



EUROPEAN COMMISSION
DG Employment, Social Affairs and Inclusion
Employment and Social Governance
Social dialogue

SECTORAL DIALOGUE COMMITTEE
ROAD TRANSPORT

Minutes of the working group meeting

30 June 2017

1. Adoption of the meeting's draft agenda and the draft minutes from 16 November 2016 and 29 March 2017

Mr [REDACTED] representing the workers' organisation, is the newly elected chair of the SSDC for a period of two years¹. The minutes of the plenary meeting of 16 November 2016 and working group of 29 March 2017 were adopted.

[REDACTED] the new nominate general delegate for the [REDACTED] in Brussels, introduced himself and took the opportunity to shortly review the current challenges for the sector and the employers' position on the recent EU files.

2. Road Initiatives/Mobility Package – presentation of the proposals by DG MOVE and initial exchange of views by the Social Partners

[REDACTED] DG MOVE [REDACTED] presented the social aspects of the Commission's Communication *Europe on the Move: An agenda for a socially fair transition towards clean, competitive and connected mobility for all* adopted on 31 of May².

[REDACTED] DG MOVE [REDACTED] provided some additional information on the preparation of the revision of the Regulation 1073/2009 on common rules for accessing the international market for coach services. The revision of the Regulation aims at facilitating interurban mobility and connectivity for citizens. Adoption is planned within the 2nd Commission's mobility package foreseen for November 2017.

Both delegations have provided comments to DG MOVE regarding the Commission's proposals adopted. The delegations shared the opinion that the measures proposed will be difficult to enforce.

[REDACTED] pointed to the complexity of assessing the overall impact of the different measures on social dumping and unfair competition. [REDACTED] provided examples on how the transport companies succeed to circumvent the rules in a sophisticated manner. Better enforcement and respect of existing rules is a prerequisite before to introduce new rules. [REDACTED] referred to its

¹ <http://ec.europa.eu/social/BlobServlet?mode=dsw&docId=10047&langId=en>

² https://ec.europa.eu/transport/modes/road/news/2017-05-31-europe-on-the-move_en

declaration and position³ and concluded that the initiatives are failing in addressing the critical social and labour situation in the sector.

█████ stressed that there are many questions that remain on practicalities for the implementation of the Commission's proposals. █████ specifically pointed to the derogation of 3 days foreseen by the Commission regarding the application of the posting provisions to road transport; to the lack of availability of safe and secure parking infrastructure and to the fact that the impact on non-EU transport market is not addressed. █████ also commented that the passenger transport should be considered differently than the freight transport. It was stressed that EU road hauliers are facing different situations across the EU MS. Some delegations from eastern countries said that the social provisions of the package are too much influenced by the interests of the western EU MS. The Commission's proposal will impact and then squeeze companies out of the EU market, contributing to increase the prices in the EU.

DG MOVE responded the questions, clarified many issues and indicated in particular that the Commission's intention is surely not to increase the administrative burden. It was reminded that the *lex specialis* for posting in road transport sector is only about time-based derogation from the application of only two elements of terms and conditions of employment applicable in posting situations, as specified in the general posted workers Directive 96/71/EC, namely minimum rates of pay and paid annual holidays. All other terms and conditions of employment apply from the very beginning of the transport operation, which fulfils the conditions of posting. It was also clarified that drivers are not obliged and shall not be forced to return home. It is employers who are obliged to organize the work in order to enable the driver to return home for a regular weekly rest at least once within 3 weeks. Derogations on the application of the legislation for the SMEs would not make sense as 90% of the companies in the road transport sector are SMEs.

Regarding the consultation on working time Directive- █████ indicated that the issue is very complex; it needs a careful analysis and consultation of members. A prolongation of the deadline will be asked. █████ agreed also about the request for a longer deadline. DG EMPL responded that a duly justified request should be introduced to DG EMPL Director General.

The chair commented that there are many measures foreseen that interact and that it is difficult to consider them separately.

3. Comparative study of employment and pay conditions of international lorry drivers in Europe – presentation from █████

█████ from the █████ (public service body) presented the main trends and statistics about the road transport market in the EU⁴. The differences and gaps are considerable and involve all aspects of international lorry drivers' employment and pay conditions: salaries, social security contributions, travel allowances, driving time and working hours. In addition to wage gaps, the other underlying differences

³ <http://www.█████.g/files/extranet/-75/47549/E1F%20preliminary%20statement%20on%20mobility%20package%20-%20posting%20and%20cabotage.pdf>

⁴ <http://www.cnr.fr/content/download/50313/656777/version/27/file/Comparative%20study%20of%20employment%20and%20pay%20conditions%20of%20international%20lorry%20drivers%20in%20Europe.pdf>

concerns terms of pay and composition of wages. Taken as a whole, the productivity gaps are huge (about 4-fold gap). Various interpretations of Article 10 of Regulation on the harmonisation of certain social legislation relating to road transport (561/2006) persist. The main conclusion from this EU comparison is that the lack of harmonization in the international road freight transport single market unsustainable.

4. Managing the Transition to Driverless Road Freight Transport – presentation of the study from International Transport Forum

██████████ presented the study by the ██████████ with the participation of ██████████ and ██████████. The study analyses the main concepts and drivers regarding the transition to driverless road freight transport. Currently experiences are already running with automated trucks / cars tested (e.g. automated taxis). Three scenarios (conservative, regulated disruptive) on possible developments regarding long distance freight and urban were presented. Looking at the impacts, it is concluded that the evolution could offer large costs savings for businesses and consumers; however it would also have an impact on employment and poses challenges related to the high costs associated with job lose and related social costs. The report advises strategies to support this technology transition.

Participants underlined that these changes pose a lot of questions. Trade Union's participants drew the attention to some problems this transition may have on road security, "virus attacks", disappearance of SMEs, etc. Further studies on the impact on labour and workers need to be conducted.

5. Point of information: ██████████ studies on automated driving and bus and coach

██████████ presented the project launched by ██████████ within the frame of a DG EMPL call for proposals. This project aims to improve the trade unions capacity-building around three main topics: i) the European Commission proposals regarding the social legislation for road transport (mobility package), ii) the digital transformations involving the launch of a study on social and labour impacts of automation in the sector and iii) the evolution of the working conditions for bus and coaches with a study including a survey among coach drivers.

6. Information of the state of play of the joint project SHERE (DG EMPL funded project)

The social partners' project "Heading towards the future of European Road Sector" was signed in January for a period of 12 months. It aims notably to promote discussions among the social partners regarding the Commission's initiatives. It was agreed that contacts should be taken between the secretariats to discuss how to take the project forward and to set a timetable.

7. Adoption of the SSD Working Programme for 2017 – 2018

⁵ <https://www.itf-oecd.org/sites/default/files/docs/managing-transition-driverless-road-freight-transport.pdf>

The work programme 2017-2018 circulated was adopted (some dates needs to be up-dated by the secretariats). A new work programme will be adopted at the plenary meeting taking also into account the priorities for the Urban Public Transport working group.

8. AOB

The next meetings in 2017 are planned for the 26/09/2017 on Urban Public transport working group and the SSDC plenary meeting is foreseen on the 27/10/2017.