

EPSU Congress 2009

R.2. Collective Bargaining and Social Dialogue

A. The EPSU affiliates meeting at their 8th Congress in Brussels from 8-11 June 2009 commit to the following principles and objectives:

1. Trade union rights, collective bargaining and social dialogue need to be developed and defended as part of the European social model and in the face of direct attacks by employers, marketisation of public services and the impact of outsourcing and privatisation;
2. EPSU works to improve working conditions and pay for public service workers. EPSU will mobilise to fight against poor working conditions, low pay, and pay inequalities which exist in all European countries. This requires co-ordinated action by trade unions at all levels through collective bargaining and social legislation;
3. To ensure that principles of social justice, trade union and human rights take preference over competition rules, and trade in Europe and elsewhere. EPSU wants internal market and competition rules to contribute towards a socially just society, not that these rules are misused and abused to limit the exercise of these rights and limit progress towards a socially just society in the EU itself, in EU external policy, or by other governments in Europe;
4. Global competition is now having a direct effect on public service workers as social dumping undermines the protection afforded by collective agreements. Moreover, it is now clear that the European Central Bank's policy on controlling inflation has been focusing on wage restraint, through the call to national governments to restrict wage increases mainly in the public sector.
5. More than ever before collective bargaining is a fundamental tool of social regulation and is a means to obtain and ensure decent pay and working conditions for public service workers at cross-sectoral, sectoral and company level; it also is an important mechanism for achieving a fair distribution of income;
6. Strong and effective trade union organizations are essential to collective bargaining. Trade unions provide a response to the needs of working men and women and act as a countervailing power towards employers to prevent exploitation; collective bargaining campaigns addressing workers needs are a key tool to recruit and organize workers in trade unions; Building effective industrial relation systems is a joint trade unions and employers' responsibility. Employers must contribute to collective bargaining ensuring strong relations between the local, national and European levels;
7. Using collective bargaining to fight precarious work, protect migrant workers and eliminate all forms of discrimination at the work place;
8. To promote our positions on Industrial Relations in Europe's public services, increase coordination of collective bargaining and active labour market policies and influence the development of the European system of industrial relations which is emerging by default. This is necessary due to increased integration of the European economy with barriers for trade and mobility gradually falling away. The negative elements are the interventions of the European Central Bank regarding wage policy and judicial intervention of the European Court of Justice like in the recent Court cases (such as Laval, Viking, Ruffert). Positive elements are the agreements and positions reached in the European social

dialogue at sectoral and intersectoral level, the transnational agreements reached in multinational companies and the work of European Works Councils.

B. The 8th Congress calls on EPSU and affiliates to:

9. To fight for social justice and respect of trade union and human rights in Europe; and that these principles are enshrined as primary law in the EU Treaties. Recent jurisprudence of the European Court of Justice has shown there is not sufficient consideration to workers rights in EU legislation. Trade Unions are not permitted to safeguard their members' interests to avoid social dumping, to fight for equal treatment of migrant and local workers and to improve living and working conditions for workers all over Europe. EPSU will fight to make the relevant ILO-conventions part of the policy for a social Europe. If the European Commission and Council abuse internal market and competition rules to limit the use of trade union rights and relegate social objectives to a second level, EPSU will oppose any further progress towards the internal market and EU integration until a substantial social agenda is introduced to bring Social Europe forward.
10. To obtain real pay increases and fully participate in the ETUC Pay campaign for real wage increases, [in line with inflation and general productivity increases and maintain comparability with private sector pay, see also ETUC and previous EPSU Congress documents] to promote that quality of work, quality of pay and working conditions and the quality of life of public service workers are ultimately linked;
11. To support workers and their unions which do not receive wages and which struggle to obtain back unpaid wages;
12. To campaign for improvements of pay and working conditions of public service workers across Europe, and in particular to achieve equal pay between men and women and to tackle low pay by increasing minimum wages in line with the targets defined by the EPSU Executive Committee – in countries that use national legal minimum wages these should amount at least 60% and minimum wages in collective agreements to be at least 70% of average monthly wages. EPSU investigates employers' strategies to prevent paying minimum wages;
13. To defend public pension systems and decent pensions for all, monitor pension developments and implement the EPSU Congress resolution on pensions 2004;
14. To develop collective bargaining objectives in relation to:
 - ✓ working time
 - ✓ health and safety at the workplace
 - ✓ reconciliation of professional and family life
 - ✓ quality of work
 - ✓ improvement of skills and life-long learning
 - ✓ demographic change and inclusion of young and inclusion of older workers in the labour market
 - ✓ climate change
 - ✓ preventing and fighting all forms of discrimination, racism and xenophobia at the workplace
 - ✓ having work and promoting the permanent employment contract as the best protection against precarious work
 - ✓ strengthen the rights of workers who are employed on temporary and part-time contracts
 - ✓ to take up new issues where appropriate;

15. To prevent exploitation of migrant workers including non-documented workers by employers and through agencies, to reflect further on the relationship between shortages of skilled labour, legal migration and collective bargaining; to achieve equal treatment at the work place irrespective of their country of origin;
16. To ensure that there are standards on employment conditions in public procurement contracts and by developing coordinated approaches towards employers; to prevent that outsourcing and privatisation impact negatively on collective bargaining and the quality of work, to develop model procurement clauses to be integrated in commercial contracts of companies starting with large European ones in EPSU areas of activities and ultimately to integrate this in EU law;
17. To fully use the EPSU outsourcing checklist aiming for joint positions or agreements with companies and European employers;
18. To address, directly and indirectly through ETUC, the European Industrial Relations System that is developing, seeking recognition for the European trade union federations and the right of transnational trade union action. We reiterate our demand for the establishment of a European Labour Court or comparable body;
19. To improve the monitoring, exchange, and analysis of information on working conditions, collective bargaining and social dialogue developments, through the epsucob@ newsletter, annual report, website and database; and by ensuring that all affiliates are fully represented in the epsucob@ network; to increase the resources devoted to this; consider collective bargaining developments in the constituency meetings;
20. To support, facilitate and participate in (regional and sectoral) coordination of collective bargaining initiatives of affiliated unions taking place under the umbrella of EPSU;
21. EPSU wants a European employment, economic and public finance policy that impacts positively on public service workers. To ensure EPSU has a voice and trade unions are consulted, EPSU will consider the establishment of a network of economists and other experts to assist in the analysis of such policies and provide EPSU with the necessary argumentation to ensure an effective role in the ETUC economic policy coordination and ETUC representation towards Commission, EcoFin Council, Eurozone finance ministers and ECB. EPSU will oppose (European) economic and finance policies that undermine public services, their quality as well as pay and working conditions of public services workers;
22. To develop common strategies and initiatives to improve the effectiveness of the European social dialogue, including through better implementation and evaluation of agreed texts and by building capacity at national level where this is needed; develop policies, through the EPSU standing committees, that can be introduced into the sectoral social dialogue and to co-ordinate this effectively across the sectors where relevant to agree the strategic sectors to target for a European social dialogue and increase the resources available to support the social dialogue. EPSU will consider how examples of best (social dialogue) practices can assist unions in the EU and beyond;
23. To evaluate the results of the sectoral social dialogues and consider their effectiveness in obtaining key EPSU objectives, the use of the results of the social dialogue at national level and the resources devoted to it by 2013;

24. Continuing co-ordination of its activities regarding multinational companies, targeting with the unions concerned companies to establish European Works Councils and build transnational trade union networks in these companies; further develop the European Works Councils coordinators network, providing assistance to unions on company and sectoral analysis, providing assistance to trade unions and EWCs and developing EPSU's policies on EWC related matters; respond in particular to trends towards negotiated transnational agreements, establishing the role of the Federation and trade unions and testing and reevaluating negotiating procedures;

Adopted 9 June 2009