

Sectoral Social Dialogue Committee for Ports

Plenary meeting, 9 December 2015

1 and 2. Adoption of the agenda and of the minutes of the previous meeting (23 October 2015)

The agenda of the meeting is adopted as are the minutes of the previous meeting.

3. Election of the Committee Chair and Vice-Chair

ETF and FEPORT have indicated that after two years of Presidency of the Committee ensured by the Commission, the four social partners felt that they were now in a position to elect their Chair and Vice-Chair.

Therefore, they announced that Mr Xavier Galbrun from FEPORT will be the new Chair of the ports' Committee, while, coming from ETF, Mr Mike Gibbons, will be the Vice-Chair.

Mr Galbrun comes from UNIM, the French Federation of cargo handling companies and terminal operators. He gave a few elements of his professional experience: currently the Chair of the Social affairs Committee of FEPORT, Xavier took part in the creation of FEPORT in 1994 and also played an important role in the two major port reforms (1992 and 2008) that were undertaken in France. He stressed that, based on his experience, his view is that to move forward cooperation is needed.

4. Developments in maritime transport and impacts on port operations: identification of relevant topics and of a working plan for the Committee

ETF indicated that, following the study's presentation from the OECD, the social partners decided to set up a small working group among the 4 Secretariats with the aim of finding solutions to tackle the issue of the impact of the megaships. More information is needed on how these changes are being tackled in the ports.

The idea is to promote a study, managed by the social partners, which would constitute a fact-finding study on a number of terminals. The study would possibly identify some best practices; it should not include political recommendations.

ETF asked if the Commission and in particular DG EMPL could financially support such a study, possibly in the framework of a future call for proposals. DG EMPL indicated that in principle this study, if submitted jointly by the social partners, could be eligible for a Commission's subvention. Nevertheless, DG EMPL, for obvious reasons, cannot commit on the final result of such a request.

FEPORT welcomed the idea of the proposed study and indicated that it was useful to tackle the issue of the mega-ships; it also confirmed that the social aspects of the OECD's study which was presented during the previous Committee meeting should be deepened.

5. Safety on ships: report of the meeting of the technical working group held on 8/12/2015 and way forward

Following the analysis of a note produced by DG MOVE, Unit D2 (Maritime safety) in collaboration with the Legal Service of the Commission, FEPORT expressed its willingness to review the Annex III of the Directive 2001/96/EC of December 2001 establishing harmonised requirements and procedures for the safe loading and unloading of bulk carriers; this Annex, which indicates the information to be provided by the ship master to the terminal operator, would be complemented with a health and safety checklist, which has to be elaborated by the social dialogue partners.

ETF declared that it was in favour of this joint effort but asked how long the whole process could take.

DG MOVE, stressed the importance of collaborating closely with the ship-owners from the beginning of the process, as a pre-condition for the success of this initiative. The social partners should first reach an agreement (meaning the social partners of the Ports' committee and ECSA, the ship-owners, who are taking part to the maritime transport sectoral Committee) on the text of Annex III. Provided that the agreement falls in the scope of the powers conferred to the Commission, the comitology procedure (regulatory procedure with a three month scrutiny) should take place after.

ESPO, ETF and IDC agreed on moving ahead on this issue, while FEPORT concluded the discussion by stressing that a formal request to ECSA will be addressed and that a meeting with ECSA would possibly take place in early 2016.

The secretariats will report to the next SSD on Ports (7 March 2016) on the outcome and state of play.

6. Report on accidents recently occurred in EU ports and on outcome of investigations, if any

The Spanish member of ETF made clear that two dockers died in Spain, while working in the ports; the procedures were apparently not followed properly and in any case specific procedures would have been needed. Productivity cannot be the only criteria, this is clearly an issue that needs to be discussed with the employers.

In Spain there are no working procedures, everything is left to the companies, which don't do enough in terms of safety.

In Belgium, three experienced dockers died in Antwerp because of lack of oxygen.

The Dutch member of ETF said that there is a wrong mind set, since safety is no longer a priority. In 2016 this issue has to be addressed and if it is detrimental to productivity, so be it.

The Chair indicated that clearly there is a common interest in avoiding accidents and deaths in ports.

ETF stressed that there should be a Directive aimed at investigate on accidents; there should be one on preventing accidents.

FEPORT indicated that it is firmly involved in prevention of accidents. Training on one hand and awareness on the other are crucial in that sense.

The PT member of ETF declared that in PT the implementation of new rules are destroying the work in the ports. The Commission has to make sure that Member States properly implement the legislation and that they have proper rules.

The Chair recommended that skilled labour is used.

The ES Member of ETF stressed that the dockers in Bilbao and Valencia were experienced; training is essential but so is safety. These topics should be on top of the agenda of the social partners; clear procedures are needed, indicating responsibilities on both sides.

FEPORF reminded the French initiative of "l'arbre des causes" which includes the lessons learned from the accidents, a proper dissemination of the best practices and a set of recommendations.

ETF's members pointed that the precarious work costs less but can cause more accidents, even lethal ones while it was reminded that in NL there are Court cases taking place.

7. Fumigation and exposure to toxic gases:

a. Information on the EU-OSHA project

The social partners stressed that the OSHA Agency in Bilbao has accepted to integrate in his work programme for 2016 a study on the effects of fumigation. This is an important result achieved by the social partners. A representative of OSHA should take part to the next meeting of the SSD on Ports.

8. Information on the call for proposal launched by the Commission on "Assessing future requirements for skills and jobs across transport modes and systems"

This call is managed jointly by DG RTD and DG MOVE as it concerns the Horizon 2020 Programme.

9. AOB

Next meeting of the SSDC for ports will take place on 7 March 2016.