
**6th EMF Collective Bargaining Policy Conference
"Jobs, Rights and Collective Bargaining"**

Madrid, 17th & 18th November 2009

**REPORT ON THE RESULTS OF THE SURVEY REGARDING THE
POLITICAL EVALUATION OF THE FIRST COMMON EMF DEMAND
(FCD)**

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**THE INDIVIDUAL RIGHT TO TRAINING GUARANTEED BY
COLLECTIVE AGREEMENTS**

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2. Introduction

The First Common EMF Demand (FCD) on the Individual Right to Training guaranteed by Collective Agreements was discussed and agreed upon finally at the EMF Collective Bargaining Conference in Rome 2005.

The idea was to establish a common European political platform in the form of a common European demand, which the member organisations of the EMF should use in their national collective bargaining rounds in order to secure rights for workers in the area of education and training.

Via this so called "Method of Open Co-ordination" the EMF and its member organisations set out on a new and challenging path. Different methods of evaluation were set up in order to follow the process and exchange good practices regarding the implementation of the common demand in the member organisations and its use at the bargaining tables in their respective countries.

The evaluation process has so far consisted of roadmaps describing how the member organisations intended to work with the FCD (the process of collecting these roadmaps was initiated in January 2006) and a mid-term evaluation of the results reached by the member organisations initiated in August 2007. The roadmaps and the results of the mid-term evaluation have all been presented and discussed in the EMF Collective Bargaining Policy Committee and the Executive Committee.

This report is the next step in the evaluation of the FCD and is aimed at providing the information platform necessary for the EMF and its member organisations to discuss how to proceed with the work regarding future common European political platforms in the form of common European collective bargaining demands.

The Select Working Party of the Collective Bargaining Policy Committee (SWP CB) fully discussed this next step in the evaluation of the FCD and set up an SWP-CB sub-group to design the evaluation questionnaire which has been used to obtain the data utilised to produce this report.

The final draft was approved by the SWP CB in December 2008 and the questionnaires were sent out to the member organisations for the attention of the heads of collective bargaining departments in mid-December 2008.

The first draft of this report was presented and discussed at the Collective Bargaining Policy Committee (CBPC) meeting on the 24th – 25th March 2009 in Luxembourg. The major differences between the first draft and the final version are the addition of results received from two further participating member organisations and the incorporation of the conclusions and recommendations from the CBPC committee.

3. Methodology

The information used in this evaluation stems from a questionnaire designed and approved by the SWP CB, which was sent out mid-December 2008. Electronic survey software was used, meaning that the respondents were contacted by e-mail and invited to complete the questions online via the internet.

The e-mails inviting member organisations to participate in the survey were sent to the EUCOBAN coordinators in each member organisation. The international e-mail contact was used instead in cases where no EUCOBAN coordinator had been appointed.

The e-mail recipients were specifically asked to forward the e-mail to the head of collective bargaining (or equivalent) as these persons were the target group of this survey. Reminders for the survey were sent six times in the period from 7th January to 31st March 2009.

4. Participants

All 78 member organisations of the EMF were invited to participate in the survey. At the time of compiling the data to prepare this report a total of 41 organisations had answered. This corresponds to an answer rate of 52,6%.

The EMF has more than one member organisation in several countries and if we instead look at the number of countries where at least one member organisation has answered we had a response from 21 out of the 34 countries where the EMF has member organisations, corresponding to an answer rate of 61,8%. The list of participating organisations and countries can be seen in table 1.1 in the appendix.

The target group for the questionnaire, which was to provide the information for this report, was comprised of the heads of EMF affiliates' collective bargaining departments. In 24% (10) of the answers it was the head of the collective bargaining department who answered the questionnaire personally.

In the remaining 76% (31) of the answers, it was not the head of collective bargaining who answered personally. However, as can be seen from the open text answers in table 1.2 in the appendix, the person politically responsible for the collective bargaining area or similar was involved in almost all cases, either via meetings or other means of information exchange.

5. Raising and integrating the First Common Demand

One of the first steps in achieving results on the FCD was of course to have it raised in the national collective bargaining rounds. Asked whether or not the FCD was raised by the trade unions, 90% (37) answered yes and the remaining 10% (4) answered no. The organisations answering no to the question were asked to explain the main reasons for this. These answers can be seen in table 1.3 in the appendix.

The participants in the survey were also asked how the objective of the FCD had been integrated in their organisations. Their answers can be seen in table 1.4 of the appendix.

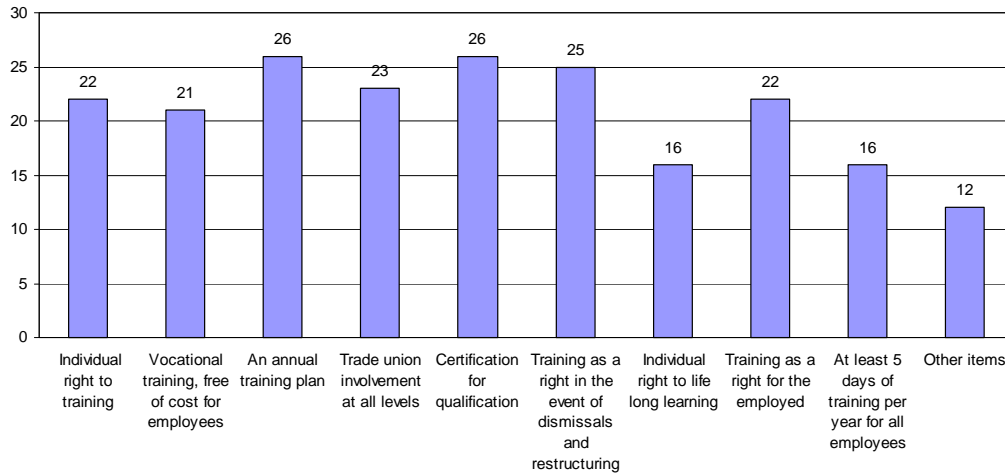
A wide range of different methods was used including:

- interviews with the EMF Deputy General Secretary,
- publication and promotion in member magazines and on websites,
- discussions among members, shop stewards and trade union officers,
- special resolutions at congresses
- and training seminars and workshops.

With the FCD integrated in the organisations, the possibility of actually pushing the demand forward at the national bargaining tables became a viable option. Figure 5.1 gives an overview of the FCD elements raised by the EMF member organisations so far.

The right to an annual training plan, certification for qualification, training in the event of dismissals and restructuring, and trade union involvement at all levels, were the most frequently raised demands. The individual right to life long learning and at least five days of training per year for all employees were the least frequently raised demands. Demands outside of the categories were also raised. A description of these results can be seen in table 1.5 in the appendix.

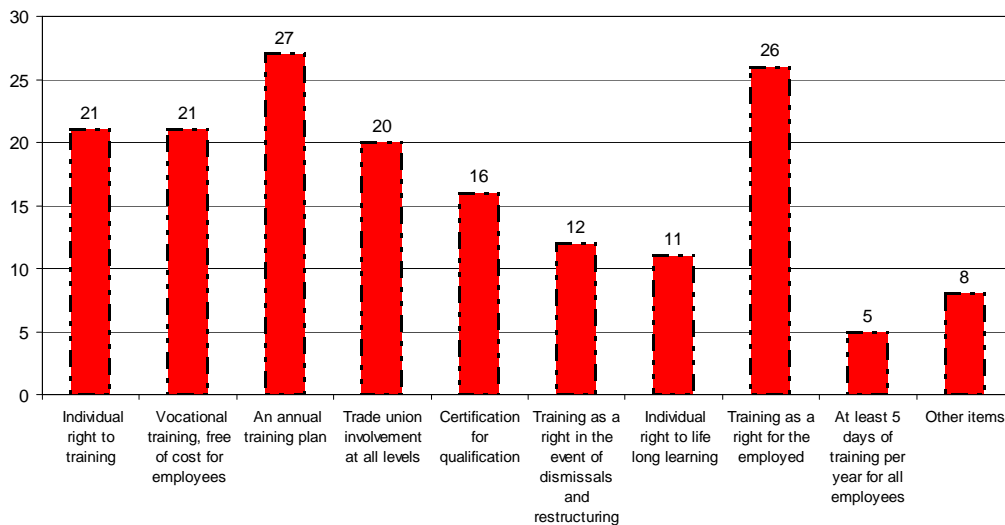
Figure 5.1 FCD Demands raised by the EMF member organisations per category



6. Results regarding the First Common Demand

The results reached by the EMF member organisations in the negotiations on the FCD can be seen in figure 6.1. The results reached by most organisations are an annual training plan and training as a right for the employed. There were fewer results concerning the individual right to life long learning and at least 5 days of training per year for all employees. Results were also being reached on other items. A description of these results can be seen in table 1.6 in the appendix.

Figure 6.1 FCD Results reached by the EMF member organisations per category



The following tables contain the information on the actual results reached in the area of education and training. The information has been extracted from the annual EUCOBAN reports, meaning that only results from the organisations that reported in those years are conveyed in the tables.

Table 6.1 Results on training issues 2006 EUCOBAN report

Austria	<ul style="list-style-type: none"> - Electrical and electronics industries: Breakthrough regarding training/educational leave for all workers! For 2006 and 2007 annual training/educational leave of two paid working days; gradual extension to a full week's leave for educational/training purposes. - Temporary Agency Workers: The social partners agreed on educational/training leave for temporary workers in health care professions in hospitals for a maximum of 8 hours per year with the proviso that the worker has been employed for at least 4 months by the agency. Continuation of work within the joint working group on a common cross-company educational/training fund for temporary agency workers.
Belgium	<ul style="list-style-type: none"> - Maintaining contribution of 0,1% for training of specific groups (e.g.; long-term unemployed, unskilled, immigrants, youngsters...) - Maintaining the existing efforts as regards training at company level: 0,9% of total working hours of blue-collar workers should be spent on vocational training. If no efforts are to be seen, there is no financial sectoral support - New: 0,1% contribution to regional training facilities
Czech Republic	Partial implementation of the EMF First Common Demand
Denmark	Collective agreement 2004 still valid; no changes
France	National collective agreement 2004 still valid; no changes
Germany	<p>An agreement has been concluded which is rather similar to the existing collective agreement valid in the region of Baden-Württemberg (South-West of Germany).Main points:</p> <ul style="list-style-type: none"> - Right of each employee to annual consultation about his/her individual training needs and about appropriate measures to meet that need. - Companies are obliged to provide an annual training report and to develop an annual training concept, containing the planned training measures,, and to discuss it with the works council - Costs and leave for training: Generally speaking, all measures which aim at maintaining or enhancing the skills needed at the work-place are completely financed by the company. Training and further education for personal purposes have to be paid by the employee but can also be financially supported by the company.
Italy	A lot of hours for training and education for young workers are included in the new National Collective Agreement on Apprenticeships
Netherlands	<ul style="list-style-type: none"> - 0.45% of the the value of the whole agreement for 2005, 0.45% in 2006 and 0.4% in 2007 and 0.2% for the first 3 months in 2008 have been allocated to the employment and training fund. - Employability: developing best practices - Extra employment for youngsters: 200 unemployed youngsters per year can obtain training. - 'EVC' (recognition of previously acquired competences): employers can get 750€ per employee under this project.
Norway	Every worker has the right to have their competences validated.
Slovak Republic	Employers agreed on a global commitment to provide leave for lifelong-learning. The concrete agreements have to be drawn up at company level

Table 6.2 Results on training issues 2007 EUCOBAN report

Country	Organi-sation(s)	National/Sector/Company	Results
Austria	GMTN	Temporary Workers	<p>The obligation for employers to offer additional training measures should have a positive impact on employability as well as on the length of assignment of temporary agency workers in individual companies. If temporary employment agencies fail to provide the requested training measures themselves, they have to pay into a specially created fund for further training.</p> <p>Result in the framework of the first Common European Demand: Requested minimum amount for training measures: employers will be obliged to pay 2,20€ for each person currently in full-time employment; the minimum contribution in the case of part-time employment of up to 20 hours per week is 1,10€.</p> <p>The costs of further training activities, as well as 50% of the gross income, falling due during the training activity, can be covered by the employer. If costs for projected training activities fall below the required minimum expenditure, the missing amount for each calendar year has to be transferred to a specially created and jointly administered fund by 31st January of the following year. The fund is used to promote training activities. As from the calendar year 2008 the fund can be used to support training activities of individual companies or to provide one's own training facilities in accordance with the money it receives.</p>
Belgium	CCMB, ABVV Metaal, ACLVB/CGSLB and MWB	National	<p>Increased efforts have been made in respect of training issues: 0,9 % of the hours worked (at company level) is spent on training. This will increase by 0,15 % each year, thus providing a percentage amount of the hours worked to be spent on training as follows 1,05 % in 2007 and 1,2 % in 2008. From 2008 on, each blue-collar worker will have an individual 'training curriculum vitae.'</p> <p>Each company with 50 employees has to make a training plan each year and discuss this with union representatives in the company.</p>
Czech Republic	OS KOVO	Aircraft production	<p>The employer prepares vocational training/education plans, fixing the content and the time frame for the respective groups of employees. These plans are discussed with the trade union. The intention is for employees to improve in areas corresponding to the employer's needs and goals, but also to allow the employee to improve in other areas in order to increase his/her employability.</p>

Denmark	CO-Industri	National	<p>A right to 2 weeks vocational training per year exists with full pay. This applies to training which is not related to the employee's current job or to the current employer, but is still relevant to the manufacturing industry as a whole.</p> <p>A "Competency Fund" has been established to finance such training. This fund will be active from 1st April 2009. If the company has more than 100 employees, and providing a training committee exists, this fund can be established in-house. A company training committee must be a joint committee; the workers' side is to be represented by shop stewards.</p>
Ireland	SIPTU	National	No percentage value. Agreement reached on workplace learning and upskilling - no percentage value
Norway	NITO	National	Members have the right to a yearly meeting with his/her leader concerning training needs and how to meet them. All kind of training concerning maintenance and development of necessary skills will be paid by the company. The companies are places of learning. The competences the members achieve working there will be certified when leaving the company.
Norway	Tekna	National	Members have the right to an individual training plan. The training is paid by the company. The company will evaluate the training each year.
Slovak Republic	OZ KOVO	Engineering sector	Leave is possible but without pay compensation.
Spain	MCA-UGT	Selected companies	Mechanisms have been set up as a result of the signed agreements that will enable the workers' representatives to be more involved in all issues relating to training and extra training. The agreements have also facilitated the establishment of Joint Committees for Training which handle all aspects of training of workers in the company.
Sweden	IF Metall	National	Agreement was reached on the cross-sector level to establish a common working group with the aim of satisfying skill needs in the future via a better education system for young people. The parties to the agreement will also take a closer look at a system for validation of occupational competences. They shall also try to find systems to help the long-term sick return to the workplace.
Switzerland	Unia	Mechanical and electrical engineering	Training leave minimum 3 working days

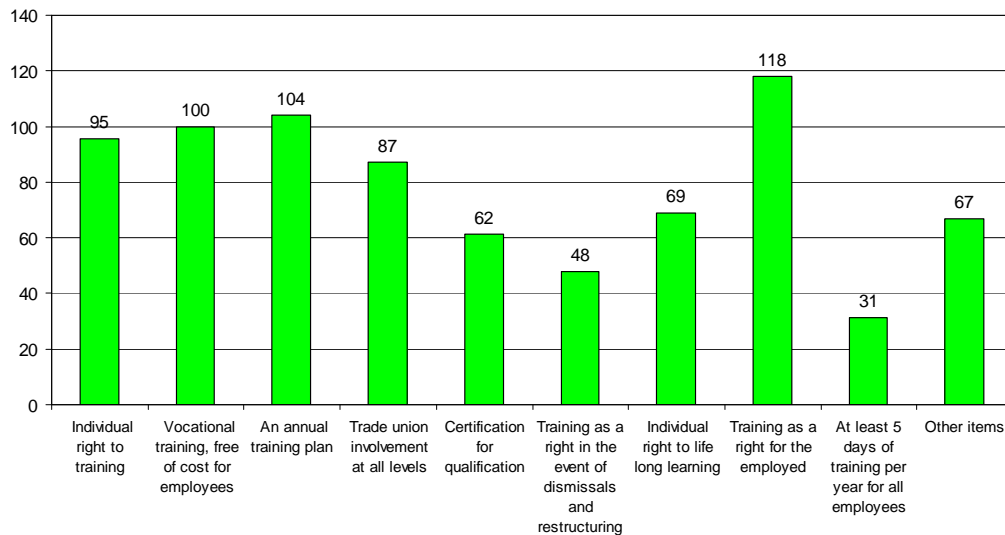
Table 6.3 Results on training issues 2008 EUCOBAN report

Country:	Organisation:	Sector:	Please describe the results on 'Training' briefly:
Austria	GMTN	Metalworking Industry	One week of paid training leave for preparation purposes ahead of exams
Austria	GMTN	Issues relating to temporary agency workers	Temporary agency workers in health care and nursing occupations will be entitled to training measures after 3 months' employment instead of the current 4 months.
Finland	TU ry	Technological sector	We managed to obtain improvements in the section covering vocational training - a new paragraph stresses the importance of continuous vocational training: section 23, Vocational Training, point 2 - Assessing the need for training: The federations stress the importance of systematically developing human resources. The employer shall, where necessary, give a salaried employee an opportunity to take part in annual vocational training enabling maintenance and improvement of the employee's vocational skills. The need for training may be verified, for example, at performance appraisals conducted between the employer and the salaried employee. N.B. It was noted that under section 16 of the 'Act on Co-operation within Undertakings (Laki yhteistoiminnasta yrityksissä, no. 334 of 2007) that took effect on 1 st July 2007, an annual plan on human resources and training objectives must be prepared via joint negotiations in order to maintain and improve the occupational skills of salaried employees.
			Foreseeable changes in company operations with a clear bearing on the organisation, number and occupational skills of workers must be considered when preparing the human resources and training objectives plan.
Greece	POEM	Small metal enterprises	We have signed an education and training agreement
Iceland	Samidn	Samidn represents both metal and non-metal industries (building industry, horticulturists and hairdressers) in Iceland.	Employees have the right to 24-40 hours for training during working time (50%) and their own time (50%) without any loss of wages.
Italy	FIOM-CGIL	private sector	It is stipulated that all workers should have the right to vocational training during their working life. Training committees at company level will evaluate how to put this into practice

Netherlands	FNV Bondgenoten, CNV Bedrijvenbond, De Unie, VHP	Metal industry	Topics are 'EVC' (recognition of previously acquired competences), employability, career advice, and an individual right to training: 1 day as of 1.1.2009, and 2 days as of 1.1.2010. In total 0.9% of the value of the whole agreement is paid to the Labour Market and Education and Training Fund of the sector.
Norway	Fellesforbundet	Mechanical Engineering Industry Agreement	When apprentices work overtime they will receive ordinary pay and not the apprentice rate of pay.
Slovak Republic	OZ KOVO	Electro-technic	Creation of the appropriate conditions for requalification
Spain	MCA-UGT	Metal	A new mechanism has been established allowing for a larger participation of workers' representation in all issues related to further training. Joint Training Committees have been set up.
Sweden	IF Metall	Engineering	Working group

Figure 6.2 below gives an indication of the "success rate" of the different demands raised on the FCD by comparing the number of demands raised in one category with the number of results reached in that same category. In some instances, the number of results reached is higher than the number of demands originally raised - which shows how priorities can shift in a collective bargaining round.

Figure 6.2 FCD Demands / Results as a percentage



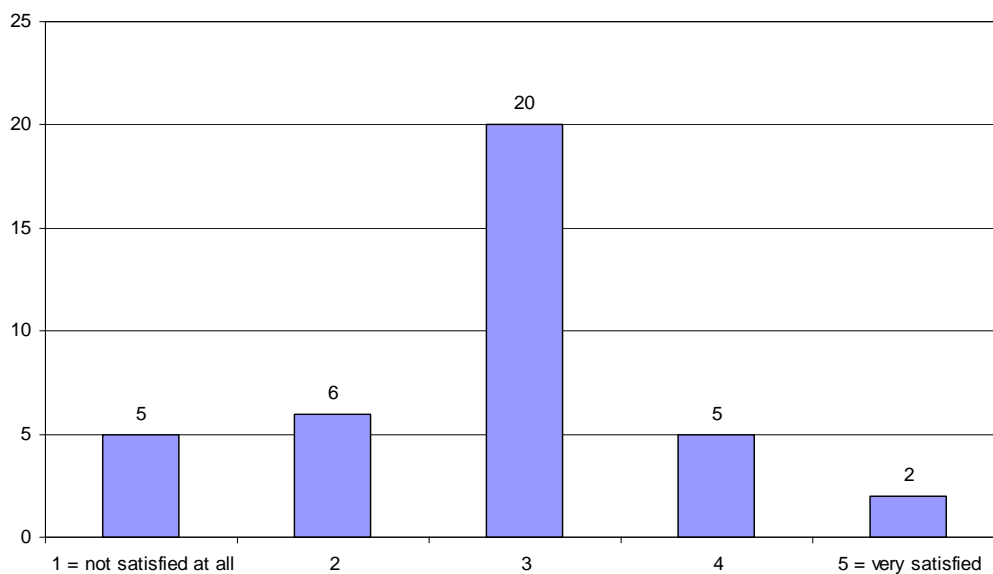
Training as a right for the employed, an annual training plan and the individual right to training are the demands with the highest "success rate", whereas the individual right to

life long learning and at least five days of training per year for all employees are the demands with the lowest “success rate” on the collective bargaining table.

As a follow-up to the results reached so far in respect of the FCD, the participants in the survey were asked to what extent they were satisfied with the results(s) / achievement(s) of their organisation regarding the FCD expressed on a scale from 1-5, where 1 = not satisfied and 5 = very satisfied.

Figure 6.3 shows the distribution of the answers to the question regarding the levels of satisfaction with the results / achievements on the FCD so far. The majority of the organisations place themselves in the middle of the spectrum and further analysis shows that the mean / average value is 2.82.

Figure 6.3 Level of satisfaction with results/achievements in respect of the FCD



7. Working with the First Common Demand

The survey also contained a range of questions aimed at determining how the organisations have worked / are working with the FCD.

One of these questions was to determine the institutional set-up in respect of how the FCD was/is being dealt with within the different countries. In the majority of the countries the FCD was/is being handled in the collective bargaining rounds (this is the case in 90% of the answers). In some countries labour market law was/is also being utilised (this is the case in 48% of the answers) and in 44% of the cases other methods

were also being used (see table 1.8 in the appendix for a description of these other methods).

From this information it is clear that some organisations have dealt with the FCD both in collective bargaining rounds and via labour market law, and possibly also in other ways.

Several tools were provided for the member organisations in order for them to show that the FCD was in fact a European Common Demand, including the logo, a website and the resolution from the 2005 Rome Conference.

The way in which these tools were used by the member organisations can be seen briefly described in table 1.9, 1.10, 1.11 and 1.12 in the appendix. In connection with this, 86% of the respondents found the fact that the FCD was a common European strategy was in itself a useful tool for their national negotiation rounds.

The participants in the survey were also asked to describe briefly how they succeeded in showing that the FCD was a European Common Demand towards their trade union members, the employer organisations, stakeholders involved in training and the general public. The responses to these questions can be seen in tables 1.13, 1.14, 1.15, 1.16 and 1.17 in the appendix.

88% of the participants answered yes to the question of whether their organisations would have raised training as a demand in their collective bargaining rounds if it had not been a common demand. This illustrates one of the important features of EMF common demands; they elevate already existing national demands to a European level.

8. Raising the First Common Demand again

The participants were also asked if they would raise the FCD again in their national collective bargaining rounds, to which all of the participants who answered this question said yes. It is especially the demand in respect of achieving at least 5 days of training per year for the workers that would be raised again, and many also say that they would raise all of their previous demands again as they do not yet see them as having been fulfilled (see appendix 1.18 for a complete breakdown of the answers).

The last question put to the participants was "what impact will the process of a Second Common Demand (SCD) have on your continued work with the First Common Demand?" Some answered that there will be no impact on their process from the SCD to the FCD whereas others answer that there will be a huge impact as they see training as one of

the ways of reducing precarious employment among their members in the expectation that the SDC will be on precarious employment (see appendix 1.19 for a complete breakdown of the answers).

9. Conclusions and recommendations

The following conclusions and recommendations stem from the discussions held during the EMF Collective Bargaining Policy Committee meeting in Luxembourg on 24th – 25th March 2009. The conclusions drawn and agreed on by the EMF CBPC are as follows:

- The report on the results of the survey on the political evaluation of the First Common Demand (this report) along with the previous midterm evaluation and the roadmaps have provided the necessary information and knowledge platform for the CBPC committee to take a decision on whether to recommend the launching of a Second Common EMF Demand to the Executive Committee.
- The First Common Demand has been raised in a large majority of the relevant collective bargaining rounds (or equivalent) that have taken place in Europe since 2005.
- Concrete results have been reached in most of these collective bargaining rounds, but the issue is not closed since a collective bargaining demand, and the topic, will continue to be on the collective bargaining table in the future.
- Unfortunately, the idea of promoting the FCD as a European Common Demand, had limited success. An important lesson regarding the work with future common demands is to increase its visibility as a common European demand. Concretely, the visibility of the EMF and the tools supporting the common demand need to be increased.

On the basis of these conclusions, the CBPC committee recommends to the Executive Committee that work on a Second Common European Demand (SCED) should continue and that the policy and campaigning platform surrounding the SCED and the final drafting of the SCED should be the main topics of the next EMF Collective Bargaining Conference, to be held in November 2009.
