



Social services as public task in Europe – Guaranteeing and developing them in partnership

## **Common guidelines for EPSU members in view of the development of social dialogue at EU-level with relevant and representative employers' organisations**

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### **1. The European integration process and the development of social services**

Social services in Europe are characterised by great heterogeneity. The specific characteristics of the national systems reflect the respective traditions of social policy. Irrespective of this, a dynamic change is to be observed in Europe when it comes to the provision of social services. Market and competition are becoming increasingly important as forms of governance whereas the relative weight of solidarity mechanisms for the provision and financing of social services is on the decline. In addition the internal market rules impact on the modalities for the organisation, regulation, provision and financing of social services. Further impacts can also be expected from the not yet ratified or still negotiated Free Trade Agreements (CETA; TTIP; TiSA). Other increasingly pressing key challenges for the further development and guarantee of social services prove to be the number of employees/adequate and safe staffing levels and the quality of the jobs. These developments have led to a difficult situation. They put into question the general interest orientation of social services that should be accessible, affordable and of good quality for everybody.

Some of the developments merit a particular mention:

- *Deterioration in working conditions:* For years, employees in the social services sector have been experiencing increasing burdens at the workplace arising from ever new tasks, greater bureaucracy and pressure to perform. For many, there is also the growing precariousness of their employment through fixed-term contracts or temporary agency work. Work-related stress is constantly increasing. Many workers have already experienced and suffered from third-party violence. The European social partners from various sectors (including LRG and HSS) adopted guidelines to prevent third-party violence and harassment at work on 30 September 2010. The guidelines encourage employers to establish a clear framework for the prevention and management of violence by third parties in the context of the employment relationship. Finally, massive work intensification is happening especially in outpatient and inpatient care.
- *Trends in wage and salaries:* In Europe, healthcare and social services are explicitly considered as an engine for growth and employment. However, the trend in collectively agreed wages and salaries for most professions in this sector is lagging behind the productivity increase in this sector. The reasons are to be found firstly at national level, i.e. in the privatisation carried out here, the weakening of public budgets and the reduction of jobs with mandatory social security contributions.
- *Development of division of labour in social services:* The reorganisation of the division of labour between the healthcare, education and social care professions on the one hand and between the workers with different levels of qualification on the other hand is pro-



moted at operational level primarily with the aim of cost reduction. In the interest of the quality of the service provision and of safeguarding decent terms and conditions for the employees, this trend has to be stopped and steered by legal and collective wage agreement-based standards for training, as well as by adequate and safe staffing levels as fixed in legislation and/or collective agreement.

- *Transnational migration*: Internal market and freedom of movement offer in particular to mobile and well qualified people the opportunity to achieve individual improvement of working conditions and income through cross border migration. However, in the countries of origin, with the migration of precisely the trained staff, there is the risk that the supply of social services for their own populations will deteriorate. National supply problems which arise both through a changing supply requirement and through insufficient training and remuneration in the healthcare professions, should be resolved in all Member States proprietarily by means of improvement of the pay and working conditions. Promotion of professional migration at European level, which provides no answer to the causes and consequences of migration of trained healthcare staff, ultimately is more damaging than beneficial to all Member States.
- *Need of more qualified personnel in social services*: Finally, the high number of refugees and migrants in the EU countries has made and will also in the future make the need of qualified social service workers even more urgent.

## **2. Aims of the trade unions affiliated to EPSU in the social dialogue**

Against this background, the European trade unions affiliated to EPSU agree on guidelines “Social services as public task in Europe – Guaranteeing and developing them in partnership“. For the trade unions affiliated to EPSU these guidelines are a common basis to safeguard social services for joint positions on topics such as “securing the pay and working conditions”, “development of service quality”, and “addressing skills shortages” that are supported by social partners in Europe. They build on the [EPSU Congress Resolution 8 “Social Services For All”](#) and on [EPSU’s the Thematic Priorities 2014-2016 for Social Services](#). The guidelines should serve a discussion and coordination process with national employers and employers’ associations to strengthen the social dialogue covering the whole sector of social services and at all levels.

For the trade unions affiliates to EPSU, the guidelines should help achieving in particular the following goals:

- to preserve and further develop social services that are organised and financed on the basis of solidarity, which allow unfettered access to high-quality provision of these services for all people, irrespective of their social status and their financial possibilities;
- to secure the funding and the innovation capacity of social services and their further development, with a view to making a contribution to the stabilisation of the European Social Model;
- to develop proposals aiming at a reduction of staff shortages and at the continuous improvement of working and pay conditions as well as of the quality of the services and of



the jobs in the social services sector, to the benefit of both social service users and the workforce in the sector.

### 3. Perspectives for joint action

These aims require the support and know-how of a large number of people. If the European Social Model and as one element of it the social services sector and its innovation capacity are to be safeguarded and further developed, then the following fields of action – in line with the [EPSU Congress Resolution 8 “Social Services For All”](#) and on [EPSU’s the Thematic Priorities 2014-2016 for Social Services](#) – could be successfully tackled in particular in the context of a social dialogue:

- *Place European integration on a social basis*

Healthcare and social services are part of the services of general interest.<sup>1</sup> EPSU therefore requests that in an EU-context their general/public interest orientation needs to be safeguarded when regulating the modalities for their organisation, regulation, provision and financing. It is important to take into account that the same challenges or tasks for social services linked to internal-market based integration would lie ahead in the context of the free trade agreements currently waiting for ratification or still negotiated.

- *Secure the financing of social services*

Social services for the most part depend on joint sources of financing from taxes and/or social security contributions. A considerable proportion of the many jobs which could be kept or which have been created in recent years in this sector are supported by public funding. Public funding is essential to face up to the growing demands/challenges and to ensure that social services are organised, regulated and supplied in such a way as to guarantee good conditions of employment, work and pay. The direct financing of social services from public funds must increase further in most, if not in all European countries. Investments in social services preserve not only the innovative capacity of the Member States in the social services sector, but are worth it at the same time through a higher level of education and employment and also promote improved integration and inclusion.

- *Achieve better pay through standards of “good jobs/work” and collective agreements*

The EPSU member unions are endeavouring to ensure that pay and working conditions are improved and developed further. This serves to prevent wage dumping and competition between establishments solely on the basis of the lowest price for the provision of social ser-

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<sup>1</sup> The broad spectrum of social services is provided by different of local and regional government and by non-for-profit and commercial service providers, including multinationals. EPSU demands that healthcare and social services are part of services of general interest and that they ensure social objectives for all citizens. EPSU notes, however, that they have been made subject to market and competition mechanisms of the internal market as well as to EU state aid and public procurement legislation.



vices. Collective bargaining is the exclusive competence of social partners in the national context. However, the coverage of the broad sector of social services by structures of sectoral social dialogue at EU-level could help to develop standards or guidelines that are perceived as useful or even decisive for improving the quality of employment conditions at national level. In this context the gender dimension must also be emphasised, considering the very high proportion of female employees in the social services sector. Effective measures must be taken against gender-specific pay, e.g. by means of measures to promote women and tailored concepts of organisational development. EPSU supports the principle of equal pay for equal work at the same place, as well as equal pay equal work<sup>2</sup>. The challenges related to the development of division of labour in social services need to be steered by legal and collective wage agreement-based standards for training, as well as by adequate and safe staffing levels as fixed in legislation and/or collective agreement. The responsibility for adopting corresponding regulations lies with the Member States, but may be accompanied by policy requirements defined at EU-level. The inclusion and uptake of social criteria such as working conditions and the respect for collective bargaining arrangements into public procurement contracts of public authorities should be promoted. The specific regime for health and social services (and some other services) in the frame of the improved 2014 Public Procurement Framework should be further discussed.

- *Implement better working conditions and good training*

One of the priorities of EPSU and its member unions is improvement of the quality of work for the workers in the field of social services. This comprises issues such as the conditions of employment, access to initial training, professional qualifications and continuing professional training, occupational health and safety, well-being at the workplace, safe and adequate staffing levels, regulated working time and breaks. All these points also have to apply to migrant workers in social services. A key tool for effective social dialogue and an increased coverage by collective bargaining is the organisation of workers in social services. Especially with a view to the reduction and prevention of various risks in the field of occupational health and safety, a series of results and documents are available – e.g. from the work of the Sectoral Social Dialogue Committees “Hospitals” and “Local and Regional Government” or also from cross-sector social dialogue – that could be used for the sector of social services, too. The social partners have produced important documents or project results for the topics “violence and harassment related to work”, “prevention from injuries with medical sharps”, “musculoskeletal disorders”, “psychosocial risks and stress” and “addressing the challenges of an ageing workforce”.

- *Organise migration – implement the conditions of the Code of Conduct on “Ethical recruitment”*

In relation to the cross-border migration of health and social care workers the trade unions across Europe support the use of principles of ethical recruitment. A code of conduct for

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<sup>2</sup> Equal pay for equal work is the concept of labour rights that individuals doing the same work should receive the same remuneration. It is most commonly used in the context of sexual discrimination, in relation to the gender pay gap.



health workers was elaborated in 2008 in the context of the sectoral social dialogue in the hospital sector and in the meantime evaluated in view of its use and effects. Key points in this context notably includes the implementation of the principle “Equal pay for equal work in the same place of work” as well as back-up framework conditions resulting from the “coordination of the social security systems”. In addition the focus is on requests of adequate offers to inform migrant workers, for, language courses and guidance services for their integration as well as corresponding vocational training measures. The Social Partners in Local and Regional Government have adopted guidelines on strengthening migration and anti-discrimination in local and regional government on 17 September 2014 which provide guidance for the integration of migrants at the workplace (e.g. training, language courses, etc.). For the future, it is therefore imperative to further develop these non-binding commitments that are also covered by the WHO Code of Practice , to make them effective for the sector of social services, too and to transform them in a mid-term perspective into rights applicable throughout Europe. Work on this field of action could also be the starting point for joint activities of the social partners with regard to “diversity management.”