



EUROPEAN COMMISSION
Employment, Social Affairs and Inclusion DG

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

Sectoral Social Dialogue Committee (SSDC) on Personal Services Working Group meeting 1st December 2015, Brussels

1) Welcome and approval of the agenda

Mr Laurent (UNI Europa Hair and Beauty) chaired the meeting and welcomed participants. The agenda was approved. Mr Laurent welcomed Mrs Finné, who is the new European Commission representative for the Sectoral Social Dialogue Committee.

2) Update on the ongoing legal process concerning the Social Partner Agreement on Occupational Health and Safety in the Hairdressing sector following the meeting with the European Commission on 02 October 2015 – UNI Europa

Mr Theodorakis (UNI Europa) introduced the subject and updated the participants on the ongoing legal approval process concerning the Hairdressing Social Partner Agreement (SPA). He asked the Commission to formally describe the approval procedure should the SPA be formally submitted and also asked the Commission to provide a date by when the social partners could expect the official publication of the Legal Opinion. Mr Theodorakis also updated the Committee on the disparaging recent publication under the title of Better Regulation.

The Chair mentioned that he had the opportunity to discuss with Mr David-Pascal Dion during a conference on Social Dialogue organised by UNI Europa. In addressing Mr. Dion he insisted that the sector did not understand how the value added of the SPA could be evaluated by external stakeholders other than the social partners. He also insisted that 4 years was way too long as a process and that he feared that other powers were at play against the transposition of the SPA. Mr Laurent also denounced the fact that there had been in the past an externally commissioned impact assessment on which the social partners received no information and were certainly not included in the process. The Commission had not transmitted the results of this study and this way of procedure was uncomprehensive. He reiterated that the social partners were ready to examine the Legal Opinion but that there also was a common intention to keep as wide a content as possible (scope of application). The sector intends to fight and defend its Agreement particularly as wide an application scope as possible to reflect the reality of the sector in terms of contractual relations and to have coverage of other worker categories (self-employed, chair renters).

The social partners criticised the very long process for receiving the Commission's Legal Opinion on the last draft SPA text and complained about the lack of transparency of the process. Mr Walter Lochmann (ver.di) thanked UNI Europa and Coiffure EU for flagging up the Better Regulation publication seen as denigrating the hairdresser profession and asked whether the Commission had replied.

The Chair explained that the legal service of the Commission had provided an Opinion on the revised text (of 24 June) and that a meeting took place on 2 October to discuss that Legal Opinion with legal services. We hadn't received their subsequent Opinion and that the social partners had to react to the Better Regulation publication (the social partners wrote to President Juncker and Commissioner Thyssen).

Mrs Sylvie Finné (DG EMPL) explained that the Better Regulation publication was a stocktaking exercise following 1 year of Commission activity. DG Employment was informed by the Social partners and that the Social Dialogue Committee will be informed as soon as there is a decision on possible elements of reply/reaction.

Regarding the Hairdressing SPA, Mrs Finné confirmed that the 2 October 2015 meeting was considered as a constructive and positive one. A new Legal Opinion from the legal service of is requested. The social partners would be informed as soon as it will be available (hopefully before the x-mas break). It would be possible that certain aspects remained controversial, notably the legal basis for the inclusion of the self-employed in the scope of the Agreement.

Regarding the next steps and actions, Mrs Finné explained that the Better Regulation package adopted in May 2015 has brought about some procedural clarifications, including a specific regime for Social Partner Agreements. Once a final agreement will be signed the Commission before taking its decision, will carry out a proportionate impact assessment, (in accordance with the special regime for social partners agreement) including legal analysis of the compatibility of the SPA, verification of subsidiarity and proportionality principles, verification of the representativeness of the signatory social partners, and cost-benefit analysis. The proportionate IA report should be submitted to the Impact Assessment Scrutiny Board for its opinion.

The Chair replied to the Commission representative that the sector had a representativeness study in 2009 and that the social partners were found to be representative. The sector would not understand that the relevance of the agreement will be assessed by other actors than those "experts" in the sector. Regarding proportionality, Mr Laurent was adamant that the SPA reflected the reality of the sector and that it was justified as social partners are better placed to judge proportionality. It is necessary to address the health problems occurring in the profession. Regarding cost-benefit analysis there had been an earlier study that demonstrated that the benefits would outweigh the costs. The implementation of the SPA would encourage retention of staff in the sector. The social partners are willing to provide the Commission services with relevant studies and required information. The Chair mentioned that a Study could be commissioned to prove the good will of the social partners on this dossier. He also considered that more should be done to ensure transparency of the process as well as to convince those Member States that expressed opinions against the Agreement in 2012.

3) Supporting the investment in ergonomic equipment – experience from France

Mr Minjollet (AG2R Hairdressing social paritarian institutions in France) presented (see slides) the French experience towards prevention of musculoskeletal disorders (MSDs). He explained that AG2R offers support on occupational diseases and social benefits (complementary pension benefits) attribution for various professional sectors, including hairdressers. In France there had been, on the initiative of the social partners, the establishment of commonly shared and governed funds that serve the prevention of occupational diseases and attritions policy for various sectors. The organisation is established

as a social service of general economic interest with a public mission. The social partners engage in research over prevention and the implementation of prevention and precautionary modalities. He mentioned that the sector in France underwent significant change with the legal enablement of hairdressing at home and the self-entrepreneur status. The social partners wanted to diminish occupational diseases incidence and avoid working days lost to the French sickness insurance scheme.

He presented longitudinal survey results on MSDs and other ailments. What is interesting is that survey results indicate a much higher prevalence of occupational diseases than the official sickness insurance filed cases. The hairdressing sector is characterised by small structures and it is understandable that there is an under-declaration of occupational diseases particularly if one considers that French legislation enables dismissal following long leave from work for occupational diseases. He also presented the results of an ergonomic research and the successful acceptance by the sickness insurance fund to provide reimbursement (up to 50%) to employers that purchase ergonomically sound equipment. He highlighted that research results were used to influence the ergonomic norms used by the manufacturers to adapt the material for a safer use. His presentation emphasised the high level of returns on investment of such prevention policy. Participants thanked for this interesting presentation and also commented that hairdressers are also subject to psychological stress that would need to be addressed.

4) SafeHair Project 3.0 / "Risk assessment and health promotion in hairdressing" – Coiffure EU

The presentation (from Agnessa Kozak University Medical Center Hamburg-Eppendorf, Germany) covered the possible follow-up project to the SafeHair 1 and 2 projects (under SafeHair 3.0) (see slides). The project would aim at the promotion of a healthy and attractive work environment in hairdressing sector, with an emphasis on ergonomics and MSDs. The new project to be submitted in the frame of the 2016 call for proposals would facilitate exchange of knowledge and experience between national social partners on OHS aspects and would support the implementation the framework agreement on health and safety in the hairdressing sector. It would in particular provide evidence on MSDs and develop target-group specific information and communication-based actions.

5) Follow-up on the adopted Resolution “Securing employment in the hairdressing sector” – Request for European Commission’s input on the subject – European Commission

In the framework of the follow-up on the social partners' Resolution on “Securing employment in the hairdressing sector” DG GROW, Barbara Van Liedekerke, provided a detailed presentation on the current mutual evaluation exercise at the level of the Members States for the review and the modernisation of the regulations on professional qualifications governing the access to professions (see slides). The aim is to ensure that there are no unjustified barriers to access to profession across the EU. Follow-up initiatives have recently been presented in the Single market Strategy. The situation regarding national Regulations on the hairdresser profession varies a lot between Member States. Member States will present reports in January 2016 providing the results of their internal review and announcing the actions they intend to undertake in order where unjustified measures have been identified. Those reports will be subject to a stakeholders' consultation in the first half of 2016.

The social partners underlined that the aim of their Joint Resolution is to ensure professionalism in the sector (notably familiarity with the risks) and to avoid competition by people not qualified to carry out hairdressing activities. They also asked if the social partners were taking part in the mutual evaluation exercise. The reply was that it was Member States' competence to decide whether to involve social partners. The chair concluded that the point could be put at the agenda of the next meeting for an input at the consultation stage.

6) 'A Close shave - Results of a transnational ESF project'/ Coiffure EU –

The Belgian hairdresser organisation (represented by Miet Verhamme) presented the result of the ESF transnational project funded by the Flanders' Region to promote health and safety among hairdressers, in particular on prevention and skin protection (see slides). The main outputs of this project are a range of information and training materials, in particular a glossy visual teaching brochure and a video which were developed as one of the most efficient ways to raise awareness of the young people working in the profession. Ms Verhamme could be contacted to give access to this video.

7) Common discussion on the analysis of the structure of the sector and the development of undeclared work – UNI Europa and Coiffure EU

This point was cancelled.

8) Formal adoption of the agreed 2015-2016 Work Programme with indicative timing - UNI Europa and Coiffure EU

The point of the work programme was discussed briefly. The Chair reminded that the 2015 – 2016 work programme was adopted at the last meeting (May 2016). DG EMPL explained that the work programme is an important component of the SSDC; it could be a two years rolling programme and it should be published on the SSDC dedicated website.

The chair concluded that the new work programme should be adopted at the next plenary meeting.

9) AOB

The Italian employer's delegation announced a project to be presented in the framework of 2016 call for proposals for supporting the social dialogue for a conference on training and education to be organised by the Italian social partners with the support of the hairdressing chamber of commerce in October 2016.

List of participants 1st December 2015

<u>Employers</u> (16 ♂, 11 ♀)	<u>Workers</u> (6 ♂, 9 ♀)
EU Coiffure	Uni Europa Hair & Beauty
1. Mr Jef Vermeulen (vice President)	Mr François Laurent (President)
2. Ms Miranda Bakker	Mr Dimitris Theodorakis
3. Mr Stephane Coigné	Mr Philippe Vigneron
4. Mr Mark Coray	Ms Ana Knezevic
5. Mr Wolfgang Eder	Mr Damien Ojetti
6. Mr Harald Esser	Ms Lone Frost
7. Ms Hilary Hall	Mr Marco Demurtas
8. Mr Gerry Hynes	Mr Jacques Minjollet
9. Mr Kuno Giger	Mr Walter Lochmann
10. Mr Richard Koffijberg	. Ms Ewa Bjoerkman
11. Ms Matilda Mielind	. Ms Barbara Schröding
12. Ms Connie Mikkelsen	. Ms Tarja Pajuniemi
13. Mr Claude Mouginot	. Ms Janne Fraas
14. Ms Margrit Mosimann	. Ms Dimitra Penidis
15. Mr Damien Ojetti	. Ms Regina Richter
16. Mr Blando Palmieri	. Ms Helene Christiansen
17. Mr Rainer Röhr	17. Ms Stéphanie Pratt-Eymeric
18. Ms Gloriana Ronda	
19. Mr Chris Soteriou	
20. Ms Edel Teige	European Commission
21. Mr Raymond Vella	Sylvie Finné (DG EMPL Social Dialogue)
22. Mr Jesper Tollak	Barbara Van Liedekerke (DG GROW)
23. Ms Miet Verhamme	
24. Mr Robert Vos	
25. Ms Jurgita Zabulene	
UEAPME	
26. Ms Patricia Di Mauro	