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**Multiannual Action Programme
for the
Sectoral European social dialogue of the
construction industry**

2012-2015

1.1. A. Introduction

The European social partners, EFBWW and FIEC confirm the importance of a strong and autonomous European social dialogue for the construction industry in order to develop a sustainable construction industry and will continue to reinforce their collaboration in order to achieve this.

In the framework of their joint initiatives, EFBWW and FIEC will take into account the repartition of responsibilities between the European and national level and will respect the role and autonomy of the national social partners in determining their labour market and terms and conditions of employment by themselves.

This multi-annual working programme serves as a guideline for the activities of the European social partners of the construction industry for the years 2012-2015.

During this period the EFBWW and FIEC will in particular strive to give a stronger visibility and follow-up to their joint actions, campaigns and projects.

The EFBWW and FIEC underline the key role of the construction industry, which in 2010 represented approximately 10% of the EU GDP and 6.6% of the total EU employment, in setting the basis for a sustainable development of the whole EU economy and labour market.

B. Horizontal activities

I. Impact of the economic and financial crisis in the construction industry: assessment, strategy and measures.

The European construction industry has been strongly hit by the current financial, economic and public debt crisis. Although the situation varies from one Member State to the other, overall construction investments and employment figures decreased seriously across the European Union.

The EFBWW and FIEC will continue to follow the current trends and to propose and lobby for strategies and programmes, aiming at facilitating the economic recovery and growth of the construction activities and labour market. Within the European sectoral social dialogue a particular attention will be given to the assessment of the role played by the regulatory framework of labour law, collective agreements, direct employment and social protection in achieving these goals.

The EFBWW and FIEC will also assess the expected Communication of the European Commission on the sustainable competitiveness of the construction sector and its enterprises and undertake the appropriate initiatives.

II. Strengthening industrial relations

Given the specific characteristics of the construction sector and its fragmented organisation, mainly composed by SMEs, it is absolutely vital that there are structural, stable and properly functioning industrial relations between employers and workers both at the EU and at the national level. EFBWW and FIEC will therefore pay a particular attention in the strengthening of autonomous industrial relations within the construction industry.

They also reaffirm the primary responsibility of the national sectoral social partners, through autonomous industrial relations, for finding a common understanding about the organisation of their national the labour market.

The EFBWW and FIEC will continue to support the establishment of autonomous sectoral industrial relation systems for the construction industry in all the Member States. In this respect the EFBWW and FIEC will examine specific needs or demands raised by national social partners and, where needed, jointly develop specific capacity building programmes.

III. Internal Market

Those countries that seem to better cope with the current financial and economic crisis are the ones that have succeeded in applying and enforcing a sound regulatory framework. In further developing the European Internal Market, the EFBWW and FIEC therefore highlight the need for an adequate legislative framework, which preserves the achievements reached so far, in particular in social policy, labour law and working conditions, both at the EU and national levels.

The EFBWW and FIEC will jointly discuss and assess any Internal Market initiative impacting the construction industry in the light of the above mentioned principles. In particular the EFBWW and FIEC will discuss and assess the "performance checks" proposed by the European Commission aimed at closer scrutiny of the practical functioning of the EU regulatory framework applicable to construction industry, as presented in the Communication "A new strategy for the EU single market" (COM 2011/206).

IV. Companies and workers from third countries

The demographic changes and the current global crisis have accelerated the entry of companies and workers from third countries into the European market. This has a direct impact on a labour intensive and highly mobile sector such as construction. It has therefore to be ensured that the concerned EU and national legislative frameworks adequately take these changes into account as regards their application, control and enforcement, in order ensure non-discrimination and an equal and transparent level playing field for companies and workers.

V. Attracting and maintaining younger workers

In many Member States the construction industry has difficulties in attracting and maintaining young workers. In the light of the ageing of the population the competition between industries for young skilled and qualified workers will increase. In order to attract and retain these young workers in the construction industry the establishment of specific programmes and strategies will need to be developed.

The "Youth on the Move" flagship initiative presented by the European Commission as part of its Europe 2020 strategy accurately describes many of the current challenges that need to be faced and also sets out some appropriate objectives. The EFBWW and FIEC will further discuss and assess concrete measures at the European and national levels.

The EFBWW and FIEC will assess past and current actions/campaigns, which had positive results and could serve as best practices.

VI. Striving towards a sustainable, competitive and climate-friendly construction industry

Buildings are currently responsible for 42% of EU final energy consumption and produce about 35% of all greenhouse gas emissions and therefore the construction industry plays a key role in the achievement of the “20-20-20 objectives”.

Achieving the EU commitment to cut greenhouse gas emissions to combat climate change is a powerful instrument to create jobs in the construction industry.

The changes in the demand due to the “greening” of the economy and of jobs will have an impact in the organisation of companies (new market opportunities, new skills needed, etc.) and in the working conditions (additional/new training, adapted Health and Safety conditions, etc.).

The EFBWW and FIEC are committed to address these issues in the framework of their joint activities and to reflect the voice of workers and companies more closely in the debate on the (future) competitiveness of the sector at national, European and international level. Attention will be paid here in particular to the need for an industry-wide dialogue between employers and workers at every level, as well as to the need for continuous sustainable financial investments and strengthening of lifelong learning.

C. Activities for the specific working groups

1) Working group “Vocational training”

The EFBWW and FIEC regard broad initial vocational training as a key to the future development of career prospects in the construction industry and to making the industry more attractive. The EFBWW and FIEC will focus their vocational training policy on the mutual recognition of qualifications, on the exchange of best practices, on a better anticipation of the skills needs and on the attractiveness of the industry (working conditions, health and safety, etc.). For this, we need European core occupations that pass on broad theoretical and practical knowledge and are geared to enabling people to work autonomously and to get effective access to their development opportunities.

I. Promoting the mutual recognition of qualifications

- The results of the “Bricklayer” project have shown that formal European instruments like EQF and ECVET meet highly different national practices and conditions. The EFBWW and FIEC consider further research on status, differences and perspectives of the respective national systems as a precondition for any progress in direction to a better implementation of the European Instruments and towards mutual recognition of qualifications. The Social partners will initiate such sector related research.
- Amongst other, sector skills councils, the EQF process and the development of “zones of mutual trust”, as presented in the conclusions of the “Bricklayer” project, will be continued by supporting bilateral or multi-lateral cooperation whilst fully respecting the autonomy of the national vocational training systems.
- The EFBWW and FIEC consider the EU flagship initiative “Youth on the move” as extremely relevant for the area of vocational training. It will be used as a basis for developing joint actions, actions targeting to combine the aims of individual growth of the single participant, the benefit of the companies involved and the vocational training units concerned. Following an in depth assessment of the possible benefits, joint actions could be envisaged on the issue of the “European skills passport”.

II. Anticipating the future skills needs

Current trends in sustainable construction, energy efficiency of buildings and the application of related new technologies in the construction industry have a direct impact on occupational profiles and on the matching between skills available and market needs.

- The EFBWW and FIEC consider these developments as indications that initial vocational training in the construction industry needs to be made both broader

and more demanding. Where 'green professions' are concerned, the EFBWW and FIEC see a need to adapt and enrich the existing occupational profiles and, where needed, develop new profiles.

- In order to set up a framework aiming at better anticipating the skills needs the EFBWW and FIEC intend undertake a feasibility study for assessing the possible establishment of a European Sector Skills Council (ESSC) for the construction industry. This ESSC could be a useful platform opening the discussion on the various issues to other stakeholders such as training practitioners, observatories, research institutes, sector councils, etc.

In this respect, EFBWW and FIEC will also ensure coordination with the "BUILD UP Skills" initiative of the European Executive Agency for Competitiveness and Innovation.

III. Addressing the effects of demographic changes

The demographic changes and in particular the ageing of the population, combined with the difficulties observed in several Member States to attract and maintain young people in the construction industry, are becoming important challenges both for companies and for workers. The EFBWW and FIEC will address these issues from the angle of "vocational training" by focussing on :

- In 2003 the EFBWW and FIEC jointly elaborated a joint publication on "Tutorship", as a solution for integrating young people in the company. Within the above mentioned framework the publication should be updated and completed in order to cover additional countries. It could then be disseminated as examples of best practice and promoted at national level.

IV. Joint initiatives on Asbestos

In the field of Health and Safety (see section 2) hereafter, the EFBWW and FIEC are envisaging to undertake joint actions in relation to Asbestos. As a complement, they will also exchange and promote best practices and information on the various specific training policies and schemes provided at national level.

2) Working group "Health and Safety" (H&S)

Despite the improvements observed over the last few years, thanks to the commitment of numerous people and companies, there is still room for further improving the H&S conditions in the European construction industry, which is still facing an important number of fatal and serious accidents and occupational diseases. Additionally, in some EU countries we, unfortunately, have to note that the overall situation is worsening. Various trends, such as changed labour market conditions caused by the crisis, forms of

employment which deteriorate social and legal conditions of works observed in some countries, demographic changes, and potential new hazards caused by new technologies and products, etc. have to be taken into account and therefore EFBWW and FIEC consider the improvement of H&S working conditions in all its aspects as one of their main priorities.

I. Improving the overall H&S framework

- With the new Community strategy on Occupational Safety and Health (OSH) for the years 2013-2020, the European Commission will create a framework which will also concern our sector of activities. We expect a comprehensive strategy with clear goals, backed by specific actions and the adequate funding required. The EFBWW and FIEC will contribute to the preparation of this new strategy and will urge the European Commission to incorporate specific activities which adequately take into the specificities and the needs of the construction industry and to take appropriate initiatives for a better application of the existing legislation.
- The agency for health and safety at the workplace in Bilbao has proven its value for the field of occupational safety and health. Partnerships and actions on the European sectoral level are encouraged and appreciated by the Bilbao Agency and are indeed improving the effectiveness of the actions undertaken. In order to ensure the participation of the European sectoral social partners we consider a better funding of those activities by the European Commission as vital for future campaigns.
- In order to be able to compare the various situations in the various Member States and to be able to benchmark them at the EU level the EFBWW and FIEC consider that further improvements in the availability, the quality and the comparability of statistical data on occupational health and safety are needed. In collaboration with the various concerned bodies (EUROSTAT, the Bilbao Agency, the national statistical institutes, etc.) they will therefore examine how to achieve these goals, in the framework of the application of Regulation 1338/2008 establishing a common framework for the systematic production of Community statistics on public health and health and safety at work.

II. Fostering a culture of H&S

Fostering a proactive/progressive European H&S prevention culture very much depends on the involvement and the participation of all actors concerned, both at the company and workers level, as well as at the institutional level. The EFBWW and FIEC will therefore, continue with their intensive activities in the area of OSH and will focus on the creation of stronger links with the national affiliated members. This is a pre-condition for the fruitful implementation of the results achieved so far at the European level.

- Both social partner organisations are also convinced that the participation of all stakeholders is vital for any success in the complex field of OSH. In this respect, participation also depends on a clear and systematic approach of OSH at the company level and of adequate instruments that are tailored to their needs and

capacities, in particular as regards SMEs. EFBWW and FIEC will therefore continue their work for the finalisation, translation and dissemination of their Guide for the implementation of health and safety management systems.

- As mentioned in their joint Guide for the implementation of H&S management systems, EFBWW and FIEC underline the importance of workers representation and/or direct participation, according to national practice, in addressing the various aspects of health and safety at the workplace and will continue to collaborate for promoting this involvement.
- Training plays a central role in the development of a H&S culture. However, the content and the scope of the trainings provided and of their certification can vary significantly from one country to the other. Therefore, in order to facilitate the mobility within the Internal Market and the mutual recognition of the trainings the EFBWW and FIEC will examine the possibilities of developing harmonised minimum conditions for H&S training at the EU level.
- As mentioned here above, fostering the development of a H&S culture very much depends on the involvement and the participation of all actors concerned. This includes employers and workers, but also other actors involved in the construction process such as architects, engineers, material/equipment producers and clients. The EFBWW and FIEC will therefore envisage joint initiatives specifically addressed to these other actors.

III. Better taking into account of new developments

Since chemicals find an ever broader application field in construction activities, new hazards and new forms of occupational diseases can appear. Today, for persons, companies as well as for the society as a whole, costs caused by occupational diseases are much higher than those caused by accidents. It is therefore important that any initiative at the EU level in the field of H&S adequately takes into account such new developments on the basis of the “precautionary principle”.

- The EFBWW and FIEC will insist for a more sector-specific implementation of the REACH Regulation with an eye to the users and their information needs.
- After having run a project on nano-materials in the European construction industry, it is evident that this technology will have a strong impact on our industry in the future. Positive aspects are expected in terms of new qualities of construction materials and in consequence in housing, and probably also in terms of workers' qualification. There is therefore a strong need for research regarding possible health effects, focusing on the specificities of each concerned sector.
- The social partners are currently running some activities regarding the safe removal of the still existing asbestos, focussing on a proper information and training for workers and companies. For the time frame covered by this work programme the EFBWW and FIEC will continue their collaboration on activities related to asbestos and expect that an action plan for the complete disposal of all asbestos in Europe be elaborated.

IV. Improving the ergonomic conditions

In the field of ergonomics and psycho-mental stress factors vary considerably and often depend on sectoral characteristics, as well as on external factors. Therefore sectoral approaches and the exchange of best practices are needed.

- Following the agreements concluded at the cross-sectoral and sectoral levels, the EFBWW and FIEC will take further steps. For a better understanding of the phenomenon of psycho-mental hazards, EFBWW and FIEC will collect and exchange information on topics such as :
 - Concepts of psycho-social stress
 - Tools to measure and assess psycho-social hazards
 - Prevention activities
- Since the types of Musculo-Skeletal Disorders (MSD) are varying widely and since the causes are often multi-factorial, the EFBWW and FIEC will follow with attention possible new EU initiatives on this topic. Whenever possible they will undertake joint initiatives and will develop practical approaches for prevention activities for specific issues.
- The design of materials and machinery and the related standardisation processes are of high concern for OSH policies. The EFBWW and FIEC will investigate crucial issues which are regulated or affected by standards and formulate their specific demands, for example on issues such as visibility, ergonomic design and safety devices on construction or earth-moving machinery in order to avoid accidents.

3) Working group “Employment”

I. Ensuring adequate and efficient labour market policies

The establishment of a harmonious and fair European and national labour market policy is one of the priorities of the European Social Dialogue of the construction industry. The EFBWW and FIEC will continue to pay particular attention to the vulnerable groups of migrant and precarious workers, regardless of their employment status .

- A category of workers of high concern are workers from third countries. Special attention will be paid to the terms and conditions of employment that are applicable to them. The EFBWW and FIEC will therefore assess the labour market conditions of third country national workers in the construction industry and will discuss concrete policy measures at national and European level where appropriate.

- The “Posting” Directive (96/71/EC) is a key EU legislation for the construction industry. The EFBWW and FIEC reconfirm their mutual will to deliver a responsible contribution to prevent and combat “social fraud” and “unfair competition”, with the aim of ensuring non-discrimination and an equal transparent level playing field within the construction industry. In this respect and taking into account the new legislative initiative launched by the European Commission, the EFBWW and FIEC will continue to envisage a joint approach and where needed joint specific actions.

II. Combating unfair and illegal practices

The EFBWW and FIEC will continue to collaborate with the aim of combating any forms of unfair practices, in order to ensure a level playing field for companies and decent working conditions for workers.

- The EFBWW and FIEC apply a policy of zero tolerance against unfair and illegal practices in the construction industry and will address the issue of the appropriate measures for combating "undeclared work" as soon as when the European Commission will have published its Communication on “undeclared labour”. Where appropriate the necessary initiatives will be taken to this end at national and European level, in a broad partnership with the various actors concerned, i.e. labour inspectorates, national authorities or social funds.
- A particular attention must be given to cross-border activities and the appropriate measures should be put in place in order to adequately address them. Where appropriate, the EFBWW and FIEC will assess the current situation, with the aim of discussing concrete policy measures both at national and European levels.
- One of the means for circumventing the “Posting” Directive is through “bogus self-employment”. A joint EFBWW-FIEC study on this issue has been finalised in 2009 and joint conclusions and recommendations were adopted in 2010. Discussions on this issue will continue on the basis of the joint work undertaken so far.

III. Feasibility study for a possible “Social Identity Card” (SIC)

The constant growth in cross-border mobility by companies and workers makes the work of preventive checks at construction sites much more difficult. Particularly for the European construction industry, during joint discussions the EFBWW and FIEC consider that these checks could be made more simple and efficient with the introduction of a “Social Identity Card” for everyone working on a construction site.

- In order to verify the feasibility and the possible added value of such a SIC, the EFBWW and FIEC will ask Eurofound (the “Dublin foundation”) to conduct a feasibility study on the possible introduction of a SIC in the construction industry across the EU.

The outcome of the study will serve as a point of departure for further discussions between the EFBWW and FIEC.

IV. Addressing pension issues

The ageing of the workforce will be an important challenge for the construction industry, amongst others because of the arduous characteristics of some professions. The EFBWW and FIEC will therefore pay attention to the aspects relating to end-of-career arrangements for workers in the construction industry and where necessary undertake the appropriate actions.

In this respect, the EFBWW and FIEC will identify and discuss topics of common concern, which will be proposed in the EU white paper “An Agenda for Adequate, Safe and Sustainable Pensions”.

V. Strengthening industrial relations

The EFBWW and FIEC will pay special attention to further strengthening and developing European and national paritarian dialogues between social partners. A particular focus will be given to the legal and policy framework, as well as to the representativeness and organisational capacity of the national social partners with the aim of strengthening them. One of the key instruments for this purpose, and on which joint initiatives have been undertaken in the past, are the paritarian funds.

- Together with other European and national partners, the EFBWW and FIEC will continue their joint initiatives in order to pave the way at national level for the social partners to establish and further develop paritarian social funds for vocational and professional training, health and safety, supplementary pensions, holiday pay, supplementary unemployment payments, etc. according to the needs and the specificities of the various countries concerned.