



EUROPEAN COMMISSION
Employment, Social Affairs and Inclusion DG

Employment and Social Governance
Social dialogue

**SECTORAL SOCIAL DIALOGUE
COMMITTEE
LIVE PERFORMANCE**

**MINUTES
WORKING GROUP MEETING
02 MARCH 2018**

Chair: Pearle

1. Opening of the meeting

The draft agenda was approved. The minutes of the Plenary meeting of 15/12/2017 were not yet available and will be approved at the next meeting.

2. Update on employment and social affairs

Isabelle Laurent (IL) provided a brief update (see presentation in **annex**) on the state of play of the initiatives related to the European Pillar of Social Rights (Work-life balance; Access to social protection; Transparent and predictable working conditions) and the new initiatives for the creation of a European Labour Authority and a European Security Number.

3. Training and skills

a) Update on the advancement of the skills project

Daphné Tepper (DT) provided (see **annex**) an overview of next workshops to take place in Berlin on 22/23 March (new tools to upskill the workforce and how companies may develop training opportunities to adapt to the digital environment) and in Paris on 4/5 June (role of social partners to facilitate access to training and what further action can be done at Member State/EU level). As the aim is to highlight different models existing in Member States, DT called for information on collective agreements or other documents on initiatives taken by social partners to address skills development and access to training. The final conference will take place in Goteborg in December.

b) Continuation TALQ project: information on submitted project application

The TALQ (Transparency in Art Levels and Qualifications) project aimed at mapping national qualifications and certificates to ESCO-based international profiles. Resulting from this project (see **annex**), social partners agreed to support the proposal to create "European qualifications". A second project (see **annex**) has therefore been submitted under EARS MUS+ to develop a high level Joint Qualification for the "Operator automated stage machinery" professional. It will entail defining a modular curriculum and accepted international procedures

4. Mobility

a) Cites Handbook: Brief update on planned publication of Travel Tips for musicians, groups and orchestras by FIM/Pearle

Silke Lalvani presented the book which is finalised and translated in DE, FR and ES. Social partners expressed their satisfaction with this practical hands-on outcome and thanked the Commission for supporting with translations. A joint press release will be launched.

b) Double Taxation: update on latest actions

The following two letters (drafted with the support of Dr Dick Molenaar) were endorsed to continue progressing on this issue:

(1) A letter to the attention of the OECD with the objective to re-open the debate on the deletion or adjustment of article 17 of the OECD Model;

(2) A letter to Commissioners Moscovici (Economic and Financial Affairs, Taxations and Customs) and Navracsics (Education, Culture, Youth and Sport) to recall the issues, take stock of progress made and see what further action could be foreseen in the light of the Code of Conduct on Withholding Tax published in November 2017.

c) Visas: modernisation EU visa policy

A public consultation on a modernised VISA policy enquired about (1) the level of fees; (2) multi-countries VISAs; and (3) external service providers. Pearle has responded to the consultation arguing for favourable conditions, clear and transparent rules for the mobility of artists. Trade Unions joined Pearle on the content of the response. Social partners agreed to discuss further progress or joint actions. A Commission proposal is expected mid-March 2018.

5. Creative Europe Programme and the future EU funding for Culture

The next MFF being under preparation, Pedro Velasquez-Hernandez could not disclose details at this stage. However he provided information on a pilot project to test a new mobility scheme for artists and cultural professions. It should be launched before the summer 2018 and be implemented until 2020 to prepare the ground for the next MFF.

Social partners expressed their high interest for the project and willingness to be involved as this Committee works a lot on mobility and the evolution of skills and learning needs.

6. Social dialogue and the role of social partners

a. Update on progress of joint project application focusing on social dialogue in the commercial live performance sector

Work to prepare the project is ongoing. The Commission explained that the call will be published after Easter, however, preparation should continue, as the changes as compared to last year's call will be very limited.

Linked to the project proposal Ms. Eva Kras stressed that the absence of an employer organisation in Slovenia is increasingly problematic and that there might be a window of opportunity for Pearle to convince Slovenian employers of the benefits of social dialogue. She offered some contact points. Mr. Kovacs responded that Pearle had

already undertaken several attempts in that direction and was willing to re-try as it was of common interest to have a functioning social dialogue in Slovenia.

b. Gender equality and anti-discrimination

Tania Swayne presented a comparison of two studies on gender equality in the live performance sector in Spain (see annex). The main conclusion being that most functions in the sector are staffed in a gender specific way. The material however does not allow assessing hierarchies within a functional group.

Lisbeth Dejonghe reported that in Belgium the social partners jointly looked into the problem of sexual harassment in the sector. A first study showed that the situation is similar to the average. As social partners have agreed on zero-tolerance they have developed an action plan which they presented on 2/03/2018 to the Parliament. These activities link to a broader initiative of the ministry of culture. A detailed presentation on the action plan and its implementation will be on the agenda of the next meeting.

Caspar Kiefte presented the situation in the NL (see annex). Following the #metoo discussion, the Dutch trade union launched a survey amongst its members which revealed the problem of sexual harassment in the sector. Social partners have started to cooperate on the topic and set up MORES. They agreed on the need to have independent confidential advisors for persons who have been exposed to bullying or harassment.

7. Health and Safety

a) Cancelled as it was not possible for OSHA to participate in the meeting.

b) Update OiRA tools in the live performance sector

Tommy Saarikivi informed about a recently started 3-year project to promote the OIRA-tool in Finland. He will update the Committee in time. The trade union side saw a need to support the Slovenian social partners to use the OIRA tool, in particular because of developments in the sector.

8. Public funding

Several delegates reported on developments in their countries, including: Slovenia (moderate increase of 2017 public budget spent in the sector although still under the pre-crisis level; increased activities in commercial sector where there are no collective bargaining agreements; some positive development for the self-employed); Poland (decentralisation of public funding but tensions between centralised/ decentralised obligations and rules; indications of censorship; new rules on trade union representation in the sector), Romania (new law on public employment entered into force on 1.1.2018 which provides more flexibility for public employers. It is considered by trade unions as allowing for excessive flexibility and hindering unionisation); Netherlands (the sector succeeded to get additional EUR 80 mio Euro via a PR campaign that built on the readiness of the Dutch government to pay 80 mio Euro for Rembrandt pictures and comparing this to the willingness to invest in modern performing arts).

Annexes

- Point 2 - Update on employment and social affairs
- Point 3a – Creative Skills project
- Point 3b - Continuation TALQ project:
- Point 4a – CITES Handbook
- Point 4b: Draft letters OCDE + Commissioners Moscovici and Navracsics

Annex: List of participants 02/03/2018

<u>Employers</u>	<u>Workers</u>
<p>Pearle* Ms Anita DEBAERE (EU) Ms Liesbeth DEJONGHE (BE) Ms Pauline ABUERGER (FR) Ms Alexandra BOBES (FR) Mr Julius KLEIN (SK) Mr Géza KOVACS (HU) Ms Silke LALVANI (EU) Ms Alexandra MONTEIRO (PT) Mr Zdenek PROKES (CZ) Mr Tommi SAARIKIVI (FI) Ms Ilka SCHMALBAUCH (DE) Ms Sandra SIMOES (PT) Mr Otakar SVOBODOVA (CZ) Ms Tania SWAYNE (ES) Ms Ana VICENTE (PT) Ms Cristina WARD (ES)</p> <p>16 employers representatives (11 women, 5 men) (2 EU, 4 EU-13, 10 EU-15)</p>	<p>EURO-MEI Mr Cristinel GODINAC (RO) Ms Hanna HARVIMA (EU) Ms Agnieszka LACHCIK (PL) Ms Izabel SCHUMANN (DE) Ms Nathalie SERANE (FR) Mr Markus STAUT (DE) Mr Pier VERDERIO (IT)</p> <p>FIA Mr Caspar DE KIEFTE (NL) Ms Dearbhal MURPHY (EU) Mr Denys FOUQUERAY (FR) Ms Eva KRAS (SL)</p> <p>FIM Mr Philippe GAUTIER (FR) Mr Loris GROSSI (IT) Mr Maciej PACUŁA (PL) Mr Leonard-Octavian PADURET (RO)</p> <p>15 workers representatives (6 women, 9 men) (2 EU, 5 EU-13, 8 EU-15)</p>
<u>External experts</u>	
Ms Daphné TEPPER (Creative Skills Europe) Mr Chris VAN GOETHEM (STEPP)	
<u>European Commission</u>	
Ms Isabelle LAURENT (EMPL.A.2 – Social Dialogue) Ms Sigried CASPAR (EMPL.A.2 – Social Dialogue) Mr Pedro VELASQUEZ-HERNANDEZ (EAC.D2 – Creative Europe)	