

**CONSULTATION OF THE SOCIAL PARTNERS ON THE DRAFT OUTLINE OF
THE FUTURE COMMUNICATION ON THE EUROPEAN SECTORAL SOCIAL
DIALOGUE**

HOTREC comments

Since the early 80's, HOTREC is engaged in a sectoral social dialogue at EU level with its trade union counterpart – EFFAT. The formal sectoral social dialogue between HOTREC and EFFAT was set up in 1999.

HOTREC already replied to the “*Consultation of the European social partners for a review of the implementation of the Commission Communication and decision of 20 May 1998*” (see annex). HOTREC's first comments to the draft outline of the future Communication on the European sectoral social dialogue are the following:

Chapter III a) Consultation and administrative capacity of the EU and social partners

HOTREC considers that it is essential that the sectoral social partners be consulted on all developments at Community level having social implications. However, the consultation should not be limited “within the social dialogue committee”. Both social partners should continue to be allowed to respond to the consultations independently of one another.

On the “sectoral skills committees”, HOTREC would like to be better informed about the future role of the European social partners in these committees. The link between these skills councils and the sectoral social dialogue committees should be clarified.

HOTREC fully agrees with the Commission on the need to strengthen the European social partners administrative capacity. HOTREC is also of the opinion that the Commission should simplify and facilitate the procedures to access the social dialogue budget heading. Only in this way will social partners be able to fully use the EU funding instruments.

Chapter III b) Negotiations and capacity to negotiate agreements

HOTREC wants to stress that it does not have the mandate to negotiate social issues on behalf of its affiliate members. HOTREC does not consider that such a mandate would be appropriate as, in view of the major differences between national legislations and working

conditions in the different countries, social negotiations should continue to be carried out at national level.

Chapter V a) Synergies and Transparency between sectors

With regard to cooperation between sectors, HOTREC is participating in the European Employers' Network (EEN) led by BUSINESSEUROPE. HOTREC also values the meetings in the Liaison Forum, although they should be made more inter-active.

Chapter V c) logistics

The minutes prepared by the Commission should better reflect what is discussed during the meetings. HOTREC would appreciate being better informed by the Commission about ongoing Commission activities in relation to social issues affecting the industry. Unfortunately, HOTREC gets too often the impression that the work of the Commission is totally compartmentalized with no access to information from other units, DGs, not to speak about other institutions.

The same applies in relation to the various funding possibilities. It is quasi impossible to obtain clear and succinct information on what is available, and to obtain assistance on how to handle the funding applications.

ANNEX:

HOTREC reply to the "Consultation of the European social partners for a review of the implementation of the Commission Communication and decision of 20 May 1998".

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ANNEX:

HOTREC reply to the

“Consultation of the European social partners for a review of the implementation of the Commission Communication and Decision of 20 May 1998”

(sent out to social partners by DG employment on 14.10.2008)

An informal dialogue between EFFAT and HOTREC started in the early 80ies. The formal sectoral social dialogue was set up in 1999.

1. With regard to the first block of questions, creation of social dialogue committees, HOTREC stresses, that the full autonomy of social partners should be respected at all times. The Commission should not, at all costs, try to cover 100% of the economy with social dialogue committees.
2. In relation to the functioning of social dialogue committees:

HOTREC considers that it is essential that the sectoral social partners be consulted on all developments at Community level having social implications. However, the consultation should not be limited “within the dialogue committee”. Both social partners should continue to be allowed to respond to the consultations independently of one another.

HOTREC is of the opinion, that the 6 week deadline for consultations on developments at Community level having social implications is too short. At least 12 weeks should be allowed to enable proper discussion.

HOTREC does not favour further harmonisation or standardisation of rules of procedures. Agendas and any other documents are usually made available sufficiently in advance of the meetings.

The minutes prepared by the Commission should better reflect what was discussed at the meetings and should focus on the main outcomes and decisions taken. Follow-up of the meetings are decided by the social partners and there is no need to specify in advance which tools should be used.

HOTREC is already involving representatives from new Member States in its social dialogue committee.

3. In relation to “Synergies and cooperation”, HOTREC would appreciate being better informed by the Commission about ongoing Commission activities in relation to social issues affecting the industry. Unfortunately, HOTREC gets too often the impression that the work of the EU Commission is totally compartmentalized with no access to information from the other Units, DGs, not to speak about the other institutions. The same applies in relation to the various funding possibilities. It is quasi impossible to obtain clear and succinct information on what is available, and to obtain assistance on how to handle the funding applications.

Stronger backing of initiatives, in principle supported by the Commission (e.g. the skills passport project), would be welcome.

Unfortunately, HOTREC has the feeling that the work of SSDCs is not adequately taken into account at Commission level. Greater attention should be paid to the sectoral social partners’ activities by the Commission services. The EU social policies, in great part, do not reflect the concerns of the SSDCs. In addition, HOTREC is under the strong impression that the work of DG Employment is biased in favour of employees.

The website on social dialogue should be further improved by, e.g. a more complete coverage of the documents produced (e.g. the agreement to develop a qualifications and skills passport).

With regard to the cooperation between sectors, HOTREC is participating in the European Employers’ Network (EEN), led by BusinessEurope. However, HOTREC is not involved and does not want to be involved in EWC activities, as EWCs only deal with intra-company issues.

4. In relation to negotiations, HOTREC is of the opinion that any sectoral social partner should, as a minimum, be invited as observer to the negotiation process, including the preparatory phase of negotiations, when this social partner considers that the matter discussed is of relevance to his/her sector.
5. Today’s financial crisis and economic turmoil have put the hospitality industry, like many others, under great pressure. As a result, many investment projects are being cancelled or postponed while the sector is witnessing a sharp slowdown of demand. In this context, HOTREC calls upon the European Commission to pay more attention to the likely social impact of the measures it proposes. EU Institutions should try to provide a favourable political and regulatory environment instead of imposing additional burdens, which will cost jobs.

For example, the cumbersome and inappropriate Commission proposal imposing food labelling requirements to restaurants should be withdrawn. This new legislation, if adopted, will not only impose burdens costing the industry billions of Euros, but will also be incapable of application by small restaurants: this proposal poses a great risk of small restaurants having to standardise their menus and/or being driven out of business, causing the loss of many thousands of jobs.