

# Social Conditions in Logistics in Europe



## Call for tenders

### Scientific expertise on: Social Conditions in Logistics in Europe

Dear Sir / Madam,

If you wish to participate in this invitation to tender, you are asked to submit your bid by **22 January 2018**. You may do this

- a) by registered letter (including private messenger service), to be posted no later than **22 January 2018** to the following postal address:

EVA Europäische Akademie für umweltorientierten Verkehr gGmbH  
Reinhardtstr. 23  
10405 Berlin

- b) **and** by e-mail **by 12:00** on **22 January 2018** to [Almut.spittel@eva-akademie.de](mailto:Almut.spittel@eva-akademie.de)

One copy of the bid is sufficient. Bids must be signed by the tenderer or his duly authorized representative and clearly legible to eliminate any possible doubt as to wording or figures. Tenderers will be informed of the outcome of their bid.

Candidates not intending to submit a bid are asked to notify us before the deadline at [Almut.spittel@eva-akademie.de](mailto:Almut.spittel@eva-akademie.de).

# Tender specifications for subcontracting external expertise

## Part I – The contract

### 1. Title of the contract

Scientific expertise on: Social Conditions in Logistics in Europe

### 2. Background and context of the contract

The European transport unions on the initiative of the ETF and ver.di submit this project application. The European trade unions note that the working and living conditions of non-resident or cross-border professional drivers in the European Union have deteriorated drastically. This can be traced back to a relentless competition for contracts, which is due to a system of low-cost suppliers. Companies are forced into unfair competition, which fosters employment systems on the margins of legality, exploits the workforce of professional drivers, and partly assumes intolerable working conditions. European regulations are trying to prevent this, but have not yet led to significant change. The companies with the lowest cost (and the worst conditions) will determine the market and receive the contracts.

Only by adhering to rules a fair competition is possible, otherwise bad working conditions increase. Information on the non-compliance of regulations is important. These lead to an undercutting of good standards and forces companies that want to offer good social conditions into a downward spiral. One effect is that companies try to circumvent the social and quality standards of the countries in which the service is provided by setting up letterbox companies. Although Regulation (EC) No 1071/2009 is intended to support fair competition, it is not effectively enforced in the Member States. The European Commission plans to change Regulation (EC) No 561/2006 on the harmonisation of certain social legislation relating to road transport. There are also different conditions for international transport, cabotage, transit and combined transport and for the driving of heavy and light trucks.

Consistently, the demand for freedom of service and the preservation of good working conditions come into conflict. Even if transit transport is not covered by the Posting of Workers Directive, professional drivers spend most of their working time on transit routes. There must also be arrangements for them to prevent the reduction of the level of wages and social standards in the countries in which the transport is provided.

Moreover, it is not desirable that staff shortage and recruitment problems are solved by the wage difference in Europe. Recruitment of qualified personnel from the countries where there is also a lack of skilled labor does not serve to sustain the development of the industry and, above all, the European Union's objective of adjusting living conditions within the EU.

Some Member States are urging an amendment to the Directive on the Posting of Workers. The proposal for a revision of the Posting of Workers Directive itself does not address legal issues and difficulties. Recital 10 states that "It would be most suited for these challenges to be addressed through sector-specific legislation together with other EU initiatives aimed at improving the functioning of the internal road transport market." Trade unions must be able to participate in these processes.

In 2016, the European Commission has run a public consultation process on ten EU directives and regulations applicable in road transport with the aim "to simplify rules and improve cooperation between Member States to ensure adequate working conditions for transport workers and fair

business conditions for transport operators through proper enforcement of social rules.”<sup>1</sup> The launch of a Road Initiative is planned in 2017. The intended measures suggest that fair working conditions are not at the heart of the Initiative any more.

Against this background, the ETF intensifies actions to improve the conditions for workers. ETF and its member organisation have set up the “Warsaw declaration”<sup>2</sup>, where they call on the European Institutions to adopt a Road Initiative to effectively combat social dumping and unfair competition in the EU road transport sector. Among others ETF and its member organisations call on the European Commission “to simplify and clarify the EU rules for the sector, making them enforceable, while staying within the policy objectives declared in each and every piece of EU legislation applicable to road transport”<sup>3</sup>.

An important tool for the ETF and their member organisations is a comparison of social provisions in collective bargaining agreements and legislation applicable to the logistics sector (focus on road transport) in the European countries. This does not exist so far.

For trade unions, a collection of the regulations in collective bargaining agreements and legislation in logistics in the individual countries is necessary in order to obtain an overview. National regulations play an important role in cross-border transport. With the collection and overview of collective bargaining agreements and legal provisions, the trade unions will be able to compare the regulations of the countries on social conditions. The overview shall record and compare the regulations of the Member States on remuneration, working conditions, employment contracts and qualification at national level. The overview is the basis for the European transport unions as an information basis on which they can make a sound analysis of the situation and draw political conclusions for the design of the industry. This is an important way to participate actively in shaping the framework for road transport and logistics. The aim of trade unions is to achieve fair conditions for the workers and the sector.

The project activities will improve the knowledge of trade unions on social conditions on European level. This knowledge will help trade unions to address changes in employment and work and social dialogue. Knowledge about regulations in collective bargaining agreements and legislation will enable the trade unions to draw political conclusions to contribute to decent work and fair conditions. These include good working conditions, health and safety at work, reconciliation of work and family life and longer working lives in logistics. The activities and the results of the project will strengthen the participation of trade unions in the European social dialogue. On this basis, they are also able to contribute to the process of the European semester. Thus, they meet the objectives of the call for proposals in several ways.

### **Specific objectives**

The ETF and their member organisations need a comparison of provisions concerning social conditions in collective bargaining agreements and legislation applicable to the logistics sector (focus on road transport) in the European countries. This does not exist so far.

Thus, the **objectives** of the project are as follows:

- Collection of secondary and empirical data of provisions concerning social conditions in collective bargaining agreements and legislation in the logistics sector (focus on road transport) on sector and company level. The data shall include provisions regarding salaries and wages, employment

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<sup>1</sup> [https://ec.europa.eu/transport/modes/road/road-initiatives/fair-competition-workers-rights\\_en](https://ec.europa.eu/transport/modes/road/road-initiatives/fair-competition-workers-rights_en)

<sup>2</sup> ETF (2017): The Warsaw Declaration.

<sup>3</sup> ETF (2017): The Warsaw Declaration. P. 4.

contracts, working conditions and qualification. This study will include the compliance with national minimum wage regulations in road transport.

- Comparison and evaluation of the collected data.
- Transfer of findings to trade union representatives.
- Providing trade union representatives with knowledge of the EU legal framework for social conditions in the logistics sector, possibilities of monitoring and enforcing compliance with European regulations.

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### **3. Purpose of the contract**

The purpose of this contract is to provide scientific expertise and high quality service for the project on: "Social Conditions in Logistics in Europe". The trade unions need an expert institution to conduct secondary research, a survey and interviews in the European countries in native language. The project partners do not have the personnel capacity to conduct the secondary research, the survey and the interviews in several languages in different countries. The chosen external expert shall contribute to the successful achievement of the objectives of the project by collecting relevant information and preparing the final products. The tasks are described below.

### **4. Tasks of the external expert**

#### **4.1 Description of tasks**

The project will be supported by an **external expert**, a university or a consultant from a research institute with experience in industrial relation-related subjects in transport and with cooperation

contacts in different European countries. The external expert will organise and conduct the survey and the interviews, contribute to the Workshops and Conference and will write the study.

The working language of the external expert has to be English. Different tasks are foreseen to obtain the expected results:

### 1) Secondary research

**Date, Duration:** February-March 2018, 2 months

The expert will draft a report on secondary research of the European legal framework for social conditions in the logistics sector, control and enforcement.

**Method:** Secondary research

Research area	Tasks	Products
The European legal framework for social conditions in the logistics sector, control and enforcement.	<ul style="list-style-type: none"> <li>• Analysis of European legislation</li> <li>• Drafting a report</li> </ul>	<ul style="list-style-type: none"> <li>• report</li> </ul>

### 2) Survey

**Date, Duration:** February-August 2018, 7 months

The expert will have to conduct a survey and interviews with stakeholders in the logistics sector in Europe to collect empirical data of provisions concerning social conditions in collective bargaining agreements and legislation in the logistics sector (focus on road transport) on sector and company level. The data will include provisions regarding salaries and wages, employment contracts, working conditions and qualification. This study will include the compliance with national minimum wage regulations in road transport.

The expert has to draft questions for the survey that will collect empirical data. He/she has to distribute the questionnaire to approximate 80 companies in the European countries. He/she has to organise the distribution of the survey to the concerned social partners (trade unions or companies) and stakeholders indicated by the members of the Steering Committee.

**Method:** Written questionnaire

Research area	Tasks	Products
Provisions concerning social conditions in collective bargaining agreements and legislation in the logistics sector (focus on road transport) on sector and company level	<ul style="list-style-type: none"> <li>• Preparation of the target-group specific questionnaires for survey</li> <li>• Preparation of the target-group specific distribution</li> <li>• Implementation of written</li> </ul>	<ul style="list-style-type: none"> <li>• Written survey</li> </ul>

<ul style="list-style-type: none"> <li>Salaries and wages, employment contracts, working conditions and qualification</li> <li>Compliance with national minimum wage regulations in road transport</li> </ul>	<p>answers in the local language, following up, answering questions</p> <ul style="list-style-type: none"> <li>Analysis of the answers and creating a presentation of results</li> <li>Consultation with project promoter and SC</li> </ul>	
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### 3) Interviews:

**Date, Duration:** March-September 2018, 7 months

The expert has to draft interview guidelines and has to organise the interviews with the concerned companies or trade unions indicated by the members of the Steering Committee. The expert's network shall include all countries, which the project wants to examine in detail. These are Germany, Denmark, Netherlands, Belgium, France, Italy, Austria, Czech Republic, Poland and Hungary. In some cases regional experts have to be contacted to conduct the interview and write a report.

**Target groups:** management and human resources department of logistics companies and trade union representatives. A translation into different languages is necessary.

**Method:** Interviews based on written interview guidelines

Research area	Tasks	Products
<p>Provisions concerning social conditions in collective bargaining agreements and legislation in the logistics sector (focus on road transport) on sector and company level</p> <ul style="list-style-type: none"> <li>Salaries and wages, employment contracts, working conditions and qualification</li> <li>Compliance with national minimum wage regulations in road transport</li> </ul>	<ul style="list-style-type: none"> <li>Preparation of the target-group specific interview guidelines</li> <li>Initiation of target group contacts</li> <li>Conduction of oral interviews in person and by phone in the local language, follow-up, in about 10 countries</li> <li>Evaluation of oral interviews and creating a presentation of results</li> </ul>	<ul style="list-style-type: none"> <li>Written survey</li> </ul>

#### 4) Contribution to 3 workshops and the final Conference

**Place, Date, Duration:**

- WS 1: Berlin, June 2018, 2 days
- WS 2: Warsaw, September 2018, 2 days
- WS 3: Denmark, November 2018, 2 days
- Conference: Brussels, March 2019, 1 day

In order to prepare the focal points of the content for the 3 Workshops, the expert will collect information on provisions concerning social conditions in collective bargaining agreements and legislation in the logistics sector (focus on road transport) on sector and company level in the relevant countries. The expert has to draft the workshop reports.

The expert will present the results during the transfer conference to the trade union representatives.

#### 5) Participation in 5 Steering Committee Meetings

**Place, Date, Duration:**

- SCM 1: Brussels, January 2018, 1 day
- SCM 2: Berlin, April 2018, 1 day
- SCM 3: Warsaw, September 2018, 1 day
- SCM 4: Denmark, November 2018, 1 day
- SCM 5: Vienna, April 2019, 1 day

The expert will take part in 5 steering committee meetings support the comparison and evaluation of the data.

#### 6) Finalisation study

**Date, Duration:** August 2018 – March 2019, 8 months

The expert will draft the study containing:

- An overview of provisions concerning social conditions in collective bargaining agreements and legislation in the logistics sector (focus on road transport) on sector and company level. The data will include provisions regarding salaries and wages, employment contracts, working conditions and qualification. This study will include the compliance with national minimum wage regulations in road transport.
- and the European legal framework for social conditions in the logistics sector, control and enforcement.

### 4.2 Guidance and indication on tasks execution and methodology

The planned methodology of the tasks is described in the paragraph above. The duration of the contract will end with the end of the project duration. The work has to be done in consultation with the contracting body. Drafts shall be consulted with the Steering Committee via the contact persons of the contracting body. The final versions shall be agreed within the Steering Committee and finally accepted by the project promoter. The agreement on the texts shall be in a written form.

## 5. Expertise required

The expert institution, that will conduct the tasks for this project, shall have experience in industrial relation-related subjects in transport and with cooperation contacts in different European countries. Very important for achieving good project results are cooperation contacts of the external institution in different European countries.

The tenderer shall prove his/her expertise giving some examples of his/her work. The contract will be awarded to organizations that fulfil the following criteria verifiably:

- Organisations with scientific experience in the fields of European and national employment topics, company and industrial relations-related subjects;
- Organisations with cooperation contacts in different European countries and/or personnel with relevant European language skills;
- Organisations experienced in realizing empirical studies and interviews in different countries with different stakeholders;
- Organisations with experience in consulting and supporting international projects with diverse partners;
- Organisations with the capacity to manage the tasks within the budget maximum amount.

The language for all papers, presentations and reports is English in native speaking quality. The tenderer must prove this capacity.

## 6. Time Schedule and reporting

Delivery of the final products shall be latest on the date of **31 March 2019**.

### Working plan and time schedule

Month	Activity
Feb-March 2018	Analysis of European legislation Drafting a report
Feb-August 2018	Conducting survey <ul style="list-style-type: none"> <li>• Preparation of the target-group specific questionnaires for survey</li> <li>• Preparation of the target-group specific distribution</li> <li>• Implementation of written answers in the local language, following up, answering questions</li> <li>• Analysis of the answers and creating a presentation of results</li> <li>• Consultation with project promoter and SC</li> </ul>

March-September 2018	Conducting interviews <ul style="list-style-type: none"> <li>• Preparation of the target-group specific interview guidelines</li> <li>• Initiation of target groups contacts</li> <li>• Conduction of oral interviews in person and by phone in the local language, follow-up, in about 10 countries</li> <li>• Evaluation of oral interviews and creating a presentation of results</li> </ul>
June, Sept, Nov 2018,	Contribution to 3 Workshops
Jan, April, Sept, Nov 2018, April 2019	Contribution to 5 Steering Committee Meetings
March 2018	Transfer Conference and presentation of results
August-March 2018	Finalisation of the study

## 7. Payments and standard contract

A contract will be concluded and the final payment will be done after acceptance of the products. Interim payments will be done after acceptance of the work packages. Delivery of the final products shall be the latest on **31 March 2019**.

## 8. Price

The maximum costs will be **58.000,00 EUR (Fifty Eight Thousand) plus VAT** lump sum. This price represents the complete costs for the working packages listed under 4. "Tasks of the external expert". Under no circumstances these costs can be increased. Travel and accommodation will be covered for 1 person per event from project funds.

## Part II – The tendering procedure

### 1. Selection procedure:

The tenderer shall prove his expertise giving some examples of his work.

The maximum costs total **58.000,00 EUR plus VAT** lump sum.

<u>TASKS</u>	<u>Unit costs</u>	<u>NUMBER OF WORKING DAYS</u>	<u>TOTAL</u>
Analysis of European legislation Drafting a report			
Conducting survey			
Conducting interviews			
Contribution to 3 Workshops			
Contribution to 5 Steering Committee Meetings			
Transfer Conference and presentation of results			
Finalisation study			
<b><u>TOTAL</u></b>			

### 2. Selection criteria:

Tenderers are asked to provide a detailed description how they plan to carry out the tasks listed under 4. Tenderers are asked to provide references of similar orders of the last three years. The references shall include

- working result of the order
- contact person with contact details, expertise and language skills

### 3. Award criteria

The contract will be awarded whose offer represents the best value for money – taking into account the following criteria:

Experience in industrial relation-related subjects in transport, quality of previous work	25 points
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Methodology, Workplan, schedule, implementation of the tasks	25 points
Network, language skills, experiences of personnel	25 points
Price	25 points

There is a maximum of 100 points and it should be noted that the contract will not be awarded to a tenderer who receives less than 70% of the award criteria.

#### 4. Content of the bids

The bids have to include

- Technical and Financial offer including schedule and conduction, signed by the legal representative
- References
- Name, expertise and language skills of the expert, who will implement the activities
  - All information necessary to enable the project promoter to assess the selection criteria
  - Name of the legal representative
  - Bank details

#### 5. Presentation of the bids

The bids have to be sent in electronical and paper version. They must include the signature of the legal representative and the CV of the expert(s) implementing the action. Please send your offer to

EVA - European Academy for Environmentally Friendly Transport  
 Almut Spittel  
 Reinhardtstr. 23  
 10117 Berlin  
 GERMANY  
[Almut.spittel@eva-akademie.de](mailto:Almut.spittel@eva-akademie.de)  
 Tel.: +49-30-3087526

**Deadline for the offer: 22 January 2018**