



PROCEDURES AND MANDATES for the SOCIAL DIALOGUE

The following document sets out the procedures to be followed by EPSU to obtain a mandate and decide on agreements in the intersectoral and sectoral social dialogue.

I. Input for Social Dialogue: determination of general EPSU positions.

The positions EPSU takes both in the inter-sectoral and in sectoral Social Dialogue should be based on policies adopted by Congress. Where necessary, policies have to be further developed by the Executive Committee for the intersectoral and the Standing Committees for the sectoral social dialogue.

II. Inter-Sectoral Dialogue

For the purpose of consultation and negotiations laid down in the Social Chapter of the European Treaty, the Executive Committee Members will have the political responsibility for co-ordinating positions with affiliates and Standing Committee Members in EU, EEA and applicant countries.

Information will be sent in the languages available (Commission and/or ETUC) to all affiliates and members of the Executive Committee. EPSU positions in the 1st and 2nd phases of consultation will be in English given the tight deadline and in accordance with the decision of the Executive Committee of May 1999. When possible correspondence will be sent by Email to save time.

EPSU will co-ordinate its contributions with ETUC

1. Consultation and Information Phase

1.1. Start of the consultation process by the European Commission

The Commission sends a paper or proposal regarding social policy to the social partners for consultation in line with social chapter procedures.

Where necessary the EPSU Secretariat will submit a draft proposal on a possible EPSU position, indicating how public service workers and their unions are affected, to all affiliates for information and discussion and to Executive Committee Members for co-ordination among affiliates in the country. On the basis of the comments received, EPSU Secretariat will present a draft paper to the Steering Committee for decision.

The Steering Committee will decide if EPSU should forward the position to the Commission and ETUC within the six-week consultation period.

If a meeting of the Steering Committee is not possible, this will be a written procedure.

Decisions will be communicated to all affiliates and Executive Committee members.

1.2. *Second phase of consultation*

A similar procedure is followed for the second phase of consultation.

Where necessary the EPSU Secretariat will submit a draft proposal on a possible EPSU position, indicating how public service workers and their unions are affected, to affiliates for information and discussion and to Executive Committee Members for co-ordination among affiliates in the country. On the basis of the comments received, EPSU Secretariat will present a draft paper to the Steering Committee for decision.

The Steering Committee decides if EPSU believes the social policy issue is a subject to negotiate on or not. This will be communicated to all affiliates, Executive Committee members, ETUC and Commission.

ETUC will decide whether or not to negotiate on the issue. If the ETUC decides not to negotiate ~~it~~, that is the end of the inter-sectoral dialogue process.

The consultation period is also of six weeks.

Decisions will be communicated to affiliates and Executive Committee members.

It is possible that EPSU and/or European public service employers' organisations say that an issue is worthy of negotiation while ETUC, CEEP, UNICE have said no. In this case see section *III Sectoral Social Dialogue*.

2. Negotiations

The negotiations start if the European inter-sectoral partners (ETUC, UNICE, CEEP) have agreed to negotiate.

2.1. *Determination of the mandate*

EPSU will receive a proposal from the ETUC. Where necessary the EPSU Secretariat will comment on the ETUC proposal based on the EPSU position in the first and second phases of consultation.

Executive Committee Members and affiliates will receive all necessary information on ETUC proposals and EPSU Secretariat comments concerning the potential negotiations at least within four weeks before a decision on the mandate is taken in the ETUC Executive Committee.

As the EPSU representatives in the ETUC Executive need to be able to express themselves, EPSU Executive Committee Members (coordinating the input from affiliates) will have to write to the EPSU Secretariat, preferentially in English or in an official EPSU language, indicating their views. On the basis of the replies received, the final position in the ETUC Executive Committee will be determined by the EPSU representatives (titulars and substitutes) in the ETUC Executive Committee.

EPSU will also inform ETUC that it wants to participate in the ETUC negotiating delegation and that it will be represented by the EPSU General Secretary.

2.2. *Monitoring of the negotiations*

Affiliates, the Steering Committee and the Executive Committee will be informed on progress in the negotiations on a regular basis.

In cases of urgency, decisions concerning the mandate or a modification to the mandate may be made in writing allowing for a 4-week consultation period with Members of the Executive Committee. All affiliates will be informed.

If the negotiations lead to a draft agreement, the draft text will be sent to the EPSU affiliates and Executive Committee, in principle 6 weeks before the ETUC Executive Committee takes a decision (allowing for consultation and determining the voting mandate).

III. Sectoral Social Dialogue

The following procedure is applied for the sectoral social dialogue:

1. Initiation of process

EPSU proposes a subject for discussion with sectoral employers or accepts a proposal from sectoral employers. The Standing Committees take the decision based on general adopted EPSU policy and the EPSU programme of priorities. The Standing Committees decide on the issues it wishes to see covered.

2. Nomination of the negotiating team

A negotiating team is nominated for the preparation of a joint position if necessary. It is nominated by the Standing Committee ensuring a proper balance between expertise on the subject, regions, women and men. The team will include a representative of the EPSU secretariat. The EPSU secretariat can draft proposals/responses.

3. Negotiations

During discussions with employers, the negotiating team reports back to the Standing Committee President and vice-presidents. The President and vice-presidents and the negotiating team decide on when to call for input/decision by members.

4. Sectoral social dialogue committees

The EPSU delegation to the sectoral social dialogue committees will be composed of Members of the relevant Standing Committee including a representative of all EU member states insofar as possible. If a sectoral social dialogue is established in a sector that is not represented in the corresponding Standing Committee, a negotiating group will be established from unions concerned. It will report to the Standing Committee.

All affiliates in the particular sector will be informed and consulted on positions taken in the sectoral social dialogue committees. The Standing Committee will consider the final result of a sectoral negotiation. It will forward a recommendation to adopt or reject for approval by the Executive Committee. In the event of time constraints the Steering Committee is mandated to approve the recommendation of the Standing Committee (If necessary, this can be done through a procedure in writing).

IV. Decision-making and voting

1. Voting on the final result of the negotiations (the actual agreement) will take place on the basis of a 2/3 majority of the votes cast by eligible Executive Members. A quorum is set of 50% + 1 of the Executive Committee Titular Members
2. The same quorum holds for the written procedure (50% plus 1). Titular Executive Committee Members are required to express themselves for the quorum to be reached. The majority is 2/3^{rds} of those who have voted. The steering Committee can approve the results in the form of a written response, when pressure of time necessitates. The written response will still be sent to the executive.

3. As the agreements only apply to EU and EEA countries Executive Committee Members from these countries are entitled to vote.
4. In all other cases the simple majority rule (present and entitled to vote) continues to apply in the Executive Committee, Steering Committee and Standing Committees. (4.3.5 of EPSU Constitution).
5. Abstaining will be interpreted as that the Member is neutral regarding the outcome.
6. It is the responsibility of the Member of the Executive, Steering or Standing Committees to ensure proper consultation and involvement of all unions within the deadlines.
7. Unions that believe that this process is not respected can address the Steering and/or Executive Committees through the Secretariat.

V Interpretation of this document

In case of questions and circumstances not covered by the procedures and mandates, the Executive Committee agrees that the Secretariat and where proper in consultation with the President/ Vice-Presidents or Steering Committee, can interpret the document. The Executive Committee will need to be informed afterwards.