



EUROPEAN COMMISSION
DG Employment, Social Affairs and Inclusion

Employment and Social Governance
Social dialogue

Sectoral Social Dialogue Committee (SSDC) on Personal Services

Working group meeting 17 April 2018, Brussels

Minutes

1. Welcome and approval of the agenda

Jef Vermeulen (Coiffure EU) chaired the meeting. The agenda was approved. The minutes of the last plenary meeting of 22 November 2017 are available on Circabc¹.

2. Health & Safety

- **Social Partner Agreement – state-of-play and discussion on an action plan and other related initiatives**

The Chair and Vice-Chair indicated that DG EMPL Director General informed the social partners beginning of 2018 that the college of Commissioners decided that it will not make a proposal for a Council Directive for the implementation of the health and safety Agreement in European law. The Commission has suggested supporting the autonomous implementation of the social partners' Agreement and suggested an Action Plan for that purpose. A draft Action Plan was circulated to the social partners with possible actions.

The trade unions expressed their deception over the Commission's decision as recommendation (as opposed to legislation) is not considered sufficient to improve Occupational Health and Safety in the sector. The worker's delegation considered available options and adopted a pragmatic approach: the joint request of the social partners is suspended for the time being and with the support of the European Commission services to implement the agreed Action Plan of autonomous implementation.

The employers indicated that a policy approach is needed to address the health and safety problems by the use of all policies and tools at all levels for improving the situation. The Italian delegation stressed that the Action Plan should have an added value compared to what is already available. A monitoring committee could be set up to examine how the policies and tools are implemented as part of the hairdresser's agreement.

The workers' side confirmed the preference for a legislation. The suspension of the social partners' joint request for the implementation of their Agreement by a Council decision on a proposal from the European Commission in line with the provisions of Article 155 for the time being is to be made conditional on the Action Plan working, i.e. to derive concrete improvements in health and safety for hairdressers and the salon owners. The social partners

¹ <https://circabc.europa.eu/sd/a/5f325873-3046-4f7e-bad1-1d227ac30224/PersServ-20170222-WG-min.pdf>

would like to reserve their right to re-assess the options and the implementation impact in a few years in case the Action Plan does not work.

It is primordial to work on deriving an agreed by both parties Action Plan that is based on the signed Agreement. They insisted on commitment and involvement of the Commission's and the Agencies in the process. They called for the creation of a committee to monitor the implementation of the Action Plan. This Action Plan should bring concrete improvements for the workers in the sector. The worker's side indicated their preference for a separate call for proposals for a project of 600.000€ for 2 years to start in 2019 to implement the Action Plan.

Coiffure EU indicated that they are not totally convinced that the actions of the draft action plan would constitute a competitive alternative to the social partners Agreement. They provided some preliminary reservations regarding:

- The EU OSHA Healthy Workplace campaign would take place even without the draft action plan and would not be sufficiently sector-specific to have an impact on the sector.
- Actions under the 2020-2021 campaign on work-related musculoskeletal disorders (MSD) will take place also in the context of the Social partners project "Ergohair".
- Practical guidance for the hairdressing sector (instrument for risk assessment and management): the sector already has the OiRA tool. Parallel product circuits will only generate confusion for the target group ... Furthermore, the problem is not the lack of instruments, but the use of it. It is also well known that the sector – consisting of people who are generally no big readers – is not waiting for a 'theoretical' guidance.
- Improve the OiRA-tool: CEU indicated that this improvement of the Oira tool would only take place in three countries.
- Actions to improve the effectiveness of the Cosmetic Products regulation: Coiffure EU is not convinced that the problems regarding the Cosmetic Product regulation will be solved by organising a single workshop. They indicated a preference for a structural representation in EU Committees / working groups that are dealing with issues that concern the hairdressers sector.
- CEU indicated their agreement with the funding of a social dialogue project to support the implementation of the agreement.

Regarding the draft action plan CEU indicated that they need more time for a thorough analysis to determine the real needs that are priority in the sector, and how can they be addressed.

UNI Europa stressed that a lot of work has already been done. At this stage the agreement should be implemented on the ground, with better communication and better use of existing laws.

Jorg Tagger (DG EMPL social dialogue unit) reiterated the Commission's commitment to social dialogue. He confirmed the Commission's willingness to work with the social partners.

Jan-Willem Ebeling (DG EMPL health and safety unit) reminded about the existing legislative framework and principles of prevention. He indicated that in view of modernisation of the occupational safety and health (OSH) legislation some of the individual Directives are currently under review, including the annexes of the Personal Protective Equipment Directive (89/656/EEC). The ACSH should deliver its opinion end of May 2018

and if appropriate, relevant new measures could be adopted by the end of the year / beginning of 2019.

UNI-Europa indicated that it should be discussed how some clauses of their Agreement (e.g. on protective gloves) could be considered for that review. Exchanges between social partners and the bodies involved (notably ACSH) could best be foreseen through the cross industry social partners' members of the ACSH. The possibility, given the time constraints, to inform of the specific interest on specific PPEs in the sector was also offered through the direct contact of DG EMPL Health and safety Unit.

The Employers raised the issue of application of the legislation on self-employed hairdressers. Mr Ebeling stressed that, in principle, the EU OSH legislation only applies to workers, but that several Member States do apply their national OSH legislation also to the self-employed, as recommended in Council Recommendation 2003/134/EC 18 February 2003 concerning the improvement of the protection of the health and safety at work of self-employed workers.

Roman Mokry (DG GROW) reminded about the implementation of the Cosmetic Regulation and about the role of the independent EU Scientific Committee on Consumer Safety (SCCS) working on risks assessment of the substances used in cosmetic products. He indicated the various options that the social partners could use to be kept informed about cosmetic ingredients under risk assessment by the SCCS. He stressed the role of the Member States competent authorities regarding the enforcement of the Cosmetic Regulation at national level and suggested to inform the Working Group on Cosmetic Products about the social partners Action Plan. He also indicated that he would inform the social partners when the study for the new Allergy Alert Test is finalised for assessment by the SCCS.

Brenda O' Brien (OSHA) presented the campaigns and the OiRA tool insisting on the current involvement of the social partners.

COIFFURE EU also debriefed about the 2nd seminar of the Ergo hair project that took place in Paris (11-12 April) to review the criteria related to the furnishing of a hairdressing salon, the work organisation, hairdressing material, skills management and the development of standards for hairdressing material. The 3rd seminar will take place in Brussels. Reports on the seminars will be available on the project website².

In term of follow-up, UNI-Europa stressed that even if there is no fixed deadline, it is important to be ready on time for the submission of an application for the call for proposals. For the definition of the concrete actions it was proposed to review the clauses of the agreement in smaller groups in view to identify options for addressing them and prepare the technical meeting with the Commission's services. It was suggested to pursue contacts between the secretariats to inform the Commission on the follow-up.

The Chair concluded on the ways forward regarding the action plan. Both social partners agreed about the need of concrete outcomes. An Action Plan should be useful for workers and employers. However more time is needed to define the actions. The employers should first reach an internal agreement.

3. Education

² <http://www.ergohair.eu/>

- Commissions initiatives in the field of Vocational Education and Training & Apprenticeships

Helen Hoffmann (DG EMPL) presented the latest EU developments regarding Commission's initiatives on Vocational Education and Training & Apprenticeships (VET).

She introduced the New Skills Agenda for Europe adopted by the Commission in 2016; the initiative of the European Alliance for Apprenticeships (EAfA) and the pledges adopted by the social partners; the ErasmusPro regarding VET mobility; the Council recommendation on a European framework for quality and effective apprenticeships adopted by the EPSCO on 15 March and the next VET week that will take place in November 2018 (see slides).

UNI-Europa commented about the difficulty regarding recognition of learning qualification for hairdressers moving in the EU. Helen Hoffmann agreed that validation and recognition is a key topic at EU level. The European Credit system for Vocational Education and Training (ECVET) is supporting actions in this field. She proposed to the social partners to have a stocktaking exercise regarding this issue in their sector. On how to support better involvement of the social partners in this field, she indicated that the social partners could be involved in the European Alliance for Apprenticeships for a joint pledge for the personal services sector. Actions by the social may also be made more visible in the framework of the next VET week.

- "Green salon" Erasmus+ project

Mrs Rodriguez (IES El Palo school Malaga) provided a comprehensive presentation of the results of an Erasmus+ project "Green salon"³ aiming at developing learning on sustainability in the hair and beauty sector, raise awareness on health and safety, promote CRS and exchanges of practices (see slides).

This presentation was interesting and related to topics discussed on Health & Safety.

- European Hairdressing Certificate: how to proceed with the EHC running costs

UNI-Europa reported about the difficulties that the implementation of the European Hairdressing Certificate⁴ is facing. The results of the survey among social partners showed that it is only implemented in 3 countries AT, DK and Norway.

The website hosted by the Danish Unions will have to be stopped as the unions do not have the capacity to continue hosting it.

UNI-Europa recommendation is to consider to stop implementation of the European certificate and to close the related website.

COIFFURE EU indicated that they will come back with their decision. Italian employers' delegation indicated that they will present a project in that field.

³ <https://www.greensalon.eu/>

⁴ <http://ec.europa.eu/social/main.jsp?catId=521&langId=en&agreementId=5126>

4. The point on social affairs was reported to the next meeting.

5. AOB

The next meetings are foreseen on 18 September and 19 November 2018.