

Edito

It is now more than a year since the Commission adopted its communication on adapting and promoting social dialogue at European level. In this document it set out to reform the framework for dialogue by bringing a number of structural changes, the two most important being a proposal for reform of the Standing Committee on Employment and a decision on introducing a framework for sectoral dialogue based on voluntary undertakings by the social partners and respect for their autonomy. The communication also urged the social partners to find solutions with regard to broadening the representativity of their dialogue. When we now look back on the progress made since May last year it is possible to see a number of important developments. Firstly, the Council adopted on 9 March 1999 the decision reforming the Standing Committee on Employment⁽¹⁾ along the lines of the Commission proposal. This committee plays a key role in the on-going exchange and debate on employment strategy. Secondly, since the new framework for sectoral dialogue entered into force the social partners in 23 sectors (including all the former joint committees) have adapted their internal structures and expressed their desire to go further within the limits of this new framework. Finally, UNICE and the UEAPME concluded a cooperation agreement at the end of 1998. Now that the structures are in place, we must look to the future. While the interprofessional agreement on fixed-term work and the agreements on working time in the field of sea and rail transport are certainly important achievements, they should also be seen as first steps in a long process. The social partners have been given an increasingly important role within the employment process and should now be more proactive by identifying obstacles to employment and giving their own undertakings in order to contribute to policy in this area. In a context of changing work organisation, improving productivity and the need for a balance between security and flexibility, the social partners must resolve to go further and fully assume their role. The social partners at Community level now have the tools and the subjects with which they are expected to take a new qualitative step in their dialogue.

Odile Quintin

Acting Deputy Director General, DG V

(1) See the previous issue of the Newsletter.

The main story

Taking a broader view...

The conference of the social partners on the integration of disabled people into a mainstream work environment was held in Cologne on 7 and 8 June 1999. With a compendium, declaration and seminar, this was a "first" for the social partners.

The "Compendium – Good practice in employment of people with disabilities" is the result of a joint effort by the members of a working party – set up by UNICE, the ETUC and CEEP – on equal opportunities for disabled people. It includes 36 cases of good practices drawn from all the Member States with the exception of Greece and Luxembourg. The initiatives cover the fields of increasing awareness, recruitment, retaining employment and training. The examples are classified per country and per subject and were initiated by public or private companies, trade unions or local authority employers.

At the Vienna European Council the social partners had announced the preparation of a joint declaration on the employment of disabled people. Submitted at Cologne, this declaration includes recommendations for employers, trade unions and the public authorities. It places the emphasis on the following points:

- the promotion of equal opportunities for disabled people,
- the need to focus on aptitude rather than handicap,
- the promotion of the employment of disabled people as a positive factor for the company,
- improved working relations by taking account of situations of handicap,
- the diversification of approaches with a view to adapted solutions,
- the promotion of actions outside the workplace (school environment, means of transport, attitudes and prejudices, etc.).

Summing up, Mr. Gibert-Morin (UNICE) stressed the need to circulate the compendium as widely as possible and underlined the key role of increasing awareness while allowing for the diversity of situations. Mr. Lapeyre (ETUC) stated that the action of the social partners must not stop at the compendium and that a more ambitious approach was necessary. He suggested the organisation of national conferences in order to circulate the compendium, the promotion of pilot actions in the framework of the European social fund, a better use of Article 13 of the Treaty and the employment guidelines, a joint contribution with a view to modifying the Treaty to include fundamental social rights, and a joint conference of the social partners and the European Disability Forum. Mrs Gava (CEEP) stressed the need to place the emphasis on aptitude rather than handicap and to adopt "made-to-measure" solutions by adapting actions to very diverse individual situations. She stressed the role of the family, school and the media. Mrs Quintin stated that the compendium, declaration and seminar represented a "first" for the social partners and that a number of instruments were available to them at European level in order to help them pursue their action.

In spring 2000, the first meeting of the European Council – under the Portuguese presidency – will be devoted to social cohesion and the Europe of innovation and knowledge. These are subjects which cannot fail to take account of the integration of disabled people in employment and the issues this raises.

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Employment & social affairs



Round Table of the Industrial and Employers' Federations of the EU and applicant countries in Stockholm

The recent conference in Warsaw of the social partners in the applicant countries underlined their role in the enlargement process and in the development of a European social policy. The importance of this role was analysed at the 3rd Round Table of the Industrial and Employers' Federations of the EU and applicant countries, held in Stockholm on 27-28 April.

Organised by the Swedish Employers' Confederation (SAF), in cooperation with DG V, this round table brought together 40 participants from national employers' federations of the EU and applicant countries as well as representatives of UNICE, the ILO and the European Commission.

The event was built around two seminars, one on health and safety at work, the other on equal opportunities. It included structured discussions on the experiences of EU employers with the social dialogue in practice and highlighted a number of areas where companies in the applicant countries still need to adapt to the Community acquis.

It was also stressed that companies in the applicant countries suffer from a lack of information, especially on legislation and technical

solutions. Employers' organisations must make up for this lack by improving their coverage and developing sectoral and regional structures.

Other desires expressed at the round table included the closer involvement of applicant countries in the structures of European social dialogue (as observers for example), closer cooperation between employers' organisations in the EU and applicant countries within UNICE, and for the social partners to be recognised as important and autonomous players by their own governments in adapting the national legislation to the Community acquis. There were also calls for strengthened networks on topical issues between employers' organisations in the EU and in the applicant countries. Activities on important issues such as equal pay, management training and training for

trainers could be organised in this respect.

Opinions were also voiced that the PHARE programme should be more geared towards preparing for accession and that a part of its resources in the field of institution building, originally targeted at national or local administrations, should be directed at the social partners.

The quality of the debate led the participants to decide to further pursue their deliberations in a similar context, the employers' organisations from Cyprus and Poland both presenting their candidature to organise the next round table.

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Equal pay for men and women has yet to be achieved.

Despite the provisions of Community law, adopted and transposed into the legislation of Member States over more than 20 years, considerable differences remain between the earnings of men and women. A Eurostat survey assesses the situation.

Do women earn less than men in the European Union? Is the pattern of unequal pay for women the same in all the Member States? Are wage differences linked to a generation effect? To what extent are wage differences linked to occupation? What factors determine inequalities? Does a wage difference remain after allowing for the principal structural differences?

A Eurostat survey has found that women in the European Union earn on average 28% less than men. This figure is based on data on men and women full-time employees across all sectors of activity (except for agriculture, education, health, services to persons and the administration). This difference reflects structural differences between the work of men and women in terms of age, profession and qualification. Nevertheless, after allowing for the three principal structure effects (age, profession and sector of activity), the average earnings of women still remain 15% below the figure for men.

Age

Working women tend to be younger: 44% are aged under 30, compared to 32% for men. This different age pyramid means that women gen-

erally have fewer years of service and thus less chance of promotion to a management position. This is reflected in average earnings.

Occupation

A third of women working full time are office workers, compared to just 10% for men. On the other hand, just 18% of women are manual workers compared to 47% for men. Manual workers are on average better paid than office workers.

Type and level of qualifications

51% of working women did not continue their education beyond 1st and 2nd level of general education, compared to 43% for men. 36% of men followed technical education, compared to 29% for women. This difference is also reflected in average earnings which tend to be higher among workers with a technical education.

Wage differences in the EU countries

Wage differences between men and women are found throughout the Union, but they are not identical. In the new German Länder, the aver-

age wage for women is about 90% that of men, and in Sweden 87%. The difference is more marked in Greece (68%) and the Netherlands (70.6%).

The European strategy for employment

The promotion of equality between women and men is an explicit and important component of Europe's new strategy for employment. By the terms of employment guideline no. 20 on discrimination between men and women, Member States must take positive measures to promote equal pay. The social partners have a crucial role to play in this area. The Advisory Committee on Equality between Men and Women, of which the social partners are members, decided at its June meeting to set up a working party chaired by the ETUC on the subject of wage differences, with the mandate to prepare an opinion to be discussed at the next meeting in October.

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Open Forum

Jean Lapeyre
Deputy General Secretary
European Trade Union
Confederation



The European Trade Union Confederation (ETUC) brings together 63 confederations from 28 countries and 14 European trade union federations, as well as 7 national confederations and one federation with observer status. Total membership is 58 million.

The need for social dialogue to enter a new and more qualitative stage

By the time this open forum is published, the ETUC will have held its 9th Congress in Helsinki. One of the principal subjects of discussion will most certainly have been consolidation and future prospects for social dialogue including, in particular, its inter-professional and sectoral contractual dimension.

We are on the threshold of a new stage in social dialogue. Yet we are unsure that the threshold will be crossed as it takes two to progress in this field and I have my doubts regarding the ability or rather the desire of UNICE to take this step forward.

Let me make myself clear.

In their agreement of 31 October 1991, initially included in the Social Protocol to the Maastricht Treaty and now integrated in the Amsterdam Treaty, the ETUC, UNICE and CEEP resolved to play an active part in European integration in general and its social dimension in particular. To date this desire has been expressed in the negotiation of three European framework agreements, on parental leave, part-time work and fixed-term contracts. The negotiation followed a legislative initiative on the part of the Commission.

Given their demands for autonomy, can the social partners be satisfied with such a situation?

Clearly not, as far as the ETUC is concerned. Just as we are requesting from the Commission the right to initiate legislation, so we also want the European social partners to be able to choose their own subjects

of negotiation, in particular in the framework of the employment strategy as recently agreed in Cologne.

The ETUC has proposed three priority subjects for negotiation to UNICE and CEEP: temporary work in order to complete the cycle of flexible work, teleworking and access to vocational training throughout working life. The latter two subjects have not yet been the subject of a Community initiative.

We await UNICE's response with impatience.

However, there is no denying the fact that the employers have made little progress towards adopting a positive view of industrial relations at European level and have failed to organise their functioning and decision-making in a way which is appropriate to the development of social dialogue and its new requirements. UNICE responds to events and seems unable to initiate and propose. This situation would be more serious still if it were shown to be unwilling rather than unable.

It was Pascal who said that to doubt something is to already believe it. In my doubts regarding the development of UNICE there can also be seen the hope of seeing this organisation rapidly evolve. The views and words of its president suggest possible ways forward.

A social dialogue which failed to make qualitative progress would be destined to regress, with dramatic consequences given the present stage of European integration and the challenges we are facing.

I cannot believe that this can happen.

Sectoral

Insurance

The social partners in the insurance sector (Euro-FIET, CEA, ACME, BIPAR) have submitted a joint request to set up a sectoral dialogue committee.

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Commerce

■ *EuroCommerce and Euro-FIET held two further meetings, in Prague on 10 May 1999 and in Warsaw on 5 July 1999, as part of their series of round tables in the Central and Eastern European countries. The aim of these round tables is to inform the commerce social partners in these countries about European social dialogue in their sector and about social Europe in general.*

These two events highlighted a number of interesting elements: the advanced stage of social dialogue between the social partners in the commerce sector in the two countries, the high degree of consultation between these organisations and the competent public authorities, and the close involvement of these social partners in the process of adapting labour and social legislation to the Community acquis in the social field. In Poland, there is a need to better structure employers and employers' associations in the interests of more effective social dialogue.

Despite the agreements concluded between the trade unions in the commerce sector, the large-scale arrival of multinationals in the Czech Republic and Poland often has an adverse effect on working conditions and industrial relations in this sector.

The challenges facing the social partners in the EU and CEECs are the need to: maintain and create quality jobs, provide continuing training, prepare for and adapt to the new technologies, guarantee a place for SMEs, ensure

respect for working conditions and enter into dialogue with multinationals. In Poland, greater respect for the principle of trade union freedom remains one of the priority objectives for trade union action.

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Horeca

■ *The European social partners in the HORECA sector, SETA-UITA (European Union of Catering and Hotel Workers and related branches within the UITA) and HOTREC (Confederation of the National Hotel and Restaurant Associations in the European Union and the European Economic Area) signed, on 3 May 1999, a joint recommendation on the promotion of employment in the European restaurant and hotel sector.*

The purpose of this recommendation is to contribute to the sector's development, in the

framework of social dialogue, by improving the competitiveness and efficiency of companies, providing better qualified and motivated staff, and creating new job opportunities.

In order to achieve this aim, the social partners propose to adopt certain measures concerning, in particular, situations favourable to creating and protecting jobs, such as lower taxes and non-wage costs.

SETA-UITA and HOTREC recognise that the creation of new full-time jobs remains the priority. Flexible working hours must be applied within the framework of agreements between the social partners and must adapt to the needs of companies and employees.

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Working time – the excluded sectors

■ *The Council has unanimously adopted the directive implementing the agreement on the working time of seafarers, concluded by the European Community Shipowners Association (ECSA) and the Federation of EU Transport Workers Unions (FST). This is the first sectoral agreement adopted on the basis of the agreement on social policy (now Article 139 of the Treaty).*

The Council has also adopted a common position on the proposal for a directive amending Directive 93/104/EC (on working time) with the aim of covering previously excluded sectors and activities (all the transport sectors, sea fishing, doctors in training and offshore activities). The directive's provisions regarding working time will apply to all non-mobile workers, offshore personnel and doctors in training, following a number of amendments. For the latter category, a transitional period of 13 years was approved before applying the maximum limit of an average working week of 48 hours. A limit on the maximum annual working hours will be introduced for the road, air and inland waterway transport sectors, together with the extension of existing provisions on annual holidays and health assessments for night workers. In accordance with the agreement concluded by the social partners in the railways sector, appropriate provisions have been made for the derogations provided. For workers in the sea fishing sector – a field in which the social partners have not initiated negotiations – the Council has adopted a different approach to that proposed by the Commission. A new article has been introduced, stipulating minimum provisions which are similar to those in the maritime agreement. The Council has also decided, contrary to the Commission's proposal, to apply the annual vacation provision to

all "share fishermen" with employee status.

The Council has agreed on a four-year implementation period, as opposed to the two years proposed by the Commission and approved by the Parliament. As the codecision procedure – with legislative parity between the Parliament and Council – will apply to this proposal, Parliament will play a key role in the final decision.

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Private security

■ *On 10 and 11 June in Berlin, the social partners in the private security sector (CoESS for employers and Euro-FIET for workers) held their second European conference, following the London conference of September 1996.*

As part of on-going European social dialogue (and with financial support from the European Commission), the CoESS and Euro-FIET organised this event in order to examine the sector's role and growing importance in the European Union. They also wanted to take stock of their joint activities over the past three years and reflect a moment before embarking on a new period of work.

About 300 people (representing the national and European social partners, clients, public authorities, companies, the police and experts) came together over two days in order to discuss subjects of fundamental importance for the sector, such as certification, the introduction of new technologies, professionalisation, and cooperation with public services providing private security. The speeches and debates were of a high standard, stimulating and reflected a shared interest by all the parties to make better use of the sector's potential.

The conference was also the occasion to sign three joint texts drawn up by the social partners: on mutual recognition at all levels, the notion of quality when drawing up and awarding public works contracts (accompanied by a manual for the awarding public authorities), and the role of the sector and social partners in the Union's future enlargement.

In her opening speech, Mrs Odile Quintin, acting deputy director general of DG V, stressed "the political and practical importance of signing these three joint declarations between Euro-FIET and the CoESS". She considered the declaration on their mutual recognition at all levels to be "a sign of mutual respect, reciprocal confidence and desire to further pursue and strengthen European social dialogue in the field of private security".

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■ The annual report on European social dialogue in 1998 has just been published, titled *Highlights of 1998*. This reviews key events at both interprofessional and sectoral level and includes the full text of a number of agreements, opinions and declarations which marked European social dialogue in 1998.

This publication can also be consulted on the Internet at the following address:

http://europa.eu.int/comm/dg05/soc-dial/social/index_en.htm

■ Due to our newsletter's continuing success, the number of copies printed is to increase in the year 2000. We ask all those interested in our newsletter but who are not yet subscribers to fax us their particulars before the end of the year so that we can make an accurate assessment of the additional number of copies to be published. We thank you in advance for your help in this matter.

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