

Rapport från EPSU:s 8:e kongress: EPSU:s kongressmotion om den europeiska sociala modellen

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Våra mål för att stärka den europeiska sociala modellen under 2009-2014

(2009-06-09, Bryssel) Jan Rudén, (SEKO, Sverige) se bild, presenterade kongressmotionen om den europeiska sociala modellen. Kongressmotionen var ett målinriktat svar på de avgörande som gjorts under senare tid av Europadomstolen (t.ex. Laval, Viking, Luxemburg) som dramatiskt undergrävt grundläggande arbetstagar rättigheter. Svaret (se nedan för hela texten) antogs enhälligt av kongressen. EPSU:s valkrets Tyskland/Österrike/Schweiz lade fram en medlemsmotion under rubriken: "Att ge ett socialt Europa en framtid ". Kongressen beslöt att godkänna EPSU:s styrelses rekommendation att hänvisa motionen till styrelsen för mer detaljerad diskussion. MOTIONENS TEXT: EPSU har enhälligt antagit följande motion om att stärka den europeiska sociala modellen för kongressperioden 2009-2014 That the European Social Model is a central part of the European project based on the protection of fundamental social rights, including the right to organize in trade unions, the right to negotiate collective agreements, the right to strike, the right to fair working conditions, equality and non-discrimination. *That the fundamental workers' rights, including the right of trade unions to take industrial action, are primary rights and not secondary to the freedom to provide services; that the freedom to provide services does not prevent governments and trade unions from striving to guarantee non-discrimination and equal treatment as well as working to achieve an improvement in the working conditions of their members. That the Posted Workers Directive is a minimum directive and very clearly states (Article 3(7)) that trade unions should be able to demand terms and conditions of employment which are more favourable to workers.* To support the ETUC call for a **Social Progress Protocol** that would assert that the single market is not an end in itself, but is established to achieve social progress for the peoples of the EU; that economic freedoms and competition rules cannot have priority over fundamental social rights and social progress, and that in case of conflict social rights shall take precedence; and that economic freedoms cannot be interpreted as granting undertakings the right to exercise them to evade or circumvent national

social and employment laws and practices or for unfair competition on wages and working conditions. To support the resolution of the 2008 European Parliament on 'challenges to collective agreements in the EU' and **to demand a recast of the Posted Workers' Directive** to ensure that it fulfills its initial objective, which is to promote transnational provision of services in a climate of fair competition and respects for workers' rights. *Focus should be given the following issues:* a possibility in the Directive for Member States to refer in law or collective agreements to the 'habitual wages' applicable in the host country as defined in the ILO convention 94 and not only 'minimum' rates of pay; a limit to the period of time during which workers can be considered as being 'posted' to a Member State; a clearer expression that the Directive and other EU legislation do not prohibit Member States and trade unions from demanding more favourable conditions for workers. To work to improve the exchange of information about collective agreements between trade unions and trade union confederations in different countries and to encourage the development of co-operation agreements between trade unions and trade union confederations to make it easier for trade union members working temporarily abroad to ensure they have trade union protection in the state in which they are working. To ensure an effective exchange of information on national initiatives to reform and strengthen industrial relations systems that are currently vulnerable to the kinds of challenges posed in the Viking and Laval cases. To ensure an effective exchange of information on initiatives in different countries to include social clauses in procurement in order to provide more than minimum protection to employees of contractors and sub-contractors. Följande kongressombud talade under debatten om motionen: - Linda SWEET, Unison, United Kingdom - Dettev Bruse, Ver.di, Germany - [slutliga godkända texterna med kongressens resolutioner](#)

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