Basic information

1996/2191(COS) COS - Procedure on a strategy paper (historic)	Procedure completed
Future of the social dialogue at European level **Subject** 4.10 Social policy, social charter and protocol 4.15 Employment policy, action to combat unemployment	

Key players

European Parliament

Committee for opinion	Rapporteur for opinion	Appointed
ECON Economic and Monetary Affairs, Industrial Policy	THEONAS Ioannis (GUE/NGL)	02/12/1996
INST Institutional Affairs	HERZOG Philippe A.R. (GUE/NGL)	27/05/1997

Council of the European Union

Council configuration	Meetings	Date
Social Affairs	1974	1996-12-02

Key events

Date	Event	Reference	Summary
18/09/1996	Non-legislative basic document published	COM(1996)0448	Summary
21/10/1996	Committee referral announced in Parliament		
02/12/1996	Debate in Council		
19/06/1997	Vote in committee		Summary
19/06/1997	Committee report tabled for plenary	A4-0226/1997	
17/07/1997	Debate in Parliament		
18/07/1997	End of procedure in Parliament		
22/09/1997	Final act published in Official Journal		

Technical information

Procedure reference	1996/2191(COS)

Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 148
Stage reached in procedure	Procedure completed
Committee dossier	EMPL/4/08271

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A4-0226/1997 OJ C 286 22.09.1997, p. 0007	19/06/1997	
Text adopted by Parliament, single reading		T4-0413/1997 OJ C 286 22.09.1997, p. 0325-0338	18/07/1997	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(1996)0448	18/09/1996	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0106/1997 OJ C 089 19.03.1997, p. 0027	29/01/1997	Summary

Future of the social dialogue at European level

1996/2191(COS) - 29/01/1997 - Economic and Social Committee: opinion, report

The Committee is pleased that the Commission has published such an important and informative communication. The ESC recently expressed its view on this matter when it stated that the representatives of the most important economic and social sectors (among which the ESC certainly includes small and medium-sized firms) should be involved in an adequate framework in one way or another. The interprofessional social dialogue In its opinion on the application of the social protocol the ESC called for adequate back-up for the social dialogue. If the social partners want this they can work towards an independent secretariat. Social dialogue under the protocol on social policy Experiences suggest that the six-week period which the Commission had planned to allow the social partners for replying to its questions is too short. In its opinion referred to earlier the ESC had proposed extending the period to eight weeks. The Committee thinks that the EP and the ESC can be kept informed about the progress of the talks by the social partners. If the social partners come to an agreement and, in accordance with Article 4 of the agreement on social policy, present it to the Commission with a request that a proposal be submitted to the Council, they must state what sort of legal instrument they wish to have. The role of the Council should be to check to what extent the agreement concluded is signed by representative organizations. The Commission can carry out the preparatory work here. After that they can decide whether or not to support the agreement. They would not be allowed to make any substantial changes to it, as this would infringe the autonomy of the social partners. The EP would be free to issue an opinion on the agreement concluded, in which the question of representation might be discussed. The sectoral social dialogue For the further development of the sectoral social dialogue, various aspects must be taken into consideration. Effectiveness is an important aspect, but attention must also be paid to the contribution which can be made towards improving the European system of labour relations. Cost efficiency must also be taken into account, but it should not be the only yardstick. The section therefore feels that the Commission must make sufficient funds available for the sectoral social dialogue. Interprofessional advisory committees The Commission usually only convenes the advisory committees if they have a concrete proposal. The Committee thinks that the advisory committees must be consulted sooner. The Standing Committee on Employment (SCE) Basically the Committee shares the view that the SCE must be given a higher profile. Social consultations and possible participants At present social consultations are open to member organizations from EU countries. As part of the social dialogue, organizations from EEA countries are also invited, in view of the consequences for them. Organizations from southern European

countries which have applied to join the EU and from central and eastern European countries with association agreements are not involved in the consultations. In view of the possible accession of these countries to the EU the section thinks they should be invited to the consultations as observers. Impact Knowledge of the social dialogue within organizations can also be increased by making effective use of the European Centre for Labour Relations in Florence. In this centre there are opportunities for involving a broad spectrum of social partners. DG X and its info-points and the European Foundation for the Improvement of Living and Working Conditions also play an important role here.

Future of the social dialogue at European level

1996/2191(COS) - 18/09/1996 - Non-legislative basic document

OBJECTIVE : This purpose of this communication is to stimulate the debate between social partner organizations, Member States and European institutions on the means of developing European social dialogue at all levels (interprofessional and sectoral). It presents all the existing structures which are a feature of such dialogue and proposes, for each level, specific measures for improving methods of consultation and negotiation. Once that debate has been concluded, a second communication will be presented, in 1997, reflecting the views and opinions which have been received. SUBSTANCE: European social dialogue takes a number of very different forms. There are two major types of negotiating fora, namely interprofessional social dialogue and sectoral dialogue. Alongside these, there exist other structures and procedures established in particular in the context of the Social Protocol and which are directly involved in the establishment of European social legislation. At each of these levels, the Commission proposes procedural improvements as regards consultation and participation: - Interprofessional social dialogue: .Val Duchesse: this form of social dialogue, which is informal and voluntary, is particularly well used. It brings together the three big European organizations representing trade unions and employers (UNICE, CES and CEEP), and the initiatives agreed result in 'joint opinions' for submission to the Community institutions. At this level, the Commission intends to continue to support the Val Duchesse model and calls on management and labour to strengthen the dialogue by ensuring that all interested parties concerned are appropriately represented; .Interprofessional advisory committees: these have the task of advising the Commission in the drawing-up of specific policies and assisting it in their implementation. As the functioning and working methods of these committees pose some problems, the Commission wishes to study their structures with a view to adapting them. At the same time, it intends to merge the advisory committee on social security for migrant workers and the advisory committee on freedom of movement for workers. Other forms of committee could also be envisaged and the status of the various social partners could be reviewed. - Sectoral social dialogue: Structures are organized either as joint committees (JCs) appointed by the Commission or as informal working parties (IWPs) organized to respond to specific questions. At this level, the Commission wishes to give more substance to sectoral social dialogue by focusing it on strategic issues and sectors (employment and vocational training). It intends, in particular, to strengthen cooperation and coordination within its services concerning consultation procedures. A study of the representativeness of the social partner organizations in the sectors will be launched so as to obtain a better picture of the membership and role of these organizations. The Commission considers that, in order to ensure efficiency, the number of members of the joint committees should be reduced; in particular the number of meetings must be cut and coordination must be improved. - Standing Committee on Employment (SCE): established in 1970, this committee is a tripartite consultative body bringing together the Council, the Commission and representatives of the social partners. Its tasks, which remain valid, were laid down when it was established. Nevertheless, the Commission wishes to reform the committee and link the reform to the implementation of the decision adopted by the European Council in Madrid on the creation of a stable and permanent structure for employment policy. The SCE should also establish a long-term work programme, and its composition should be modified and rationalized. The Commission proposes to this end that the various social partner organizations should express their views, in the context of the SCE's activities, through a liaison committee. - Social dialogue under the Agreement on Social Policy: on the basis of the consultation and negotiating mechanism put in place by the Protocol on social policy, European agreements between social partners have resulted in: .consultation of the social partners: compulsory consultation each time that new social legislation is to be adopted. The Commission has set out the criteria for such consultation and drawn up the list of large representative organizations to be consulted (cf. COS0127). Nevertheless, since consultation is not always easy, the Commission wishes to review the criteria by which it is governed, on the basis of the criteria proposed by Parliament in this field. It wishes in particular to review the list of European organizations to be consulted at the interprofessional and sectoral levels and to look at ways of involving more closely SMEs, which are still under-represented. Regular meetings will be organized between all interested social partner organizations for information and an exchange of views. Finally, the deadline for the first phase of consultation should be reviewed (the six-week time-limit currently applied can be reviewed on a case-by-case basis, depending on the complexity of the subjects under negotiation; .Negotiation under the Agreement on Social Policy: The negotiation procedures resulted in the signing on 3 June 1996 of an agreement on parental leave. Problems relating to procedure and the representativeness of the organizations consulted have emerged, however, and the Commission wishes to avoid these in the future (e.g. the rejection of the agreement by the UEAPME, which claimed that consultation had been inadequate, criticism by Parliament of the fact that it had no part in the decision-making process and by the Council, which takes the view that certain matters come under the jurisdiction of the Member States and not solely of the social partners). The Commission is calling for fresh measures to be taken to boost the acceptability of the agreements negotiated by all parties. - Development of social dialogue: In more general terms, the Commission takes the view that it is essential that social dialogue be concerned with issues relating to employment at both the interprofessional and sectoral levels, in order to supplement the Community's actions in this area. At the same time, the Commission believes it to be vital that applicant countries (especially in Eastern Europe) develop social dialogue structures of their own. For that reason, it wishes to assist these countries in developing practical forms of cooperation with European organizations. As regards information and communication, the Commission proposes holding regular meetings for the exchange of information between interprofessional social dialogue and sectoral social dialogue representatives. It also wishes to ensure the dissemination of information about European social dialogue and to encourage European social partner organizations to inform their members about the activities and results of European social dialogue in general. It will also provide information to the EU institutions on developments in social dialogue. Finally, it intends to strengthen and support operational joint initiatives under the social dialogue (in particular financial assistance to support actions undertaken in cooperation with the social partners) and to develop new levels of dialogue, especially in transnational companies and social dialogue at regional level in cross-border regions.

Future of the social dialogue at European level

1996/2191(COS) - 18/07/1997 - Text adopted by Parliament, single reading

In adopting the report by Mr Helwin PETER (PSE, D) on the development of the social dialogue, the European Parliament expressed the view, firstly, that social dialogue was an instrument of proven effectiveness, which should be developed in order to promote economic and social cohesion in the Community. As regards the various 'levels' of the social dialogue, Parliament considered: - as regards the Val Duchesse dialogue, that other representative organizations at European level should participate in the dialogue (particularly organizations representing the SMU sector); - as regards the interprofessional advisory committees, that representatives of the social partners from the EEA countries should be involved in the social dialogue; - as regards the sectoral dialogue, that account should be taken of direct practical experience in the social dialogue in order to assess the impact of deregulation on employment. This led to a call for the sectoral social dialogue to be encouraged in the public sector, which was particularly affected by the problem. Parliament called on the Commission to enhance its services (particularly its translation services and DG V) in order to impart greater weight to the sectoral dialogue. It called for the Commission to ensure transparency in the planning and allocation of funds for the sectoral social dialogue; - as regards the Standing Committee on Employment, that it should be reformed and that coordination mechanisms should be introduced between that committee and the Committee on Employment and Labour Market Policy in order to avoid conflicts of competence. The necessary reform must meet the requirements arising from the new employment chapter of the Treaty on European Union; - as regards the Agreement on Social Policy, that the representativeness of the organizations involved in the legislative procedure on the basis of Articles 3 and 4 of the Agreement on social policy needed to be improved. It took the view that, in addition to the criterion of representativeness, the mutual recognition of the social partners involved should continue to be a precondition for involvement. It considered that it should be possible for agreements concluded at Community level to be implemented by a Council decision only if the organizations party to the agreement were representative and covered a sufficient number of partners in the economic sector concerned. In the institutional field, it called for the European Parliament to be granted a power of codecision so that, like the Council, it could reject or approve any proposal in this field. It called, in parallel, for an interinstitutional agreement to be concluded, should the progress expected by the EP with regard to social policy in the new Treaty prove unsatisfactory; - as regards the development of the Social Dialogue, that employment policy should be fully taken into account within the dialogue and that transfrontier regional dialogues should be introduced. It was not in favour of the introduction of an additional social dialogue in large undertakings, but said that it would welcome the introduction of training activities to benefit the workforce. Lastly, Parliament fully supported the idea that observers from countries in Eastern Europe (particularly the applicant countries) should be involved at the various levels of the social dialogue.