

**Working Group Meeting
3 March 2006
Minutes (adopted on 10 May 2006)**

1. Adoption of the agenda

The meeting was chaired by Mr Koning (employers). The agenda was adopted. The EBU made it clear that it could in principle also speak on behalf of self-employed boatmen, although as regards working hours it had a mandate only from shipping companies' agents. It added that the ESO also represented the self-employed.

2. Equivalence of vocational qualifications

Reports were given concerning current work on the subject at hand: a study in the Netherlands on vocational qualifications in Europe (questionnaire, the Rhine Commission's paper of 27 February) and the occupational profile "deckhand" that came into force in Germany on 1 August 2005. The Commission drew attention to the documents it had obtained from the new Member States at the request of the social partners, to whom it had sent the documents in April 2005.

It was suggested to consider all the available information in a small joint working group and to agree on the objective of the work on the subject. It was suggested that this group be composed of the following members: Mr Leininger, Ms Lamers, Mr Kerkhofs, Ms Hertogs and Mr Bramley for the employees' side and Mr Koning, Mr Veldman, Mr Düttemeyer and possibly a representative from the Danube area for the employers' side.

3. Working hours

The discussion was based on the paper presented by the EBU on 23 February "Proposed issues for discussion". The paper revised in September by the ETF was to be discussed at the next meeting.

Mr Dütemeyer explained that the latest EBU paper partly built on the paper presented at the last meeting, but responded positively to the question of whether a third time category was needed. Unlike the previous paper, no further comment was made on the question of maximum working hours.

The ETF commented on the individual points: 1. Yes, a third category is needed. 2. The ECJ's judgments on the subject of stand-by duty must be taken into consideration. 3. The term "neutral" is not clear and can be misleading in that it implies that work is not carried out during this time. 4. The suspicion could arise that working time is not counted as working time. 5. For the ETF, working hours ("professional activities") remain unchanged as working hours. 6. The ETF emphasises the importance of collective agreements, which it favours over individual agreements.

The EBU expressed its gratitude for the clear description of the situation but pointed out that working hours had never been clearly defined in the area of inland waterway transport. If a "neutral" time span that could be applied flexibly was not possible, the alternative solution was to limit working hours to 12 hours a day (as was the case for seamen).

After brief internal deliberations, the ETF expressed its approval of the proposal, the details of which still needed to be worked on in order to establish the annual working hours, for example. The ESO confirmed that in terms of content it had nothing to add to the figure of 12 working hours per day, albeit only as regards self-employed boatmen who were employers. The ESO also highlighted the particular situation of ships with private premises on board.

4. Other business

The Chairman referred to the European Economic and Social Committee's Opinion of September 2005 (TEN/200 – CESE 1071/2005) and asked whether the Sectoral Dialogue Committee would like to respond to this paper. The participants discussed some observations and conclusions in the Opinion, such as the problem of attracting workers to the sector, its negative image and that of its associated occupations. The social partners welcomed the fact that the EESC had dealt with the subject and that, as in the most recent Commission document "Naiades" (COM/2006/6 of 17 January 2006), some demands were being made of them.

It was agreed to hold another working group meeting rather than the plenary meeting on 10 May.

Annex I: List of participants 3.3.2006

<p><u>Employers:</u></p> <p>EBU: DÜTEMEYER, Günter KONING, Michiel NAABORGH, Jacques</p> <p>ESO: VAN LANCKER, Christiaan VELDMAN, Jan</p>	<p><u>Workers:</u></p> <p>ETF: BEYER, Udo BLESER, René BRAMLEY, Nick DIMITREVICH, Alexander (observer) HERTOGS, Beatrice KERKHOF, Joris LALAK, Vladimir LAMERS, Lucy LEHNINGER, Gunter WEICKER, Raymond</p>
<p><u>European Commission:</u></p> <p>DIETER, Rolf (DG TREN/G.2) DURST, Ellen (DG EMPL/D.1)</p>	