



Brussels, 23 January 2018

**SECTORAL SOCIAL DIALOGUE
COMMITTEE RAILWAYS**

Minutes of the Plenary meeting

1 December 2017

Mr. Rohrmann (CER/AgvMoVe) as the outgoing president of the committee opened the meeting and welcomed all participants.

The agenda was adopted with changes (discussion of EC mobility package initiative was put between the points on Rail Safety and on Women in Rail, possibly to be discussed before lunch). The minutes of the previous plenary had already been adopted.

Mr. Rohrmann recollected the achievements of the committee over the last 2 years, highlighting the joint opinion of the social partners on the 4th Railway Package which was taken up by the European Parliament and the joint declaration on rail freight transport from December 2015.

He also recalled the joint responsibility to increase the attractiveness of the sector and that the recent project allowed an inspiring exchange of experiences in interesting workshops. He linked the work of the committee to the efforts of the European Commission to set up a European Social Pillar.

Mr. Tuti, head of the ETF railway section, was elected president of the committee and Mr. Rohrmann was elected vice-president.

Mr. Tuti took over the chair of the meeting from Mr. Rohrmann. He then explained his motivation to accept this assignment and his background. Referring to his experience in Switzerland he stressed his commitment to European social dialogue and his interest to achieve results.

1. Work Programme 2018/2019

Mr. Tuti highlighted the importance of a workprogramme to achieve results and stressed that the discussion should focus on the rather few open issues in the draft document, so that the work programme could be adopted during the plenary meeting.

Social partners agreed that the draft work programme was a substantial progress compared to previous years, where not at last discussions about the compositions of

delegations and the functioning of the dialogue as such had prevented the Committee to work on the content. Social partners confirmed that the steering group meeting in September was useful and productive.

Point 1: Assuring railway safety in an open and competitive European railway market

Accepted as in the draft.

Point 2: The future of employment in the rail sector

The timing for the adoption of the joint recommendations was changed from 8 June 2018 to 'Plenary meeting 2018'.

Point 3: Strengthening the effectiveness of the European Social Dialogue in the Rail Sector

Both sides agreed that an increased effectiveness and a more binding character of the social dialogue remain objectives.

Mr. Rohrman informed that it is no longer a priority for CER to have a project on that topic. Depending on the discussion around the other items; the potential value added etc. it might also be acceptable for CER to put it on hold. Thus this programme item became optional.

Point 4: Review of existing CER/ETF Joint Recommendations

This point was identified as a priority for ETF. Starting from a review of the previous joint recommendations the social partners check whether the recommendations and if so with which modifications they should be transformed into binding agreements.

ETF nominated as a first candidate for this process the recommendation on women in rail also because of the expectation that this was expected to be a topic on which an agreement might be found.

Mr. Baden (Chair of HR-director meeting in CER) agreed to rank women in rail as a candidate providing a link between the newly set-up platform for change as a reason. He also suggested to look into the recommendation on employability (2007) arguing that this would allow to look into digitalization and automation, two topics high on the agenda of CER and ETF and not yet addressed in the joint recommendation. Mr. Rohrman complemented that CER is prepared to discuss whether for these two topics it will be possible to arrive at something binding.

Mr. Tuti summarized that he understood that three different topics were put on the table:

- To develop a project which could build on the recommendation concerning employability and investigates digitalization and automation
- To engage in the platform on women in transport and reassess in this context the recommendation on women in rail
- To look at the previous recommendations and see whether it would be possible to negotiate a binding agreement on one of these.

During the discussions two new options were developed:

- a) To combine the work on assessing and strengthening the recommendation on women in rail with active support to the platform for change organized by DG MOVE
- b) To develop a project which looks into the effects of digitalization and automation in the context of employability (building on the 'employability-recommendation' from 2007), thus allowing for a combination of points 4 and 6 of the draft work programme.

These options plus the question whether it would be possible to commit to a mutual exchange whether and which of the previous joint recommendations could be transformed into a more binding document were discussed during a time-out.

Following the time-out Mr. Rohrmann presented the view of CER:

The suggestion from CER was to leave the title of item 4 as it is in the draft document, thus indicating a general willingness to binding documents and a general willingness to review all previous joint recommendations. However, for 2018 CER requested to focus on two themes:

- a) CER suggested to jointly contribute to the Platform for Change, thus aiming at increasing the share of women working in Rail transport. At the occasion of the plenary in 2018 the committee would assess the progress achieved and discuss in which way to go further. One option for subsequent steps could thereby be a joint agreement.
- b) The second priority for CER was to set up a small team to flesh out a draft project. This project could – from the perspective of employability – look into aspects of demographic change, return to work after a longer break (parental leave) – thus also linking with the first theme and digitalization/automation. The digitalisation could include an analysis of the developments, including an analysis of social partner activities such as looking into relevant national level collective agreements.

ETF explained that it would like to see the impact of digitalization on working conditions and on workers' participation as aspects also to be analyzed during the project. The discussion clarified that it might be possible for CER to analyze the impact of digitalization on working conditions from the perspective of employability. Concerning the analysis of conditions of workers' participation, CER was very sceptic. However ETF explained that the intention was to better understand how workers participate at the company/national level in decision making processes, so to be in a better position to complement the national level processes with EU level activities. It was stated that the intention was not the discussion of concrete new rules (e.g. it was not about the discussion of how digitalization could/should change working time regulations) or to achieve harmonization, but to collect information. This information would also be needed to adequately interact with Commission and ERA on the Shift2Rail projects. With these explanations and under the conditions that there would be a link with employability CER did agree to consider this point when developing the project.

ETF and CER agreed to prioritize 'women in rail'. To achieve results social partners agreed to set up a working group which looks into practical steps to foster women in rail and also to coordinate the contribution to the platform. The joint recommendation on

women in rail will be a starting point and basis for the work and at the 2018 plenary the social partners will look whether/in which way further concrete steps can be taken (including a binding agreement).

ETF explained that going through the existing joint recommendations and preparing a document for the next plenary meeting would not require a lot of resources and should be compatible with the idea of focusing the work. During the discussion it was finally agreed that it would not be possible to work during 2018 on the remaining two recommendations. ETF reserved, however, the right to put the other recommendations on the agenda of the next plenary meeting.

Point 5: Health and safety at work

Accepted as in draft

Point 6: Items for attention of the social partners

Addressed during the discussion of point 4

Point 7: Consultation of the European social partners

No comments

The work-programme for the next 2 years was adopted with the changes aforementioned.

2. EC Mobility package initiatives: adoption and signing of a joint statement

CER informed about a fact-sheet about working conditions in rail transport and asked whether ETF would – starting from this fact-sheet – be ready for a joint declaration. This declaration should highlight the importance of good social standards in transport and their consistent implementation. The award of the CER Railway Award on 20 February 2018 was suggested as a good opportunity to formally sign such declaration and obtain attention from the relevant players. The declaration should send a joint message to the EU legislative bodies when working on the Mobility Package.

ETF agreed that there are joint interests and promised to come back to CER after having discussed the topic with the road section within ETF. While the fact sheet could serve as a starting point it should also include the political message that the social partners look for upward convergence of the working conditions.

The secretariats will come together and work on such a document.

3. Women in Rail – Presentation of the Annual Report

Ms. Zlatkova (ETF) presented the results of the 2016 survey on women in rail (ppt).

Going through the presentation she clarified that the decrease of the share of women identified for Poland, Portugal, Romania and Slovenia coincides with an overall reduction of employment (slide 9).

For slide 15 she clarified that it should be read: of the 6.8 % of workers in vocational training, 18.7% are women.

CER and ETF congratulated and thanked Ms. Zlatkova for her work. CER welcomed also the recommendations but asked for more time to discuss/endorse them internally before publication.

The next (5th) survey will be organized by ÖBB. ÖBB aims to revise the questionnaire with the intention to make it easier to analyze. A draft of the new questionnaire shall be ready for a final discussion and approval at the Working Group meeting in April 2018.

ETF stressed the importance to continue the work on the survey and also the interest to keep the surveys comparable across a longer time, thereby also showing interest to open up the questionnaire to more qualitative questions which would allow identifying the causes of certain problems. Ms. Trier raised the question of timing: if the new questionnaire would only be available by Mid-April, it would be strange to ask for data from the end of 2016.

Mr. Hartfeld (VDV, CER) suggested that the social partners could also take inspiration from the project Women in Urban Public Transport which was undertaken by ETF together with UITP.

4. Exchange with the Commission

- **DG MOVE: Revision of the train drivers directive**

Mr. Fitch (Head of Unit, safety, interoperability and rail research unit) presented the state of play of the revision of the Train Driver Directive.

He informed that a study to inform the Impact Assessment will be launched in early 2018. This might however mean that a new proposal can only be made under the next Commission which is expected to take office in late 2019. Following the Rastatt incident, the Commission is looking whether other means could be used to reduce the negative consequences of such an event. So it is looking whether it would be possible to develop 'target phrases' which could facilitate communication in critical situation and might also allow lowering the language requirements. Furthermore it aims to explore whether acquiring the necessary route knowledge could be facilitated and made more effective.

Social Partners on both sides regretted the long time-line for the revision of the train-driver directive and stressed the need for a real European driver license. In respect to the suggestions which are under preparation following Rastatt, Mr. Rohrman recommended to first await the analyses of the rail sector itself, which has substantial interest to avoid the recurrence of such situation. Mr. Fitch indicated that the Commission has requested ERA to move ahead quickly so to avoid or at least reduce as much as possible the negative consequences of such incidents.

It was agreed that the language requirements constitute a complex topic which does not only concern train drivers but also infrastructure managers, can easily be perceived as interfering with national sovereignty and have the potential to aggravate staff shortages in the sector.

- **DG MOVE: Rail Passenger Rights**

Ms. Lopian (Social Aspects, Passenger Rights and Equal Opportunities) presented the revision of the Regulation on Rail Passenger Rights (ppt), which was adopted by the Commission on 27 September 2017. Discussions in Council (Transport and Consumer

Working Groups) have already started under the ongoing Estonian presidency and will continue under the Bulgarian presidency. Also informal contacts with the rapporteur from EP have taken place.

ETF stressed to be in favor of passenger rights, however, these rights should be integrated and harmonized across the different transport modes. ETF has identified tendencies to reduce the passenger rights in coach transport and in aviation. The training obligation now introduced in Art. 26 was welcomed.

Ms. Lopian stated that an impact assessment and a consultation looking into the possibility of multi-modal passenger rights are ongoing; however, the specificities of the different modes should be acknowledged. She clarified that – where needed – the assistance on trains should be provided by the on-board staff, whereby the proposed regulation maintains the 48h advance notice. Ms. Lopian showed interest in the ETF working group of on-train-staff to exchange about the relationship between passengers and personnel.

5. Conclusion

No points were raised under any other business.

Following the intensive discussion of the work programme it was not possible to discuss the point ‘railway safety in an open and competitive European railway market’. To discuss this agenda point it was agreed that a delegation of CER could join the next meeting of the ETF railway section (the other way around seemed more difficult for organizational reasons).

The information point of DG EMPL was withdrawn.

Mr. Tuti obtained support from the Committee to publish a joint press release informing about the meeting and the adopted work programme.

Next plenary meeting is planned for 15 November 2018.

Participants

<p>Employers 25 (11 ♂, 14 ♀)</p> <p>CER Mr AMBROSINI (SNCF, FR) Mr BADEN (CFL, LU) Ms BUSSCHOTS (HR Rail, BE) Ms CALDANA (CER) Ms CESCOVA (SZDC, CZ) Mr GHILARDI (FSI, IT) Ms GRAU (SNCF, FR) Mr HARTFELD (VDV, DE) Mr JORDI (SBB, CH) Mr KOUCKY (SZDC, CZ) Ms KÜRZL (ÖBB, AT)</p>	<p>Workers 26 (14 ♂, 12 ♀)</p> <p>ETF Mr AUFRERE (FGTE-CFDT Cheminots, FR) Ms BIANCHY (Syprolux, LU) Ms CARSTENS (EVG, DE) Mr GOBE (CGT, FR) Ms GUERIN (ETF) Mr JONES (Unite, UK) Mr KIRCHNER (EVG, DE) Mr KOMILJOVICS (VSZ, HU) Mr LAMBERT (SLFP Cheminots, BE) Mr LAUWERS (SLFP Cheminots, BE)</p>
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<p>Ms LANG (SBB, CH) Mr LELOVSKY (ZSSK, SK) Mr LOCHMAN Ms MAKUCHOVA (ZSSK, SK) Ms NESIC (JSC, SRB) Ms PEREIRA (CP, PT) Ms PFAFF (Agv MoVe/DB, DE) Ms RADOVANOVIC (JSC, SRB) Mr ROHRMANN (Agv MoVe/DB, DE) Mr SVETKOVSKY (CD Cargo, CZ) Mr WOJCIECHOWICZ (PKP, PL) Ms ZÜGEL (ÖBB, AT)</p> <p>EIM Ms DUREZ Ms POTAPIDOU</p>	<p>Mr LOPEZ (FeSMC-UGT, ES) Mr MARTIN (CGSP Cheminots, BE) Ms MARZOLA (FILT CGIL, IT) Mr MERENZ (FNCTTFEL, LU) Ms MINDUM (SZH, HR) Ms NECASOVA (OSZ, CZ) Mr NICOLAS (FSC-CCOO, ES) Ms ÖDEBRINK (Seko, SW) Ms RATHGEB (VIDA, AT) Ms ROMANOVA (OSZ, CZ) Mr TAUCHNER (VIDA, AT) Ms TRIER (ETF) Mr TSCHIGG (FIT-CISL, IT) Mr TUTI (SEV, CH) Ms ZLATI (VSZ, HU) Ms ZLATKOVA (FTTUB, BG)</p>
<p>European Commission Mr Fitch (MOVE) Ms Williams (MOVE) Ms Lopian (MOVE) Ms Caspar (EMPL)</p>	