



**Minutes of the working group meeting**  
**15 June 2016**

**1. Adoption of the meeting's draft agenda and the draft minutes from 25<sup>th</sup> June 2015**

In the absence of Mr Sugic (President Workers), the meeting was chaired by Mr Causse (Vice-President Employers). Due to the exceptional circumstance in Brussels the working group meeting foreseen on 4 April 2016 was cancelled.

The meeting's agenda was adopted as well as the minutes from 19<sup>th</sup> January 2016.

**2. Automated driving – what is at stake for operators, drivers and the EU legislator**

*2.1. Prioritising the safety potential of automated driving in Europe*

Ms Townsend, Policy Director at the European Transport Safety Council (ETSC) provided a presentation which focused on their study about relations between road safety and the automation of road vehicles and the related policy recommendations (see the slides attached). This study is prepared in the context of the Gear 2030 initiative (see below)

*2.2. EC Roadmap on Highly Automated Vehicles, under the Gear 2030 initiative*

Mr Lagrange from DG GROW provided an overview of the Commission's project regarding the challenges faced by the automotive industry and the creation of the High Level Group for the automotive industry -Gear 2030-, aiming to ensure a coordinated approach (see the slides attached).

All participants reacted by recognising the potential of new technologies but alerted about the lack of attention regarding employment impacts and social dimension.

ETF (Workers) underlined the enormous challenges posed by automated vehicles: the drivers will progressively disappear (2.5 millions drivers will be directly impacted) and before the drivers' work will evolve tremendously. Already the current automated systems create shortcomings and security concerns (including possible "piracy" risks). Social impacts and restructuring issues should be addressed; the safety benefits of automated driving were not clear and more has to be done in this sense; more investments should be targeted to the adaptation of the working conditions (including driving licences, trainings, etc.). It was asked about the areas that will be regulated?

IRU (employers) commented that the initiative seems to focus on automated private cars; however the trucks industry will be first impacted. They also said that the benefits are not clearly defined, neither the business model. Some of the impacts would be difficult to predict, including regarding safety (e.g. long vehicles will look like train-rail on road confronted with private cars).

A joint study to be finalised by the end of 2016 is aiming to manage the transition regarding the driverless road transport modes (ITF (International Transport Forum)/ACEA/IRU/ITF (International Transport Workers' Federation)).

ETSC agreed that the safety is maximised and that the implication for drivers should be investigated.

DG GROW answered that DG EMPL (Commissioner Thyssen) is involved in Gear 2030. There is a working group on the value chain that is considering those issues and could be the right fora to address impact on drivers. The areas to be regulated include driving time and training. DG GROW launched an invitation to the SSDC to contribute to the exercise.

The chair concluded that this initiative should better consider the impacts on employment and social dimensions. The SSDC on Road transport should be associated closely.

### **3. Posting of workers**

#### **Posting of workers**

Fernando Pereira (DG EMPL) provided information on the Commission's proposal on the revision of the 1996 Directive of posting workers adopted on 8 March 2016. This proposal has received a yellow card from 14 national parliaments from 11 MS raising issues on subsidiarity. The Commission takes the triggering of the yellow card very seriously. It will engage into a political dialogue with the concerned national parliaments and will adopt a communication on the compliance with the subsidiarity principle. He made clear that the Directive applies to the road transport however there are conditions to its application (such as in Article 1) that sometimes seem to be forgotten. There is also recognition of the specificities of sectoral road transport issues (recital 10) and those specific issues should better be addressed through the sectoral specific legislation (e.g the road package foreseen in 2017).

IRU representatives from Romania mentioned a joint resolution from 11 Member States regarding the application of the Posting Directive to transport and regarding other Member States national laws (Germany and France) that are seen as protectionist measures. Poland also raised the issue of complex application of rules for small companies, in particular for international transport. European movers also asked for specific sectoral rules. UK also pointed on complex enforcement issues notably regarding subcontracting and minimum wages.

ETF on the opposite wondered why a sectoral application of posting Directive would be relevant. The 1996 Posting Directive applies to road transport and it should not be part of specific sector legislation. They noted that the posting issue is not included in the consultation on the road package launched by DG MOVE on the 15 June 2016. The main challenges for posting rely to the enforcement of existing rules and avoiding social

dumping. UK representative underlined that the current situation is not sustainable and create bankruptcy in the sector. There is a need to find a common solution at EU level.

Fernando Pereira clarified that the Commission is not proposing to equalise the salaries but to apply the equal rules on remuneration that are mandatory for local workers and that posting should not be confused with illegal work. He also stressed that the rules should be applicable, enforceable and effectively enforced (responsibility of the Member States). If the rules of posting are applied (with all the elements of remuneration) there is less risks of exploitation of posted workers. There is a quite important number of cases where the rules are not respected. The 2014 Enforcement Directive should improve some aspects; nevertheless some of the difficulties would stay.

Thanking the Commission for the explanations the chair concluded that the profession is evolving, is acting on the public space and that should be taken into account.

#### **4. Social code: conditions on loading and unloading points**

Mr Szulczyk (DG MOVE) presented the LABEL European's project for parking areas (see slides). This project was promoting a voluntary certification system for trucks' parking areas. It promotes levels of security and services.

One of the issues was if this project could be for inspiration regarding the conditions for loading points. It was expressed that loading and unloading places have not the same configurations and equipment and normally belong to the shippers. The loading and unloading points should also have decent facilities available for drivers (toilets, waiting room, ...) which are often restricted to the own shippers' personal. In that sense the experience of the LABEL project could be relevant.

The chair concluded that it would be to the Commission to promote this type of facilities in order to improve drivers working conditions and that it will be considered in the framework of the negotiations on the social code that are foreseen to start in the coming weeks.

#### **5. AOB**

- The point on general norms and conditions for rest was reported to a next meeting.
- Next meetings: working group on urban public transport foreseen on the 27/09/2016; plenary meeting foreseen on the 16/11/2016.

## List of participants 15th June 2016

<p><u>Employers</u> (17 ♂, 10 ♀)</p> <p><i>IRU</i></p> <ol style="list-style-type: none"><li>1. Mr Causse Chair - IRU FNTR (FR)</li><li>2. Ms Maitre idem</li><li>3. Mr Nemec IRU</li><li>4. Mr Nielsen IRU</li><li>5. Ms Antignac AFTRI (FR)</li><li>6. Ms Doumani OFAE (EL)</li><li>7. Mr Kenanidis idem</li><li>8. Ms Galantino ANAV (IT)</li><li>9. Mr Saile BGL (DE)</li><li>10. Ms Spenik FEBETRA (BE)</li><li>11. Ms Dimitrova FEDEMAC (BE)</li><li>12. Mr Kothy BDO (DE)</li><li>13. Mr Gentze BGL (DE)</li><li>14. Mr Pardo ASTIC (ES)</li><li>15. Ms Vasarainen SKAL (FI)</li><li>16. Mr Karjunen STL (FI)</li><li>17. Ms Ilie UNTRR (RO)</li><li>18. Mr Andreica UNTRR (RO)</li><li>19. Mr Cullum RHA (UK)</li><li>20. Mr Yarsley FTA (UK)</li><li>21. Mr Salmon CPT (UK)</li><li>22. Mr Nielsen ITD (DK)</li><li>23. Mr Larsen DTL (DK)</li><li>24. Ms Jans TLN (NL)</li><li>25. Ms Mets ERAA (ET)</li><li>26. Mr Popiolek ZMPD (PL)</li><li>27. Mr Jystad NLF (NO)</li></ol>	<p><u>Workers</u> (10 ♂, 2 ♀)</p> <p><i>ETF</i></p> <ol style="list-style-type: none"><li>1. Ms Tilling (ETF)</li><li>2. Ms Heinisch (ETF)</li><li>3. Mr Parrillo ACV CSC (BE)</li><li>4. Mr Aarestrup 3F (DK)</li><li>5. Mr Overgaard idem</li><li>6. Mr Brown UNITE THE UNION (UK)</li><li>7. Mr Johnson idem</li><li>8. Mr Peeters BTB- ABVV (BE)</li><li>9. Mr Seyer FGT CFTC (FR)</li><li>10. Mr Diamante CISL (IT)</li><li>11. Mr Garcia CCOO (ES)</li><li>12. Mr Ollas AKT (FI)</li></ol> <p><i>Speaker ETSC – UK</i> Ms Townsend</p>
<p><u>European Commission</u></p> <p>Ms Sylvie Finné (DG EMPL A2)</p> <p>Mr Pereira (DG EMPL D1)</p> <p>Mr Szulczyk (DG MOVE)</p> <p>Ms Hübner (DG MOVE)</p> <p>Mr Lagrange (DG GROW)</p>	