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Employment, Social Affairs and Inclusion DG

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31 October 2011

**MINUTES OF THE 21/10/11 PLENARY SESSION MEETING OF
THE CLEANING INDUSTRY SECTORAL SOCIAL DIALOGUE COMMITTEE**

Those present:

Trade union representatives:

Ms Laila Castaldo (EU)	UNI Europa
Ms Elisa Camellini (IT)	Filcams CGIL
Ms Dominique Fervaille (BE)	FGTB
Michael Haim (AT)	OGB/VIDA
Mr Jørgen Jørgensen (DK)	Serviceforbundet
Mr Antonio Moruno Vivas (ES)	U.G.T.
Ms Henriette Olofsen (Dk)	3F
Mr Owen Reidy (IE)	SIPTU
Mr Juhani Salonen (FI)	PAM
Ms Marina Tarrío Gonzalez (ES)	CC.OO.
Mr Jonsson Torbjörn (SE)	Fastighets
Ms Tarja Valkosalo (FI)	PAM
Ms Estelle Winter (LU)	OGBL

Employers' representatives:

Mr Andreas Lill (EU)	EFCI / FENI
Mr Remi Loison (EU)	EFCI / FENI
Ms Tiia Brax (FI)	KP
Mr Steven De Cleer (BE)	ABSU-UGBN
Mr Juan Dies de los Rios (ES)	ASPEL
Mr Giuseppe Gherardelli (IT)	FISE
Mr Johan Huldt (SE)	ALMEGA
Mr Mahriar Hussain (UK)	CSSA
Mr Georg Lintner (AT)	BIG
Mr Donatello Miccoli (IT)	FISE
Ms Heike Möbus (DE)	BIV
Mr Tibor Ritz (HU)	MATISZ
Ms Norma Van Den Berg (NL)	ISS Nederland B.V.
Ms Jeannette Werner (DK)	DI

External Experts:

Ms Monique Ramioul	Research Institute for Work and Society (HIVA) of the Catholic University of Leuven, Belgium
Mr Vassil Kirov	Institute for the Study of the Societies and Knowledge at the Bulgarian Academy of Sciences

European Commission/DG Employment, Social Affairs and Inclusion:

Ms Nataša Kokić
Mr Norbert Schöbel

The proposed draft agenda for the meeting was approved. The draft minutes from the last meeting were approved.

1. The “Work and Life Quality in New and Growing Jobs” (WALQING) project: Addressing quality of work and vulnerable groups in the services

The overall objective of this project, as presented by Ms Monique Ramioul and Mr Vassil Kirov is to investigate growing jobs in Europe. It also aims to identify how new jobs can reach better standards and aims to show the good practices in Europe for good quality jobs. The project covers 5 sectors where a significant growth could be registered during the last years: cleaning, catering, elderly care, construction and waste management.

This project involved stakeholders from the very beginning. 4 countries have been selected as case studies: Austria, Belgium, Norway and Spain. Research has been conducted through interviews with individuals in order to analyse working conditions in respective sectors. Reports for 3 countries (AT, BE, NO) have already been published¹. First findings underline the importance of public procurement in services, the impact of work quality and efficiency, working time arrangements, importance of combating illegal work.

As regards low wages and night time work, different views were expressed by EFCI and UNI Europa. EFCI underlined that night work was limited to a maximum of 10-12% of the whole work and that in general wages were not low. UNI Europa, however, underlined that wages were low and that many cleaning workers work part-time. It further pointed out that, although it is true that night work was not a common feature for the sector, it is very common that people work early in the morning or late in the evening. After having heard examples from the Netherlands, Austria and Belgium, it was made clear that the situation in every country is different. It was also highlighted to be precise in defining night work.

Overall, the case studies do not reflect the situation in Europe as a whole.

Conclusion: The study which focuses on 4 countries does not provide a general picture of the situation in Europe in the selected sectors. It was also underlined that good examples could serve as an objective. Social partners were informed that the final outcome of this project will be available at a later stage.

Low wages and night work remain an issue for future discussions.

2. Exchange of best practices on standards developed at national level in the cleaning sector: the example of Austria and Finland

UNI Europa member Mr. Michael Haim (OGB/VIDA) presented the Austrian practice underlining the importance of a common interest between employers and employees and of comprehensible rules for everyone. As regards the measurement of cleaning space, wages are in accordance with the cleaning surface. The measurement is easy to use for every company that uses it. It is also a solid basis for tenders.

Ms Tarja Valkosalo (PAM) presented the example from Finland. The development of the sector took off from 1972. The Finnish Association of Cleaning Technology started to make a measurement plan for cleaning work (choice of used instruments, what the premises are, how much time is enough to complete the work – time value, shelves spaces, recovery time etc). In her view, work research can only be done by people that are trained and prepared for the research in the sector. Measurement and calculation of working time is a basis for tender.

¹ Reports can be found on the following website: <http://www.walqing.eu/index.php?id=64>

During the discussion, employers from Austria agreed with Mr Haim's views. It is also visible that not every country has the same legal frame – in Spain there is a strong public procurement but the transposition of European law is different, in the Netherlands too.

It was underlined that the choice of the cheapest service has negative effects.

EFCI (Mr. Lill) concluded that tendering and the application of law depends on national authorities. Although competition law is an EU competence, it is implemented differently across Europe. The lowest price does not reflect the quality of the service. Furthermore, it would be useful to study the Austrian case.

3. The Danish example on unfair competition and the responsible contractor policy:

The example of ISS in Denmark Presentation by UNI Europa member Henriette Olofsen (3F – Denmark)

Ms Henriette Olofsen (3F) presented the example of ISS. A new collective agreement has been agreed with the introduction of certain provisions related to subcontracting. This agreement should ensure fair working conditions for workers in the cleaning industry.

She referred to a concrete case in Denmark where one school had problems with recruitment of foreign workers in terms of the respect of the minimum wage as well as the application of the Danish collective agreement. Collective agreement helped ISS to find a solution that couldn't be found before. Employers gave the possibility to Trade unions to receive a list of companies that are not using the subcontractors. EFCI (Mr Andreas Lill) underlined that Trade unions and companies had worked together and had identified the problems thanks to a provision on subcontracting in the collective agreement.

Conclusion: It is important that companies apply the same rule on subcontracting.

4. Update on the revision of the EU directives on public procurement by Laila Castaldo (UNI Europa) and Andreas Lill (EFCI)

UNI Europa (Ms Laila Castaldo) gave an overview regarding the European Directive on public procurement which is going to be revised. The last legislative proposal was in 2004, and a legislative proposal to amend the existing directive is foreseen to be presented by the European Commission on 13 December 2011. The EP report of the internal market committee will be voted at the next plenary session end of October.

In the past, the majority of contracts were awarded on the basis of the lowest base. The amended directive will hopefully focus on the best quality and not the lowest price. For the cleaning sector it is very important to have the best value for money. EFCI (Mr Andreas Lill) agreed with UNI Europa underlining that procurements should be more often at the agenda of SSDC.

Conclusion: Social partners have responsibility to follow this directive. It is planned to have a presentation of DG MARKT next year.

5. Follow-up on the on-going representativeness study for DG Employment carried out by the European Foundation for the improvement of living and working conditions

EFCI (Mr Andreas Lill) explained the state of play. Both sides – UNI Europa and EFCI members - were contacted in relation to national reports. Responses were coordinated quite well. Problems were detected in Italy and Sweden.

European Commission explained that the representativeness study should be finalised in 2012. Also, Eurofound will be invited to participate in one of the 2012 Liaison Forum meetings where social partners will have a chance to discuss all concerns related to representativeness studies.

6. Date for next meetings in 2012

Provisional dates for meetings for 2012 were agreed between UNI Europa, EFCI and the European Commission. Minor modifications are still ongoing and the final dates will only be confirmed at the end of November 2011.

7. Any other business

None.