



EUROPEAN COMMISSION

Employment, Social Affairs and Equal Opportunities DG

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

Brussels, 17/05/2010

MINUTES OF THE WORKING GROUP MEETING TEMPORARY AGENCY WORK (TAW) 22 FEBRUARY 2010

1. Adoption of the agenda and approval of the minutes from the last meeting

The meeting was chaired by the Commission. The agenda of the meeting and the minutes of the meeting held on 25 November 2009 were adopted. Participants introduced themselves.

2. Implementation of Directive 2008/104/EC on temporary agency work

Representatives from each present member state (see participants' list) reported on the state of play with regard to the implementation of the directive. The Commission representative Mr Muller-Schleiden informed about the second expert group meeting on the implementation of the directive; it had been the first one entering into the substance by addressing Articles 1 (scope) and 3 (definitions) of the directive. The social partners had been invited to part of this meeting. One follow-up would be to send out a questionnaire to the member states in order to learn about their understanding and definition of the term "pay". The next meeting, planned for April, would notably address the interaction between the TAW directive and the posting of workers directive as well as Article 5 (equal treatment). Mr Muller-Schleiden informed the TAW social partners that they will not be invited to take part in the April Expert group meeting.

3. Promotion of national sectoral social dialogue

Another "tour de table" took place with regard to new developments with regard to sectoral social dialogue at national level. Besides reports from FR, PL, DE, BE, HU, SI, SP, NL and GR, time was devoted to the feedback and progress from the round table held in BG on 11 December 2009 (with the help of TAIEX). Both sides of industry from BG but also at EU level were satisfied with the event (wide participation, presence of the minister, ownership by the national social partners). Eurociett and UNI europa agreed to plan a new round table for TR this year; the fact that a Turkish trade union delegate had participated in the BG round table was considered as very positive.

4. Presentation of the Dutch report "Agency workers on the move: The composition of the agency worker population in good times and bad"

Ms Peters from Ecorys presented the results of the study they had carried out for Eurociett's Dutch member ABU (see slide presentation and summary provided in EN).

UNI europa raised questions whether the study was referring to illegal work in all sectors or just the TAW sector and for Ms Peters to give her view, based on the study, on the impact of TAW on low skilled workers. UNI europa also announced they would like their Dutch members to present their assessment of the situation at the next meeting.

5. Feedback European Observatory on cross-border activities within TAW

Eurociett informed the participants on the background of the joint project "Setting up a European Observatory on cross border activities within temporary agency work" (VS/2008/0462) and the conference held on 3 December 2009. The conference was followed by the first meeting of the observatory. One important conclusion of the report was that cross-border posting of temporary agency workers was difficult to quantify. The link between the TAW and the posting of workers directives was a difficult question, too. UNI europa informed about the composition and tasks of the observatory which would meet twice a year. As a concrete step, a template for a fact sheet had been developed and tested for two member states (NL, FR). Once these fact sheets be validated by both sides of industry, they would be circulated. The objective would be to come to one fact sheet per member state.

In this context, Mr Muller-Schleiden informed the social partners that they would be invited to present their observatory at the next subgroup of the expert committee on posting of workers (22 March).

6. New Skills for New Jobs (NSNJ) and vocational training

Ms McIntosh from the European Employment Strategy Unit gave a presentation on the NSNJ initiative¹ and on the recently published expert group report (see slide presentation). This independent report included a number of recommendations which were now under examination by the Commission. The next planned steps were a conference under the Spanish Presidency on 8-9 April in Barcelona, followed by a Commission communication in the second half of 2010. The social partners gave some comments on the expert group report (role of bipartite training funds, co-operation between private and employment services, sectoral councils, health & safety of workers).

The social partners presented their joint declaration "Training for Temporary Agency Workers: Joint actions developed by sectoral social partners play a key role in facilitating skills upgrading" (adopted on 3 December 2009). In order to influence the future debate on skills and training, the Commission representatives suggested getting in touch also with colleagues from DG EAC (responsible for training and vocational training)².

7. Any other business

Eurociett informed the participants on progress of the ITC-ILO/Eurociett project "Strengthening the capacity of employers' organisations of the agency work industry for participation in sectoral policy development and social dialogue". 13 countries would be covered and three regional workshops would be organised (in PL, TR and HU). The final conference was planned for 15-16 December 2010 in Turin.

¹ <http://ec.europa.eu/social/main.jsp?catId=568&langId=en>

² http://ec.europa.eu/education/focus/focus2043_en.htm

The next social dialogue meetings are planned for 17 May, 8 October and 30 November 2010.

List of participants 22 February 2010

<p>Employers:</p> <p>Mr Aerden (Eurociett) Mr Auth (DE) Ms Bonnichon (FR) Ms Cordero (ES) Ms Fairweather (UK) Ms Ferrero (ES) Mr Freytag (Eurociett) Ms Gurszynska (PL) Ms Koussia (GR) Mr Marseaut (DE) Ms Muntz (NL) Mr Pennel (Eurociett) Mr Smrekar (SI) Ms Spangenberg (NL) Ms Todorova (BG)</p>	<p>Workers:</p> <p>Mr Aguayo (ES) Mr Boton (FR) Ms Budweis (AT) Mr Calado (PT) Mr Colapinto (IT) Mr Coulouscou (ES) Mr Dimitrov (BG) Ms Goneva (BG) Mr Leblanc (FR) Ms Lelyte (UNI global union) Ms Mulligan (IE) Ms Owens (UNI europa) Ms Pohjola (FI) Ms Riboni (IT) Mr Toth (HU) Ms Unterschütz (PL) Mr Vanderhaeghen (BE) Mr Vicioso Alfaro (ES) Ms Walkershaw (UK) Ms Warneck (BE, ETUI) Ms Wirken (BE)</p>
<p>European Commission:</p> <p>Ms Durst (DG EMPL/F.1) Ms McIntosh (DG EMPL/D.2) Mr Muller-Schleiden (DG EMPL/F.2)</p>	<p>Others:</p> <p>Ms Peters (Ecorys)</p>