



EUROPEAN COMMISSION
Employment, Social Affairs and Inclusion DG

Employment and Social Governance
Social Dialogue

Brussels, 16 March 2016

**SECTORAL SOCIAL DIALOGUE
COMMITTEE RAILWAYS**

Minutes of the "Adaptability and Interoperability" working group meeting

23 February 2016

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

Before entering into the agenda, ETF expressed disappointment that CER had not been in a position to give its green light for sending a joint letter to the members of the EP recollecting the CER/ETF joint opinion concerning the 4th Railway package and requesting continued support.

CER indicated that the two weeks between the meeting in Vienna, where this was discussed and the 22/02 were needed for an internal consultation. It was stressed that CER continued to promote the joint opinion towards their contact points in the trilogue and that CER is fully committed to the position.

The social partners agreed to decide after the report from the Commission on the latest developments (taking place in the afternoon) on whether it would still make sense to send the letter and potential need for changes; Mr. Rohrmann indicated that he expects that it will still be timely and that it will give a signal for the final discussion round.

1. Adoption of the agenda and of the minutes of the meeting on 9 October 2016

The agenda was adopted (including the changes proposed by the Commission and CER) and the minutes of the meeting on 9 October 2015 were approved.

2. Transport White Paper

In introducing this point ETF stressed that the Commission has down-graded the initiative from a Mid-term review to a stock-taking exercise.

While the social partners have reached agreement on most points, on three issues the views of the working group were searched:

a) CER suggested to take out the phrase 'introduce binding modal shift targets to be negotiated with Member States' as this was considered as not realistic. As a

counterproposal it was suggested to introduce something that would keep the reference to binding modal shift targets, but in a more balanced way. CER read out a new wording proposal. ETF expressed the need for a strong wording as this would be the third such document from the Commission and the second one with a modal shift target. Such target without binding commitments did not lead to substantial changes in the past.

b) ETF did not agree to delete the request to 'enforce harmonisation of safety levels' and did not understand why CER had suggested its deletion. The phrase was seen as a request to ensure the general introduction of the digital tachograph, compliance with the working time rules and with the general rules for mobile workers and harmonization of qualifications in safety relevant professions. CER took note of the clarification and read out an alternative solution that would allow not to refer to safety *levels*, a wording that is seen as problematic. ETF members stressed that reference to a safety-culture could be seen as too weak and not going beyond the 4th Railway package. During the discussion it appeared that talking of safety *rules* might be a compromise wording to which both sides could agree.

c) On the third point ETF indicated that the drafting suggestion provided by CER 'achieve/support the full implementation of technical solutions for telematics applications for passengers' would in fact only provide the conditions under which 'integrated timetables and scheduling systems' could be easily implemented. Furthermore ETF indicated uneasiness with the request for telematics application for a lack of expertise on the subject.

Further to these three points some more editorial problems were highlighted.

Having regard of the discussion, CER will propose new wording and discuss it with ETF at secretariat level in order to be able to endorse the paper at the occasion of the planned steering group end of March. An ETF member expressed the wish that attention should also be paid to the Committee actually taking decisions and not delegating too many responsibilities to the secretariats.

3. Draft project proposal on the implementation and application of the CER/ETF agreement on working conditions for mobile workers in cross-border interoperable services (Directive 2005/47/EC)

ETF introduced the draft project application by explaining that this should be seen as a true stocktaking exercise and not preempting any decisions on whether a review or renegotiation of the agreement was needed.

The Commission confirmed that such evaluation could be a useful starting point in case changes to the agreement or complementary action (such as the development of guidance documents) would be envisaged. However, that it would not bind the social partners. There are no formal requirements to be fulfilled for such evaluation.

CER thanked for the draft and commented that they can agree to start the project, but need more details and clarifications about some aspects of the ETF proposal. CER members listed some of the critical points and promised to send a written reply with concrete drafting proposals. The steering group scheduled for end of March will re-discuss.

In the discussion around the draft document, CER suggested to try to assess the impact of the directive on cross-border traffic and to aim at a broader picture. ETF did not object to that, but highlighted that in the past it was extremely difficult to obtain information on how much cross-border traffic falling under this directive actually took place and that the project should stay focused; an orientation on the objectives mentioned in the recitals to the agreement could give orientation.

4. Update on the project 'Promoting employment and quality at work in the European Rail sector'

Mr. Rohrmann presented the state with the project (see ppt.). The final conference will take place in Bruxelles on 19 April 2016. All members of the committee were invited and encouraged to participate. Preparation of the conference is ongoing, next to representatives from ETF and CER also Mr. Onidi, director in DG MOVE and responsible for rail policy as well as Mr. Dion, head of unit in DG EMPL and responsible for support to social dialogue have accepted the invitation to intervene.

In preparation of the conference there will be a last steering group meeting on 10/03 in Prague, where the members will explore the possibility for joint recommendations. Overall Mr. Rohrmann expressed his satisfaction with the project, stating that the workshop design had allowed for a good exchange, thus fostering mutual understanding amongst company representatives but also between the social partners. A remarkable single point highlighted was the importance given to job security by all age groups.

The members of the committee were also encouraged to respond – if not yet done so – to the questionnaire sent around by the authors of the project report (ICF). This feedback is urgently needed and should help to finalize the report. ETF and CER agreed that the draft final report which the consultants had delivered before the workshop in Vienna did need substantial further improvement.

5. ERA Advice on Changes to the Train Drivers Directive (2007/59/EC)

On behalf of ERA Mr. Mette presented the recently finalized advice from ERA to the Commission (see ppt). Opening the discussion Mr. Aslaksen (Chair of Locomotive Drivers' Advisory Board in ETF) explained the disagreement of ETF to lower the requirements for entering into training to become a locomotive driver. While so far a level 3 qualification (general school plus finished initial vocational training) was required, the proposed recommendations foresee that a level 2 qualification (equals 8-9 years of general schooling) would be enough. ETF requested that the previous minimum was maintained. Thus a reference to level 3, which corresponds to level four in the European Qualifications Framework (EQF), should be maintained. The risk was identified that lowering the required entry qualifications could in the mid-term have a negative impact on well-functioning national training schemes.

He furthermore explained that the suggested regime of issuing the licenses at an individual basis and the certificates at the company level would be quite ambitious as it required the companies to have well-functioning competence management systems, something which cannot be taken for granted as was demonstrated by an example from Norway. However, ETF is favourable to that move.

Taking up on this Mr. Mette explained that so far candidates for a train drivers' license could fulfill the minimum requirements by any sort of professional training, thus wondering in which way e.g. an accountancy training would qualify someone to become a better train driver. Therefore the majority of the representatives of the sector had assessed that the safety of operation was not improved by requesting a finalized professional training at entry, if the training is not specified in any way. On the contrary this was seen as a potentially costly element.

It was agreed by ERA that competence management systems needed further attention from ERA, which has already started working on it, but also from the NSAs; mutual learning, content level checks and adequate staffing of NSAs being necessary.

ETF reiterated the statement that normal general schooling (Hauptschulabschluss) alone was not enough to start a train driver training, indicating that a school leaver would in many cases not be up to that. From a very practical point of view, lowering the entrance qualification to level 2 could also have the strange effect that people obtain the driving license at an age where they are not yet allowed to drive a train. On the other side, ETF clearly indicated that they would not object to a more specific requirement, e.g. requiring that the initial professional training should be in a technical profession. A delegate from CER agreed to that approach, confirming that a lowering of entrance qualifications was also seen as problematic.

It was confirmed that the recommendations do not foresee a minimum duration of the training. Given that there exist very different ways in which competences can be acquired, the duration of the training would be an insufficient criterion. Instead attention needed to be paid to the results achieved, i.e. the actual competences acquired. It was admitted that the common examination scheme needed to be developed.

Participants

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| <p>Employers 11 (5 ♂, 6 ♀)</p> <p>CER Mr. Borkelmans (BE) Ms. Caldana (CER) Ms. Grau (FR) Ms. Kürzl (AT) Ms. Lang (CH) Mr. Rohrman (DE) Ms. Tomassini (IT) Mr. Wallin (NOR) Mr. Wheale (UK) Mr. Wojciechowicz (PL) Ms. Zembaha (LT)</p> | <p>Workers 16 (9 ♂, 7 ♀)</p> <p>ETF Mr. Aslaksen (NOR) Mr. Aufrere (FR) Ms. Carstens (DE) Mr. Gobé (FR) Mr. Greivelding (LU) Mr. Lopez Castro (ES) Ms. Marzola (IT) Ms. Mindum (HR) Mr. Pejza (CZ) Mr. Piteljon (BE) Ms. Romanova (CZ) Mr. Tauchner (AT) Ms. Trier (ETF) Mr. van der Velde (NL) Ms. Villa Diez (ES) Ms. Zlatkova (BG)</p> |
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| European Commission Ms. Caspar (EMPL) Ms. Williams (MOVE) Mr. Scherp (MOVE) | ERA Mr. Mette |