



EUROPEAN COMMISSION
Employment, Social Affairs and Inclusion DG

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

Brussels, 12 November 2012

**SECTORAL SOCIAL DIALOGUE
COMMITTEE
INLAND WATERWAY TRANSPORT**

Minutes Meeting of 18 September 2012

1. Adoption of the agenda and approval of the minutes of the previous meeting

The meeting was chaired by Mr Lehninger (chair of the committee, workers). The agenda was adopted. The minutes of the previous meeting (17 April 2012) were approved.

2. Information from the Commission (DG MOVE)

Mr Dieter (Directorate-General for Mobility and Transport) informed the participants on the follow-up of the Staff Working Paper: "Towards NAIADES II" - Promoting, greening and integrating inland waterway transport in the single EU transport area"¹, one of the priorities being the harmonisation of professional qualifications and training standards in the inland waterway transport sector. Meanwhile, the common expert group on professional qualifications and training standards would meet for the first time on 24 September. The social partners' involvement in this group would be important. The Commission aimed at issuing a Communication on NAIADES II by mid-2013.

3. European agreement concerning certain aspects of the organisation of working time in inland waterway transport: next steps

Mr Tricart (Directorate-General for Employment, Social Affairs and Inclusion, DG EMPL) informed the social partners on the state of play with regard to the agreement signed on 15 February 2012. The implementation of social partner agreements by way of a Council decision (legal instrument: Directive) had already been used nine times before. Currently, there were two sectoral (inland waterway transport, hairdressers) and possibly one sectoral (fisheries) and one cross-industry agreement (working time) on the table, which made the legislative procedure of Article 155(2) TFEU much more visible than in the past and could lead to close links between agreements which were originally not linked. Since the Council could either adopt or reject the proposal, it was important to anticipate any questions the Member States could have. The Commission must be

¹ http://ec.europa.eu/transport/inland/promotion/naiades_en.htm

equipped to understand and defend the social partner agreement in Council and to demonstrate its added value. In addition to the legality and representativeness assessment, the Commission services would therefore launch a study which would quantify costs and benefits of the implementation and application of the agreement in comparison with the current situation, taking into account the legal regulations and market structure in different Member States.

The social partners considered that they have already provided available information on the impact of the agreement. It was difficult for them to answer specific questions such as the applicable working conditions on a given river, since they depended on multiple factors. The organisation of a workshop might be more appropriate to address this kind of questions. Mr Tricart underlined that the added value of the agreement needed to be demonstrated to people who did not necessarily know the sector. It would be helpful if the social partners let the Commission know if they had extensive knowledge on the situation in some countries and less detailed information on the situation in other countries, so that the study could concentrate on the latter cases. He reiterated that the objective was not to slow down the process but to ensure that the process be safe. The social partners would need to contribute to this exercise; it was important that precise and convergent (employers/workers) responses be given to the still open questions.

4. Other items of the work programme: follow-up/state of play

Job profiles

EBU regretted that the social partners had never come to a conclusion of their work here. It made no sense to deal with the issue in two different fora, one should focus on this issue in the framework of the new common expert group on professional qualifications and training standards. ETF considered it important to keep the item on the agenda for information purposes.

Harmonisation of manning requirements

The parties discussed this item which has been on the social partners' work programme for a long time. ETF considered it urgent to come to a Union-wide regulation. Both sides of industry referred to the last (small) amendment of the Rhine regulation, which was minor but took at least five years and had a very negative impact on the social partnership. The core of the Rhine regulation dated back from 1988. For the employers, the question would therefore not only be harmonisation, but also modernisation of the rules. It was important to discuss this amongst social partners. The Commission would send again the Impact Assessment and Evaluation Study regarding the "Legislative harmonisation of manning requirements in Inland Waterway Transport" (finalised in February 2009). The social partners did not take any decision on future actions.

Social security legislation

The social partners considered the Article 16 Agreement as a great success. ETF was in favour of other Member States to sign up to the agreement, which was not conditional on a CASS² affiliation. EBU considered the formulation of the social partners' objectives in the work programme too ambitious ("uniform social security legislation"); indeed the

² <http://www.ccr-zkr.org/12050300-en.html>

main question was to determine which Member States' rules should apply to which staff. The workers' side mentioned that a big problem was the lack of inspections with regard to social security. The social partners did not take any decision on future actions.

Promotion of IWT jobs

EBU presented the new website <http://www.beyourowncaptain.eu/index.html> which was a support tool for national recruitment campaigns. The social partners did not take any decision on future actions.

The remaining items (Improvements of on-board working and living conditions and access to port side facilities, Unfair competition in IWT), were not addressed in detail.

5. The EU Strategy for the Danube Region

Mr Baudelet (DG REGIO) informed the participants about the Danube Strategy³ and its results so far. The Strategy seeks to create synergies and coordination between existing policies and initiatives taking place across the Danube Region. Austria and Romania took the lead on IWT coordination. The social partners asked to be better informed about the different activities taking place under the strategy. Mr Baudelet invited the social partners to contact Austria and Romania⁴ and indicate to them that and how they wished to be involved. He also announced the first Annual Forum of the EU Strategy for the Danube Region⁵ which will take place on 27-28 November in Regensburg (DE).

6. Any other business

Mr Lehninger (ETF) informed the participants about the situation of IWT in Austria.

The social partners wondered whether it would not be necessary to introduce a board personnel attestation to make sure every worker be covered by a social security regime. The CCNR representative announced that the Rhine Commission would address this issue on 30 November.

ETF suggested putting the subject of skills councils⁶ on the agenda of the next meeting.

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³ http://ec.europa.eu/regional_policy/cooperate/danube/index_en.cfm

⁴ Addresses of the Priority Area Coordinators available at:
<http://www.danube-region.eu/pages/what-is-the-eusdr>

⁵ http://ec.europa.eu/regional_policy/conferences/danube_forum2012/index_en.cfm

⁶ See Call for Proposals VP/2012/009 "Mutual learning in the field of skills and employment, EU Sector Skills Councils, Restructuring" at
<http://ec.europa.eu/social/main.jsp?catId=630&langId=en&callId=363&furtherCalls=yes>

Participants 18.9.2012

Employers (6 ♂, 2 ♀)

EBU

Mr Koning (NL)

Mr Leandri (FR)

Mr Naaborgh (NL)

Ms Pütz (DE)

Mr Rusche (DE)

ESO

Ms Beckschäfer (DE)

Mr Kester (NL)

Mr Van Lancker (BE)

Workers (10 ♂, 3 ♀)

ETF

Mr Biesold (DE)

Mr Bleser (LU)

Mr Bramley (ETF)

Ms Chaffart (ETF)

Mr Jung (LU)

Mr Karavatchev (ITF)

Mr Kerkhof (BE)

Mr Kerkhofs (BE)

Mr Lalak (CZ)

Mr Lehninger (AT)

Ms Latron (FR)

Mr Pauptit (NL)

Ms Sokolova (BG)

European Commission

Mr Baudelet (DG REGIO)

Mr Dieter (DG MOVE)

Ms Durst (DG EMPL)

Mr Tricart (DG EMPL)

Others

Ms Tournaye (CCNR) – Observer