



# European Social Dialogue

**European Commission  
2019**

**These slides accompany the explanation of the acquis to Albania and North Macedonia and can only be used for that purpose. Their content is subject to further development of the acquis and interpretation by the Court of Justice of the European Union.**

# What is Social Dialogue?

- *Social partners (i.e. trade unions and employer organisations) negotiating about working conditions etc.*
- ➔ *clearly distinct from dialogue of social NGO's*
- ➔ *Being representative and having a mandate*

## Who are the European social partners?

	<i><b>Employers</b></i>	<i><b>Workers</b></i>
Cross-industry: general social partner organisations	 	
Cross-industry: organisations representing certain categories of workers or undertakings		 
Sectoral social partners' organisations in 43 sectoral SSDC	<i>63 sectoral employer organisations</i>	<i>15 sectoral worker organisations</i>

## A pillar of Europe's social model

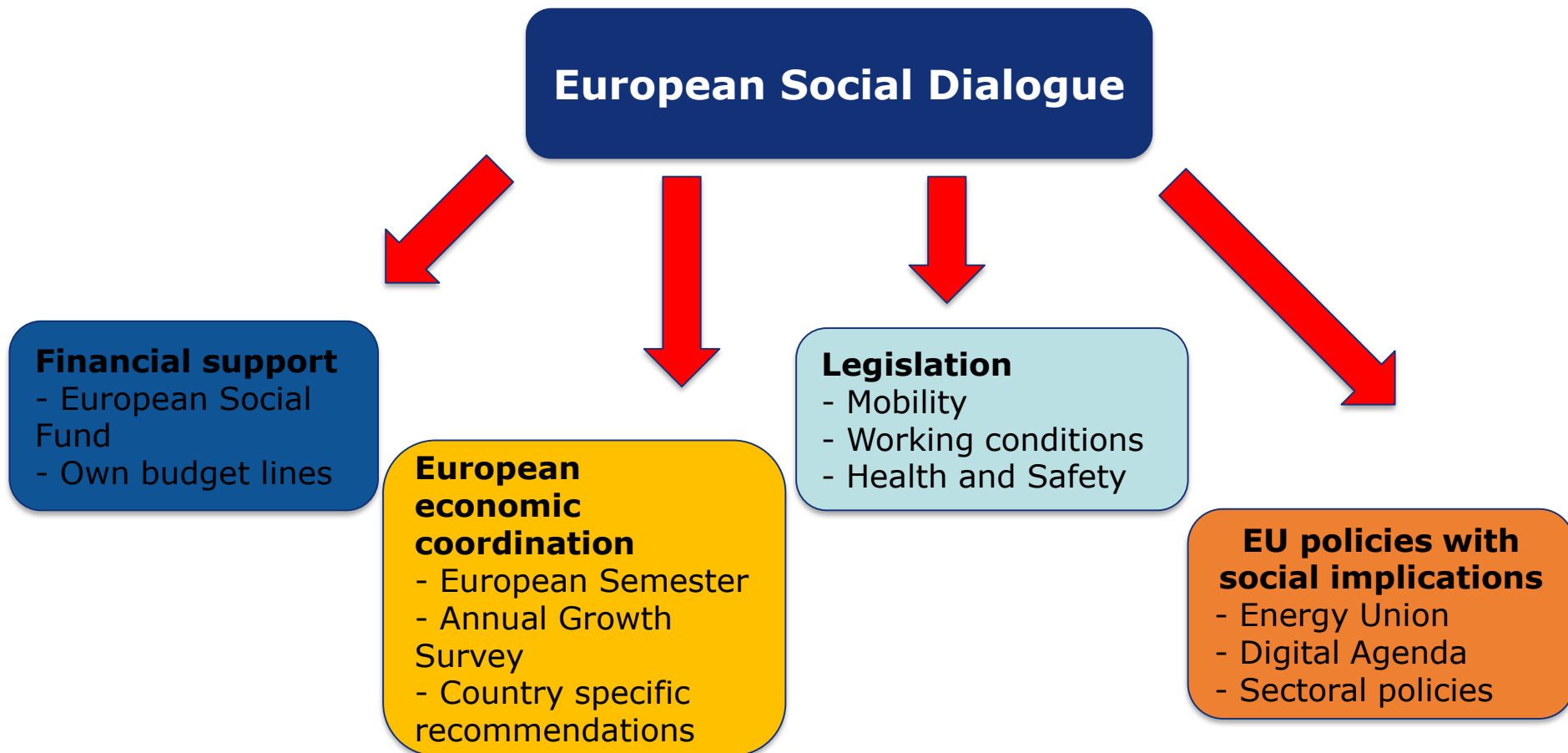
- *Social partners contribute to defining **European social standards***
  - Outcomes of their autonomous dialogue: agreements (autonomous or implemented by EU law), but also other, less binding instruments
  - European social partners are involved in the European policy-making process
    - Social partner consultations
    - Consultation of sectoral social dialogue committees in the Commission's impact assessment process
- *Complements the **national practices** of social dialogue and industrial relations which exist in the Member States*

# A pillar of Europe's social model

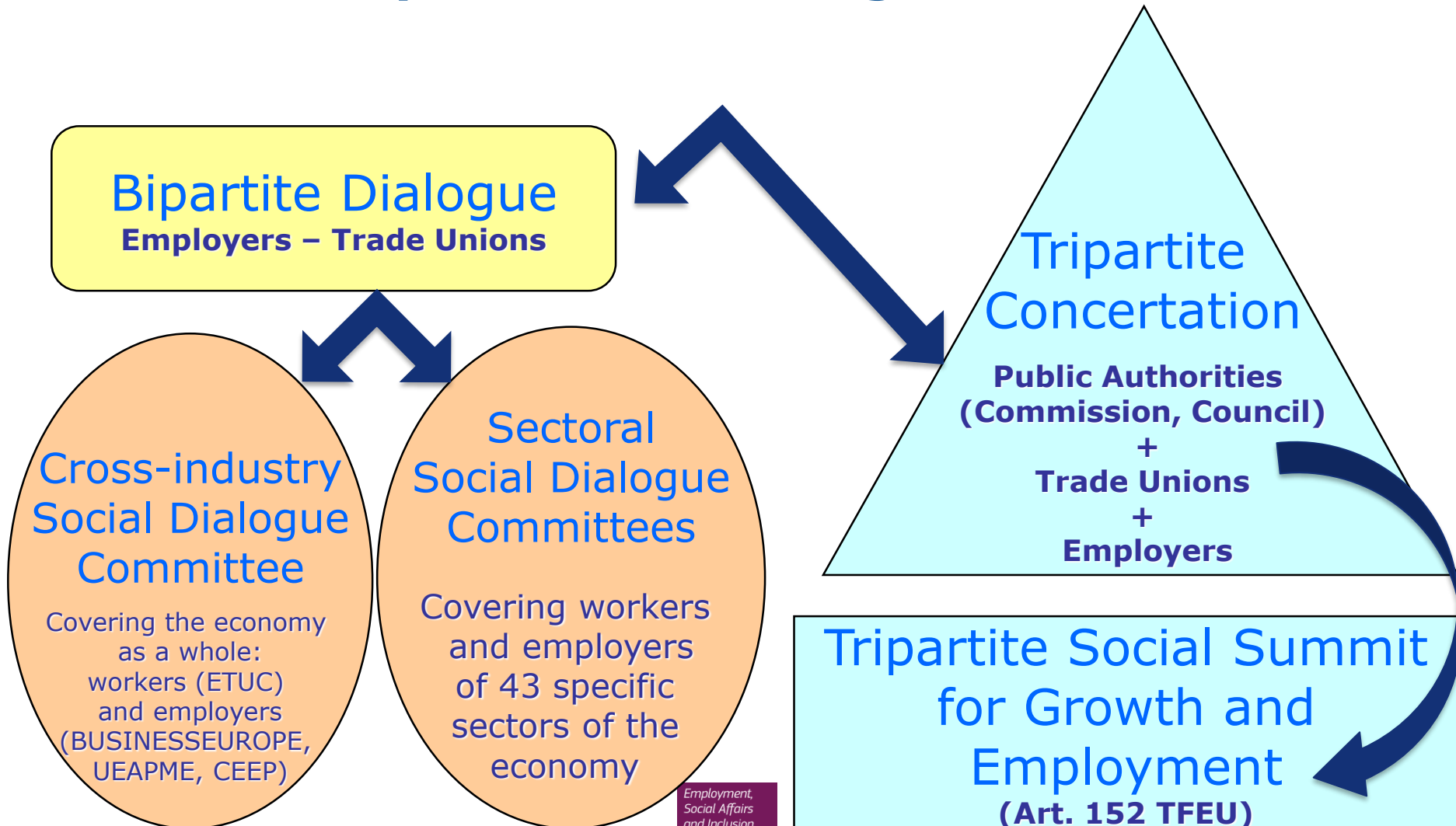
*Strong institutional recognition: **Treaty on the Functioning of the EU (TFEU)***

- *Art. 152:*  
Union recognises and promotes the role of social partners at Union level + Tripartite Social Summit
- *Art. 154:*  
Promotion of **consultation** of European social partners by the Commission + balanced **support** for their dialogue
- *Art. 155:*  
**Agreements** concluded by social partners

# Social policy agenda

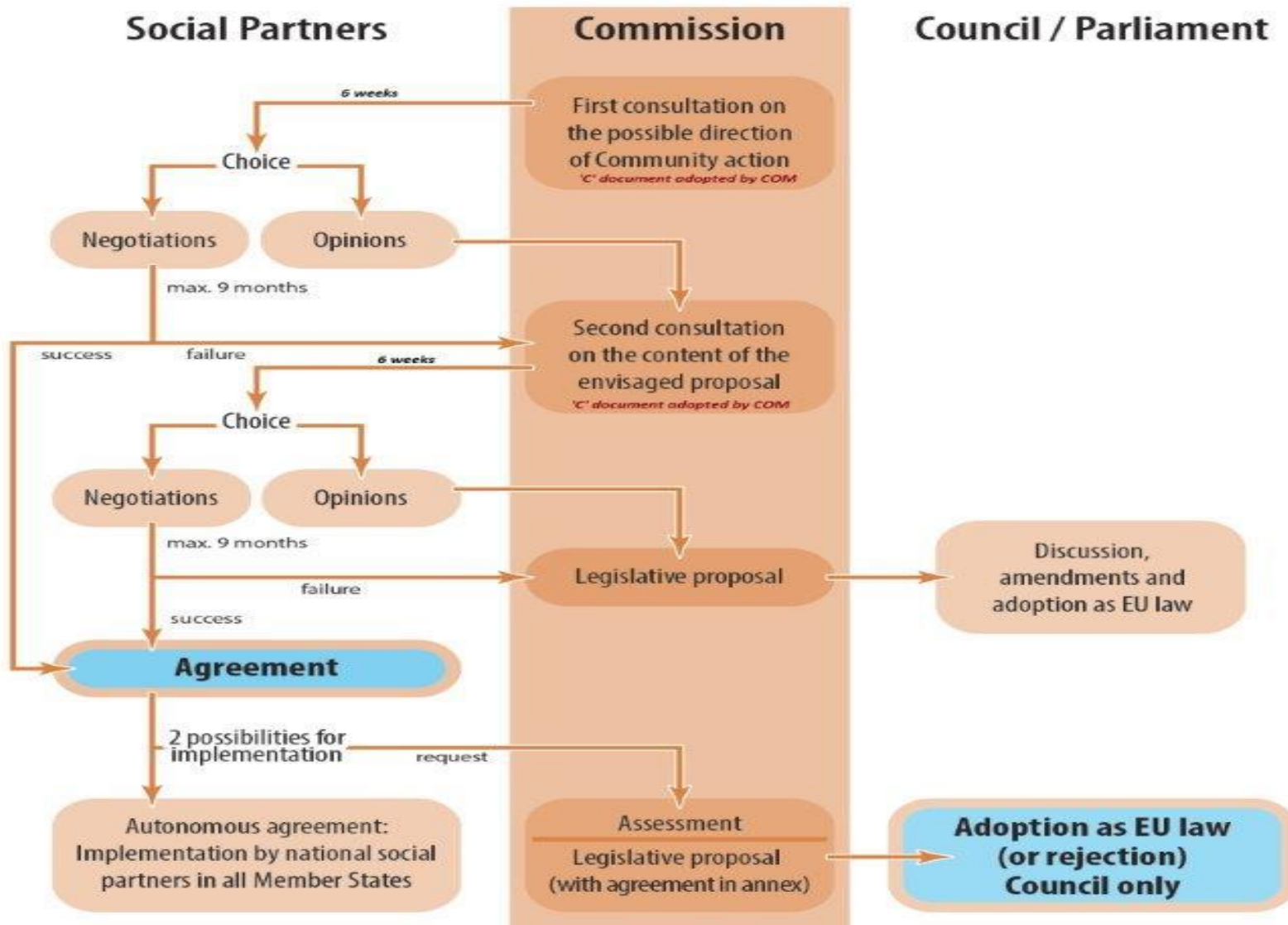


# European social dialogue: forms





## Consultation and negotiation procedure under Articles 154 and 155



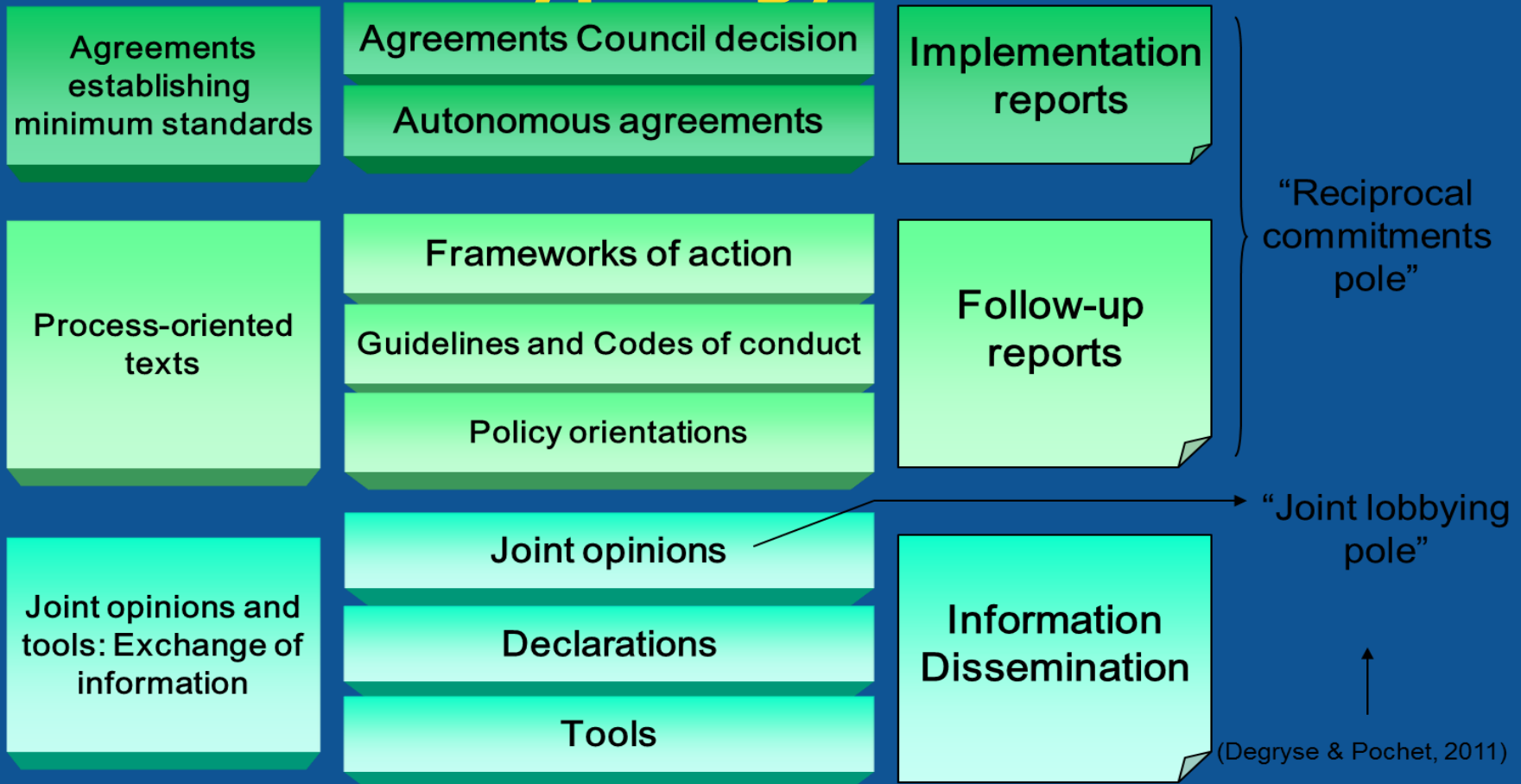


# Consultation of European social partners

- Consultation of social partners **compulsory** before any proposal in social policy field (Art 153 TFEU)
  - Two-stage consultation process:
    - possible direction
    - content
  - Social partners can decide to start negotiations at either stage
  - Legislative process is suspended
- *Consultation on **sectoral policies** should also take place in case of **significant social impacts***



# European social dialogue outcomes: typology



# Priority of the Juncker Commission: A new start for Social Dialogue

*High level conference – 5 March 2015*

- Strengthen social dialogue
- Involve social partners
- Competitiveness
- Fairness
- Social market economy



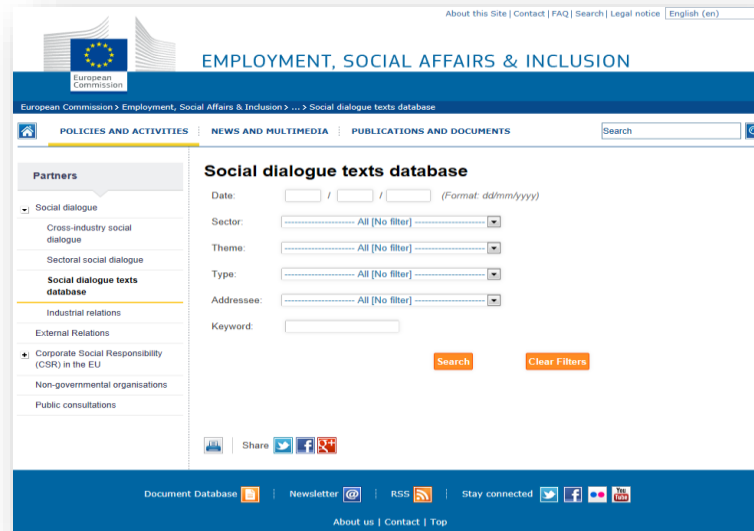
# A new start for Social Dialogue

- *Ensure involvement in Economic Governance*
- *Support functioning national industrial relations including strengthening capacities of social partners at national level*
- *Enhance contribution to EU policy making*

# Information sources

*Europa website: <http://ec.europa.eu/socialdialogue>*

*Social Dialogue texts database:  
<http://ec.europa.eu/social/main.jsp?catId=521&langId=en>*



# Information sources

*CIRCABC Library:*

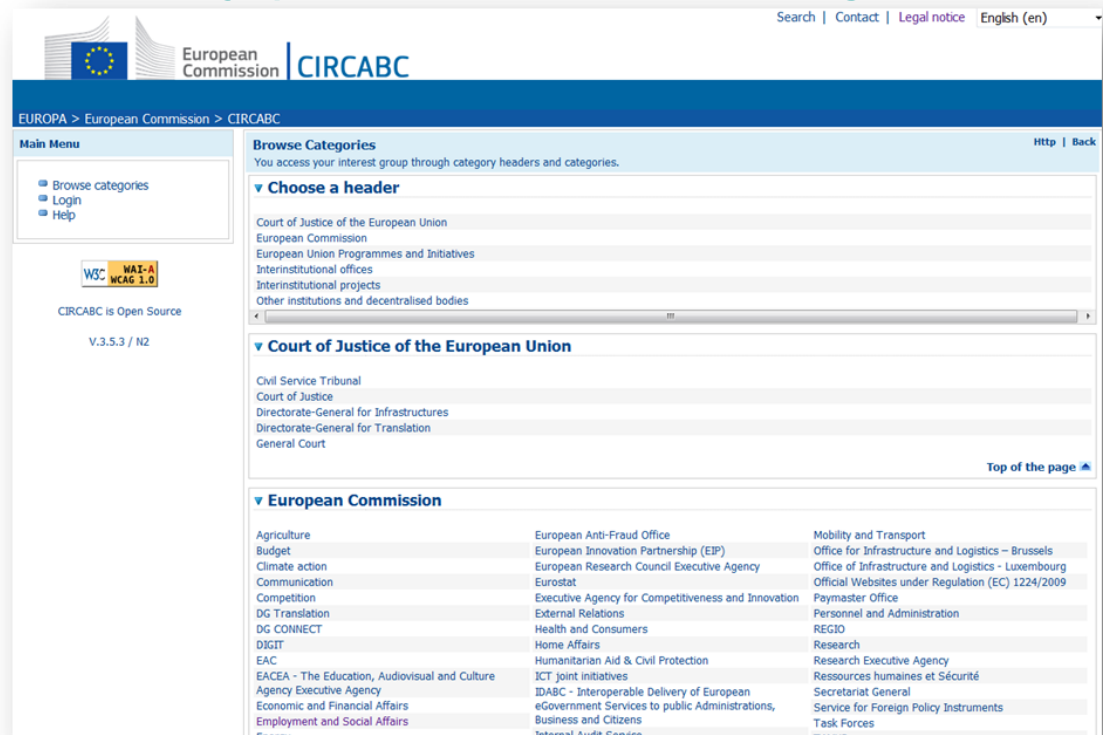
<https://circabc.europa.eu/faces/jsp/extension/wai/navigation/container.jsp>

1. Click on "Browse categories"

2. Look for "Employment and Social Affairs"

3. Then for  
"Sectoral Social  
Dialogue"

4. Then click on "Library"



The screenshot shows the CIRCABC website interface. At the top, there is a header with the European Commission logo and the CIRCABC logo. Below the header, there is a navigation bar with the text "EUROPA > European Commission > CIRCABC". On the left side, there is a "Main Menu" with links to "Browse categories", "Login", and "Help". In the center, there is a "Browse Categories" section with a "Choose a header" dropdown menu. Below this, there is a list of categories under the heading "Court of Justice of the European Union". At the bottom, there is a table with three columns of categories, including "Agriculture", "Budget", "Climate action", "Communication", "Competition", "DG Translation", "DG CONNECT", "DIGIT", "EAC", "EACEA - The Education, Audiovisual and Culture Agency", "Economic and Financial Affairs", "Employment and Social Affairs", "European Anti-Fraud Office", "European Innovation Partnership (EIP)", "European Research Council Executive Agency", "Eurostat", "Executive Agency for Competitiveness and Innovation", "External Relations", "Health and Consumers", "Home Affairs", "Humanitarian Aid & Civil Protection", "ICT joint initiatives", "IDABC - Interoperable Delivery of European", "eGovernment Services to public Administrations, Business and Citizens", "Internal Audit Service", "Mobility and Transport", "Office of Infrastructure and Logistics - Brussels", "Office of Infrastructure and Logistics - Luxembourg", "Official Websites under Regulation (EC) 1224/2009", "Paymaster Office", "Personnel and Administration", "REGIO", "Research", "Research Executive Agency", "Ressources humaines et Sécurité", "Secretariat General", "Service for Foreign Policy Instruments", "Task Forces", and "Training".



# Social Dialogue and candidate countries

# EU Social dialogue

- *Part of the acquis communautaire*
  - *Tool of good governance*
  - *Principle 8 of the European Pillar of Social Rights*
  - *Strong recognition in the Treaty:*
    - Articles 154 & 155 (consultations/ negotiations)
    - Article 152
- ***Attached mainly to Chapter 19: Social policy and employment***



# Social Dialogue related obligations

- *Freedom of assembly and of association*
- *Right to collective bargaining and action*
- *Workers' right to information and consultation*
- *Protection of personal data*

# Freedom of assembly and association

- *EU Charter of Fundamental Rights (Art. 12)*
- *ILO Convention 87 (Art. 2 and Art. 3)*
- *ILO Convention 98 (Art. 2)*
- *ILO Convention 151 (Art. 5 – public employees)*
- *European Social Charter and European Human Rights Convention (Council of Europe)*

## **Right to collective bargaining and action (including strike)**

- *Charter of Fundamental Rights (Art. 28)*
- *ILO Convention 98 (Art. 4)*

## **Workers' right to information and consultation**

- *Charter of Fundamental Rights (Art. 27)*

## Key points – to do list

- *Freedom of association and collective bargaining in law and practice*
- *National social partners must be able to engage in EU social dialogue through the EU social partners organisations*
- *Capacity to implement EU social dialogue agreements and other joint outcomes at both cross- industry and sector level*
- *Ensure timely consultation of social partners on design and implementation of economic, employment and social policies (e.g. necessary for the European Semester, European Reform Programmes)*
- *Capacity building of national social partners*