



EUROPEAN COMMISSION
Employment, Social Affairs and Inclusion DG

Employment and Social Governance
Social Dialogue

Brussels, 10 April 2018

**SECTORAL SOCIAL DIALOGUE
COMMITTEE RAILWAYS**

Minutes of the "Adaptability and Interoperability" working group meeting

10 March 2017

The meeting was chaired by Ms. Barbara Grau (CER/SNCF), chair of the working group.

The agenda of the meeting was adopted. The minutes of the previous working group meeting were adopted.

Upon request from CER, ETF informed about the results of the elections for the railway section which took place on 9 March 2017. Following the retirement of Guy Greivelding, Giorgio Tuti (SEV-CH) was elected new president of the railway section within ETF. As Vice-presidents Maria Cristina Marzola (FILT-CGIL – IT) and Róbert Zlati (VSZ – Hungary) were elected. Further members of the steering committee are: Daniela Zlatkova (FTTUB –BG) representing female rail-workers, Christian Tschigg (FIT-CISL – IT) for young workers, Marion Carstens (EVG – DE), David Gobé (CGT-Cheminot -FR) and Henrik Horup (DJF – DK).

CER informed that Yves Baden (CFL – LU) is nominated as chair of the HR directors meeting. The election will take place at the next meeting, end of April. Following the resignation of Ruediger Grube (DB – DE) from his position with DB AG, Mr Grube also resigned from chairmanship with CER. As interim chairman Crister Fritzson (SJ – Sweden) has been appointed. A new regular chairman will be elected in September 2017.

Ms. Grau reminded the secretariats of the agreement to have documents related to the meeting two weeks before the meeting and where this is not possible still sufficiently early to go through the documents. She also requested that agenda points should whenever possible be supported by advance documents. The importance of this point was highlighted at several points throughout the meeting.

1. Human Factor and Safety Culture within the revision of Community Safety Methods on Conformity Assessment (CSM CA)

Jean Baptiste Simonnet (CER) gave his presentation (ppt), indicating the wish to make progress on the human factor and safety culture. He explained that a revision of the

common safety method will be needed. For CER and its members and also for ERFA it would be important to have a CSM which is consistent and consistently applied across Europe thus to facilitate cross-border operations and to have it soon so to avoid long periods of unclarity.

CER questioned ETF whether it would be possible to find a common understanding and whether there was willingness to cooperate on that topic.

On behalf of ETF Sabine Trier and Paul Clyndes welcomed the draft proposal for a CSM conformity assessment. It was particularly welcome that the proposal acknowledges the importance of the human factor and a positive safety culture. ETF however so far had not understood the concerns put forward by CER, that the proposal would be unclear or create legal uncertainty. Instead ETF suggested to work on the basis of the 9 principles identified in the draft proposal and to further elaborate them in the guidance document for which a subgroup has been set up.

CER was happy to see ETF supporting the 9 principles, but reiterated that these principles are not fully included in the draft CSM proposal. CER agreed that the guidance document would be very important and should be elaborated together, stating that a binding guidance would be needed and stressed that there should be consistency between the guidance document and the legal part. Reference was made to the CER position published in November 2016.

On behalf of ERA Hugues Delsoir explained that the revision of the CSM was not only motivated by the 4th Railway package but also by a general intention to provide more clarity about requirements and criteria of the assessment. The enforcement of the importance of the human factor and of a safety culture were considered essential elements throughout the revision process. He considered a well-functioning safety management system very important and that this could only be achieved with an integrated approach,; welcoming the positive approach of CER on the proposed 9 principles. He stressed that while the legal text should provide the framework and legal basis, guidelines were important to explain what was required by law and how it should be implemented.

CER explained that its idea was to have an annex to which the legislative document would refer to, thus ensuring the binding nature of the document and clarity. If these objectives could be achieved by other means, CER would be open to discuss that.

Matthieu Schittekat (ERA) highlighted the different nature of a regulation and a guidance document, stressing that it is planned to have all EU-level requirements put into one guidance document (provided by the Agency) and that this guidance document would apply to all authorities. The Human Factors network and its working group are working on both, the regulatory text and the guidance, since early 2015. Thus expecting to obtain a proposal which reflects the views of the majority of stakeholders.

Ms. Trier provided some examples where she considered the proposals made by CER as less binding than the draft proposal. Mr. Simonnet replied that he appreciated these examples and that such discussion on the concrete points would be needed. He also explained that the concerns expressed by CER were shared by ERFA. Mr. Clyndes replied that the contributions of CER to the working group were taken very seriously and that many concerns of CER were taken on board by the group.

Ms. Trier saw potential for an exchange on the understanding of the concept of 'human factor'.

Ms. Reinartz (ERA) informed that a new subgroup was set up to accompany the development of the guidance document and that membership in this subgroup was open to all members of the human factors network, including CER, EIM and ETF.

Ms. Grau concluded the agenda point by highlighting the goodwill on all sides and suggested the secretariats and experts to work on the topic. She also stressed that such discussion in a smaller round could clarify things.

2. ETF proposal towards a European harmonization of the locomotive drivers' cab (health & safety at work)

Following on previous discussions CER had sent to ETF a list of standards which apply to locomotive drivers' cabs.

ETF has established a small ad-hoc group within its locomotive driver's advisory group to work on the subject. Using a ppt Andrew Hudd (ASLEF, UK) provided a status report of the work of this group. He highlighted that the group focused on general cab-ergonomics, including issues like vibration, climate and light mainly to identify which TSIs might need changes or where more research would be needed. The group so far has produced a draft internal guidance document for ETF. The preliminary conclusions were that in spite of good work in the UIC document 651, further elements need to be brought together. So far the work suggests that many TSIs are deficient/need updating.

Mr. Oystein further stressed the relevance of the work as in particular in freight transport the use of standard locomotives has become more frequent and leasing of locomotives has become more popular, thus making common standards even more important. Once the report is finalized, ETF will share it with CER and the social partners will see whether it will be possible to develop a common position.

3. Rail Mobile Workers

Work on the joint project has just started.

The project is about the implementation and application of the agreement on working conditions of mobile personnel assigned to cross-border services. The agreement was signed in 2004; it was implemented as EU Directive and had to be transposed into national legislation by 2007/08. The agreement includes a review clause. The purpose of the project is to collect the data needed, so that the Social Partners can take an informed decision whether the Agreement is good as it is, or whether there is need for joint interpretation or even for a revision.

A German consultancy supported by an Italian professor has been selected to support the social partners in legal questions; for the empirical work SECAFI, a French consultancy, has been awarded a contract. The main elements of the work programme such as the dates for the five workshops have been fixed.

It was highlighted that the contributions of the national members of CER and ETF to the workshops will be crucial to come to good results with the project.

4. Train Drivers Directive

Ms. Mihaela Williams (DG MOVE) presented preliminary conclusions of the evaluation of the Train Drivers Directive (ppt) and informed about next steps.

Ms. De Wilde (SNCB) explained that the envisaged language requirements seem disproportionate to SNCB for a country like Belgium. Ms. Williams confirmed that the Commission has taken note of that issue.

Participants

<p>Employers 19 (9 ♂, 10 ♀)</p> <p>CER Ms Busschots (BE) Ms Caldana (CER) Ms Češková (CZ) Ms de Wilde (BE) Ms Grau (FR) Mr Koucky (CZ) Ms Kürzl (AT) Ms Lang (CH) Mr Lochman (CER) Mr Neveu (FR) Ms Pfaff (DE) Mr Raimondi (IT) Mr Rohrmann (DE) Mr Simonnet (CER) Mr Svetkovsky (CZ) Mr Vollmuth (DE) Mr Wojciechowicz (PL)</p> <p>EIM Ms Durez Ms Roussel</p>	<p>Workers 19 (12 ♂, 7 ♀)</p> <p>ETF Mr Aslaksen (NOR) Mr Aufrere (FR) Ms Carstens (DE) Mr Clyndes (UK) Mr Gobé (FR) Ms Guerin (ETF) Mr Haze (AT) Mr Horvath (AT) Mr Hourican (UK) Mr Hudd (UK) Mr Martin (BE) Ms Marzola (IT) Ms Mindum (HR) Mr Molive (ES) Mr Piteljon (BE) Ms Romanova (CZ) Mr Tauchner (AT) Ms Trier (ETF) Ms Zlatkova (BG)</p>
<p>European Commission Ms Caspar (EMPL) Ms Williams (MOVE)</p>	<p>ERA Mr Delsoir Mr Schittekatte Ms Reinartz</p>