

**"Helping the member organisations implement and monitor the  
autonomous ETUC-UNICE/UEAPME-CEEP framework agreement  
on workplace stress"**

**Riga, 11-12 October 2005**

**Introduction**

On 8 October 2004, after securing the approval of their respective decision-making bodies, ETUC, UNICE/UEAPME and CEEP signed an autonomous cross-industry framework social dialogue agreement on work-related stress. It was the second agreement of its kind, the first (on telework) having been signed on 16 July.

The agreement stipulates that it must be implemented by all the member organisations of ETUC, UNICE/UEAPME and CEEP, in accordance with the procedures and practices specifically associated with management and work, as well as by the Member States, as stipulated in Article 139 of the Treaty. Moreover, the agreement must be applied within three years of its signature (i.e. by 8 October 2007 at the latest).

Throughout the procedure entailing the implementation of the telework agreement, ETUC noted that its correct application could only be guaranteed if its member organisations were given appropriate information and effective aid whenever necessary and possible.

Where the implementation of the framework agreement on work-related stress is concerned, ETUC – together with its Institute, ETUI-REHS – intends to play a role that goes beyond just negotiations and the mere signature of framework agreements on European social dialogue, namely by providing its member organisations with the closest, most effective assistance possible. The member organisations are bound to comply with such agreements and to ensure their effective implementation.

The decentralised work meeting in Riga is one example of this.

**Opening of the meeting**

**ETUC Deputy General Secretary Maria Helena André** opened the meeting by reiterating this framework and stressing ETUC's concern to help its member organisations implement and monitor the framework agreement on stress.

She also pointed out what had been achieved in the context of European social dialogue, highlighting in particular the signature of five agreements (three transposed into directives and two to be implemented by the social partners).

Then, taking the example of the telework agreement, she emphasised the different possible ways of implementing these two agreements, namely via collective agreements or joint declarations or via a joint request to the public authorities to draft appropriate legislation.

Naturally, in the course of this process it is essential to aim for the agreement's improvement, if possible, when it is transposed at national level.

The agreement sets out minimum requirements, and it is up to the respective national social partners to improve on this basis, using the tools at their disposal and a method of their choosing.

It is important that the social partners should be aware that some of the social *acquis* are involved and that they have a responsibility to take action at national level.

The candidate countries are also involved in the project.

Maria Helena also reiterated how important it is to promote autonomous actions by the social partners.

The seminar participants are all multipliers who will ensure that information is disseminated and passed on to the various levels of action.

<p><b><u>Introduction to the framework agreement: its background, contents, interpretation, implementation and the follow-up on its implementation</u></b> <b>Roland Gauthy (ETUI-REHS expert)</b></p>
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**Roland Gauthy, an expert** who had been actively involved in the negotiations, then took the floor to explain in detail the agreement on stress.

He gave a chronological account, explaining paragraph by paragraph how we could interpret its respective articles (see the slides).

Maria Helena complemented his presentation by taking up aspects of the agreement's implementation and follow-up.

She also related her experiences during the negotiations, the frequently clashing approaches taken by the employers and ETUC, and the difficulties encountered especially in a social and economic context that is not conducive to growth and quality jobs and in which unions' concerns sometimes fall on deaf ears.

After these contributions, details were provided about the support that ETUC can offer in the framework of this project, namely:

- The translation into several languages of the agreements on work-related stress;
- the production of an ETUC guide (in EN and FR) on how to interpret the agreement;
- an interactive section of the ETUC website devoted to the agreement and to its implementation;
- an interim report on the agreement's implementation;
- three decentralised meetings of the working group (including this meeting in Riga);
- a closing conference.

## Country-by-country 'round table'

After the participants had introduced themselves, there was a round table during which the following points were raised:

- The legislative/contractual framework on workplace stress;
- possibilities for improving this framework by concluding European framework agreements;
- problems and bottlenecks in the various modes of implementation.

The participants listed the following issues (non-exhaustive list, classified by country) :

### Latvia:

- The need to raise awareness of the issue of workplace stress and to disseminate information;
- the importance of basing the approach on other countries' good practices;
- the difficulty of measuring and pinpointing stress;
- the approach to explore in the context of collective agreements.

### Finland:

- The already translated agreement and the importance of having the agreement translated by specialists (re European jargon);
- reference made to the corresponding Finnish legal framework;
- emphasis of the importance of the binding aspect in the context of implementation;
- the importance of learning from the experience of implementing the telework agreement;
- the desire to launch discussions with the employers now;
- the difficulty of implementing the agreement, because it adds nothing to the existing legislation;
- care must be taken not to forget contracted, temporary and 'precarious' workers.

### Lithuania:

- Reference was made to the tripartite model for implementation (the national tripartite council);
- the difficulty of implementing the agreement at sectoral and local level was highlighted because of the low levels involved;
- the importance of drawing on good practices in other countries was underlined;
- the importance of switching between the EU 15 and EU 10 was stressed;
- it was pointed out that the issue is very new and that it is difficult to investigate the various problems arising.

### Bulgaria:

See Svetla's presentation (in annex)

### Sweden:

See Sten's presentation (in annex)

### Estonia:

See Eda's presentation (in annex)

Points clarified by the experts:

1. When European legislation is not applied, the case may be referred to the European Court of Justice.

On the other hand, when an agreement that is supposed to be implemented by the social partners is not applied, no provision is made for any sanction at European level.

It is up to the respective national social partners to exert pressure, if they so desire, to ensure that the contents of the agreement are absorbed by their national legislation and thereby made binding.

2. It is very important that the trade unions should be extremely active and take the initiative with regard to the agreement's implementation and thus even be capable of convincing the employers.
3. It is possible to call on European funds for help in implementing the agreement.

<b>Action plans</b>
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The second day's work focussed on drawing up national action plans.

To set the ball rolling, Roland reiterated the key issues raised the previous day.

The table below lists the issues raised country by country:

Estonia	<ul style="list-style-type: none"><li>- Organise trade union meetings</li><li>- Find funds to have the agreement translated</li><li>- Disseminate the information</li><li>- Base the action plan on analyses</li><li>- The need for a decent database</li><li>- Inform the confederation</li><li>- Post the agreement on the Internet</li></ul>
Bulgaria	<ul style="list-style-type: none"><li>- Exchange experiences</li><li>- Organise a trade union strategy – have the initiative</li><li>- Organise a meeting between the Baltic States / Nordic countries and Balkan countries</li><li>- Meet the employers to secure an agreement on implementation</li><li>- Submit this agreement to the National Tripartite Council</li></ul>
Latvia	<ul style="list-style-type: none"><li>- Inform the confederation</li><li>- Organise research</li><li>- Translate the text</li><li>- Disseminate the information via the members and specialists</li><li>- Work with the employers</li><li>- Ask trade union leaders to inform the respective members</li></ul>
Lithuania	<ul style="list-style-type: none"><li>- Organise a joint seminar with the employers</li><li>- Press for legislation via the tripartite council</li><li>- Push social dialogue at all tripartite levels</li></ul>
Sweden	<ul style="list-style-type: none"><li>- Contact and exert pressure on the ministries of social affairs and industry</li></ul>
Finland	<ul style="list-style-type: none"><li>- Disseminate ETUC's guide</li><li>- Meet the employers at the end of this year or the beginning of next</li></ul>

	year - Verify with the employers whether the translation of the agreement is acceptable to them
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Maria Helena subsequently summed up the discussion, highlighting the following steps to be taken:

1. Action to boost people's knowledge (translate the agreement into the respective national language: ETUC, via the project, has funds to help with this; also a discussion of the final version with the employers);
2. posting of the agreement on the Internet;
3. coverage of issues by the (trade union and other) press;
4. organisation of information meetings;
5. organisation of joint meetings with the employers.

In all these steps it is important to draw a clear distinction between autonomous actions taken by the social partners and the strategy to adopt vis-à-vis public authorities.

Roland also outlined the approach to take, using the following 8 keywords:

1. translation (understanding of the English)
2. dissemination (how and when)
3. knowledge and implementation
4. negotiation (schedule)
5. problems of interpretation
6. report (in and out)
7. monitoring
8. impact (qualitative analysis at the end of the process).

Maria Helena and Roland then closed the meeting, thanking the participants, Iveta for organising the seminar and also the interpreters.