



EUROPEAN COMMISSION

Employment, Social Affairs and Equal Opportunities DG

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

Brussels,
EMPL/hw D(2008) 11/12/2008

European Social Dialogue in the Professional Football Sector

Plenary
19 November 2008, Brussels

Minutes

1. Welcome

The chair welcomed participants to the first plenary meeting after the launch on 1 July 2008 in Paris. He reminded participants that the parties have agreed that the issue on the work programme were the MRSPCs, that agendas of the Committee's meeting are agreed after due consultation of the Professional Football Strategy Council (PFSC) and that the work programme and addenda to the rules of procedure (RoP) are adopted in agreement with the PFSC. He called on the social partners to work in the general interest of football.

Pierre Mairesse (EC) welcomed participants on behalf of the European Commission. He explained that the Commission's Directorate Generals responsible for education and culture, including sport, and for employment, social affairs and equal opportunities, including social dialogue, respectively work in close cooperation to support the social partners in their dialogue at EU-level. He congratulated the parties for establishing a European committee in order to pursue their social dialogue, which is an important additional tool that does not mean, however, a change in the governance of football on the whole.

2. European social dialogue: functioning and instruments

Heinrich Wollny (EC) gave a general overview of the functioning of European social dialogue.¹ He welcomed the commitment that the parties have shown so far. He highlighted the possibility for the social partners to address employment relations and working conditions and to agree specific rules in an autonomous manner.

¹ All presentations can be found under:

http://circa.europa.eu/Public/irc/empl/sectoral_social_dialogue/library?l=/professional_football/2008/2008_1119_plenartagung&vm=detailed&sb=Title

The ECA pointed out that, as employers' organisation, it played an important role in its own right in the social dialogue and its recognition as social partner on the employer side was independent from any other employer representative organisations, such as EPFL. Heinrich Wollny explained that Commissioner Spidla's reply of July 2008 to ECA's application concludes that ECA is a European social partner that complements EPFL's representativeness. This does not imply an assessment of the importance of the ECA's role in football governance but it is strictly limited to an assessment – from a legal point of view – of the role of the ECA and its member clubs in the industrial relations of the professional football sector in the EU and its Member States.

3. European social dialogue committee: rules of procedure

Emanuel Medeiros presented the Committee's RoP.¹

4. Work programme: European professional football player contract minimum requirements (MRSPC)

Wil van Megen (FIFPro) presented the MRSPC and the prospect to conclude a European framework agreement on these requirements.¹

5. Decision on Working Groups

The Committee adopted the mandates of working groups on the transformation of the MRSPC into a European Framework Agreement and on the implementation of the current MRSPC (see annex 2). UEFA, ECA, and EPFL indicated that whereas national Dispute Resolution Chambers (NDRCs) are an important issue and can be regarded as the cornerstone of social dialogue at national level they are integral part of the MRSPC and as such do not need to be highlighted. They guaranteed that NDRCs will be discussed in the working group on implementation. The Committee decided that the secretariat generals of all four parties will take the final decision on the mentioning of NDRCs in the working group's mandate.

6. Information from the Commission

Pierre Mairesse informed the participants about the following: EU Sport Forum on 26 and 27 November; studies to be launched by the Commission on agents and on the financing of sport; planned conference on club licensing. He congratulated and thanked UEFA for producing and promoting a joint TV spot with the Commission and Football Against Racism in Europe (FARE) highlighting tolerance and the role of languages as bridges between people in the context of the European Year of Intercultural Dialogue 2008. <http://www.interculturaldialogue2008.eu/1350.0.html>

After the meeting, participants had the occasion to see the 'show racism the red card' film produced by the Show Racism The Red Card foundation and FIFPro. <http://www.fifpro.org/index.php?mod=one&id=16830>

Next meeting

Steering Group: 3.02.2009

Plenary meeting: 14.09.2009

Annex 1 - Participants List

EPFL

1. Frédéric Thiriez – ESD Vice Chairman – Ligue de Football Professionnel – France
2. Emanuel Macedo de Medeiros – EPFL – Portugal
3. Jair Bertoni – EPFL – Portugal
4. Ludwig Sneyers – Pro League – Belgium
5. Wim Van Hove – Pro League – Belgium
6. Caroline Rathigan – FAI Eircom League – Ireland
7. Iain Blair – Scottish Premier League – Scotland
8. Michael Tattersall – The Football League – UK
9. Orlando Carvalho – Liga Portuguesa de Futebol Profissional – Portugal
10. Marcin Stefanski – Polish Professional Football League – Poland
11. Branko Florjanic – Union of 1 SNL – Slovenia
12. Ruggero Stincardini – Lega Nazionale Professionisti – Italy
13. Giovanni Pifarotti – Lega Nazionale Professionisti – Italy
14. Mike Foster – The Premier League – UK
15. Mark Boetkees – FBO – The Netherlands
16. Holger Blask – Deutsche Fußball Liga – Germany
17. Philippe Diallo – UCPF – France
18. Jo Bergsvand – Norsk Toppfotball – Norway
19. Torben Oldenborg – Divisionsforeningen – Denmark
20. Viktor Kirkov – Bulgarian Professional Football League – Bulgaria

ECA

1. Joan Laporta – Barcelona – Spain
2. Michele Centenaro – ECA
3. Raul Sanllehi – Barcelona – Spain
4. Michael Gerlinger – München – Germany
5. Petr Dolezal – Prague – Czech Republic

FIFPro

1. Rudi Novotny – Sparta – Austria
2. Stijn Boeykens – Sporta – Belgium
3. Georgi Boychev – ABF – Bulgaria
4. Spyros Neofytides – PASP – Cyprus
5. Mads Oland – Spillerforeningen – Denmark
6. Mick McGuire – PFA – England
7. Stéphane Burchkalter – UNFP – France
8. Philippe Piat – FIFPro/UNFP – France
9. Markus Juhola – JPY – Finland
10. Maria Tsigoni – PPPA – Greece
11. Horvath Balazs – HLSZ – Hungary
12. Silje Vadaal – NISO – Norway
13. Bartek Urbanczyk – PzP – Poland
14. Joaquim Evangelista – SJPF – Portugal

15. Dumitru Costin – AFAN – Romania
16. Tony Higgins – PFA Scotland – Scotland
17. Dejan Stefanovic – SPINS – Slovenia
18. Gert Persson – SFS – Sweden
19. Lucien W. Valloni – SAFP – Switzerland
20. Frederique Winia – FIFPro – Netherlands
21. Theo van Seggelen – FIFPro – Netherlands
22. Suzanne Bakker – FIFPro – Netherlands
23. Wil van Megen – FIFPro – Netherlands
24. Louis Everard – VVCS – Netherlands
25. Gerardo Movilla – AFE – Spain
26. Ad Dieben – VVCS – Netherlands
27. Sharon Smith – PFAI – Ireland

UEFA

1. Michel Platini – Chairman
2. David Taylor
3. Dr Michel D'Hooghe
4. Alex Phillips
5. Jonathan Hill

European Commission

- Pierre Mairesse, DG Education, Training, Culture and Youth
- Andrzej Rogulski, DG Education, Training, Culture and Youth
- Pedro Velazquez, DG Education, Training, Culture and Youth
- Frank Siebern–Thomas, DG Employment, Social Affairs and Equal Opportunities
- Heinrich Wollny, DG Employment, Social Affairs and Equal Opportunities

Annex 2 - Mandate of working groups of the European social dialogue committee in the professional football sector

established at the plenary session of 19 November 2008

1. Working Group on the transformation of the European professional football player contract minimum requirements (MRSCP) into a collective bargaining agreement: "working group transformation"

This WG shall elaborate ways to turn the MRSCP into an EU-level Framework Agreement based on Article 139 of the EC Treaty² and make proposals for its ensuing implementation at the national level.

The WG shall report and propose future action to take to the European social dialogue committee well ahead of its next plenary meeting in September 2009.

Members

FIFPro

- Wil VAN MEGEN (FIFPro)
- Mads ØLAND (Denmark)
- Stéphane BURCHKALTER (France)

EPFL

- Iain Blair (Scotland)
- Ludwig Sneyers (Belgium) (substitute: Wim Van Hove)
- Mark Boetkees (The Netherlands) (substitute: Serge Rossmeisl)

ECA

- Michele Centenaro (ECA)
- Michael Gerlinger (FC Bayern München - Germany)
- (possible third member to be confirmed)

UEFA

- Alex Phillips (UEFA)
- Julien Zylberstein (UEFA)
- (possible third member to be confirmed)

² Article 139

1. Should management and labour so desire, the dialogue between them at Community level may lead to contractual relations, including agreements.
2. Agreements concluded at Community level shall be implemented either in accordance with the procedures and practices specific to management and labour and the Member States or, in matters covered by Article 137, at the joint request of the signatory parties, by a Council decision on a proposal from the Commission.

The Council shall act by qualified majority, except where the agreement in question contains one or more provisions relating to one of the areas for which unanimity is required pursuant to Article 137(2). In that case, it shall act unanimously.

2. Working Group on the state of play of the implementation of the current MRSCP, with a focus on the central and eastern European EU Member States: "working group implementation"

This WG shall study the progress in the application of the current MRSCP in all EU Member States. It will pay particular attention to the situation in the central and eastern European EU Member States [and to the development of National Dispute Resolution Chambers (NRDCs)]. [*Last part sentence still to be decided by Secretary Generals of the parties*].

The WG shall report and indicate ways of improvement where necessary to the European social dialogue committee well ahead of its next plenary meeting in September 2009.

Members

FIFPro

- Joaquim EVANGELISTA (Portugal)
- Dumitru COSTIN (Romania)
- Tony HIGGINS (Scotland)

EPFL

- Marcin Stefanski (Poland)
- Ruggero Stincardini (Italy)
- Orlando Carvalho (Portugal)

ECA

- Raul Sanllehi (FC Barcelona- Spain)
- Petr Dolezal (Slavia Praha - Czech Republic)
- (possible third member to be confirmed)

UEFA

- Jonathan Hill (UEFA)
- Marcel Benz (UEFA)
- (possible third member to be confirmed)