

## Sectoral Social Dialogue Committee for Ports

Working group meeting, 29 November 2016

### **1 and 2. Adoption of the agenda and of the minutes of the previous meeting (June 2016)**

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

### **3. Presentations from ports training centres**

ETF indicated the planned presentation of the training centre of the Hamburg's port will be delivered at one of the next Committee meetings

After this announcement, Mr Guy Vankrunkelsven (CEPA – BE), presented the main elements of the training scheme of the Antwerp's port.

The speaker stressed that, overall, employment has been stable in Antwerp over the last 15 years (just more than 7.000 dockers from 1990 up to now).

Training is particularly important in the port and a clear training legal framework has been established in BE: recognition of dockers is based on 7 conditions (e.g. medically fit, psychotechnically fit, good behaviour) and there is the need to attend to a training course for 3 weeks).

In addition to that, in the port of Antwerp the basic training is being followed by a 2 weeks apprenticeship on the quayside. The purpose is to provide a first experience in different commodities to the trainee: ro-ro, fruit, general cargo (coils, wire rods, beams, slabs), container,...

Mr Vankrunkelsven stressed also the advantages of the simulators based training.

- eliminate all accidents and damages of goods and machines
- students can make errors without consequences and become familiar with operation in quiet circumstances
- realistic training experience in a controlled environment
- several weather conditions possible
- use of different training scenarios
- maximizing productivity with minimal risk on the job
- operations can continue as planned

He added that Antwerp port operators developed an entire scheme for training (assessment of training needs, operational training, safety and prevention; leadership and teamwork). Mr. Vankrunkelsven stated that the training centre is created, and strongly supported, by Antwerp port operators as it ensures a high and consistent level of training.

He indicated the expertise of the Antwerp port which is known at world level (Brasil: mixed skill training; Jurong Port Singapore: assessment workshop; Bangkok Port: assessment workshop; Congo: training crane operators; New Zealand: training crane operators).

After the presentations, several participants offered comments.

The ETF's NL member inquired the Commission about the reasons behind the challenges to the Belgian port labour scheme, given the excellent performance of the Antwerp port in the field of training and the high productivity of its workers

The Commission took note of the presentation made as well as the question of the NL ETF member, but had no further comment to express.

IDC praised the presentation of the speaker and added that vocational training in Antwerp is of good quality. In fact, also in other ports, training is well done, for example in Hamburg. Each port has its own specificity and it will be interesting to present the guidelines for training that exist in France.

The Chair confirmed that during the next SSDC of March, the French approach on training could be presented; this approach integrates the agreed working conditions of 1992 in France.

FEPOR indicated that the example of Antwerp confirms that good training is not a myth and that port training does exist. The situation may not be perfect but it works well and it is financed by the employers. For example, the deployment of simulators in training centres is an example of very expensive investment by port employers in training. What is of crucial importance is the dissemination of good practices.

#### **.4. Training in ports: discussion on the way forward following the working plan adopted in December 2014**

The Chair introduced the topic by recalling the joint opinion of December 2014 adopted by the SSDC, in which a clear mention to the possible issues and avenues of training was introduced.

The first objective is to make sure that all individuals working in ports are well trained, though respecting the subsidiarity principle.

Training is first of all relevant for safety and for preventing accidents. Qualifications and training are all about fair competition. He stressed the fact that a good level playing field is needed and that operators have to work with well-trained dockers. The recommendations of the EU-portraitS could complement and provide input to the work of the SSDC, which aims to work towards possible guidelines and recommendations in the field of training. There is no need to go for binding mechanisms at EU level but rather to identify good practices.

The ETF's UK member stated that Antwerp is a centre of excellence but that other ports unfortunately do not meet this standard.

Centres of excellence like Antwerp are a benchmark that we have to look at in the case of a useful level playing field.

FEPOR added that as a SSDC, there is the willingness to work also on small and medium ports and see how they can raise their training standards.

To further dig into this, FEPOR suggested the creation of a working group that should report to the SSDC.

This working group should identify best practices in relation to training and address the issue of small/medium ports.

FEPOR also reaffirmed the fact that skilled workers are an asset and do constitute a competitive advantage.

The starting point of discussion could be the identification of the main objectives of training and a further step could be guidance. In fact, through the Social Dialogue, the social partners aim at re-launching the competitiveness of ports.

The ETF's BE member agreed on the idea of setting up a small group ; she stressed the importance of aiming, not only in terms of training, at the highest possible standards and also to pay attention to the recruitment of female workers.

IDC highlighted the importance of training: training is not a cost but an investment. A worker properly trained will probably not hurt himself. Training is a win-win situation.

The ETF's NL member suggested that the working group should also address the inland ports' sector.

The IDC's ES member indicated that training is essential but that the first objective is the creation of jobs.

FEPOR suggested that in view of the next meeting of the SSDC the composition and mandate of the working group should be finalised.

ESPO agreed with this, adding that in fact vocational training has been a common feature of all the meetings of the SSDC of ports.

The Chair concluded the point by reminding the decision of creating a small group and adopting its mandate. The working group will have the task of identifying the best practices and also to address the issue of small and medium ports. The issue of the inland ports will not be tackled since it is not part of the remit of this SSDC and since other social partners would have to be involved.

## **5. Presentation of the study 'Experiences of arrangements for health, safety and welfare in the global container terminal industry', by David Walters, Cardiff University**

Professor Walters presented the main conclusions of the Cardiff University's study, which focussed on the health and safety in container terminals operated by national and global companies. It looked at the relationship between corporate strategies for occupational health and safety arrangements and their reported outcomes; at the dock-workers experiences and at the national regulatory and labour relations contexts.

On the basis of these elements, the key messages of Professor Walters were the following:

- Gap between terminal safety management measures and practice and workers' experiences and expectations
- Safety systems don't reach the consequences of employment and work organisational practices
- Context matters - Regulatory systems are important and unions make a difference

Following the presentation, comments and/or questions were raised. FEPORT wondered if the study revealed that there are differences between regions in Europe.

Professor Walters confirmed the existence of differences not only between but also inside regions. The main difference is between rich and poor countries.

The UK and NL members of ETF praised the quality of the study and invited the Commission to take note of this independent study. ESPO indicated that further elaboration and research on the geographical ranges could bring an important added value to the study.

The Chair indicated that the rate of accidents decreases but that of course the safety issue remains absolutely crucial.

ETF said that ITF will contact all operators that contributed to this study to ensure a proper follow-up of this study.

## **6. Safety on board:**

FEPORT highlighted the need for having a proper enforcement of the Directive 2001/96/EC<sup>1</sup> on safe (un) loading of bulk carriers.

The Directive has not been transposed in the same way in the different Member States.

DG MOVE refers to its previous letter to the SSDC on the matter and explained that until now it has not been informed on any particular legal problems with the transposition of this Directive, nor on its application. If social partners are aware of concrete enforcement problems, they should inform the Commission

DG MOVE also explained that the Commission will evaluate in 2017 the Directive on the reporting formalities (single windows), which, depending on the results of the Impact assessment, may (or may not) be reviewed. The electronic reporting of relevant data from ship to ports could be examined in this context.

FEPORT said that it supports the Directive on safe (un)loading but it drew the attention on two Articles: Art.8.2 which relates to the legal obligations in all the Member states and Art. 11.2 which relates to reports on the effectiveness of the Directive every three years. The Directive is 15 years old.

FEPORT explained that the problems it has raised could lead to distortions of competition. EPSO supported FEPORT's comments.

IDC said that when problems do concern liberalisation then the Commission is much quicker to act but that when the problems relate to workers' security then it is less quick. This is not good at all.

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<sup>1</sup> Directive 2001/96/EC of December 2001 establishing harmonised requirements and procedures for the safe loading and unloading of bulk carriers

The ETF's NL member supported this line insisting on the need of a correct transposition of this Directive. He added that it is a shame that non-EU workers have other (worse) social conditions than EU workers.

The Chair reminded that the SSDC cannot solve all the issues.

ETF suggested the creation of a concrete follow-up of this dossier at the level of the four secretariats.

Social partners agreed that one of the best solutions to address the implementation of the Directive would be a REFIT exercise of Directive 2001/96/EC. The Commission will take into consideration this suggestion and will come back to the Committee in the next meeting.

#### **7. EU-OSHA report on fumigation of containers**

ESPO reminded the SSDC that thanks to a strong lobbying of the social partners, the OSHA Agency has included in its 2016 work programme a call for proposals on fumigation.

OSHA is now at an early stage with this call and will be invited to the March's SSDC to give a picture of the current situation.

#### **8. Any other business**

The ES ETF member informed the SSDC of a dramatic accident that took place that same day in ES on a cargo because of a 20 tonne crane.

In 2017 the meetings of the SSDC for ports will take place on Wednesday 1 March, Thursday 29 June and Monday 27 November.