

SECTORAL SOCIAL DIALOGUE COMMITTEE FOR MARITIME TRANSPORT

WORKING GROUP MEETING 28 JANUARY 2020

DRAFT MINUTES

Chair: Mr George Koltsidopoulos, ECSA

1. APPROVAL OF THE DRAFT AGENDA

The SSDC approved the agenda; and a proposal by ECSA to discuss the STCW revision under AOB.

2. APPROVAL OF THE MINUTES OF THE SSDC MEETING OF 27.09.2019

The SSDC approved the revised minutes of the above meeting.

3. MATTERS ARISING

a. New SSDC Work Programme 2020 – 2022 – adoption and discussion on taking items forward

The social partners approved the work programme to guide their work in 2020-2022.

b. EU funded projects

i. New joint project “Contributing to an Attractive, Smart and Sustainable Working Environment in the Shipping Sector”

ECSA presented the objectives of the recently awarded project and informed on the preparations. The social partners agreed to promote the ICS/ITF Guidance on Eliminating Shipboard Harassment and Bullying and to continue using the promotional material produced to accompany the ECSA/ETF Guidelines.

ii. Update of the project “Mapping of Maritime Professionals – Towards a full-scale European data collection system” (MapMar)

ETF informed that the Seafarers International Research Centre of the Cardiff University had started work on mapping and gave an overview of some intermediate results of the research. The desk research will be complemented by field visits in January - July. ETF and ECSA are committed support the researchers including with providing contacts.

iii. Update of the project “Futureproof Skills for the Maritime Transport Sector” (SkillSea)

ECSA informed that, based on the reports from various work packages in a recent meeting in Athens, they remain optimistic that the project will deliver. ETF confirmed the good feedback. Justyna Bartnicka, DG MOVE was more cautious regarding the progress made and considered that the project would benefit from more steer on its content by the social partners.

c. Women in shipping

i. Pre-employment pregnancy testing

Based on the discussion with its members, ECSA prefers to have wider statement looking at the rights of pregnant workers at sea and health and safety protections, in order to complement also other work the social partners are undertaking to attract more women to the sector. The industry could use it to showcase best practice, as well as use it in campaigns. The research conducted by the UK Chamber of Shipping shows that P&I Clubs do not support mandatory pre-employment testing; and they do not consider pregnancy as a medical condition. If ETF was happy with this broader framework for the statement, work could commence on a draft statement.

ETF appreciated ECSA's comprehensive response. It welcomed ECSA's willingness to adopt a joint statement with ETF.ETF was of the opinion that the EU shipping industry needed to send a strong response condemning practices in some labour supplying countries, which should be a primary point of pressure.

The Secretariats were tasked with drafting a joint statement.

ii. Platform for Change – future work including on diversity ambassadors

In response to the queries by ECSA and ETF on the role and tasks of diversity ambassadors, Sophie Marin - Combeaud, DG MOVE clarified that ambassadors of all backgrounds and professional status were being sought to communicate on diversity at work place and engage in other activities depending on their availability and interest. This initiative is not linked to the Platform for Change, the latter will continue functioning as before. Ms Marin - Combeaud referred to a draft guidance paper that had been shared with stakeholders for comments by 18 January and invited the social partners to provide feedback and input as soon as possible.

d. 2018 Amendments to ILO Maritime Labour Convention, 2006 (MLC 2006), as approved by the ILO 170th Conference, Geneva, 5 June 2018: update on negotiations for a Social Partner Agreement

The social partners discussed some elements of the scope of the future agreement. They agreed to finalise swiftly and submit the Social Partner Agreement to the European Commission.

e. European Shipping Week 2020: update in particular regarding social matters

ECSA reminded about the upcoming event on 17-21 February that would feature high level speakers and bring together stakeholders in a number of topical sessions, including various joint events being organised with ETF on the day dedicated to social matters (18 February). ETF is encouraging its members to participate.

f. Socio-economic impact of Digitalisation in Shipping

ETF said we took up this topic in WESS project's work on how digitalization could improve seafarers living and working conditions. It didn't think it was needed to create a definitive position with ECSA on this topic but it will not be too difficult to codify a common position and monitor developments. ECSA said it would help if we could agree on some fundamental principles to guide us. The social partners confirmed that a joint position on the topic could be reached soon.

Alexander Hoffmann, DG MOVE informed that in the 6th meeting of the High Level Steering Group for Governance of the Digital Maritime System and Services (HLSG) on 20 January the Maritime Autonomous Surface Ships (MASS) Ad hoc sub-group reported on progress with the Guidelines. More information on this technical work is expected in spring 2020.

Sophie Marin - Combeaud, DG MOVE informed about the ongoing study on the social dimension of the transition to automation and digitalisation in transport, focusing on the labour force; its results are expected end-2020; and the social partners will be consulted. ETF was aware of the study, while ECSA was not.

4. UPDATE FROM THE EUROPEAN COMMISSION followed by an exchange on:

a. Report to Council and EP on the implementation and application of Regulation 5.3 of the MLC regarding labour supplying countries (pursuant to Article 6.2 of Council Directive 2013/54/EU)

The social partners took note of the update by Justyna Bartnicka, DG MOVE that political validation for publishing the report is ongoing. ETF emphasised the importance of the report in view of compliance with the EU legislation and transparency.

b. Study on social aspects within the maritime transport sector

Justyna Bartnicka, DG MOVE informed that the study had been finalised and would indicatively be published in February 2020 following a political validation. The Commission plans to present its findings and recommendations in the MLC workshop on 18 - 20 February 2020 in Lisbon. Both ECSA and ETF regretted not having being consulted on the final report before its publishing in view of the input the social partners provided throughout the study and in particular in the stakeholder workshop in October. Having said that ETF welcomed the report and looked forward to contributing positively to the work needed on the recommendations made.

ECSA noted in particular that the Commission has previously assured that the social partners would be consulted on the final report before publication. ECSA noted that it was particularly concerned given the serious concerns it had raised on the draft report during the stakeholder workshop in October and in writing thereafter.

Ms Bartnicka assured the social partners that their comments had been addressed in the final report.

c. Maritime issues in the expected EU Strategy for Mobility and Transport

Justyna Bartnicka, DG MOVE informed that the Commission had started to prepare the 5-year Strategy which would be guided by the ambition of the European Green Deal. Nevertheless, other elements such as social aspects will also be addressed by the Strategy, in particular how to assist seafarers in dealing with transition and challenges arising from digitalisation. Ms Bartnicka informed that social partners would be consulted on the Strategy and encouraged them to assist the Commission in contributing with their input on the future of transport and mobility.

5. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 810/2009 establishing a Community Code on Visas (Visa Code): update for the Commission on implementing measures; and joint efforts of social partners

The social partners had issued a joint statement on the implementation of the Regulation, addressed to the European Commission and Member States, on 10 January. ECSA asked ETF to support the renewed effort to ensure that concerns of the industry are taken into account. ETF recalled the importance of C185 – Seafarers' Identity Documents Convention in this context.

6. REPORTING ITEMS

a. Croatian Presidency Work Programme January – June 2020

Ina Miškulin, Counsellor for Aviation and Shipping presented the priorities of the Presidency for the maritime transport. In absence of legislative files, the Presidency will focus on the IMO coordination and the High Level Ministerial Maritime Conference and its Declaration on Waterborne Transport in Opatija on 10-11 March. Ms Miškulin invited the social partners to express interest in participating in the Conference panels. The social partners expressed appreciation for the report and engagement of the Presidency.

b. Commission Directive (EU) 2019/1834 of 24 October 2019 amending Annexes II and IV to Council Directive 92/29/EEC as regards purely technical adaptations

The social partners took note of the update by Kristīne Krivmane, DG EMPL¹ on the adoption of the Directive. The social partners recalled the joint position on the need for a comprehensive review.

¹ On behalf of Jan-Willem Ebeling, DG EMPL

7. AOB

a. Revision of the STCW²

In view of the EU joint submission to the 103rd MSC³, ECSA called for a comprehensive review taking into account all aspects including structure of the Convention. ETF recalled that the SkillsSea project should also feed into the revision. Justyna Bartnicka, DG MOVE confirmed that the Commission had planned to prepare a draft joint submission for the 103rd MSC supporting a comprehensive review of the STCW in order to propose a targeted revision.

b. A Strong Social Europe for Just Transitions

Kristīne Krivmane, DG EMPL presented the Communication on a Strong Social Europe for Just Transitions and the proposed key initiatives that will contribute to the implementation of the European Pillar of Social Rights.

The next SSDC meeting will take place on 6 May.

² International Convention on Standards of Training, Certification and Watchkeeping for Seafarers

³ The Maritime Safety Committee