



EUROPEAN COMMISSION
Employment, Social Affairs and Inclusion DG

Employment and Social Legislation, Social Dialogue
Social dialogue, Industrial Relations

SECTORAL SOCIAL DIALOGUE
COMMITTEE
LIVE PERFORMANCE

MINUTES
PLENARY MEETING
04/12/2012

Chair: Catherine Baumann (Pearle*)

1. **Opening of the meeting – Approval of the draft agenda – Approval of the draft minutes of the meeting of 25 October 2012**

The draft agenda was approved. At the request of the workers' delegation, points on the US visa issue and on the VAT issue in Spain were added under AOB.

The draft minutes of the meeting of 25 October 2012 were approved.

2. **Update on employment and social affairs**

Stefaan Ceuppens (SC) provided an update on EU initiatives with relevance to the employment and social domain, including: the 2013 Annual Growth Survey, which was adopted by the Commission on 28 November, kicking off the European Semester; elements of the 2013 Commission Work Programme of potential relevance to the Live Performance SSDC; the Tripartite Social Summit of 18 October; the Commission Communication and the proposal for a Directive on "Women on boards"¹; the Commission Communication "Rethinking Education: Investing in skills for better socio-economic outcomes"; the upcoming Youth Employment Package; the Thematic Liaison Forum on ESD outcomes and policy impact, which took place on 3 December.

He also updated the committee on the calls for proposals for the support of social dialogue, the ongoing negotiations on working time and the transposition of sectoral agreements into EU legislation, and he drew the attention of the delegates to a number of public consultations.

See the presentation in **annex**.

3. **Presentation of 2012 activities and looking ahead to 2013**

Anita Debaere (AD) presented the main activities of the LP SSDC in 2012 under the different headings of the 2012-2013 work programme, as well as the main findings of the representativeness study for the sector (see presentation in **annex**).

¹ http://ec.europa.eu/justice/newsroom/gender-equality/news/121114_en.htm

In this context, both EAEA and Pearle* reported on their respective capacity building projects.

Dearbhal Murphy (DM), Thomas Dayan (TD) and national delegates explained the main activities of the trade union project and the challenges that were identified. The trade unions concluded from their project that the following topics should be the focus of further follow-up: the representation of vulnerable workers, including the self-employed; and the increasing precarious nature of work and working conditions in the sector. It is considered that this fits well under the SSDC's work programme's theme of the "role of the social partners in the changing environment of the Live Performance".

AD briefly recalled the set-up of the employers' project and informed the committee that it contributed to the creation of 4 new national employer associations.

In the ensuing exchange, the social partners agreed that it is of common interest that national employer organisations have a mandate to enter into collective bargaining which is endorsed by the ministry (of culture). Otherwise trade unions continue negotiating directly with the ministries. Joint action on this topic by the European social partners, although not obvious given the absence of real levers, could be considered.

4. Travelling with musical instruments

In his address to the committee, MEP Georges Bach gave an overview of the European Parliament's work in the area of passengers' rights, including the own-initiative report for which he was the rapporteur². This report does not refer to the specific issue of travelling with musical instruments, but MEP Bach fully supports the social partners' view that this is an important issue that should be dealt with in a legislative manner, contrary to what seems to be the Commission's position.

MEP Bach proposed to continue "mobilising" MEPs, both in the context of the Committee on Transport and Tourism and beyond, raising awareness through individual meetings, e-mail messages, debates, etc. Sensitizing the Council may also be considered.

The social partners thanked MEP Bach for his support, recalling the privileged relationship of musicians with their instrument, and insisting on the fact that a non-legislative approach is not adequate – as has been proven already in the past. A petition launched by FIM on the topic has already gathered 45.000 signatures. The social partners will consider further awareness raising actions, in cooperation with MEP Bach.

5. Sector skills council

a) Presentation of the feasibility study

Daphne Tepper (DT) gave a comprehensive overview of the project and its conclusions (see the presentation in [annex](#)).

b) Discussion of the Final Recommendations of the Project Steering Committee

DM thanked DT warmly for her excellent work and presented the (unanimous) recommendations of the project steering committee.

² <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+REPORT+A7-2012-0287+0+DOC+PDF+V0//EN&language=EN>

Following an exchange on the conclusions of the project, both trade unions and employers endorsed the recommendations of the steering committee and agreed to take further steps towards the creation of a SSC for the sector.

The employers nevertheless expressed concerns as regards the feasibility of producing the expected outcomes as defined by the Commission within the currently imposed timeframe, and of the longer-term financial sustainability of the SSC. Further exchange with the AV social dialogue committee is therefore also desirable, as the study was a joint initiative.

6. Health and safety in education

Professor Aaron Williamon (AW) presented the research and other work of the Royal College of Music³, including studies with students covering pain and fatigue, body mass, cardiovascular fitness and health promoting behaviour, as well as the actions undertaken by the College to assist students addressing these problems (see presentation in annex).

Responding to delegates' questions and comments, AW explained that: since the research is still rather "young" (6-7 years), it is too soon to draw definitive conclusions; nevertheless, the work with students – on a voluntary basis – clearly contributes to greater awareness and acknowledgement of musicians' (physical *and* mental) health problems; it is obviously very important to have the teachers on board – as models for the students; data are also collected in 8 schools, covering also initial education; there are other good practices around, which are exchanged in the context of the European Association of Conservatoires; the College also uses the "Alexander technique"⁴.

7. Online risk assessment tool

DM informed the committee that the project to develop a risk assessment tool had been accepted for funding by the Commission. The tool will be developed in close cooperation with the OSH Agency in Bilbao. A first version should be ready for testing in autumn; the final version should be ready by end 2013.

AD provided an overview of OSHA-supported OiRA projects, and gave a demonstration of the tool that has been developed for the Tanning & Leather sector⁵ (see presentation in annex).

8. AOB

Diane Widdison reported on a meeting in October of UK Music with the US Embassy in London, which produced a number of positive results (see memorandum in annex).

As regards the Spanish VAT issue, TD informed the committee that the open letter to PM Rajoy from international organizations representing stakeholders in the cultural and audiovisual sectors, (including all the social partners involved in the LP SSDC), is close to being finalised.

³ <http://www.rcm.ac.uk/cps/>

⁴ <http://alexandertechnique.com/>

⁵ <http://www.oiraproject.eu/available-tools/#mainContent#title>

Annexes

- Point 2 – Presentation ongoing activities in the field of employment and social affairs
- Point 3 – State of play Work programme 2012-2013
- Point 5b – Presentation Feasibility study on creating European Sector Skills Councils in the Live Performance and Audiovisual Sectors
- Point 6 – Presentation Health and safety in education
- Point 7 – Presentation OiRA
- Point 8 – Memorandum US Embassy London

Annex: List of participants 04/12/2012

<p><u>Employers</u></p> <p>Pearle* Ms Catherine BAUMANN (FR) Ms Alexandra BOBES (FR) Ms Anita DEBAERE (EU) Ms Liesbeth DEJONGHE (BE) Mr Momchil GEORGIEV (BG) Mr Florent GIRARD (FR) Mr Geza KOVACS (HU) Mr Mark PEMBERTON (UK) Mr Zdenek PROKES (CZ) Ms Ilka SCHMALBAUCH (DE) Ms Cristina WARD (ES)</p> <p>11 employers representatives (6 women, 5 men) (1 EU, 3 new MS, 7 old MS)</p>	<p><u>Workers</u></p> <p>EURO-MEI Ms Françoise CHAZAUD (FR) Ms Catherine GRAUWELS (EU) Mr Pierre VANTORRE (FR)</p> <p>FIA Mr Paul William FLEMING (UK) Ms Dearbhal MURPHY (EU) Mr Maciej PACUŁA (PL) Ms Katalin RAKSI (HU) Mr Cristian Dumitru SOFRON (RO)</p> <p>FIM Mr Valentin CENTENERO GALLEGO (ES) Mr Thomas DAYAN (EU) Mr Stefan GRETSCH (DE) Mr Loris GROSSI (IT) Mr Anthony MARSCHUTZ (FR) Mr Leonard-Octavian PADURET (RO) Ms Diane WIDDISON (UK)</p> <p>15 workers representatives (5 women, 10 men) (3 EU, 4 new MS, 8 old MS)</p>
<p><u>Other participants</u></p> <p>Mr Georges BACH (MEP, EPP, LU) Mr Marc REITER (EP) Ms Daphne TEPPER (researcher sectoral skills council project) Mr Ronald Aaron WILLIAMON (Royal College of Music, UK)</p>	
<p><u>European Commission</u></p> <p>Mr Stefaan CEUPPENS (EMPL.B.1)</p>	