

European CSR news for the postal sector



A dynamic European postal social dialogue while the European social dialogue is seeking itself...



Postal operators employ more than 2 million workers across Europe. Their transformation, imposed in particular by the digital revolution, cannot occur without the support of a quality social dialogue.

A concrete proof at national level are the recent agreements signed within the French, English, Portuguese and Czech posts (p.3) in order to manage the change process and its counterparts. At European level, this is embedded in the activity of the European social dialogue committee for the postal sector (SDC). As a real platform of exchange of good practices between the social partners of the 28 EU countries, it has been anticipating and observing for more than 15 years the transformations of the sector and their social impacts. Its vitality is reflected in the 8 joint declarations signed since its creation on key issues as the evolution of the sector, age management, accident prevention, environment and recently training (p.3). Thus providing this body with a legitimacy enabling it to intervene within Community debates on the evolution of the postal activity.

The mixed results of the European social dialogue

And yet, the efficiency of European social dialogue is today more and more questioned. Launched thirty years ago by Jacques Delors with the Val Duchesse talks, its key role has been enshrined in the 1999 Treaties by an agreement giving it a co-legislator status. As a result, three European framework agreements were concluded (parental leave, part-time work, fixed-term contracts) and transposed into directives. However, this European social dialogue faces today major difficulties in producing tangible results. Several agreements were not transposed into directives (stress in 2004, harassment and violence at work in 2007) and had mixed results in their implementation.

Involving the social partners prior to any reforms

The new Commission seems however willing to put social dialogue back at the heart of the European social model. It has exhorted the stakeholders to think about ways to kick-start social dialogue both at national and European levels. This should enable to involve the social partners in developing reforms and implementing them at the national level. This is even more noteworthy as the difficulties are real. The proposed directive on maternity leave remains blocked, while the revision of the working time directive, a long-standing European issue, is slowly taking over after several failures (p. 1). These two texts are the symbol of a more general issue. Through social dialogue, it is indeed the European social integration itself which is at stake. It is now up to Member States to show the way ahead by overcoming their discrepancies and finding the necessary compromises through negotiation.



A European social dialogue seeking itself

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EU & you



The European Commission 2015 work program

The implementation of the 315€ billion investment plan targeting growth and jobs will be the new Commission's main focus this year. This does not mean however that it intends to take its eye off social policies.

Alongside its investment plan, the European Commission will put forward a set of measures aimed at helping the Member States get the unemployed, in particular the young and the long-term unemployed persons, back into the labour market and develop their skills.

Maternity leave and working time

The outstanding directive on maternity

leave has remained on the Council of Ministers' table for almost four years. Several countries continue to oppose extending the minimum maternity leave period from the current 16 weeks to 18 weeks.

Another issue also at a standoff is the revision to the working time directive. The Commission is looking to revive it and launched a public consultation at the beginning of 2015 to discuss the various options it considers available. At this occasion, the Commission wishes to use this revision to adapt current regulations to take into account new aspects of the work reality (distance working, mobile working, autonomy, etc.)

The revision of the working time directive

In its public consultation, the Commission calls for an evaluation of the different options to overcome the divisions brought by this revision on three main issues:

- On the **stand-by time** from which only the active period is considered as working time, an interrogation is raised on the relevance to take into account part of the stand-by service as working time.
- On the **daily rest break**, the Commission suggests the possibility for the employer to provide for the compensated rest (meaning 11h for 13 consecutive hours of work in a 24h time period) within two or even four days instead of right after the working period.
- The possibility for a Member State not to apply the 48-hour maximum working week, the **opt-out** rule, is still problematic. The options envisaged go from keeping it to framing it more strictly or even cancelling in exchange of the creation of additional derogations for employers.



Joint declaration on telework in the insurance sector

Stemming from the 2002 Framework Agreement on Telework, on February 10, the European social partners in the insurance sector made a joint declaration in order to detail the implementation of teleworking, especially via national and company collective agreements. This common declaration recognizes the merits of this increasingly popular form of work being used by this sector, which can benefit both employers and employees

alike. The underlying principle is that teleworkers have the same rights and duties as in-house workers. The European social partners have invited their members, before launching teleworking programs, to sign specific complementary collective and/or individual agreements that address issues including working time, union and employer access to the teleworker's workplace, equipment, reversibility, and the right to training.



2015, the year of prevention of stress and psychosocial risks at work

The European Agency for Occupational Health and Safety (EU OSHA) at Work's 2015 'Manage stress' campaign is targeting practical solutions for psychosocial risks. It started in April 2014 and runs until November 2015, when a final summit will be held to promote healthy working environments. The campaign is looking at raising business awareness of the rise in stress related problems and the psychosocial risks as well as allowing actors to better understand the issue from all angles and acquire the necessary skills to tackle it. The Agency is, via a combination of information dissemination and organized events, looking to persuade the various actors that stress and psychosocial risks can be handled systematically and in the same way as other occupational health and safety matters as well as highlighting that both good management and worker participation are crucial in reducing these factors.

As an official partner, EU OSHA 'Manage stress' campaign has recognized the approach taken by the CSR circle within the framework of the Leonardo Da Vinci project 'Training Partnership for Stress Management in the Postal Sector'. This project is currently underway and compares best practices in terms of stress management training so as to better equip middle management to tackle the issue of stress management and the resulting psychosocial risks.





European Posts



Joint declaration on Training and skills development

On 21 November 2014, PostEurop and its European partner UNI Post & Logistics signed a new joint declaration, following the former 2006 declaration on Training and skills development. This declaration is the results of a 2013 project entitled 'Matching skills and jobs in the European postal sector' (see Post&You May 2014 issue), which gathered a set of best practices. The signatories to the declaration agreed that postal operators must take advantage of technical innovation and diversify their services in order to rise to the challenges that they face today,

which implies that jobs and skills development will also evolve. Both the businesses and the unions must participate in this process. The declaration stresses that moves to adapt must be anticipated as far in advance as possible by the social partners. More specifically professional career paths should include training that develops workers' skills and their internal and external mobility, as well as diversifying their competences. The European social partners invite the operators and the unions to take account of these conclusions.



Significant agreement over industrial relations at Royal Mail

Barely a year after the landmark agreement between Royal Mail and the CWU union in February 2014, both signatories have welcomed the new approach to industrial relations resulting from the 'Agenda for growth, stability and long-term success'. A shadow management operations board, comprising both managers and unions' members, will meet every month and another group will work on technical aspects of the delivery process, changes and new products. There will also be a growth forum summit where union

members and managers will work together on Royal Mail's future. To try and prevent social unrest a mediation group comprising of 5 managers and 5 union members will intervene and attempt to find a solution before any strike action takes place. To improve the quality of discussions, both parties have undertaken training sessions to better understand the realities each party is facing. Royal Mail management indicated that this agreement "is continuing to provide a strong framework for both parties to work together closely."



Signature of a social agreement for CTT Correios

On 4 March a new two-year company agreement signed by the Portuguese postal operator and all trade unions came into force, replacing the previous agreement that comes to term in April 2015. It contains certain guarantees over employees' status and employment following the 2014 privatisation process. In it, management underlines greater alignment

with general labour laws, discontinuance of some specific allowances, harmonisation of working hours and, for the first time in five years, a 2% increase in fixed salaries. The company will maintain its internal healthcare and social protection program. As a result, CTT Correios can now expect a period of social calm while it implements its new strategy.



A social pact to support La Poste 2020 strategic plan

In February 2015, a social pact was signed, aimed at accompanying the strategy of 'transforming the French postal operator by 2020'. The pact is entitled 'A future for each postal worker'. It includes an observatory in charge of forecasting changes and developments in La Poste's various businesses as well as organizing social dialogue at several levels on 'Job and Skills Planning'. The pact will also look to encourage mobility via a number of measures surrounding professional career development, all the while maintaining employees' existing guarantees should they move between the group's subsidiaries. La Poste also commits to train 80% of its employees each year so that each worker would be able to take advantage of training every two years. In addition, qualification courses will be available to support the changes occurring in certain occupations as well as courses that cater for occupation switches (50,000 qualification courses over 5 years). Finally, the agreement contains guarantees for postal workers should they need to be redeployed due to changes in the organisation.



New agreement at Czech Post

The negotiations between Czech Post and the representative of 7 trade unions were closed with a new Collective Labor Agreement (CLA), signed on 10 December and valid until 2018. Thanks to this agreement, postal employees benefit, as the main measures, from a working time of 37.5 hours per week, annual vacations of five weeks as well as a wage increase of 3.85% starting on 1st April 2015. By this signature, the direction of the Czech postal operator makes the workers its priority.



News from member States



More flexible labour law in Norway

Despite of fierce opposition by the powerful union organisations, the Norwegian government fully intends to follow through with its proposed legislation. The text, which should be adopted shortly, allows temporary employment contracts to be concluded without specific reasons and for a maximum period of 12 months. However no business can have more than 15% of its staff on temporary employment contracts, regardless of the size of the company.

Expanding working time

The text also includes provision to make working time more flexible. The maximum average daily working time that can be decided via collective agreement will rise from 9 to 10 hours whilst the maximum actual daily limit has been raised from 10 to 12.5 hours. The regulatory overtime ceiling also moved up to 12 hours a week (from 10), though if the employee so wishes s/he can work longer, up to 12 extra hours a week or 30 hours a month.

Less than 15% of employees on temporary contracts within Norwegian companies by law.



Difficulties of implementation of the minimum wage in Germany

Since the national minimum wage came into force on 1 January 2015, businesses have had problems when they try to implement the measure. In the transport sector this key measure designed to combat rampant social dumping by foreign companies has been temporarily suspended. In fact, several European governments have vociferously protested both directly with Germany and in Brussels against what they deem to be counter EU law. In order to maintain 'good neighbourly relations' with Poland, Germany announced on 30 January that it would temporarily suspend the obligation for foreign transporters to pay their drivers at least 8.5€ an hour (the national minimum wage) while they are transiting the country. This temporary suspension will give time 'to clarify the question of European law' that questions if the German provision runs contrary to the fundamental right of the freedom to provide services. Brussels is expected to give its opinion before the summer.

More bureaucratic red tape

Employers have also roundly criticized administrative issues surrounding new obligations to record and document employee working time. The law requires certain sectors to record the actual working time of their employees who earn up to 2,958€ a month and also to keep the information for two years. The sectors concerned include newspaper and parcels deliveries, logistics, construction and building, hotels, catering etc.. In addition to the extra red tape the new documentation requirements introduce an unwelcome element of rigidity in areas where one-on-one arrangements normally allowed flexibility.



Amendments to the Slovakian Labour Code on temporary work

An amendment to the Labour Code adopted at the start of the year strengthens the legal framework covering the provision of labour. The new law restricts the length of temporary employment assignments to a total of 24 months and includes the possibility of extending an assignment or renewing it up to four times, all the while staying within the 24 month total maximum. If the assignment extends beyond the 24 month maximum or has been renewed more than four times then the contract between the employee and the agency is immediately terminated and replaced by an indefinite employment contract between the employee and the 'user' company.

AGENDA

- **6 May 2015**
Annual Plenary of the European Social Dialogue Committee, Brussels
- **25 June 2015**
PostEurop Management Board, Brussels
- **26 June 2015**
Final conference of the Leonardo Da Vinci Project on Stress Management, Paris

