

COMMISSION OF THE EUROPEAN COMMUNITIES

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IMPROVEMENT OF RELATIONS WITH THE SOCIAL PARTNERS IN THE CONTEXT OF THE TRIPARTITE CONFERENCES

(Communication from the Commission to the Council)

**COMMUNICATION FROM THE COMMISSION TO THE COUNCIL ON IMPROVING
RELATIONS WITH THE SOCIAL PARTNERS**

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Annex I : Extract from the Council Decision of 20 January 1975.

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I. INTRODUCTION

1. The social partners wish to participate more fully in the economic and social decisions of the Community led the Community institutions to convene the Tripartite conferences so that the principal problems confronting the Community could be discussed together. The European Council of 12 and 13 March 1979 confirmed the importance of such dialogue between labour and employers' representatives and the Community.
2. The Tripartite conference can therefore provide a privileged forum for dialogue, joint action and consultation between the Commission, the Council (or, where appropriate, the representatives of the governments of Member States) and the social partners. A consensus of opinion can thus be reached on Community action strategies to achieve major policy objectives such as growth and the fight against unemployment. They could also be the place where those concerned could evolve the main lines of agreement on Community level actions.
3. The European Trade Union Confederation considered the proceedings of the Tripartite conference of 9 November 1978 disappointing. When their Executive Committee met on the day after the Conference, it criticized the lack of concrete results in the conclusions drawn by the Chairman at the end of the meeting, and adopted the following position :

"(...) the European Trade Union Confederation should not agree to take part in another Conference prepared and organized along the lines of the one held in 1978.

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(...)

This is the reason why the Executive Committee has decided that it must reconsider the fundamental role and nature of future Tripartite conferences, by envisaging other methods of influencing decisions and other methods of promoting the interests of workers in Europe".

The European Council, which met in Brussels on 4 and 5 December 1978, was informed of this position by a delegation from the E.T.U.C., which met the Chairman of the European Council.

II. TASKS ASSIGNED BY THE EUROPEAN COUNCIL

4. The European Council of 4 December 1978 expressed the hope that European-level contacts with the social partners would be maintained and invited the Council (of Ministers for the Economy and for finance, and of Ministers for labour and social affairs) to study the social partners' proposals for improving the working methods of the Conference, with a view to reaching agreement.

The Ministers for labour and social affairs had a preliminary exchange of views on the subject at their informal meeting on 9 and 10 March.

The European Council, which met on 12 and 13 March, having first pointed out the importance of consultation with the social partners at national and Community level, "noted with satisfaction the intention of the Ministers for social affairs to take the necessary measures to improve the work of Community tripartite meetings between workers' and employers' organizations and the Community".

III. POSITION OF THE SOCIAL PARTNERS

a) Position of the European Trade Union Confederation

5. In a letter to the Commission dated 28 February 1979, the President of the European Trade Union Confederation stated that this Executive Committee would not consider taking part in any future Tripartite conference until the conditions listed below had been fulfilled:

"- The themes of Tripartite conferences should first be discussed by all parties involved;

- the European Commission would be responsible for drawing up a document containing an analysis and firm proposals which would be submitted to the social partners and the Council of ministers in good time;

- the Council of ministers would adopt a position on the Commission proposals. If necessary, in order to form an opinion, the Council could consult the social partners before adopting its final position;

- at the plenary meeting, the spokesman for the two sides and the representatives of the governments would speak in defence of their theses.

The representatives of the governments would then act in their capacity of Council members and as such, submit a proposal for a final Statement.

The proposal for a Statement would be submitted to the Tripartite conference which could accept, amend or reject it. It should also be possible to be in favour or opposed to certain paragraphs.

- a press conference, convened immediately after the Conference, would enable the Chairman of the Conference and the social partners' spokesmen to present their conclusions;

- given this procedure, it would be necessary for a Tripartite conference of this type to be held for at least two days".

Furthermore, the Executive Committee of the E.T.U.C. emphasises the need to improve the operation of the Standing Committee on Employment at the same time.

b) Position of the Union of Industries of the European Communities

6. The Commission has also been in touch with the Union of Industries of the European Communities. Although it does not yet have any definite proposals on improvements in the working methods of the Tripartite conferences, it also feels that it would be advisable for :
- the Council to take part and to adopt a position as an institution of the Community on the matters under discussion, both in the Tripartite Conference and in the Standing Committee on Employment;
 - the social partners to be consulted in a more systematic way than formerly in deciding the conclusions of the Tripartite conference or of the Standing Committee on Employment.

IV. COMMISSION OPINIONS AND SUGGESTIONS

7. In the light of the talks between the Ministers for labour and social affairs and following contacts with the social partners, the Commission proposes that the Tripartite conference should be run on the following lines :
- a) Composition of the Conference
8. As regards the composition of the Tripartite conferences, up to now the Council has pragmatically decided to allocate the same total numbers of full and alternate representatives to the organizations of the social partners, as the total allocated in the Decision setting up the Standing Committee on Employment, as amended on 20 January 1975. Thus, the number of representatives of the Employers' and workers'

organizations totals fifty-four (thirty six full and eighteen alternate members), the employers' group and the workers' group having an equal number of full and alternate representatives (the composition of the delegations is attached at annex).

The Commission considers it advisable to maintain this composition of the Conference, based on that of the Standing Committee of Employment .

In addition, eighteen representatives of the governments of Member states and three Commission representatives will take a general part in the work. Thus there are 75 participants in the Conference.

The actual members participating in the Tripartite Conferences are moreover noticeably greater than at sessions of the Standing Employment Committee : not only are the actual government delegations larger, but in addition the social partners organisations generally demand that a significant number of supplementary observers should be present.

b) Proposed procedure

9. In view of the above, the Commission proposes that Tripartite conferences should in future follow the procedures described below :
10. The subject of the Tripartite conference should be adopted by the Council after consultation with the Commission and the social partners. The subject should in principle be chosen at least six months before the Conference. The Standing Committee on Employment and the Economic policy Committee could carry out in-depth studies on certain subjects chosen by the Council.
11. The Commission should also draw up draft conclusions which it would forward to the parties present at the Conference. The Commission, the Council - or, where appropriate, the representatives of the Governments of Member States - and the social partners would adopt their respective position and inform the Chairman who, in conjunction with the Commission, would prepare his draft conclusions for ultimate forwarding to the Tripartite Conference.

12. During the Conference, each party; namely the Council - or the representatives of the Member states -, the Commission and the social partners, would notify its opinion of the draft conclusions. The Chairman would then study, with the representatives of the parties concerned, the amendments to the conclusions he presented to the Conference that should be made in the light of the discussion. The final text would be adopted by the Conference. If necessary, it will include comments made by parties to the Conference.
13. Each party should contribute to implementing the conclusions thus adopted, in accordance with its structures and its responsibilities.
14. The Commission will prepare the proposals or suggestions which it considers appropriate in order to implement the conclusions.

Depending on their nature, the proposals or suggestions could be addressed either to Community institutions or to bodies for dialogue and joint action, or to the organizations of the two sides of industry.
15. Reports could be drawn up by the parties concerned, on the fulfillment of commitments for consideration, as appropriate, by the Economic policy Committee and the Standing Committee on Employment or, possibly, at the next Tripartite conference.

c) Additional comments

16. This communication makes several references to the Council. At recent Tripartite conferences, the Council was represented by the Ministers for Labour and Social Affairs and the Ministers for Finance and Economic Affairs. It is possible that other Ministers will take part in the Conferences, depending on the subject under discussion.

17. It is stated in paragraph 10 that preparatory work for the Tripartite conference could be given to the Standing Committee on Employment or the Economic policy Committee. However, attention should be drawn to the different structure of the two bodies, the Committee on Economic policy being composed of senior officials whose role is to give opinions to the Commission and the Council of Ministers. Because of this, the Committee in its present structure cannot constitute a forum for political discussion between the Council and the social partners, whereas this is possible within the Standing Committee on Employment where Ministers have seats.
18. In paragraph 14, it is stated that each of the parties concerned, including the Council, should make known its opinion of the draft conclusions. If the Council approves this procedure, it would be useful to examine whether it would not be advisable for the country which holds the office of President of the Council to appoint one of its Ministers to the Chair of the Tripartite conference, the other Minister acting on behalf of the Council.
19. The proposed procedure will probably mean a two-day Conference, to enable discussions to take place without haste and with all possible cooperation.
20. For maximum effectiveness of the Conference, it would be extremely desirable for bilateral talks to be held between the social partners at Community level.

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CONCLUSIONS

The Commission hopes that the Council will adopt a position on the procedures proposed in this Communication which are the subject of the attached draft Resolution. On this basis, the President of the Council, in close cooperation with the Commission, could consult the social partners with a view to presenting a report at the forthcoming meeting of the European Council.

To this end, the Commission considers that it would be appropriate to establish agreement within the Council on the following points :

1. The Council considers that improvement in the working methods and organisational procedures of the Tripartite Conferences should be based on the following guidelines :

- a) The subject matter of Tripartite Conference shall be chosen by the Council after consultation with the Commission and the Social Partners. The subject shall be chosen at least six months before the Conference. The Standing Committee on Employment and the Economic Policy Committee may be entrusted with the study of certain preparatory themes for the Tripartite Conference. The Commission shall be responsible for drawing up a working document for the Tripartite Conference based on the subject chosen by the Council
- b) The Commission shall also prepare draft conclusions which it shall forward to the other parties present at the Conference. The Council (or, in appropriate cases, the representatives of the Member States Governments) and the Social Partners shall adopt their positions and communicate them to the Chairman who shall draw up the draft conclusions in conjunction with the Commission and forward them to the Tripartite Conference;
- c) Once each party - Council, Member States, Commission and Social Partners have submitted their opinions on the draft conclusions during the Conferences, the Chairman shall, together with the representatives of the parties concerned, consider the amendments to be made, in the light of the discussions, to the conclusions presented to the Conference. The final text of the conclusions shall be adopted by the Conference. It shall, where necessary, be accompanied by observations made by the parties to the Conference.
- d) Each party shall contribute to the implementing of the conclusions thus adopted, in accordance with its structures and in the field of its own responsibilities.

- e) The Commission will prepare the proposals or suggestions which it considers appropriate in order to implement the conclusions.

Such proposals or suggestions could, depending on their nature, be addressed either to Community institutions or to bodies for dialogue and joint action, or to the organisations of the two sides of industry.

- f) The fulfillment of commitments could form the subject of reports to be drawn up by the parties concerned and studied by the appropriate bodies or, possibly, by the next Tripartite Conference.

2. The Council shall request its President, in close liaison with the Commission, to proceed with consultation with the Social Partners on the basis of this outline.
3. After evaluating the results of these consultations, the Council will report to the European Council of the 22 and 23 June on the outline fixing the organisational procedures and working methods of future Tripartite Conferences.

Extract of the Council Decision of 20 January 1975 (75/62/CEE)

● Delegates to the Committee shall be as follows :

	<u>Full representatives</u>	<u>Alternate representatives</u>
- from the employers' organizations:		
Employers' Liaison Committee	11	5
. Union of Industries of the European Community (UNICE)		
. Committee of Commercial Organizations in the Countries of the EEC (COCCEE)		
. Union of Master Craftsmen of the EEC (UACEE)		
. European Insurance Committee (CEA)		
Committee of Agricultural Trade Organizations of the EEC (COPA)	4	2
European Centre for Public Enterprise (CEEP)	3	2
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- from the workers' organizations :		
. European Trade Union Confederation (ETUC)	17	7
. Confédération générale du travail) (France)) (CGT))		
. Confédération générale des Cadres) (France)) (CGC))	1	2
. Confédération Française des travailleurs chrétiens) (CFTC))		
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