



## Social Affairs & Social Dialogue

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Growth and jobs hold priority positions in the Commission's revamped Lisbon Strategy. As a result, a renewed social agenda (RSA) was adopted in July 2008 to strengthen the social dimension and to establish a roadmap for European social policy up to 2010.

*"Social aspects and competitiveness must be taken equally seriously for our societies and economies to flourish."*

José Manuel Barroso, European Commission President,  
3 April 2008

Europe's economic growth and regulatory environment have a direct impact on the ability of commerce to create jobs. Particular RSA priorities, such as the review of the European Works Councils Directive, the management of demographic change, fighting discrimination and investing in young people, highlight their impact on competitiveness, employment and the long-term prosperity of commerce.

The commerce sector works hard to bring opportunities to employees and to enhance their prospects through training and experience, especially those who may find it difficult to enter the labour market.

The Social Affairs Committee covers EU employment and social affairs policy and is engaged in the European social dialogue for commerce.



## A. Social Affairs

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### 1. Renewed Social Agenda (RSA)

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The RSA aims to adapt the EU's policies to new social realities and trends, without changing fundamental goals -i.e. to build harmonious, cohesive and inclusive societies, which respect fundamental rights in healthy social market economies.

The RSA is built around opportunities and access, focussing on enabling individuals to realise their potential while offering help to those less able to do so. The package adopted in July 2008, contains 19 initiatives in the areas of employment and social affairs, education and youth, health, information society and economic affairs. EuroCommerce has focussed in particular on the following topics:

**Equal Treatment Directive:** In July 2008, the Commission proposed a directive to provide protection from discrimination on grounds of age, disability, sexual orientation and religion or belief outside the workplace (e.g. in housing, public transport, provision of goods and services). EuroCommerce rejected this proposal as its provisions on equal treatment of persons with disabilities would create legal uncertainty and impose disproportionate burdens on the retail sector, particularly SMEs.

EuroCommerce adopted a position paper, submitted amendments to the draft opinion of the European Parliament and directly approached several MEPs with our concerns, meeting with significant support.

**In 2009, EuroCommerce will continue to monitor closely the deliberations at the Council and the Parliament and to voice the concerns of the commerce sector.**

**European Works Council Directive recast:** In February 2008, the European Commission consulted the social partners on the review of the Directive on the introduction of an employee information and consultation body in multinational companies. A recast proposal was published in July 2008.

EuroCommerce replied to the consultation and expressed its concerns, which were taken into account in the recast proposal. The social partners agreed on some amendments, which were taken into account in the report of MEP Bushill-Matthews.

**Throughout 2009, EuroCommerce will continue to monitor this measure, particularly in Parliamentary debates, to ensure that the advice of the social partners is given due consideration. EuroCommerce fears that some of the amendments adopted would considerably increase the burden for companies and jeopardize the achievement of the European social dialogue.**

**Flexicurity:** This combination of active labour market policies, flexible contractual arrangements, life-long learning and modern social protection systems, is very important for the commerce sector, which favours a non-legislative approach.

The Commission launched a public initiative in 2008, in close cooperation with the European social partners at cross-sectoral level, in the form of a "Mission for Flexicurity". It aims to help member states integrate the common principles of flexicurity into their national systems and promote their practical implementation. A final report was presented to the Employment, Social Policy, Health and Consumer Affairs Council in December 2008.

EuroCommerce would have preferred to see the flexicurity principles given more prominence in the RSA. We would also wish to be more actively involved in the implementation of the common principles of flexicurity as a social partner.

**In 2009, EuroCommerce will continue to promote and discuss flexicurity, stressing the importance of job creation and life-long learning.**

**Other initiatives:** The RSA also includes important initiatives on education, training and youth, migration, anticipation of change, health and safety, transnational negotiations, reconciliation between professional and family life and demographic change.

**In 2009, EuroCommerce will continue to monitor developments on these issues and to ensure an adequate follow-up.**

## 2. Temporary Agency Workers Directive

Temporary work is essential for commerce and service suppliers and meets a genuine demand from workers. In 2008, after a deadlock of several years, a Directive was adopted which allows:

- equal treatment from day one for temporary agency workers on pay, maternity leave and holidays, with
- possible derogation through collective agreements and agreements between social partners at national level.

EuroCommerce views the eventual compromise as positive, since it provides a satisfactory balance between flexibility and security, while lifting restrictions on the use of agency work.

**In 2009, EuroCommerce will continue to follow this issue through the exchange of views with other relevant stakeholders.**



### 3. Working Time Directive (WTD)

A policy compromise on the WTD was reached in the Council in June 2008. EuroCommerce particularly welcomed the option for member states to calculate the average weekly working time over a 12-month reference period, the maintaining of the opt-out and the division of 'on-call time' into active and inactive periods.

However, the December vote in plenary confirmed the position of the Parliament's Employment Committee, which has jeopardised the hard-fought Council compromise.

**EuroCommerce will continue to lobby the Parliament throughout 2009 to ensure that the concerns of the commerce sector are given due weight.**

## B. Social Dialogue

EuroCommerce and its social partner Uni-Europa have been engaged in the European social dialogue for over 20 years. The Sectoral Social Dialogue for commerce is particularly significant in terms of number of employees and has been one of the most active. Throughout 2008, we have been active in the following areas:

- Discussions with a delegation of young trade unionists and Commission experts on improved youth employment in commerce.
- A technical symposium on promoting safer shopping and working environments. The social partners are also working on a joint project to promote a best practice toolkit.
- The promotion of better integration of migrant workers into the retail labour market.
- How to address future skill needs in the light of the evolution of professional profiles and changing work environments.

**In 2009, the social partners will focus on core employment and labour relations issues, in particular:**

- Work on defining concrete measures to support and develop the employability and employment of young people in European commerce, with special focus on the follow-up of the 2002 voluntary guidelines. Questions related to the ageing workforce will be discussed at the next plenary.
- Support for migrant workers through the EU-funded project on European commerce competence and extending translation of the modules.
- Continue work on the common project on third-party violence.
- Monitor the impact of enlargement on retail and distribution and organise a round table with a particular focus on Turkey. These initiatives aim to facilitate the integration of the social partners of new member and candidate countries into the European social dialogue for commerce.
- The reduction of administrative burdens for SMEs by e.g. joint initiatives on European and national regulations.
- Continue discussions on future skills needs and follow up the initiatives from the Commission and the International Labour Organisation.
- Gather best practices on the promotion of gender equality in commerce.