



## EUROPEAN COMMISSION

Employment, Social Affairs and Equal Opportunities DG

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

### SECTORAL DIALOGUE COMMITTEE ROAD TRANSPORT

#### **Working group meeting "Social legislation"**

**21 May 2007**

**Concise minutes (adopted on 14 September 2007)**

The meeting was chaired by Mr Sugic (workers). The agenda was adopted, adding some points for AOB. At IRU's request, it was decided to adopt the minutes of the last meeting (13 February 2007) at the steering committee in July.

#### **1. Driving and rest time rules**

The working group discussed IRU's text "Technical annex of issues to be included within an MOU on EU driving and rest time rules" (AG/B3629/DVI, 16.04.07) point by point.

After that exchange, ETF could agree with IRU's text on the following articles: Article 2.2(b) and 2.3, Article 13(h), Article 4(c), Article 4(k), Article 7, the first paragraph in bold on Article 9.1, the principle of the text on Article 10.4, Article 19.4, and Article 26.4. The ETF could not agree with the text on the following articles: Article 3(g), the second paragraph in bold on Article 9.1. In addition, it was impossible for ETF to agree with the proposals regarding Articles 4(g) and 4(h) and 6.2. The other parts of the text would be discussed between the secretariats (exchange of texts in writing).

#### **2. 12-days-rule**

Coming back to this separate point already raised by IRU at the last meeting, ETF announced they could agree with the employers, under the condition that a derogation possibility for coach drivers would only apply to occasional tourist journeys, that it would be limited to one derogation per month, and that derogations would be taken within a short period (for instance from June till September, or during the ski season). IRU thanked ETF for the overall promising proposal and said they would go back to their membership to see whether a joint lobbying would be possible. ETF wished to see a written joint opinion.

#### **3. Temporary agency work**

ETF raised problems linked to the use of temporary agency workers who sometimes had to fetch their vehicle at more than 100 km distance. Given their status, the point of departure of these workers was the place where the vehicle was located. At first sight, for

IRU, the travelling time to the place where the vehicle was usually placed could not be counted as working time. IRU nevertheless invited ETF to send a proposal on this issue in writing.

#### 4. Digital tachograph

IRU referred to the problem of card issuing delays and article 26.4 of the driving and rest times rules regulation. ETF announced to consult their members on this issue. ETF referred to cases where employers instructed their drivers to register work as availability.

#### 5. Any other business

A Spanish ETF delegate informed about a joint employers/trade unions event organised in Madrid addressing the right to turn back at home after a long distance. This joint request for more flexibility of the current rules stemmed from the fact that the latter did not distinguish between long term and short term stays. This issue was related to the broader subject of reconciliation of professional, private and family life, on which the second-stage consultation by the Commission would start soon<sup>1</sup>.

*Annex: List of participants 21.5.2007*

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| <p><u>Employers</u></p> <p>Ms Antignac (AFTRI)<br/>         Mr Burch (CPT)<br/>         Mr Causse (FNTR)<br/>         Mr Conesero (ASTIC)<br/>         Mr Csanyi (MKFE)<br/>         Mr Gentze (BGL)<br/>         Mr Henry (FNTV)<br/>         Mr Larsen (DTL)<br/>         Ms López Leza (ASTIC)<br/>         Ms Maître (FNTR)<br/>         Mr Mannaerts (FBAA)<br/>         Ms Pogonowska-Szuskiewicz (ZMPD)<br/>         Mr Saile (BGL)<br/>         Mr Viccars (IRU)<br/>         Mr Yarsley (FTA)</p> | <p><u>Workers</u></p> <p>Mr Benjamin (FNV Bondgenoten)<br/>         Ms Hertogs (ETF)<br/>         Mr Holm (observer, Norway)<br/>         Mr Jensen (3F)<br/>         Mr Parrillo (CSC Transcom)<br/>         Mr Peterson (ETTA)<br/>         Mr Sugic (FGTE CFDT)<br/>         Mr Vancraeyenest (FNST)<br/>         Mr Wolff (Syprolux)</p> |
| <p><u>European Commission</u></p> <p>Ms Durst (DG EMPL F/1)</p>  |  |

<sup>1</sup> [http://ec.europa.eu/employment\\_social/social\\_dialogue/consultations\\_en.htm](http://ec.europa.eu/employment_social/social_dialogue/consultations_en.htm)