



European
Commission

A new start for social dialogue



Social Europe

Understanding European Social Dialogue

Social dialogue refers to the discussions, consultations, negotiations and joint actions that take place between the social partners, namely employers and trade unions, on a wide range of social and work-related issues. At EU level, social dialogue was launched in 1985 by President Delors at Val Duchesse. Since then, social dialogue has been considered crucial to promote competitiveness and fairness and to enhance economic prosperity and social well-being. Developing and fostering social dialogue is an essential element of the European social model. European social dialogue complements and supports national social dialogue and industrial relations.

Level of dialogue

Cross-industry

Covering the economy as a whole: workers' and employers' organisations

Sectoral

Covering workers and employers in more than 40 specific sectors of the economy

Type of dialogue

Bipartite

Dialogue between the European employers' and trade union organisations

Tripartite

Interaction between employers, trade unions and EU institutions (European Commission, European Council, Council of the European Union)

Driver of dialogue

Autonomous

Autonomous activities, agreements, seminars, statements following social partners' own work programme

Treaty-based

Consultation and possible negotiation of agreements in policy fields (Articles 153–155 of the Treaty on the Functioning of the European Union)

Who are the European social partners?

Cross-industry social partners

The following organisations are involved in cross-industry social dialogue. This includes organisations representing workers and employers in the private sector, the public sector and small and medium-sized enterprises, and professional and managerial staff.

The general cross-industry organisations are:

- BUSINESSEUROPE
- European Centre of Employers and Enterprises Providing Public Services (CEEP)
- European Trade Union Confederation (ETUC)

Cross-industry organisations representing certain categories of workers or undertakings:

- European Association of Craft and Small and Medium-Sized Enterprises (UEAPME)
- Eurocadres
- European Confederation of Executives and Managerial Staff (CEC)

Specific organisations

- Eurochambres

Sectoral social partners

80 European organisations from specific economic sectors take part in social dialogue in their respective sectors.

Representativeness

For an organisation to be recognised as a partner in European social dialogue it must be organised at EU level and capable of taking part in consultations and negotiating agreements. Organisations should be **representative** of several EU Member States, while their national members must be recognised as social partners in their respective countries.

Representative interest organizations in the sense of Articles 154–155 TFEU must:

- be cross industry or relate to specific sectors or categories and be organised at European level;
- consist of organizations, which are themselves an integral and recognised part of Member State social partner structures and with the capacity to negotiate agreements, and which are representative of several Member States;
- have adequate structures to ensure their effective participation in the consultation process.

Since 2006 Eurofound, a European Union agency in charge of research on living and working conditions, has carried out 38 representativeness studies. Eurofound provides the necessary evidence for the Commission to assess on the representativeness of the European social partners.

Types of dialogue

The European Commission facilitates social dialogue. Once the European-level employer and trade union organisations decide to start up an official dialogue process, the Commission provides the framework enabling the dialogue. The framework now includes the cross-industry Social Dialogue Committee, as well as 43 sectoral social dialogue committees covering economic sectors as diverse as agriculture, banking, commerce, civil aviation, construction, the chemical industry, education, hospitals and healthcare, hotels and restaurants, transport and many more (see back cover for the full list of sectors covered).

Bipartite social dialogue at European level is the dialogue between the employer and trade union organisations. The issues discussed can affect industry as a whole or specific sectors of the economy. Dialogue takes place in the committees mentioned above and in working groups. The European Commission can act as facilitator and mediator in bipartite dialogue.

In tripartite social dialogue, employers' and workers' representatives meet together with representatives of the EU institutions (European Commission, European Council, Council of the EU) at the biannual Tripartite

Social Summit for Growth and Employment. They also hold regular talks on a technical and political level on macro-economics, employment, social protection and education and training.

Sectoral social dialogue has developed considerably from 19 economic sectors in 1999 to 43 committees in 2015. The work of the committees is determined by a work programme agreed jointly by the social partners.

Did you know?

How does the social dialogue work?

The social partners know the reality of Europe's workplaces. They understand the needs of workers and companies and defend their interests. Involving them at EU level helps to ensure that the concerns of both businesses and workers are taken into account in initiatives taken at EU level. Therefore, they play a key role in developing EU social policy and defining European social standards. The dialogue between social partners influences the way work is organised and it also helps to boost growth in jobs and social well-being.

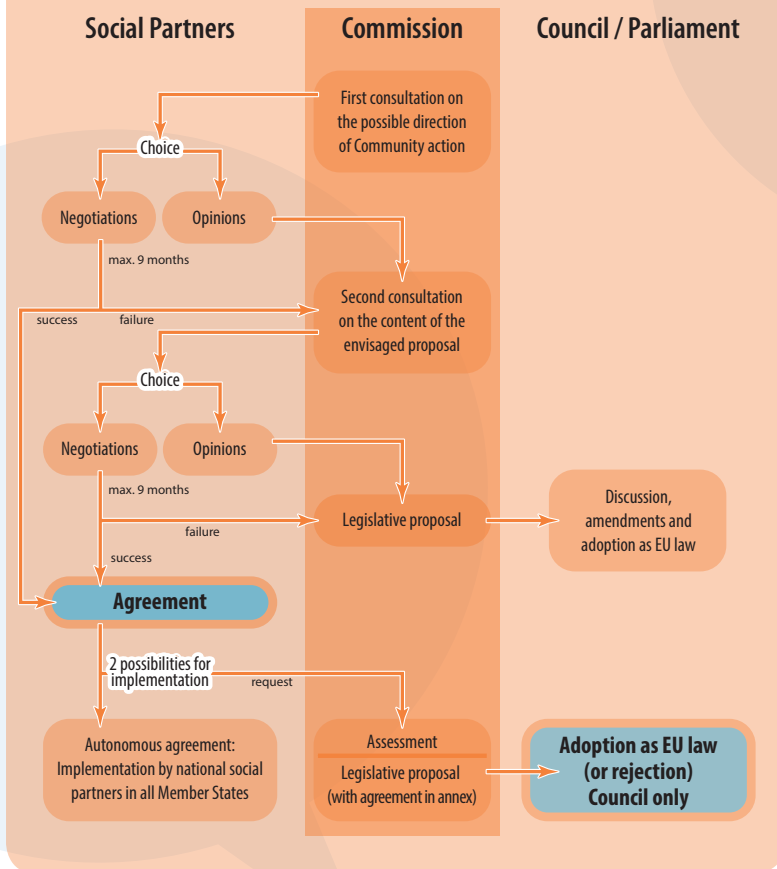
The social partners' fundamental role in shaping legislation in the social field is defined in Articles 152, 154 and 155 of the Treaty on the Functioning of the EU.

The role of the European Commission is to support and promote social dialogue. Before the Commission submits a proposal in the social policy field, it consults social partners. Social partners can also negotiate agreements between themselves. These agreements can then be applied by the social partners themselves across the EU or can be transformed into EU legislation.

As shown in the diagram, before submitting a proposal in the social policy field the Commission first consults the social partners on the possible course of EU action. Following that, if the Commission considers EU-level action advisable, it consults employers and trade unions on the content of the envisaged proposal.

The social partners then give the Commission an opinion or recommendation on the subject in question. They may also inform the Commission that they want to start formal negotiations on the matter under Treaty Article 155. This Treaty Article also grants social partners the right to negotiate on their own initiative.

Consultation and negotiation procedure under Articles 154 and 155



Producing results

Up to date, the social dialogue procedure (Articles 154-155 TFEU) has produced four agreements at cross-industry level, signed by the European social partners that have been transformed into directives.

The four cross-industry agreements implemented by directives:

- The framework agreement of December 1995 on parental leave gives all employees an individual, non-transferable right to at least three months' parental leave until their child reaches a given age (to be defined at national level) of up to eight years. The accord also entitles

employees to time off for urgent family reasons. The agreement was implemented by Directive 96/34/EC that the Member States had to transpose by June 1998 (or by the time of accession for Member States that joined the EU later).

- In June 2009, the social partners signed a revised version of their 1995 parental leave agreement. Changes included an increase in the minimum parental leave entitlement from three to four months per employee, with at least one month being non-transferable between parents. The agreement was implemented by Directive 2010/18/EU, repealing and replacing the 1996 Directive, which the Member States had to transpose by March 2012.
- The framework agreement of June 1997 on part-time work establishes the principle that part-time workers must not be treated less favourably than comparable full-time workers solely because they work part time. It was implemented by Directive 97/81/EC that had to be transposed at national level by January 2000 (or by the time of accession for Member States that joined the EU later).
- The framework agreement of March 1999 on fixed-term work laid down the principle that fixed-term workers must not be treated less favourably than comparable workers on open-ended contracts solely because they have a fixed term contract. The accord was implemented by Directive 1999/70/EC that the Member States had to transpose by July 2001 (or by the time of accession for Member States that joined the EU later).

Sectoral agreements have also been implemented by directives; in the field of working time in different transport sectors (seafarers; civil aviation; railway, inland waterways), in maritime transport with the implementation of the Maritime Labour Convention and in the hospital and healthcare sectors (prevention of sharp injuries).

EU social dialogue may result in autonomous agreements. An autonomous agreements can also be signed by the European social partners at cross-industry or sectoral level. There have been four autonomous agreements concluded at cross-industry level so far:

- on telework in 2002,
- stress at work in 2004,
- harassment and violence at work in 2007,
- and inclusive labour markets in 2010.

In these cases, the social partners established a general framework at EU level obliging their affiliated organisations to implement the agreement in accordance with the national procedures and practices specific to management and labour and the Member States.

In 2010 the EU-level cross-industry social partners adopted a joint autonomous framework agreement outlining what can be done to improve labour market inclusion. The agreement presents the main challenges and develops a range of actions that the social partners can take to help people in disadvantaged situations to enter, remain and progress in the labour market. It also aims at increasing awareness among employers and workers of the benefits of inclusive labour markets.

*Inclusive
Labour
Market*

Research shows that one in 20 workers is exposed to bullying and/or harassment each year. As a response, in 2007 employers and trade unions already reached an agreement on a zero-tolerance approach to moral and sexual harassment and physical violence in the workplace. The agreement establishes procedures in European companies to deal with possible cases.

*Preventing
violence and
harassment
at work*

Autonomous agreements have also been concluded at the sectoral level (such as the 2004 agreement on the European license for train drivers carrying out a cross-border interoperability service) and multi-sectoral level (such as the 2006 agreement on Workers' Health Protection through the Good Handling and Use of Crystalline Silica and Products containing it).

However, outcomes of social dialogue can go beyond hard law in form of framework agreements transposed by Council decision or binding autonomous agreement. European social dialogue may also result in process-oriented texts (e.g. frameworks of action, guidelines, codes of conduct) and joint opinions or other tools.

Frameworks of actions, for example, identify policy priorities towards which the social partners work. These priorities serve as benchmarks, and the social partners report annually on the action taken to support these priorities.

The EU cross-industry social partners signed a framework of action on youth employment in June 2013. They committed to promote solutions to reduce youth unemployment and called on national social partners, public authorities and other stakeholders to also actively work towards that goal.

*Framework
of action
on youth
employment*

Future developments and challenges

Social dialogue is crucial to promote both competitiveness and fairness in Europe. In countries where social dialogue is well established, the economic situation tends to be more favourable and subject to less strain. Also, countries with strong social dialogue are among the most competitive in Europe. The challenge for the forthcoming period will be to enhance the capacity of social dialogue to deliver in a European Union of 28 Member States.

Forums for European Social Dialogue

Tripartite Social Summit (TSS): The **TSS** is the main political forum for consultation of the social partners given its high-ranking composition (presidential level) and proximity to the European Council decision-making process. As it takes place twice a year in the morning of the March and October European Councils, it provides a key opportunity to debate on economic and social policies to be later discussed by the Heads of State or Government.

Macroeconomic Dialogue (MED): the **MED** is a high-level forum (ministerial level) for the exchange of views between the Council, Commission, European Central Bank and social partners. It was instituted by the June 1999 Cologne European Council to contribute to the growth and stability orientation of the macroeconomic framework in the EU.

- Social Dialogue Committee (cross-industry) (SDC): The **SDC** is the main forum for EU bipartite (autonomous) social dialogue at cross-industry level.
- Sectoral social dialogue committees (SSDCs): The SSDCs provide a forum for discussion and consultation on employment and social policy proposals in some specific sectors. They often comprise several working groups and committees
- Liaison Forum for information exchange between all EU social partner organisations and the Commission
- Advisory committees
- Seminars, joint projects of social partners

Under the EU Treaty, social partners can directly shape employment relations across Europe by making agreements at EU level.

Did you know?

Social partners in cross-industry social dialogue

European Trade Union Confederation (ETUC):
www.etuc.org

Confederation of European Business (BUSINESSEUROPE):
www.buinesseurope.eu

European Centre of Enterprises with Public Participation and of Enterprises of General Economic Interest (CEEP):
www.ceep.eu

European Association of Craft, Small and Medium Sized Enterprises (UEAPME):
www.ueapme.com

Eurocadres (Council of European Professional and Managerial Staff) — as part of the ETUC delegation:
www.eurocadres.org

European Confederation of Executives and Managerial Staff (CEC) — as part of the ETUC delegation:
www.cec-managers.org

Sectoral social dialogue committees

Natural resources sectors	Agriculture	Extractive industry	Sea fisheries
Manufacturing sectors	Chemical industry	Construction	Electricity
	Food and drink industry	Footwear	Furniture
	Gas	Paper Industry	Metal Industry
	Shipbuilding	Steel	Sugar
	Tanning and leather	Textile and clothing	Woodworking
Services sectors	Audiovisual	Banking	Catering
	Central government administrations	Civil aviation	Commerce
	Education	Graphical Industry	Horeca
	Hospitals	Industrial cleaning	Inland waterways
	Insurance	Live performance	Local and regional government
	Maritime transport	Personal services	Ports
	Postal services		
	Private security	Professional football	Railways
	Road transport	Telecommunications	Temporary agency work



Further information on social dialogue

www.ec.europa.eu/socialdialogue

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