

Report on the Joint Conference Held Between 8-10 May in Warsaw

The 1st of May 2006 was the two-years celebration of the enlargement of the EU with ten new states. Even the preparations for the accession have brought huge changes in many fields of life to the new member states. The obligation to take over the *acquis communautaire* of the EU also affected the employees of the transport sector.

This is a good occasion to strike the balance once and for all, in order to have an overview. Therefore, the EVA-Academy in cooperation with the Friedrich-Ebert-Foundation sent invitations for the three-days conference “Two Years of EU-Membership – Challenges, Opportunities and Risks from the Perspective of the Transport Sector”.

35 Trade Union representatives from eight of ten new member states, as well as from Romania, Bulgaria and Germany, responded positively to the invitation to Warsaw.

The expert presentations regarding the social dialogue and the changes in the transport sector since the EU enlargement to the East and the regulations in the transport sector, informed the participants in the theoretical part of the conference.

But especially the intensive exchange of opinions regarding the different quality of the social dialogue in each country and the experience regarding the liberalization of the transport markets made the trip to Warsaw worthwhile, according to many participants.

The delegates of the Trade Unions manifested their positive appreciation regarding the participation of the Deputy of the EU Parliament Boguslaw Liberadzki, the President of the European Transport Workers' Federation (ETF) Wilhelm Haberzettl, the ETF Secretary General Eduardo Chagas and the President of the Transport Trade Union TRANSNET Norbert Hansen in this conference.

The EVA-Academy is, among others, devoted to the introduction of the position of employers' representatives in the European policies and therefore, it responds gladly to the request of the Commission to inform you about the conference in detail.

08.05.2006: The First Conference Day

Opening and Greeting of the Participants

The conference was opened at 3:00 PM by Egon Brinkmann (Executive Secretary of the EVA gGmbH) and Clemens Rode (Regional Coordinator for labor relations and social dialogue in Central and Eastern Europe, Friedrich-Ebert-Foundation Warsaw).

Egon Brinkmann stated that the conference was the first meeting of the railway Trade Unions of all new and potential EU accession countries from Central and Eastern Europe and emphasized the goal of this meeting, namely the exchange of experience especially regarding the European integration.

After a short presentation with examples of the situation of the railway in Poland, **Clemens Rode** expressed the hope that times will change in the European transport sector. Further on, he presented the globalization and the European Service Providing Directive as

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challenges for this sector and indicated the economic and ecological reasonable features of the railway transport.

Subsequently **Jerzy Kędzierski**, the President of the Railway Trade Union Confederation FZZP PKP greeted the participants.

1. Presentation – The European Social Dialogue

At first, **Hilmar Kleen**, the scientific expert of EVA gGmbH gave the participants after a definition of the social dialogue, a historical overview regarding the legal framework conditions and the goals of the cross-branch European social dialogue. Subsequently, Hilmar Kleen has set the emphasized the social dialogue in the transport sector. He explained the current developments in this sector and gave examples for the transposition of the agreements between the social partners into EU directives.

09.05.2006: The Second Conference Day

2. Presentation – The Development of the Transport Market since the Enlargement and the Impact on the Jobs in the Transport Sector

Norbert Hansen, the President of the Railway section of the European Transport Workers' Federation (ETF) and the International Transport Employees (ITF) and the President of the German Trade Union TRANSNET presented the development of the railway policy in Europe. The status and pace of the implementation and deregulation are very different. The new EU member states, upon the pressure exercised by the Commission, should react much quicker to implement the liberalization in an accelerated pace. The requirements of the World Bank and other World organizations also lead to a supplemental pressure.

Statements of the Represented Trade Unions on the Topic: “Mid-Term Review – 2 Years EU Membership – Impact, Problems and Perspectives for the Transport Sector and the Transport Trade Unions”

After the presentation, each delegation was requested to present their experience regarding the social dialogue. A wide range of issues resulted. According to some representatives, the social dialogue exists in their country only theoretically (e.g. Romania and Hungary), while in other countries there is an animated exchange and regular meetings with the participation of the Government (e.g. Croatia). The social dialogue is considered to be better, in general, at the national, cross-branch level than at the sectoral level.

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The summary of the mostly mentioned experiences is the following:

- Due to the liberalization of the markets, the former monopolistic state-owned concerns are divided and privatized in parts. The new owners often do not have any interest regarding the social dialogue.
- A changed occupational structure: An increase of labor contracts on a determined period of time, de-centralized company structures and increasing employment pressure lead to the fact that the employees are easy to blackmail.
- “Double standards” are used, which means that the Governments present the status of the social dialogue of their country, to the European Commission, in a better light than it is actually. There is no authority or an independent organization that would survey the social dialogue and report to the EU.
- The employers and partially the state institutions avoid the representatives of the interests of the employees. Moreover, it sometimes happens that the Government does not have a neutral position in the tripartite committees and takes the side of the employer.
- There is a general trend to move away from the national collective labor contract and to conclude instead individual labor contracts. Each country reported a public advertisement against the national collective labor contract, which was presented as a barrier in front of the fight against the mass unemployment.
- Even if a collective labor contract was signed, there are problems related to the implementation and surveillance. This affects especially the small and medium private companies. The agreements are often not observed.
- There are also external factors that exercise pressure on the social partners. The following were mentioned:
 - The World Bank, which pushes the quick liberalization of the markets and makes its loans dependent on this.
 - The obligation to transpose the EU directives in the national law in a short time.
 - The sharpening of the price struggle through the entrance on the market of the international concerns. The profit maximization is ever more important to them.
 - The security standards for employees are neglected due to the higher importance of the profit maximization.
- Internal problems of the Trade Unions were also mentioned. These are mainly:
 - The lack of unity of Trade Unions due to internal power struggles. This is why partially there is no unitary representation to the exterior.
 - There is partially a dramatic decrease of the number of Trade Union members.

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- Further on, the delegations mentioned the perspectives and hopes related to the social dialogue. The following issues were mainly expressed:
 - Almost all delegations expressed the immediate need for an exchange of opinions of the Trade Unions at the European and international level.
 - The population, in general, and the employees especially, should be sensitized regarding the social dialogue. Moreover, its benefits and necessity must be communicated better.
 - The success depends mainly on how good the employees succeed in being united, because only in such a way they will maintain a strong counterbalance against the well organized employers' organizations.

Subsequently Egon Brinkmann asked for the creation of a committee that would control the actual implementation status of the social dialogue. Such committees should be located and represented, accordingly, in each country.

A representative of the Latvian delegation added that the lack of will to debate upon the wage levels would lead to a higher labor migration, which would also harm the employers on long term.

3. Presentation – Perspectives of the European Policy in the Transport Sector by Taking into Account the Country Reports

Eduardo Chagas, Secretary General of the European Transport Workers' Federation (ETF) also presented the different starting point situations of each country and emphasized the key role of the European Works Councils. These could contribute to the fact that the employees would not act against each other. He claimed that it would be important to remind permanently the EU that its decision making structure should be built on three pillars, namely environment, economy and social dimension.

4. Presentation – Modern Corporate Policy in the Logistics Sector on the Example of Deutsche Bahn AG

The Executive Secretary of the EVA-Academy gGmbH, **Egon Brinkmann** elaborated in his presentation on the international activities of DB AG, namely that from a railway company which was limited to the German market, DB AG became a worldwide active logistics and mobility concern.

5. Presentation

Bogusław Liberadzki, former Polish Transport Minister, today Deputy of the European Parliament (Social-democratic parliamentary group) and member of the Transport Commission. Liberadzki mentioned in his presentation the increase of the truck transport in Europe and, based on this fact, he noticed that the EU did not achieve its goal, to shift more transportation on railway. The liberalization of the railway in Europe is not an explicit goal of the EU, claimed the parliamentarian, but a means to an end.

10.05.2006: The Third Conference Day

6. Presentation – The Need for European Regulations in the Transport Sector

Wilhelm Haberzettl, the President of the European Transport Workers' Federation (ETF) and President of the Austrian Railway Trade Union, stated clearly that the need for regulations appears always when the market mechanisms do not operate. Such regulations should refer to security, the needs of people and the quality of services. Haberzettl: "The human being must be put again in the center of the policies." The Mid-term White Charter showed that there is an urgent need of a change of course of the wrong EU policy. Until now, the responsible persons in Europe have forgotten that the "Lisbon Strategy" also provides for more and better jobs. The ETF President requested the EU to decide finally the directive for the certification of the trans-border railway personnel.

7. Presentation – Europe – Against the Spreading of Poverty Wages

Alexander Kirchner, member of the Board of the TRANSNET Trade Union, pleaded in his presentation against the spreading of the poverty wages in Europe. While in Germany the export quota permanently increases, the wage quota, the participation of the employees' wages to the national income permanently decreases. In many branches, in Germany, wages of below € 7,50 per hour were paid, since there is no minimal wage law. The wages in Eastern Germany are constantly below those in Western Germany.

The wages in Eastern Europe are clearly below those in Germany. After the flag change possibility in the maritime navigation since the '60s, and the wage drop in the road freight traffic since the '80s, the wage pressure from Eastern Europe can be perceived also in the railway transport sector.

In this context, Kirchner requests to the politicians to extend the general liability of the employees' dispatch law, to the Transport branch. The extension of this law on other branches was taken over by the large coalition in the coalition agreement.

8. Presentation – The Impact of the Service Providing Directive on the Transport Sector in Eastern Europe

Clemens Rode, the Regional Coordinator for labor relations and social dialogue in Central and Eastern Europe, the Friedrich-Ebert-Foundation representation Warsaw mentioned that the planned EU Service Providing Directive as a part of the Lisbon Strategy (Goal: the EU should become by 2010 the most competitive and dynamic economic area of the world) in the transport sector could lead to the fact that the privatizations and the competition could be sharpened and could result in an increased job reduction especially in state-owned companies. At the same time, it is expected for the inflexible companies to perish.

Subsequently Clemens Rode elaborated on the position of the railway transport in the trans-boundary field. The transport between Germany and the countries who accessed the EU in 2004 is declining.

Also on long term, the railway transport from Germany to Eastern Europe is less developed. 70 years ago, it took ca. 27 hours to travel from Berlin to Tallin. Today, the same distance takes ca. 60 hours. This is due the many so called low speed tracks or bad tracks, the lack of European locomotive driver licenses and the fact that there is a waste of time of many hours at the internal border. Moreover, the road transport lobby is very strong and efficient, in contrast to the railway lobby.

In order to fight this trend and to strengthen the railway transport, the EU has adopted meanwhile activities for the strengthening of the interoperability in the railway transport (unitary train security system ECTS, purchasing of multi-system locomotives).

In order to further strengthen the railway transport, Clemens Rode asked the participating Trade Unions to cooperate more intensely, in order to speak with one voice at the European level. Action alliances such as the German “Allianz pro Schiene” (Association of the railway Trade Unions, environment associations, railway companies, etc.) should also be an example for other countries. The railway companies should be re-shaped as logistics companies in order to be stronger on the market.

Feedback and Summary

The exchange of experience was especially appreciated in the evaluation conclusion remarks. It is necessary, for the classification of the own situation and problems, to know the partially comparable situation in other countries. Thus, one can learn from the experience of other Trade Unions, in order not to repeat the mistakes. The opportunity to make personal contacts was considered to be extremely positive. Under the current circumstances it is unavoidable to cooperate, in order to fight for good labor relations at the European level.

Not only the exchange of opinions between the national Trade Unions but also the participation of members of the European Trade Union Federations and a member of the European Parliament were considered to be very meaningful. In such a way, the hopes and the results of the conference would also be heard at the European level. There was a request to distribute a Conference Report to the national Trade Unions, and also to make the results available to a wide number of persons.