

European cross-industry Social Dialogue

“How it works, what it brings, how we can
improve it”

European Social Dialogue Academy
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Today's discussion

General overview &
Actors

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graph TD; A[General overview & Actors] --> B[History of the EU social dialogue]; B --> C[Process]; C --> D[Results];
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History of the EU social
dialogue

Process

Results

GENERAL OVERVIEW & ACTORS

Bipartite and tripartite social dialogue

Bipartite

Employers /
Trade Unions

- **Cross industry: covering the whole economy**
- **Sectoral: 43 SSDC**

Tripartite

Employers /
Trade Unions /
EU institutions

- **Tripartite Social summit**
- **Advisory committees**

Social partners at cross-industry level



Representing European workers

Established 1973

89 member organisations in **39** countries

10 European Trade Union Federations
Eurocadres (professional & managerial staff)
FERPA (retired & older people)

45 million workers (± 44% women)

What is the ETUC?

Mission

- ✓ Actively promote and represent workers' interests in Europe
- ✓ Advocate for a European social model that enables Europe to become prosperous, competitive and inclusive
- ✓ Defend social values such as solidarity, equality and cohesion

Purpose




- ✓ Making social Europe a key priority in European policy with a focus on workers' interests and well-being for all

Pillars

- ✓ A pluralist, unified and democratic organisation
- ✓ A Congress, An Executive and a Steering committee
- ✓ An elected Secretariat
- ✓ Different interests' groups (Women, Youth, IRTUCs)
- ✓ Staff: about 50 persons
- ✓ A research institute (ETUI)

Social partners at cross-industry level

Representing European employers

 The Confederation of European Business	 The European Centre of Employers and Enterprises providing Public services	 The European Association of Craft, Small and Medium-sized Enterprises
Established 1958	Established 1961	Established 1981
41 federations from 35 countries	Enterprises and authorities from the EU, Norway and Turkey (associated members) and several European associations (individual members)	Over 80 federations (40 full members and 42 associate members)
	Public services providers employ 30% of the EU workforce	More than 12 million enterprises

What is **BUSINESSEUROPE**?

Mission

- ✓ “Actively promote and represent business in Europe”
- ✓ “Advocate a favourable and competitive business environment to foster sustainable economic growth”

Purpose

- ✓ “Influence EU policies to create a business-friendly environment”

Pillars

- ✓ Members FIRST
- ✓ Staff: about 45 persons
- ✓ Supporting network of 57 companies (ASGroup)
- ✓ Alliance for a Competitive European Industry
- ✓ European Employers Network

HISTORY OF THE EU SOCIAL DIALOGUE

History

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**

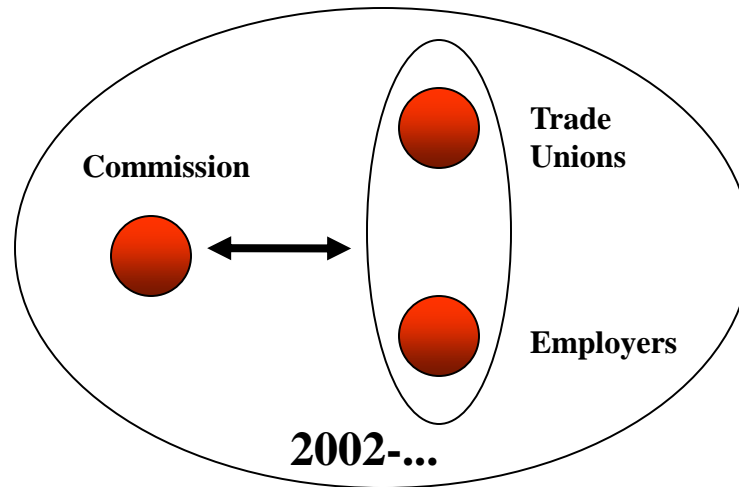
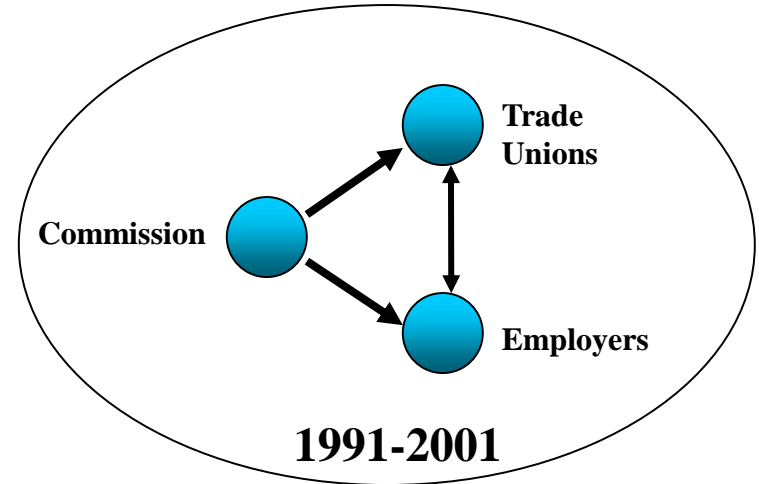
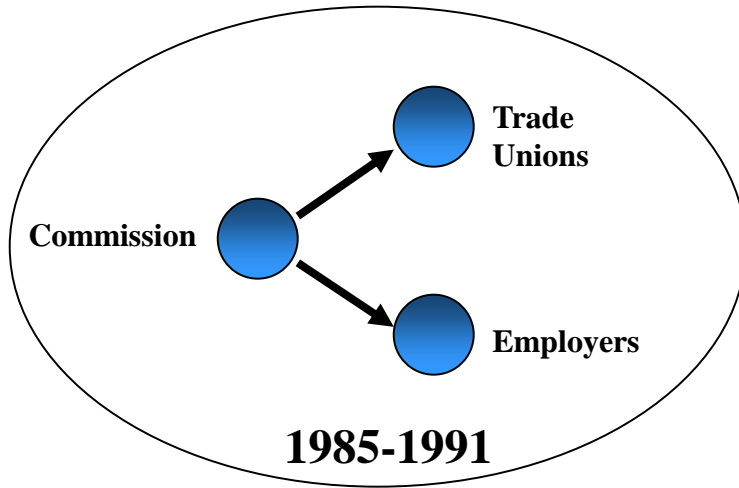
Since
2002

- **Social partners reaffirm their autonomy and adopt work-programmes for social dialogue**

2010...

- **Articles 154 and 155 of the Treaty on the Functioning of the European Union**

History



PROCESS

Process

- ❖ Consultation of the social partners in the social field (definition of social field in art.153)

Treaty articles art. 154 and 155 TFEU

- ❖ 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

First reply

“Commission consults European social partners on need for Community action” (stage 1)

Social partners have 6 weeks to prepare a reply on the need for EU action on specific issue

ETUC Secretariat prepares draft reply for consultation

Draft discussed in the relevant working group(s)

Adoption by Executive Committee or by written procedure

Reply is sent to the Commission

Second reply

“Commission consults European social partners on content of legislation” (stage 2)

Social partners have 6 weeks to prepare a reply

Decision of the Executive Committee whether to negotiate or not

NO

No negotiations

YES

ETUC prepares its decision and mandate

- ❖ Exe. Comm shall determine the mandate of the delegation for negotiations. The decision shall have the support of at least 2/3 of the member organisations directly concerned by the negotiations (art 14 of the ETUC Statutes)
- ❖ The mandate adopted collectively

Second reply

“Commission consults European social partners on content of legislation” (stage 2)

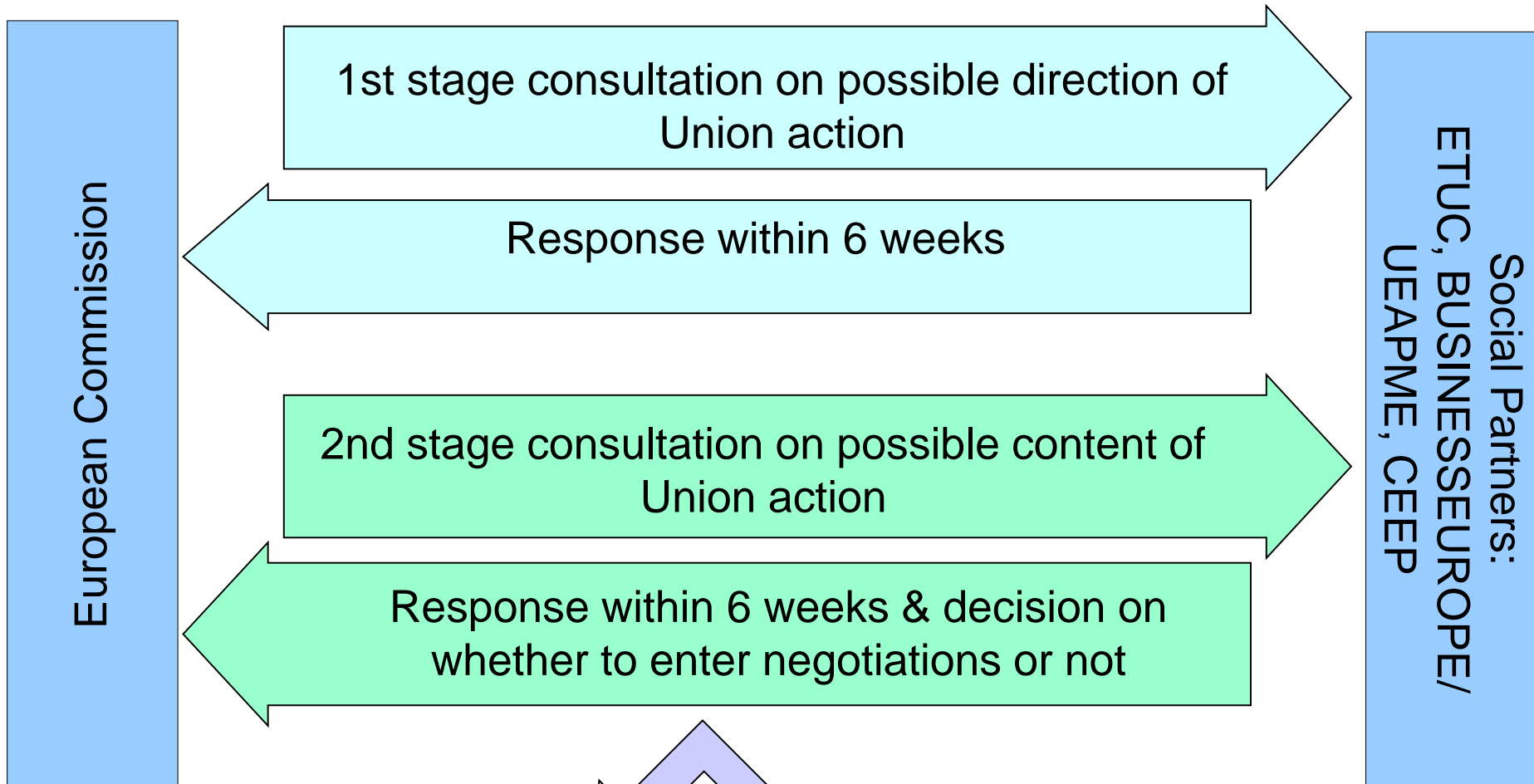
Social partners have 6 weeks to prepare a reply

ETUC and Employers exchange on respective decision to negotiate or not

If both sides have a mandate ► **Joint letter to the EC announcing negotiations**

If one side has no mandate ► **No negotiations**

Outcome is sent to the Commission



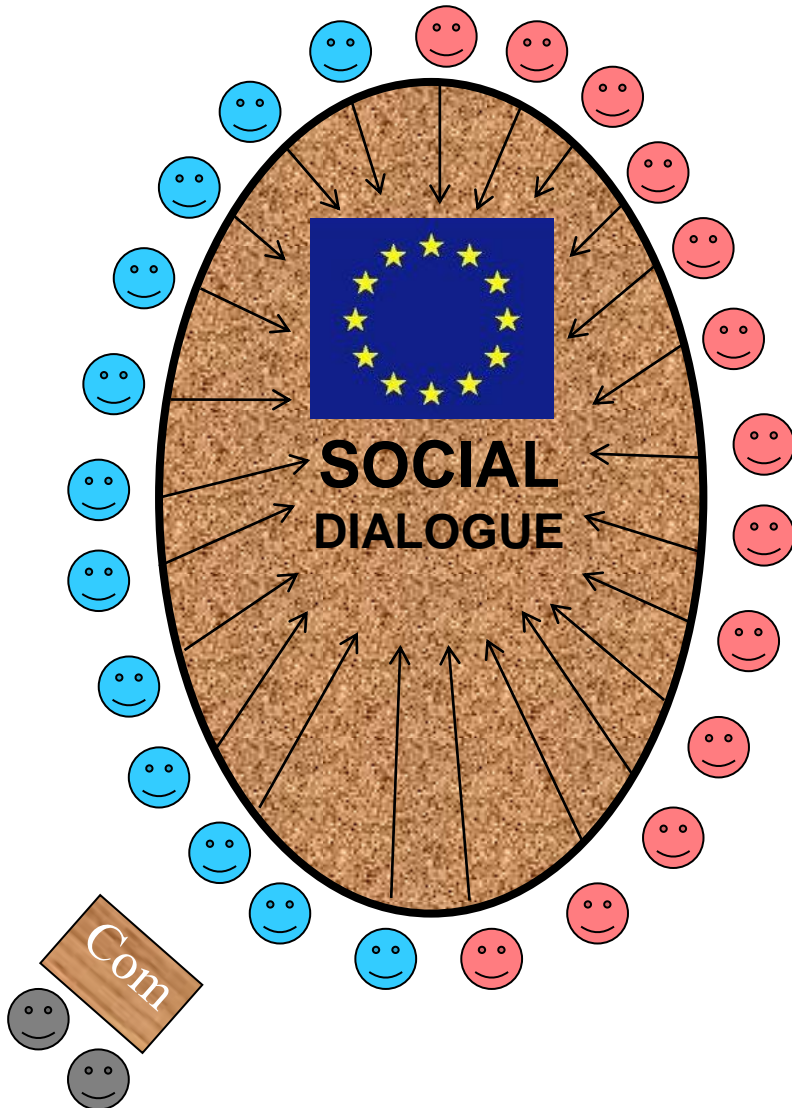
No negotiation or failure of negotiations

Adoption of Union action through normal procedures

If Negotiation

- If success, agreement replaces Union action
- Implementation through Directive or by own SP means

Negotiations



From national to Europe

Regular meetings in Brussels

Social partners from 28 EU countries

A negotiating team

A drafting group

Language: basically EN

Up to 9 months to negotiate

Review at the level of Exec Comm

Negotiations

Principles and procedure

Everybody can speak, input from each representative, prepared at home with members

Secretariat prepares basic input

Plenary meetings: both negotiator and/or other members can speak (although most often is the negotiator)

Nothing is agreed until everything is agreed

Negotiating team negotiates on the basis of its mandate. It cannot go under the mandate. If it goes beyond it is discussed by the Executive Committee

The Executive Committee is regularly informed on progress made

Negotiations

Possible outcomes

Success

- ✓ Negotiation team accepts text
- ✓ Executive Committee accepts or rejects the agreement

Failure

- ✓ Negotiation team reports that it cannot reach agreement within the mandate
- ✓ Executive Committee decides whether to ask a change in mandate or recommend to break negotiations
- ✓ Executive Committee adopts revised mandate or decides to break negotiations

RESULTS

EU cross-industry social dialogue results

- 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
- 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

Transposed
via Directive



- 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

Autonomous
agreements



Implementation by Social Partners

EU cross-industry social dialogue results

3 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
- Framework of actions on youth employment, June 2013

More than **50 other joint documents**: reports, recommendations, declarations, opinions, compendia of good practices, etc.

- Joint declaration on EU social partners' involvement in the EU economic governance (2013)
- Joint declaration on EU Apprenticeships (2013)
- Joint statement on the Europe 2020 Strategy (2010)
- Joint letter on childcare (2008)

4 joint work programmes

5 Integrated programmes (joint projects)

EU cross-industry & sectoral SD



EU sectoral social dialogue committees

Chemical

Construction

Commerce

**Horeca
Catering**

**Personal services
Cleaning industry
Private security**

**Textile/clothing
Tanning/leather
Footwear**

**Banking
Insurance**

**Agriculture
Extractive Industry
Sea fishing
Sea Ports**

**Telecommunications
Postal services**

**Temporary agency
work**

**Woodworking
Furniture
Sugar**

**Electricity
Gas**

**Live performance
Audiovisual
Professional cycling
Football**

**Steel
Shipbuilding
Automobile
Non ferrous metal
Metal sector**

**Hospitals
Local government
Central administration
Education**

**Sea transport
Road transport
Civil aviation
Inland navigation
Railways**

Bipartite and tripartite social dialogue

Bipartite

Employers /
Trade Unions

- Cross industry: covering the whole economy
- Sectoral: 43 SSDC

Tripartite

Employers /
Trade Unions /
EU institutions

- Tripartite Social summit
- Advisory committees

Tripartite concertation

In the framework of the Lisbon Strategy ...

What	Why	With whom
Macro-economic policy including structural reforms	To help devising widely supported policies	The Council: when planning, before deciding
Employment policy	To exchange views on policies	The Commission: before proposing or when implementing
Education and Training	To give advice	
Social protection		

Tripartite concertation

COUNCIL

SOCIAL PARTNERS

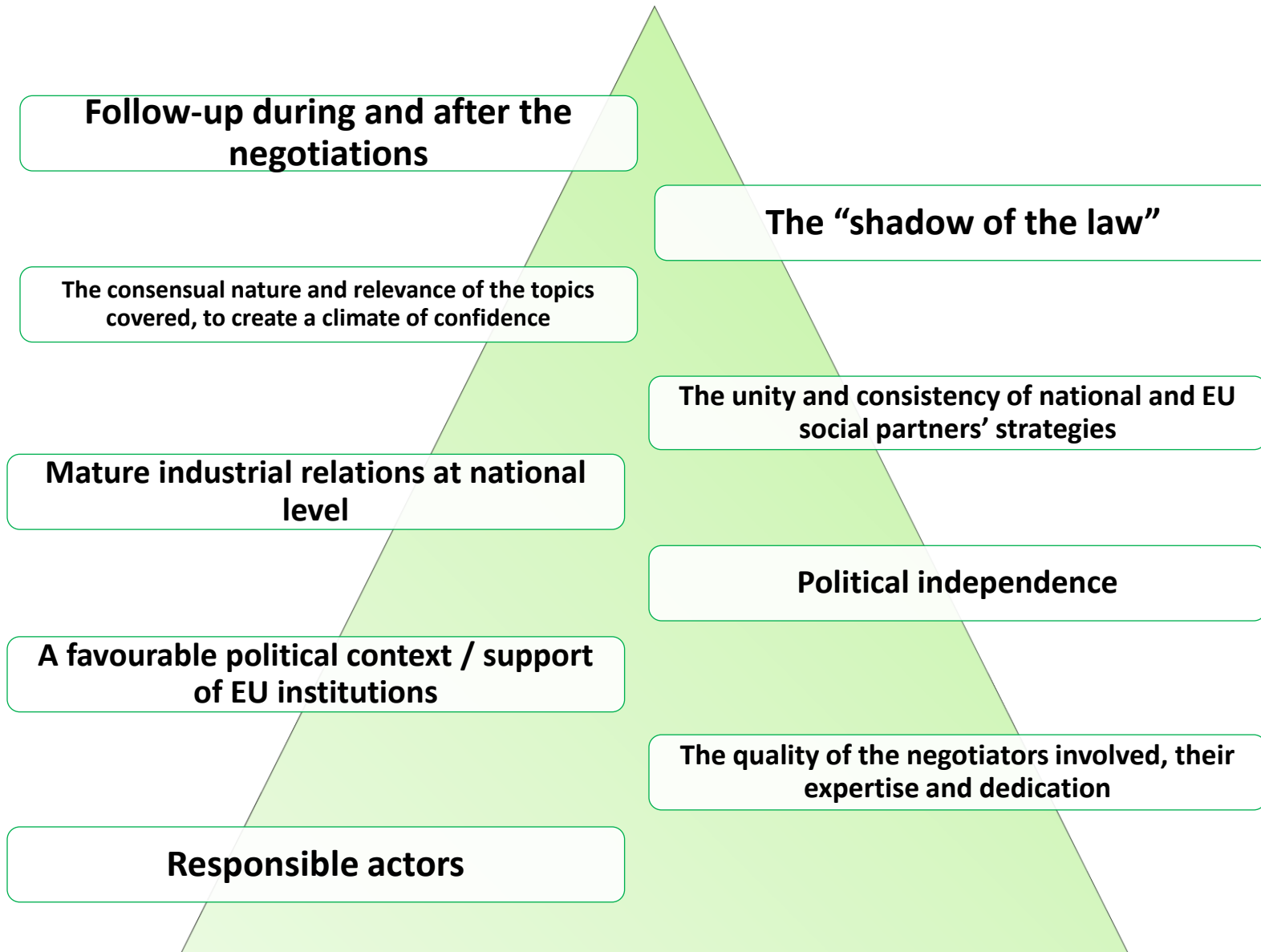
With head of states and governments:
(Tripartite social summits)

At ministerial level:
meetings with various Council formations

At technical level:
meetings with the Employment Committee,
the Social Protection Committee,
DGVTs etc.

THE IMPORTANCE OF THE EU SOCIAL DIALOGUE

EU social dialogue driving forces



The Voice of European Workers

Thank you for your attention!

European
Trade Union
Confederation

Confédération
européenne
des syndicats

Website and texts:

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