

# Social Dialogue European level

*Budapest 21 February 2011*

# Several levels

Inter-sectoral  
Macro-economic  
Sectoral  
Company (EWCs)

# A Strong institutional recognition

20 years of European  
Social Dialogue  
ans de dialogue  
social européen

New Treaty –  
article 152

## ART 154 of the Treaty

The Commission has a responsibility to promote consultation of the social partners at community level and to take every useful measure to facilitate their dialogue,

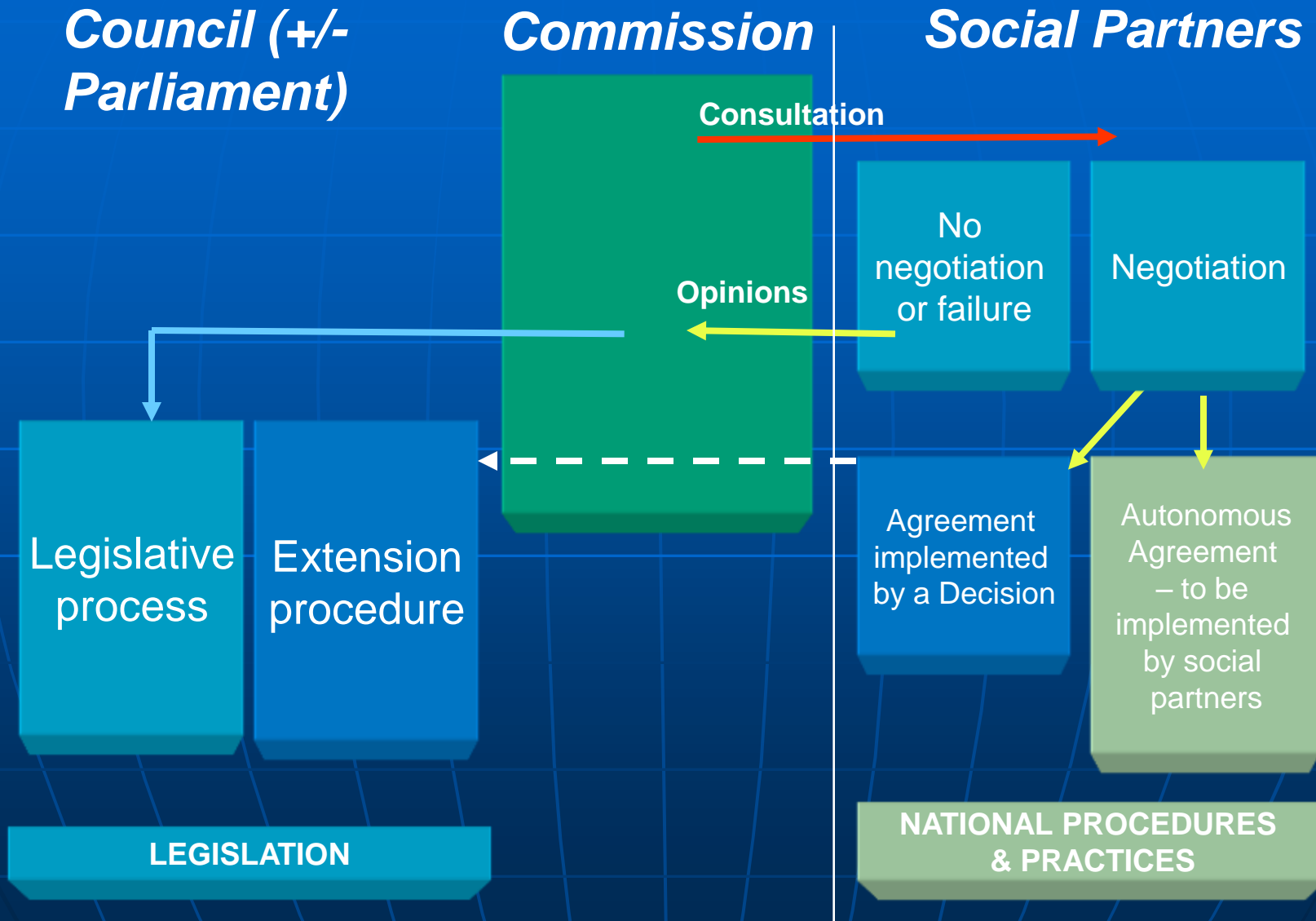
[Consultations]

## ART 155 of the Treaty

Should management and labour so desire, the dialogue may lead to contractual relations, including agreements

[Negotiations]

# Mechanisms of the social subsidiarity



# The European social partners



**General cross-industry organisation  
&  
Cross-industry organisations representing  
certain categories of workers or undertakings**

**ETUC, BusinessEurope, CEEP,  
UEAPME, CEC, Eurocadres**

**Specific organisations  
Eurochambres**

**Sectoral organisations representing employers  
Eurelectric, Eurogas, POSTEUROP,  
COPA, HOTREC, FBE, ...**

**&  
European trade union organisations  
UNI-Europa, EPSU, EFFAT, EMF...**

**European**

**Capacity to act in a  
voluntary way**

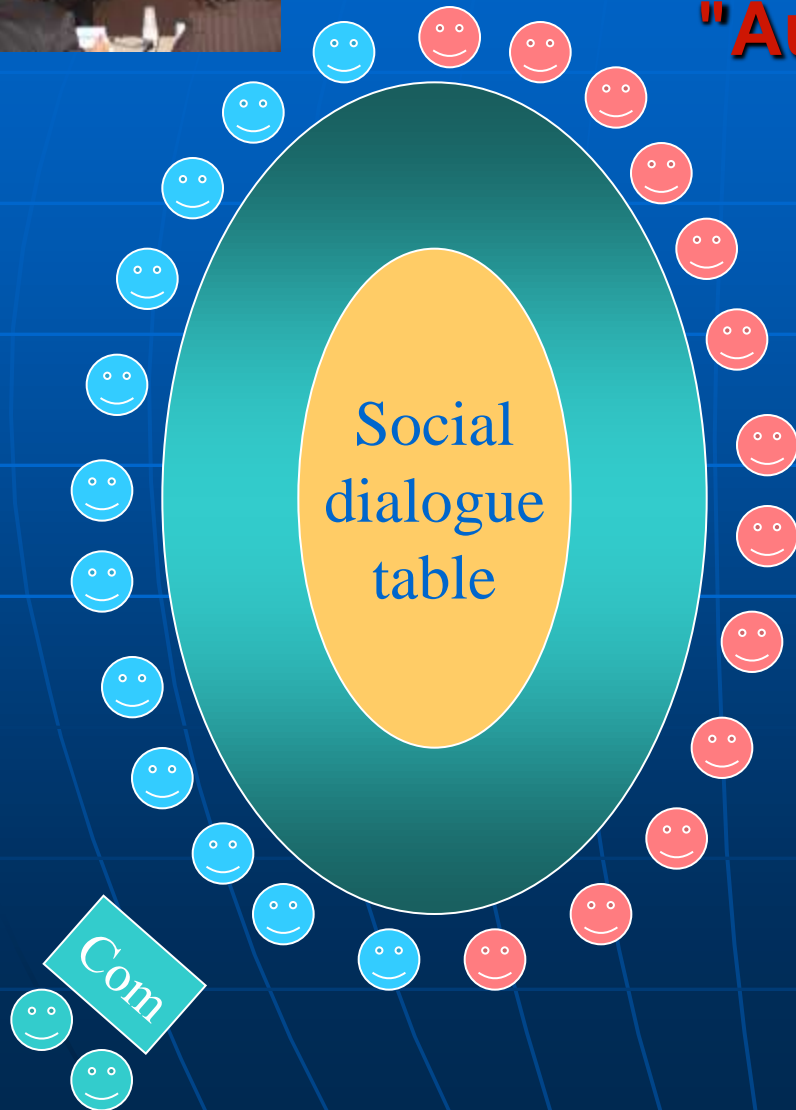
**Being composed by national  
organisations recognised  
as social partners**

**Adequate structures**

# How does it work?



## The social partners "Autonomy and responsibility"



- **Decide on the rules of procedure of their dialogue** (Objectives, Preparation, Presidency...)
- **Decide on the level and rhythm of their dialogue** (Number and type of meetings)
- **Decide on the content of their dialogue** (Agenda of the meetings)
- **Decide on the outcome of their dialogue**

# The Charter of Fundamental Rights

- Article 12 : Freedom of assembly and of association

*“Everyone has the right to freedom of peaceful assembly and to freedom of association at all levels, in particular in political, trade union and civic matters, which implies the right of everyone to form and to join trade unions for the protection of his or her interests.”*

# The Charter of Fundamental Rights

- Article 27 : Workers' right to information and consultation within the undertaking

*“Workers or their representatives must, at the appropriate levels, be guaranteed information and consultation in good time in the cases and under the conditions provided for by Union law and national laws and practices”.*



# The Charter of Fundamental Rights

- Article 28 : Right of collective bargaining and action

*“Workers and employers, or their respective organisations, have, in accordance with Union law and national laws and practices, the right to negotiate and conclude collective agreements at the appropriate levels and, in cases of conflicts of interest, to take collective action to defend their interests, including strike action”.*

# Consultations (examples)

- Carcinogens, mutagens and reprotoxic substances
- Musculoskeletal disorders
- Active inclusion
- European Works Councils
- Needlesticks Injuries
- Electromagnetic fields and health and safety
- Working Time

# 7 Agreements implemented by Council decision

1. Framework agreement on parental leave, 1995
2. Framework agreement on part-time work, 1997
3. European agreement on the organisation of working time of seafarers, 1998
4. Framework agreement on fixed-term work, 1999
5. European agreement on the organisation of working time of mobile workers in civil aviation, 2000
6. Agreement on certain aspects of the working conditions of mobile workers assigned to interoperable cross-border services, 2005
7. Agreement on the maritime labour convention, 2008
8. Protection of workers against sharp injuries in hospitals and Healthcare (2009)

# 5 Autonomous Agreements



- Framework agreement on **telework**, 2002
- Agreement on the European licence for drivers carrying out a **cross-border interoperability service**, 2004
- Agreement on **Stress** at work, 2004
- Social Dialogue Agreement on Crystalline **Silica**, 2006
- Harassment and **violence** at work, 2007

# Macro-economic level

- European intersectoral social partners with European Commission, European Central Bank, Presidency, Economic Policy Committee, Employment Committee
- More important with the European Semester – Annual growth survey ?
  - Dialogue with the Euro-Zone Ministers ?

# Sectoral level

- Electricity employers and trade unions

# 35 Sectoral Committees

Sea transport  
Road transport  
Civil aviation  
Inland navigation  
Railways

Agriculture  
Extractive Industry  
Sea fishing  
Sea Ports

Construction

Woodworking  
Furniture  
Sugar

Personal services  
Cleaning industry  
Private security

Textile/clothing  
Tanning/leather  
Footwear

Banking  
Insurance

Commerce

Telecommunications  
Postal services

Temporary agency  
work

Horeca  
Catering

Electricity  
Gas

Live performance  
Audiovisual  
Professional cycling  
Football

Steel  
Shipbuilding  
Automobile  
Non ferrous metal  
Metal sector

Hospitals  
Local government  
Central administration  
Education

Chemical

## Electricity: A sector in evolution

### Electricity-related legislation:

(non-exhaustive list)

- Nuclear Safety (1958 →)
- Internal Market (1996 →)
- Promotion of Renewable Energy (2001 →)
- Reduction of Carbon Emissions (2003 →)
- Energy Efficiency (2004 →)
- Security of Supply (2005 →)
- Transport (2009 →)



# JUST TRANSITION

Electricity Industry is a sector changing

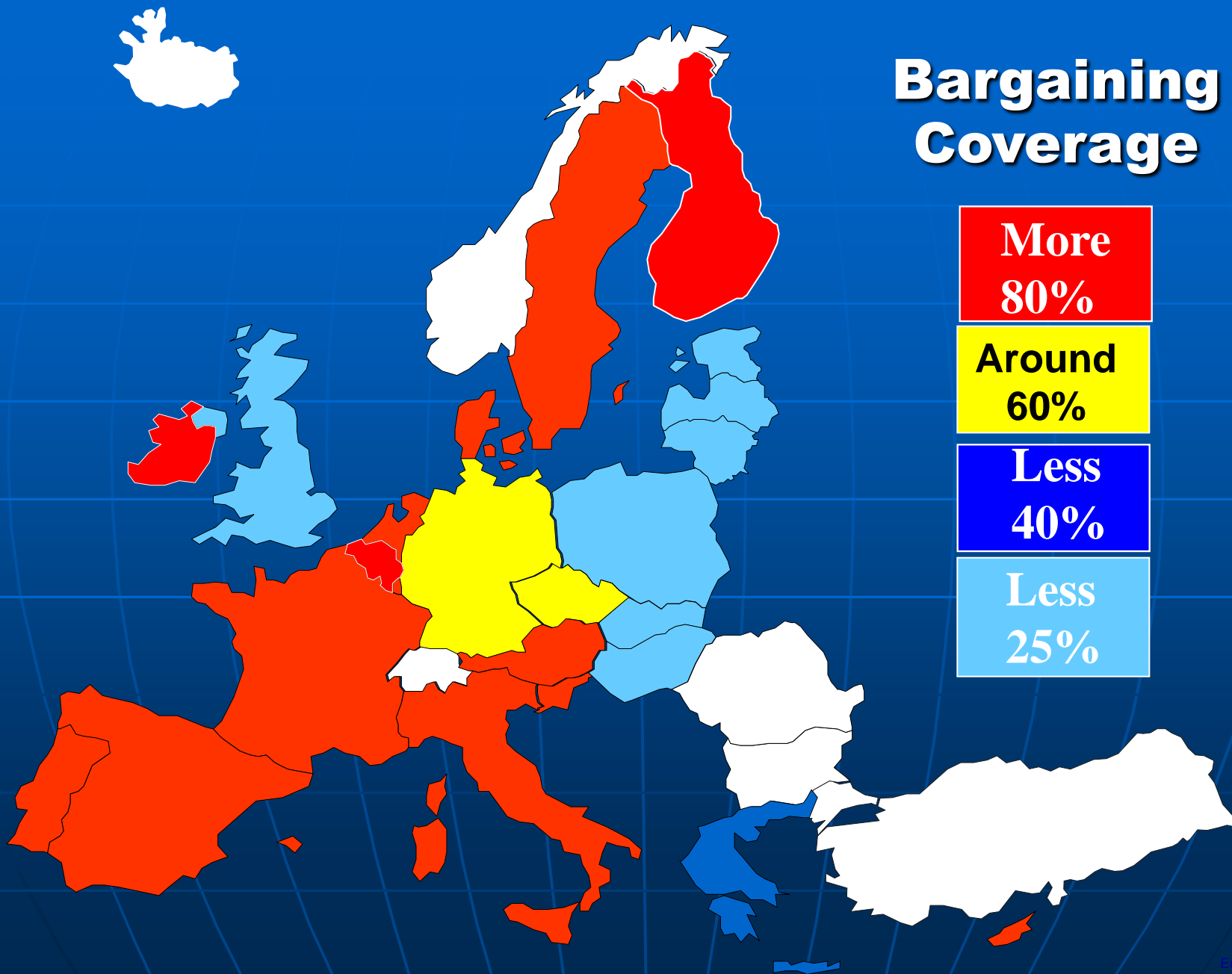
- *Internal market* – competition, break up of companies, ownership changes, multinationals, SMEs
- *Regulatory changes* – European level, new agencies
- *Global warming* - Emission Trading, Renewables,
- *New technologies* – Smart grids, smart meters, electric cars, new ways of producing electricity (wind, solar, tidal, wave, bio-mass, clean technologies, CCS, new generation nuclear...)
- *European blue-prints* – Supergrid N-S, E-W, links with Neighborhood countries
- *Investment* – over 1.700.000.000.000 Euros in next 20 years
- *Demographic Change* – Ageing work force – next 5-10 years

Impact on Jobs, Skills, Working conditions

# Social Dialogue & Management of Change in the Electricity Sector

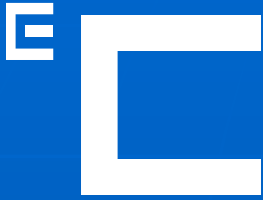
- 2011?? Joint positions on Just Transition ? Skills and Qualifications ? Energy Road Maps 2050 ?
- 2010 Joint Position on introduction of smart meters
- 2009 Joint Position on the social aspects of Corporate Social Responsibility
- 2008 Toolkit + Best Practices Guide on Restructuring & Toolkit on the management of Demographic Change
- 2007 Joint Declaration on employment effects of the opening of gas & electricity markets
- 2005/2006 Report + Toolkit + Best Practices Guide on Equal Opportunities & Diversity
- 2004 Joint Report on the Future Skills Needs
- 2002 Joint Report on Lifelong learning
- 2000 Joint Declaration on Social Implications of the Internal Electricity Market

# Bargaining Coverage



# Company level

- European Works Councils
- Transnational Company agreements

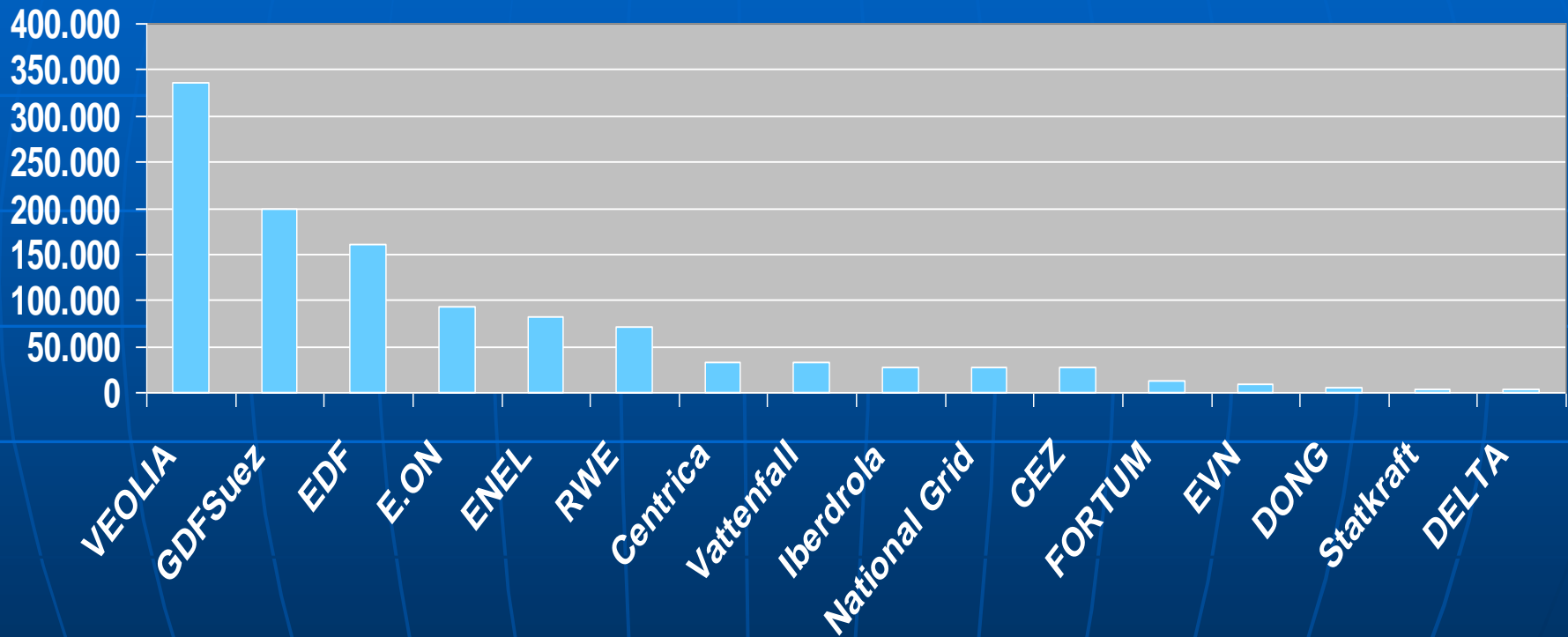


RWE



# Key Characteristics

## Employees (2009)



<b>COMPANY</b>	<b>Country</b>	<b>State of Affairs</b>
<b>Veolia</b>	<b>France</b>	EWC
<b>GdfSuez - Electrabel</b>	<b>France</b>	EWC
<b>RWE</b>	<b>Germany</b>	EWC
<b>EON</b>	<b>Germany</b>	EWC
<b>EON Trading SE</b>	<b>Germany</b>	EWC
<b>ENEL (Endesa)</b>	<b>Italy</b>	EWC
<b>Vattenfall</b>	<b>Sweden</b>	EWC
<b>EDF</b>	<b>France</b>	EWC
<b>EVN</b>	<b>Austria</b>	EWC
<b>Statkraft</b>	<b>Norway</b>	EWC
<b>CEZ</b>	<b>Czech Republic</b>	EWC
<b>Delta</b>	<b>Netherlands</b>	EWC
<b>Fortum</b>	<b>Finland</b>	EWC
<b>Elia</b>	<b>Belgium</b>	exploration
<b>Verbund</b>	<b>Austria</b>	exploration
<b>Iberdrola</b>	<b>Spain</b>	discussion
<b>Dong</b>	<b>Denmark</b>	exploration
<b>Tennet</b>	<b>Netherlands</b>	exploration

# the legal framework

## ■ definitions

### ◀ "information"

- ▼ transmission of data
- ▼ get acquainted with the subject matter and examine it
- ▼ at such time, in such fashion and with such content as are appropriate
- ▼ undertake an in-depth assessment of the possible impact
- ▼ prepare for consultations

### ◀ "consultation"

- ▼ at such time, in such fashion and with such content as to enable
- ▼ to express an opinion about the proposed measures
- ▼ which may be taken into account
- ▼ without prejudice to the responsibilities of the management



- New Development: Transnational Company agreements
- Rules in EPSU on mandates/decisions
- Examples: CSR in Gdf; ongoing in GdfSuez on equality