



EUROPEAN COMMISSION  
Employment, Social Affairs and Inclusion DG

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

SECTORAL SOCIAL DIALOGUE  
COMMITTEE  
LIVE PERFORMANCE

**MINUTES  
PLENARY MEETING  
13/12/2013**

**Chair:** Denys Fouqueray (EAEA)

**1. Opening of the meeting – Approval of the draft agenda – Approval of the draft minutes of the meeting of 9 October 2013**

The draft agenda was approved.

The draft minutes of the meeting of 9 October 2013 were approved.

**2. Update on employment and social affairs**

Stefaan Ceuppens (SC) provided an update on EU initiatives with relevance to the employment and social domain, including: the Annual Growth Survey; relevant elements of the Commission 2014 Work Programme; the Commission's proposal for a Quality Framework for Traineeships; the Commission Communication on Free movement of EU citizens and their families (COM(2013)837); and the European Parliament's approval of the Creative Europe Programme.

He also reported on the Liaison Forum on 15 years of Sectoral Social Dialogue (which took place on 11 December), updated the committee on the calls for proposals for the support of social dialogue, and he drew the attention of the delegates to a public consultation.

See the presentation in [annex](#).

**3. Health & safety**

**a) Presentation of the draft Online interactive Risk Assessment tool – Discussion on the completion and follow-up of the project and dissemination of the tool**

Matina Magkou provided an update on the development of the OiRA tool for the Live Performance sector (see the presentation in [annex](#)).

Translations of the tool, which is being developed in English only, will have to be initiated at the national level. National organisations are called upon to facilitate c.q. participate in the test phase.

## **b) Presentation of trade union position on focal dystonia**

Agreeing that the recognition of professional diseases of musicians is indeed an issue, social partners raised several points during the exchange on this topic, including: questions on the competence as regards the recognition of occupational diseases, as well as considerations regarding subsidiarity; which organisations should be targeted by a social partners' action (ILO, European institutions, national authorities); the type of action the social partners could undertake.

It was agreed that the workers would prepare a more elaborated written proposal by end February and that inclusion of the topic in the next Work Programme of the SSDC would be considered.

## **4. Mobility**

### **a) Task Force on Highly Mobile Workers – short update**

SC informed the committee that the discussion paper to be produced by the TF will be published later than initially foreseen. The document will provide amongst others a "prioritised list of barriers" to mobility that affect highly mobile workers such as artists and culture professionals. The status of the document, which will be the starting point of a consultation process with stakeholders, and the date of adoption remain to be decided.

Anita Debaere (AD) expressed some regrets as regards the missed opportunity for further exchange on this topic with the Commission experts, and drew the attention to the fact that also employers suffer from the said obstacles. The workers pointed out that "obstacles" can in certain cases be instrumental for avoiding social dumping.

### **b) Travelling to the USA/visas for artists: discussion and adoption of proposed draft letter from social partners to US authorities**

Overall, there was agreement on the draft letter. The secretariats would finalise the text and decide when to send it out.

### **c) Travelling with musical instruments: exchange and update on latest developments**

Thomas Dayan updated the committee on the state of play of the file. The EP Committee on Transport and Tourism was to vote on its report on 17 December, while the plenary vote in the EP is scheduled for January. There seem to be reservations at the level of the Council as regards the inclusion in the text of specific provisions on musical instruments. Also problematic is the fact that the Council has not yet reached a common position.

All were called upon to continue lobbying their national governments.

### **d) Double taxation of artists when performing abroad: discussion and adoption of proposed joint position of the social partners**

The joint position was adopted, subject to clarification of the first sentence on page 3 of the document.

It was agreed that social partners should continue gathering concrete examples in order to reinforce the case that is being made. Also, given that the relevance of the issue extends beyond the EU, a broader coalition should be sought.

## 5. **Financial crisis**

Following up to the agreement at the previous meeting, steps will now be taken in order to move forward with the creation of an informal working group to monitor the activities of SMart.

Taking account of the impact of the crisis on the cultural sector in several Member States (Spain, France, UK,...), it was agreed that options for a joint European-level action/campaign would be examined. A "pilot committee" would be established for that purpose.

## 6. **Education and training**

### a) **Sector skills council: latest developments regarding the Commission call for proposals and a possible submission with the Audiovisual SSDC**

Dearbhal Murphy reminded the committee of the conclusions of the feasibility study undertaken by the social partners of the LP and AV SSDC and informed the delegates that the new call for proposals for the support of sectoral skills councils, which had been published with a deadline of 15 January, took account of the social partners' concerns.

The committee agreed that an application would be submitted under the call for proposals for a project that would aim at the creation of a sector skills council, in cooperation with the AV SSDC.

### b) **ESCO: feedback on the "ESCO goes live" launch and the work of the Live Performance reference group**

Massimilano Molinari presented the general state of play of ESCO developments<sup>1</sup>. ESCO v.1 is scheduled to be completed by 2017, even though there is some pressure to speed up the work.

Chris Van Goethem explained the work of the reference group for "arts, entertainment and recreation", whose common feature is the presence of an audience (see the presentation in [annex](#)). He called upon the delegates to provide any information on skills/qualifications/occupations.

## 7. **Work Programme 2014-2015**

AD provided an overview of the 2012-2013 Work Programme and the main achievements of the LP SSDC (see the presentation in [annex](#)).

The Work Programme for 2014-2015 was discussed. A final version should be ready by the next SSDC meeting.

## 8. **AOB**

No issues were discussed under this point.

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<sup>1</sup> [http://prezi.com/eseoyhgum23v/esco-state-of-play-13-dec-2013/?utm\\_campaign=share&utm\\_medium=copy](http://prezi.com/eseoyhgum23v/esco-state-of-play-13-dec-2013/?utm_campaign=share&utm_medium=copy)

ESCO website: <https://ec.europa.eu/esco/home>

## Annexes

- Point 2 – Presentation ongoing activities in the field of employment and social affairs
- Point 3a – Presentation OiRA tool for the Live Performance sector
- Point 6b – Presentation ESCO – Arts, entertainment and recreation
- Point 7 – Presentation SSDC LP Work Programme 2012-2013

Annex: List of participants 13/12/2013

<u>Employers</u>	<u>Workers</u>
<p><b>Pearle*</b> Ms Catherine BAUMANN (FR) Ms Alexandra BOBES (FR) Ms Anita DEBAERE (EU) Ms Liesbeth DEJONGHE (BE) Mr Palko FASSIO (FR) Mr Sébastien JUSTINE (FR) Mr Geza KOVACS (HU) Mr Johan LAGERHÄLL (SE) Ms Silke LALVANI (EU) Ms Kathleen LOPEZ KILCOYNE (ES) Ms Tarsila PEREZ REY (EU) Mr Zdenek PROKES (CZ) Ms Ilka SCHMALBAUCH (DE)</p> <p>13 employers representatives (8 women, 5 men) (3 EU, 2 new MS, 8 old MS)</p>	<p><b>EURO-MEI</b> Ms Angeline BARTH (FR) Ms Françoise CHAZAUD (FR) Mr Willy DONAGHY (UK) Ms Hanna HARVIMA (EU) Mr Johannes STUDINGER (EU) Mr Chris VAN GOETHEM (BE) Mr Pierre VANTORRE (FR) Mr Pier VERDERIO (IT)</p> <p><b>FIA</b> Mr Paul William FLEMING (UK) Mr Denys FOUQUERAY (FR) Ms Dearbhal MURPHY (EU) Mr Maciej PACUŁA (PL) Ms Katalin RAKSI (HU) Mr Cristian Dumitru SOFRON (RO)</p> <p><b>FIM</b> Mr Thomas DAYAN (EU) Mr Loris GROSSI (IT) Mr Antonio MUÑOZ LOBATON (ES) Mr Leonard-Octavian PADURET (RO) Mr Marc SLYPER (FR) Mr Roger SUTTON (UK) Mr Mario TELENTI (ES) Mr David WEBSTER (UK)</p> <p>22 workers representatives (5 women, 17 men) (4 EU, 4 new MS, 14 old MS)</p>
<p><u>Other participants</u> Ms Matina MAGKOU (researcher, OiRA project)</p>	
<p><u>European Commission</u> Mr Stefaan CEUPPENS (EMPL.B.1) Mr Massimiliano MOLINARI (EMPL.C.3 – ESCO Secretariat)</p>	