



EUROPEAN COMMISSION
Employment, Social Affairs and Inclusion DG

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

Brussels, 30 November 2012

**SECTORAL SOCIAL DIALOGUE COMMITTEE MEETING
PRIVATE SECURITY**

**CROWNE PLAZA HOTEL
13 NOVEMBER 2012**

MINUTES

Participants:

Employer representatives

Mr Eduardo Cobas Urcelay, APROSER, Spain
Ms Nathalie De Mulder, CoESS, Belgium
Mr Dušan Davidović, CoESS, Serbia
Mr Francis Ravez, ESTA, Belgium
Mr Steven Van Doorne, APEG-BVBO, Belgium
Mr Claude Lévy, SNES, France
Ms Rita Lutter, ESA, Estonia
Mr Richard Samuelson, Almega, Sweden
Mr Björn Ericsson, Almega, Sweden
Mr Martin Hildebrandt, BDSW, Germany

Employee representatives

Ms Laila Castaldo, UNI Europa, Belgium
Mr Luc De Valck, ACV-CSC, Belgium
Ms Klavdija Cibej, FGTB, Belgium
Mr Thibaut Montjardin, CGSLB, Belgium
Mr Siegfried Krenn, VIDA, Austria
Mr Leonardo Menegotto, CGIL, Italy
Mr Jesús Arroyo, UGT, Spain
Mr David Gigg, GMB, United Kingdom
Mr Peter Jørgensen, VSL, Denmark
Mr Stefan Andreasson, Transport, Sweden
Mr Sándor Szabó, VSZSZ, Hungary
Mr Pál András Kővágó, VSZSZ, Hungary
Mr Mihály Nádas, VSZSZ, Hungary
Mr Owen Reidy, SIPTU, Ireland

European Commission

Mr Murad Wiśniewski, DG EMPL, Belgium (in the chair)
Mr Rüdiger Voss, DG ECFIN, Belgium
Mr Hans Torrekens, Conf-SFE, Belgium

KOMSI representatives

Mr Hans-Dieter Brauns, DAA, Germany
Ms Sabrina Scholz, DAA, Germany
Mr Lothar Muschter, IBS, Germany
Mr Larry Quinn, SII, Ireland
Mr Declan Garrett, SII, Ireland

The draft minutes of the last SSDC meeting of 2 October 2012 were adopted without changes. The draft agenda was approved with two modifications: Point 2 was moved to the afternoon due to the availability of the speaker, Mr Hans Torrekens, and an explanation of the change of rules for social dialogue meetings was added under point 6, following a request by Ms Laila Castaldo.

1. New and upcoming Commission initiatives: Update

a) Revision of the EU public procurement directive

An update on the situation in the European Parliament was presented by Ms Castaldo, followed by a presentation on the state of play in the Council by Mr Eduardo Cobas Urcelay. The two sides agreed as to the assessment of the situation in both institutions and envisaged joint lobbying activities on the basis of the joint opinion of 25 May 2012 now to be focused on the Council, where the situation was still more challenging. They appealed to their national affiliates to step up lobbying of their national representatives in the Council.

b) EU regulation on CIT

Mr Rüdiger Voss, head of sector for euro cash and legal issues at DG ECFIN, started by inviting questions from the audience, so he could better focus his presentation on the regulation on the professional cross-border transport of euro cash by road between euro-area member states (CIT). Mr Luc De Valck raised the question whether collective wage agreements would apply to workers posted cross-border, which Mr Voss could not answer, as the CIT regulation referred to this only in a footnote, while the general legal framework fell under the competence of DG EMPL. Ms Castaldo expressed her worry at a trend of impediments to the internal market being used as a general explanation for any project not taking into account employment aspects.

Mr Jesús Arroyo and Mr Francis Ravez asked how many licences had been granted. While it was not the Commission but the member states who granted licences, Mr Voss guessed the numbers would not be very high and stand at around six for Germany or two for Belgium. He noted that member states were late in providing information on this matter, with notifications from two or three key member states still missing.

Ms Castaldo raised the annex on training requirements, which had been worked out by the social partners in 2010, but not been taken into account by the Commission. Mr Voss noted that he could not speak about decisions that had been taken prior to his time in office. An exchange of views with the participation of Mr Cobas Urcelay ensued.

c) New health and safety strategy and new legislative proposal on ergonomics

The chairman informed the committee that there had been no progress on these issues since the last meeting, and that the responsible unit B3 at DG EMPL was undergoing changes. Hence, it was not clear at this point, when any progress could be expected.

2. Presentation of the KOMSI project

Mr Larry Quinn introduced Mr Hans-Dieter Brauns who had supervised the KOMSI project on the recognition of professional qualifications for security guards. After his presentation of the background of the project, during which he highlighted support for mobility as its overarching goal, Mr Brauns handed back to Mr Quinn who outlined the scope and structure of the project, lauding the participation of the Spanish UGT trade union and of Mr Arroyo in particular. He then gave the floor to Mr Declan Garrett, who presented the online questionnaire to be completed by security guards.

Mr Cobas Urcelay stated that CoESS disagreed with the first part of the presentation. Whilst stressing that CoESS would always be in favour of mobility, it did not regard the instrument developed under the KOMSI project as an appropriate basis. Ms Castaldo viewed the project results as a basis for further work to be done. In the light of an overall interest in continuing the discussion and the availability of the KOMSI project team to stay until the end of the meeting, it was decided to come back to this issue under any other business (see point 7).

3. Internalisation of security services in the European Parliament

The chairman introduced Mr Hans Torrekens, president of the SFE trade union at the Commission, which is allied to the UNI affiliate ACV-CSC in Belgium. Mr Torrekens outlined the legal requirement for the European Personnel Selection Office (EPSO) to hold an open competition for security personnel at the European Parliament that are to be internalised. However, he noted that the recruitment procedure would be less difficult than was usually the case for contract agents. He also mentioned that the SFE, like most trade unions at the European institutions, generally supported internalisation and was against the out-sourcing of services.

Ms Castaldo stressed that UNI was not against internalisation as such and recognised the working conditions for those who would eventually pass the competition as good. However, these would only benefit the lucky few, as more than 4,000 applicants had registered for the competition for 470 contract agents. Even if the present security guards had a competitive advantage through their work experience at the European Parliament, other applicants might have comparable experience gained at other EU institutions or embassies. Furthermore, Ms Castaldo criticised that the transfer of undertakings directive did not apply to the European Parliament itself, which created the impression that the European institutions that had enacted this directive were above the law. Mr Torrekens retorted that the trade unions at the European institutions often criticised this from the opposite direction, when national labour laws did not apply to EU civil servants. However, he noted that they only had the right to defend their own staff and not the staff of external contractors, which limited their scope of action in this case.

Mr Steven Van Doorne criticised that the decision to internalise was taken only three months after a new contract with a new external service provider had been signed and the latter had taken over the present security guards. He and Mr Claude Lévy insisted that this takeover was required under Belgian and French law, and should also be required from the European Parliament itself. Mr Du Valck asked for a moral solution to be found in the interest of the staff concerned, even if national laws did not apply here, as Mr Torrekens had explained.

In the light of the above discussion, it was decided not to go ahead with a proposal for a joint opinion at this point in time, but to wait for further consultation and clarifications on the matter.

4. EU-OSHA OiRA tool

Mr Cobas Urcelay reported a meeting at the European Agency for Safety and Health at Work (EU-OSHA) in Bilbao on 5 November 2012, which had resulted in a solution to the Online interactive Risk Assessment (OiRA) tool project. On behalf of UNI Europa, Ms Castaldo welcomed this solution and thanked Mr Cobas Urcelay for his efforts. The next step was to sign a memorandum of understanding. The project would have to be launched by the end of the year, so that EU-OSHA could grant funds available for the year 2012 to CoESS and UNI Europa.

5. Representativeness study by EUROFOUND

Both sides of industry expressed their disagreement with the findings of the new study on the representativeness of the social partners in the private security sector by the European

Foundation for the Improvement of Living and Working Conditions (EUROFOUND). They regarded the figures contained in the study as skewed.

6. Dates for 2013

The chairman informed the committee of the dates for SSDC meetings in 2013, which had been agreed at the previous meeting. Mr Cobas Urcelay reported an e-mail exchange between UNI and CoESS on changes to two of the four dates. Ms Castaldo was committed to inform the Commission about these changes requested by UNI after the meeting.

The chairman further explained the new rules for SSDC meetings from 2013, which had been communicated to all European social partners at the liaison forum held on 1 October as well as in writing on 17 October 2012 by Mr Jean-Paul Tricart, head of unit B1 at DG EMPL.

7. Any other business

A further round of questions on the KOMSI project was collected. Mr Bill Brown expressed his doubt about whether 70 per cent of German security guards did not know what they were doing, as would follow from the presentation. Mr Dušan Davidović referred to the so-called Vienna roadmap in the context of a debate in the Serbian parliament. Thus, Serbia as well as other countries in the western Balkans had decided to use the CoESS manual as a basis for the recognition of professional qualifications for security guards. He criticised the small sample used in the framework of the KOMSI project, consisting of only four countries with highly developed training structures. Mr Brauns and Mr Quinn responded that their presentation only contained a brief overview of the project, whereas some of the questions raised could better be explained in greater depth. Hence, they invited the committee to read the documentation provided on the project and to come back to them with further questions.

The meeting was concluded by welcoming Ms Nathalie De Mulder as a new member of the SSDC on the part of CoESS, following the departure of Ms Barbara Lévêque.