



## EUROPEAN COMMISSION

Employment, Social Affairs and Equal Opportunities DG

Social Dialogue, Social Rights, Working Conditions, Adaptation to Change  
**Social Dialogue, Industrial Relations**

### SECTORAL DIALOGUE COMMITTEE ROAD TRANSPORT

## Meeting of the Committee

16 October 2007

Minutes (adopted on 18 November 2008)

### 1. Adoption of the agenda

The agenda was adopted, including the 12-days-rule under AOB. The meeting was chaired by Mr Sugic (workers).

### 2. Adoption of the minutes of the last Committee meeting (20 November 2006)

The minutes were adopted. It was agreed to adopt the minutes of the last steering committee meeting (5 July 2007) by written procedure.

### 3. Joint declaration on illegal employment

IRU proposed to include three minor amendments in the draft text, for instance adding "dissemination and clarification" in the third section. ETF also proposed minor corrections in the French version. The joint declaration was adopted with these minor modifications<sup>1</sup>. The English text was considered as the original version.

### 4. Presentation by the European Investment Bank

Ms Theander from the EIB ([www.eib.org](http://www.eib.org)) gave a presentation on the bank's road sector lending. The EIB representative welcomed the social partners call for European standards for rest facilities (currently, rest facilities had to fulfil national requirements). ETF and IRU were worried about the current trend to close down rest facilities, whilst the industry was not able to respect the social legislation (driving time and rest periods).

ETF proposed that the secretariats address a letter to the Commission and to the EIB in which they would request to systematically take account of the criteria agreed upon by the social partners. In addition, the Commission should be informed about the closure of rest facilities. IRU also suggested asking their respective membership to look at national criteria.

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<sup>1</sup> The final version will be available in the social dialogue texts database:

[http://ec.europa.eu/employment\\_social/dsw/actListSectors.do?sectorCode=SECT23&lang=en](http://ec.europa.eu/employment_social/dsw/actListSectors.do?sectorCode=SECT23&lang=en)

[http://ec.europa.eu/employment\\_social/social\\_dialogue/sectorial25\\_en.htm](http://ec.europa.eu/employment_social/social_dialogue/sectorial25_en.htm)

## **5. Results of the social legislation working group**

ETF repeated that the workers' side was not against cabotage per se, but was worried about unfair competition. IRU confirmed that it was difficult within the employers' organisation to come to a joint position on cabotage and posting of workers. Such a joint internal position might be achieved in the first quarter of 2008. ETF informed the employers' representatives about their Road Transport Action Day held the day before<sup>2</sup>.

## **6. Russia-EU Transport dialogue and its impact on working conditions of drivers**

ETF reported that her delegation had been received yesterday by Vice-President Barrot, who had promised to talk to the Russian transport minister next month on the long lines of trucks and cars at the Russian border, forcing the drivers to wait up to six days without appropriate sanitary and rest facilities. The problem had two aspects: the urgent need for appropriate facilities; and smoother administrative border-crossing (customs clearance, visa issuing).

Ms Ptaszynska (DG TREN/E.1) informed the meeting of the Russia-EU Transport dialogue established on 3 October 2005 which had set up five permanent working groups (see annex of the terms of reference<sup>3</sup>). An ad hoc working group on transport logistics problems would be held in Moscow in November<sup>4</sup>.

## **7. Other information by DG TREN**

The Commission representative also informed the meeting that within the context of Regulation (EC) No 561/2006, the Commission had established a Legal Working Group on the harmonized application of social rules in road transport under the auspices of the Committee on social rules in road transport. Guidance notes had been drafted by the Commission with the assistance of experts from enforcement bodies, employees organisations and industry. They provided comments on certain provisions of the Regulation with the aim to improve efficiency and effectiveness in the enforcement of these rules<sup>5</sup>.

Asked about the legal value of these guidance notes, Ms Ptaszynska said that the term "morally binding" was the most appropriate. If the guidance was not followed seriously, this would be considered by the Committee on social rules in road transport or the respective legal working groups.

## **8. Results of the TAIEX seminars in the Baltic states and future work**

The parties concluded that the seminars carried out in 2006 and 2007 had been worthwhile activities. IRU would be happy to do this kind of activity again in the new member states BG and RO. Ms Durst (DG EMPL/F.1) asked the social partners to

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<sup>2</sup> See <http://www.itfglobal.org/etf/etf-press-area.cfm/pressdetail/1621>

<sup>3</sup> [http://ec.europa.eu/dgs/energy\\_transport/international/bilateral/russia/transport\\_en.htm](http://ec.europa.eu/dgs/energy_transport/international/bilateral/russia/transport_en.htm)

<sup>4</sup> Meanwhile, the Moscow meeting in November was postponed and no new date has been set yet.

<sup>5</sup> [http://ec.europa.eu/transport/road/policy/social\\_provision/social\\_driving\\_time\\_en.htm](http://ec.europa.eu/transport/road/policy/social_provision/social_driving_time_en.htm)

receive a complete list of the seminars in order to render this important work more visible.

## **9. Work programme 2007-2008**

The work programme was adopted on 5 July 2007. The parties went through the different items to discuss priorities.

## **10. Any other business**

The parties addressed again the 12-days-rule (see minutes of the social legislation working group of 21 May 2007<sup>6</sup>). IRU informed ETF that they would lobby for reinstalling the rule. They asked ETF whether in this context, there was scope to send a joint signal to the Commission. ETF repeated the three conditions presented in May. The issue could be addressed again at the next social legislation working group.

The Commission representative announced the planning of meetings for 2008. Meanwhile, the following meeting possibilities are planned (**to be confirmed**): 7/02, 27/03, 30/04, 3/07, 30/09, **31/10 (plenary)**, and 3/12.

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[http://circa.europa.eu/Public/irc/empl/sectoral\\_social\\_dialogue/library?l=/road\\_transport/2007/070521\\_arbeitsgruppe&vm=detailed&sb=Title](http://circa.europa.eu/Public/irc/empl/sectoral_social_dialogue/library?l=/road_transport/2007/070521_arbeitsgruppe&vm=detailed&sb=Title)

Annex: List of participants 16.10.2007

<p><u>Employers</u></p> <p>Ms Antignac (AFTRI) Mr Causse (FNTR) Mr Csányi (MKFE) Mr Dekindt (UITP) Mr Gentze (BGL) Mr Henry (FNTV) Mr Kramer (TLN) Mr Larsen (DTL) Ms Maître (FNTR) Ms Pogonowska (ZMPD) Mr Salmon (CPT) Mr Usonis (LINAVAL) Ms Vasarainen (ALT) Mr Viccars (IRU) Mr Yarsley (FTA)</p>	<p><u>Workers</u></p> <p>Mr Aarestrup (3F) Mr Benjamins (FNV Bondgenoten) Mr Buenestado (TCM-UGT) Mr García Revuelta (FCT - CC.OO.) Mr Heino (ERTO) Ms Hertogs (ETF) Mr Hollerich (OGBL-Transport) Ms Klementova (OSD) Mr Lagedamon (FO Transports) Mr Maurer (OSD) Mr Parrillo (CSC TRANSCOM) Mr Peterson (Estonian Transport Union) Mr Pomajbik (OSD) Mr Rasmussen (3F) Mr Sanchez (TCM-UGT) Mr Sandholm (Swedish Municipal Workers Union) Mr Sauerstam (SEKO) Mr Schönauer (VIDA) Mr Smidt (3F) Mr Sugic (CFDT) Mr Urata (ITF) Mr Vancraeynest (FNST/CGT) Mr Weicker (FNCTTFEL) Mr Wolff (FCPT Syprolux)</p>
<p><u>European Commission</u></p> <p>Ms Durst (DG EMPL/F.1) Ms Ptaszynska (DG TREN/E.1)</p>	<p><u>Others</u></p> <p>Ms Theander (EIB)</p>