

**PESSIS2 Action 3**  
**Outcome of Discussions of 4 Options at National Level**  
**BELGIUM**

**13<sup>th</sup> March 2014 and 28<sup>th</sup> April 2014**

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Action 2 of the PESSIS2 project focused on getting a better understanding of the interest of employers in the social services sector in 5 countries to participate in European Social Dialogue. One of the outcomes of this action was for each country to agree on a national Roadmap towards European Social Dialogue.

Action 2 was divided into 2 separate meetings. A first focus group was organised in each country to discuss the Strengths, Weaknesses, Opportunities and Threats (SWOT) of the Social Dialogue structures for their social services sector, as well as their interest in participating in European Social Dialogue. The focus group was followed by a second meeting, called Roundtable towards European Social Dialogue, which offered the opportunity to those present to discuss how their sector might be involved in European Social Dialogue, based on the following options:

- Joining the Sectoral Committee for Local and Regional Governments;
- Joining the Sectoral Committee for the Hospital and Healthcare sector;
- Creating an inter-sectoral Committee for the non-for-profit sector, including the social, health, cultural and education sectors;
- Creating a Sectoral Committee for the Social Services Sector.

The Focus Group was attended by ten or so participants representing the employers of the social-profit or social services sector.

The Round-table was also attended by ten or so participants representing the employer organisations of the social-profit or social services sector. There was some coherence and continuity between both meetings as the majority of the participants were the same. UNIPSO had also invited to the Round-table trade union delegates contacted by Mathias Maucher. Only one delegate was present but his account based on his practical experience of European Social Dialogue - he attends the Sectoral Committee for the Hospital Sector – was of great interest for the subsequent reflections amongst employers.

**What was the Outcome of these discussions?**

**Focus Group**

Firstly, during the discussions in the focus group, it is important to take note of the results in terms of added value and opportunities for the employers of the social-profit or social

services sector to take part in European Social Dialogue. Amongst others, the following are to be highlighted:

- Involvement at European level may be seen as a safeguard against the commodification of social services and a move towards a more social Europe
- It is important to participate from the start in debates when creating European norms which will be implemented in Belgium. In this context, it is useful to advise on the specificities of the social-profit or social services sector compared to the market sector
- Europe also favours the exchange of good practices between Member States in view of their convergence. It is important to adapt models while still aiming at safeguarding the Belgian social model, i.e. no levelling downwards
- European Social Dialogue may help to facilitate social dialogue at national and regional levels.

### **Round-table**

As for the Round-table, before expressing an opinion on the avenue that appears to emerge from discussions between representatives of Belgian employers, several items were highlighted that are important to present beforehand.

I therefore took the liberty to somewhat modify the order of questions posed. I suggest first to record the issues addressed at the meeting as regards European Social Dialogue, then to take stock of the state of reflections for each of the 4 options proposed, and finally to look at the strategy that appears to emerge at Belgian level – without however this being an official UNIPSO position.

**What are the main issues with regard to participation in European Social Dialogue? What still needs to be tackled?** (Scope, topics, structure, representativity, etc)

- The interest of employers of the social profit or social services sector to take part in European Social Dialogue is underlined, whichever the form of their participation. The social profit or social services model must be protected.
- It is stressed that above all, in order to take part in European Social Dialogue, there must be a social dialogue at national level and a national representativity of social partners.
- There is also the question of which issues to address through European Social Dialogue and where to be represented. At sectoral or inter-sectoral level? It is important to determine the issues that employers wish to address when participating in European Social Dialogue.
- The question is raised that in the case of sectoral social dialogue, one should pay attention to the area of implementation of the decision adopted by the social partners (framework agreement...) at European level which may not correspond to that at national level. There may be some difficulty in adapting a sectoral agreement to the national level. This issue came up in particular in the context of the Belgian adaptation of the directive on the prevention from sharp injuries in the hospital and

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healthcare sector (initiated by a framework agreement of the Sectoral Committee for the Hospital sector). One should not eliminate the negotiation and dialogue strength between social partners through difficulties related to interpretation problems as regards the implementation area of a European agreement which has no national equivalent. The presence of private or public players in the sectors should also be taken into account when adapting framework agreements.

- It is noted that Belgian social profit sector employers are already present in European Social Dialogue at inter-sectoral level. Indeed, UNISOC, the federal umbrella of the social profit or social services sector is a member of CEEP (Centre européen des employeurs et entreprises fournissant des services publics). One of the options is to increase the weight of the social profit or social services sector in this organisation and, as is the case in Belgium, to take part in the social dialogue at inter-sectoral level rather than at sectoral level. It is a matter of defending, next to the representatives of business employers, the interests and specificities of the social profit or social services sector, in cross-disciplinary themes.

As regards the 4 options proposed, in a nutshell, here's what transpired from the exchanges between participants. I did not list the pros and cons as discussions worked out differently.

(Below you may find a summary of the discussions we had in Belgium, including the pros and cons of each option).

### **1) Joining the Sectoral Committee for Local and Regional Governments**

- Created in 2004
- CEMR and EPSU are the two partners
- Tackles topics such as public procurement, restructuring, recruitment and retention

It does not seem appropriate to join this Committee as it appears to concern only public authorities whereas the social profit or social services sector covers both private and public players. This Committee's membership criterion seems related more to local authority funding than to services provided by the social profit or social services sector, either private or public.

### **2) Joining the Sectoral Committee for the Hospital and Healthcare sector**

- a. Created in 2006 after 6 years of negotiations
- b. HOSPEEM and EPSU are the two partners
- c. Tackles topics such as Occupational Health and Safety, and Recruitment and Retention
- d. 15 Full members in HOSPEEM, 14 active + 1 Observer (CEEP)

The majority of participants are not in favour of this option. It seems that the implementation area and scope of this Committee are too limited – mainly centred on healthcare – and do not correspond to the realities and concerns of 'social services'. There is

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also the practical question whether HOSPEEM would agree to open the sectoral Committee to another employer representative.

### **3) Creating an inter-sectoral Committee for the non-for-profit sector, including the social, health, cultural and education sectors.**

This option also brings up questions among participants. They believe the Committee's field of competence is too broad as regards the sectors covered and they are sceptical as to the possibilities of finding common interests that could be submitted to European Social Dialogue.

Another issue raised is that, at European level, the legal status or the profit or non-profit making aim has no importance, so that the proposal as formulated 'for the non-for-profit sector' is in any case not valid.

### **4) Creating a Sectoral Committee for the Social Services Sector**

By elimination, the general trend moves towards this 4<sup>th</sup> option. However, it is important to define what is to be understood by 'social services' so that there is a genuine correspondence with the national level, otherwise there would be major adaptation problems. It is also suggested to work by 'niches' at sectoral level; they would need to be well defined and structured: older persons, disabled persons, childhood...

**Which option would you prefer to take?**

**Why this approach?**

On the basis of discussions between participants, a double strategy seems to emerge for Belgium:

- 1) At the level of inter-sectoral social dialogue :** consolidate the place and role of social profit or social services employers via participation in CEEP and work on inter-sectoral issues
- 2) At the level of sectoral social dialogue:** creation of a Sectoral 'Social Services' Committee within a detailed framework and spelt out in 'niches' by sector (childhood, disabled persons...), and work on more specific and focused issues related to the sector.
  - ➔ It is also suggested to foresee the possibility of discussing common issues between Sectoral Committees (health and social services).

**Remark:** This conclusion is not an official UNIPSO position and is to be seen as the result of a first discussion between part of the representatives of the social profit or social services sector on the way to participate in European Social Dialogue.

It is important to note that this positioning remains a theoretical and preferred option, rather than a conclusive decision.