



DRAFT minutes of the plenary meeting

19 November 2014

1. Adoption of the meeting's draft agenda and the draft minutes from 24th June 2014;

The meeting was chaired by Mr CAUSSE (employers). The agenda was adopted. The minutes of 24 June were adopted.

2. New business models in passenger transport – debate and possible adoption of the Joint Statement;

On a basis of the draft prepared by IRU, the social partners discussed a number of outstanding points in the draft joint statement on taxis. Notably, the ETF asked for more information on the modalities of the *Global Taxi Service Quality Network*. It was agreed that this issue will be taken out from the text and addressed by secretariats separately.

3. Social Code – first exchange of views on social partners' priority areas;

In this first exchange, the trade unions presented five areas of interest: a) the right price; b) co-responsibility; c) applicable EU legislation and national labour law; d) right of establishment and e) rest at home. ETF stressed that, while these are issues of concern to workers, they also create unhealthy competition in the sector. The IRU reacted by saying that on the employers' side the internal debate was still on-going but that some areas correspond to the ones identified by the workers.

4. Update on the revision of Directive 2003/59 on driver training – presentation by Mr Thomas Lazzeri (DG MOVE, Road Safety Unit) and exchange of views;

In his presentation, Mr Lazzeri (DG MOVE) outlined the main problems identified by the ex-post evaluation of the legislation, notably related to mutual recognition, effectiveness and some legal inconsistencies, ex. in relation to the Driving Licence Directive¹. Then he described the operational objectives of the review of the Directive, which is currently investigated by DG MOVE through an Impact Assessment process. He also discussed the potential benefits and costs of different possible policy options at the table, noting that certainly abolition of the legislation would create a "race to the bottom". Mr Lazzeri pointed out that among other forms of intervention the Commission is currently assessing cost and benefits of the revision of the Directive, which may take a form of: a) "minimum" review (i.e. updating, clarifying and simplifying of certain outdated elements of the Directive, without altering the structure of the qualification system); b) "medium" review (i.e. more profound changes in the structure of the training

¹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:2006L0126:20130701:EN:PDF>

and alignment with other legal acts both in field of transport and vocational education); c) "maximum" review (i.e. a radical change of the Directive including the change of its scope). Social partners support there being a Directive at European level regulating qualification and training of drivers Mr Lazzeri invited the social partners to also give their views on the different options. Employers voiced their support to differentiating the types of curriculum depending on the drivers' profile but also for more time to see the effects of the legislation on the ground. They expressed their support for reorganisation of the curricula in terms of learning outcomes. Workers' side recalled the results of the STARTS project², asking for equal level playing field when it comes to examination. ETF stressed also that the focus should be on the quality of the training and not on profitability of the training system (ex. accreditation). Mutual recognition, also of single modules, is a concern for the social partners The UK unions argued for diversification of the training, ex. introduction of 3 different modules. DG MOVE thanked the social partners for their contributions but also underlined the need to look for cost-efficient solutions.

5. European Road Transport Agency – exchange of views and possible adoption of the draft joint terms of reference;

It was agreed that a meeting with DG MOVE to discuss this issue will be fixed shortly. The joint statement outlining the mandate and competences of the agency was adopted.

6. SSDC work programme 2015 - 2016 – adoption;

The secretariats presented shortly the main headings (including the recently discussed changes) of the new SSDC work programme. The text was adopted.

7. *Loi Savary* - presentation by Mr Gilles Savary, Member of the French Parliament;

Mr Savary presented the new French social legislation aimed at fighting the phenomena of fiscal avoidance and undeclared work in primarily agriculture, construction and road transport sectors. The speaker stressed that despite the clear benefits of the Single Market, international competition should not destabilize the national employment conditions. Answering to a question of the DK and UK trade unions, Mr Savary said that in his opinion the vehicles under 3.5 tones should follow the same rules related to cabotage and market access. The ES and GR employers argued that the restrictions on where the driver spends his weekly rest are a form of discrimination towards the hauliers from periphery countries. Mr Savary stressed the safety rationale for stricter application of the rules and need for more responsibility on the client companies. He also argued for more coordination at the EU level, for example in a form of high-level group.

8. AOB

Mr Nemeč (IRU) informed the social partners about the opportunity to use the Translation Fund of the Integrated Projects of the EU social dialogue 2014-16, open until August 2016.

Ms Winiarska (DG EMPL) clarified that even if this is not to affect the overall conclusions of the study, the Commission asked for further clarification on the mandates in line with methodology³ of representativeness studies discussed with Eurofound and

² http://www.starts.iru.org/en_news_item?story=11

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http://www.eurofound.europa.eu/sites/default/files/page/field_ef_documents/studies_on_the_representativeness_of_european_sectoral_social_partner_organisations_methodology.pdf

the social partners in the course of 2014. It was agreed that the secretariats and DG EMPL will meet to discuss further.

The workers' side raised the issue of the automatic settings of the digital tachograph which pose problems to drivers in as much as they do not offer an accurate record of the working time.

The dates of 2015 meetings (subject to confirmation upon submission of draft agendas) are as follows:

24/04/2015 – Working Group meeting

25/06/2015 – Working Group meeting

25/09/2015 – Urban Public Transport (Working Group meeting)

23/11/2015 – Plenary meeting

Participants 19.11.2014

Employers (14 ♂, 11 ♀)

Ms Antignac (FR)
Mr Causse (FR)
Mr Csanyi (HU)
Mr Dekindt (UITP)
Ms Doumani (GR)
Ms Galanto (IT)
Ms Hyartt (FI)
Ms Ilie (RO)
Mr Kamberski (IRU)
Mr Kenanidis (GR)
Mr Kothy (DE)
Mr Larsen (DK)
Ms Matuski (IRU)
Ms Mets (ET)
Ms Moisio (FI)
Mr Nemeč (IRU)
Mr L. Nielsen (DK)
Mr M. Nielsen (IRU)
Mr Pardo (ES)
Mr Saile (DE)
Mr Salmon (UK)
Ms Spenik (BE)
Ms Vasarainen (FI)
Mr Yarsley (UK)
Ms Windeman (SE)

European Commission

Ms Winiarska (DG EMPL)
Mr Lazzeri (DG MOVE)

Workers (19 ♂, 5 ♀)

Mr Aarestrup (DK)
Mr Atema (NL)
Mr Brown (UK)
Ms Chaffart (ETF)
Ms Coulet (FR)
Mr Diamante (IT)
Mr Johnson (UK)
Mr Gauran (SE)
Mr Georgiev (BG)
Mr Goument (FR)
Ms Heinisch (ETF)
Mr Kos (AT)
Mr Kucharski (PL)
Mr Parrillo (BE)
Mr Peeters (BE)
Mr Ryd (SE)
Mr Sannen (BE)
Mr Szekely (HU)
Mr Teunissen (NL)
Ms Tilling (ETF)
Mr Van Rijssel (NL)
Mr Verestoy (HU)
Ms Volkeis (DE)
Mr Werner (DE)

Invitees

Ms Savary (FR)