

EU Presidency Public Service TEST

Memorandum to the Greek Presidency

The European Federation of Public Service Unions (EPSU) is the largest federation affiliated to the European Trade Union Confederation (ETUC) and represents 10 million workers providing services to the public in health and social care, local, regional and central government, and utilities in energy, water and waste. Modern and high quality public services for Europe's citizens are essential to our vision and to the realisation of a European Social Model. That vision is expressed through positions on concrete issues that are on the agenda of the European Union and are relevant for public service workers and the communities in which they live.

The EU Presidency Public Service Test: EPSU commits to assessing each Presidency on the basis of what it is doing to promote a social and sustainable Europe with high quality public services.

EPSU expects the Greek Presidency to make quantifiable progress on the following:

1. Public Procurement

EPSU welcomes the fact that the political agreement reached by the Internal Market Council on 21 May 2002 recognizes that social and environmental clauses can form an important part of public procurement, and is in line with its position on special employment initiatives (Article 19a). The revised proposals for the Public Procurement Directives are however far from the clarifications and improvements that have been proposed by the European Parliament.

EPSU therefore calls on the Greek Presidency of the Competitiveness Council, to ensure that the social and environmental aspects of the public procurement directives be strengthened in the 2nd reading and possibly conciliation through constructive use of the co-decision procedure.

EPSU believes that it is important that the Council continues to support the existing text of the directives regarding employment and working considerations (Article 27). This Article spells out the declaration of intent in its introductory remarks (point 22a), with particular reference to the possibility for contracting authorities to demand respect for the relevant representative collective agreements, which apply in the region or locality where the works or services are executed or provided.

EPSU therefore calls on the Greek Presidency to ensure that Article 27: "Obligations relating to taxes, environmental protection, employment protection provisions and working conditions" has a more binding character by changing the word "may" into "shall".

Other areas of concern for EPSU include the reinforcement of social and environmental considerations in the rules that apply to the exclusion of tenderers and

the setting up of qualitative award criteria (e.g. Articles 43a, 46, 49 and 53); improvements in the protection of workers and the possibility of public authorities to determine how they wish to produce services to their citizens, including through their own companies as proposed by the European Parliament: EPSU calls on the Greek Presidency to support Article 22 of the EP's first position (17 January 2002).

2. Social Agenda of the Greek Presidency: "Inclusion – through social dialogue and partnership".

EPSU notes that the European Commission has published a Communication on Social Dialogue in June 2002. The communication highlights the importance of the sectoral social dialogue. EPSU calls on the Greek Presidency to recognise the value of the sectoral social dialogue and to call on the Commission to prioritise efforts to ensure participation by the social partners. In particular, EPSU requests that the Presidency asks the Commission to initiate concrete ways to ensure full participation by sectoral employers' associations in the social dialogue. EPSU notes that the communication narrows the definition of 'an agreement' between the social partners, to that under the criteria of article 139. EPSU is concerned that an overly narrow definition of agreement in the sectoral negotiation will dilute the ongoing strategic value of the process. The Greek Presidency is requested to recognise the value of the social dialogue as an evolving process of industrial relations at the European level. The Greek Presidency is also requested to ensure that the Commission formulates concrete actions to *significantly raise the profile* of the social dialogue, in order to ensure that the potential of the social dialogue is protected.

EPSU agrees that the social partners at the European level should assume a joint responsibility for tasks such as social inclusion. EPSU welcomes the priority given by the Greek Presidency to the 2003 European Year of People with disabilities. EPSU calls on the Greek Presidency to use this positive opportunity to maximise the use of article 13 of the treaty (anti-discrimination).

EPSU wishes to see significant progress by the Greek Presidency to ensure:

- **That the participation of sectoral social partners significantly develops.**
- **That the opinion that the social dialogue is at the centre of the policy debate, stated at Laeken and Barcelona, is reflected in the improved access and profile of the social partners.**
- **That in the area of social inclusion, the positive contribution that the social partners in the public service can make, should be recognised and developed.**

3. Services of General Interest

The European Convention on the Future of Europe is currently elaborating its proposal for a European Constitution. Under the period of the Greek Presidency, this elaboration will reach a crucial stage, in both tone and detail. EPSU believes that the Greek Presidency is ideally placed to ensure that the European project takes the opportunity to locate the European social model at the heart of future developments. EPSU regards the concept of services of general interest as being integral to the social model.

EPSU strongly endorses the assertion of the European Commission President, Romano Prodi that public services are; "essential constitutive elements of the European Union and project for society". EPSU welcomed the recognition by the President that article 16 of the

treaty needed to be more substantial, in order to guarantee the running of services of general interest, and that Article 3 could be modified in order to incorporate a reference to services of general interest.

EPSU expects the Greek Presidency to highlight the social policy dimension of the convention, and to work, in conjunction with the European Commission to ensure that the valuable principles as laid out in the Charter of Fundamental Rights are incorporated within the body of the new treaty. The right of EU citizens to strongly defined, and protected, services of general interest, from a core of these principles.

In particular, EPSU believes that the European Union should recognise the principle of universal access to quality health care as a fundamental right. The European Trade Union Confederation (ETUC) has adopted a resolution entitled; "Access for all to quality healthcare – A priority for the European Union" (*attached*). EPSU calls on the Greek Presidency to recognise the relevance of this resolution and to work to ensure the viability of national healthcare systems delivering universal quality coverage.

Services of General Economic Interest - Internal Market Electricity and Gas

EPSU proposes that the market for residential users remains regulated and closed for competition until 2008, for those countries that wish to do so. EPSU calls on the Greek Presidency to stipulate that each new stage of market opening should be conditionally based on an assessment of the previous phase of market liberalisation. The tools of this assessment should be specified in advance, and should include a strong social criterion.

EPSU wishes to see significant progress by the Greek Presidency to ensure:

- **Vigorous support for the enhancement of the social dimension within the European Convention on the Future of Europe.**
- **A strengthening of services of general interest to guarantee citizens' fundamental rights.**
- **That the principle of universal access to quality healthcare is reflected in all Community policies.**
- **Recognition of the right to energy provisions at reasonable prices for EU citizens, through the application of a universal service.**
- **Energy liberalisation is assessed on an ongoing basis on social as well as economic criteria.**
- **That an overall assessment of the performance and impact of services of general interest be initiated as stated in the Nice and Laeken Councils. This assessment should include the impact of liberalisation directives, and be conducted in a transparent democratic manner.**

4. Enlargement

EPSU has mainstreamed the process of enlargement into all policy areas. In this mainstreaming process, EPSU has identified the wide discrepancy between the application of social and economic aspects of the EU *acquis communautaire*. The elevation of social standards and practices should be prioritised. In particular, emphasis should be given to the recognition of the positive contribution of the social partners, to the economic benefits of progressive social inclusion policy, to gender equality policy and to the benefits of modern work organisation policies. The emphasis on social policy and protection will have resonance for the citizens of applicant countries and will act as a positive factor during the difficult adjustment phase.

EPSU wishes to see significant progress by the Greek Presidency to ensure:

- **That the candidate countries have the full application of EU social protection**
- **That concrete assessment instruments are applied to ensure adherence to EU social protection standards**

5. EPSU meetings with the Greek Presidency

EPSU formally requests meetings with:

Minister for Finance – to discuss social dialogue in the National Administration sector.

Minister for Health – to discuss possible responses to the encroachment of internal market rules into the field of health care

Minister of Energy – To discuss the ongoing assessment of the internal market for energy.