



# European Cross-industry Social Dialogue 1996 – 2011: an overview

By Patrick Itschert, ETUC

Joint Training & Mentoring Seminar, Istanbul, 22-23 March 2012

# **Content**

**Introduction**

**Structure**

**History, Actors & Treaty Provisions**

**EU Employment & Social Policy Instruments**

**Results of the EU Cross-Industry Social Dialogue**

**New Work Programme 2012-2014**

**Online Resource Centres**

**Conclusion**

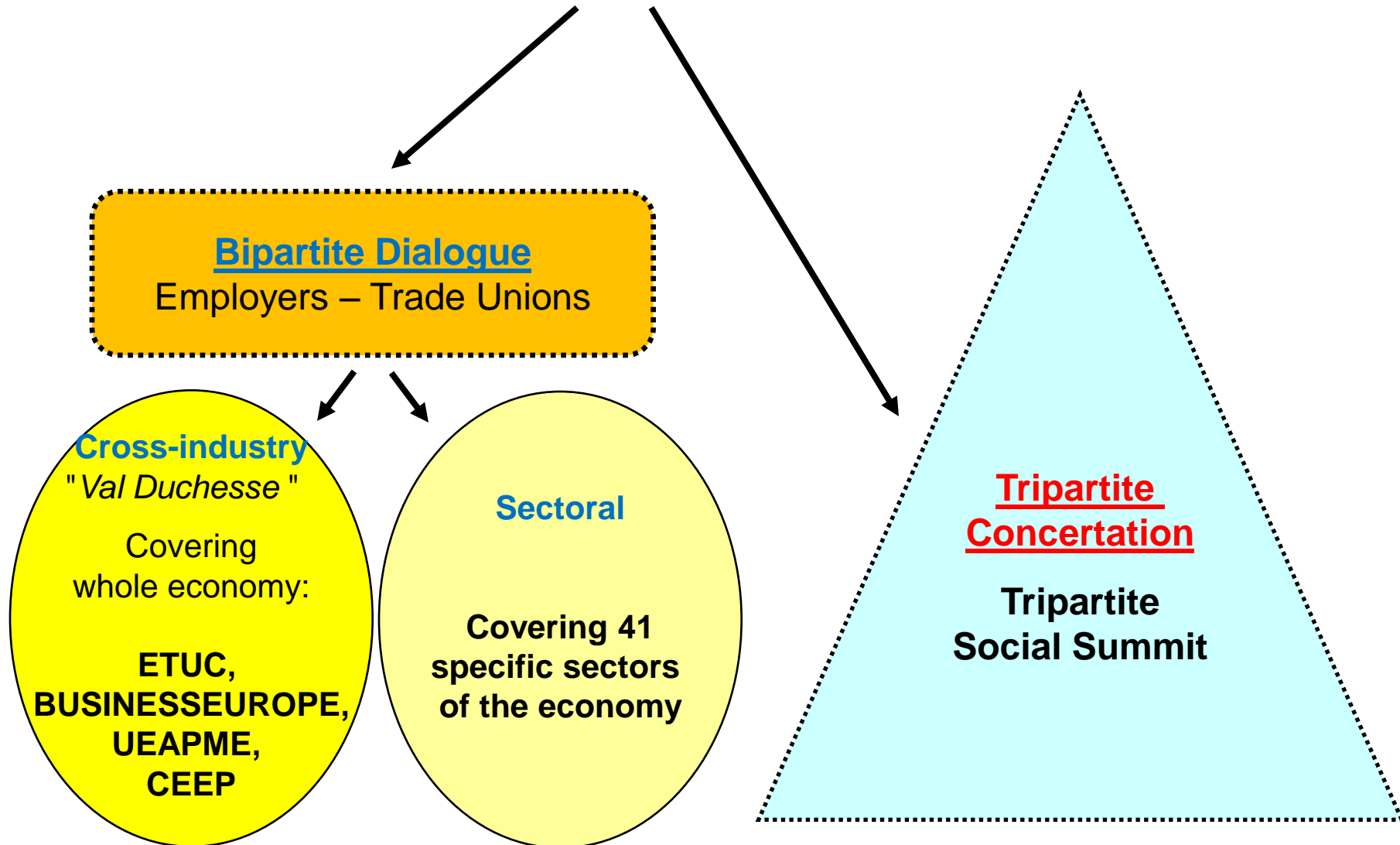
# Introduction

## Social dialogue: a tool to ensure smooth functioning of labour markets

Three types of activities involving the social partners:

- I. **Social dialogue** designates bipartite work by the social partners, whether or not prompted by the Commission's official consultations based on articles 154 and 155 of the Treaty.
- II. **Consultation of the social partners** designates the activities of advisory committees and official consultations in the spirit of articles 154 and 155 of the Treaty.
- III. **Tripartite concertation** designates exchanges between the social partners and European public authorities.

# Bipartite and tripartite levels



# History

## Four main stages of development

- 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 re-affirm their autonomy and adopt work-programmes for social dialogue

***(2010) Articles 154 and 155 of the Treaty on the Functioning of the European Union***

# Actors at cross-industry level



## Representing European workers

- **ETUC: The European Trade Union Confederation;**
  - ❖ Established in 1973;
  - ❖ 84 member organisations in 36 countries;
  - ❖ 60m workers;
  - ❖ 12 European Industry Federations;
  - ❖ Eurocadres (professional & managerial staff);
  - ❖ FERPA (retired retired & older people).

# Actors at cross-industry level

## Representing European employers

BUSINESSEUROPE



- **BUSINESSEUROPE: The Confederation of European Business**
  - ❖ Established 1958
  - ❖ 41 federations from 35 countries
  - ❖ More than 20m companies



- **UEAPME: The European Association of Craft, Small and Medium-sized Enterprises**



- **CEEP: The European Centre of Employers and Enterprises providing Public services**

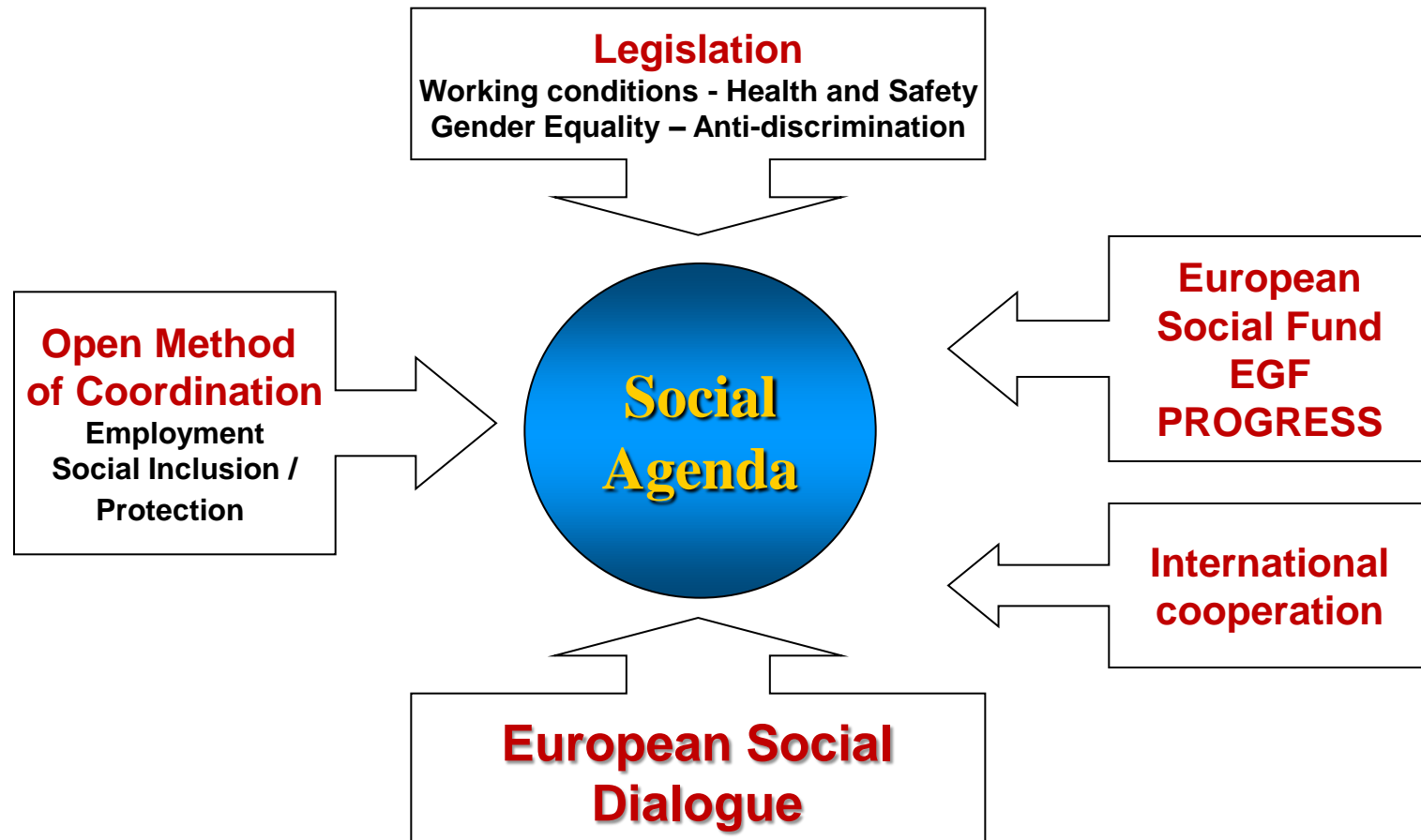
# Treaty provisions

## Treaty articles art. 154 and 155 TFEU

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



# EU Employment & Social policy instruments



# EU cross-industry social dialogue results

from 1996 to 2011

## 7 Framework Agreements

**3 implemented as EU Directives:**

- 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 (Directive 96/34/EC revised)
- 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

# EU cross-industry social dialogue results

from 1996 to 2011

## 7 Framework Agreements

4 implemented by Social Partners:

- 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

# EU cross-industry social dialogue results

from 1996 to 2011

## ▪ **2 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

## ▪ **Report on joint work on ECJ rulings in the Viking, Laval, Ruffert and Luxembourg cases**, 19 March 2010

## ▪ **Joint Labour Market Analysis**, 18 October 2007

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

# EU cross-industry social dialogue results

## Work Programmes

- ❖ **2003-2005**
- ❖ **2006-2008**
- ❖ **2009-2010**  
*(extended 2011)*
- ❖ **2012-2014**

## 5 Integrated Programmes of the EU Social Partners

- ❖ **Seminars capacity building on EU social dialogue**
  - ✓ Resource centres
  - ✓ Websites
  - ✓ Joint Translation Fund
  - ✓ Training & Mentoring
  - ✓ 2nd level trainings on social dialogue
  - ✓ Seminars on demand / Twinning
- ❖ **Study on Restructuring EU 27**
- ❖ **Study on Flexicurity**
- ❖ **Study on Climate Change**
- ❖ **Study on Social Dialogue**
- ❖ **Resource Centre 2012**
- ❖ **New Integrated Programme (upcoming)**

# Work Programme 2012-2014

## The context

- ❖ Tripartite Social Summit of March 1, 2012;
- ❖ Europe at crossroads;
- ❖ Structural reforms and employment situation in Europe.

## The scope

- ❖ Autonomous activities;
- ❖ European social partners will continue to take steps outside of the work programme;
- ❖ Covers a period of three years.

# Work Programme 2012-2014

**Priority on employment, including youth employment.**

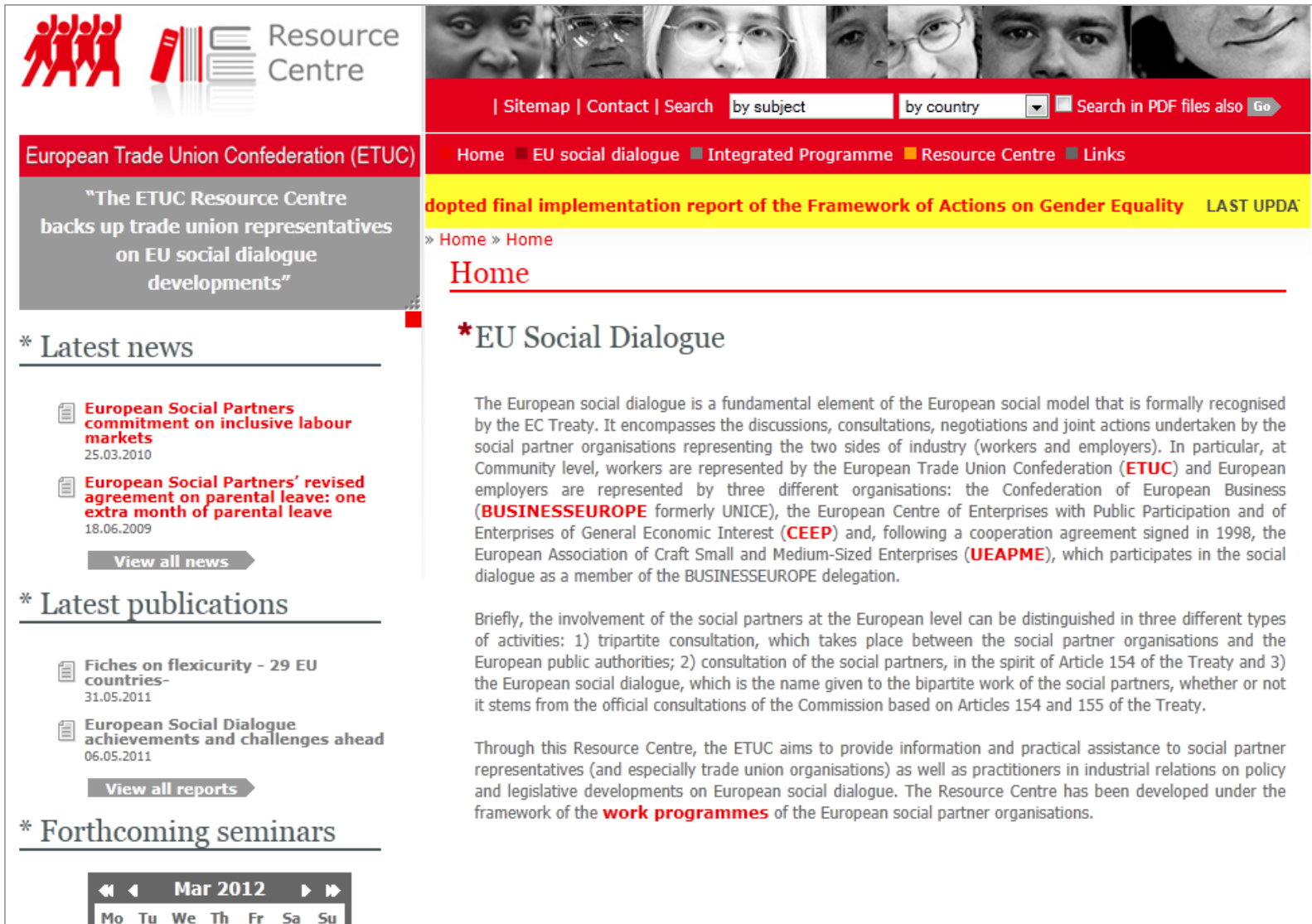
**Employers and trade unions have agreed to undertake 8 joint activities:**

1. Negotiate a **framework of actions on youth employment**;
2. Conduct an **in-depth employment analysis**;
3. Look at two new issues in the context of the 2002 framework of actions on lifelong learning:
  - **skills' needs in greening economies** and;
  - update and upgrade the **skills of older workers** in the context of longer working lives;

# Work Programme 2012-2014

4. Address **remaining inequalities between women and men**, including the gender pay gap, building upon outcomes of the implementation of the 2005 framework of actions on gender equality;
5. Address **mobility and economic migration** issues;
6. Look at how the **EU economic governance** touches the competences of social partners;
7. Run joint **projects on capacity building**, including in the Southern shore of the Mediterranean;
8. Continue to ensure **better impact and/or implementation** of their joint texts and instruments.





The screenshot shows the homepage of the ETUC Resource Centre. At the top left is the logo with three stylized figures and the text 'Resource Centre'. To the right is a navigation bar with links for 'Sitemap', 'Contact', and 'Search'. The search bar includes a 'by subject' dropdown, a 'by country' dropdown, and a 'Search in PDF files also' checkbox with a 'Go' button. Below this is a red navigation bar with links for 'Home', 'EU social dialogue', 'Integrated Programme', 'Resource Centre', and 'Links'. A yellow banner below the navigation bar reads 'adopted final implementation report of the Framework of Actions on Gender Equality' with a 'LAST UPDA' link. The main content area features a large grey box with the text: 'The ETUC Resource Centre backs up trade union representatives on EU social dialogue developments'. Below this are three sections: '\* Latest news' with two news items (one dated 25.03.2010 and one dated 18.06.2009) and a 'View all news' button; '\* Latest publications' with two items (one dated 31.05.2011 and one dated 06.05.2011) and a 'View all reports' button; and '\* Forthcoming seminars' with a calendar for March 2012 showing days from Monday to Sunday.

Resource Centre

Sitemap | Contact | Search by subject by country Search in PDF files also Go

Home EU social dialogue Integrated Programme Resource Centre Links

adopted final implementation report of the Framework of Actions on Gender Equality LAST UPDA

» Home » Home

## Home

### \* EU Social Dialogue

The European social dialogue is a fundamental element of the European social model that is formally recognised by the EC Treaty. It encompasses the discussions, consultations, negotiations and joint actions undertaken by the social partner organisations representing the two sides of industry (workers and employers). In particular, at Community level, workers are represented by the European Trade Union Confederation (**ETUC**) and European employers are represented by three different organisations: the Confederation of European Business (**BUSINESSEUROPE** formerly UNICE), the European Centre of Enterprises with Public Participation and of Enterprises of General Economic Interest (**CEEP**) and, following a cooperation agreement signed in 1998, the European Association of Craft Small and Medium-Sized Enterprises (**UEAPME**), which participates in the social dialogue as a member of the **BUSINESSEUROPE** delegation.

Briefly, the involvement of the social partners at the European level can be distinguished in three different types of activities: 1) tripartite consultation, which takes place between the social partner organisations and the European public authorities; 2) consultation of the social partners, in the spirit of Article 154 of the Treaty and 3) the European social dialogue, which is the name given to the bipartite work of the social partners, whether or not it stems from the official consultations of the Commission based on Articles 154 and 155 of the Treaty.

Through this Resource Centre, the ETUC aims to provide information and practical assistance to social partner representatives (and especially trade union organisations) as well as practitioners in industrial relations on policy and legislative developments on European social dialogue. The Resource Centre has been developed under the framework of the **work programmes** of the European social partner organisations.

Mar 2012

Mo Tu We Th Fr Sa Su

The screenshot shows the homepage of the Employers' Resource Centre. At the top is a navigation bar with the title 'EMPLOYERS' RESOURCE CENTRE' and several menu items: HOME, EU SOCIAL DIALOGUE, FLEXICURITY, CLIMATE CHANGE, PROJECTS SOCIAL DIALOGUE, RESTRUCTURING, and EU FINANCIAL SUPPORT. Below the navigation bar is a 'LATEST NEWS' section with a date of 1 March 2012 and a link to 'European Social Partners work programme 2012-2014'. To the right of the news are logos for UEAPME, BUSINESSEUROPE, and CEEP. Below this is a 'USEFUL LINKS' section with a list of organizations: BUSINESSEUROPE, UEAPME, CEEP, ETUC, European Commission DG EMPL, Eurofound - European Foundation for the improvement of living and working conditions, and EIRO - European Industrial Relations Observatory. To the right of the links is a grid of six boxes, each representing a different topic: EU SOCIAL DIALOGUE, STUDY ON FLEXICURITY, STUDY ON CLIMATE CHANGE, PROJECTS ON THE SOCIAL DIALOGUE, STUDY ON RESTRUCTURING, and EU FINANCIAL SUPPORT. Each box contains a brief description of the resource. Below the grid is an 'ABOUT ERC' section with two paragraphs of text. At the bottom right of the page, there is a footer with the text 'Last update 01/03/2012 - This project benefits from EU Funding'.

## EMPLOYERS' RESOURCE CENTRE

**HOME** EU SOCIAL DIALOGUE FLEXICURITY CLIMATE CHANGE PROJECTS SOCIAL DIALOGUE RESTRUCTURING EU FINANCIAL SUPPORT

### LATEST NEWS

1 March 2012  
European Social Partners  
work programme 2012-2014

**UEAPME** **BUSINESSEUROPE** **CEEP** *servicing the public*

### USEFUL LINKS

**BUSINESSEUROPE**  
**UEAPME**  
**CEEP**  
**ETUC**

**European Commission**  
**DG EMPL**

**Eurofound - European Foundation**  
for the improvement of living and working conditions

**EIRO - European Industrial Relations Observatory**

EU SOCIAL DIALOGUE	STUDY ON FLEXICURITY	STUDY ON CLIMATE CHANGE	PROJECTS ON THE SOCIAL DIALOGUE	STUDY ON RESTRUCTURING	EU FINANCIAL SUPPORT
Database of texts and documents of the EU social dialogue	The implementation of flexicurity and the role of social partners (2010 - 2011)	The employment impact of climate change policies (2010 - 2011)	- Resource centre of the European Social dialogue (2012) - Previous projects	National studies on social and economic change in EU Member States (2005-2010)	- Translation fund; - EU funding opportunities

### ABOUT ERC

The Employers' Resource Centre has been created as a service to respond to the needs of employer federations. It provides information on the European Social Dialogue, on joint projects being undertaken by European Social Partners, and on financial opportunities for their members that exist.

You can find further information on how to fund your own projects, how to access funds to translate Social Dialogue agreements, and how to finance visits to Brussels for attending meetings, by clicking on the above links.

Last update 01/03/2012 - This project benefits from EU Funding

# Concluding remarks

- **Existence of strong and independent social partners organisations with voluntary membership is a pre-condition for social democracy;**
- **The (relatively new) context of EU 27;**
- **Important results achieved since 1996, but time for reflexion;**
- **Social dialogue and tripartite concertation must not be confused;**
- **Autonomy of social partners must be respected.**

# Thank you!



**This presentation has been produced with the financial assistance of the European Commission.**

**The views expressed herein are those of the European Social Partners and can therefore in no way be taken to reflect the official opinion of the European Commission.**