



Social Dialogue at EU level: Achievements and Future Developments



Presentation by ICF International

Porto Roundtable meeting

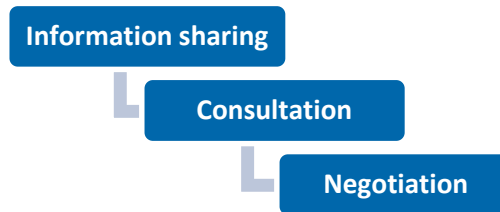
8 May 2017

Overview of this presentation

- **Social dialogue and European social dialogue: basic concepts**
- **Milestones in the European Social Dialogue and processes**
- **Outputs of European Social Dialogue**
- **Restart for Social Dialogue**

Social dialogue: Definitions and building blocks

- **‘All types of negotiation, consultation or simply exchange of information between, or among, representatives of governments, employers and workers, on issues of common interest relating to economic and social policy’ (ILO)**



- Tool for governance and key mechanism to improve living and working conditions
- Shaped by national cultural, historical, economic and political contexts
- Enabling conditions :
 - Capacity: independent representative workers' and employers' organisations
 - Fundamental rights : freedom of association and collective bargaining
 - Political will and commitment from all sides
 - Institutional support

Social dialogue: a key component of the European social model

- ***‘Discussions, consultations, negotiations and joint actions involving organisations representing the two sides of industry (employers and workers)’ (European Commission)***
- Enshrined in the Treaty on the Functioning of the European Union (TFEU), Articles 151-156
- Tripartite and bipartite dialogue
- Receives financial support from the EU
- Cross sectoral-level:
 - ETUC (employees)
 - BUSINESSEUROPE (private-sector employers)
 - UEAPME (small and medium-sized enterprises)
 - CEEP (public-sector employers)
- Sectoral level
 - 43 sectoral committees

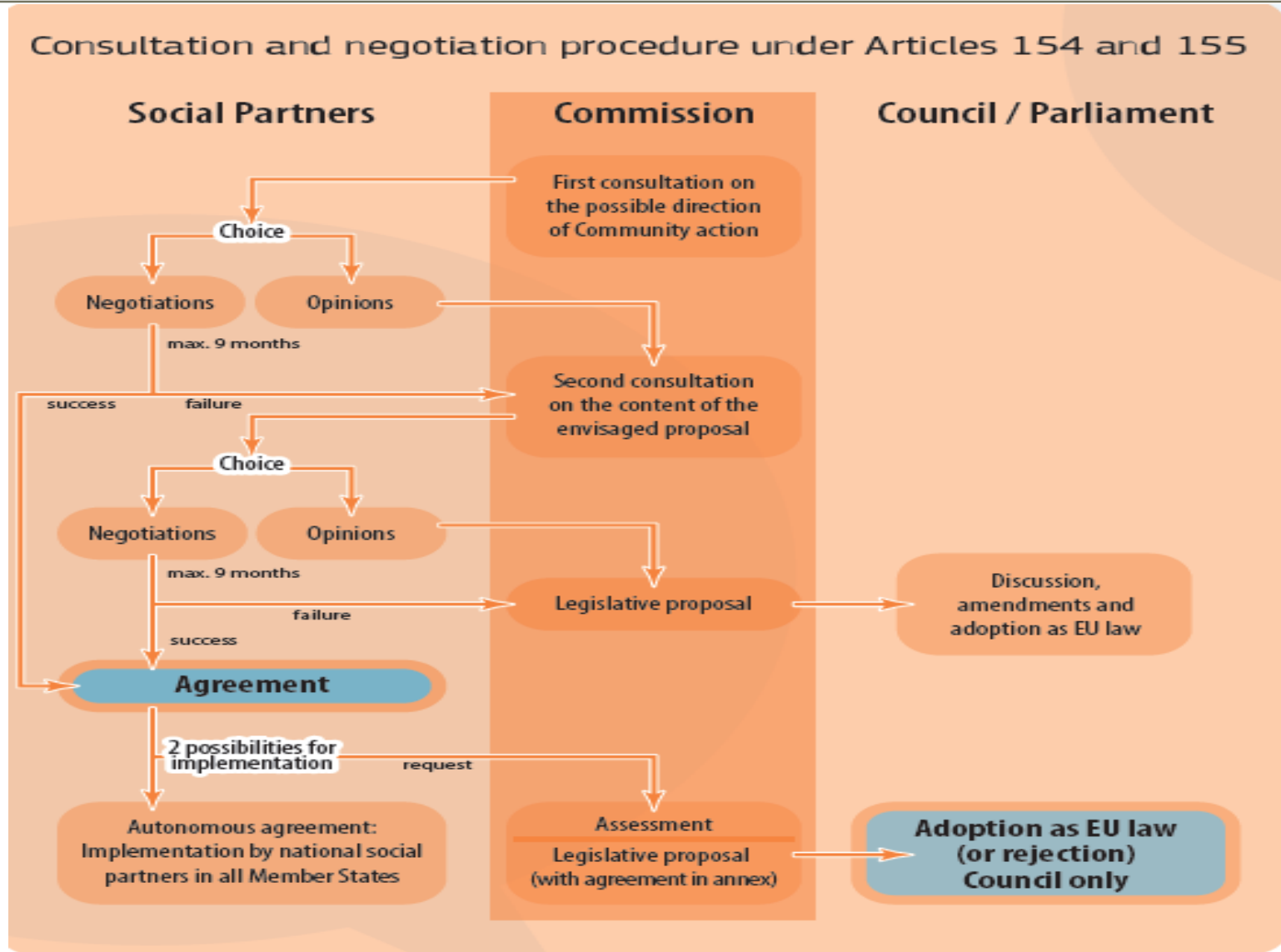
Milestones in the European Social Dialogue

- **Launch in 1985 at Val Duchesse**
 - Part of effort to re-launch EU integration process
 - Strengthening of ‘social dimension’ to ensure economic union would benefit both workers and employers
 - Dialogue largely ‘top down’ driven, focussing on key areas of EU policy: mobility/transport, agriculture, fisheries but also vocational training
 - Evolution of sectoral dialogues in areas strongly influenced by EU policy
- **EU social partner Agreement on Social Policy (1991)**
 - Called for mandatory consultation of the European social partners on Commission proposals in the area of social affairs and an option for negotiation between social partners to lead to framework agreements.
- **Social dialogue enshrined in Treaty provisions: Maastricht Treaty (1992), Amsterdam Treaty (1997), current TFEU provisions Art 154-155**
 - Possibility for social partners to negotiate agreements which can have force of law or be implemented by processes customary to social partners at national level
- **Institutionalization of the Tripartite Social Summit for Growth and Employment**
- **Relaunch of EU social dialogue March 2015**
- **Joint statement of 27 June 2016 emphasising key steps on new start for strong social dialogue:**
 - **Need to improve quality of social dialogue at all levels**

Milestones in the European Social Dialogue

- **Joint statement of 27 June 2016 (Council, Commission, Presidency, social partners):**
 - **Need to improve quality of social dialogue at all levels – importance of capacity building**
 - **Need for meaningful involvement of social partners in all aspects of European semester**
 - **In line with Better Regulation Guidelines support social partners during negotiations and continue to assess representativeness**
 - **Member States to involve social partners in all relevant reforms in line with national practices**
 - **Member States will respect social partner autonomy**

Consultation process under Articles 154 and 155



Sectoral social dialogue committees

- **Commission decision of 20 May 1998 – 98/500/EC1998 on the establishment of sectoral dialogue committees**
- **Representative social partner organisations must apply jointly to the European Commission**
- **Includes equal number of employers' and workers' representatives**
- **Different rules of procedure for each sectoral Committee (number of plenary meetings per year and working parties.**
- **Increase in sectoral social dialogue committees (now 43)**

Diversification of EU Social Dialogue outputs

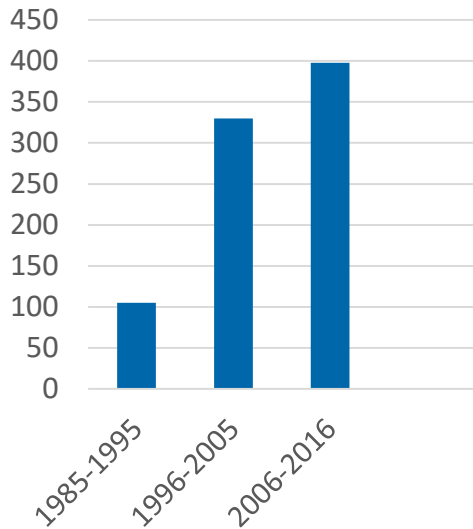
- **Binding and non-binding texts**

Categories of texts	Sub-categories	Follow-up measures
Agreements	Implementation by Directive or by social partners	Implementation reports
Process oriented texts	Framework of actions, Guidelines, Codes of conduct, Policy orientations	Follow-up reports
Joint opinions and tools	Declarations, Guides, Handbooks, Websites, Tools	No follow-up clauses, promotional activities

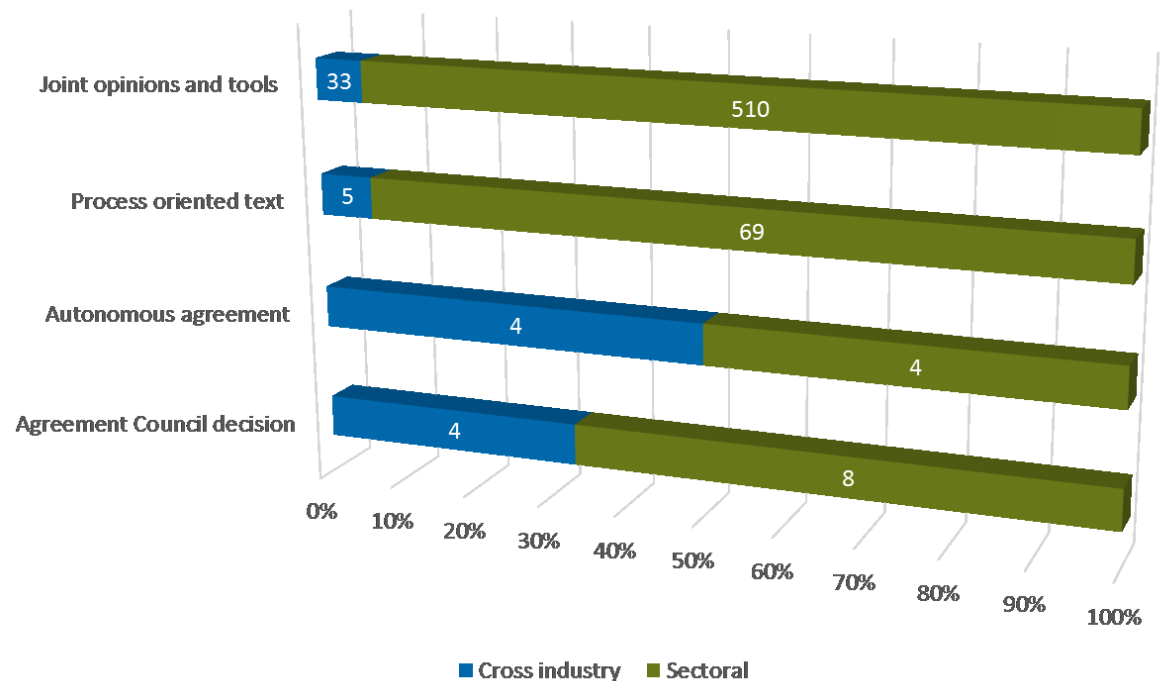
A significant increase in the number of texts agreed

- Some agreements leading to Council interviews.
- Mostly non-binding texts, at the sectoral level
- Linked to the increase in number of sectoral social dialogue committees

Number of texts agreed



Total texts agreed



Why a relaunch in 2015?

- **New role of EU Commission Vice-President with responsibility for social dialogue**
- **Re-launch conference 5 March 2015; considerations of**
 - Greater involvement of social partners in European Semester;
 - Greater capacity building at national level;
 - Greater involvement of social partners in all policies affecting jobs (e.g. investment strategy, digital market etc.);
 - Advancing better regulation agenda;
 - Key involvement in skills agenda
- **Anniversary effect?**

Quadripartite Statement on new start for social dialogue: relevance for sectoral dialogue

- **Improvement of capacity of social partners at all levels**
- **Involvement of social partners at national level in line with national practice**
- **Better co-ordination between social dialogue at cross industry and sectoral level in EU**
- **Use of structural funds to support social dialogue**

Challenges and opportunities

■ Autonomy of social partners at EU level

Opportunities	Challenges
<p>Important in subsidiarity and ‘devolved’ decision making</p> <p>Ensuring legitimacy of decision making (close to those affected)</p>	<p>Can lead to more decisions being taken at EU level without consultation of elected bodies</p> <p>Legitimacy being queried by some national governments and EP</p> <p>Examples of framework agreements not progressed to council decision</p>

■ Involvement in wider policy agenda

Opportunities	Challenges
<p>Importance of involvement in other decisions affecting employment</p> <p>Expertise at sectoral level</p>	<p>Limited resources/capacity among organisations</p> <p>‘real’ consultations or lip service?</p> <p>Decrease in Commission funding for EU social dialogue</p>

Challenges and opportunities

■ Legitimacy and capacity of social partners at national level

Opportunities	Challenges
<p>Broad membership base ensures legitimacy of decisions</p> <p>Increasing experience of social dialogue has improved structures and dialogue at national level in some countries</p>	<p>Changes in labour market can undermine representativity (density)</p> <p>Implementation efforts and ‘bottom’ up processes still experience challenges</p> <p>Reduced budget for social dialogue and capacity building</p>

■ Autonomy of social partners at national level

Opportunities	Challenges
<p>Ability to implement at national level with close understanding of labour market requirements</p>	<p>Research shows autonomy increasingly undermined during crisis</p>

Links to further resources

- **Information on European social dialogue (operation and structures):**

<http://ec.europa.eu/social/main.jsp?catId=329&langId=en>

- **Social dialogue texts database:**

<http://ec.europa.eu/social/main.jsp?catId=521&langId=en>

- **Industrial relations in Europe reports**

<http://ec.europa.eu/social/main.jsp?catId=575&langId=en>

- **Re-launch of European social dialogue**

<http://ec.europa.eu/social/main.jsp?langId=en&catId=329&eventId=1028&furtherEvents=yes>

- **Agreement of 27 June 2016**

<http://data.consilium.europa.eu/doc/document/ST-10449-2016-INIT/en/pdf>

- **Impact of the crisis on industrial relations in Europe**

<http://www.eurofound.europa.eu/publications/report/2014/working-conditions-industrial-relations/impact-of-the-crisis-on-industrial-relations-and-working-conditions-in-europe>

European social dialogue: will the future be different from the past?

- **What should be the role of social dialogue in European decision making?**
 - Is the appropriate balance being achieved at present between the role of social partners and other decision making bodies?
 - How can social partners contribute more effectively?

- **Is there need for further capacity building and if so at which level**
 - How can this best be implemented?

- **What should be the future of social dialogue at the EU level?**
 - How can national social partners contribute?

Thank you!

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