



A Mandate for Rebuilding European Social Dialogue

Adopted at the Executive Committee meeting of 15 – 16 October 2024

This document aims to establish a mandate for negotiating a Pact for European Social Dialogue. In addition to a mandate for the Pact, the document also establishes a roadmap for the next European Social Dialogue Work Programme. These two instruments, the Pact and the Work Programme, constitute important elements in rebuilding European social dialogue.

The Executive Committee in December 2023 discussed a strategic paper on a path forward for European Social Dialogue in view of the Val Duchesse Social Partner Summit and the ending of the negotiations for a Directive on Telework and the Right to Disconnect. This discussion, supported by ongoing consultation with the Social Dialogue Committee, laid the groundwork for two major developments. Firstly, the adoption of the Val Duchesse Declaration in January 2024, including a potential Pact for European Social Dialogue. Secondly, the ending of the European Social Dialogue Work Programme 2022-2024 due to the employers refusal to deliver on their commitment to negotiate a binding agreement.

Securing a commitment to respecting social dialogue at all levels is needed more than ever following the European Parliament elections and the challenges to democracy posed by the far right. Respecting trade unions and social dialogue represents a commitment to the democratic foundations of our societies. The European Parliament is starting a new mandate and the new College of Commissioners will soon be in place. Strong social dialogue and EU social policy is needed to contribute to counteracting far-right anti-democratic narratives.

In her Political Guidelines for the next Commission as well as in the mission letter to the incoming Commissioner, President Von der Leyen restated her commitment to delivering the Pact in early 2025. It is therefore of crucial importance to make progress on a path that rebuilds and embeds social dialogue as the driver for a more social Europe, empowering workers and trade unions.

The issue of rebuilding social dialogue through the Pact and a future Work Programme has been a central feature of the meetings of the Social Dialogue Committee as well as informal discussions with the employers throughout 2024. Moving these negotiations forward will now require a mandate from the Executive Committee in relation the steps outlined below.



Setting the foundations for Social Dialogue – A Mandate for negotiating a Pact for European Social Dialogue

The adoption of the Val Duchesse Tripartite Declaration in January 2024 marked the launch of a process towards a Pact for European Social Dialogue. The Declaration also addresses the issue of labour and skills shortages as well as recognising that future long-term competitiveness needs to go hand in hand with quality jobs. Social dialogue and collective bargaining are essential in delivering on quality jobs and competitiveness. The negotiation of the Pact provides us with an opportunity to place social dialogue at the centre of EU policy making, as well as directly addressing many of our trade union demands.

The objective of negotiating the Pact is to strengthen and improve the conditions for trade unions to engage in cross-industrial and sectoral social dialogue at both EU and national levels, establishing spaces not only for consultation, but also for negotiation and agreement. In order for the Pact to have an added value for European social dialogue, it will require a clear commitment from the Employers to engage in negotiations and to deliver tangible results. European social dialogue is built upon strong national level social dialogue, therefore a Pact for European Social Dialogue should strengthen the link between these levels.

Mandate

Negotiating and adopting an ambitious Pact that has real added value will require the ETUC Executive to provide a mandate for the upcoming negotiations with the employers. This joint work with the employers will then be finalised into a tripartite Pact together with the Commission. Against this background, the Executive Committee is asked to approve the below approach regarding the bipartite negotiations with employers.

The renewed focus on competitiveness and industrial policy will only be successful if social rights, the improvement of working conditions and collective bargaining are addressed as a core objective of EU policy. Burden reduction must never come at the expense of the rights of workers and trade unions. The full implementation of the European Pillar of Social Rights must be the guiding principle.

The Pact should build upon and continue the commitment in the La Hulpe declaration to uphold social dialogue as a pillar of democracy and to empower social partners and collective bargaining.

The Pact is not an end objective, but rather the beginning of a broader push to identify where European Social Dialogue can be strengthened. **The Pact will need to identify concrete actions that are needed to deliver on the priorities outlined below.**

Priorities to be addressed by the Pact for European Social Dialogue:

- The establishment of a European Social Dialogue Envoy and an alert mechanism when social dialogue is not respected. The work of the European Social Dialogue Envoy should contribute to the following:
 - Ensuring the effectiveness and clarifying the tasks and obligations of the social dialogue coordinators in each DG in promoting and respecting the role of social partners in the work of the European Commission.
 - Ensuring effective social partner consultation ahead of the European Commission Work Programme, including outside of the area of social policy;
 - Ensuring effective social partner consultation, on new EU legislative initiatives that have an impact on the labour market and social policy domain (including



- areas such as competition, green transition, industrial policy, and digitalisation);
 - Regularly take stock of the implementation of the Recommendation on Strengthening Social Dialogue by Member States in consultation with the European social partners,
 - Develop, together with the European social partners, an alert mechanism that facilitates social partners to report when social dialogue is not respected. The Envoy will be responsible for coordinating the response from the Commission to remedy these incidences .
 - Supporting the assessment of impact of EU Policies on Social Dialogue;
 - The Envoy should report regularly to the Social Dialogue Committee.
- Pushing for a strong tripartite social agenda to feed into the Tripartite Social Summit and the Commission Work Programme;
 - Cementing capacity building support of social partners at European and national level, including for social partners in candidate countries. This includes through the use of ESF+, the social prerogatives and specific competencies lines (SOCPL) and other relevant funding initiatives;
 - European social dialogue requires dedicated support from the Commission, both politically, financially and administratively, for both cross-sectoral and sectoral social dialogue, in line with Val Duchesse declaration;
 - Strengthening the coordination between the cross-industry and sectoral levels of social dialogue;
 - Strengthening the full and effective implementation of EU social partner agreements directly by national social partners or via Directive through clear, transparent and reliable process and criteria that must be developed in consultation with European Social Partners;
 - Identifying where there could be a need for respect of social dialogue and collective bargaining in the use of EU Funds, shaping labour market policies, and implementing labour market policies decisions including social conditionalities;
 - Securing the trade union prerogative to negotiate and conclude collective agreements on behalf of workers. Securing the protection of trade unions participating or wishing to participate in collective bargaining against any acts of interference by employers or Member States in their establishment, functioning or administration;
 - Establish structures to assess the impact of EU policies on social dialogue, including the Recommendation on Strengthening Social Dialogue in the EU, the Directive on Adequate Minimum Wages in the EU, and the functioning of the social dialogue coordinators;
 - Establish that social progress and the improvement of working conditions are core objectives when addressing competitiveness;
 - Recognising that burden reductions must never come at the expense of the rights of workers and trade unions.

In line with these priorities, the ETUC contribution to the Pact will be based upon the ETUC Resolutions, Positions and the Berlin Action Programme.

The process for concluding the Pact:

- Discussions on content and direction of the Pact will be undertaken by a dedicated negotiating delegation nominated by member organisations. The delegation will be led by Deputy General Secretary Claes-Mikael Ståhl. If necessary, a drafting group will be set up to engage directly with employers to advance the text.
- The aim of the bipartite process is to agree on a text for the Pact together with European employers to then be put forward for discussion and agreement with the Commission as a tripartite text.



- The Executive Committee will be kept informed throughout the process, and where necessary will be consulted directly.

The provisional timeline for negotiating the Pact will be from October 2024 to December 2024, with the aim of signing a tripartite document with European institutional actors in January 2025.

Setting the course for the Future Social Dialogue – a Roadmap for the Future Work Programme

Since 2003 the European Social Dialogue Work Programmes have provided a bipartite roadmap for European social dialogue. The Work Programmes provide us with the autonomy to raise issues to be addressed through social dialogue at European level, directly influencing EU social policy. They represent the commitment of trade unions and employers to jointly take action and deliver solutions for their members.

The previous Work Programme 2022-2024 contained a commitment to negotiate a Directive on telework and right to disconnect. Regrettably, the European employers walked away from delivering on this commitment, undermining the integrity of that Work Programme which was terminated prematurely because of their actions.

Rebuilding European social dialogue will require the ETUC to look towards a future Work Programme. The Pact will be an opportunity to make the first steps in building the required trust that is needed to negotiate and deliver a Work Programme. The Pact is a separate process which should enhance but in no way replace the bipartite Work Programmes.

The provisional starting time for the Work Programme negotiations is foreseen for the first half of 2025 on the basis of a trade union Work Programme mandate developed and adopted in the coming months with the full involvement of the Social Dialogue Committee and for adoption by Executive Committee, which will provide the basis for effective engagement with the employers.