



EUROPEAN SOCIAL DIALOGUE

KEY MESSAGES

- 1** Social partners have demonstrated a capacity to find solutions to EU labour market problems and contribute to growth and employment (joint labour market analysis, agreements on part-time work, fixed-term contracts, etc.)
- 2** The autonomy of social partners must be respected
- 3** European industry submitted to the EU Emission Trading Scheme is as vulnerable to carbon leakage as it was before the Copenhagen conference

BACKGROUND

The European social dialogue was built progressively since the mid-1980s to develop the social dimension of the Single Market in a way which respects the **diversity of national industrial relations and social systems**. National industrial relations systems reflect different arrangements regarding the scope of social partners' competences and the level at which collective bargaining takes place.

Since 1992, the role of social partners has been **officially recognised by the EU Treaty**. Before proposing a directive in the social field, the Commission is obliged to consult social partners in two stages. The social partners can decide to start negotiations. If they do, the social partners have nine months to come to an agreement (articles 154-155 in the Lisbon treaty). Contrary to Commission proposals for EU social legislation, social partner agreements cannot be modified by the EU institutions. The most recent consultation of the social partners was launched by the European Commission on 24 March 2010 regarding the review of the working time directive.

The **Lisbon Treaty** adds a new provision which recognises and promotes the role of social partners and officialises the Tripartite Social Summit (article 152 in the Lisbon treaty).

The European Social Dialogue has produced significant **achievements**:

- **Three legally binding agreements** on parental leave (1995, revised in 2009), part-time work (1997), fixed-term work (1999);
- **Three framework agreements implemented by social partners without EU legislation**: telework (2002), work-related stress (2004), and harassment and violence at the workplace (2007);
- **Two frameworks of actions** on the lifelong development of competences (2002) and on gender equality (2005). They have constituted a catalyst for social partners' initiatives across Europe;
- **More than 50 joint declarations or joint opinions** dealing with issues as diverse as economic policy, labour market adaptability, restructuring, European works councils, education and training, the fight against racism, etc.;
- **A key Joint Labour Market Analysis** (2007) which paves the way to balanced reforms of labour markets and give a joint definition of flexicurity;
- **A joint report on ECJ rulings** in the Viking, Laval, Rüffert and Luxembourg cases (see separate briefing) (2010).

Since 2003, European social partners work on the basis of multi annual programmes (2003-2005, 2006-2008 and 2009-2010). In the context of the current **work programme 2009-2010**, attached at annex, European social partners:

- Are currently trying to agree on a recommendation on the **EU 2020 strategy** to be published before the June European Council;
- Have just negotiated a framework agreement on **inclusive labour markets** with a view to increasing employment participation in Europe (see separate briefing).

WHAT DOES BUSINESSEUROPE AIM FOR?

- BUSINESSEUROPE values the EU social dialogue because:
 - ⇒ It allows to develop balanced EU social policies and to devise concrete arrangements that benefit both companies and employees. We count on the European Commission to support and promote this dialogue.
 - ⇒ It enables to build a shared understanding and mutual trust, e.g. on flexicurity, which are essential prerequisites to modernise European labour markets.
- Social partner initiatives can contribute to achieve the goals of the EU 2020 strategy. For example, by implementing the Inclusive Labour Markets framework agreement, social partner actions will help attain the strategy's goal to achieve "inclusive growth".

Social dialogue documents are available on the **Employers' Resource Centre (ERC)** at the following weblink: www.erc-online.eu/content/default.asp?PageID=511