

Recommendations and action plan on social dialogue in the EU 13 and Candidate countries

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General background

The implementation of capacity building activities aimed to increasing and improving the participation of social partners from the EU 13 and candidate countries to European sectoral social dialogue meetings, activities and projects is, since several years a priority for EuroCommerce and UNI Europa Commerce. More specifically, activities in this field are aimed at developing and strengthening partnerships and mutual trust between social partners organisations involved in the European Social dialogue and/or in other EU activities in particular for those who started to participate recently or have not yet been involved.

The starting point for joint activities could be summarized in the following two points:

- **Limited participation of social partners** from New Member States in EUROPEAN SECTORAL SOCIAL DIALOGUE due to the weaknesses on the national level
- Need for **a new culture of social dialogue in New EU Member States and candidate countries**, building mutual trust and commitment of social partners to jointly design and implement a social dialogue agenda on the issues of common interest in the sector at national and EU level

With these objectives, they have implemented in 2011 separate capacity building projects in partnership with the Training Centre of the International Labour Organisation (ITC-ILO). In early 2014, they have completed a joint project entitled "Promoting capacity building and improving social dialogue in the commerce sector for social partners and members' organisations in new Member States and candidate countries". This activity consisted in four regional workshops and a final conference which took place in February 2014 and which was attended by 54 participants and experts.

With the following, EuroCommerce and UNI Europa Commerce would like to summarize the conclusions of their recent activities in new EU Member States and candidate countries, agree on joint recommendations and delineate joint follow up actions to be included as priorities for future activities and cooperation in this area.

1. Conclusions and recommendations of the project

During the final conference of the capacity building project, the following main conclusions were drawn:

- National Governments should protect, promote and facilitate social dialogue at all levels; strengthen the principles of participatory democracy and build consensus on social and economic issues
- The tripartite social dialogue requires consolidation of national tripartite bodies (Economic and Social Councils or equivalent) by adding content and delivering power to existing institutional forms,
- Social partners in the commerce sector should play an advisory role towards their national respective governments and Parliaments and should be involved in legislative process through consultation, they should make recommendations to the governments and thus be involved in the country's economic and social policy decision-making process
- It is necessary to implement research, surveys, gather data and when possible draft joint analyses on the less consensual issues with a specific impact on the commerce sector;
- Where feasible, social partners should establish sectoral social dialogue committees for commerce at national level; increase sectoral bargaining and bargaining coverage with a view to improve sectoral standards in commerce. Political will, building trust and confidence among social partners should generally be improved at all levels (company, national, sectoral when relevant);
- National social partners should believe in social dialogue as a means of achieving results for the benefit of business and workers in the commerce sector. The diversity of industrial relations systems in the EU 13 and candidate countries shall be recognised and taken into account in the European Social Dialogue working

programme to enable those countries to better participate in the ESD as well as to implement results at national level.

2. Social Partners Recommendations on EU 13 and candidate countries

Further to the conclusions of the above mentioned project, the European social partners social partners recommend to their members to:

- increase representativeness, strengthen membership base on both employers and trade union side, especially by strengthening sectoral level social partners organisations and their commitment to bargain collectively; increase full-time professional staff including staff fluent in foreign languages as far as possible
- introduce more research and expertise by facilitating access to EU/national and regional funds in cooperation with universities, labour institutes etc.
- improve communication, knowledge-sharing and dissemination of information at all levels from employers and trade union organisations;
- implement systematic education of managers/trade union representatives on EU related issues including EU policy with an impact on the commerce sector and EU funding relevant for social partners
- Maximize benefits of international cooperation and in particular to take part to the sectoral social dialogue at European level to favour further expansion and efficiency
- adopt a pro-active approach and to take joint initiative towards their governments as relevant.
- Discuss labour law reforms in joint consultation and strive to increase legal certainty and improve labour rights by appealing on national governments ;
- Promote and foster social dialogue and collective bargaining as a mean to improve the quality of employment in the commerce sector
- Strengthen the role of UNI Europa and EuroCommerce as the recognized social partners at EU level and their representativeness in the new Member States and candidate countries.

3. Actions to be taken by the European social partners to support their member organisations in the EU 13 and Candidate countries

EuroCommerce and UNI Europa will:

Joint lobbying and support lobbying activities of UNI Europa and EuroCommerce's members

- Organize targeted meetings with the newly elected Members of the European Parliament of the EU 13, in consultation and with prior discussion with relevant UNI Europa and EuroCommerce's members' organisation to sensitize them to the importance of social dialogue in the commerce sector at both national and EU levels and raise awareness on commerce related issues;
- Support national social partners actions towards their governments with joint letters as relevant to ensure social partners are involved on issues such as: labour law reforms, introduction of new laws or revisions of existing laws with an impact on the commerce sector(to be decided on a case-by-case approach);

Promotion of EU sectoral social dialogue

- Jointly monitor and encourage the participation of EU 13 representatives to the activities of the sectoral social dialogue for commerce as much as possible taken into

account and seeking solutions for the technical and organisational difficulties which might arise;

- Favour the participation of members of the EU 3 and candidate into global sectoral activities organised by the ILO
- Jointly encourage and monitor the implementation of the social dialogue outcomes in the EU 13;

Support for EU funding and expertise

- Provide them with advice, experts and expertise to enable them to present joint or separate project activities to be implemented with the financial support of the European Commission: European Social Fund, Industrial Relations and Social Dialogue Budget headings, other EU financial tools, etc.;
- Implement in a near future a research project aimed to gather data and evidence on industrial relations and social dialogue in the commerce sector at all levels, included some good practice cases with the financial support of the EU Commission;

Facilitation of meetings/round tables and exchanges at national level

- Organize specific and tailor made activities for their members in EU 13 and candidate countries in close cooperation with the organisations of the concerned countries. The format of the activities will be adapted according to the specificity of national situations and will include tripartite activities when relevant;
- Ask the Commission to provide assistance (training activities, funding for specific projects, etc.) to the governments of the countries facing major difficulties in the implementation of the EU social acquis.
- When the cooperation of the social partners at national sectoral level is too difficult or doesn't exist due to the specificities of the national industrial relations systems, the European social partners will promote and facilitate their participation in their thematic EU funded projects (skills councils, youth employment, health and safety at workplace) and recommend them to raise awareness on those issues in their countries. Social dialogue is owned by national parties in the countries and therefore European Social partners cannot intervene. European Social partners can, upon request from either party on national level, be supportive in building social dialogue capacity where such system does not yet exist or needs initial support.
- Continue to advocate for the freedom of association, social dialogue and the promotion of collective bargaining systems by attending, when feasible, national events and conferences organised by social partners
- Facilitate bilateral exchanges and cooperation between trade unions and employers' representatives from among UNI Europa and EuroCommerce members' organisations

4. Dissemination, monitoring and follow-up

- A copy of this text will be sent to various Commission's services, Members of the European Parliament, governments and social partners of the EU13 and candidate countries
- Social partners of the concerned countries are requested to support the dissemination of this text at local and company level
- The social partners will evaluate these recommendations during the Plenary Sessions of the social dialogue through a specific questionnaire sent to the concerned countries in due time with a view to assess and, if necessary, adjust joint actions to the real needs of members' organisations.
- This text will be re-assessed and if relevant reviewed at the end of 2015;
- Social partners will take this text into account while elaborating their next work programme.