



Minutes: Social Dialogue Working Group 23 June 2014

1. Approval of the last minutes and draft agenda

These were approved without any amendments or comments.

2. Migration and Mobility- Guidelines Migration and Strengthening Anti-Discrimination in Local and Regional Governments

This was the second round of discussions on the work in progress on the Joint Guidelines Migration. All the participants had consulted the draft proposal but commented that there had not been enough time to comment and amend the text. C. Jakob mentioned that it had been circulate three times to the Working Group in place with joint participation of trade union and employers. It was agreed that at the next meeting a final version would be adopted. The employer side asked that the emphasis of the text should be on the workplace level and questioned advertising jobs in other languages will cost a lot and that future employees would have to learn the language of the country. Philippe Scarfogliero from CFDT (France) said that the entire description and interview of the potential employees should not be in their language but that it could help to translate specific terms. In some administrations in France, there are employees who speak other languages – this way they can help the visitors who don't understand French. But the employers are afraid that translating in only some languages could be seen as discrimination. It was agreed to rephrase this part. Another discussion was about providing data about migrants which in a lot of countries was illegal e.g. nationality as it is seen as discriminatory. In Sweden a joint statement had been presented by a Coalition of Network of Cities how you provide data as e.g. more specifically on access to housing, to education or to culture. D. Nielsen (Vision) mentioned that the two sets of recommendations in the guidelines should be merged into one.

Action points:

The guidelines will be adopted with compromise amendments proposed by the Secretariats of EPSU and CEMR at the next meeting. They will be re-circulated before the meeting to the Working Group Migration for amendments.

3. European Commission's Quality Framework on Restructuring

C. Jakob (EPSU Secretariat) updated the participants on the state of play on the follow-up to the EC Commission's proposal on a Quality Framework on Restructuring. Business Europe has strongly opposed a more binding text. While it was positive that the Commission had proposed this Quality Framework it was still necessary to acknowledge that the public sector is also undergoing structural reforms that have an impact on employment. In the framework of the EC's proposal under Re-fit the three Directives, European Works Council Directive, the information and consultation of workers Directive and the Transfer of Undertaking Directive have been proposed to be revised in 2015 and possibly merged into one Directive. This is meant to assure that state administration including local and regional government administrations have the right to inform and consult with workers and that a strong social dialogue in the public sector is acknowledged while structural reforms and restructuring are under way in a lot of countries. The right to information and consultation directive is explicitly

excluding the public sector. A. Hammarbäck (Vision) mentioned that we have to be careful in relation to the revision of the three Directives and discuss jointly what changes we would like to see. CEEP was certainly an important partner in that process.

In the countries of Norway, Denmark, Finland, the Netherlands, Lithuania, France and Spain who participated in the discussion different reforms in municipalities were on-going from municipal mergers to new forms of service provision. It was underlined that the contribution of social dialogue was important to accompany workers in this process in advance. In Denmark it was reported that 10.000 jobs had been lost in municipalities and as consequence there is a conflict with the state administration.

Action Points:

The theme of restructuring should be put on the agenda of the December plenary meeting to see further how we can respond to the questions addressed to Social Partners in the Quality Framework. There was a demand to see if a joint project can be submitted to follow-up on the Joint Framework of Action on Restructuring for local and regional government.

4. EU Occupational Safety and Health Strategy 2014-2016

The EC representative who had been invited to present the Strategy Paper on Occupational Health and Safety had cancelled his participation. Therefore C. Jakob (EPSU Secretariat) and C. Dwiesenska-Stringer (CEMR Secretariat) presented the Communication to the Social Dialogue Committee.

Communication available in full here:

<http://ec.europa.eu/social/BlobServlet?docId=11828&langId=en>

This new **Strategic Framework on Health and Safety at Work 2014 – 2020** identifies key challenges and strategic objectives for health and safety at work and presents key actions and instruments to address these. This new Framework aims at ensuring that the EU continues to play a leading role in the promotion of high standards for working conditions both within Europe and internationally, in line with the Europe 2020 Strategy.

The Strategic Framework identifies 3 major health and safety at work challenges:

- to **improve implementation** of existing health and safety rules, in particular by enhancing the capacity of micro and small enterprises to put in place effective and efficient risk prevention strategies;
- to **improve the prevention of work-related diseases** by tackling new and emerging risks without neglecting existing risks;
- to take account of the **ageing of the EU's workforce**.

The Strategic Framework proposes to address these challenges with a **range of actions under seven key strategic objectives**:

- Further consolidating national health and safety strategies through, for example, policy coordination and mutual learning;
- Providing practical support to small and micro enterprises to help them to better comply with health and safety rules. Businesses would benefit from technical assistance and practical tools, such as the Online Interactive Risk Assessment (OiRA), a web platform providing sectoral risk assessment tools;

- Improving enforcement by Member States for example by evaluating the performance of national labour inspectorates;
- Simplifying existing legislation where appropriate to eliminate unnecessary administrative burdens, while preserving a high level of protection for workers' health and safety;
- Addressing the ageing of the European workforce and improving prevention of work-related diseases to tackle existing and new risks such as nanomaterials, green technology and biotechnologies;
- Improving statistical data collection to have better evidence and developing monitoring tools;
- Reinforcing coordination with international organisations (such as the International Labour Organisation (ILO), the World Health Organisation (WHO) and the Organisation for Economic Co-operation and Development (OECD) and partners to contribute to reducing work accidents and occupational diseases and to improving working conditions worldwide.

The Strategic Framework identifies instruments to implement these actions:

Social dialogue, awareness raising, enforcement of EU legislation, synergies with other policy areas (e.g. public health, education) and **EU funds**, such as the European Social Fund (ESF) and the Employment and Social Innovation (EaSI) programme, are available to support the implementation of health and safety rules.

Social Dialogue action:

As clearly mentioned in this Communication, EU Social partners play an important role in designing and implementing OSH policies and promoting a safe and healthy work environment.

The EC invites each Social Dialogue Committee *to consider how to effectively reach micro and small enterprises and to develop its own innovative OSH solutions.*

The Social Partners are also invited to *contribute to the ongoing evaluation of the EU legislative 'acquis'.*

The EC underlines that there is a need to improve ownership of this framework by EU Social Partners; **by involving us in the design and implementation of specific initiatives at EU, national and local workplace level.** It is suggested that the tripartite Advisory Committee on Safety and Health at Work and our Social Dialogue Structures should play a key role.

Discussion points on the Communication:

- How can we implement this Communication at local level? Can we develop a toolbox?
- In particular stress at work, musculo-skeletal disorders and ergonomic risks need more discussion at local level since the discussion currently focuses more on physical risk prevention measures: a cultural change at workplaces is often necessary

- The Communication doesn't mention how many workers are affected by the different health and safety diseases
- There is a strong link between working time and health and safety as e.g. working long hours, night shifts, working on Sundays
- National social partners need to have a joint vision at local level on health and safety to assure the prevention
- The link between increased workloads in public administration and restructuring and health and safety has to be emphasized more
- The ageing of the workforce needs particular attention
- In Scotland a campaign has been launched under the title "Healthy Working Lives"

Action Points:

The Framework will be reviewed in 2016 in order to take stock of its implementation and to take into account the results of the on-going comprehensive evaluation of the EU occupational health and safety legislation which will be available by the end of 2015. The participants decided to put this agenda item again on the agenda for the next meeting.

5. Projects for our Social Dialogue Committee

The participants discussed the following three proposals presented by the EPSU and CEMR Secretariat and asked the members of the Committee to provide their preference to one of the three topics.

This cycle would be:

- Project drafting June-August
- Deadline for submission: end of August
- Project implementation: 2015-2016

1. Follow-up of 3rd Party Violence in our sector (post- guidelines)

In 2012 our Social Dialogue Committee participated in a multi-sectoral project on third party violence in the workplace. This issue is particularly pertinent for local and regional government, especially considering an increasing number of such violence in certain public services.

The project would use the results of the multi-sectoral project, and the guidelines as a starting point and investigate 2 main points:

- The current trends of 3rd party violence in our sector and the response of our Social Partners in a number of countries
- The use and usefulness of the current multi-sectoral guidelines

How would we do this?

- Reports to be compiled
- De-centralised workshops throughout the year across Europe

Added value?

- Exchange of experience and developments across Europe;
- Provides continuity between projects and sectors at EU level;

2. Social Services and Local and Regional Government

With the ongoing PESSIS project, a number of important issues related to social services has been raised. As local and regional authorities, we have responsibility for such services (to varying degree across Europe) and as it's been a sector particularly affected by the crisis, our Social Dialogue Committee could examine the trends and effects on social services. In particular we would need to look at the role of Social Dialogue in tackling these trends, and could foresee some synergies with the results of the PESSIS 2 project.

How would we do this?

- Thematic workshops with Social Partners and service providers
- Experiences of Social Dialogue in certain Member States
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Added value?

- Exchange of experience and developments across Europe;
- Strong link to other European projects of relevance (PESSIS)
- Strategically important for our Committee to have evidence for any future EU work in this field (Social Investment Package / Europe 2020)

3. Restructuring in the Public Sector- what role for Social Partners?

The European Commission has recently published its Quality Framework on Restructuring ; proposing 'fiches' for employees, employers and Social Partners with ideas and good practices on how best to deal with restructuring. Our Social Dialogue Committee has been very involved in these discussions, with our joint paper published during the consultation phase and now discussions on how to (or not) integrate some of the proposals into National Social Dialogue. In particular the effects within the public sector are very strong, but there is not so much emphasis placed on this. Our project could highlight this, and provide knowledge and practices in relation to 'good restructuring' in the public sector.

How would we do this?

- Report with examples from Social Dialogue members
- De-centralised workshops throughout the year across Europe

Added value?

- Exchange of experience and developments across Europe;
- Would structure our Committees' input to ongoing EC discussions on Restructuring in Europe (nb: implementation report of the QF is due to be done by the EC in 2016)
- Highlight the effects of restructuring on public sector, but also the important role of Social Partners in 'good' restructuring

Action Points

There was a vote on the three proposals as all were very supportive of the three projects. A majority of participants (16 out of 24) opted for the restructuring project with an emphasis on health and safety and the contribution of social dialogue.

6. A.O.B

This meeting was closed at 16h05