



## EUROPEAN COMMISSION

DG Employment, Social Affairs and Equal Opportunities

Social Dialogue, Social Rights, Working Conditions, Adaptation to Change  
**Social Dialogue, Industrial Relations**

### RAILWAYS SECTORAL DIALOGUE COMMITTEE

## Meeting of Working Group I

11 October 2007

Concise minutes (adopted on 18 February 2008)

### **(1) Adoption of the agenda and approval of the minutes of the last meeting**

The meeting was chaired by Mr Greivelding (workers). The agenda was adopted. The minutes of the meeting of 6 December 2006 were also approved.

### **(2) Report on the project regarding the reorganisation of freight services**

Mr Hara (CER, SNCF) presented the project's preliminary conclusions, which were not shared yet with the workers' side. The final report would be finalised in February 2008. ETF recalled the project's objective which was to examine how changes in the freight sector would impact on human resources and professions. The workers' side wondered whether it would be possible to gather some more quantitative data regarding the impact on personnel, noting that the assessment so far was mainly on the development and restructuring of companies regarding the freight business.

### **(3) Implementation of the agreement on the European drivers licence**

Mr Hara informed the meeting that CER had prepared a 30 pages long report on the implementation of the agreement. The survey amongst the CER membership had shown that the agreement was not formally applied, but largely applied de facto. He referred to the unusual situation that the agreement had been "overtaken" by a Directive. The report also provided an assessment article by article. Ms Trier (ETF) welcomed this work and stated it would be a good starting point for a joint report on the implementation of the agreement, to be sent to the Commission. However, some further aspects should also be looked at, for instance to which extent social dialogue took place at company level, as a consequence of the agreement. For the workers' side, it was not sufficient to say that the social partner text influenced EC legislation and thus fulfilled its role. The agreement remained an important instrument until the Directive came into full effect. In addition, some aspects should be integrated in the report (such as articles 12, 13 and 15, which were not part of the Directive). It was agreed to resend a questionnaire to companies and trade unions in order to get more information. The questionnaire would be prepared by Mr Hara and Ms Trier. The Commission representative welcomed the social partners' commitment to report on the follow-up and recommended to present such a report at the latest in January 2008, i.e. four years after the signature of the agreement. The social

partners also discussed the possibility to visit some companies and to compare the differences between the agreement and the Directive.

#### **(4) Implementation of the agreement working conditions**

Mr Inglese (FS) reported that the project on the follow-up of the agreement, prepared by the social partners and planned for the period December 2007-November 2008, had finally not been submitted for internal reasons. Both sides of industry regretted this mishap but reiterated their will to carry out the project at the next occasion.

In this context, the Commission representative announced that the Commission had launched a tender for a study on the economic and social impact of the agreement (VT/2007/055). This was a separate exercise.

#### **(5) Technical specifications for interoperability (TSIs)**

Unfortunately, the European Railway Agency was not represented and could therefore not report on the work concerning the certification of maintenance workshops and concerning locomotives and tractions units. According to both sides of industry, these aspects had a strong health & safety and human resources aspect. An example presented by ETF was the design of locomotives, where the installation of a toilet is not considered as relevant for the interoperability and can therefore, according to the Agency, not be included in the TSI. However, TSIs would be the future standard for the construction of new locomotives, and the absence of toilets would not only be an absence of convenience for drivers, but would also form an obstacle for the assignment of female drivers. For that reason, ETF thought that the social partners had a joint interest to defend. Another example mentioned by CER was the inclusion of a device which would allow to recording the working and driving time. For CER, the big question was how to reconcile technical and social aspects in one piece of legislation.

#### **(6) Language and communication level**

Mr Preumont (CER) presented a proposal for a language study related to Annex E of the TSI Traffic Operation and Management, aiming to improve safety, legal certainty and administrative efficiency. ETF thanked for the report and announced they would discuss the proposal. The option was discussed whether a joint proposal could be presented as an input to the Agency, or whether both sides of industry could come to a joint opinion on the subject. CER was ready to consider the latter option.

#### **(7) Any other business**

Next meeting: 5 December 2007 (steering committee). For the 2008 plenary meeting, the parties agreed to retain 22 May as a provisional date.

11 October 2007

Participants:

<p><b>Employers:</b></p> <p>Mr Hara Mr Inglese Mr Preumont Mr Winkler</p>	<p><b>Employees:</b></p> <p>Mr Dera Mr Greivelding Mr Henke Mr Liska Ms Trier Mr Wacsin</p>
<p><b>European Commission:</b></p> <p>Ms Durst (DG EMPL F/1)</p>	