.
Turkey	No	Contract content not regulated. Double contracts.	No	No players' union.
Serbia	No	Probably no employment contracts but developments towards standard player contracts.	Developments towards independent arbitration.	No principles from the autonomous agreement apply yet but very good developments.
Croatia	No "negotiations"	No (mostly self-employed players) – only foreign players do have employment contracts	No	None of the instruments available.
BG	Yes	Yes	Yes, but see remarks.	BG's labour law does not allow arbitration on labour disputes ² ; this has to be further investigated.
RO	No	Yes, but they do not satisfy the minimum requirements.	Yes, now implemented in first and second division	RO's labour law does not allow arbitration on labour disputes. Problem: high number of insolvencies.
CY	No	Yes, but badly drafted. Double contracts exist. Non-compliance with minimum requirements.	No. Representation of clubs and players only in first instance; second instance only FA. CY has most cases in front of FIFA DRC. The FA sets the rules.	

² This is also the case in Belgium. See Article 12 of the agreement: "labour issues are covered by national law and in certain countries arbitration on labour disputes is not allowed."

Country	Collective bargaining agreement (CBA)	Employment contracts	Independent and impartial arbitration	Further remarks
SI	Not yet, but proposed by players' representatives.	Mostly self employment of players.	Agreed by ExCo of FA; to be implemented soon, including labour disputes.	FA endorses guaranteed salary scheme.
PL	No	Yes, but a lot of double contracts.	Yes, since three years, but no provision of compensation.	
CZ	No	No, self-employed players ("professional sportsmen"). Content of contracts is not reviewed.	Yes, but no provision of compensation (one needs to go to the regulatory court for compensation).	
HU	No	Yes, but reportedly there are cases of double contracts. (According to ECA representative from Hungary, there are no double contracts any more.)	No. Social Partners in favour of DRC, though.	Since 1 January 2013 labour disputes must be resolved before labour courts (new mandatory law). The quality of dialogue is getting better in the last couple of years; "football-friendly" government/prime minister.