



EUROPEAN COMMISSION

DG EMPLOYMENT, SOCIAL AFFAIRS AND EQUAL OPPORTUNITIES

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

D-1009-405-ISM

SECTORAL SOCIAL DIALOGUE

HORECA

Steering Committee Meeting

16 September 2009

Summary of the decisions taken

List of participants:

For EFFAT:

Kerstin Howald
Pál Kovács
Christian Juyaux
Emilio Fagnoli
Josef Bugeja
Marco Demurtas

For HOTREC:

Martin Couchman
Alessandro Nucara
Jostein Hansen
István Kovács
George Schembri
Isabel Sobrino Maté

For the Commission:

Elisabeth Aufheimer, DG EMPL, F1 (Chair)

1. Approval of the Agenda

The agenda is approved.

2. Approval of the minutes of the SSD Steering Committee meeting of 19 May 2009

The minutes are approved.

3. Undeclared work / Illegal working practices

- "Measures to tackle undeclared work in the European Union" report by EUROFOUND
- State of play/future steps

It is agreed to invite EUROFOUND to the plenary meeting to give a presentation on its study "Measures to tackle undeclared work in the European Union".

EFFAT will prepare a draft paper to be discussed at the next steering committee meeting in order to find a common position and to devise a common statement on undeclared work.

4. Review of European Social Dialogue

- "Consultation of the Social Partners for a review of the implementation of the Commission Communication and Decision of 20 May 1998" → Update by the Commission

Ms Aufheimer (EC) explains that the new Communication has been postponed, probably until February 2010.

5. Third Party Violence at the Workplace

- State of play

Ms Howald (EFFAT) reports on the current situation. The social partners of the sectors that decided to work on the issue had introduced projects to further explore the situation in the Member States. A conference on "Third Party Violence at the Workplace" will be held on 22-23 October 2009. HORECA will be invited.

6. Committee of Experts on posting of workers, meeting held on 24 June 2009 – update

Ms Sobrino (HOTREC) and Ms Howald (EFFAT) briefly reported on the last expert meeting which was mainly a technical one on questions like cabotage or minimum wages. For EFFAT it is essential to make sure that posted workers enjoy at least the same working conditions as laid down in laws and collective agreements as the workers in the welcoming country. Mr Couchman agrees on the principle of equal treatment.

Mr Couchman (HOTREC) makes reference to agency work.

Participants would like to know the Commission's position on a possible revision of the Directive. In case of a revision, EFFAT would like to see new provisions in the Directive for a minimum period of employment in the country of origin, in order to avoid that workers are employed in countries with low wages and social protection just to be sent to other countries.

In any case, HORECA will stay involved in the committee, although it is not clear for HOTREC to which extent the sector is concerned.

7. Economic crisis: Discussion on various measures taken at national/regional as well as at company level

- Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of Regions on "A shared Commitment for Employment"

Mr Couchman (HOTREC) makes reference to rising unemployment in the sector and raises the issue of sectoral councils for skills and employment as proposed in the Commission Communication COM/2009/0257 "A Shared Commitment for Employment". A questionnaire has been sent to the member organizations of EFFAT and HOTREC. The results will be presented at the Restructuring forum on "Sectors' new skills for new jobs" on 7-8 December 2009. The main question will be to figure out the right mechanism.

Ms Howald (EFFAT) explains that EFFAT has not yet internally discussed the setting up of such sectoral councils, but has always asked for an "observatory". Generally, such an instrument could be very useful. It should be linked to the sectoral social dialogue committee.

The secretariats will ask ECORYS for feedback in order to possibly invite them for a presentation either to the steering committee or to the plenary meeting.

Ms Howald (EFFAT) insists upon the necessity to collect information and positive examples of what the social partners in the Member States do to overcome the crisis. Mr Couchman (HOTREC) suggests presenting some examples at the "European Tourism Forum".

The impact of a VAT reduction on employment is discussed. Mr Juyaux (CFDT-EFFAT) indicates that several articles in the French newspaper "Libération" were reporting about the "arnaque" (swindle) of the VAT reduction in France, as nothing was in for employment

and wages, and prices were not lowered neither. Mr Schembri (MHRA-HOTREC) explains the measures taken in Malta: MHRA asked the restaurant owners to sign that they would reduce the prices for 12 months, for which they would get a sticker, and this worked well.

Mr Couchman (HOTREC) concludes that a VAT reduction could have positive effects if everybody does its part.

HOTREC and EFFAT agree to continue monitoring the issue. At the next plenary meeting an assessment of each Member State will take place.

8. Legislative developments in social matters, update by the Commission

- Working time Directive
- Immigration policy
- Discrimination related issues
- Work-life balance
- Others

Ms Aufheimer (EC) briefly reports on some recent developments in social matters. Under the current Commission, there will be no new proposal for the Working time Directive.

EFFAT and HOTREC agree to try to get more information on the content of the Seasonal Workers Directive. EFFAT expresses its interest to be consulted on the matter.

Ms Aufheimer presents the EC report on the application of Directive 2002/73/EC of the European Parliament and the Council of 23 September 2002 amending Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions.

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0409:FIN:EN:PDF>

9. Developments in tourism matters, update by the Commission

Postponed to the plenary meeting

10. Miscellaneous

The comprehensive studies are in the final stage of drafting.

The European Tourism Forum will take place in Brussels on 9 October. Martin Couchman and Emilio Fagnoli will speak at the ETF panel on employer-employee relations and agree to get into contact in the preparation of their interventions.

The social partners in the construction industry will present their project "Posting of Workers Database" at a press conference, to be held on 25 September. Ms Sobrino (HOTREC) will attend.

Ms Howald (EFFAT) will give a presentation on the HORECA Qualification and Skills Passport at the "vocational training" working group meeting of the Social Dialogue Committee for the construction industry on 2 October.

11. Next meetings in 2009

13 November 2009
1 December 2009

SSD Steering Committee
SSD Plenary

21 September 2009
07 December 2009

Liaison Forum (14.00-17.00)
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