



JOINT EPSU – INDUSTRIALL EUROPE Mandate for a European Framework Agreement on Just Transition in the Gas Sector

Adopted at the EPSU Executive Committee 18/19 April 2023

CONTEXT

In 2019, after several years of standby, the European Social Partners, industriAll European Trade Union and the European Public Service Union representing the trade unions and Eurogas, representing the employers, have decided to relaunch sectoral social dialogue at the EU level. It was already agreed at that period that social dialogue could provide a platform to discuss workers' needs for a clear vision on the place of gas in the energy transition in order to anticipate changes in employment structures. As a concrete step, a joint project was launched in 2021 to provide a study assessing the impact of the transition on employment structures, skills needs and the industry's capacity to meet these needs.

During the exchanges organised around this study, it rapidly became very clear that a Just Transition pathway for the gas sector was needed, with a concrete tool to implement it at the national and company level, in form of a social dialogue agreement concluded at the EU level and potentially implemented by means of Council decision in form of a directive.

In September 2022, at the plenary meeting of the Sectoral Social Dialogue Committee for the gas sector, members from both sides unanimously agree to negotiate a binding agreement on anticipation of change and just transition (focussing on trainings, collective bargaining, collective agreements, information and consultation of workers, mapping and action plan at the company level with social partners,...) in their work programme for 2023 and 2024.

Furthermore, as an outcome of the joint project, a report was published and presented at the final conference that took place in January 2023. In this report, the independent consultancy made the recommendation that "available social dialogue tools at EU level should be assessed and used where appropriate to ensure a just transition of the sector".

IndustriAll Europe and EPSU's secretariat, propose to accept the opening of negotiations with Eurogas on such a European Sectoral Social Dialogue Agreement. The objective would be to negotiate a framework Agreement to be put forward for adoption in the form of a legally binding agreement implemented via a Directive. Below, we are presenting the main ideas, orientations and redlines that will serve as a basis for a mandate from Executive Committee of both organisations. The concrete details of the agreement will be discussed with the negotiations' teams that will be set up.

DRAFT MANDATE FOR NEGOTIATIONS FROM INDUSTRIALL EUROPE AND EPSU

A. Having regards that:

- There are ongoing efforts towards the decarbonisation of the gas sector, while the new Hydrogen and Decarbonised Gas Package and other legislative proposals linked to Fit for 55 and REPowerEU will impact the labour markets.
- Both risks and opportunities are attached to the decarbonisation of companies: hundreds of thousands of new jobs will be created, while others will change or be replaced.
- There is an urgent need to secure a socially Just Transition for the workers of the gas sector

- The gas sector employs a highly qualified workforce which will play a crucial role in the transition to net-zero. These skills are valuable both in the gas and in other energy sectors, like electricity.
- All workers must be equipped to face the changes, and must benefit from job-to-job transition or other appropriate protection measures that ensure that no one is left behind
- There are actions to be done on the gender imbalance in the gas sector that must be dealt through an intersectional approach
- Workers' participation is key to increasing the attractiveness of the sector and ensuring a just transition. Our agreement should reflect this.

B. Purpose:

- Companies must anticipate changes and provide appropriate solutions and trainings to enable job-to-job transition or other appropriate protection measures that ensure that no one is left behind
- All workers must be equipped and accompanied to face changes with the right skills to accelerate the transition in the gas sector
- All companies must improve diversity at the workplace in order to include everyone in the transformation of the sector.

C. The objective for the negotiation is to achieve A Framework Agreement which will lay down **common minimum requirements to ensure a just transition for the gas sector**

- i. by anticipating the changes**
- ii. securing a right to training**
- iii. securing the employability of its workforce**
- iv. providing guarantees for job-to-job transition**
- v. maintaining the quality of employment conditions of workers from one job to the other**
- vi. maintaining and improving collective guarantees**
- vii. and encouraging more diversity at the workplace.**

D. The aim of trade unions is an agreement that becomes erga omnes via a Directive so all workers in the gas sector are covered. A framework agreement be put forward for adoption in the form of a legally binding agreement implemented via a Directive could cover all existing and newly emerging national and multinational companies operating in Europe and their workers in the gas sector (manufacture of gas, distribution of gaseous fuels through mains, trade of gas through mains). An autonomous social partner agreement would only cover Eurogas' members, which are largely active in the distribution sector. Negotiating a framework agreement to be put forward for adoption in the form of a legally binding agreement via a Directive is therefore the declared preference of trade unions.

E. The agreement will include the 2015 ILO definition of Just Transition, incorporating the following parameters:

- social (working conditions and collective guarantees)
- environmental
- economic

F. The agreement will seek to address different areas including the following:

- 1) A framework on anticipation and management of the transition on the company level which include workers' representative and contains
 - Long term strategic planning, adaptability and employability provisions from a quantitative and qualitative perspective
 - Anticipation of employments and skills needs linked to the green and digital transition
 - Strong provisions which guarantee that trade unions are informed and consulted about the decarbonisation plan of the company and are provided with a strategic planning for changes to jobs and skills. These provisions should among others build on and strengthen existing structures of workers participation, such as shop stewards or European Works Councils, where they exist.
 - Means put in place for companies and workers to understand the future employment's needs on the company level.
- 2) Job to job transition
 - The shared objective of companies and trade unions should be to guarantee quality jobs for workers who are changing workplace as a result of the transition. To this end, we will seek the following concrete commitments from employers:
 - a. Securing career path for workers. In the agreement we will seek commitments from employers for a set amount of guaranteed career development interview on the company level. This should be followed up by adequate training offer
 - b. setting up targets for training and life-long learning, taking into account diversity, mobility, intergenerational solidarity
- 3) Training as the key to employability
 - The core of the agreement will be a right to training. To this end we want to establish a minimum standard of training opportunities that companies have to fulfil across Europe. A minimum amount of days dedicated to training is the aim. The precise details and practicalities will be defined during the negotiations.
 - The training offer must be of quality and access to training should be granted to each individual worker. Training must be validated, recognised and lead to certified qualifications. These qualifications should be linked to opportunities for career progression in line with the aforementioned established career paths. The exact modalities might best be decided by national social partners, but European Social Partners can negotiate a framework. This should also be monitored on a regular interval by social partners both on European and national level.
 - The training budgets dedicated to the transition and to maintaining existing skills should reflect these priorities.
 - The cost of training should be fully borne by the company.
 - The time spent in preparation and postprocessing of the training as well as time spent at the training itself must be considered working time. In addition to this hard-skill training companies should also offer and promote training to further their employees soft skills
- 4) Strong social dialogue:
 - information and consultation of workers,
 - A commitment of employers to strengthening collective bargaining.
- 5) Strong diversity at the workplace
 - plans to improve the diversity in companies should consistently be drafted with involvement of unions in an interval to be determined. A special focus will be on increasing the share of women, who are underrepresented in the sector.

- Companies should present plans on how they are planning to address and overcome existing inequalities between men and women in close cooperation with trade unions.
- G. The agreement shall include a non-regression clause ensuring that neither the transposition nor the application of the agreement can constitute valid grounds for reducing the general level of protection afforded to workers. In other words, social partners and/or Member States cannot use the transposition or application of the agreement or directive as a pretext for reducing the level of protection acquired prior to the transposition of the framework agreement.
- H. The agreement shall include a clause to ensure that Member States and the social partners should be able to maintain or introduce more favourable provisions. The agreement will not prejudice the right of social partners to conclude, at the appropriate level, including European level, agreements adapting and/or complementing this agreement in a manner which will take note of the specific needs of the social partners concerned.
- I. The agreement will be binding on the signatory parties and their members, and will contain a clause regarding the effective implementation, monitoring and follow-up of the agreement at national and European level. The aim of trade unions is that the agreement is implemented as a Directive by a Council decision on a proposal from the Commission.
- J. The agreement must respect national labour market and industrial relations models and social partner autonomy. Where social partners jointly agree it should provide that it can be transposed and implemented by social partners through collective agreements in accordance with national law and practice. The agreement will seek to include a clause allowing for Member States to allow for the social partners to maintain, negotiate, conclude and enforce collective agreements which may adapt and/or complement the provisions of the agreement or directive, provided that the overall results sought by the agreement are ensured.

PROPOSAL FOR THE TRADE UNION'S DELEGATION IN THE NEGOTIATIONS' TEAM

National Federations in the Member States and EEA	<p>10 from which</p> <ul style="list-style-type: none"> • 5 from EPSU's affiliates • 5 from industriAll Europe's affiliates <p>The delegation should take account of employment figures in the gas sector (see Eurofund study here) as well as gender and regional balance.</p> <p>1 representative per country maximum.</p>
Secretariats	<p>4 from which</p> <ul style="list-style-type: none"> • 2 from EPSU • 2 from industriAll Europe