



EUROPEAN COMMISSION

DG EMPLOYMENT, SOCIAL AFFAIRS AND EQUAL OPPORTUNITIES

Social Dialogue, Social Rights, Working Conditions, Adaptation to Change
Social Dialogue and Labour Relations

SECTORAL SOCIAL DIALOGUE COMMITTEE INLAND NAVIGATION

Meeting held on 10 October 2007 Minutes (approved on 28 November 2007)

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

The agenda was adopted and the minutes of the meeting held on 21 June 2007 (plenary meeting) were approved. One item was added to the agenda (Exchange of views with DG TREN).

2. Report on the ad hoc working group meeting of 17 September 2007

ETF presented the "Proposals" document which had been drawn up at the working group meeting. There was still the greatest disagreement about weekly working time and the calculation of annual working time. Other questions concerned the concept of short break/rest period¹ and occupational safety and health protection. The employers' side confirmed the contents of the summary. Both sides insisted that in paragraph 1.2 the term "inland navigation vessels" should be deleted. The correct sentence should read: "In case of doubt the competent authority of the Member State in question has to decide whether they are vessels used in *commercial inland navigation*."

3. Exchange of views with DG TREN

Mr Trestour (Head of Unit DG TREN G.2, responsible for inland navigation) informed the meeting about the Communication planned for November on the status of implementation of NAIADES. He stressed that the legislation for inland navigation would be adopted by the EU and applied to all 27 Member States. The social dialogue also took place in the context of EU-27. There was nothing to say that river commissions could not take part in the European social dialogue as observers. However, the social partners should not grant this right only to the Rhine Commission if other commissions expressed interest.

The social partners doubted whether other river commissions were interested in social questions at present. The Rhine Commission had issued an invitation to an advisory conference on the labour market (23 October), but that was all. Employers and workers

¹ In the general Working Time Directive 2003/88/EC a distinction is made between break and rest periods.

were in favour of the Secretariat of the Central Commission for Navigation on the Rhine taking part in the social dialogue as an observer in future. This would make for better mutual understanding and avoid duplication of effort, which was also welcomed by the European Commission.

4. Working time

The discussion focussed primarily on paragraphs 4 and 5 of the "Proposals" document.

The question was raised as to how far statutory public holidays should be included in the calculation of maximum weekly working time. In Directive 2003/88/EC², which now applied to the sector, periods of paid annual leave granted and periods of sick leave were not included or were neutral in the calculation of the average (Article 16, Reference periods). Whilst ETF wished to exclude paid public holidays from the calculation too, ESO urged that the general Working Time Directive be followed.

It was established that there was agreement on maximum daily working time (14 hours) and the annual limit (weekly working time of a maximum of 48 hours over the year). This gave a daily rest period of at least 10 hours. A solution still had to be found as to how the general practice, namely working according to the 1:1 system (1 week on board, 1 week off, or 2 or 3 weeks at a time), would fit in with these parameters – whereby 1 week on board did not mean that 1 week was worked without interruption. Should a maximum weekly working time be introduced (e. g. 70 hours, which is however not supported by the employers' side)? Or 280 hours per 28 days (this proposal was not supported by ETF)? The workers asked the employers to put forward specific proposals on this matter.

5. Occupational profiles and professional qualifications

There was a document (available only in Dutch so far), "*EBU-ESO-ETF – Harmonisatie van beroepsprofielen in de binnenvaart*", which was to be seen as a first joint attempt to define the occupations boatman and skipper. This document would be discussed at the next meeting if it was available in the other languages. The ultimate aim was to define Europe-wide minimum requirements for training (ETF) or to achieve mutual recognition of evidence of professional qualifications (EBU). It was agreed that ETF and EBU would revise the document by the beginning of November.

6. Other business

The next meeting would be held on 28 November 2007. The social partners agreed on the following dates for meetings to conclude the negotiations on working time: 24 January 2008 and 3 April 2008. A request to hold these meetings was to be made at the beginning of December in a joint letter to the Commission.

² http://eur-lex.europa.eu/LexUriServ/site/de/oj/2003/l_299/l_29920031118de00090019.pdf

List of participants 10.10.2007

<p><u>Employers:</u></p> <p>EBU: KONING, Michiel NAARBORGH, Jacques WENKEL, Katja</p> <p>ESO: BECKSCHÄFER, Andrea VAN LANCKER, Christiaan VELDMAN, Jan</p>	<p><u>Workers:</u></p> <p>ETF: BIESOLD, Karl-Heinz BRAMLEY, Nick HERTOGS, Beatrice KERKHOF, Joris LEHNINGER, Gunter WEICKER, Raymond</p>
<p><u>European Commission:</u></p> <p>DURST, Ellen (DG EMPL/F.1) TOMA, Janeta (DG TREN/G.2) TRESTOUR, Jean (DG TREN/G.2)</p>	