



EUROPEAN COMMISSION
Employment, Social Affairs and Inclusion DG

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

**SECTORAL SOCIAL DIALOGUE
COMMITTEE
INLAND WATERWAY TRANSPORT**

**Minutes
meeting of 30 January 2015**

1. Adoption of the agenda

The meeting was chaired by Mr Kerkhof (ETF, BTB Belgium), who filled in for the chairman of the committee. The agenda was adopted.

2. Adoption of the minutes of last meeting (28 October 2014) and matters arising

The minutes of the previous meeting (28 October 2014) were approved.

3. Information by the Commission

a. Proposal for a Council Directive implementing the European Agreement concerning certain aspects of the organisation of working time in inland waterway transport (COM/2014/452): state of play (DG EMPL)

Ms Widera congratulated the social partners on the adoption of the Council Directive 2014/112/EU during the EPSCO of 11 December 2014. She thanked the social partners for their contributions at national and European level, which had helped to make it a success. However, during the discussions in EPSCO several Member States raised concerns on the proposal for a Directive, in particular with regard to the question of representativeness of social partners in this field. The Council formally adopted on 19 December 2014 and the Directive was published in the Official Journal on 23 December 2014. The Directive needs to be implemented by the Member States by 31 December 2016. The Commission will provide assistance to Member States, if Member States so require, in implementing this Directive.

Social partners thanked the Commission for its support. They underlined the importance of the Directive. It could be seen as a milestone for the sector and generally speaking, meant a positive outcome of the social dialogue after ten years of negotiations. It would help improve the recognition of the inland waterways sector, especially in certain Member States. However, the process of agreeing on the Directive had shown that it continued to be necessary to provide information to governments in some Member States (e.g. CY; HU) in order to guarantee a smooth implementation of the Directive by the end of 2016.

Ms Widera pointed out that a public consultation on the General Working Time Directive 2003/88/EC was ongoing. The answers to the public consultation will be analysed by the Commission. The public consultation does not cover the sectoral Working Time Directives such as the new Directive 2014/112/EU.

In addition, the implementation of the General Directive concerning working time is seen critical by social partners, in particular in the Danube region. Therefore Mr Bramley suggested using the next working group meeting to see if social partners could agree on a joint complaint, which had to be based on evidence.

b. Update on the PLATINA 2 project (DG MOVE)

Ms Rousseau informed the participants about the opinion of the Commission Impact Assessment Board on the draft impact assessment of the initiative on professional qualifications. The report has not been accepted at this stage. DG MOVE will revise the report taking into account the remarks of the Board. Ms Rousseau highlighted that the main objectives of the initiative are to modernise the sector, increase the mobility and improve the attractiveness of the sector. Safety was also presented as a problem driver in the draft report and in this respect the Board asked for stronger evidence and more data. It was also requested to clarify the link between, on one hand safety and, on the other, qualifications as well as training standards. She also mentioned that the need for EU intervention in general was questioned and in particular the need for EU intervention for setting training/education standards. Ms Rousseau explained that partners will be asked in writing, via the Common Expert Group, to provide their contributions within the next 2 months.

Mr Rusche stated that EBU will continue supporting this initiative. Keeping or even better, improving the level of safety was indispensable. A decrease of the safety level could not be accepted by EBU. Ms Beckschäfer underlined that 2 months were a very short timeframe for such a sensitive subject. Items where no consensus could be reached should be taken out.

Ms Rousseau clarified that DG MOVE intends to submit a new version of the draft impact assessment report within the next two months but the calendar for submission of a Commission proposal (and related drafting work on standards) will be re-scheduled.

Ms Chaffart pointed out that social partners were heavily involved in the process which has started already in 2012. It would be a pity if the initiative could not go ahead with a Commission proposal.

Ms Rousseau informed the participants about the work package (WP) 3 "jobs and skills" of the PLATINA 2 project. WP 3 addresses 3 topics (simulator issues, e-service record book, and learning material for future logistic decision makers) for which the work is still ongoing. She presented the next steps for each component. Regarding the third one, social partners suggested involving more stakeholders for the dissemination of the learning materials

4. Working groups

a. Working group on living and working conditions

Ms Chaffart said that a meeting took place on 18 June last year. No suitable date for the next meeting was agreed so far. The general idea was to submit a European project to promote social dialogue. As the project needed to be prepared well (finance, timing), experience from other social dialogue committees should be used. ETF would prepare a draft which would be sent to EBU and ESO and a next meeting should be organized soon.

b. Working group on crewing – preparation of the roundtable of 5 November 2014)

Ms Chaffart informed the participants that the last meeting had been on 18 November 2014 and that it had focused on the results of the round table debate of the Central Commission for the Navigation of the Rhine (CCNR). The working group agreed that it was by far too soon to draw any specific conclusions; more information was needed as well as a better understanding of the kind of flexibility that was required. Taking into consideration all the changes/impacts in European inland waterways transport there was a common understanding that the crewing regulation should be revised. A lot of material was available to make a proper in-depth assessment, especially about the questions of health and safety and of how many people should work on board.

Mr Rusche referred to the meeting of the CCNR on 5 November 2014 which dealt with the establishment of control instruments. No fundamental changes were needed but more flexibility should be introduced. Close cooperation between the European Commission and the CCNR was required, especially for the regulation of patents. In addition, he pointed out that the issue of safety was crucial.

Ms Beckschäfer supported the idea of the two speeds' approach, which meant agreeing on straightforward issues quickly and leaving more time to tackle fundamental questions.

Mr Bramley underlined the importance of the meeting on 5 November because concrete proposals on what people wanted to change had been brought forward. However, as it was a CCNR meeting, the European working time directive was discussed for the Rhine only.

ETF had prepared a document presenting its position on the subject. Ms Chaffart asked about a study on crewing regulations, commissioned by the employers.

The participants agreed to continue work on the subject.

c. Unfair competition – social partners to report on collection of cases on unfair competition

Ms Chaffart noted that the provisional fixed meeting of 10 September 2014 was cancelled due to several circumstances. Nonetheless the issue was discussed in the SSDC on 28 October 2014. However, social partners should try to get started with the topic. For several sectors, especially in the transport field this topic was of high priority. A European Commissioner initiative combatting social dumping was expected soon.

Ms Beckschäfer supported the idea of coming up with proposals concerning the subject. She and Mr Rusche explained the recently introduced minimum wage in Germany, how it was implemented and controlled, in particular in the inland waterway sector.

The employers will propose some dates for the next working group meeting.

5. Social security European inland waterways: social partners' initiative regarding IWT social security

Mr Rusche stated that social partners addressed a letter to CASS to broaden the scope of the Rhine agreement which is based on Article 16 of Directive 883/2004. According to the principle that there should only be one social security legislation

applicable on each vessel, a European legal standard for IWT needed to be established. The existing, well-established Rhine agreement should be used as the base for such a European agreement. Mr Bramley supported this approach.

6. Draft agenda for the next meeting

The participants agreed to keeping an identical agenda for the next meeting.

7. Any other business

Next date

The next meetings will be on 28 April 2015 and on 12 October 2015.

Presentation (new European Commission)

Mr Strohbach held a brief presentation on the new Commission and its approach to the social dialogue. He noted that the social dialogue received more visibility and that the Commission intended to improve and strengthen the use of existing social dialogue instruments. He informed the participants about the high-level event on social dialogue which was planned in Brussels on the 5 March 2015.

Social partners emphasised the autonomy of social partners and that social dialogue should be linked closely to all European Commission policies. Proper resources needed to be made available for a well-functioning social dialogue. In this respect the cutting of the number of SSDCs was seen critically.

Participants 30.01.2015

<p>Employers (3 ♂, 1 ♀, 3 different Member States) EBU Mr Naaborgh (NL) Mr Rusche (DE)</p> <p>ESO Ms Beckschäfer (DE) Mr Kester (NL) Mr van Lancker (BE)</p>	<p>Workers (9 ♂, 3 ♀, 9 different Member States) ETF Mr Bramley (ETF) Ms Chaffart (ETF) Mr Grahl (SE) Mr Jerabek (CZ) Mr Jung (LU) Mr Kraijenoord (NL) Mr Kerkhof (BE) Mr Kerkhofs (BE) Mr Kiepe (DE) Ms Latron (FR) Mr Melvan (HR) Ms Obreshkova (BG)</p>
<p style="text-align: center;">European Commission Ms Ghislaine Widera (DG EMPL) Ms Christelle Rousseau (DG MOVE) Mr Strohbach (DG EMPL)</p>	