



## EUROPEAN COMMISSION

DG Employment, Social Affairs and Inclusion

Employment and social governance

**Social dialogue**

### SECTORIAL DIALOGUE COMMITTEE INDUSTRIAL CLEANING

## Minutes of the Working Group

7 March 2018

### **1. and 2. Adoption of the agenda and of the minutes of the previous meeting (13 November 2017)**

The agenda of the meeting is adopted as are the minutes of the previous meeting.

Mrs Nathalie Swan, Uni Europa, informed about her planned departure from Uni Europa by the end of the month.

Mrs Dominique Fervaille, the Belgian delegate of Uni Europa, informed that this would be her last SSDC on industrial cleaning as she would be changing jobs.

### **3. Information on the Representativeness Study for the Cleaning Industry Social Dialogue Committee**

Mrs Mirka Hajkova, DG EMPL, informed the social partners that Eurofound has launched the representativeness study in the industrial cleaning sector. The representativeness has to be regularly assessed, as it provides a criterion for EU level social dialogue participation. The last representativeness study for the cleaning sector was published in 2012. In January 2018, the social partners (Uni Europa and EFCI), Eurofound and DG EMPL met for a kick-off meeting. Ms Hajkova stressed the importance to reply to the national Eurofound correspondents who will approach the national delegates in the course of 2018. The draft overview report is foreseen for 2019.

The social partners asked to be involved and to consulted on the national reports.



Item 2 Cleaning REP  
- 19 Jan 18.pdf

### **4. Update from Commission on on-going initiatives followed by social partners discussion**

a) *E-services Card*

Mrs Mirka Hajkova, DG EMPL, informed that the e-card proposal continues to be discussed both in the EP and in the Council. Four opinion committees have voted a negative opinion on the proposal. The lead committee is IMCO (the Internal Market and Consumer Protection). A large number of amendments to the proposal have been tabled and are being discussed. The vote in IMCO will take place on 22/23 March. In the Council, discussions have resumed under the BG presidency.

*b) Work-life balance (presentation from Mrs Sarah Schinazi, DG EMPL)*

Mrs Sarah Schinazi, DG EMPL, presented the recent Commission's initiative on work-life balance, published in the context of Pillar of Social Rights on 26 April 2017. The aim of this legislative initiative is to have a one piece of legislation on minimum standards for parental leave, paternity leave, carer's leave. In the Council, discussions continue under the BG presidency. In EP, the lead EMPL committee will publish its report in July and discussions in the plenary should start in autumn.



**Item 3 WLB  
standard presentati**

Upon a question from Uni Europa, Mrs Schinazi explained that the carer's leave is for workers that have to acutely care for a parent, spouse or children (a restrictive definition of dependent relative was used), for example, to bring them to a hospital or doctor. Carer's leave is not meant for cases of occasional child sicknesses. Member States will decide on the medical justification and other modalities.

Uni Europa explained that in the cleaning sector workers often work during hours (very early morning, late evening) when schools or other child facilities are not open. That keeps women out of the sector. Collective solutions, not only individual solutions, should be found to this issue.

EFCI stated that in the cleaning sector it is impossible, for a large part of workforce, to work remotely.

*c) Development of 'Buying Social' Guide*

On behalf of DG GROW, Mrs Mirka Hajkova, DG EMPL, informed about the outcome of the consultation of stakeholders on the scope and structure of the guide on socially responsible public procurement. This questionnaire launched the process for the new Buying Social guide. With 183 replies, DG GROW is analysing the results and preparing tender specifications for an external contract, which should lead to a research for the guide. DG GROW remains available to meet and discuss with stakeholders and to receive further written contributions and examples of good practices.

The social partners considered whether they should jointly meet with DG GROW. In any case, they considered it necessary for the Commission to refer to the sectoral Buying Social guide developed 2017.

The Spanish EFCI delegate informed that the public procurement directive has been transposed in the Spanish legislation. He highlighted, as a negative element, a provision under which the tenderers who increase salary of workers above collective agreements can receive more points.

*d) Social fairness package*

Mrs Mirka Hajkova, DG EMPL, informed about upcoming the social policy delivery foreseen on 13 March, so-called “Social fairness package”, which will contain a proposal for a creation of a new agency “European Labour Authority”, a proposal for a Council recommendation on access to social security and a Communication on the implementation of Social Pillar.



**Item 3 European Labour Authority.pd**

**5. Eurofound report ‘[Tackling Fraudulent Contracting Work in the EU](#)’ with reference to the cleaning industry**

Mrs Isabella Biletta, Eurofound, presented report on fraudulent contracting work in the EU, which focuses on three sectors: construction, road haulage and industrial cleaning. The research aimed to look at the fraudulent use of certain employment or commercial contracts across the EU and examine measures initiated by national authorities, including labour inspectorates and the social partners, to identify, prevent and combat such practices. In its research, Eurofound looked at formally legal employment relationships used in unusual circumstances. The identified fraudulent practices were mainly domestic ones, limited to national level. Although cross-border aspects exist as well and are mainly used to circumvent national legislation. Risk of displacement, as soon as one fraudulent practice is regulated, was identified. An expansion of these practices towards new group of workers (beyond vulnerable) has been noticed. Regarding industrial cleaning, it has been noted that market penetration is increasing. Already very flexible employment relationships are abused (e.g. zero hour contracts, minijobs). Sectoral collective agreements was one of the solutions mentioned to address the fraudulent practices. The Best Value Guide established by the social partners was cited as one of the relevant EU level actions.



**Item 4 Fraud Cleaning Sectoral SI**

Uni Europa asked what would be the follow-up to the research. The Danish Uni Europa delegate confirmed the existence of some fraudulent practices in Denmark, referring to the new emerging platform companies (e.g. ‘Happy Helper’) which start to penetrate in the offices cleaning market and could put ‘good companies’ out of business in longer term. Belgian Uni Europa delegate informed that there is a tripartite working group, which looks for solutions to prevent fraudulent work in Belgium.

EFCI reiterated that employers, which take part in the social dialogue, respect rules and promote licit practices. In their view, there are not enough inspections carried out in Member States. The use of the lowest price criterion in procurement also needs to stop. The Spanish and Austrian EFCI delegates did not agree with the findings in the report.

Mrs Biletta said while it is recognised that majority of employers are lawful this research focuses specifically on fraudulent cases, which can have heavy impact on business and workers. The research works with premises that fraudulent practices exist in each country, but for budgetary reasons the

scope of the study was limited to AT and ES. As a follow-up, the results will be discussed with the sectors and in the EU Platform on undeclared work.

## 5. Discussion around Day Time Cleaning

Mrs Natalie Swan, Uni Europa, informed about a Uni Europa seminar on day time cleaning of 1 February 2018 and asked if there was an interest by the employers to work jointly on this topic in the future.

The secretariats agreed to prepare a more concrete input for the discussion for the next meeting.

## 6. Digitalisation of the cleaning sector

Mrs Renata Bos, FNV, Netherlands, presented the approach agreed by the Dutch social partners when looking into the prospects of robotization in the cleaning sector. Instead of focusing on examining the possible consequences of robotization, the approach is based on three principles: a) co-creation, b) complementarity and c) co-ownership. The idea being to actively steer the process in a way which can help the sector, using the robots to carry out the heavy work and leave space for other activities.

Mrs Jessie Fernandes, EFCI, presented a proposal for a general content of a possible new joint two-year project on Anticipation of Change in the Cleaning Industry, to be submitted to the Commission under the 2018 call for proposals. The start of the project is foreseen in the beginning 2019 if accepted by the Commission.



Item 6 pp  
robotization.pdf



Item 6\_Jessie  
Fernandes\_Anticipa

7. Next meetings: 11 June 2018, 5 November 2018

## 8. Participants:



signed out.pdf