



## EUROPEAN COMMISSION

Employment, Social Affairs and Inclusion DG

Employment and Social Legislation, Social Dialogue  
**Social Dialogue, Industrial Relations**

**SECTORAL SOCIAL DIALOGUE  
COMMITTEE  
LIVE PERFORMANCE**

### **MINUTES MAIN WORKING GROUP MEETING 10/12/2010**

**Chair:** Mr Stephen SPENCE (EAEA, workers) – Thomas DAYAN (FIM, workers) for points 8 and 9.

#### **1. Approval of the draft agenda**

The draft agenda was approved with some modifications regarding the order of the points foreseen.

The draft minutes of the plenary meeting of 6 October 2010 were approved without modifications.

#### **2. Information from the Commission on the ongoing activities in the field of employment and social affairs**

Stefaan Ceuppens (SC) informed the Committee of the upcoming reorganisation of DG EMPL on 1 January 2011 and the appointment of Mr Koos Richelle as new Director-General on the same date.

He provided an update on EU initiatives with relevance to the employment and social domain, including: an overview of the key areas of action of the recently presented Europe 2020 flagship initiatives "An industrial policy for the globalisation era" and "An agenda for new skills and jobs"; the "Europe is your playground" media campaign for improving awareness of social security rights when living and working abroad; the creation of the social dialogue committee for Central Administrations; a recently finalised project on mobility of workers in the private security sector; a number of currently running and upcoming public consultations.

SC also provided an overview of a number of regular publications of DG Employment that could be of interest to the delegates (see presentation and list of publications in annex).

In the ensuing exchange, delegates expressed some concerns about the Commission proposal for a "single contract" included in the "New skills and jobs" flagship and stressed the importance of European coordination of national social security schemes, notably for highly mobile workers such as actors and musicians.

Making the link with the project in the private security sector, Anita Debaere (AD) **proposed** to schedule a presentation at one of the next meetings on the PRACTICS

project, which aims to facilitate the provision of information about EU cross-border mobility in the cultural sector<sup>1</sup>.

### **3. Work Programme 2011**

Even if there are still a number of open questions – as regards the scope of a possible culture skills council (see also point 5), the stakeholders to be involved, the real added value of a skills council as compared to the social dialogue committee, etc. – there is sufficient appetite amongst the Committee's members to engage in a "mapping" exercise of the Live Performance sector as regards the situation of observatories for skills analysis and forecasting in the MS, as well as of sector-specific education and training providers. Whether this will lead to the creation of a skills council remains to be seen.

The secretariats will finalise the 2011 Work Programme on that basis, including also a few other small modifications that were agreed.

### **4. Risk Assessment**

AD provided a summary of the discussions in 2010 and the conclusions of the sub-working group on Risk Assessment of the Social Dialogue Committee, namely:

- Practices in Member States (MS) appear to be quite diverse, ranging from: existing sector-wide risk assessment tools (NL), tools developed at company level, to the absence of any form of standardised risk assessment tool;
- A consensus seems to exist to take up the offer of the Bilbao Agency<sup>2</sup> to develop a sector specific tool on the basis of its OiRA tool. It is proposed to follow up the developments in the French pilot project and to consider the launch of similar pilot projects in a number of other Member States. Such a practical and close-to-reality approach would offer immediate added value and would allow for identifying the general, cross-cutting features of a possible sectoral risk assessment tool, while assessing how and to what extent national/regional/local specificities can/should be taken into account.

It was **agreed** that after an evaluation of the pilot projects in France and the Netherlands, a number of countries will be chosen for additional pilot projects, to be launched by mid 2011. The sub-working group on Risk Assessment will discuss the practical modalities of these actions.

### **5. Exchange with DG Education and Culture on the Work Plan for Culture 2011-2014, adopted at the Council meeting on 18-19 November**

Alison Crabb presented the new Work Plan for Culture 2011-2014<sup>3</sup>, focussing on the three priority areas which are most relevant for the Live Performance sector (see presentation in **annex**), namely: Cultural diversity, intercultural dialogue and accessible and inclusive culture; Cultural and Creative Industries (CCI); Skills and mobility.

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<sup>1</sup> Website: <http://www.practics.org/>.

<sup>2</sup> European Agency for Safety and Health at Work (OSHA).

<sup>3</sup> [http://www.consilium.europa.eu/uedocs/cms\\_Data/docs/pressdata/en/educ/117795.pdf](http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/educ/117795.pdf).

In each area, a number of topics have been defined and a range of actions is proposed. The Open Method of Coordination (OMC) is maintained as the main working method in this domain, fostering debate, exchange of best practices (amongst others through thematic seminars) and development of tools (such as manuals) and recommendations by MS Expert Groups. Exchanges with the three existing thematic civil society "Platforms" (Intercultural Europe, Access to culture, CCI) will be fostered.

The "Skills" priority area includes exploring the possibility of creating "culture sector councils" to foster the identification and development of skills in the sector.

Responding to delegates' questions, Ms Crabb: confirmed that culture is indeed a national/regional competence, hence the use of the OMC in this domain, resulting in recommendations towards MS (mainly) and the EU; acknowledged the importance of having reliable statistics on the sector and informed the Committee of the existence of the "pocketbook" on "Cultural Statistics"<sup>4</sup>, of which a new version is due for end 2011, and of a Eurostat network project on comparing and defining methodologies for collecting culture statistics; recognised the importance of tackling the difficulties encountered by mobile artists and referred to the upcoming thematic seminars on this issue that will be organised by DG EAC.

Delegates further expressed concerns about the growing tendency to treat culture as any other economic activity, leading to the expectancy for cultural institutions to be financially self-sufficient. While recognising the positive aspects of (geographical) mobility, some delegates believe that due attention should be paid to the risk of mobility weakening the rights of artists.

As regards the idea of creating cultural sector (skills) councils, DG EAC proposed to facilitate a meeting in January with stakeholders of the sector to discuss this issue. A discussion took place about the participation of social partners in this initiative.

## **6. Financial Crisis**

Several delegates informed about the situation in their countries, including the UK (budget cuts ranging from 7 to 30%, local theatres closing, government not open to economic arguments,...), France (culture sector employees' rights under attack; funding currently relatively well preserved thanks to local governments; tendency towards merging of orchestras,...) and Italy (lack of understanding of the economic added value of investments in culture; appeal to examine possibilities of funding at European level).

As already explained at the previous meeting, the situation in the Netherlands is particularly worrying, with a general reduction of the budget for culture of 25% and a possible increase of the VAT on tickets. Following a call from the Dutch trade union delegate, the trade unions ***proposed*** to send a joint letter to the Dutch government, expressing its concern and requesting reconsidering its intentions. AD agreed to consult her Dutch member on this proposal.

AD ***proposed*** also to consider drafting a joint statement addressing all EU governments.

As foreseen in the 2011 Work Programme, the situation in the MS will continue to be monitored closely. Where appropriate, joint action may be considered.

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<sup>4</sup> [http://ec.europa.eu/culture/key-documents/doc975\\_en.htm](http://ec.europa.eu/culture/key-documents/doc975_en.htm).

## **7. Adoption joint statement on "The contribution of culture to the fight against poverty and social exclusion"**

The statement on "The contribution of culture in combating poverty and social exclusion" in the framework of the European Year for combating poverty and social exclusion 2010 was adopted (see [annex](#)).

The secretariats will decide to whom the statement will be disseminated.

## **8. Enlargement**

AD and Thomas Dayan expressed their satisfaction with the "Capacity Building in Southern Europe" project. The study visits were much appreciated and the conference in Dubrovnik was well attended. It is clear that the situation as regards social dialogue is difficult in several Member States and that much remains to be done. Capacity building, both at workers' and employers' side, is needed, while attention must be paid to involving governments in the dialogue. In this context, it will have to be followed up whether the new Central Administrations SSDC will include the employers in the culture sector (ministries of culture) and whether this will have an impact on bipartite/tripartite social dialogue.

At the working group meeting in February, it will be discussed how continued support to social dialogue in these (and possibly other) Member States can be organised, paying due attention also to the commercial sector.

## **9. AOB**

No issues were discussed under this point.

### Annexes

- Point 2 – Presentation ongoing activities in the field of employment and social affairs
- Point 2 – List of regular publications DG EMPL
- Point 5 – Presentation Work Plan for Culture 2011-2014
- Point 7 – Joint statement on "The contribution of culture in combating poverty and social exclusion"

Annex: List of participants 10/12/2010

<p><u>Employers</u></p> <p><b>Pearle*</b> Ms Joëlle BOULLIER-DEBUF (FR) Ms Anita DEBAERE (BE) Mr Julius KLEIN (SK) Ms Silke LALVANI (BE) Ms Ilka SCHMALBAUCH (DE) Mr Henrik STALSPETS (SE)</p> <p>6 employers representatives (4 women, 2 men) (1 new MS, 5 old MS)</p>	<p><u>Workers</u></p> <p><b>EURO-MEI</b> Ms Angeline BARTH (FR) Ms Françoise CHAZAUD (FR) Mr William DONAGHY (UK) Ms Hanna HARVIMA (BE) Mr Pierre VANTORRE (FR) Mr Pier VERDERIO (IT)</p> <p><b>FIA</b> Mr Marten GUNNARTZ (SE) Mr Stanislas IDE (BE) Mr Maciej PACUŁA (PL) Mr Stephen SPENCE (UK)</p> <p><b>FIM</b> Mr Thomas DAYAN (FR) Ms Laura HÖLZENSPIES (NL) Mr Anthony MARSCHUTZ (FR) Mr Antonio MUÑOZ LOBATON (ES)</p> <p>14 workers representatives (4 women, 10 men) (1 new MS, 13 old MS)</p>
<p><u>Other participants</u></p> <p>Ms Truus OPHUYSEN (ELIA, NL, observer)</p>	
<p><u>European Commission</u></p> <p>Mr Stefaan CEUPPENS (EMPL.F.1) Ms Alison CRABB (EAC.D.1) Ms Laura CASSIO (EAC.D.1)</p>	