

**Minutes of the plenary meeting of the
Social Dialogue Committee for the construction sector
Brussels, 10 January 2006**

The meeting was chaired by Ernst Laux. He welcomed participants and read out the agenda, which was then adopted.

1. Approval of the minutes of 8 June 2005

The minutes were approved.

2. Working group on Vocational Training

Laetitia Passot reported on DG EAC's proposal to test the European qualification framework (EQF) in the construction sector. The respective secretariats agreed to draw up a common position in response to the Commission's proposal. The social partners said they intended to make the most of this opportunity (*contact person: Jens Bjornavold*).

3. Working group on Health and Safety

Berndt Eisenbach reminded participants of the declarations made by the social partners at the Bilbao conference in 2004 and proposed sending a joint letter to the national organisations asking about their experiences regarding best practice in health and safety.

The social partners admitted having experienced difficulties in preparing for the follow-up conference scheduled for 2006, as they did not have an exact topic or any precise content.

4. Stress

The social partners adopted definitively the draft text presented on the prevention of stress at work. In reference to the Commission Communication of 12 August 2004, the social partners changed the title of the text, which now refers to "recommendations"

5. Distribution of the new language versions of the guide to best practice in health and safety

Ernst Laux raised the potential problem of including only the employers' logo. The problem would be dealt with at local level.

6. Working group on Employment

Report by André Clappier on the launch of the joint database project concerning posted workers and the related presentation to be held on Wednesday, 11 January 2006.

The next point raised was the matter of the Swedish trade unions' lack of confidence in the selection of the Barthélemy law firm, because of its involvement with the Lithuanian company Laval. The latter had refused to enter into negotiations concerning minimum salary arrangements for its employees in the country, thus practising a form of social dumping.

Methods of accessing the future database were also discussed.

With regard to the publication of the report on implementation of the 1996 Directive on posted workers, the social partners agreed to send the Commission a common position in response to the consultation.

7. Services Directive

The EFBWW proposed demonstrating and holding a joint press conference when the text was examined by Parliament and the Council. The FIEC did not intend to demonstrate but would give its response at the press conference once its members had agreed on a common position.

8. Undeclared work

Werner Buelen described in detail the launch of the draft **study** financed by the Commission and called for solutions to be sought at sectoral level in the hope that the committee could draft concrete proposals on this issue, in reference to the Council position which had in 2003 called on the sectoral social partners to tackle this matter. The final report on the study would be available in September.

For its part, the FIEC reported on the progress of its project in identifying best practice relating to undeclared work.

9. VAT

Discussion on initiatives taken by the social partners in order to obtain a reduced rate of VAT for the sector.

10. Portability of pension rights

The EFBWW announced that it would be submitting a draft on this subject during the first round of applications in 2006 under the social dialogue budget line.

11. Rules of procedure

In order to comply with the Commission's 1998 decision, the social partners asked the Commission to give them examples of rules of procedure for the social dialogue committees.

12. Other business

Presentation by Sam Hägglund (Sweden) on the Laval case and the litigation under way before the Court of Justice of the European Communities concerning the case.

LIST OF PARTICIPANTS

| | |
|------------------------------|-------------------|
| AUFNER Herbert | AUS |
| BIJEN Harrie | BE |
| BORDT Kerstin | DE |
| BUELEN Werner | BE |
| CLAPPIER André | FR |
| CLAVREUL Remi | FR |
| CORTES Ricardo | ES |
| COSTA TAVARES José | PT |
| DESSEN Pascale | FR |
| EILLER Marie | FR |
| EISENBACH Bernd | DE |
| G. HEYSEN J. Paul | BE |
| GASCON Y MARIN Jose | ES |
| GERDIN Roger | SV |
| HÄGGLUND Sam | SV |
| JOHANSEN Arne | DK |
| KOMAC Oskar | SL |
| KUS Jakub | PL |
| LAUX Ernst-Ludwig | D |
| LEAN Gerry | UK |
| LEHMANN Damel | CH |
| MERVAI Peter | HU |
| MURPHY Phil | UK |
| ODGAARD Gunde | DK |
| PAETZOLD Ulrich | FIEC-BE |
| PASSOT Laetitia | FIEC-BE |
| RICHTER Sebastian | DE |
| SAVIGNAC Jean-Charles | FR |
| STANION John | UK |
| ZBIGNIEW Janowski | PL |
| ZIEGLER François | Commission |