



# The European Cross-industry Social Dialogue: *State-of-play*

# Introduction

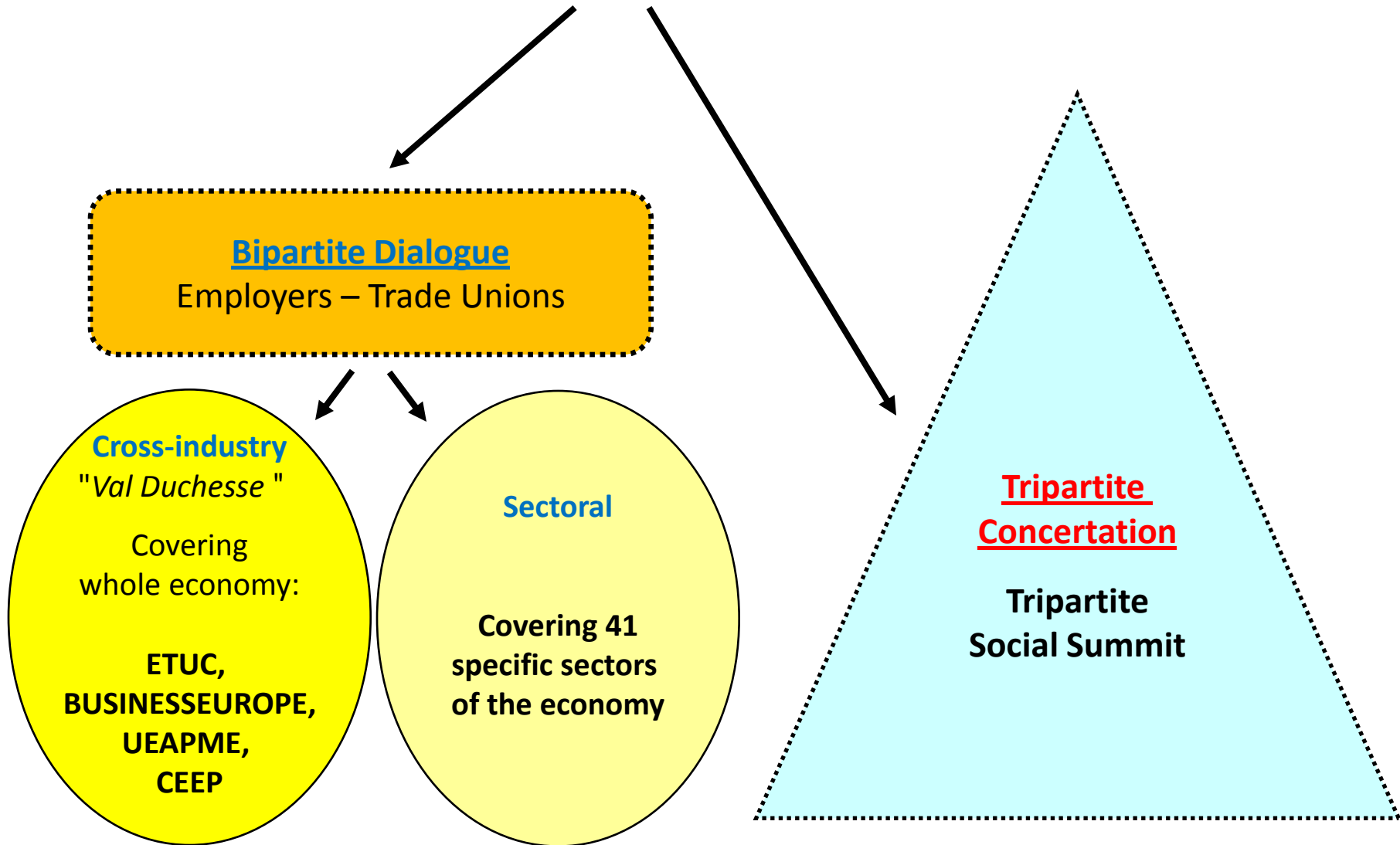
## Social dialogue:

### > A tool to ensure smooth functioning of labour markets

Three types of activities involving the social partners:

- I. **Social dialogue** designates bipartite work by the social partners, whether or not prompted by the Commission's official consultations based on articles 154 and 155 of the Treaty.
- II. **Consultation of the social partners** designates the activities of advisory committees and official consultations in the spirit of articles 154 and 155 of the Treaty.
- III. **Tripartite concertation** designates exchanges between the social partners and European public authorities.

# Bipartite and tripartite levels



# History

## Four main stages of development

**Before 1985:** Formal/informal consultations of social partners

**1985-1990:** Emergence of bi-partite social dialogue (“joint opinion period”)

**1991-2001:** Recognition of social dialogue in the Treaty and negotiations of agreements based on articles 138 and 139

**Since 2002:** Social partners re-affirm their autonomy and adopt work-programmes for social dialogue

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**(2010)** *Articles 154 and 155 of the Treaty on the Functioning of the European Union*

# Treaty provisions

## Treaty articles art. 154 and 155 TFEU

- ❖ Consultation of the social partners in the social field (definition of social field in art.153)
- ❖ Two-stage consultation (on “possible direction” and “content” of future Union action)
- ❖ Possibility to enter negotiations and to conclude an agreement replacing Union action
- ❖ Two options regarding implementation

# EU cross-industry social dialogue results

from 1996 to 2011

## 7 Framework Agreements

### 3 implemented as EU Directives:

- Agreements on **parental leave**, 14 December 1995 + 18 June 2009
  - Directive 96/34/EC of 3 June 1996
  - Directive 10/18/EC of 8 March 2010 (Directive 96/34/EC revised)
- Agreement on **part time work**, 6 June 1997
  - Directive 97/81/EC of 15 December 1997
- Agreement on **fixed term contracts**, 19 March 1999
  - Directive 99/70/EC of 28 June 1999

# EU cross-industry social dialogue results

from 1996 to 2011

## 7 Framework Agreements

**4 implemented by Social Partners:**

- Agreement on **telework**, 16 July 2002
- Agreement on **work-related stress**, 8 October 2004
- Agreement on **harassment and violence at work**, 21 April 2007
- Agreement on **inclusive labour markets**, 25 March 2010

# EU cross-industry social dialogue results

from 1996 to 2011

- **2 Framework of actions**
  - ❖ Framework of actions on the lifelong development of competencies and qualifications, 14 March 2002
  - ❖ Framework of actions on gender equality, 22 March 2005
- **Report on joint work on ECJ rulings in the Viking, Laval, Rüffert and Luxembourg cases**, 19 March 2010
- **Joint Labour Market Analysis**, 18 October 2007
- More than **50 other joint documents**: reports, recommendations, declarations, opinions, compendia of good practices, etc.



# EU cross-industry social dialogue results

## 4 Work Programmes

- ❖ 2003-2005
- ❖ 2006-2008
- ❖ 2009-2010  
*(extended 2011)*
- ❖ 2012-2014

## 5 Integrated Programmes of the EU Social Partners

- ❖ **Seminars capacity building on EU social dialogue**
  - ✓ Resource centres
  - ✓ Websites
  - ✓ Joint Translation Fund
  - ✓ Training & Mentoring
  - ✓ 2nd level trainings on social dialogue
  - ✓ Seminars on demand / Twinings
- ❖ **Study on Restructuring EU 27**
- ❖ **Study on Flexicurity**
- ❖ **Study on Climate Change**
- ❖ **Study on Social Dialogue**
- ❖ **Resource Centre 2012**
- ❖ **New Integrated Programme (upcoming)**

# Thank you!



**This presentation has been produced with the financial assistance of the European Commission.**

**The views expressed herein are those of the European Social Partners and can therefore in no way be taken to reflect the official opinion of the European Commission.**