

## **CEEP answer to the EC Consultation of the European social partners for a review of the implementation of the Commission Communication and Decision of 20 May 1998**

CEEP very much welcomes the current review of the functioning of sectoral social dialogue committees, undertaken by the European Commission (EC) in consultation with Social Partners and in accordance with the Decision of May 1998.

CEEP acknowledges that the consultation is primarily addressed to sectoral social partners. In this regard, we encourage them to answer the questionnaire in order to allow effective evaluation of the current functioning of Sectoral Social Dialogue Committees (SSDCs) based on concrete experience.

However, we believe that cross-sectoral and sectoral social dialogues are and should further be closely linked. A review and improvement of current practices in the field of sectoral social dialogue will also have implications on the work of cross-sectoral social partners. For that reason CEEP considered necessary to submit a general answer to the consultation.

We would like to concentrate the answer around three elements:

### **1. The EC objective to cover 100% of the economy**

CEEP believes that social dialogue is one of the most effective tools to manage the various sectors of the economy.

The social partners in the specific sectors are indeed the best placed to find the most appropriate solutions to their needs.

However, this is only valid when the actors themselves (i.e. the social partners) feel it is necessary to respond to their policy needs through a sectoral social dialogue committee at EU level. Unfortunately this bottom-up process is not always obvious and for that reason some sectoral social partners seem to be more “victims” than “masters” of a choice. This is particularly obvious on the employers’ side.

A clear sign of the “forced” policy of the EC in this sense is the current over-specialisation and over-fragmentation of sectoral social dialogues. Therefore, one of the main aims of a review of the functioning of the SSDCs system should be to streamline the current (and due to increase) panorama of 36 sectors.

### **2. Cooperation between sectors and the cross-industry level**

This cooperation is essential and should be further improved.

On the sectoral social partners’ side there is the evident need to better evaluate if and when cross-industry agreements can be a starting point for their discussions, in order to check whether the necessarily broad cross-sectoral instruments need any integration or specification at sectoral level.

The latter method brings, in CEEP's view, real added value. As an example, we can mention the current multi-sectoral work on third party violence carried out by a number of sectors that are particularly affected by the phenomenon and therefore felt the need to integrate the cross-industry agreement on harassment and violence on this specific point.

Not equally positive is the evaluation of sectoral initiatives which simply replicate what has already been signed at cross-sectoral level. CEEP feels indeed that those initiatives do not bring mutual strength but on the contrary they weaken social dialogue effectiveness.

On the cross-sectoral side, there is a clear need to better organise synergies with sectors.

The information given during Social Dialogue Committee (SDC) meetings about current activities at sectoral level is sporadic and always left to EC representatives. Therefore, CEEP attaches particular importance to the implementation of the 2009-2010 work programme of the European social partners stating that they will "further coordinate the various levels of social dialogue and negotiations, including the development of better synergies between European inter-professional and sectoral social dialogue".

This should lead, in practice and amongst other things, to systematically inviting to SDC meetings sectoral social partners that have just reached new agreements in order to present their initiatives and have an exchange on possible repercussions on the cross-industry work.

At unilateral level, CEEP is committed to reinforce synergies with sectoral social dialogues belonging to the public services family.

This is done in various forms such as:

- The institutionalised relation with HOSPEEM, which is an individual member of CEEP, along the lines of the ETUC-sectoral federations model;
- The cooperation agreements signed with CEMR-EP;
- The support and advice to public sector employers that are exploring the possibility of setting up new committees in the public sphere;
- The project of setting up a permanent public services employers' network aimed at sharing information and finding common positions between cross-sectoral and sectoral activities as far as SGIs employers are concerned.

### **3. Benchmarking and follow up measures**

CEEP is convinced that the current review of sectoral social dialogue should be based on a real benchmarking principle and should lead to a stricter approach of the EC when it comes to evaluating the requisites for opening up a SSDC and for maintaining the financial support to it once it is set.

We estimate indeed that the current picture of results at sectoral level is too mixed.

Without hampering in any way the autonomy of the social partners, the EC should however be clear that the administrative and financial support can only be available for those social partners that conclude instruments effectively serving the regulation of the market in which they operate, which is the reason why SSDCs are set up. It is of course not easy to "measure" the effectiveness of an instrument and in order to avoid that the EC creates standardised and bureaucratic means of evaluation, the parameters for benchmarking should be discussed with the most representative sectoral social partners and should mainly focus on the implementation phase of the instruments negotiated.

For the moment the EC tends to have a "one size fits all" approach that in CEEP's view undermines the real value of sectoral social dialogue, indirectly penalizing not only sectoral social partners that deliver effective results but also the cross-industry social dialogue. To keep supporting unproductive (in terms of quantity and/or quality) SSDCs has indeed a negative impact on the European social dialogue as such, which is often criticized by external stakeholders as being an empty instrument that is not worth the financial means that are put into it by the European Commission.