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Brussels, 19 December 2011

**SECTORAL DIALOGUE
COMMITTEE
ROAD TRANSPORT**

Concise minutes of the Urban Public Transport Working Group meeting 26 September 2011

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

In the absence of both the chairperson and vice-chairperson of the working group, the meeting was chaired by the Commission. The agenda and the minutes of the last meeting (27 September 2010) were adopted.

2. Drivers' Training Directive

Presentation by DG MOVE

Mr Jansen from the Road Safety Unit (DG MOVE C.4) presented the content, the most common questions and the recent activities related to Directive 2003/59/EC on professional drivers' training¹ (see slide presentation). The presentation was followed by a Q & A session.

Regarding the report on the implementation of the Directive, ETF reminded the Commission that the social partners had, within the framework of their joint project on the Directive (I & I Days, co-funded by DG MOVE), requested to be consulted on the draft report. Now that the draft report seemed to be already in inter-service consultation within the Commission's services, ETF wondered whether they could still be consulted. The Commission representative said he could not provide an answer right now but would pass on the request. UITP confirmed the wish to be consulted on the draft report. Although UITP and ETF had not yet finalised their recommendations on the Directive, their preliminary comments had already been sent to the Commission last year.

ETF provided some comments to the Commission representative. At the above-mentioned I & I Days, three weaknesses could be identified: financing (the Directive does not address the question who pays for the training), control/sanctions/enforcement (the Directive is silent about this aspect) and the quality of training and training material. In this context, ETF referred to the Directive on the certification of train drivers² which provided for the accreditation of training centres and for criteria for examiners, examinations and training centres. This could help ensuring fair competition. UITP said

¹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2003:226:0004:0017:EN:PDF>

² http://europa.eu/legislation_summaries/transport/rail_transport/l24244_en.htm

it did not share all of ETF's concerns, underlining the fact that there was a huge difference between local situations and long-distance/international transport. CER was also very reluctant to the idea of harmonising training. It was important to harmonise the content of training (especially for international transport); however, it would be very complicated, long and costly to harmonise training as such. ETF wanted to know if the Commission was considering amending the Directive, for instance in order to increase the number of training hours, but there were no such considerations yet – it was too early to draw conclusions at this stage.

Presentation of the STARTS project

Ms Tilling (ETF) informed the participants on the status of the project "Skills, training and the road transport sector (STARTS)" (VS/2010/0715). This project managed by IRU and jointly carried out with ETF started in November 2010. The first pillar (driver training) was more relevant for this working group and Ms Tilling therefore gave a brief overview on the state of the survey, the conference planned (probably next November) and the possible follow-up (joint recommendations). The initial idea had been to provide input to the Commission's report on the implementation of the Drivers' Training Directive (see above). The study was assessing the choices made at the transposition of the Directive: deadlines, social partner consultation, data on drivers, pricing and financing, etc.). She presented some of the preliminary key findings, such as: great variation of transposition; very scarce data on drivers in the Member States; the majority of Member States choose courses plus a test (around 10 Member States chose the test only, two Member States have both options); initial training was mutually recognised, which was not necessarily the case for periodic training; the trend was that drivers pay for the initial training and companies or funds for the periodic training; initial training seemed to take place mainly during free time/weekends; etc. Some of these points could be taken up when discussing joint recommendations. The next steering committee meeting of the project would take place next Thursday.

Discussion of draft recommendations of the urban public transport social partners

As mentioned earlier, the draft recommendations already discussed last year had not yet been finalised. UITP had received ETF's amendments one working day before the meeting, which means that they could not discuss the proposed change with their membership. ETF apologised for the late sending. The fact that the translation into English was partly unsatisfactory (for instance the sentence about "pass rates") had – amongst other things – slowed down the process. The workers' did not expect a final reaction today. ETF explained their proposed changes ("Discussion paper: 22 September 2011 – draft from UITP, revised by ETF"): say more clearly to whom the recommendations are addressed; change formulation in section II; introduce a new element addressed to Member States and competent authorities; and adding a reference to the Train Driver Directive in section V. Some UITP delegates made first informal comments on the changes (not for the record).

UITP committed to come back with an UITP reaction by beginning of December at the latest. Then the secretariats could come together again to finalise the text. The employers recommended paying attention to the possible recommendations of the STARTS project; these recommendations should not be conflicting.

3. WISE project: women employment in urban public transport sector

The employers' side informed the participants of the state of play of this project³ (VS/2010/0687) carried out by VDV-Akademie together with its partners UITP and ETF. The first evaluations of the survey had shown that women employment was not very important in the sector which remained male dominated. It seemed as if there were no recruitment strategies towards women. The workers' side added that there seemed to be a difference between public and private companies; national legislation on the promotion of women was clearly reflected within public companies but not within private ones. Both sides stressed that these was no final assessment. Also, issues such as part-time work, violence and retention of female workers should be carefully looked at. ETF suggested choosing London as a city for further case studies. For UITP, it was important to fill some data gaps, especially from FR, IT and UK.

4. Action Plan on Urban Mobility and White Paper

Ms von Wortel from the Clean Transport & Sustainable Urban Mobility Unit (DG MOVE C.1) presented the near and long term policies of the EU with regard to urban mobility and transport (see slide presentation). In the following debate,

ETF reminded the joint ETF/UITP position issued in preparation of the Green Paper on Urban Mobility 2007. There, the social partners had stated that one should consider the possibility of mandatory sustainable urban transport plans in urban areas. ETF wanted to know if there were any developments in this direction. ETF regretted that the Commission considered only public authorities, cities, urban transport operators and citizens/users as relevant stakeholders in the field of urban public transport, but not workers. However, workers were not only citizens and users themselves (and thus depending from urban transport) but plaid a vital role in delivering quality public transport. The workers' organisations also deplored that the 10 goals of the White Paper focussed strongly on technologies; one should have included a goal towards promoting the increased use of collective transport, which would contribute to employment creation in the sector. Last but not least, ETF stressed that one of the most important instruments for ensuring and/or improving quality of public passenger transport was to impose quality and social criteria in public service contracts. The link between good working conditions and good quality service was unfortunately not reflected in the White Paper. However, in ETF's view, the Commission could act positively by promoting positive examples of cities, since the use of quality and social criteria was allowed by Regulation 1370/2007. UITP shared some of the points mentioned by ETF (see joint text of 2007) and confirmed that the quality of service was related to the quality of working conditions.

The Commission representative gave some supplementary information on the involvement of stakeholders (for instance in the study on passenger rights). She confirmed that compulsory urban mobility plans were the goal but their feasibility first had to be studied.

Some other points were raised by the workers' side such as the limited success of public-private partnerships, the risk that service continuity requirements could potentially restrict the right to strike, and the request to set up a social observatory⁴.

³ See project website <http://wise-project.net/pages/index1.html>

⁴ Information on a current Study on Data Collection and Statistics in the Field of Urban Mobility was provided after the meeting.

5. Insecurity and feeling of insecurity: follow-up

ETF informed the participants on the state of play with regard to the UPT questionnaire. The response rate so far was not satisfactory and therefore, a reminder would therefore have to be sent out. One of the difficulties for trade unions was that they could not necessarily provide figures on the companies; therefore ETF suggested limiting the questions to trade unions to question 1 and to the last four questions. This would probably help increasing the response rate of trade unions. The new deadline would be 20 October. According to UITP, the response rate on the employers' side was satisfactory (30%).

The participants were informed about the follow-up of the joint recommendations by the rail sector which had similar problems with insecurity. A small survey had already been carried out. Even though the collected figures were not reliable, the evaluation had shown that the problem increased. Therefore, the social partners in the rail sector had submitted a project proposal under the social dialogue budget heading. This time, the parties decided not to visit a certain number of companies but to hold several technical seminars with relevant experts.

UITP stressed that the increase of violence was a societal problem. However, the social partners should deal with the problem and focus on how to handle it on the ground.

6. Further discussion on workers' protection and social criteria in competitive tendering procedures

ETF reminded its wish already expressed at the last meeting to look, together with the employers, at possible social and quality criteria and to provide public authorities with jointly identified good practice examples. UITP was asked about the state of play of their internal discussion on the subject. The workers' organisation informed the participants that the rail social partners had the intention to carry out a mapping exercise on tendering practices in view of protection of workers in the case of change of operator and regarding the use of social clauses. In the rail sector, the employers had a strong interest to get an overview of the current situation.

UITP announced that they had started their internal discussion which would probably be finalised by the beginning of February 2012. CER confirmed that they had launched the idea of such "photography" in the rail sector. The rail employers' organisation underlined that the exercise excluded any appraisal of the situation. However, some countries such as SE and NL had already a long experience of tender procedures in the rail sector and it was therefore of interest to have an exchange on different practices.

The Commission representative suggested looking for synergies amongst the rail and the urban public transport sector since both either planned or possible exercises were linked to Regulation 1370/2007. The employers' echo to this suggestion was hesitant since it could make things much more complicated. However there was openness to cooperate and share results.

7. Any other business

The Commission representative reminded the working group that the mandate of its current chairman ended at the beginning of next meeting. It was decided to hold the next meeting at the end of September 2012 (Tuesday or Wednesday if possible).

Participants

Employers (6 ♂, 3 ♀)

Ms Bönnemann (DE)
Mr Dekindt (UITP)
Ms Egervall (SE)
Mr Juery (FR)
Mr Kenny (IE)
Mr Preumont (CER)
Mr Salmon (UK)
Mr Springer (DE)
Ms Vasarainen (FI)

Workers (9 ♂, 7 ♀)

Mr d'Hooghe (NL)
Mr di Santo (IT)
Ms Gällhagen (SE)
Ms Guérin (ETF)
Ms Holder (AT)
Ms König (SE)
Mr Mitchell (UK)
Mr Piras (IT)
Mr Schlömer (DE)
Mr Schönauer (AT)
Mr Settimo (IT)
Mr Sutour (FR)
Mr Sweep (NL)
Ms Trier (ETF)
Ms Zlatkova (BG)

European Commission

Ms Durst (DG EMPL)
Mr Jansen (DG MOVE)
Ms Kokić (DG EMPL)
Ms van Wortel (DG MOVE)