



# **The European Cross-industry Social Dialogue: *State-of-play***

# Introduction

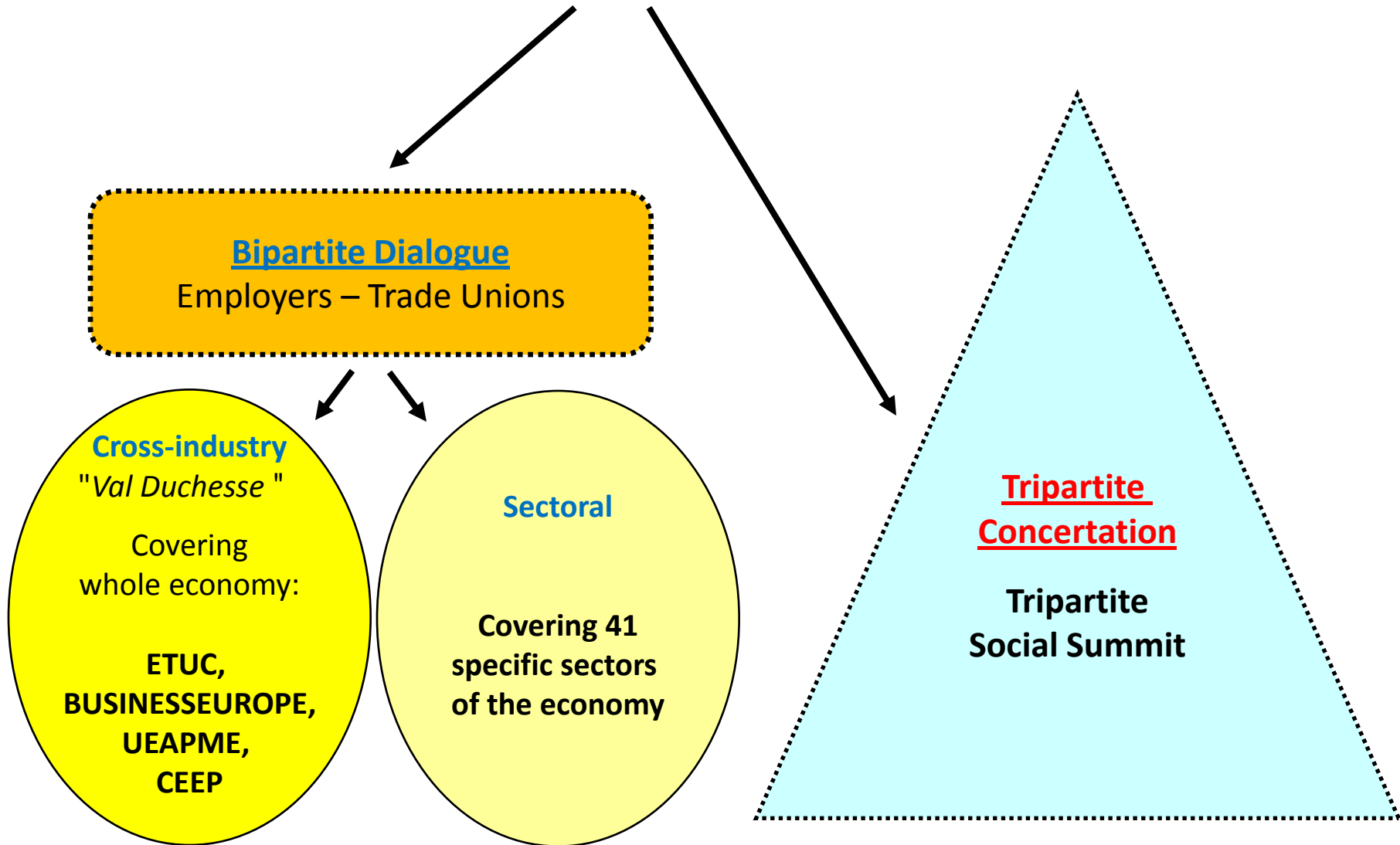
## Social dialogue:

### > 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

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

# 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 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, Rüffert 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

## 4 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 / Twinings
- ❖ Study on Restructuring EU 27
- ❖ Study on Flexicurity
- ❖ Study on Climate Change
- ❖ Study on Social Dialogue
- ❖ Resource Centre 2012
- ❖ New Integrated Programme (upcoming)

**Resource  
Centre**

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**adopted final implementation report of the Framework of Actions on Gender Equality** [LAST UPDA](#)

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## 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.

**European Trade Union Confederation (ETUC)**

"The ETUC Resource Centre backs up trade union representatives on EU social dialogue developments"


### \* Latest news


**European Social Partners commitment on inclusive labour markets**  
25.03.2010

**European Social Partners' revised agreement on parental leave: one extra month of parental leave**  
18.06.2009

[View all news](#)

### \* Latest publications

**Fiches on flexicurity - 29 EU countries-**  
31.05.2011

**European Social Dialogue achievements and challenges ahead**  
06.05.2011

[View all reports](#)

### \* Forthcoming seminars

[◀](#) [◀](#) **Mar 2012** [▶](#) [▶](#)

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## LATEST NEWS

1 March 2012  
European Social Partners  
work programme 2012-2014



## 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.

# 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.

# 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.**