



EUROPEAN COMMISSION

Employment, Social Affairs and Equal Opportunities DG

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

SOCIAL DIALOGUE COMMITTEE LIVE PERFORMANCE

MINUTES WORKING GROUP MEETING 26.04.2010

SUB-WORKING GROUP ON RISK ASSESSMENT

Chair: Ms D. MURPHY (FIA – employees)

1. APPROVAL OF THE AGENDA

The agenda was **approved** without modifications.

2. APPROVAL OF THE DRAFT MINUTES FROM THE LAST WORKING GROUP (25.01.2010)

The draft minutes of the last working group meeting were **approved** without modifications.

3. NATIONAL EXPERIENCE

- i. Trade union representative: Katalin RAKSI, Theatre Workers Union, Hungary

Ms RAKSI presented the legal background and practices of risk assessment in Hungary. She highlighted recent changes in the law/regulation, as well as available training on risk assessment. Trade unions would pay half of the tuition fees for their members (technicians only), while providing information sessions for other professional groups (actors, etc.).

- ii. Employer representative: Gary Sparkes, Head of Stages, Royal National Theatre, London, UK

Mr Sparkes presented the legal background and practices of risk assessment at the Royal National Theatre. The legal obligation for carrying out risk assessments “so far as is reasonably practical” has existed since 1999, and the issue of health and safety is now on all production agendas. Its main purpose is to share information, make risks visible and help manage risk throughout the whole life of a production, noting that no online tools are available and that general HSE¹-websites do not include specific guidance for the live performance sector. The assessment is carried out on the basis of risk assessment forms which require a categorisation of risks (into

¹ <http://www.hse.gov.uk/>

acceptable, tolerable and unacceptable risks) and the definition of preventive measures (see *annex 1*). Trade unions are fully involved in the assessment.

iii. Employer representative: Ms Kathleen LOPEZ KILCOYNE, Spain

Ms LOPEZ KILCOYNE presented the experiences made with a project on preventing occupational hazards and promoting risk assessments, in particular in SMEs, in Spain. Two related seminars were held in Madrid and Barcelona. The study takes particular account of the special complexity of the sector, combining SMEs and other companies; private actors and public authorities, with different traditions in industrial relations, social dialogue and union membership; staff with many different contractual arrangements, including notably many freelancers; high mobility of workers; and frequent recourse to outsourcing. The full results of this study are available online under: <http://www.funprl.es>.

4. PRESENTATION OF THE WORKPLACE HEALTH AND SAFETY CAMPAIGN AND ITS RESULTS, BY LORENZO MUNAR, BILBAO AGENCY

Mr MUNAR presented the online interactive risk assessment (OIRA) project and a beta-version of the online risk assessment tool developed by the European Agency for Safety and Health at Work (OSHA) in Bilbao. The tool is targeted at small and micro enterprises. It helps identifying risks, defining problems, proposing solutions and producing automated risk assessment reports and can be adjusted to the needs and specificities of a sector. OSHA provides free access to a 'tool generator' by which social partners can develop a sectoral tool. European sectoral social dialogue committees and social partners can provide important support to develop, promote and regularly update the tool, thus ensuring the adequacy and relevance of the respective sectoral tool. A pilot study is starting in May 2010 for road transport in France and hairdressing in Cyprus. The official launch for the completed tool, available in English and French and including a fully functional website and online tool as well as a helpdesk, is planned for 2011. For further detail, see the presentation in *annex 2*.

5. AOB

There were no AOB items discussed.

MAIN WORKING GROUP

Chair: Ms D. MURPHY (FIA – employees)

1. APPROVAL OF THE AGENDA

Agenda was **approved** without modifications.

2. APPROVAL OF THE DRAFT MINUTES OF THE PREVIOUS MEETING (25.01.2010)

The draft minutes were **approved** without modifications.

3. INFORMATION FROM THE COMMISSION ON THE ONGOING ACTIVITIES IN THE FIELD OF EMPLOYMENT AND SOCIAL AFFAIRS

After introducing Mr Stefaan CEUPPENS who will join the social dialogue unit in May 2010 and perform inter alia the function of secretary to the sectoral social dialogue committee in the live performance sector, Mr Frank SIEBERN-THOMAS gave an update on recent developments in the area of employment and social affairs. He informed in particular about the background and state of the Europe 2020 Strategy (Commission proposal, consultation of stakeholders, Council conclusions, further steps – see presentation in *annex 3*); the main findings of the upcoming Commission Staff Working Document on the functioning and potential of European sectoral social dialogue; the consultation of the social partners on the revision of the Working Time Directive; and the main conclusions of the recent G-20 Labour and Employment ministerial.

In the subsequent discussion, social partners criticised in particular the absence of references in the Europe 2020 Strategy to the cultural sector and creative and cultural industries, their relative resilience during the current economic and financial crisis and their important contribution to the economy. With regard to the review of European sectoral social dialogue, social partners underlined the importance of capacity-building in their sector and asked the Commission to take more initiative to promote social dialogue in the sector in the Member States. They also confirmed their availability to take part in possible future pilot projects for online registration tools which would also allow improvements in payment/reimbursement of participants to social dialogue committee meetings.

4. RISK ASSESSMENT: BRIEF FEEDBACK ON THE SECOND WORKING GROUP MEETING

Anita DEBAERE (AD) summarised the debate that took place this morning amongst the members of WG on Risk Assessment. See draft minutes of the WG above.

5. UPDATE ON THE CAPACITY BUILDING PROJECT IN SOUTHERN EUROPE

i. Results of Dubrovnik conference and presentation of the final report

AD presented the main results of the conference, highlighting the final declaration in which the European social partners underlined that in the present economic context, the financing of the performing arts must be guaranteed to provide for a genuine and sustainable environment for the sector and boost further growth and employment; the sector must therefore be included in the economic recovery plans; they called on the European Union to encourage governments to create favourable conditions for an autonomous bi-lateral social dialogue in the countries of Southern Europe and urged national governments to encourage and allow management and labour to organise. Johannes STUDINGER (JS) confirmed the constructive and open discussion at the conference.

6. TRAINING

- i. Information point on progress of the follow-up project proposal to Theatre Technician Training project

JS informed about the project proposal and feedback to the follow-up project proposal, which would focus on two objectives: promotion of a network and mutual recognition of qualifications.

- ii. New Skills for New Jobs: European Sectoral Skills Councils – presentation by Alina BERCEA, European Commission, EMPL/F3, and exchange of views

Ms Alina BERCEA gave a detailed presentation on the proposal to establish European Sectoral Skills Councils, one element of the New Skills for New Jobs agenda. She highlighted in particular that the Commission invites sectoral social partners to assess and identify the need for such a council in their respective sectors. For further detail, see the full presentation in *annex 4*.

In the subsequent discussion, the following issues were addressed: the need for permanent assessment of skills needs and matching in the sector, as shown by e.g. UK experience; the availability of budget support for the establishment of European Sectoral Skills Councils; the various options for secretariats of these councils, to be provided either by the social partners, by experts or by national institutions/authorities; the effectiveness of sectoral skills councils and the need for their close working ‘through the market’ in order to have a real impact on the educational system.

7. PRESENTATION OF THE EUROPEAN YEAR ON COMBATING POVERTY AND SOCIAL EXCLUSION, AND DISCUSSION

With apologies for the impossibility for the colleagues from the unit for social inclusion to attend this meeting, Frank Siebern-Thomas gave a short presentation on the European Year 2010 to combat poverty and social exclusion (see presentation in *annex 5*). He also informed about the negotiations with the social partners from professional football on a possible joint initiative to give visibility to the European Year. In the discussion, social partners highlighted the need to include culture in the list of activities, noting the importance of (access to) culture for social inclusion, and to promote inclusive labour markets.

8. FINANCIAL CRISIS – IMPACT ON THE LIVE PERFORMANCE SECTOR: STATE OF PLAY – UPDATE

Under this point social partners from Bulgaria informed about the difficult situation of the sector, notably due to recent large budget cuts on culture. Pearle* informed about their intention to send a letter to the Bulgarian authorities, and trade unions underlined their willingness to support a joint statement.

Furthermore, social partners from the UK informed that budget cuts in the culture sector, both at national level and by local governments, are also likely to occur in the UK, as announced by all candidates in the current UK election campaign. They highlighted that the current public financial support is comparatively small when compared with the very much larger economic activity generated. Budget cuts on culture would make little sense in view of this important multiplier effect. Social partners recalled that subsidised and commercial sectors are further closely linked in the area of culture, and that public budget cuts would therefore have important effects also for the commercial sectors.

9. AOB

At the proposal of the FIM, AD suggested inviting a guest speaker on health and safety at work in the arts sector to the next working group meeting in order to contribute to and further advance the committee's work on risk assessment. There were no other issues discussed under this point.

Attachments:

Annexes 1 to 5

Annex: List of participants 26.04.2010

<p><u>Employers</u></p> <p>Pearle* Ms Catherine BAUMANN (FR) Ms Joelle BOULLIER-DEBUF (FR) Ms Anne-Laure CABIROL (BE) Ms Anita DEBAERE (BE) Ms Liesbeth DEJONGHE (BE) Mr Momchil GEORGIEV (BG) Mr Jaap JONG (NL) Mr Geza KOVACS (HU) Ms Kathleen LOPEZ KILCOYNE (ES) Mr Zdenek PROKES (CZ) Mr Richard PULFORD (UK) Ms Ilka SCHMALBAUCH (DE) Mr Ilja SMID (CZ) Mr Gary SPARKES (UK) Ms Noémie VEYS (BE)</p> <p>15 employers (8 women, 7 men) (4 new MS)</p>	<p><u>Workers</u></p> <p>UNI MEI Ms Yvette BUTOYI (BE) Ms Françoise CHAZAUD (FR) Mr William DONAGHY (UK) Ms Hanna HARVIMA (BE) Mr Gunnartz MARTEN (SE) Mr Johannes STUDINGER (BE) Mr Pierre VANTORRE (FR) Mr Pier VERDERIO (IT)</p> <p>FIA Ms Dearbhal MURPHY (BE) Ms Katalin RAKSI (HU) Mr Marco SIMCIC (SI) Mr Stephen SPENCE (UK) Mr Andrej SRAKA (SI)</p> <p>FIM Ms Laura HÖLZENSPIES (NL) Ms Diane WIDDISON (UK)</p> <p>15 workers (7 women, 8 men) (3 new MS)</p>
<p><u>European Commission</u> Mr Frank SIEBERN-THOMAS (DG EMPL F/1) Mr Stefaan CEUPPENS (DG EMPL F/1) Ms Alina BERCEA (DG EMPL F/3)</p>	
<p><u>Other participants:</u> Mr Lorenzo MUNAR (OSHA)</p>	

Next meetings: 06.10.2010 (WG Risk Assessment and PL), 10.12.2010 (WG)