

# Social Dialogue in the Urban Public Transport Sector in Specific Central and Eastern European Countries

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Project Report



With financial support from the European Union



# Imprint

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# Foreword of the social partners

Using the institutionalised structures and cooperation within the European Social Dialogue at its full potential for the benefit of the public transport sector and its workers represents a shared objective of both ETF and UITP. However, the organisation of the social dialogue in the different European countries is very diverse and reflects the culture of industrial relations within the economies and societies at large.

For the European Social Partners establishing a shared understanding to address some of the issues arising from the respective organisation of public transport in different countries and cities as well as the rapid changing environment in which companies and workers operate (digitalisation, changing patterns of urban mobility, new actors etc.) is essential. Ensuring the quality of public transport services and the quality of working conditions, as well as remaining an attractive and important local employer, is a guiding principle.

Achieving this objective will depend on the number of countries involved in the discussions at European level as well as on the understanding and knowledge of the diversity of social dialogue structures in the EU.

With this project, the European Social Partners aim to contribute to improve the representation of Central and Eastern European Countries in the European Social Dialogue and foster a better mutual understanding by engaging into a direct dialogue and exchange with the organised labour and organised business in those countries. The results of these exchanges are reflected in this report.

We are confident that those results will increase the quality of the Social Dialogue and reinforce the European social model for the benefit of companies and workers in our sector.



Thomas Avanzata



Sabine Trier



# Introduction

The social dialogue at European level plays an essential role in the European social model, delivering benefits for companies, workers and for the economy and society as a whole. The European social partners for urban public transport, the Union Internationale des Transports Publics (UITP) and the European Transport Workers' federation (ETF) endeavor to promote the European Social Dialogue and discuss the functioning and outcome with the social partners in the countries of Central and Eastern Europe (CEE).

At the same time the European social partners wish to enlarge their knowledge about the functioning and the activities of the social dialogue in the respective countries.

A particularity of the social dialogue in urban public transport in many CEE countries is the high level of decentralisation with a lack of sectoral or national organisations or representation. Social dialogue in Central and Eastern European countries is organised predominantly in the tripartite body of the national Social and Economic Councils. They make decisions

on state, branch or company level and for different topics. Bipartite social dialogue between workers and employers representatives is not very common at regional or national levels. It is often taking place at company level. Nevertheless, outputs of social dialogue in the countries are often limited and are not taken seriously enough. The political will and a spirit of partnership among the social partners and a more intense preparation to negotiate professionally and engage in responsible dialogue still have to be developed.

The European social partners, the Presidency of the council and the Commission “confirm the shared commitment to improving the framework conditions, the effectiveness and the quality of social dialogue at all levels” to reach “a fair and truly pan-European labour market”<sup>1</sup>. This project had the aim to reinforce the impact and visibility of European social dialogue outcome in the urban public transport sector.

The project sought to improve the knowledge on the level of the European social partners about national concerns and demands in the countries. The measures help to strengthen the capacity of social partners to develop the national social dialogue and to participate in the European social dialogue. The joint actions will lead to a better understanding of the different industrial relation systems and of the social partners in the targeted countries. Finally the social partners should be motivated to actively participate in the European social dialogue.

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<sup>1</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions (2017): Establishing a European Pillar of Social Rights. P. 9 and 2.

European institutions emphasize, that a functioning social dialogue is important for growth and employment in the countries. "Beyond all the diversity of national industrial relations systems, social dialogue is a key component of the European social model and its vital role is recognized by the European Treaties, including the Charter of Fundamental rights."<sup>2</sup> The Communication of the European Commission even states, that "strong social dialogue is a common feature in those countries where labour markets have proved to be more resilient to the crisis."<sup>3</sup> In this context, the European social partners UITP and ETF intend to exchange experience and support the social dialogue in the Central and Eastern European Countries.

A fundamental precondition is a mutual understanding and trust of the social partners in this process. This climate can only be achieved with joint meetings and information exchange. Therefore this project organised joint seminars with experience and information exchange between the social partners in Central and Eastern European countries and experts from the member states and European institutions.

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<sup>2</sup> Industrial Relations in Europe 2012. Commission Staff Working Document. European Commission, Directorate-General for Employment, Social Affairs and Inclusion. December 2012. P. 8.

<sup>3</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee of the Regions (2012): Towards a job-rich recovery European Commission. P. 12.

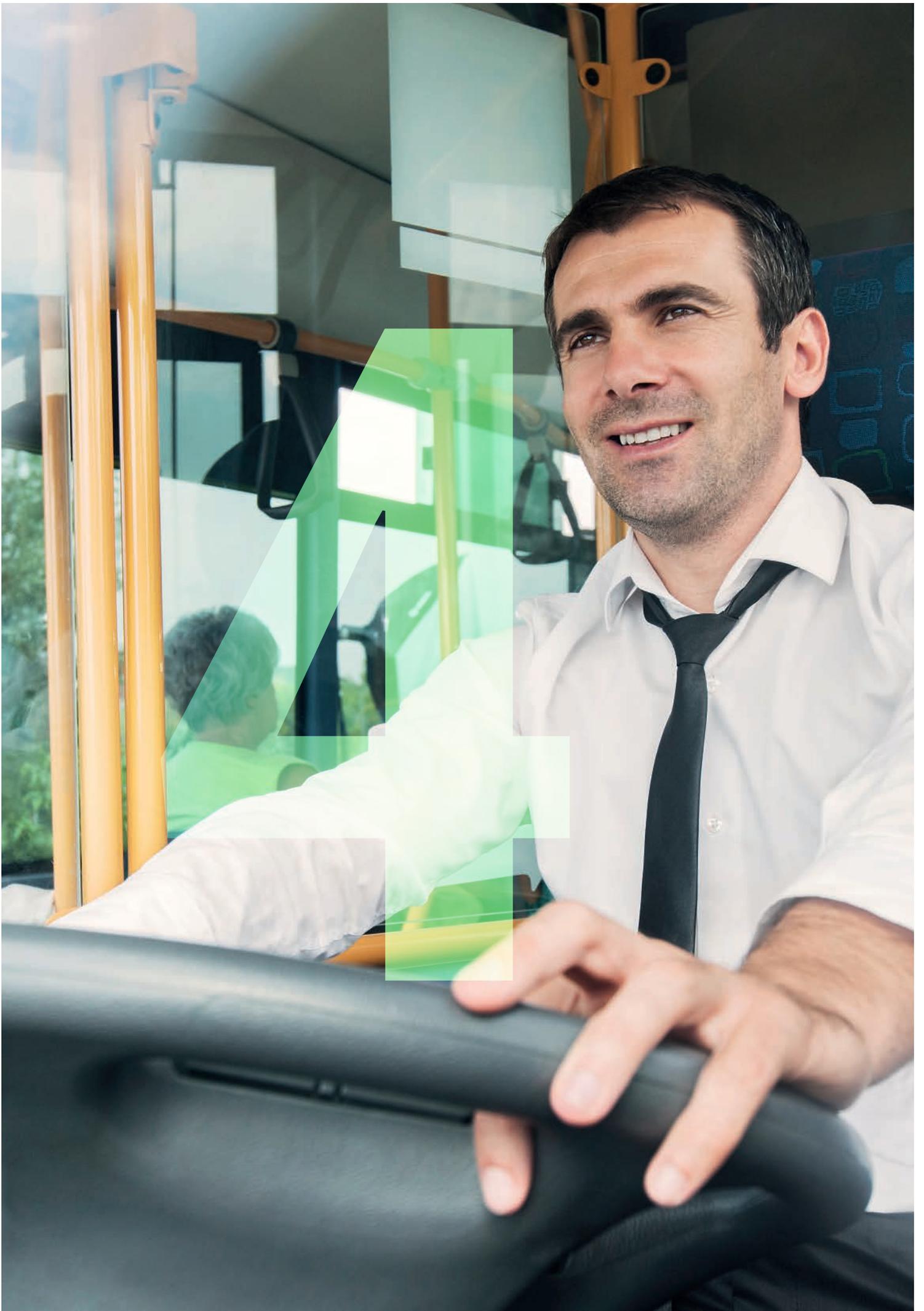


# Methodology

The project lasted from 1 January 2018 until 30 June 2019. The methodological approach of the project aimed at obtaining a picture of the situation in the countries and to prepare the Workshops with social partner meetings.

The European social partners invited the social partners from Lithuania, Latvia, Estonia, Poland, Czech Republic, Slovakia, Hungary, Romania, Bulgaria, Croatia, Slovenia and Serbia to participate in the meetings and the information exchange. The first steps were three country visits with a social partner meeting. The visited countries were Bulgaria, Czech Republic and Poland. On this basis the exchange of information and experience in the Workshops has been developed. Three Workshops on experience and information

transfer on the national and European social dialogue in the urban public transport sector formed the main measures of this project. The European social partners introduced their objectives and activities on European level. A brief description can be found hereafter. Additional research on country specific information has been gathered from representatives of the national social partners for this report “Social dialogue in the urban public transport sector in Central and Eastern European Countries”.



# The European Social Partners

## 4.1 Union Internationale des Transports Publics (UITP)

As a passionate champion of sustainable urban mobility, UITP is internationally recognised for its work in advancing the development of this critical policy agenda. UITP has a long history to its name, and is the only worldwide network to bring together all public transport stakeholders and all sustainable transport modes.

UITP engages with decision-makers, international organisations and other key stakeholders to promote and mainstream public transport and sustainable mobility solutions. UITP inspires excellence and innovation by generating and sharing cutting-edge knowledge and expertise. UITP brings people together to exchange ideas, find solutions and forge mutual beneficial business partnerships.

UITP brings together 1,500 member companies from 96 countries. The members are public transport operators and authorities, policy decision-makers, research institutes and the public transport supply and service industry. Its secretariat, which is based in Brussels, gathers around eighty collaborators spread between different departments. The Department for European Affairs represents the interests of EU public transport operators and authorities, members of UITP,

towards the representative institutions and bodies of the European Union and of all other related organisations. It closely follows, advises on and participates in the elaboration of the European policies and initiatives that have an impact on urban, suburban and regional public passenger transport. At social level, UITP is recognized as a European social partner organisation consulted under Art. 154 TFEU and collaborates with the European Transport Workers' Federation (ETF) in the European Social Dialogue.

UITP activities cover a wide range of topics:

- Portfolio of training programmes covering both wider mobility issues and technical/operational topics
- Research & Innovation projects
- Wide range of publications covering the whole spectrum of mobility-related issues
- MYLIBRARY – the UITP online library
- MYNETWORK – a unique online networking opportunity to connect & interact with almost 16,000 contacts
- Events – A whole host of opportunities to connect with the right people, exchange ideas & find solutions, e.g. the “UITP Global Public Transport Summit”

## UITP formed expert working groups to compile and develop state-of-the-art knowledge for all members:

Regional Divisions and Offices	Sectoral Divisions and Committees	Modal Divisions and Committees	Thematic Commissions	Other Expert Groups
Africa	Industry: Vehicles and Equipment/ Information Technology and Service Industry	Bus	Business and Human Resources Management	Academic Network
Asia Pacific		Trolleybus	Information Technology and Innovation	Exhibitions Commission
Australia and New Zealand	Organising Authorities	Light Rail		Marketing and Product Development
Eurasia		Metro	Security	
Europe: European Union and Central and Eastern European Countries		Regional and Suburban Rail		Sustainable Development
India				
Iran				Transport and Urban Life
Latin America				
Middle East and North Africa				
North America				
Turkey				

## 4.2 The European Transport Workers' Federation (ETF)

The European Transport Workers' Federation (ETF) is a pan-European trade union organisation which embraces transport trade unions from the European Union, the European Economic Area and Central and Eastern European countries. The European Transport Workers' Federation was created at a founding congress in Brussels on 14–15 June 1999. The ETF has affiliated unions which organize workers in railways, road transport and logistics, maritime transport, ports and docks, inland waterways, civil aviation, fisheries and tourism services.

The ETF represents more than 5 million transport workers from 230 transport unions and 41 European countries, in the following sectors: railways, road transport and logistics, maritime transport, inland waterways, civil aviation, ports & docks and fisheries. The urban public transport sector is represented by a committee of the road and railway section. A women committee and a youth committee are engaged to promote working conditions for this specific focus groups.

ETF is a stakeholder recognised by the European institutions. 10% of the aquis communautaire is transport legislation. It is a recognised social partner in 7 institutionalised Sectoral Social Dialogue Committees and represents the interests of transport workers across Europe vis-à-vis the European Commission



and the Council of Ministers. The ETF will continue the good links established between trade unions and the European Parliament, the Economic and Social Committee and the Committee of the Regions.

Working within an overall framework of global solidarity, the ETF operates both as the European region of the ITF and as the transport federation of the European Trade Union Confederation (ETUC). Its principal activity is to represent and defend the interests of transport workers throughout Europe. It formulates and coordinates trade union transport and social policy, organizes concerted industrial activities and campaigns, engages in education and training and conducts innovative research on a variety of subjects from workers' health and safety to employment impact studies and is engaged in social dialogue.

**The Governing bodies of the ETF are:**

- A)** The Congress (organized every 4 years)
- B)** The Executive Committee (at least 2 times a year)
- C)** The Management Committee (at least 2 times a year)



# The European Social Dialogue

Social dialogue exists at different levels within the respective countries but also at the level of the European Union. Together with European social legislation, European social dialogue is a major instrument for improving labour standards in the European Union and for contributing to the modernisation of labour markets.

The European social dialogue has different tasks and takes different forms to the ones at national level. At European level European organisations, which represent employers and workers at national level, conduct discussions and negotiations to reach joint agreements or recommendations and to influence EU policy-making. It is enshrined in the Treaty on the Functioning of the European Union (Articles 151–155).

With the Maastricht Treaty (1992), the European-level social partners were given a stronger role in framing and applying Community social policy and greater legitimacy through their new right to be consulted on proposed Community action. Cross-industry dialogue was conducted either by the social partners, following their own autonomous agenda, or through consultations based on the Commission's legislative

agenda. The autonomous dialogue resulted in joint opinions and declarations on aspects of employment and economic policy. Consultations led to framework agreements, on parental leave (1995), part-time work (1997) and fix-term work (1999), resulting in binding directives in the member states.

Articles 138 and 139 in the Treaty of Amsterdam (1997) institutionalised European social dialogue as a means of consulting the social partners on social initiatives and legislation at European level and as an instrument with which to negotiate agreements.

New types of texts in the autonomous dialogue between cross-sectoral social partners led to framework agreements, e. g. on work-related stress (2004), gender equality (2005), harassment and violence at work (2007) and inclusive labour markets (2010).

The Treaty of Lisbon (2009) amends the EU's two core treaties, the Treaty on European Union and the Treaty establishing the European Community. The latter has been renamed the Treaty on the Functioning of the European Union (TFEU). It intends to provide the Union with the legal framework and tools necessary to meet future challenges and to respond to citizens' demands. The provisions on social dialogue, on social partner consultations and negotiations (formerly Articles 138 and 139 of the Treaty of Amsterdam) have been retained virtually unchanged in the TFEU (Articles 154 and 155).<sup>4</sup>

### Article 154 TFEU

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1. The Commission shall have the task of promoting the consultation of management and labour at Union level and shall take any relevant measure to facilitate their dialogue by ensuring balanced support for the parties.
2. To this end, before submitting proposals in the social policy field, the Commission shall consult management and labour on the possible direction of Union action.
3. If, after such consultation, the Commission considers Union action advisable, it shall consult management and labour on the content of the envisaged proposal. Management and labour shall forward to the Commission an opinion or, where appropriate, a recommendation.
4. On the occasion of the consultation referred to in paragraphs 2 and 3, management and labour may inform the Commission of their wish to initiate the process provided for in Article 155. The duration of this process shall not exceed nine months, unless the management and labour concerned and the Commission decide jointly to extend it.

### Article 155 TFEU

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1. Should management and labour so desire, the dialogue between them at Union level may lead to contractual relations, including agreements.
2. Agreements concluded at Union level shall be implemented either in accordance with the procedures and practices specific to management and labour and the Member States or, in matters covered by Article 153, at the joint request of the signatory parties, by a Council decision on a proposal from the Commission. The European Parliament shall be informed.
3. The Council shall act unanimously where the agreement in question contains one or more provisions relating to one of the areas for which unanimity is required pursuant to Article 153(2).

### Article 152 TFEU

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The main change is that the TFEU contains a new Article 152:

"The Union recognises and promotes the role of the social partners at its level, taking into account the diversity of national systems. It shall facilitate dialogue between the social partners, respecting their autonomy. The Tripartite Social Summit for Growth and Employment shall contribute to social dialogue."<sup>5</sup>

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4 For more information see: European Commission, Directorate-General for Employment, Social Affairs and Inclusion: Social Europe guide. Volume 2: Social Dialogue. January 2012.

5 Treaty on European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU) as amended by the Treaty of Lisbon (2007). 2008. Article 152.

## THE EUROPEAN SOCIAL DIALOGUE – FORMS AND PROCESSES

EU-level social dialogue, at both cross-industry and sector levels, takes two main forms. One is the action in response to consultations by the European Commission, the other is the independent work on issues identified by the social partners themselves. These processes can be formal or informal and can be limited to workers' and employers' organisations and can also include the government and other public authorities.

Dialogue takes two basic forms and occurs at two main levels. Its form can be either:

- **bipartite**, involving only the social partners (organisations representing employers and workers) or
- **tripartite**, involving both the social partners and the EU institutions (mainly at cross-industry level)

The main levels of dialogue are:

- **cross-industry**, which means a dialogue whose scope covers the whole EU economy and labour market and all sectors;
- **sectoral**, covering one specific industry across the EU; and
- **company**, where the main forums are the European Works Councils,

depending on the level at which different organisations participate in the dialogue. At cross-industry level trade unions are represented by the European Trade Union Confederation (ETUC) and employers by BusinessEurope (broadly private-sector employers), the European Centre of Employers and Enterprises Providing Public Services (CEEP) and the European Association of Craft, Small and Medium Sized Enterprises (UEAPME). At sector level the social partners are associations bringing together national unions and employers' associations operating in a particular industry across Europe.

43 sectors of industry, services and commerce have set up social dialogue committees; one of them is the road sector. The work of the committees is supported by the European Commission. In these committees the social partners can, on their own initiative, discuss matters of mutual concern, carry out joint work and negotiate agreements and other joint texts.

The Commission consults the cross-industry and sectoral social partners on different issues and the partners can develop joint responses through the social dialogue committees. In European legislation processes pertaining to employment and social policy the Commission has to consult the social partners. They can negotiate agreements which may be given legal force by an EU directive. In the transport sector a number of legislative measures have a direct social impact, which means that they should be deemed social legislation in the view of the social partners.

## SOCIAL DIALOGUE OUTCOMES

Different types of texts can be the outcome of social dialogue processes: joint opinions, agreements and recommendations and autonomous agreements. In autonomous agreements the social partners establish a general framework at the EU level that obliges their affiliated national organisations to implement the agreement in accordance with national procedures and practices specific to management, labour and the Member States.

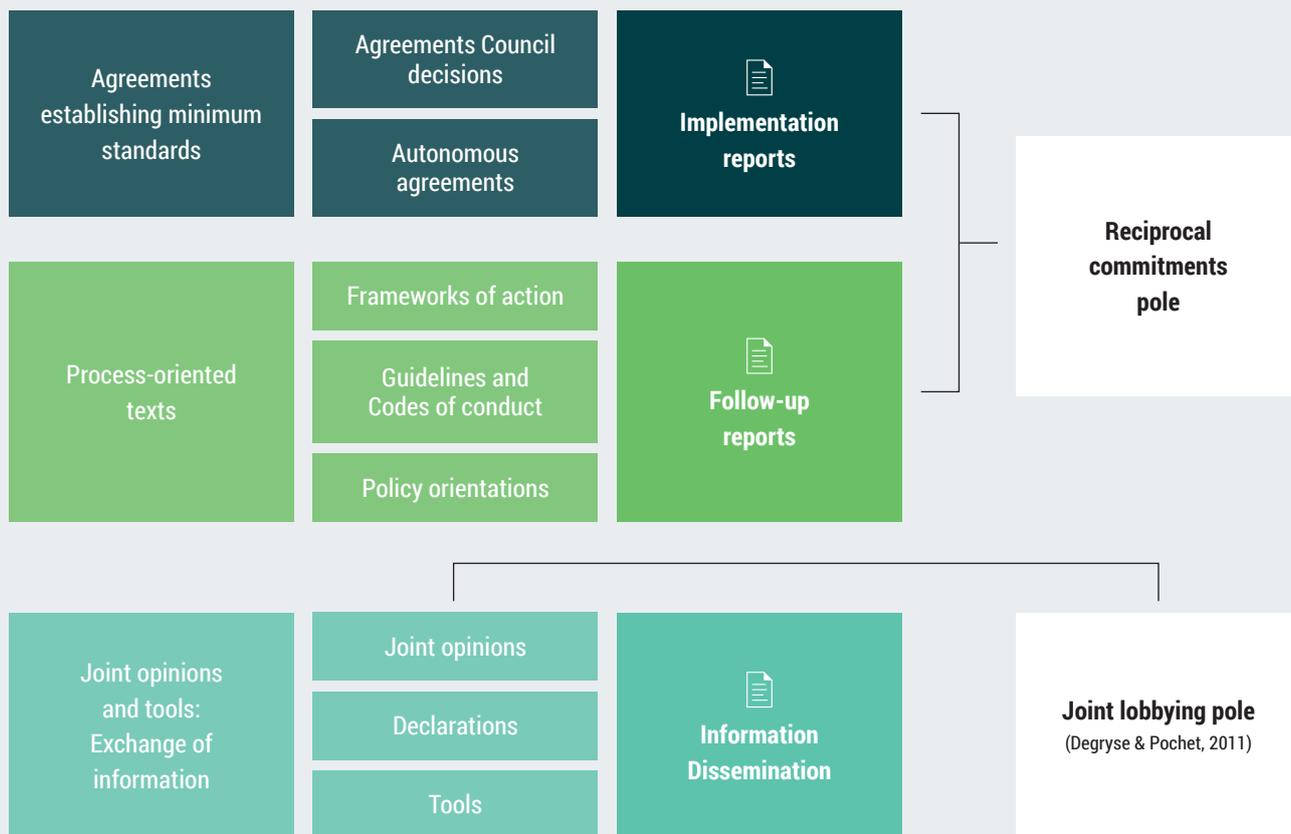
## SECTORAL SOCIAL DIALOGUE COMMITTEES

The sectoral social dialogue committees are the main bodies for the development of joint actions by the social partners at European level. Urban public transport social dialogue is a working group of the Road Transport Social Dialogue Committee. It strives for an own social dialogue with all its rights.

The social partners are autonomous in their work. They decide on the working programme, the number and dates of meetings and the planned outcome. The European Commission supports the work financially and organisationally.

Meetings are divided into plenary meetings, working group meetings and steering group meetings. In plenary meetings 28 representatives for the employers and the workers respectively can be reimbursed by the European Commission. Reimbursement of costs is limited to representatives of EU member states. The initiative provides for interpretation into 6 languages.

## Social dialogue outcomes



### RELAUNCH OF SOCIAL DIALOGUE

In 2015 Jean-Claude Juncker proclaimed “A new start for social dialogue”. The aims of the relaunch are a better involvement of social partners in policy and law making at EU level and in the European Semester. The capacity of the social partners to reach agreements and better regulations shall be improved.

In addition the European Pillar of social rights – proclaimed in 2017 – foresees 20 principles and rights. Besides “Equal opportunities and access to the labour market” and “Adequate and sustainable social protection”, there is the pillar “Fair working conditions” with the principles and rights of:

- Wages
- Information about employment conditions and protection in case of dismissals

- Social dialogue and involvement of workers
- Work-life balance
- Healthy, safe and well-adapted work environment

Social dialogue and the involvement of workers is mentioned as one of the 20 principles. It is foreseen that the social partners shall be consulted on the design and implementation of economic, employment and social policies according to national practices. The negotiation of collective agreements shall be encouraged. If possible agreements concluded between the social partners shall be implemented at the level of the Union and its Member States. The right of workers or their representatives to be informed and consulted in good time on matters relevant to them, should be taken seriously, in particular on the transfer, restructuring and merger of undertakings and on collective redundancies.





# The European Social Dialogue activities in the Urban Public Transport Sector

This sectoral social dialogue has been established in 2001. Formally it is a working group of the Road Sectoral Social Dialogue Committee. The social partners are at the workers side ETF and for the employers UITP. Associated partners are IRU, CEEP and CER. Two meetings per year are conducted. Through an active dialogue, UITP and ETF intend to promote employment in urban public transport and to further develop their commitments to reinforce the quality of working conditions as one of the condition for good quality of services. The joint recommendations and joint statements can be found in the Annex of this brochure.

## OUTCOMES OF THE SOCIAL DIALOGUE

Outcomes of the social dialogue are joint recommendations, joint political statements, joint studies, projects and joint conferences.

### Joint recommendations:

- Insecurity and the Feeling of Insecurity in Local Public Transport (2003)
- Strengthening Women Employment in Urban Public Transport (2014)

### Joint statements:

- The Implication, Application and Further Development of Directive 2003/59/EC on Initial Qualification and Continuous Training of Professional Bus Drivers in Urban Public Transport (2014)
- Towards Sustainable Urban Mobility (2016)

### Joint projects:

- Competence Based Service Quality in Urban Transport Organisational Development and New Career Paths for Drivers (2007–2008)
- WISE – Women’s Employment in Urban Public Transport (2013–2014)
- WISE II – Women’s Employment and Gender Policy in Urban Public Transport Companies in Europe (2016–2017)
- Social Conditions in Urban Public Transport Companies (2015–2016)
- Social Dialogue in the Urban Public Transport Sector in Central and Eastern European Countries (2018–2019)
- Digital Transformation and Social Dialogue in Urban Public Transport in Europe (2019–2020)

### The current working programme:

- Development of joint recommendations on “Social conditions in urban public transport”;
- Social dialogue in Central and Eastern European countries;
- Development of joint recommendations on “Security and feeling of insecurity” (covering both external and internal violence against staff);
- Digitalisation and introduction of new technologies



# Summary of social partner meetings in Bulgaria, Czech Republic and Poland

As part of the project, three preparatory meetings were organized with social partners from Bulgaria, the Czech Republic and Poland. The meetings served to get to know each other and to exchange current topics of social partnership in the countries.

In these meetings, the European social partners explained the European social dialogue in urban public transport and the work of their associations. The national social partners provided information on the structure and functioning of the social dialogue in their countries. Industrial relations and social dialogue have similar approaches in the countries, but are nevertheless distinct and organized differently. It became clear that there are different responsibilities in organizing urban public transport in countries at different levels.

At the social partner meetings, the European social partners presented the work of UITP and ETF. The worldwide association UITP organizes operators, authorities, policy decision makers, research institutes and the public transport supply and service industry. The main mission is to promote and mainstream public transport and sustainable mobility solutions.

UITP activities include a portfolio of training programs covering wider mobility issues and technical/operational topics, research and innovation projects, publications, an online library, an online networking opportunity and the UITP Global Public Transport Summit. The deputy general secretary presented the activities of ETF. The federation organises 230 transport trade unions from 41 European countries. More than 5 million transport workers and fishermen are represented by ETF. The tasks include social influencing EU legislation, organizing solidarity, serving the members and dialogue activities. As a recognized social partner in 7(8) institutionalized Sectoral Social Dialogue Committees ETF elaborated and signed six Article 155 agreements that were implemented as Council directives.

The sectoral social dialogue in urban public transport is organized in a working group in the Road Sectoral Social Dialogue. ETF and UITP are the employee and employer representatives at European level. Both UITP and ETF intend to promote employment in the urban public transport and further develop their commitments to reinforce the quality of working conditions as one of the conditions for high service

quality. The latest topics were the examination of social conditions in the sector, strengthening women's employment and actions towards sustainable urban mobility. Currently the social partners work on the modernisation of joint recommendations on "Security and feeling of insecurity", on social dialogue in Central and Eastern Europe and on digitalization and the introduction of new technologies.

## 7.1 Social Partner Meeting in Sofia, Bulgaria

On 27 April 2018 representatives of the companies Burgasbus, Sofia Public Bus Transport, Stolichen Electrotransport, Sofia CUM, Metropolitan and representatives of the trade unions FTTUB and FTW Podkrepa met with the European social partners. The participants expressed their expectations for the social partner meeting. They explained that these meetings are very important for the improvement of the communication and dialogue between employers and employee representatives.

The president of FTTUB addressed the audience. A core message was the huge opportunities that dialogue between the social partners can have. If it is taken seriously, dialogue can contribute to improving working conditions. Both sides can achieve more with a constructive dialogue. A real dialogue and a real partnership can upgrade solutions for the sector and the employees. For example the partnership with Sofia municipality achieves good results: e.g. agreements on women's issues, agreements with the mayor and a growing number of women in the electrical transport. A good cooperation exists with Sofia Public Bus Transport. The CEO supports excellent initiatives, and therefore can improve the conditions in the sector. Interlinkage with Universities, research institutes, European projects and the Women in Transport platform of the European Commission supports the development of solutions. "The people who move us every day deserve our gratitude."

### INDUSTRIAL RELATIONS AND SOCIAL DIALOGUE IN BULGARIAN URBAN PUBLIC TRANSPORT

FTTUB presented the structure and functioning of social dialogue in Bulgaria. The information had been collected in a study on "Social Conditions in Urban Public Transport Companies in Europe"<sup>6</sup> in 2016. The report includes a country report on urban public transport in Bulgaria. The analysis presents the market organization, the main operators, the institutional organization in the cities, the regulatory framework, the social partners and case studies from Sofia Autotransport EAD, Sofia Electrotransport EAD, Metropolitan EAD, Center of Urban Mobility in Sofia and Burgasbus.

Concerning the social partners the research found out "that the operators which are subject of this study have company level trade union organizations in place. They are members of the two trade union confederations on a national level – CITUB and CL Podkrepa through their membership of the respective sectoral federations. The Federation of transport trade unions in Bulgaria /FTTUB/ is the sectoral federation which represents the transport workers of CITUB, Confederation of independent trade unions in Bulgaria. FTW Podkrepa is the sectoral federation which represents the members of CL Podkrepa, Confederation of labour Podkrepa.

It was noted by the trade union that trade union representation can be only found among public/internal operators and that there is no company specific trade union representation in the sector among private operators. Thus for the purposes of this study it shall be noted that employment terms and conditions differ

<sup>6</sup> ETF and UITP (2016): Social Conditions in Urban Public Transport Companies in Europe; ETF and UITP (2016): Social Conditions in Urban Public Transport Companies in Europe. Annexes – Country Reports.

between internal/public operators and private companies due to the fact that internal/public operators conclude company specific collective agreements that increase minimum legislative employment standards and salaries, but also workers' protection.<sup>7</sup>

The conclusions of the research have been: "In most big cities urban public transport contracts are awarded directly to an internal operator. Smaller municipalities or cities (outside of Sofia) tend to award services to local Bulgarian private operators. International operators are not yet significantly represented in the Bulgarian urban transport market but are increasingly entering. Nevertheless, the use of tendering processes have increased over the recent past but it is not clear to what extent they are a typical feature of the Bulgarian urban transport market. Currently, the situation is not very clear with regard to how services are awarded to private operators. According to the trade union a number of municipal operators have been privatised long before the accession to the European Union. Thus the issue of transfer of staff was considered so far as not relevant. Representatives of the sector, apart the sectoral trade union FTTUB seemed not familiar with the European regulations concerning this sector. Whether reference to social conditions in direct awards or tendering procedures exist is not clear, the sector trade union considered it to be uncommon due to the fact that this has not been a common practice so far.

An important characteristic of the sector is the current need for renovation and modernisation of infrastructure and rolling stock. More private companies show interest on subcontracting lines. Research in this sector has been proven difficult. It has been difficult to approach operators in this sector and there is a lack of available public information.

In general, the urban public transport sector is not considered as attractive for workers due to "low wage levels and long working time" as explained by workers. High staff turnover is often a reality among bus and trolley bus operators. Employment and social conditions have improved to some extent with wage levels having slightly increased (over the whole period of the past 10 years when taking into account cost of living increases and inflation increases). In some cases workers receive now additional bonuses. As

negotiated in CBAs companies provide food vouchers or cash to workers, additional payment for work experience overtime, night work etc. There are no additional pensions or health care schemes in place. Training policy is almost not existent – training is mainly observed at induction. No policies for career planning or promotion within the hierarchy are in place. Some companies have policies in place with regard to security of drivers to prevent aggressions or protect drivers from third party aggressions. This issue has been increasing over the recent past.

There is a sector level agreement in place but it only sets the framework for company level bargaining and does not set compulsory minimum employment conditions for the whole sector. Among all public operators company level collective agreements are in place, nevertheless those agreements are often very different between companies. In private companies, trade unions are less or not present and according to the sectoral trade union, workers are less protected with less favourable employment standards compared to public companies. Company collective agreements improve employment standards in favour for workers compared to national or local legislation. They are the most important tool for improving social standards in the sector."<sup>8</sup>

FTTUB added that there are no information of the other companies than the 5 participating. Organising at private companies is very difficult for trade unions. Trade union activists are often dismissed later. The company level is the most important for collective bargaining in Bulgaria. The problems are mostly resolved on company and municipal level.

### **BURGASBUS**

Burgasbus EOOD is a 100% owned company by Burgas Municipality. The company covers the bus and trolley transport in the city. Maintenance of the infrastructure and the vehicles is ensured by Burgasbus. There are 47 bus lines and 2 trolley lines that operate in the whole city. The network of lines of the public urban transport in Burgas is considered as well-developed. The Burgas Municipality is very active and participates in a number of EU projects for subsidies in the sector. Burgas is the first city to replace all old vehicles in urban public transport with new ones.

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<sup>7</sup> ETF and UITP (2016, country reports), p. 30.

<sup>8</sup> ETF and UITP (2016, country reports), p. 36 f.

Burgasbus EOOD employed in 2014 about 848 employees. A company level collective agreement which specifies the company specific working conditions is applicable to most workers (those that are not unionised can adhere for a certain payment). Most of the workers are full-time employees with permanent contracts. But there are exceptions, drivers working on specific services provided by Burgasbus to companies are engaged only for 4 hours – when they drive in and then out the passengers from their working place. Burgasbus often participates in tender processes in order to improve its competitiveness.<sup>9</sup>

The deputy manager of Burgasbus highlighted that Burgasbus acquired 22 new trolley buses and a fleet of modern buses. Also the bus depot at Burgas is very modern and is the basis for the inspections. Efforts are made in regards of the improvement of working conditions. Also an improvement for the transport of people with disabilities is in the focus, e. g. drivers are able to stop close to the platform. The ministry of labour and social affairs in Burgas awarded Burgasbus the price “Employer of the year” in the Eastern region. The deputy manager is convinced that the development of the company can only work if working conditions are good. Financial resources are necessary for new infrastructure, e. g. new stations. Burgas was a pilot town for the survey of the last project. Within this context a good link between the municipality and the company is a necessity. It is important for the company to share information and to be open to the introduction of innovations. Financial reports are regularly delivered to authorities. The progress also improves working and social conditions.

A trade union representative of FTTUB replied that the practice shows what an agreement means. A restart of the collective bargaining progress is essential. The trade union hopes for a good company share in the process. They encourage investments in urban public transport. The comfort for passengers is crucial for the future of urban public transport.

### **METROPOLITEN EAD**

Sofia Municipality entirely owns Metroliten EAD. Sofia is actually the only city in Bulgaria with a subway. There are two lines of the metro so far. But the third line is already under construction. The number

of passengers increased drastically during the past 10 years – from 21,900,000 for 2004 to 83,842,000 for 2014. Currently Metroliten has a share of 27.07% of the distance covered by the public urban transport with all its types of transportation.

Metroliten EAD managed in 2018 1,700 employees. 16% of them are drivers, 80% work as operational staff, the rest (4%) are administrative personnel. 32% of all employees are women. All employees are bound by the company level collective agreement. However the enterprise refers for some of the provisions to the sectoral collective agreement. The sectoral collective agreement is not obligatory for the sides that are signing a contract. It is just a recommendation to use it. The company level collective agreement foresees many improved social advantages for workers such as financial support during illness, food supplements for each working day, additional annual and parental leave rights, as well as recreation and sports activities for workers.

The workers in Metroliten are full time employees with permanent contracts. Typically new employees are engaged with a temporary contract for 6 months which is seen as a probationary period. After that the employee signs a permanent contract. Other exceptions are workers in the technical service area, who have extended daily shifts (shift work contracts). The company states that there has been intensification in personnel’s work in the recent years due to the increase of the number of passengers and new metro stations. However the trade union expressed a divergent opinion. To their opinion, intensification of work is not relevant because of increase in staff levels and strict daily shifts.<sup>10</sup>

The CEO of Metroliten presented the new infrastructure projects. Line 3 of the Sofia Metro will be built in 3 phases taking into account the large scale of the project (16 km long with 16 metro stations), the different construction methods envisaged, the specificities of the individual sections and the limited financial resources. Under implementation are the first two stages.

The company participates in procurement procedures and awards. The correct spending of resources is crucial. A new project requires additional 40

<sup>9</sup> Cp. and more information: ETF and UITP (2016, country reports), p. 35 f.

<sup>10</sup> Cp. and more information: ETF and UITP (2016, country reports), p. 33 ff.

employees, of which 20 are in administration. Metroliten has 28 stations, an electric network, an office for safety and security, sanitary contract and the maintenance of the rail system. Metroliten signed a collective agreement, which is running out in June 2018. Active bargaining is possible, there are no major conflicts. The CEO evaluates the dialogue and the way of reaching agreements as very good, there are no huge discrepancies. The unions plead for higher wages. Firing people is forbidden. At the moment about 500 people more are needed for line 3. The company tries to keep the employees as long as possible. Metroliten has been awarded several times for their work.

The trade union representative from FTW Podkrepa explained that to some extent Metroliten has a good agreement. Many clauses and details are regulated here. But the negotiations have to continue. Circumstances change, the trend is to optimise personnel. Most important for the future of the company is a good quality, adjustment of the budget and a good dialogue.

FTTUB added that social dialogue is working very well at Metroliten. The company received the world award for accessibility as the best European project. The company received structural funds from the EU. It has an exceptional management; the enthusiasm of the CEO also motivates young people to enter the company. Emphasis is put on qualification of staff and on highly qualified staff. In the future automated mobility will become a major issue.

### **CENTER OF URBAN MOBILITY (CUM) IN SOFIA**

The company is 100% owned by the Sofia municipality. There is a company level trade union organization. The Urban Mobility Center has the following specific tasks: analysis for development of environmental and operational aspects of public transport in Sofia; implementation and operation of intelligent transport systems for public transport; Organization, management, supervision and finance of the Sofia public transport as an integrated process; Issuing of transportation documents and collection of the transportation revenues; Operation of information-management system for monitoring and supervision of the traffic, based on GPS-identification; Operation of

unified automated fare collection system (ticketing system); Advertising and information services in public transport; Finance, construction, operation and maintenance of parking places, garages and open space parking spaces in Sofia – owned by Sofia Municipality; Lending of parking spaces.<sup>11</sup>

The board member of CUM, highlighted that CUM received awards for parking places management and good public services. Underground parking lots have been built. CUM employs 1,330 employees. In autumn 2018 there will be more than 1,400 employees. CUM organises public inspections and is active in the field of payment and tickets. There are many women working for CUM, e.g. in the ticket selling and administration. Women in higher positions and in management are common. The joint work with the trade unions is a basis for the work, there are 4 trade unions in the company. The management feels very responsive to the agreement concluded with the trade unions. Social dialogue is very important to receive good results. The formation of wages takes place on the basis on the quality and amount of work done. New rules and regulations will shortly be in place. These will be evaluated, but the hope is that some problems can be solved.

FTTUB states that social dialogue exists, but a better dialogue is necessary. Meetings should take place more often. The proposals of the employer have been reasonable. Bulgaria intends to be consistent with European Standards. The trade unions try to meet the needs of the employees. All meetings to discuss social issues are initiated by the trade unions. The employer should be more active to speak with the unions. CUM was the organiser of the European mobility week in 2017, where the companies opened the doors to the public. The event put emphasis on the human factor.

Podkrepa points at the structural problems of the unions. Also the tiny units are important. The unions demand better working conditions.

### **SOFIA ELECTRICAL TRANSPORT**

Sofia Electrical Transport EAD is owned entirely by the Sofia Municipality. It deals with the tram and trolley transport in the city. It consists of three tram depots and two trolley depots. The company does

<sup>11</sup> Cp. and more information: ETF and UITP (2016, country reports), p. 28.

not outsource any of its activities. On the contrary, it maintains the specific infrastructure and the vehicles on its own. The services of the company are contracted through a direct award by the Municipality. The latest contract was signed in 2013 for 10 years. No lines are currently tendered to subcontractors. The company has been renovating the rolling stock and the infrastructure recently – 50 new trolleys and 20 new trams were bought by the company in 2014. About 30.82 % of the distance is the Sofia Electrical transport share among all other modes of urban public transport Sofia. This means about 95,348,252 passengers per year.<sup>12</sup>

At present, there are 1,928 employees in Sofia Electrical Transport EAD, of which over 25 % are women. 1/3 of the drivers are women. All employees are full time employees with permanent employment contracts. Only few of them who work in the technical service area have extended daily shifts. It happens from time to time that workers are hired for a short period and a specific project only. A company level a collective agreement which specifies the company specific working conditions is applicable to most workers. The collective agreement is an auxiliary instrument which regulates the social conditions in the company as well as sets the objective to reduce the number of aggressions against drivers.

The Deputy Director of Sofia Electrical Transport explained that 10 contracts have been granted with direct award. They run 311 tramways 126 trolley buses, 25 super modern tramways and 2 tramway and trolleybus depots. Infrastructure needs improvement, there is a unit which is responsible for repairs.

On December 2, 2016, a new Collective Bargaining Agreement (CBA) was concluded with the trade unions in the company, which negotiated labor, social security and social relations, which were not regulated by mandatory provisions of the law and other normative acts, as well as with agreements at national and sectoral level. The main objectives of the CBA are: Constructive partnership; Employment; Matching interests; preventing conflicts; Guaranteeing social security. The collective agreement is detailed and hard to complete in the opinion of the employer.

Social Dialogue and the cooperation between management of the company and the trade union organ-

isations works very well. The trade union organisations Syndicate Electric Transport (part of the Union of Transport Trade Unions in Bulgaria CITUB) and the Trade Union Syndicate of Podkrepa regular organise workshops and joint initiatives on improving working conditions and increasing female employment and gender equality in public transport companies.

The Company strives continually to improve working conditions for its employees by the supply of new vehicles – trams and trolley buses with air conditioning and heating of the watt/cab. Also the material and technical facilities in the depots and the divisions of the company shall be improved. The project “Improvement of working conditions in a repair hall in a tram depot Krasna Polyana” is being implemented. Conditions shall be created for maintaining and improving the qualification of the employees through participation in seminars, courses, company training, etc.

The social benefits for employees are the provision of free travel cards for employees and travel cards for employees’ families at preferential prices, the provision of free annual medical prophylactic examinations for all staff, special care for women’s health – annual free prophylactic examinations of a gynecologist and a specialist in osteoporosis, provision of holiday cards to employees and their families at preferential prices in the summer season and the provision of opportunities for sports to employees under preferential terms by signing a contract for access to fitness centers, studios and swimming complexes.

The main challenges Sofia Electrical Transport EAD faces is the tendency of the increase of the average age of the employed personnel as a result of the general aging of the population in Bulgaria as well as the unattractiveness of the work in the urban transport among young people.

It is becoming more and more difficult to find job-seekers in public transport. Current salaries in the company prove to be unattractive the mandatory D driving license allows them to work in other areas, e. g. international freight transport. The average wage for a driver is 950 lewa (= ca. 485 EUR).

FTTUB adds that the cooperation with the company is good. Although not all factors of the collective bargaining agreement are fulfilled yet, a lot has been

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12 Cp. and more information: ETF and UITP (2016, country reports), p. 32 f.

done. New facilities are the 25 new stations, but the other equipment is old. Funding for repairs is not available. But the company is most serious in the development of conditions.

### **SOFIA AUTOTRANSPORT**

Sofia Autoransport EAD is 100 % owned by the Sofia Municipality. The company manages 66 urban and suburban lines which are evenly dispersed around the city territory according to the needs and not to geographical considerations. The company is divided into three departments. Each of them covers different regions of the city and owns a depot and rolling stock. Sofia Autotransport has an overall market share in passenger transportation (all modes of transport including private cars) of 45%. The company strictly follows all country regulations. There is a company level collective agreement in place.

Although the company does not outsource any of the urban transport functions, 16 bus lines are tendered to subcontractors. But the Municipality of Sofia awards directly the contract to Sofia Autotransport EAD. The latest contract was renewed in 2014 for a 10-year-period. The company has its own collective agreement which defines improved social conditions for the employees.

Sofia Autotransport EAD had 1,976 employees in 2014. All of them are full time employees with unlimited contracts. These are not only drivers but also operational staff, who take care of the technical condition of the vehicles, the cleaning staff and others, and administrative and managing staff. The company level collective agreement which specifies the company specific working conditions is applicable to most workers (those that are not unionised can adhere for a certain payment).<sup>13</sup>

The CEO of Sofia Autotransport stressed that the purchase of 60 gas buses and 20 hybrid buses is on the way. 60% of the buses have already been replaced by new ones. WIFI has been introduced, all buses have this service.

Social dialogue is on a good level in the company. Both sides discuss problems and look for solutions. Wages and salaries are increased annually. Better conditions are introduced, e. g. new uniforms, new

technologies, a separated cabin for the driver and a recreation center. The CEO thanks the partner trade unions for the good joint activities.

Podkrepa stresses that good working conditions are most important. Social dialogue exists and is working. The results should be upgraded. The trade union tries to solve conflicts. The trade union supports the leadership attempt to recruit personnel, but interest among the citizens is poor. A profession as a bus driver is not attractive. Recommendations for improvement are given to Sofia municipality, which is in charge of mobility. Residence centers for people working in the company would be good and helpful. These existed in former times. Necessary are more meetings and more dialogue: "United we stand strong".

FTTUB adds that the union is very powerful. Drivers who are leaving the company should direct our attentions towards the improvement of level of wages. This appreciates the work of the drivers and is important also for the quality of the work. The work of the management is good, it improved the conditions and turned off an imminent bankruptcy. The company was saved by joined efforts. But the small units are left behind. The turnover of staff is a problem; a pay rise campaign has been started by the trade union. Bulgaria pleads for a minimum wage on European level. The trade union expects bigger and better results from the meetings. Dialogue can always be improved.

### **URBAN PUBLIC TRANSPORT IN VARNA**

FTW Podkrepa and FTTUB spoke about the situation of social dialogue in urban public transport in Varna. Generally the absence of the management speaks for itself. The ownership is 100 % municipal. The trade unions consider the working conditions as fair. But the dialogue with the employer is difficult or even does not exist. Topics are dealt with on a day to day basis. Due to that reason a strike was planned. A serious and productive dialogue is possible with the municipality. The shortage of staff is also a problem in Varna. Investments in new equipment and infrastructure are necessary.

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13 Cp. and more information: ETF and UITP (2016, country reports), p. 30 f.

## 7.2 Social Partner Meeting in Prague, Czech Republic

On 29 May 2018 representatives of the trade unions Trade Union of Transport, Road and Car Repair Services Workers of Bohemia and Moravia OS Dosia and the Trade Union of Transport met with the European social partners. The research of the European social partners on the organisation of urban public transport was presented and discussed.

### INSTITUTIONAL ORGANISATION OF URBAN PUBLIC TRANSPORT IN THE CZECH REPUBLIC<sup>14</sup>

Legislation stipulates the roles and responsibilities of the public authorities (nationwide, regional, and municipal). Public transportation of people in urban areas is ordered directly by municipalities via a public service contract. The operation of UPT networks is governed by two pieces of legislation and each UPT segment (bus services, trams and trolleybuses) is regulated by different legislation, one operator must follow 2 pieces of legislation. This division creates some problems.

- Act No. 111/1994 Coll., on road transport, as amended, concerning bus transport (as a subset of public transport systems)
- Act No. 266/1994 Coll., on rail-borne transport, as amended, concerning (among others) the operation of trolley buses, trams and funicular railways.

The major part of public transportation is not organized on a commercial basis. Act no. 194/2010 Coll., on public passenger transport services and the amendment of related legislation implements Regulation (EC) No 1370/2007. Preconditions for operators are an assigned licence, an approved timetable and infrastructure capacity. Legislation specifies minimum standards regarding vehicles, personnel and equipment. Urban public transport services are contracted by the cities concerned, the authority may impose stricter conditions than the minimum standards. The awarding of the contract takes place either via direct award (under certain conditions) or a competitive tendering. Act No. 137/2006 Coll. on Government Procurement lays the basis. The bidder with lowest costs receives the contract.

The city bears the economic responsibility for the funding (profits/losses). The Ministry of Transport has influence on the framework conditions (timetable, proofs, financial models, provable losses etc.). There is no information on subcontracting cases.

### REGULATORY FRAMEWORK OF EMPLOYMENT CONDITIONS

Labour relations are regulated by Act No. 262/2006 Coll., Labour Code and, within its framework, by collective agreements (both higher-level and company level) and individual employment contracts. Labour Code regulates the way of origination, duration and termination of employment, working discipline, working conditions, working hours, breaks at work, overtime work, night work, sick leave; wage and reimbursement of wage, occupational health and safety, employee care, female and young workers' working conditions, individual labour disputes, compensation for damage etc. The labour code regulates issues concerning the procedure of concluding collective agreements.

The largest operators are members of the Association of transport companies of the Czech Republic – Sdružení Dopravních Podniků SDP ČR, 19 associates out of 83 operators. A big problem is the shortage of drivers.

### SOCIAL DIALOGUE

Two unions are active in the UPT sector, the Trade Union of Transport, Road and Car Repair Services Workers of Bohemia and Moravia (Odborový svaz pracovníků dopravy, silničního hospodářství a autoopravárenství Čech a Moravy, *DOSIA*), and the Trade Union of Transport (Odborový svaz dopravy, *OSD*). Employers in the sector are associated in the Transport Union of the Czech Republic (Svaz dopravy České republiky, *SD ČR*).

Collective wage bargaining takes place both at company and sector level. The dominant form is on company level. Company level agreements may not derogate higher level agreements. They are binding

14 Cp. ETF and UITP (2016): Social Conditions in Urban Public Transport Companies in Europe; ETF and UITP (2016): Social Conditions in Urban Public Transport Companies in Europe. Annexes – Country Reports. P. 40–52.



for member companies. In Czech Republic about 20,400 employees are covered in 2016.

Company-level collective agreements are concluded by the employer and the trade union organization. They are valid for all employees including those who are not members of a trade union. If a number of trade unions are active within a company, they act in concert. According to OSD estimates, company-level collective agreements cover 90 % of all employees in the sector. Agreements of the three largest UPT companies (in terms of employees) are:

The Ostrava Public Transport Company (Dopravní podnik Ostrava, *DPO*) – CLCA for the period 2014 to 2018 covering 1,923 employees

Prague Public Transport Company (Dopravní podnik hlavního města Prahy, *DPP*) – CLCA for the period 2016 to 2017 covering 10,950 employees

The Brno Public Transport Company (Dopravní podnik města Brna, *DPMB*) – CLCA for the period 2014 to 2015 covering 2,716 employees

## PRAGUE

For Prague Public Transport Company an agreement exists. The company terminated the participation in the association Transport Union of Czech Republic. The distinction between urban transport and road transport creates some problems. The association is not allowed to conclude collective agreements on its own, concerning public transport the ministry is involved.

The right wing government enforced changes in the labour code several times. The constitutional court decided that the trade unions have to sign an agreement in consent; a minority of a single union can block suggestions. In former times a majority was enough to come to the conclusion of an agreement. The left wing government provided a better support. The trade unions tried to solve the situation in tripartite discussions but no change could be reached. The appointed judge does not act in favour of workers' rights.

26 trade unions are active in Prague public transport. Only 3 persons can form a trade union. This way it is difficult to reach an agreement. Trade union membership can be undermined: for example, if the trade unions agree on a pay rise of 2 %, non-members get

a pay rise of 5%. The union members do not always know the related legislation. The example of trade union councils in France are seen as a good solution by participating trade unions.

Art. 100 of the labour code authorize the government to regulate issues. The regulation of working time has often changed; special modifications are not compatible with the regulation 1370/2007.

Working hours and rest periods according to the labour code with highlighting the deviating legislation which applies to employees of the municipal public transport<sup>15</sup>: Working hours are in general for all employees governed by Act no. 262/2006 Coll., the Labour Code. Specific arrangements of working hours of employees of the municipal public transport are covered by the Government Decree no. 589/2006 Coll., which determines deviating rules for working hours and rest periods of employees in transportation. The Government Decree no. 589/2006 Coll. does not contain complex treatment of working hours of employees of the municipal public transport, but it governs only certain aspects of their working hours in a different way. It does not determine specific treatment for the working hours, then the treatment according to the Labour Code applies.

It is also important to define who is considered to be an employee of the municipal public transport. According to section 2 of the Government Decree no. 589/2006 Coll., which determines deviating rules for working hours and rest periods of employees in transportation, the employees of the municipal public transport are employees who are members of the bus crew in the municipal bus service, employees who organise municipal road transport and employees of rail transport on the tramway, trolleybus track, funicular track and special track (metro).

## Government Decree no. 589/2006 Coll. states

### in section 16(3) that:

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“Overhead journey of an employee of the municipal public transport shall be accounted into their working hours.”

In the Government Decree no. 589/2006 Coll., which determines deviating rules for working hours and rest periods of employees in transportation, the overhead journey is defined in section 3(e) as a time period necessary for transport of the employee from the agreed place of the performance of work to another place of the performance of work before the beginning of work, or as a time period necessary for transport from the place of the performance of work to another place of the performance of work during the work, or as a time period necessary for transport from the place of the performance of work to the agreed place of the performance of work after the end of the performance of work.

### in section 16(1) that:

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“Standard weekly working hours of an employee of the municipal public transport working in continuous work regime, can be 40 hours per week at most.

### in section 16(2) that:

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The length of a shift of an employee of the municipal public transport, including potential overhead journey, can be 13 hours at most. The length of a shift of an employee working in the night shift can be at most 10 hours within consecutive 24 hours.

In the municipal public transport, the employee working in night time is defined as an employee ensuring the maintenance of the special track (metro) in the municipal public transport, who performs the work during the night time within consecutive 24 hours. Please see section 3(g) of the Government Decree.

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<sup>15</sup> Government Decree no. 589/2006 Coll.

### in section 19 that:

The employer is obliged to ensure that the driving time of an employee of the municipal public transport was, after 4 hours of driving at the longest, interrupted by a safety break of duration at least 30 minutes, unless an uninterrupted rest between two shifts or an uninterrupted rest in the week follows. This break can be split into several breaks of duration at least 10 minutes.

### in section 17 that:

(1) The employer shall schedule the working time in such a way that the employee of the municipal public transport has, between the end of one shift and the beginning of the subsequent shift, an uninterrupted rest for the period of at least 11 hours within consecutive 24 hours.

(2) The rest pursuant to paragraph (1) can be for the employee of the municipal public transport:

a) shortened to up to 9 hours, a maximum three times per week, under the condition that in the next week the rest will be extended for the time period of the previous shortening,

b) during consecutive 24 hours split into two or more parts on days, in which the rest is not shortened pursuant to (a), while one part must last at least 8 hours and the uninterrupted rest must be extended from 11 hours to at least 12 hours.

### in section 18 that:

The employer shall schedule the working time for an employee of the municipal public transport in such a way that the time period of an uninterrupted rest in the week within each period of seven consecutive calendar days will be at least 24 hours, and for the period of three weeks this rest will last at least 105 hours.

#### **BRNO**

The labour code applies as well to public transport in Brno. There are efforts to reduce provisions of the labour code. A collective agreement for DP Brno was concluded for 2017/2018. The company wants to achieve a longer duration collective agreement. A pay rise of 12% has been agreed upon, still the wages are too low to be attractive for job seekers. There is a lack of about 200 drivers.

There are several trade unions active in the sector. At DP Brno there are 6.

## 7.3 Social Partner Meeting in Warsaw, Poland

The meeting in Warsaw took place on 6 June 2018 with representatives of the companies Tramwaje Warszawskie, MPK Poznań and representatives of NSZZ Solidarnosc from the cities Warsaw, Katowice, Krakow and Gdansk.

#### **TRADE UNION'S PERCEPTION**

The trade union representatives of Solidarnosc highlighted the main challenges the trade unions are currently facing in Poland. The main aim is to improve the security and working conditions of employees in urban public transport.

The security issue of drivers of public transport vehicles is dominating the social dialogue in most of the cities. The trade unions perceived their impact on negotiations concerning security issues as more effective in the past. Currently only in bigger cities deliberations between the trade unions and companies concerning those topics are constructive and efficient. Although legal acts have been implemented, the negotiations and the process of practical implementation seem to be less efficient in smaller cities due to limited budgets. The installation of online monitoring and hidden buttons for contacting the supervisor in case of emergency as well as a closer cooperation with the local police and security services decreased violence in Warsaw and Krakow. Smaller municipalities are hindered by limited budgets to invest in such security measures.

In the context of security issues the discrepancies between the employee's interests of protection and company's as well as municipality's interests are discussed controversially. Trade unions are favouring the separation of the driver cabin from the rest of the vehicle to protect the driver from violent attacks. Companies still prefer open driver cabins to keep the direct contact to the passengers. Trade unions are arguing against the occupation of drivers with multiple tasks besides driving (e.g. ticket sale, handling of different electronic systems, personal contact to passengers). In terms of safety for passengers and drivers they are arguing for limiting the driver's tasks only to driving.

However, following that discussion the trade union representatives clearly noticed that due to the funding of public transport by the municipalities this discussion within the social dialogue should not be limited to trade union representatives and companies but has to be complemented by the local authorities. Solidarnosc trade union in MPK Krakov mentioned the necessity to discuss the process of conflict management between an employee and the management. In terms of a good relationship between both sides and a constructive solution in case of conflicts, financial sanctions towards the employee are no appropriate measure. Instead, a personal conversation respecting individual dispositions of both sides could be a more efficient and sustainable approach.

### **SOCIAL DIALOGUE IN URBAN PUBLIC TRANSPORT IN POLAND**

An institutionalised social dialogue takes place at the regional and company level. Regional social dialogue councils are providing a platform for a sectoral tripartite bargaining. Those councils are divided into several issue-specific sub-teams where ministerial representatives also participate. In case of Warsaw the representative of Solidarnosc praised the possibility of discussing the main sectoral challenges. But he also mentioned, that it is not as successful in other cities, especially in provincial councils. The representative of MPK Poznań highlighted the clear set up of those institutions as well as the equality and openness on both sides. Out of her point of view, the effectiveness of negotiations leading to successful results depends on the personal cultural level of the participants. Beside those formal councils, the informal communication in the context of other meetings has a huge positive impact on the dialogue between the social partners. On the company level both sides

are seeking a successful dialogue in terms of a coherent focus of employers and employees. Consultation takes place concerning aspects of working conditions, remuneration, and social welfare.

### **WARSAW TRAM**

Warsaw Tram is a 100% owned company by Warsaw Municipality. The company has 3,600 employees, 1,400 are tram drivers. They are operating on 26 lines in the Warsaw agglomeration. Warsaw Trams owns seven units, four depots and a repair and maintenance unit. All tasks within the public transport service are undertaken by own means, only a few subcontractors are involved in maintenance. The area of operation is limited to Warsaw agglomeration and the company does not apply for tenders of other regions. The public transport service provided by the company is based on an execution agreement with Warsaw Transport Authority (ZTM) representing the municipality of Warsaw. The local authorities are responsible for awarding and signing the contracts which organize the public tram service. At the same time they are responsible for the monitoring of the service provided by the operator. Each driven kilometre is paid by the municipality, additional revenues are generated by service fares and advertising. The current basic agreement was signed in 2008 and lasts to 2027. The long contractual period provides the possibility for long-term investments by the company. Following the Millennium Contract in 2009 the company bought 186 new trams and was able to replace 40% of old stocks. In 2013 1.5 billion PLN including 120 million PLN EU grant have been invested to replace all old stocks of Warsaw Tram. The representative of Warsaw Tram described the company as a commercial entity as well as an entity of municipality. This dual characteristic decreases the impact of the market situation on that company.

The company lists the basic aims in order to satisfy the needs of passengers: providing modern rolling stocks, low-floor entry, air-conditioning, adaptation to the needs of disabled passengers, monitoring for security. Current investment projects are focusing on making the stops more comfortable, implementing a modern voice and visual information system as well as acoustic features for trams and the extension of the tram network.

In the company nine trade unions are represented and are participating at the social dialogue. In sum 55% of employees are member of a trade union; this is about the sectoral average. The smallest trade unions are representing only ten to 15 employees, so in fact there are only four representative trade unions within the social dialogue of the company. The basic goal is the improvement of working conditions. Social labour inspectors from the trade unions are monitoring the everyday working conditions. In terms of a collective agreement, the negotiation process is ineffective due to lack of common positions in the decision-making that need to be agreed unanimously. All participants, including the small trade unions with low representativeness, can blockade an agreement. This is one of the main obstacles reported by trade unions.

To ensure stability and security of employment, long term and time unlimited contracts are the primary objective. By this means low turn-over ratios have been reached in the past and a majority of employees are in long term employment in the company. In 2016 the last major salary increase was adopted. The employees are receiving regular task related boni and social benefits.

The strategic aims of the company for the future are:

- To increase accessibility of trams
- Six new routes
- New fifth tram depot planned for 2020
- Increase quality of service for passenger
- Increase punctuality rate of trams to 97%
- Decrease the number of complaints about tram driver
- Increase security for drivers
- Increase average speed to 24 km/h
- Increase number of low-floor trams to 60%
- Modernisation of tracks and information system
- Decrease costs of tram service due to increasing efficiency

Those goals are in line with the Sustainable Development Policy of Public Transport in Poland.

### **MZA WARSAW**

MZA Warsaw is 100% owned by the Warsaw municipality. The company has 4,672 employees (2018) including 3,674 driver, 596 employees in the back-up and service group and 402 non-manual workers. MZA maintains six locations in Warsaw. The market share is 78,5% weekdays (defined by the share of passengers). All transport services are provided by

own means. Service, security and maintenance tasks are partially subcontracted. There is no collective agreement. The relationship between employers and employees is regulated by the labour code and the regulations for the remuneration of employees. MZA is providing the public bus service in Warsaw based on the execution agreement for the provision of transport services with Warsaw Transport Authority (ZTM) in the years 2018 to 2027. The agreement is in line with Regulation (EC) 1370/2007 of the European Parliament and of the Council and Regulation (EEC) Nos 1191/69 and 1107/70. The company is operating in accordance with the implementation agreement and has to comply with the defined criteria in order to avoid contractual penalties. Eight trade unions are represented and participating on the social dialogue in MZA.

Four main challenges for the future are defined by the company:

- Operating in accordance to the execution agreement and continuous improvement of quality
- Compliance with the agreement regarding the renewal of the bus stock
- Modernization of technical infrastructure (low-carbon bus service)
- Construction of charging stations for electric buses.

### **MPK POZNAN**

The municipality of Poznan is the only stakeholder and owner of MPK Poznan. The company was established after the transformation of the predecessor into a limited liability company in 2000. MPK is executing the public transport service in Poznan by bus and tram. In sum 2,477 employees (315 female and 1,219 male) are occupied, including 1,359 drivers. 84 drivers are employed by subcontracting. The execution agreement is signed by the Public Transport Authority of Poznan (ZTM) in 2009 and runs to 2024. The contract characterizes the large impact of the municipality and also the extensive financial dependence of the operator. ZTM, as organizer of the local collective transport in the Poznan agglomeration, has to define the expectations to the operator as well as the route of public transport. It also determines the type of rolling stock, the frequency of services, the ticket fare, the maintenance of stops, loops and bus stations as well as the location of new stops. MPK is responsible for running trams and buses in accordance with the order placed by ZTM, maintaining fluency of services by emergency, technical and



rescue services and infrastructure, maintenance of tracks and networks, maintenance of tram stops and information displays, rental of advertising space as well as the organization of transport services to Maltana Park and other tourist lines in summer.

To ensure employment security the company favours long-term contracts. In terms of working conditions timely payments, emergency assistance, legal care as well as the equality of employees regarding remuneration and benefits are prioritized issues. Annually ca. 2,000 employees participate at training programs, additional the company co-finances study costs or special courses to enable an improvement of qualification. A high flexibility for the employees should be provided by the adjustment of working hours. All recruitments in the company are primary internal. In 2017 99 employees changed their position and 77 performed temporarily a different job. In almost 45% of delegations and 22% of transfers the employees were promoted. Those opportunities for development increase the motivation of employees.

The current employment situation of MPK reveals a significant discrepancy between the actual employment plan and the current level. Different reasons are obvious. The average age increased to 46 years. 51% of dismissed employees retired and are receiving retirement or pension benefits. This proportion is 20% higher than last year. The proportion of employees who terminated their contract on their own initiative increased by over 30% compared to the previous year. Especially younger employees seem to be less loyal to the company, moving more freely on the job market. Besides the high retirement rate of experienced workers, the high turn-over rate of younger employees is problematic because it hinders the development of experience and company-specific know-how by younger employees. The situation on the current labour market leads to an insufficient and too competitive remuneration level. The difference between the current minimum wage in the positions of drivers and mechanics and the expected wages communicated by young applicants in the interviews and analysed by informal market analysis is calculated at 25 to 30% net. Additionally, the high competitive domestic and European labour market as well as the lack of high qualified employees fosters the high turn-over rate. In order to compensate this deficit, MPK collaborates with Poviats labour offices in Poznan and the whole

country, employment agencies, universities and vocational schools. MPK raises the representation and participation at job fairs and at national and international competitions for drivers.

Currently five trade unions are representing 1,040 employees in the company (42%). Following unions are represented: OZZKiM, Trade Union Tramwajarzy, NSZZ Pracowników Pozarnictwa, NSZZ Solidarnosc and ZZTK.

The Social Dialogue is regulated by following regulations:

- Act of 23 May 1991 on trade union
- Act of 26 June 1974 on Labour Code
- Act of 4 March 1994 on the company benefits fund
- And other regulations affecting employment conditions

The trade unions are perceived by the company as very active what became exemplary obvious by the huge impact they had on the tripartite negotiations on the road-transport regulation in 2017. The good level of social dialogue is characterized by mutual openness. The main precondition is the independence and equality of both sides which allows confidence between the social partners.

MPK mentioned that one of the main difficulties for the social dialogue is the legal form of the company. The full-ownership by the municipality, the long-term contract and the financing method based on a payment for each kilometre are leading to a close dependence on the local authorities which limits the freedom of the company in reverse. The relationship between the municipality and the company is not equal to the relationship between the employer and employees. Therefore the whole negotiation process depends on the personal cultural level in order to provide a trustful and efficient dialogue.



# Summary of the three project workshops

The European social partners of the urban public transport sector, UITP and ETF, invited the social partners of the sector – UPT companies, employers’ associations, UPT trade unions and workers representatives – to three joint Workshops “Dialogue Can Shape the Future of Urban Public Transport”.

The purpose of the Workshops was to exchange information on employment and industrial relations in the urban public transport sector in detail, present the activities of European social dialogue, identify good practice examples e.g. on promoting women’s employment in the sector or tackling ‘insecurity and the feeling of insecurity of passengers and workers’ and share a vision on employment in urban public transport for the future with the social partners in Lithuania, Latvia, Estonia, Poland, Czech Republic, Slovakia, Hungary, Romania, Bulgaria, Croatia, Slovenia and Serbia.

In the Workshops representatives of the European Commission explained the history, structure and outcome of European social dialogue.

The legal basis is given in the articles 152, 154 and 155 of the TFEU:

- Art. 152: Union recognises and promotes the role of social partners at Union level + Tripartite Social Summit
- Art. 154: Promotion of **consultation** of European social partners by the Commission
- Art. 155: **Agreements** concluded by social partners

For the European sectoral social dialogue, organisations on both sides must:

- relate to specific sectors or categories and be organised at European level
- be composed of organisations that are part of the social partner structures in the Member States
- have the capacity to negotiate agreements
- be representative of several Member States
- have adequate structures to ensure effective participation in the work of the committee

The EC is mainly supporting the SSDC through:

- the organisation of 3 meetings/year per SSDC;
- the funding of projects through calls for proposals

UITP and ETF informed the participants of the Workshops of the work of the European social partners. The European sectoral social dialogue of the urban public transport sector was established in 2001, formally as a working group of the Road Sectoral Social Dialogue Committee. The social partners are at the workers side: ETF, for the employers: UITP. Associated are IRU, CEEP,

CER. Activities and results are joint Recommendations, joint political statements, joint studies and projects, joint conferences (see also page 11 and the annexe).

Both UITP and ETF want to further develop their commitments to reinforce the quality of working conditions as one of the condition for good quality of service. The latest topics were the examination of social conditions in the sector, strengthening women's employment and actions towards sustainable urban mobility. Currently the social partners work on the development of joint recommendations on "Social conditions in urban public transport" and "Security and feeling of insecurity", on social dialogue in Central and Eastern Europe and on digitalization and the introduction of new technologies.

In separate meetings ETF and UITP member discussed their topics of social dialogue during the Workshops. These internal meetings gave the members the possibility to speak about their issues. UITP and ETF take the information home and deal with them.

## 8.1 Workshop 1: Bulgaria, Croatia, Slovenia, Serbia

The first workshop took place in Sofia on 2–3 October 2018. From Bulgaria representatives of the municipality of Sofia, of the companies Burgasbus, Sofia Bus Company, Stolichen Electrotransport and Metropolitnen JSC and representatives of the trade unions FTTUB and FTW Podkrepa attended. From Croatia representatives of the Ministry of the Sea, Transport and Infrastructure, the Municipality of Zagreb and the Trade Union Association of Transport and Transport Economy took part. From Slovenia representatives of the Municipality of Maribor, of the University of Maribor, of the company Marprom and the trade unions SDPZ ZSSS, SDPZ Nomago, the trade union of bus drivers of Slovenia and transport trade union KS 90 participated. From Serbia representatives of the Autonomous Union of Road and City Transport Workers of Serbia attended.

### THE FUTURE OF MOBILITY IN THE CITIES

The participants discussed the future of mobility in the cities with the Vice-mayor of Sofia; the office for communal, transport and space of the municipality of Maribor; the Head of Service for Project Implementa-

tion and Monitoring in the Ministry of the Sea, Transport and Infrastructure of Croatia and the Head of the Office for Physical Planning, Construction, Utilities and Traffic of the municipality of Zagreb.

The cities have to respond to the challenges they are facing due to technical and economic developments and customer requests. They have to respond to environmental challenges and need to set up a sustainable system. The introduction of new technologies drives the change of the sector. The responsible persons are in charge to create solutions. Public transport must be attractive so that the people change from cars to urban public transport. The competitiveness of public transport with cars has to be improved. A mentality change is necessary, but this can only be achieved by attractive alternatives. The promotion of walking and cycling is one of the possibilities. A question remains how jobs will change in the future. An important issue is that the emigration of citizens has to be stopped.

Public transport plays an important role in urban mobility in Maribor. Sustainability is a key factor for

the development of the cities. A smart modal split can integrate the appropriate transport modes for each journey. The increase of the quality of life in the cities is the aim. Especially for elderly people solutions are necessary. Electrification of transport is part of the solution. Restructuring to support the development of sustainable transport modes (walking, cycling) is an aim in Maribor. Other cities plan to extend the use of car sharing as a further approach.

In Zagreb the number of passengers in urban public transport shall be increased. Urban public transport is the backbone of urban mobility. An improvement of the timetable is a concrete step for the comfort of the customers. One ticket for all transport modes shall make the access easier. The citizens are included in the discussion of the plans for the future. The users of transport are in the focus of the development. The responsibility shall be shared.

The discussion showed that it is still unclear how the so called “sharing economy” will develop and to what extent it will be the future of mobility. But it is clear that this form of economy has to be framed. The competition with the sharing economy needs a level playing field. New players like the mobility platforms take over services that used to be conducted by public transport companies. New forms of service find their way into the market. The companies have to shape the future themselves if they don't want to be reduced to a service provider for mobility platforms. Politicians have to set a frame for mobility platforms.

For the trade unions the use of sharing economy is a concern. Good working conditions are threatened in competition with private offers. The experience with service providers like Uber shows the effects. An evaluation of the quality of jobs is necessary.

The question is who has the right to use the public space in the cities? The stakeholders have to be involved and be informed to keep a balance of interest. Communication and a transparent planning support the development. Still it is a problem to involve the citizens to get an idea of their preferences. The trade unions shall be included in the process of development.

## **SOCIAL DIALOGUE AT NATIONAL LEVEL**

In Bulgaria social dialogue is conducted on municipal level. The council for social cooperation is involved. Collective Bargaining Agreements (CBA) cover the

associations which signed the agreement. There are no CBAs in the private companies. The urban public transport sector is not considered as attractive for workers due to “low wage levels and long working time” as explained by workers. High staff turnover is often a reality among bus and trolley bus operators. Nevertheless, a good dialogue exists in several of the present companies. Employment and social conditions have improved to some extent with wage levels having slightly increased. In some cases workers receive now additional bonuses. As negotiated in CBAs companies provide food vouchers or cash to workers, additional payment for work experience overtime, night work etc. There are no additional pensions or health care schemes in place. Training policy is almost not existent – training is mainly observed at induction. No policies for career planning or promotion within the hierarchy are in place. Some companies have policies in place with regard to security of drivers to prevent aggressions or protect drivers from third party aggressions. This issue has been increasing over the recent past. Committees and working groups on different topics support the dialogue. Monthly consultations at Burgasbus intensify the exchange of opinions. The trade unions are not included in the discussions with the municipality. Training on the functioning of social dialogue would be helpful.

In Serbia the mayor decides on the solutions in questions regarding urban public transport. The director of the public transport company is appointed by the government. The government decides on all developments. A social economic council on national level has to solve the problems. The CBA was not signed by the trade unions. There are huge differences of wages for the different groups, e. g. mechanics are not included in the pay raise. Legislation on national level hinders the raise of wages. The emigration of the workforce is a big problem. Staff immigrates to Slovenia, the salary of 600 EUR for a bus driver is better in other countries. 6,000 drivers left Serbia. More women shall be trained. The barrier is the category D driving license. Also the lack of modern vehicles is a problem. The trade union created a voluntary union of drivers with 86% representation of drivers.

The negotiation structures are: on company level with the trade unions, municipal level, regional level and national level. Most of the problems are evolving from the national level. The shadow economy is a big issue for the development of the country and the sector.

In Slovenia since two years of negotiation no progress has been made. A new CBA would offer new possibilities. The trade union representative was sacked after the negotiation process. The conditions need to be improved. The problem for the workers is the working time: high work intensification makes the jobs unattractive. Health and work-life balance problems arise. The qualification in Slovenia for bus driver is the springboard to move to another country with higher wages. There are many trade unions in Slovenia acting in the sector. This makes bargaining processes more difficult. CBAs cover all employees in the sector. The transposition of Regulation (EC) No 561/2006 regarding working time is a problem. The will for dialogue is necessary and possible.

The shortage of drivers is one of the big issues, this was reported from all representatives of the different countries. The emigration of workforce increases the lack of qualified personnel.

#### **AREAS OF SOCIAL DIALOGUE: WORKING CONDITIONS**

The UITP-ETF joint statement 'Towards sustainable urban mobility', 2016 states: "Furthermore, UITP and ETF underline the importance of the quality of public transport service as a crucial aspect to attract and retain users. In this regard, employees are key to the success of public transport operations. The quality of the working environment as well as motivated, well trained and rewarded staff represents essential elements for delivering quality services to the customers, which are at the heart of the process."

Future activities of the sectoral social dialogue in the urban public transport sector is the digital transformation and social dialogue in urban public transport in Europe. The current digital transformation process will have an impact on jobs and working conditions. The overall aim of this social dialogue project is to anticipate, prepare, and manage changes in the sector and in the workplace in order to shape the digital transformation.

In France working time regulations are very elaborated and support the staff members. Health and safety committees watch over the working conditions and give advice. Recruiting is no problem, for 1 position of a driver there are 10 candidates.

In Serbia the working time (driving time) for a bus driver is 6 hours. There are difficulties between the cities.

In Slovenia 14–15 hours working time are possible due to the lack of drivers. The working conditions are the same as for truck drivers. One driver works for different companies, it is impossible to control the real working time. At Arriva a strike organised by the trade union has been declared as illegal.

Work intensification is a result of the lack of personnel. Demographic shift and emigration of citizens reinforce the problem. The trade unions have to be included in the discussion of working conditions. Security is an issue in public transport, this has to be taken seriously. The use of mobile phones increases dangerous situations. Health and safety issues have to be controlled. The lack of attractiveness and the lack of respect for the jobs intensifies the difficulties of recruiting.

Support is necessary:

- Pay rise
- Financial subsidies
- Monitoring mechanism
- Joint conclusions of companies and trade unions
- Intensified care and commitment
- Rapid punishment of assaults on workers

#### **AREAS OF SOCIAL DIALOGUE: TRAINING**

The UITP training center offers training for quality and service excellence, autonomous mobility and a lot more. UITP Centre for Training intends to advance talent: Training and especially lifelong learning are essential to develop a high quality public transport sector, promote innovation, maintain and increase competitiveness. The participants can improve their background knowledge, broaden the skills through best practice and on-the ground experience sharing, learn from others through exchange and interaction and meet the peers and develop their network. The sector has to deal with the skills mismatch. A sector skills alliance shall support the solutions.

Activities of the sectoral social dialogue in the urban public transport sector:

- Focus in the report on women's employment on different aspects including training, recruitment, wage equality, ... as important elements for better gender equality (2012);
- Competence based Service Quality in Urban Public Transport (joint project 2007/2008);
- Conference on driver's vocational and occupational qualifications;

- Joint statement on the application of the EU Directive on initial qualification and continuous training of professional bus drivers in urban public transport (2014)

In Sofia Bus Company drivers are trained and commit to remain at least 3 years in the company. Also Sofia Electric Transport finances training for staff members. Meetings with professional highschoools support the education. D-category driving license training courses are offered for women. Compared to unemployment allowance the wages are too low. In Germany a 3 years apprenticeship education is foreseen with no age restrictions.

In Slovenia a decent pay for a driver is necessary. Additional bonuses for recruiting drivers are paid. The difference between low wage and high wage countries and the problems arising from this situation can only be solved on European level.

The joint statement of the European social partners underlines the importance of well trained staff members. Education means a return on investment.

### IDEAS FOR THE FUTURE

- Communication of trade unions with employers and municipalities necessary
- Overcome differences between private and municipal companies (working time)
- Social dialogue improves the climate in the companies
- Motivation of people to start with a drivers job
- Identify priorities
- Talk to the people
- Exchange good ideas
- Emphasize the human factor
- Compensation for emigrating staff
- Solutions for pay rise and brain drain
- Changes of law, changes in the insurance system worsen the conditions

## 8.2 Workshop 2: Czech Republic, Hungary, Romania, Slovakia

On 6–7 November 2018 the social partners from Czech Republic, Hungary, Romania and Slovakia met with the European social partners. From the Czech Republic representatives of Pilsen City Transport Enterprises and Dopravní podnik hl. and the trade union OS Dosia participated. From Romania representatives of the Municipality of Ploiesti, the Municipality of Aiud, the Bucharest–Ilfov Intercommunity Development Association (ADIBI), the companies METROREX S.A., Societatea de Transport București STB SA, the Public Transport Company Cluj-Napoca, Oradea Local Transport, representatives of the trade unions USL Metrou and Transport Trade Union in Bucharest, Transport Trade Union in Ploiesti took part. From Slovakia Košice Transport Company, a.s. participated. From Hungary representatives of the companies BKV Zrt., Budapest Transport Zrt., Tüke Busz Zrt. and the trade union KSZOSZ attended the Workshop.

### THE FUTURE OF MOBILITY IN THE CITIES

The participants discussed the future of mobility in the cities with the president of the Budapest Transport Company, with the Counselor of the Mayor of

Ploiesti, with the City Manager of Aiud and the Bucharest-Ilfov Intercommunity Development Association in Romania.

The city of Budapest has to adjust mobility to the main trends. Automated transport will create a safer transport. Yet the reaction on the sharing economy is a question. For an advanced system there is the issue of investment: a lack of investment will hinder the development. The shortage from the past still has an impact today. The lack of workforce is not only due to wages. There is a shortage of drivers and maintenance workers. The city has to take into account the perspective of the user, not the profitability. Safety is a main concern.

The association for the region of Bucharest and Ilfov aims at the integration of transport services within Bucharest-Ilfov, between the 4 regional public transport operators and direct PSC award for a maximum of 2 years. A system for monitoring the service is implemented, this concerns the fleet management, ticketing integrated system for public and private operators. Through improving the services level and tariff integration the associations expects to increase

the connectivity between Bucharest and Ilfov and a change of passenger habits and a modal shift. The cooperation with civil society shall be increased. The population is very resilient to change. The access to the innovation center (Laser Valley Măgurele) shall be supported.

For Ploiesti good working conditions are crucial for the perspective of the urban public transport. Funds from the EU are used to modernise the fleet, the vehicles are very old. Old vehicles are bad for the environment and cause a lot of pollution.

The lack and aging of workforce and the lack of investments affects all cities. Social benefits for workers are necessary.

Synergies between the different types of urban public transport shall be used. Smart cities will increase the modal shift for ecological matters. Cities should support bike sharing and public transport instead of the use of private cars.

Trends of mobility are E-mobility, autonomous driving and car sharing. Privatisation of the services progresses, but public benefit shall not be less valuable than the interest for profit.

## **SOCIAL DIALOGUE ON NATIONAL LEVEL**

The Budapest Transport Privately Held Corporation (BKV) owned by the Municipality of Budapest runs most of the vehicles (bus, tram, metro and trolleybus) of the extensive network of public transportation in Budapest. Other services include the Cog-Wheel Railway, the Budapest Castle Hill Funicular and public riverboat transport along the Danube. BKV transports approximately 1.4 billion passengers a year. In Budapest one driverless Metro has been built. For trade unions in Hungary outsourcing is a major problem. In these companies no collective agreements apply. Social dialogue works on company level but not on sectoral level. In the committees for social dialogue the trade unions are not included. The labour code was amended regarding strikes in 2010. Strikes are nearly not possible any more, social dialogue cannot be used as a tool now. A better representation in the companies is necessary. Political decisions intend to weaken the unions, this is the governmental approach in Hungary.

In Prague a CBA of a higher degree is in force. There are 23 trade unions, an agreement can only be concluded when all agree. The last agreement took 20 months to negotiate. In Prague the influence of the general assembly is high.

The Pilsen public transport company employs 900 staff members in the form of a public private partnership. Some service has been outsourced. Politicians are not included in the social dialogue process. The law foresees that it is not allowed to increase wages for more than 3%. Dialogue is working in harmony.

In Slovakia 17 transport companies operate public transport. Bus transport needs 10–15% more drivers to provide the service. Like the other companies, too, the lack of drivers has to be addressed. New staff members receive a financial bonus, but after a short while they leave the company. A driver has too many obligations during the shift, for most of the people the work is too hard. The attractiveness has to be increased. Complaints from the workforce concern difficult traffic and no breaks.

The experience in Kosevice is that drivers work for several companies. Trade unions are seen as a partner. Because they are able to paralyse the system a good relationship is helpful. 2 trade unions are active which are organised in national trade union associations. CBAs have a higher level than the labour code. The amendment of the labour code makes strike actions more difficult. The investment into vehicles from European funds has improved the conditions for drivers. Additional negotiations have been on housing, additional insurances and the increase of pension rates.

Metrorex (Bucharest) is a joint stock company. It operates 4 main lines with 53 stations. 4,560 maintenance workers are employed. The company is a non-profit company and the operations are based on legislation. Subsidies support the maintenance of infrastructure. Collective agreements exist, the trade unions fight for better conditions. Training is provided for staff members. For the trade union the problem is the legislation, decree 109, and not the company management. The union requests to change labour code Act 53 from 2003.

## AREAS OF SOCIAL DIALOGUE: WORKING CONDITIONS AND HEALTH AND SAFETY

In Hungary companies introduce measures to answer to the growth of violence. Better conditions for drivers are necessary. The job as a bus driver is not respected as a profession. In the process of digitalisation the equipment itself is not a problem, but the drivers need to get acquainted with the new vehicles and technic.

In Romania security is a main topic. Activities against aggression have been introduced. To address this topic collective agreements are important. They have to set good conditions. If the conditions are not attractive, the drivers leave the company. In former times security guards supported the public space.

In Slovakia no benefits are given any more to the staff members. Relevant issues are security, digitalisation, ergonomic aspects and the modernisation of the fleet. The lack of drivers together with the restriction of driving time to protect the workers makes public transport services difficult.

For Germany a representative from Bogestra informed about social dialogue topics at company level. Occupational health and safety committees meet 4x a year. The role is to act as a steering committee of occupational health and safety management. It defines the framework, structure & processes and creates measures, projects, deadlines & responsibilities. It also evaluates, and controls the projects and strives for improvements. The expectations for productivity gains have increased.

## AREAS OF SOCIAL DIALOGUE: TRAINING

In Slovakia basic training measures are offered. The current drivers are qualified. Higher requirements exist with special certificates. Drivers give up later in their career because the job is too tough. There is no training for the case of mass accidents in traffic, which should be offered. An own school for drivers exist with a dormitory for people from outside Bratislava.

In general it is expensive to acquire a category D drivers' license. The employer could contribute to it. BKV trains its own drivers. In former times much more applicants were available.

For the Czech Republic finding drivers is an operative task. The question is how to address it in the future? There will not be more people interested in this jobs.

## IDEAS FOR THE FUTURE

- Stakeholders need to know how social dialogue works, training would be helpful
- The Slovak model of training is a good one
- The difficulties in the cities are quite similar
- It is important to share the experience with others
- Companies and trade unions should act jointly
- In Romania the will is to amend the collective agreement according to the discussion in this workshop, holidays, food vouchers, health issues
- Outsourcing has to be stopped
- Open vocational schools
- Shortage of funds will paralyse the service, convince the politicians to provide appropriate funds
- It is beneficial to know about the situation in other countries, there are similar problems but details are different
- There is no ultimate solution at hand, Issues can only be solved at home
- Provide quality food during the shift
- Rehabilitation holidays, paid sick leave, ergonomics in drivers cabins, organisation of working hours
- Training of middle management for the benefit of the drivers, a lot of complaints but the situation does not change
- Social engineering and corporate strategies
- Where the social dialogue works well the situation is better
- Social dialogue should be emphasised, trade unions should be in contact to find solutions
- Draft a blue print that can be adapted in the different frameworks

## 8.3 Workshop 3: Poland, Estonia, Latvia, Lithuania

On 30–31 January 2019 social partners from Poland, Estonia, Latvia and Lithuania were invited by the European social partners to meet in Warsaw. From Poland representatives of Chamber of Commerce of City Transport Warsaw, of the companies MPK-Łódź Sp. z o.o.- Transport service for buses and tram, Urban Transport Company Jaworznie, MPK Poznan Sp. z o.o., Michalchewska sp. z o.o., PKM Sosnowiec Sp. z o.o., Szczecin Tramways, Public Transport Szczecin, Warsaw Tramways, Metro Warszawskie Sp. z o.o. and the representatives of the trade unions National Section of Urban Communication NSZZ Solidarność Gdynia, NSZZ Solidarność Public Transport Warsaw, NSZZ Solidarność MPK S.A. Cracow, the Nationwide Trade Union of Drivers and Motorbikes Dąbrowa Górnicza, Gliwice, Łódź, Poznan, Sosnowiec, Szczecinek, Warsaw, the Polish Trade Union of Motorists and Drivers Koszalin and the Trade Union of Municipal Transport Workers in Poland (Łódź) joined the meeting.

For Latvia representatives of the companies Paneiropas Automotive Association, B-bus SIA, Riga Minibus Traffic PS and of the trade union Latvian Trade union of Public Service and Transport workers (LAKRS) participated. From Lithuania representatives of the company B-bus UAB, Transreviss UAB and of the trade union Lithuanian Transport Workers' Federation took part. From Estonia representatives of the trade union Estonian Transport and Motor Vehicle Workers' Union (ETTA) participated in the meeting.

### VISION FOR THE FUTURE OF MOBILITY IN THE CITIES

In Estonia it is planned to introduce urban public transport free of charge. The aim of this measure is to increase the number of passengers. Public transport shall be attractive to the people. People will use public transport if the price is low. Commercial transportation is not competitive with free transport but less routes can be offered. The use of bicycles for short distances and high speed trains for long distances are additional strategies.

In Latvia Paneuropean bus stations are planned. Rail Baltica will change a lot in the region.

In Lithuania the legal framework for urban public transport changes. Tenders for public procurement

are necessary for operators to obtain a contract. Minimum standards for working conditions are respected.

In Poland as a large country there are differences between the regions and the cities.

In Poznan suburban areas are the key for public transportation. The network of the transportation modes has to be organised. The company relies on soft elements. The framework conditions are not stable; the state should create reliable framework conditions and include the local governments. In Poznan two operators for buses and rail are active, they are responsible for the city and the region. The integration of IT systems, ticketing and passenger information are in the focus of the operators. Key tasks of social dialogue are to assure stabilisation of local transport. The use of public space in the cities is an issue: this cannot be solved theoretically, but it has to be planned and organised together with the stakeholders. Urban public transport in Poznan is based on trams, only a few buses are used.

The use of bicycles is promoted in Szczecinek. There are too many laws regulating urban public transport, they are difficult to follow for the operators. The roads belong either to the city, the region or the country; there are different responsibilities for public transport which makes the organisation very complicated. Free public transport is planned in Szczecinek.

Szczecin has a good public transport network. The city transport system relies on buses (normal and fast) and trams. To organise transportation by tram is expensive but public transport develops well in Szczecin. Therefore there are no traffic jams.

In Gdynia modern trolley buses are used and the city is very proud of them. Three operators are busy in Gdynia. The social partners extend social dialogue to the discussion with scientific experts. Free service should be introduced only for a part of the citizens. European projects are planned for centralising public transport.

For Jaworzno with 90,000 inhabitants public transport is an important service. Still the capacity is not enough for the city and should be enlarged.

In Radom social dialogue is not really known by the mayors. Social partners in small cities even have more difficulties to raise attention. The public space is an important topic in the city.

In Warsaw a round table with groups of stakeholders like passengers, operators, employees, bikers etc. work on numerous projects to develop transportation in the city. Trade unions are not involved in the round table. The agreement in the sector has been concluded in the 90s. The public transport authority PTA is responsible for the development. Meetings with inhabitants take place to collect ideas and demands. Important areas of the development of public transport are electric mobility and digital service platforms. Issues are the promotion of urban public transport and the quality of life in the cities. For the drivers the limitation of working time is a topic.

## **NATIONAL SOCIAL DIALOGUE**

Social dialogue in Latvia is governed by a number of legal regulatory documents:

- Constitution of the Republic of Latvia;
- Labour Law (2002);
- Labour Protection Law (2002);
- Trade Union Law (2014);
- Employers' Organisations and their Associations Law (1999);
- Strike Law (1998);
- Labour Dispute Law (2002);
- State Labour Inspectorate Law (2008)

The trilateral social dialogue that takes place between representatives of the government, the Free Trade Union Confederation of Latvia, and Employers' Confederation of Latvia is a well-developed process. There are measures to balance the power and influence of the parties in this dialogue.

Bilateral social dialogue in Latvia: The main emphasis in this social dialogue is the process itself; concluding an agreement (a general agreement, or collective agreements) is traditionally regarded as its final result, indicating that the interests of the social partners are reconciled with each other. Both the parties undertake to fulfil the collective agreement, which specifies penalties for breaching the agreement for both the parties. In Latvia, such bilateral collaboration is best developed on the company level, and is less present on the industry and regional levels.

Social dialogue in AS 'Rīgas starptautiskā autoosta' takes place with an organisation of the Latvian Trade Union of Public Service and Transportation Employees (LAKRS). It was founded at the coach terminal on 10 November 1997. Successful social dialogue resulted in a 1998 as a collective agreement between the trade union and the employer, providing employees with a number of social benefits that go beyond what is required by the law in Latvia. Social dialogue is a way to take decisions on the salary amounts and working conditions, and to involve employees in matters that affect the production process, the management of the company and its development.

AS 'Rīgas starptautiskā autoosta' participates in Employers' Confederation of Latvia (LDDK). Founded in 1993, LDDK is the most influential association of employers in Latvia. LDDK represents employers in the social dialogue with the Latvian government and the Free Trade Union Confederation of Latvia. The mission of LDDK is to develop an environment in Latvia that is supportive to business, to promote competitiveness, and to represent employers on the national, international and EU level. The coach terminal has been a member of Employers' Confederation of Latvia (LDDK) since 2006. In 2018, LDDK and AS 'Rīgas starptautiskā autoosta' signed a cooperation memorandum with the intention of entering negotiations about concluding a general industry agreement with representatives of employers operating in this field, and providing the coach terminal with education, information and content support in collective bargaining. AS 'Rīgas starptautiskā autoosta' cooperates with LDDK experts and participates in the social dialogue, protecting its own interests and those of the industry.

The employer and employee interests have been harmonised at the company, with a collective agreement that provides additional social benefits for its employees:

- child birth benefits;
- private health and safety insurance for employee;
- monthly third-level pension contributions;
- official commendations are issued for good job performance (Regulations on Commendations);
- compensation of meal expenses for employees on shift work (with a fixed hourly rate. The calculated meal costs are compensated together with the salary);
- compensation of expenses on glasses (contact lenses), once per year;
- benefit on death of a family member.

The most important current social dialogue topic for the coach company is that of improving salaries: An effective salary system has been established at the company (Regulations on Salary). The total salary paid includes a fixed part (based on hourly rates), and a variable part (monthly bonuses that are directly affected by the employee's job performance during the respective reporting period). A monetary incentive procedure for employees has been developed and implemented (Regulations on Bonuses). Coach company employees receive monetary incentives for their personal contribution in the general activities of the terminal, for their performance completing tasks, their interest in fulfilling their duties, the quality of the work carried out, the amount of work that extended beyond the regular scope; these incentives also include holiday bonuses. Average salary at the company rose from 981 EUR in 2016 to 1152 EUR in 2018.

The trade union is involved in the social dialogue on company level. Committees deal with public transport issues. The bus drivers are not happy with the provisions of the working time and salaries. Waiting time shall be compensated. The authorities shall have the possibility in new tenders not to choose the cheapest one but the one with the best quality-cost ratio. The authorities have to provide enough money for the service. In Latvia pension age is at 65, early retirement is only possible with income reductions.

In **Lithuania** in tendering procedures always the cheapest offer wins. The minimum salary is 550 EUR. An increase in the salaries is necessary. The collective agreement should be applicable to the whole sector what is not the case at the moment. There is no agreement in place at the moment. Pension age in Lithuania is at 63 and will increase to 65.

In **Estonia** decisions are concluded for the sector on central government level. A federation of employees and a federation of employers exist. Social dialogue is organised bi-partite. Often sector agreements on special topics exist. A useful insurance on occupational accidents and health is not yet in place. Tendering procedures always have to select the offer with the cheapest price. Sector agreements exist on domestic goods transportation. International long distance drivers are not covered in the agreement. There are no better terms for bus drivers. The pension age is at 63, a new law will increase it to 65 until 2023.

## ———— POLAND

**Sosnowiec:** A dialogue between the trade unions and the authorities exists, although it is not very good. Delays occur quite often, then the drivers have no time for a break. Pensions are an issue for the employees.

**Poznan:** The tendering procedures have bad consequences for the sector. The social partners should determine conditions because they know the situation.

**Krakow:** officially there are 800,000 inhabitants in Krakow, in reality there are 2,100,000. Smog is a problem in Krakow, on special days public transport is free for better air condition. A Park&Ride system has been installed. The emigration of drivers is an issue not only in Krakow. There is a public monopole of the city for trams, private companies hold 55% of the bus service. A bike lane in the streets will be mandatory in the future. Social dialogue is organised on company level. OPZZ and Solidarnosc organise tough negotiations on salaries.

## ———— AREAS OF SOCIAL DIALOGUE: WORKING CONDITIONS

Several topics were mentioned in the discussion:

- An ISO 9001:2015 quality management system has been implemented in AS 'Rīgas starptautiskā autoosta'. The implementation of the quality management system has helped streamline company operations, improve its working environment, and clearly define the scope of duties and responsibilities of every employee. The work of every individual company unit has improved, establishing mutually beneficial cooperation with all the parties that need the services of the coach terminal.
- The management take into account the proposals of employees, and introduce measures to improve their working conditions: The customer service staff is provided with uniforms, identification badges and working clothes; Recreation areas have been set up for employees (with a restroom, shower, kitchens, cloakrooms); Compensation of expenses on glasses (contact lenses), once per year.
- Physical conditions are good, a guidebook has been published;
- Motivation is important;
- Cabins are narrow, a claustrophobic feeling can arise. The cabins have to be improved, this could be solved by social dialogue;
- There is a shortage of all kinds of employees what has an effect on the remaining employees (work intensification).

- Training courses, IT specialists, technicians, employees do not expect extraordinary things but self-fulfilment and joy at work, the basics have to be provided and enough remuneration to have a family
- In the past in Poland women were not allowed to drive a bus. People in the authorities decide on conditions who have never driven a bus and do not know the situation. The owners and the organisers of transport have the say
- Being a bus driver is not a respected profession in Poland. For people who cannot afford a car it is a shame to use public transport
- Training on violence is very general, not specific for bus drivers
- For smaller companies it is difficult to provide the necessary sanitary provisions
- Video surveillance is not popular among bus drivers, but it also can prove that the driver has behaved correctly

#### AREAS OF SOCIAL DIALOGUE: HEALTH AND SAFETY

- According to the collective agreement, in Riga all coach terminal employees are provided with health and accident insurance; Employees are sent for mandatory medical examinations; The safety system of AS 'Rīgas starptautiskā autoosta' undergoes improvements every year (with new smoke detectors, surveillance cameras, euro banknote testing devices); A civil defence plan has been developed, with the 'Civil defence and safety measures at passenger terminals' workshop that was carried out for all the company employees.
- In Lithuania a private company has a small insurance, 1st day of sickness is not paid, 12,000 days of sickness in total. 10 days of sick leave are paid.
- There is a shortage of drivers in Estonia, they leave to other countries. Only 6% of the staff is younger than 35 years, 74% older than 51 years. The companies are not involved in the preparation of tenders. Toilets have to be installed by the cities which the bus operators can use
- In Latvia attacks happen and a training on dealing with passengers and aggressions is offered
- In Lithuania the attitude "The passenger is always right" is popular. There are only obligations for drivers, not for passengers.
- Lack of toilets, rest rooms, kitchens

#### AREAS OF SOCIAL DIALOGUE: TRAINING

- Lessons for parliamentarians and their assistants would help to broaden knowledge on the needs of urban public transport and social dialogue
- A range of training is offered: Eco-driving, customer relation, training on simulators, Tram training, special training for female tram drivers
- Model training programs could help other companies
- Instructors have to have the experience of driving a bus
- Own training division with own instructors
- Directive 2018/645 (amending Directive 2003/59/EC on the initial qualification and periodic training of drivers has to be respected
- Training often takes place outside the working hours
- In Riga a process of continuous training and professional development of employees is maintained (with initial training, on-site training, traditional audience training, exchange of skills, self-teaching, manager training, special subject-related off-site workshops); For example, in 2016, 60 employees were trained in dealing with problem individuals who are in a crisis, or with shooting incidents in public places;
- In 2018, 40 employees of the coach terminal were instructed regarding the major changes in the protection of personal data that took effect with the General Data Protection Regulation; In 2018, 60 employees underwent the 'Achieving energy efficiency at AS "Rīgas starptautiskā autoosta"' training. In 2019, 10 employee completed the 'Actions in the case of potential crises at the Riga International Coach Terminal as a critical infrastructure facility' training.



# Reports from Companies and Trade Unions in the Urban Public Transport Sector in Central and Eastern European Countries

## 9.1 Transport Company of the City of Košice, a.s., Slovak Republic

### THE URBAN PUBLIC TRANSPORT SECTOR

No transport integrator is currently established in Košice or in the Košice region. However, moves are underway to facilitate the coordination of all types of transport and their operators.

The following companies currently operate in the region:

- Košice Transport Company – public transport in the city of Košice
- Eurobus a.s. and SAD Michalovce a.s. – suburban bus service
- Slovak Railway Company and Regiojet a.s. – rail transport

Urban public transport is contracted out and services and timetables are approved by the relevant departments within the Košice local authority. The suburban bus service is contracted out by the Košice Self-Governing Region, rail transport by the Ministry of Transport and Construction of the Slovak Republic.

Urban transport development is controlled by local government. Nowadays, the city of Košice is well placed to develop (and is gradually developing) all modes of transport. Work is focusing especially on the 2030 Transport and Transport Construction Development Strategy in Košice and the Košice Sustainable Mobility Plan.

## EMPLOYERS

Our company provides public transport in the city of Košice (bus, trolleybus and tram transport) and its vehicles travel a total of 14.8m km per year. The aim of the company is to continue to provide the aforementioned transport services and to continually increase their reliability, credibility and security in public transport while making the company more attractive as an employer with a long-term perspective (founded in 1891). Employment levels are decreasing, especially in the areas of service and administration, but the number of drivers is not decreasing – in 2000 the company had over 1,500 employees, in 2010 approx. 1,300. In 2019 we employ a staff of 950.

The main goal of human resources development is to raise job satisfaction by introducing benefits and especially by increasing wages. In 2018 wages rose by around 10%, and for 2019 we are currently talking with trade unions about a wage increase. In the near future it will be important to attract new young employees at the level of secondary education and we are preparing scholarship programmes and support for future employees.

Social dialogue is long-term and running well. Two trade unions operate in the company. We have a collective agreement, provide benefits beyond the Labour Code and ensure collective bargaining with the management and representatives of both trade unions meeting at least four times a year. We consider the level of social dialogue to be good or even above-standard compared to practices in other companies.

The company is operating in a difficult economic situation. Revenues from public transport are sufficient to cover about 50% of the company's costs. As the self-governing city of Košice is 100% shareholder of the company, it covers all losses from our activities, but this is often delayed, which causes cash-flow problems.

The company is not a member of any employer association at EU level. At the level of the Slovak Republic, like all public transport companies in larger cities, we are a member of the Association of Public Transport Operators in Urban Agglomerations in the Slovak Republic. This association operates and holds sessions at least twice a year, in which individual operators coordinate their transport activities as well as social dialogue activities.

## HOW DOES SOCIAL DIALOGUE WORK?

Trilateral talks at national level in Slovakia, negotiations with trade organisations are only bilateral, as follows:

Trade union and "Association of Public Transport Operators in Urban Agglomerations in the Slovak Republic". Based on these negotiations there is a higher-level collective agreement involving public transport operators in the Slovak Republic.

Higher benefits and benefits for employees guaranteed in a higher-level collective agreement are the result of a corporate collective agreement concluded in bilateral talks between employer and trade organisations.

Agreements signed by trade unions (Higher Level Collective Agreement) and also by trade organisations (corporate collective agreement).

Social dialogue is therefore good, given the existence of social agreements at Slovakian and employer levels.

A higher-level collective agreement covers transport companies in Bratislava, Košice, Žilina, Banská Bystrica and Prešov.

Social dialogue is also about payroll, worker safety and other benefits. In addition to raising the basic salary, the main topics of social dialogue are listed below.

### According to the Labour Code

- Overtime pay (higher than set out in the Labour Code)
- Wage allowance for work at night (higher than set out in the Labour Code)
- Wage allowance for work on a weekends (higher than set out in the Labour Code)
- Wage allowance for work on a public holiday (higher than set out in the Labour Code)
- Wage compensation for difficult work (higher than set out in the Labour Code)
- Compensation for on-call time (higher than set out in the Labour Code)

### Beyond the Labour Code

- Wage allowance for the years worked
- Wage allowance for work on an afternoon shift
- Wage allowance for dispositional drivers
- Wage allowance for increased difficulty / articulated bus, tram training
- Wage allowance for work on the New Year's Eve and after 6 pm

- Wage allowance for team management
- Wage due to a split shift
- Wage allowance for representation
- Remuneration for driving a service motor vehicle
- Financial rewards for business anniversaries
- Financial rewards for blood donors
- Wage preference – annual reward
- Extra holidays beyond the Labour Code

From the company's point of view, we intend to continue to pursue intensive social dialogue, which we consider to be a key to a successful company and providing job satisfaction for employees.

At the moment, however, we see no scope for a discussion of new issues. We think that all relevant and feasible improvements have already been agreed, but we are planning to gradually increase existing benefits in the near future.

### EUROPEAN LEVEL

Our company is not involved in any of the activities at European level.

Given the experience and the international meetings organised by you, which we consider to be very important, we are gradually finding that in our European region we have very similar social dialogues, very similar problems and very similar challenges. It is surprising that Western Europe is struggling with problems similar to those experienced in eastern Europe.

We expect ongoing joint meetings to reveal good practice in social dialogue in EU countries. It allows us to compare conditions and realise that we are not alone.

Recommendations have also been made at European level following a meeting organised in Prague in 2018 and also stemming from an awareness of problems in other countries – in particular the knowledge that wage policies cannot be an EU-level priority, as they are highly dependent on economic performance, but that employees, their health and non-professional activities can be safeguarded by a regulation binding on EU countries, especially in the following areas:

Working time of public transport drivers and their minimum rest periods

Recovery holidays beyond normal holidays in individual countries

There are other topics for further discussion, such as improving the driver's working environment – classifying a public transport vehicle as a working environment and at EU level adapting it to the minimum technical parameters of the vehicle (e.g. air conditioning, driver's cab size, driver protection, ergonomics at work). An effort is being made on the part of customers and producers to safeguard these components and there is a long way to go.

## 9.2 Riga International Coach Terminal JSC, Riga, Latvia; scope of operation – Coach Terminal operation (international infrastructure)

Latvian Trade Union of Public Service and Transport Workers LAKRS.

### THE URBAN PUBLIC TRANSPORT SECTOR

Decisions are made by the Ministry of Transport and State Limited Liability Company 'Road Transport Administration'.

### EMPLOYERS

The main goal of the development strategy of the Riga International Coach Terminal JSC is to **ensure the sustainable operation of the Riga International Coach Terminal as one of the main service points in the Baltic states for passenger coach transport.**

Riga International Coach Terminal JSC employs a staff of 60 (Feb. 2019)

Further training for employees and use of information technologies, as a way of promoting high-quality and safe services in line with market demand for domestic and international coach service providers and passengers.

### **RIGA INTERNATIONAL COACH TERMINAL JSC VALUES:**

Professionalism – to help us achieve excellent levels of service and show initiative;

Honesty and ethical conduct – to act in good faith, so that customers and employees can be open, direct and safe;

Fairness – fairness and even-handedness towards all customers and employees; upholding transparency in all our operations;

Teamwork – each employee performs assigned duties, working with others to achieve a common goal;

Fellowship – professional relationship between colleagues and partners.

Three-way social dialogue is well developed in Latvia and is conducted between representatives of the **State**, the **Latvian Free Trade Union Association (LAKRS)** and the **Employers' Confederation of Latvia (LDDK)**.

Social dialogue maintains a balance between the power and influence of the respective social partners.

Professional organisation of the coach terminal in consultation with the Latvian Trade Union of Public Service and Transport Workers (LAKRS) was established on 10 November 1997.

Social dialogue within the company led to the signing of a collective bargaining agreement in 1998, providing employees of the company with a number of additional social guarantees in addition to the statutory guarantees.

The collective bargaining agreement covers wages and working conditions as well as employee involvement in issues relating to the expansion, direction and work of the company.

Riga International Coach Terminal JSC is a member of the LDDK.

In 2018, the Employers' Confederation of Latvia and Riga International Coach Terminal JSC signed a Memorandum of Cooperation, in which the parties agreed to discuss the possibility of entering into a general agreement with employee representatives within the sector and to provide the coach terminal with educational, information and content support during the negotiation process;

In cooperation with experts from the LDDK, Riga International Coach Terminal engaged in social dialogue aiming to protect the interests of the company in particular and the sector as a whole.

### **TRADE UNIONS**

The professional body of the Latvian Trade Union of Public Service and Transport Workers (LAKRS) has 3,200 members; the trade union of Riga International Coach Terminal JSC has 22 members.

LAKRS also cooperates with LBAS, the Latvian Free Trade Union Association. PSI, EFEAT, EPSU, ETF etc. are our international partners. Cooperation with social partners, namely the Passenger Transport Provider Association of Latvia (LPPA), 'Latvijas Auto' Road Hauliers Association, Heating Supplier Association of Latvia, Waste Management Association, Water Supply and Sewerage Association etc.

Riga International Coach Terminal JSC has concluded a collective bargaining agreement, evaluated the working environment and safety risks, benchmarked the duration of work and rest periods and ensured adequate pay.

### **HOW DOES SOCIAL DIALOGUE WORK?**

In the Republic of Latvia social dialogue is governed by a number of legislative acts:

The Constitution of the Republic of Latvia; the Labour Act (2002); the Labour Protection Act (2002); the Law on Trade Unions (2014); the Employers' Organisations and their Associations Act (1999); the Strike Act (1998); the Labour Dispute Act (2002); the State Labour Inspectorate Act (2008).

Tripartite social dialogue is well developed and is conducted between representatives of the state, the Latvian Free Trade Union Association (LAKRS) and the Employers' Confederation of Latvia.

The main emphasis in bipartite social dialogue is on the process itself which, ideally, results in an agreement being concluded (general agreement, collective bargaining agreements) that reconciles the interests of the two parties. Both parties commit to implementing the collective bargaining agreement and accept liability if they fall short in fulfilling their obligations.

In Latvia, bipartite cooperation is best developed at organisational (company) level and is weaker at regional and sectoral level.

#### EUROPEAN LEVEL

Involvement is irregular – more information required on best practice.

## 9.3 OS pracovníků dopravy, silničního hospodářství a autoopravárenství Čech a Morav (OS DOSIA)

### REPORT ON THE ORGANISATION OF SOCIAL DIALOGUE IN THE DOSIA TRADE UNION

Our Union of Transport, Road Economy and Vehicle Repair Workers in Bohemia and Moravia (hereinafter referred to as OS DOSIA), with headquarters in Prague, Czech Republic, unites public transport, road management, road construction, urban roads and vehicle repair employees. Municipalities and their councils decide on the development of contributory organizations and companies in cities, while regional authorities take decisions relating to road management. Urban transport is provided both by joint-stock companies with the full participation of the city and by private companies competing in tenders. In the capital of the Czech Republic, Prague, the municipality plans to develop public transport by expanding and building other underground lines, by expanding suburban bus and train transport and by extending the rail network from the city centre to the airport.

In the Czech Republic, transport workers are grouped into multiple trade unions. Our OS DOSIA trade union unites about 13,000 members of all the aforementioned fields of transport in 135 organisations, all of which are legal entities governed by trade union statutes. The trade union participates in social dialogue and in collective bargaining at the level of higher collective agreements negotiated with employers' unions.

The trade union is involved in the drawing up of a total of four higher-level collective agreements, one covering urban public transport, two covering road transport and one covering road construction. In our view, all of these higher-level collective agreements have a great impact on the development of social

dialogue, on employees' working conditions and on future cooperation with employers' unions and entities in companies and organisations.

The core organisations within our union participate in social dialogue at the level of corporate collective bargaining. The trade union assists them in counselling and direct consultation, helping to improve the working and social conditions of employees.

The main goals and challenges for the future are to raise incomes for permanent staff to levels prevailing in developed Western European countries as quickly as possible. The legal basis for social dialogue is anchored in the Czech legislation. Furthermore, social dialogue is conducted trilaterally at governmental and sectoral level and bilaterally at the level of employers and employee representatives. The trade union actively participates in these negotiations.

The DOSIA trade union is not a member of any European or international organisation. This is due to insufficient funds related to membership fees and contributions. In the last 5 years unemployment has fallen to the current 2.2% in 2018. This situation is caused by a large shortage of staff, mostly in the area of transportation. We expect the European social partners to share information from the areas of social dialogue and labour law, so that we can respond quickly in negotiations within the Czech Republic at all levels.

## 9.4 Estonian Transport and Road Workers Trade Union (ETTA), Tallinn, Estonia, trade union

### THE URBAN PUBLIC TRANSPORT SECTOR

Public transport is contracted out to companies via public procurement (apart from in Tallinn). Decisions regarding public transport are made by the Ministry of Economic Affairs and Communications and the Roads Administration (at state level) and by public transport centres or local government at local level. The Government wants to establish free public bus transport throughout the country (excluding long-distance commercial lines).

### TRADE UNIONS

One trade union operates in the sector and it unites the trade union departments operating at various companies. The trade union has ca. 2,000 members. The Confederation of Estonian Trade Unions and the Estonian Employers' Confederation have entered into an agreement on the good practice of expanding collective agreements. ETTA is a member of the Confederation of Estonian Trade Unions, the European Transport Workers' Federation (ETF), the European Trade Union Confederation (ETUC) and the International Transport Workers' Federation (ITF). ETTA has entered into several collective agreements at company level. Problems are related to low wages and a shortage of workers. Bus drivers tend to be elderly and very few young people choose this pro-

fession. 74% of bus drivers are aged 51+ and 6% are younger than 35. This threatens the sustainability of the sector.

### HOW DOES SOCIAL DIALOGUE WORK?

The legal bases for social dialogue are the Collective Agreements Act and the Trade Unions Act. Bus drivers have entered into collective agreements at company level (with the trade union and the employer as the negotiators) and a sectoral agreement (with ETTA and the Union of Transport Companies). The main topics discussed at company level are working and rest time, wages and working conditions. The main topics at sectoral level are the minimum wage in the sector and working and rest time. The sector agreement covers all companies operating in this sector. Many employers are badly disposed towards primary collective agreements. Low wages are the main problem.

### EUROPEAN LEVEL

A lot of information is lost due to the language barrier (the information received from European level cannot be translated and sent to members due to limited resources, which considerably reduces involvement).

## 9.5 SDPZ sindikat družbe Nomago d.o.o. (Union of Transport and Communications at Nomago d.o.o.)

Road passenger transport

### THE URBAN PUBLIC TRANSPORT SECTOR

Urban public transport of passengers is organized differently in the areas serviced by our company.

In Nova Gorica and Velenje city transport is free, while in Celje there is a nominal fare. The city administration decides how urban transport is to develop in urban areas. With the exception of the cities of Maribor and Ljubljana, city transport is provided by privately owned companies.



### **TRADE UNIONS (TO BE FILLED IN BY TRADE UNION REPRESENTATIVES)**

The trade union representing our company's workers is the Union of Transport and Communications (SDPZ), a nationwide union. Our union is a member of the International Trade Union Organizations (ETUC) within the framework of the Association of Free Trade Unions of Slovenia (ZSSS). SDPZ is applying to become a member of the ETF. In our company there is excellent social dialogue with the employers at all levels. The Union has no professional officials at Nomago. Our SDPZ trade union at Nomago conducts excellent social dialogue with the employer and the works council in the company, which we also helped to elect. Of the 13 members, 9 are members of our trade union. We are currently involved in the process of drawing up rules on health and safety at work.

### **HOW DOES SOCIAL DIALOGUE WORK?**

In our country, Slovenia, the legal basis for social dialogue is bilateral, i. e. it comprises representatives of employers and employees. At national level, social dialogue in Slovenia is conducted within the framework of the ESS (Economic and Social Council) and involves representatives of employers, employees and government. By sectors, however, a bilateral system is applied. In our sector, road passenger transport, dialogue is currently stalled. Since the employers' side did not listen to our requests, we stopped negotiations for a new collective agreement in road passenger transport activities, which is currently also our biggest challenge.

### **EUROPEAN LEVEL**

At European level we have resisted liberalisation of the road passenger transport market and proposed amendments to Regulation 561/06. We expect assistance from the European social partners primarily regarding the training of our officials and our acceptance as full members of the ETF.

## 9.6 National Federation of Transport Trade Unions (KSZOSZ), Hungary

We are a national organisation representing road hauliers, long-distance passenger transport workers and urban transport employees throughout Hungary.

### THE URBAN PUBLIC TRANSPORT SECTOR

Public transport is normally controlled by the relevant municipal authorities – or central government in the case of companies owned by the state.

### TRADE UNIONS (TO BE FILLED IN BY TRADE UNION REPRESENTATIVES)

Countless trade unions operate in Budapest and in companies outside of the capital city. It would therefore require a lot of space to list the trade unions. There are larger trade unions in every town and city and they cover 60–80% of employees in total. Trade union structure is complex in Hungary, but there are trade unions that are national in scope. One of the member organisations within the KSZOSZ covers urban transport at national level. Unfortunately, only the confederate and European trade unions of the KSZOSZ member organisations cover urban transport. Social dialogue takes place at company level, though the opportunities are rather restricted and depend on the approach taken by the owner. There is no social dialogue at branch level.

Main challenges: shortage of labour, working conditions, low wages, health, safety

### HOW DOES SOCIAL DIALOGUE WORK?

There is no social dialogue in Hungary. Discussions only take place at a local level and collective agreements are entered into at the same level. There are only bipartite discussions, and the biggest problem is that different conditions are agreed at different companies. One of the consequences of this is that the conditions of employment vary in the urban transport sector, and there is no guarantee of continued employment and the transfer of workers.

### EUROPEAN LEVEL

Our trade union is affiliated to the ETF.

The viewpoint of the National Federation of Transport Trade Unions (KSZOSZ), and its most significant problems and proposals

The KSZOSZ has set out below the most serious problems regarding domestic legislation that the organisation expects to raise at both domestic and European level.

1. Following the abolition of the institution of early retirement, no new system has been set up to facilitate the retirement or limited employment of workers excluded from the labour market through no fault of their own.  
**Expectations:** Improvement at European level of the institutional system for early retirement, its principles and recommendations built on uniform European patterns.
2. Working conditions differ widely across the EU. Stopping social dumping is a task for every country to resolve. Unfortunately, laws are made in Western countries that negatively affect Hungarian workers. The Mobility Package was taken off the agenda, but its passing could be important for us.  
**Expectations:** Our trade union is interested in a mobility package that is not about exclusion of labour from the (European) labour market but about creating a level playing field.
3. For decades, the enacting of laws for the professionalization of drivers has been an unresolved problem. Workers on the minimum wage by European standards suffer significant disadvantages, including a low retirement pension.  
**Expectations:** Recognition of driving as a profession at both domestic and European levels.

4. Digitalisation is in full swing and labour-market requirements will soon be transformed, something for which society is not prepared.  
**Expectations:** The issue must remain consistently on the agenda in European dialogue, but we should also demand that the new EU Parliament initiate a substantive discussion with the involvement of trade unions and come up with recommendations for a solution by 2021.
5. The shortage of labour is a Europe-wide problem. The crisis has accelerated the spread of digitalisation and, beyond the labour shortage, workers in

existing sectors could lose their jobs. Nobody is prepared for the changes in labour market trends.  
**Expectations:** We demand the creation of a European-level programme of minimum employment, whose goal would be to draw up uniform minimum standards for employment and wages.

6. The drawing up of a uniform legal system for trade unions  
**Expectations:** The ETF should take steps to adapt to European trends the fundamental pillars of a coherent social dialogue that represents the interests of workers and is anchored in legislation.

## 9.7 Company name: UAB “Vilniaus viešasis transportas”, Vilnius, Lithuania.

UAB “Vilniaus viešasis transportas” has a trade union for employees of UAB “Vilniaus viešasis transportas”. Passenger transportation.

### THE URBAN PUBLIC TRANSPORT SECTOR

In Vilnius, public transport is organised through the municipal company “Susisiekimo paslaugos”. It is a company established using the property of Vilnius City Municipality and it is owned by Vilnius City Municipality. Its activities include the organisation of a public transport and ticketing system, administration of local tolls and car parks, and the administration, maintenance and operation of a centralised traffic management system. Vilnius City Municipality Council takes decisions on passenger transportation on local routes and establishes strategic plans in accordance with national law.

In Lithuania, Article 4 of the Law on Competition of the Republic of Lithuania stipulates that the subjects of public administration must ensure fair competition when performing the assigned tasks relating to the regulation of economic activity in the Republic of Lithuania. This obliges municipalities to put all the services provided by them out to tender.

Municipalities are forced to invite tenders for passenger transport services and set out the conditions for the selection of carriers for the transportation of passengers on local regular routes in Vilnius.

Many municipalities are opposed to this obligation, but the Competition Council of the Republic of Lithuania and the Public Procurement Office stipulate tendering processes and take legal measures to oblige municipalities to consider bids from potential contractors.

In Vilnius, passengers are transported by the municipal company UAB “Vilniaus viešasis transportas” (about 86–88 % of routes) and the private carrier UAB “Transrevis” (about 12–14 % of routes).

### TRADE UNIONS (TO BE FILLED IN BY TRADE UNION REPRESENTATIVES)

There are five trade unions operating at UAB “Vilniaus viešasis transportas”. The employees’ trade union of UAB “Vilniaus viešasis transportas” represents 1,202 of the 2,091 employees. Four other trade unions account for another 181 employees. The employees’ trade union of UAB “Vilniaus viešasis transportas” carries out collective bargaining and performs information and consultation functions in the company while representing the rights and interests of the company’s employees.

Article 169 of the Labour Code of the Republic of Lithuania stipulates that the employer must create a works council when the company employs twenty people or more. If there is a trade union operating at the employer level representing more than 1/3 of all employees at the workplace, a works council need not be set up and the trade union acquires all the powers of the works council and performs all the functions assigned to it under the Labour Code. If more than 1/3 of the employees in the workplace are members of the trade unions in the company, the works council functions are carried out by a trade union elected by the trade union members or a representative of the joint trade unions.

The employees' trade union of UAB "Vilniaus viešasis transportas" is a member of the Lithuanian Trade Union Confederation (LPSK), the European Transport Workers' Federation (ETF) and the International Transport Workers' Federation (ITF).

The employees' trade union of UAB "Vilniaus viešasis transportas" engages in social dialogue with the company management when representing the interests of the company's employees. The company's collective agreement provides that the social partners meet on request, at least twice a year, to discuss economic, social and legal issues. Practically every month there are consultations on the various issues that affect the rights and interests of employees.

The main challenges are related to the tenders for passenger transportation in Vilnius published by Vilnius City Municipality. There are no safeguards against social dumping in the conditions of tender for the selection of carriers for the transportation of passengers on local regular routes in the city of Vilnius; this means that private carriers offering a minimum wage and without collective agreements can take part in the tender. We have been observing how undeclared work and unequal competitive conditions are part of the passenger transport sector in Vilnius. This, in turn, puts a lot of pressure on the labour and social standards established in our company, which are significantly higher than those of a private carrier. As a result, the company management does not always implement a collective agreement and this puts a strain on the team and worsens the psychosocial environment in the company.

If the terms of the tender and national law do not establish safeguards against social dumping in the future, we can predict a slowdown in wage growth and a reduction in the social guarantees provided for in the collective agreement. While there is a lack of drivers, this is unlikely to force employers to raise wages, as we monitor employers' major initiatives to recruit drivers from third parties.

## HOW DOES SOCIAL DIALOGUE WORK?

The Law on Trade Unions of the Republic of Lithuania provides that trade unions represent their members (they may also be employee representatives) by entering into collective and other agreements with the employer. They have the right to negotiate and conclude contracts (agreements) with employers, their organisations and associations regulating the employment, retraining, organisation and payment of workers, improvement of working and living conditions and other issues. The employer must deal with labour, economic and social issues in the cases provided for by law, in consultation with the trade union bodies.

The Labour Code of the Republic of Lithuania stipulates that an employer whose average number of employees exceeds twenty, must – at the request of the works council and, in the absence thereof, of a trade union operating at employer level – provide updated, depersonalised information on the average wage of employees other than managerial staff. Information must be broken down according to occupational group and gender and be provided if there are more than two employees in the occupational group.

Article 161 of the Labour Code of the Republic of Lithuania stipulates that the parties to the employment contract and their representatives shall coordinate and pursue their interests using forms of social partnership. The implementation of social partnership must respect the principles of equality, goodwill and respect for the legitimate mutual interests of the parties, the principles of voluntary work and autonomy while accepting the obligations of the parties, actual fulfilment of obligations and other principles established by Labour Law, international treaties of the Republic of Lithuania and human rights standards.

Part III of the Labour Code of the Republic of Lithuania regulates the duties and rights of socially minded countries.

In Lithuania, legislation provides sufficient legal means to represent the interests of employees, but the high level of trade union division, passivity of employees and fear of losing their job, lack of solidarity, low financial capacity and low levels of numeracy suggest that in the near future the sectoral agreement in Lithuania will not be signed or it will be poor in its content and will not bring benefits.

There is no sectoral collective agreement in the urban public transport sector. Collective agreements are formed only at company level. At company level, social dialogue countries are the representatives of employer and employees (labour councils or trade unions).

#### EUROPEAN LEVEL

The employees' trade union of UAB "Vilniaus viešasis transportas" is involved in various formats representing the interests of its members. We expect uniform application of labour and social standards in the urban public transport sector, clear safeguards against possible social dumping across Europe and the development of common policies to protect employees' rights and interests.

## 9.8 Latvian Trade Union of Public Service and Transport Workers LAKRS. Riga, Latvia

Representation of workers' interests.

#### THE URBAN PUBLIC TRANSPORT SECTOR

Public transport in the country (intercity routes, local and regional routes) is organised and tenders are held by the Ministry of Transport and by the State LLC Road Transport Administration. Decisions regarding transport development within the nine largest cities of the country are taken by the respective municipalities, including the City of Riga.

The state-run service providers are public enterprises and private operators are Latvian companies.

Public transport is subsidised from the state budget. Any losses suffered by public transport providers serving intercity, local and regional routes are covered by the state budget; losses on the routes in the nine largest cities in the country are paid out of the municipal budget. Furthermore, all losses arising from fare concessions on all passenger routes are covered by the state budget.

#### EMPLOYERS (TO BE FILLED IN BY COMPANY REPRESENTATIVES)

The LDDK Employers' Association represents public transport bus operators. There are 34 service providers in this segment with a total of approximately 8,800 employees. Employment levels are falling slightly and expected to fall further. Employment of younger people is falling. No general agreement has been concluded with the sector's LAKRS trade union. Member of the Public Transport Sub-council (government – employer – trade union representatives). Member of the Employers' Confederation of Latvia (LDDK). Upcoming challenges and plans for the future concern involvement in the upcoming tender for the new network of routes, which will start to operate in 2021. The tender process will start at the end of the first half of 2019.



### TRADE UNIONS (TO BE FILLED IN BY TRADE UNION REPRESENTATIVES)

In this sector employees are organised within the LAKRS trade union. There are approximately 997 members in the trade union. The trade union represents its members in accordance with the Law on Trade Unions, Labour Act and other legislation. All trade unions are representative are registered in the State Register of Associations and Foundations and comply with national legislation.

A general agreement may only be concluded by a trade union that is a member of the largest trade-union association. In this sector only LAKRS, which is a member of the Latvian Free Trade Union Association, has such rights.

At the moment LAKRS also enters into collective bargaining agreements at company level, although these may also be concluded by an authorised trade-union representative at the company.

LAKRS is affiliated to ETF, ITF, PSI and EPSU.

The trade union is facing the following challenges:

1. Employers' unwillingness to conclude a general agreement with LAKRS.
2. Negotiations with the Ministry of Transport and its executive body regarding inclusion of minimal social guarantees for employees, especially bus drivers, in the documentation relating to the tendering procedure for the network of new routes.
3. Collective bargaining negotiations at work places (low wages, problems with work/rest periods etc.).
4. Limitations on the rights of trade unions to receive appropriate information in the proper form.

### HOW DOES SOCIAL DIALOGUE WORK?

Low membership allows employers to manipulate and misinterpret the course of negotiations and the interests of the employees and in many cases act unlawfully.

### EUROPEAN LEVEL

Although we are members of the ITF and ETF, we have never actively participated in joint actions due to the low operational capacity of the trade union, lack of funding (not enough paid employees), language barrier, etc.

Perhaps some more seminars, even if only in the form of meetings with the public transport sector trade unions from the Baltic States to discuss drafted EU legislation affecting the transport sector. Implementation of existing member-state legislation to minimise the ability of employers to misinterpret legislation vis-à-vis the authorities.

## 9.9 Miejskie Przedsiębiorstwo Komunikacyjne S.A.; Kraków; Poland

### THE URBAN PUBLIC TRANSPORT SECTOR

Public transportation authority contracts out transport services on behalf of the Municipality of Kraków, is the organizer of public transport. There is a public operator (MPK S.A.) and a private operator (Mobilis) in Kraków.

- it negotiates salary increases with the management board
- it is involved in establishing the rules of the company's social fund

The union ensures, on an ongoing basis, that appropriate working conditions apply, the Labour Code is observed, etc.

### TRADE UNIONS

There are six trade unions in MPK S.A. NSZZ Solidarność in MPK SA is a member of nationwide NSZZ Solidarność. The union functioning in MPK SA currently numbers 620 people. It is a representative union – for this to be the case, the number of members in relation to employees must be at least 8%.

The union is involved in social dialogue at company level:

- it negotiates the collective agreement and possible changes
- it discusses work regulations

### HOW DOES SOCIAL DIALOGUE WORK?

Trade union operations are regulated by the Trade Union Act. There is bipartite dialogue at company level – between management board and trade unions.

In MPK SA in Kraków there is a corporate collective labour agreement in place and it is on this basis that discussions on employee matters are conducted.

Five trade unions operating within MPK SA are party to the collective labour agreement.

## 9.10 Free Trade Union in the Underground, Bucharest, Romania

Field of activity – Public transport of passengers

### THE URBAN PUBLIC TRANSPORT SECTOR.

#### How is urban public transport organised in your city or country?

In Bucharest the public transport network consists of an underground system plus three other methods

of surface transportation: trams, buses and electric buses. Although there are many points of overlap, the underground and surface-transport systems are managed by different organisations, namely **Metrorex** and **STB**, and they use separate ticketing systems; most of the time transfer between them is difficult. For a period, there were joint tickets for both systems.

At present, however, integration between underground and surface transport is lower than desired. The underground-transport network in Bucharest is managed by Metrorex and is the most popular public transport system in Romania (over 700,000 passengers daily).

### Who decides on how public transport is to develop in cities?

Local councils, county councils, as well as the General Council of Bucharest Municipality are obligated to provide, organise, regulate, coordinate and verify the provision of public transport services within their administrative and territorial area, and also to establish public transport companies if such companies do not exist. Local public administration authorities are obligated to establish and implement a medium and long term strategy for the expansion, development and modernisation of local public transport services, taking into account urban planning and landscaping, programs of economic and social development of cities as well as requests for local public transport, their evolution, and also the use of transport means with low energy consumption and minimum emissions of pollutants, according to laws in force.

METROREX S.A. in Bucharest is a trading company with mostly state-owned capital operating under the authority of the Ministry of Transport. The company provides public transport by underground in Bucharest on a contractual basis. As the cost of tickets and other revenues do not cover costs, the company is subsidised by the Romanian state.

### What are the plans for the future regarding public transport in your city?

Metrorex manages a network of almost 70 kilometres of underground rail and operates 54 trains linking 53 underground stations, with a distance of 1.5–1.7 kilometres between stations. The company's development strategy for 2007–2030 is to invest approx. 6.5 bn euros in extending the underground network to 150 kilometres.

In order to increase the attractiveness of public transport services and thus reduce the use of cars, cities as well as public transport companies must be motivated to provide good quality services in the public transport system. To achieve this the state aims to:

- expand and simplify the public transport network,
- modernise the infrastructure (especially at inter-modal exchange points) and increase levels of comfort for the entire journey,
- increase the level of accessibility for all people, especially those with special needs,
- improve safety and security in stations and vehicles for passengers and drivers and reduce vandalism.

### Who are the operators? Are they public or private?

Operators are both public and private.

## TRADE UNIONS

At "METROREX" S.A. there is just one trade union that organises workers: UNITATEA – SINDICATUL LIBER DIN METROU [UNIT – FREE TRADE UNION IN THE UNDERGROUND] and it operates at company level. Membership: 4,450 (98% of total employees).

The rules governing representation by a trade union provide a legal framework pursuant to Law 62/2011 (law on social dialogue).

A trade union must fulfil certain conditions before it can take part in negotiating collective labour contracts at different levels. It must represent its members at the level at which it wants to negotiate.

The following terms apply:

- A)** The union must have the legal status of a trade union;
- B)** The union must have organisational and patrimonial independence;
- C)** The number of union members must be at least 50% + 1 of the number of employees in a unit.

At a national level UNITATEA – SINDICATUL LIBER DIN METROU [UNIT – FREE TRADE UNION IN THE UNDERGROUND] is a member of the Federation of Transport, Translocation and Public Services Trade Unions (ATU – ROMANIA) and also of CNSTR (Convention of National Trade Unions of Transport Workers of Romania). At European level it is a member of ETF and at international level of ITF.

## HOW DOES SOCIAL DIALOGUE WORK?

The legal basis for social dialogue in Romania is:

**A)** Romanian Constitution

The Constitution regulates the activity of trade unions in terms of general principles, setting forth in Art. 9 that "Trade unions are constituted and perform their activity based on their by-laws, and in accordance with the law. They contribute to defending professional, economic and social rights and interests of employees".

**B)** Law no. 62/2011 (Law on Social Dialogue)

**C)** Law no. 53/2003 (Labour Code)

Depending on the stage reached after conducting negotiations, social dialogue may be bilateral or trilateral. The collective labour conflict may be triggered if the employer or employers' association does not respond to the claims made or if the response does not satisfy the trade unions / employees' representatives. During the term of a contract or collective labour contract, employees cannot initiate a collective labour conflict. Collective labour conflicts are initiated only after registration. At the unit level, and for the purpose of reconciliation, the representative trade union or employees' representative notifies the employer of the initiation of the collective labour conflict and notifies, in writing, the territorial labour inspectorate in the county where the employees who started the conflict work.

The issues addressed may be those covered by the collective labour contract, if it is about negotiation, or how to improve working conditions if it is about meetings of the Commissions for Health and Safety at Work.

There have always been conflicts between trade unions and companies, but the biggest challenge is the lack of involvement of company managers in solving issues reported by trade unions. We are usually faced with indifference and lack of sincerity regarding the employees' problems; countless times we have knocked on closed doors and no one has answered.

If social dialogue is to yield good results, the law needs to take account of workers' needs as well. Company management should also be more flexible and pay more attention to problems that have been reported by the commissions of trade unions.

Failures of social dialogue were due to various forms of intimidation by company bosses and ministers, who usually have no proper knowledge or training in the fields in which they work. There have been times when a strike, despite being called off, was declared to be ILLEGAL.

If these problems are to be solved, the political class must move quickly to support and appoint people who have the proper professional training, people in leadership positions who are experts in the fields of activity of the companies they manage.

From a legislative point of view, we have very limited scope to assert our rights through demonstrations in the street. There are many obstacles to obtaining a demonstration permit.

## EUROPEAN LEVEL

Last year, for the first time in ETF history, the Executive Committee of the European Transport Workers' Federation held an event outside the European capital, with Bucharest chosen as the location.

Events were organised at the Palace of Parliament, in the Nicolae Bălcescu Hall.

On the agenda were current problems within the transport sector (maritime, road, naval, rail, air) such as: social dumping, Fair Transport Campaign 2.0 for transport workers, safety in the workplace, amendments to European legislation in this field.

Romania has no social dialogue. This was the conclusion of the European transport authorities after the Romanian trade unions highlighted the issues that employees in this field had to deal with. The strike by underground rail workers, for example, that was cancelled before it began, took the members of the European Commission by surprise. They said that they would intervene at the executive level to ensure that social dialogue was conducted in accordance with the law.

**Chairman of ATU – Romania, Mr Ion Rădoi, member of the Director Committee and Executive Committee of ETF:**

“We’ve raised the issue of social legislation and Labour Code, namely that there is no collective labour contract at the national level. The European Commissioner promised us that he would intervene and that he knew that social legislation and social dialogue in general did not work properly Romania.”

**Eduardo Chagas, General Secretary of ETF (European Transport Workers’ Federation):**

“We were very surprised by the decision to declare the general strike illegal even before it was initiated. This is contrary to what happens at European level. A strike is the last resort, but until then there

must be social dialogue and we understand that this does not happen at the underground rail company in Bucharest. European leaders are drawing attention to the fact that if social dialogue does not work, the economy of Romania is at risk of collapsing.”

**Frank Moreels, chairman of ETF:**

“A lot of transport workers work in Western Europe, but they are not paid, they do not have the salary that they should receive and, in addition, they work in very bad conditions.”

**What are your recommendations and expectations at European level?**

A law regulating salaries at European level to minimise social dumping.

## 9.11 Independent trade union of employees in road and city traffic of Serbia

“Samostalni sindikat zaposlenih u drumskom i gradskom saobraćaju Srbije” (the only representative trade union in the road and city traffic of Serbia, established under Resolution No. 110-00-1472/2009-02 of 25.12.2009)

“Samostalni sindikat JGSP “Novi Sad”, Novi Sad, Serbia (Independent union of JGSP/the Public City Transport Enterprise/ “Novi Sad”)

### THE URBAN PUBLIC TRANSPORT SECTOR

Public transportation in Novi Sad is organized in accordance with the “Resolution on Passenger Transport in the City of Novi Sad” and following an act passed by the City Assembly. Plans for public transport are that it should be modern, functional and in line with European directives and guidelines, especially with regard to environmental standards, which stipulate the use of engines that are cleaner than standard diesel engines. Scheduled public transport services (urban and suburban) are entrusted to the Public City Transport Enterprise JGSP “Novi Sad”.

### EMPLOYERS

The Public City Transport Enterprise “Novi Sad” was founded as a public company by a Resolution of the Assembly of the City of Novi Sad. Public traffic across the wider catchment area of the City of Novi Sad is organized into three categories/zones: urban, suburban and intercity.

It includes:

- the City of Novi Sad (Novi Sad and Petrovaradin municipalities)
- municipalities immediately bordering the city area (Beočin, Sremski Karlovci, Temerin)
- parts of the municipality of Žabalj.

JGSP "Novi Sad" is a company with a series of long-term commitments focusing on daily improvements in the quality of urban, suburban and intercity passenger transportation. This means improving service regularity, passenger information systems, conduct of crews and passenger-control personnel, appearance and condition of vehicles, cleanliness of vehicles and timetables to meet the needs of customers. The goal is to achieve a high level of quality, which would come to be associated with the company and serve as an example for all firms operating in the same business, both at home and abroad.

The NUMBER OF EMPLOYEES decreased over the period from 2016 to 2017, increasing in 2018 and 2019 to a current staff of 1,295. This was due to bus drivers leaving the company and increased sick leaves.

MARKET ANALYSIS shows that the market of JGSP "Novi Sad", Novi Sad, is limited to the territory of the City of Novi Sad and that it is the only urban transport operator, while in the suburban zone there are other operators on certain lines, hence there is competition. A grey economy operates in city and suburban transport, that is, taxi drivers operate illegal liner transportation in the city and in the suburban areas. This has an adverse impact on the Company's revenues. In addition to passenger transport in the City of Novi Sad, passenger transport is also provided for municipalities: Sremski Karlovci, Beočin, Temerin and part of Žabljak. The Company generates all its income on the domestic market.

### **TRADE UNIONS**

The Public City Transport Enterprise "Novi Sad" is organized in three trade unions, and the Republic Autonomous Union of Road and City Transport Workers of Serbia is also active. The independent trade union organization JGSP "Novi Sad" has 300 members. In order for the union to be representative, it must have 15% of the total number of employees. Our company has three representative trade unions, the Independent trade union organization of transport and connections JGSP "Novi Sad", the trade union branch of "Nezavisnost" and the communal trade union 1911 JGSP "Novi Sad". The independent trade union organization JGSP "Novi Sad" is not a member of any international workers' organization.

The Union of Road Transport is a member of the ETF. Our union is in a partnership relation with the employer in terms of workers' pay and working conditions. The current challenges are the negotiations at the level of the Social and Economic Council in Novi Sad and the City Administration.

### **HOW DOES SOCIAL DIALOGUE WORK?**

In our company, social dialogue is trilateral. The parties involved are the City Administration (founder), the employer and trade unions. All three parties are involved in the dialogue. Social dialogue is being conducted in the Economic and Social Council of the CITY of Novi Sad, where all three parties are involved. The dialogue is aimed at improving working conditions, employees' earnings, quality of services and traffic safety. There is a collective agreement, at the level of the Republic, the City and with the employer. A special collective agreement has been entered into with the employer. Our company is covered by that agreement. All three representative unions sign the collective agreement. In our country, we aim to increase salaries, shorten working hours, improve working conditions, increase traffic safety, ... etc.

### **EUROPEAN LEVEL**

At the moment, we are not involved in any significant joint activities at European level, except for the negotiations – being conducted by the City – on the procurement of buses in cooperation with the European Bank for Reconstruction and Development. In past years our company was involved in projects such as "Unitrans Model", "Mobi Wallet" and the like. Expectations are that knowledge in the field of urban public transport will increase, companies will share their experience and learn from others' experience and guidelines will be drawn up to improve systemic procedures.



# Annexes

## 10.1 Joint recommendations

### Insecurity and Feeling of Insecurity in Local Public Transport (2003)

The working party Local Public Transport of the European Sectoral Social Dialogue Committee for Road Transport concluded joint recommendations on

#### INSECURITY AND FEELING OF INSECURITY IN LOCAL PUBLIC TRANSPORT

The recommendations of the European social partners to the representatives of managements and of trade unions in local public transport companies in the European Union have been published in 2003. They were signed by the Chairman of the European Union Committee of International Union of Public Transport (UITP), the Passenger Transport Liaison Committee of the International Road Union (IRU), the European Transport Workers' Federation (ETF). The recommendations were supported by the European Centre of Enterprises with Public Participation and of Enterprises of General Economic Interest (CEEP) and the Community of European Railways (CER).

At the moment the social partners revise the joint recommendations on insecurity and the feeling of insecurity. When the joint recommendations have been signed they will be published and sent to the members of the social partners. The link to the joint recommendations from 2003 can be found on the ETF website

<https://www.etf-europe.org/wp-content/uploads/2018/09/Recommendations-on-Insecurity-in-Urban-Public-Transport-EN.pdf>

and the UITP website

<https://www.uitp.org/sites/default/files/25-en.pdf>.

## JOINT RECOMMENDATIONS: STRENGTHENING WOMEN EMPLOYMENT IN URBAN PUBLIC SECTOR

This version constitutes the sole authentic text

### INTRODUCTION

The European social partners in the urban public transport sector (UPT), UITP and ETF agree that strengthening women employment in their sector is to the benefit of the whole sector, the companies and their employees.

- More women means more talents integrated in the company, a broader view on innovation, more additional and complementary skills like people orientation or communicative skills of women;
- More women working in typical male dominated sectors usually improves the working conditions for all: it contributes to a better work environment and sense of respect and thus an improvement of the attractiveness of the job;
- The demographic change creates problem for companies and they cannot afford to do without women;
- And last but not least it is a matter of equal opportunities: more women in public transport contribute to enhance the image of the public transport companies and the sector.

It is the interest of both, the companies and the workers to attract more women to and retain them in the sector.

### GENERAL OUTCOME OF THE UITP/ ETF WISE PROJECT

In 2011/2012 the European social partners in the local public transport sector carried out joint project called WISE – Women Employment in the Urban Public Transport Sector.

- The proportion of women employed in the urban public transport is relatively low since it is only 17,5% in average of the analysed companies (ranging between 5% and 30% in individual companies).
- The “male domination” is evident for two employment categories: in top leadership positions and in the “technical professions”; less than 10% of the drivers are women (a bit more in Eastern Europe than in Western Europe) and less than 6% of the employees in other technical functions are women (Western Europe) or 11,1% (Eastern Europe);
- In two employment categories women are more or less equally represented or even overrepresented:
  - in the administrative professions (business administration, human resources, marketing or communication) which can offer good jobs and career opportunities for women in the sector;
  - in “low skilled professions” (ticket office/ cashier, cleaning service, gate staff...) which are potentially precarious jobs, jobs that are either disappearing due to technological developments or being outsourced.
- Public transport is a sector that is largely dominated by a male working culture since the technical or operational professions constitute the biggest employment category in public transport companies.

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16 So-called in the document below as UPT (Urban Public Transport) social partners.

The WISE project tried to identify the main barriers for women to access the urban public transport sector and to stay in the sector. Basically women have to cope with three groups of obstacles/barriers:

1. “Contextual barriers” related to the specific forms of work involved on the ground. The specificities of the production and of the work organization in urban public transport seem to constitute a bigger barrier for women than for men: (rolling) shift work, early morning/late night working hours, weekend work; lack of consideration of work-life-balance or reconciliation of work and private life requirements.
2. “Barriers of inadvertence” or lack of attention related to shortages of equipment and, more generally, related to the absence of policy adjustments to business and to the working reality of women. That means specifically a lack of facilities and hygienic requirements in maintenance workshops and depots and a lack of toilets along and at the end of lines which is often under the responsibilities of the municipalities as owner of land. Those elements would improve working conditions also for men.
3. “Barriers of discrimination”, which seems to be persistent, despite changes in legislation and social mores. Discrimination is usually based on stereotypes concerning the “natural state” of women and the difference between men and women. These stereotypes are often rooted in mentalities of both, men and women and are considered as norms that contribute towards social discrimination. That means specifically a lack of recognition and support of co-workers and supervisors, situation of being the single woman in a workshop up to open and direct gender discrimination (e.g. verbal disrespect and discrimination).

Additionally the increasing phenomena of verbal and physical violence by third parties in urban public transport damages the image of the sector as an employer in particular for women.

## JOINT RECOMMENDATIONS OF THE SOCIAL PARTNERS TO PROMOTE WOMEN EMPLOYMENT IN THE URBAN PUBLIC TRANSPORT SECTOR

Based on the EU legal framework on equal opportunities and based on the Europe 2020 employment strategy including an increase of the employment rate of population aged 20–64 years from 69% achieved in 2009 to 75% in 2020 with greater involvement of women, **the share of female employees in European urban transport companies should increase from the current average value of 17.5% to at least 25% until year 2020 with the objective to reach at least 40% in 2035. The UPT social partners share the opinion that the necessary renewal due to the demographic changes should foster the increase of the share of women in UPT.**

A better representation and integration of women in the urban public transport sector and its companies requires a bundle of activities and measures as expressed in the paragraphs below in order to attract women to the sector and its professions and to retain them.

The necessary measures and activities for attaining this objective are not only to the benefit of female employees. According to the notion of gender equality both, women and men can profit from these activities.

## RECRUITMENT POLICY

Companies need a recruitment policy that directly addresses women and welcomes them to the company. The presentation of the different professions and in particular the technical professions and the career opportunities has to include women and their needs.

It is necessary to review and to elaborate jointly with the trade unions and workers’ representatives the recruitment procedures and the selection criteria in order to value a broad variety of skills and competences, to ensure equal access to all professions and hierarchical levels and to ensure that within the process women are encouraged and not discouraged.

## **QUALIFICATION, TRAINING AND CAREER OPPORTUNITIES**

A qualified professional education is the foundation for required competencies and good work performance. As professional initial training and vocational training are the foundation for the employees' career planning and career development.

More young women need to be recruited for a professional education and companies should develop corresponding offers, especially in the technical professions.

The sector's vocational training includes manifold approaches and offers for different target groups. The proclaimed objective is to make sure that female employees have equal access to internal and external vocational trainings. Training content, training methods and the timing of training courses shall take into consideration specific requirements in order to encourage women.

Companies should be fully aware that corporate possibilities of life-long learning are an important factor for binding women employees (but also men) to the companies of this sector.

The UPT social partners appeal to the companies' responsible persons, decision-makers and executives to invest more in policies and their implementation towards the development of women careers in all fields, management and operations within companies (i.e. time and financial means). In order to avoid the so called "glass ceiling effect" a decisive corporate policy in favour of women integration in the company and a top-down approach based on a variety of instruments is highly recommended.

Such vocational training and career development policies shall be agreed in the process of social dialogue and developed in cooperation with the trade unions and workers' representatives.

## **WORK-LIFE BALANCE/RECONCILIATION WORK AND SOCIAL LIFE**

Urban public transport companies need a policy on the organization of working time that allows all employees a better reconciliation of work and social/family life. Such an active policy does not only attract and retain women to the urban transport sector but also young workers.

In particular in urban public transport companies, in which shift work is indispensable in order to meet the mobility requirements of European citizen, such a policy should include more flexible and individual components and variations, which is not yet the case today.

The possibilities of part-time work for all groups of employees, when wished for, also in a temporary base, taking into consideration different life-phases with different needs for child or elderly care, can be an instrument for realizing working time flexibility according to the needs of the employees.

Reconciliation policies have to be developed in cooperation with the trade unions and workers' representatives and include instruments that allow integrating individual wishes and needs.

We recommend to urban public transport companies to offer or to help with finding child care possibilities for female and male employees.

## **HEALTH AND SAFETY WORK**

In order to integrate more women in particular in the operational and technical professions, occupational health and safety, workplace ergonomics as well as workplace security need to be adapted. This includes for example the design of the drivers' work place or investment in tools for maintenance workshops that facilitate physically heavy work.

The UPT social partners point out the importance of social facilities for employees in urban public transport companies and for the realization of a gender-oriented corporate culture. Consequently, companies have to provide for example working clothes for women and men, a sufficient number of clean toilets, modern and pleasing break rooms and canteens, appropriate (separate) dressing rooms. For toilets along and at the end of the lines, solutions should be found with the municipalities as owner of the land.

For protecting employees in driving operation and other customer-related professions from violence cases of third parties, companies need to create further appropriate measures. This and the constant development and realization of these measures will be a major challenge in future years.

UITP and ETF underline that all employees benefit from such measures.

## **EQUALITY IN WAGES**

Urban public transport companies should assure the principle of wage equality, analyse within the company the extent of a “gender pay gap” and develop policies to eliminate it.

Although in the public transport sector the principle “same wage for same work” is valid in the several tariff payment groups for the different professions negotiated through collective bargaining agreements, wage discrimination usually occurs in subtle ways e.g. through the evaluation of different skills. In particular at management level wage differentiation is quite common.

## **WORKING CULTURES AND GENDER STEREOTYPES**

The corporate culture of companies is a major issue for their attractiveness. Sectors and companies, in which the majority of employees are male, tend to gradually create a typical “male working culture”. This also applies to the sector of public transport companies. This “male working culture” with all their implications like gender stereotypes (e.g. “technique is nothing for women”) or sexual harassment still is a considerable barrier on the way to increase this sector’s attractiveness for women and their employment share. Moreover, changing an established culture is hard work and requires a lot of all management levels, from top level to line/team managers but as well all employees for this work.

Gender stereotypes are the most persisting barriers to create a women friendly work culture, also in day to day working life. Stereotypes are based on misconceptions about natural differences between men and women. The natural differences are changed through the stereotypes in cultural and social differences as justifications of discrimination’s facts but hiding these discrimination’s facts behind references to the nature. Such vicious circle from the nature to the culture and from the culture to the nature can be fought by:

- The recognition and denunciation of the discriminatory action of the stereotype;
- The lack of reality of the natural differences in working relations as social relations;

- References to cons-examples, issued from the working and social relations, on the facts describe by the stereotype in order to keep the stereotype in the cultural field and not the natural one.
- Specific training for all management levels including team managers in order to be sensitized, being able to identify stereotype behaviour and to introduce counter measures.

## **CORPORATE POLICY**

Attracting more women to urban public transport companies and gaining the image of a women friendly company is possible only when the top management itself is convinced.

The European social partners recommend a top down approach in which the top management sets clear targets for women employment and career development in different areas and develops instruments to realize those targets. Preferable are measurable targets with clear time objectives that are regularly monitored and published. These targets should become part of the company’s strategic targets. This corporate policy should be guided by the principle of equal opportunities and “gender mainstreaming”. A top-down approach is necessary because the middle and low management has to realize those targets what is not possible when it is not convinced (see work culture and gender stereotypes).

## **FOLLOW UP**

The European UPT social partners will promote these joint recommendations and commit to monitor their implementation on a regular basis.

UITP and ETF will use the results of the WISE project, in order to initiate a broader and more intense discourse between the European transport companies, their associations and trade unions. The objective is to commonly discuss and to validate the proposed measures as well as to define further fields of activity, which help to further increase the share of female employees.

Three years after signature the European UPT social partners will organize a follow-up project to evaluate the progress of the implementation of these recommendations and to strengthen them if necessary.

**Signed in Brussels on the 8th of April 2014.**

## 10.2 Joint statements

### The Implication, Application and Further Development of Directive 2003/59/EC on Initial Qualification and Continuous Training of Professional Bus Drivers in Urban Public Transport (2014)

#### INTRODUCTION

In 2010 European social partners in the urban transport sector (UPT) UITP and ETF carried out a joint project and conference on the application, implication and evaluation of the Directive 2003/59/EC. The UPT social partners highly welcomed the directive as it provides an opportunity for up-skilling the drivers' profession and thus its attractiveness. It further contributes to an improvement of health and safety of professional drivers and an improvement of the performance of the companies regarding the reduction of environmental pollution, the reduction of accidents and other benefits related to improving the quality of service and the professionalism of the drivers.

UITP and ETF are of the opinion that the directive has a positive impact on the concept of quality of services and quality of work, which is important in urban public transport. Additionally, they stated during their joint project an impact on the development of training systems and on the organisation of the labour market. Depending on the situation in the different Member States this impact is not just superficial.

#### IMPACT ON SOCIAL DIALOGUE

The European social partners in the urban public transport sector are of the opinion that the Directive 2003/59/EC can and shall improve the social dialogue at company level. To this end the European UPT social partners recommend that the points listed below are subject of exchange between social partners at national and / or local level so that a common understanding of the effects of the directive can be established and – based on this common understanding – improvements in initial and periodic training can be offered, while complying with the rights of the employers' and workers' representatives:

The terms and conditions of recruitment and working condition shall attract, retain and motivate the workers. In this framework the driver's training has to be considered as an essential tool for improving the loyalty of the drivers;

- Workers shall be given a chance to upgrade and/or diversify skill levels and qualifications;
- Their professional mobility shall be facilitated and their career prospective enhanced;
- The impact of investment in training and return on investment, financing of training and the quality of training shall be subject of social dialogue.

#### INVESTMENT AND RETURN ON INVESTMENT

The social partners UITP and ETF are of the opinion that training according to Directive's requirements must be recognized as an investment and not at a cost. Social partners at national, regional and company level should be aware about the potential financial advantages of initial and continuous training and its high return on investment:

- A reduction in fuel consumption;
- A reduction of vehicle maintenance costs; A reduction of the number of road accidents/casualties;
- Potentially lower insurance premiums;
- An improvement in the quality of the drivers' working environment; thus improved occupational health and safety and less absenteeism;
- Passengers being offered a better standard of service.

## **FINANCING OF INITIAL AND CONTINUOUS TRAINING**

The European social partners in the urban public transport sector, UITP and ETF had noted during their project that there is no coherent situation about financing the initial and continuous vocational training in the Member States.

The social partners in the urban public transport recommend an annual cost / benefit assessment by the social partners at sector and company level. Such assessment is particularly necessary in order to avoid that the companies who finance the initial and continuous training for their drivers are experiencing distorted competitiveness compared to those who do not fund initial and continuous training. The social partners are of the opinion that the general investment in initial and continuous training has to be borne by the employers.

There should be also a dialogue with national, regional and local authorities and management in order to develop schemes of public financing or co-financing considering the effects for local and regional employment. The UPT social partners wish to underline the societal responsibility for professional training and lifelong learning that should be supported through public funds.

The social partners in the urban public transport sector are invited to jointly find agreements in order to avoid self-financing the initial or continuous training by the concerned drivers. The social partners call the European Union, the national and local authorities and the employers to find the necessary financial resources.

## **QUALITY OF THE TRAINING AND EXAMINATIONS, TRAINING CENTERS AND TRAINERS**

The UTP social partners regret that, although the Commission addresses the differences in training and the requirements on trainers and training centers as a main finding within its report on the implementation of Directive 20003/59/EC COM(2012)385), it does not draw conclusions for further action on this matter. UITP and ETF ask the Commission to undertake in consultation with the social partners an objective assessment done by an independent body on how the objectives of the directive are fulfilled. The social partners agreed on the importance of the following criteria:

- Harmonized initial vocational qualification model-training and test in all Member States in order to avoid discrepancies of levels in competencies and to guarantee a harmonized minimum and mandatory curriculum for all Member States;
- Harmonize quality criteria for training centers and the training of trainers;
- Harmonize quality criteria for examinations;
- Harmonize conditions for accreditation of training centers and trainers;
- Centers' specifications (vehicles in use in the centers, educational material available therein, training for instructors, etc);
- Findings that have emerged from supervising training centers, etc.

These above-mentioned criteria are a pre-condition for effective mutual recognition of initial and vocational training.

Also at national level social partners shall be entitled to be consulted and make recommendations.

## SUMMARY ADDRESSED TO THE EUROPEAN COMMISSION

The UPT social partners are of the opinion that future Commission actions shall take into account, after the assessment as described above:

- The quality of training through criteria for the accreditation of training centers and training of trainers;
- The quality of examinations;
- The financing of the required initial and continuous training with the objective to avoid that workers finance their professional initial and continuous training by themselves;
- Measure for the control and enforcement of the Directive's training and continuous training requirements.

Final statement: Due, as said above, to the positive effects of initial and continuous training of the professional drivers in urban public transport as:

- Improvement of the performance of the companies regarding the reduction of environmental pollution, the reduction of accidents and other benefits related to improving the quality of service and the professionalism of the drivers;
- Improvement of health and safety of professional drivers due to the implementation of the directive.

The UTP social partners UITP and ETF are of the opinion that competent authorities shall express training requirements in tender specifications in order to positively recognize the training efforts of companies when selecting the operator.

**Signed in Brussels on the 8th of April 2014.**

Social partners in the local public transport sector UITP and ETF<sup>17</sup>

## Towards sustainable urban mobility Joint UITP/ETF Statement

### TOWARDS SUSTAINABLE URBAN MOBILITY (2016)

UITP and ETF welcome the Own Initiative Report of the European Parliament on Sustainable Urban Mobility and encourage the Commission to take this opportunity to strongly promote and support action at local level in this area with a European added value.

Taking into account the growing proportion of Europe's population living in cities, the ambitious European Union targets in terms of climate change, economic growth and job creation can only be achieved by action in urban areas.

From the experience of the European Social Partners UITP and ETF, the challenges faced by cities are similar across Europe: poor air quality, ageing population, physical inactivity (obesity, cardio-vascular disease), noise, congestion, social exclusion, a lack of funds for investment, etc.

Although the policy responses in local areas will be different for historical, cultural and topographic reasons among others, a wider use of public transport can help tackle many of these challenges at once.

Without ignoring the principle of subsidiarity, the UITP and ETF believe that through relevant and coordinated initiatives at European level, sustainable urban mobility, in particular the use of urban public transport should be promoted.

<sup>17</sup> So-called in the document below as UPT (Urban Public Transport) social partners.

## ROLE OF CITIES IN THE ECONOMY AND SOCIETY

Cities are the powerhouses of the European Union. Around 80 % of the European population lives in urban areas where more than 80 % of the European GDP is generated. The needed wealth creation in European countries leading to more and better jobs therefore largely depends on the economic health and the attractiveness of European cities.

The most commonly identified drivers of the competitiveness of cities include: economic strength, human capital, physical capital, global appeal, quality of life, institutional effectiveness, and financial maturity<sup>18</sup>. Evidence collected from studies in various countries shows that most of these factors are strongly supported by public transport.

As an example, in the field of human capital, the public transport sector contributes to the drivers of the attractiveness of cities by:

- Attracting talent – A majority of senior executives from leading European companies say that the quality of transport links is one of the most important factors for considering business location in Europe<sup>[i]</sup><sup>19</sup>. The quality of urban mobility and the urban environment also help attracting young talent.
- Building skills – Improved public transport increases the mobility of the labour force giving access to a larger variety of job and learning opportunities. This enables more rapid build-up of skills and knowledge than would otherwise have occurred. The appraisal of the Melbourne Metro project showed that it would not only support the overall development of human capital in Melbourne, but it would also help address significant imbalances between different parts of the city, contributing to improved equality within the area<sup>[ii]</sup><sup>20</sup>. A good connection between cities and their surroundings is therefore an essential element.

- Job opportunities in public transport – Public transport organizations provide diverse and qualified jobs for urban dwellers. In many cities the local public transport operator is one of the largest employers (e.g. Amsterdam, Barcelona, Paris). Public transport organisations also help support jobs in other regions through their supply chain.

However, urban mobility is being increasingly challenged by traffic congestion and the attributable costs were estimated as 0,66 % of EU GDP if nothing is done. Increased traffic and urban congestion go hand in hand with more accidents, as well as air and noise pollution. 40 % of fatal accidents take place in urban areas<sup>21</sup> and usually involves a car. Urban transport accounts for 40 % of road-based CO<sub>2</sub> emissions and up to 70 % of other pollutants. In urban areas where problems of congestion, pollution, noise and risk of accidents are increasing, the inhabitants, road users but as well public transport employees are all exposed to higher risks including stress, respiratory and cardiovascular diseases and personal security hazards. While cities should retain the flexibility to choose the best measures and policy instruments to suit their particular needs, the European institutions can play an important role by producing guidance and promoting best practice.

Sustainable urban transport therefore represents an important lever for growth, innovation, employment, inclusion and sustainable development of cities. There is a robust argument to be made in favour of placing a strong emphasis on the development of urban infrastructures, in particular urban transport infrastructures within the EU Package for Jobs, Growth and Investment. We also believe that well-integrated mobility in urban areas, linking long-distance transport with urban modes (development of urban nodes) will help improve the competitiveness and attractiveness of cities by ensuring the missing link of the first and the last miles of every journey.

18 Economist Intelligence Unit, Hot Spots: Benchmarking Global City Competitiveness, 2013; Robert J. Rogerson, Quality of life and City Competitiveness, 1999

19 Tim Moonen et al, The Business of Cities, 2013

20 Public Transport Victoria, Agglomeration Benefits of Melbourne Metro, 2012

21 Road Safety Vademecum – Road safety trends, statistics and challenges in the EU 2010–2013, March 2014

## MODAL SHIFT TO URBAN PUBLIC TRANSPORT, INVESTMENTS AND FINANCING

Without ignoring the principle of subsidiarity UITP and ETF believe that the European institutions should take action to promote sustainable urban mobility. Modal shift in favour of more sustainable means of transport as clean, efficient, affordable and safe urban mobility, notably mass public transport modes (urban rail, metro, tramway and clean buses), as well as walking and cycling, is essential to promote economic growth, employment and thus the vitality of European cities and to preserve the health, safety and quality of life of its inhabitants.

The economic and societal benefits of public transport for the city are optimized when public transport schemes are adequately integrated into economic development strategies, urban development and housing policies, education and employment strategies, tourism and culture policies, and of course other aspects of urban transport policy.

Local governments should be empowered to successfully carry out such integrated urban strategies. In particular, their ability to adequately generate funding to implement such strategies should be strengthened. This will create value at local level, which can be captured by local governments for the funding of infrastructures and services. Furthermore, UITP and ETF underline the importance of SUMP (sustainable urban mobility plans) as an important instrument and call on the European Commission to promote the establishment of SUMP in particular by making the granting of European Union funds conditional on the establishment of SUMP or equivalent measures.

Public transport should be an integral part of any urban development agenda and urban infrastructure projects should be prioritized in future investment packages, notably at the European Union level.

UITP and ETF therefore request the European Commission within the revision of the 2011 Transport White Paper to take up the target of doubling the market share of public transport by 2030 and to shape its policies and initiatives around this objective.

Concrete proposals include:

- Member states should be asked to develop a long-term financing perspective for accessible and affordable public transport and report on it. In this respect, Member States shall take into account the economic and societal benefits of avoiding costs due to excessive traffic and by promoting public transport such as health costs, unemployment costs, congestion costs etc.
- Increasing the share of public transport in the modal split across urban areas requires a clear European political commitment to prioritise public transport.
- Urban space is a scarce resource and public transport is often the most space-efficient means of transport. A clear political commitment to evaluating and prioritising the modes depending on their use of space and energy (including the level of emissions) is required.
- With regard to urban e-mobility, the focus should be on shared mobility. Individual e-mobility should not negatively impact on public transport or contribute to further congestion.

Public transport operators continue to wrestle with financial insecurity. Revenues face erosion from pressure on public finances and continuing competition from private car use. In addition, increasing traffic congestion can slow down road-based public transport, making it less reliable. This can increase fuel consumption and maintenance costs and cause longer journeys and waiting times for users. The attractiveness of public transport as an alternative to the private car is reduced which could lead to further reduced levels of service and employment.

Greater financial stability should ensure the objectives to facilitate access to public transport as a service of general interest by all inhabitants, facilitate access to essential services and redress the competitive balance between public transport and private motoring. A more creative and sophisticated approach to funding and financing is required, including the use of financial instruments within the categories 'polluter pays', 'beneficiary pays' and 'general public pays'. Those instruments also represent the premise to achieve the deterrence of private transport in order to gain space for public transport, by the internalisation of external costs.

UITP and ETF call on the Member states to establish a long-term strategy on public transport financing, including investment, by using all forms and sources of funding at national, regional and local level.

## EMPLOYMENT, QUALITY PUBLIC TRANSPORT, WORKING ENVIRONMENT AND SOCIAL DIALOGUE

UITP and ETF underline the high potential of the urban public transport sector to create quality jobs in urban areas. In many cities and agglomerations the sector makes a valuable contribution to the inclusion of disadvantaged groups in the labour market and social partners develop and implement diversity policies at company level. Moreover, in urban areas public transport companies play an important role in providing qualifications and traineeship especially to young people.

Furthermore, UITP and ETF underline the importance of the quality of public transport service as a crucial aspect to attract and retain users. In this regard, employees are key to the success of public transport operations. The quality of the working environment as well as motivated, well trained and rewarded staff represent essential elements for delivering quality services to the customers, which are at the heart of the process.

## THE SECTOR IS CURRENTLY FACING SEVERAL CHALLENGES:

- On the one hand, many technological changes are introduced to better respond to customer needs (smart city initiatives) which are fast paced and challenging to foresee. Many of those innovations in urban public transport will have a direct impact on employment (e.g. e-ticketing) and on working conditions (e.g. ITS in urban public transport, surveillance technologies to tackle safety and security problems, IT tools for drivers). They will affect all areas of operations from the drivers, maintenance, services, administration or IT and require a strong social dialogue to assure a just transition.
- On the other hand, public transport is a labour intensive sector and the demographic changes in Europe constitute challenges for the sector in many member states. This has also to be addressed in urban public transport and may lead to a need for recruiting and training a higher number of employees than in the past. It is necessary to analyse the image of the sector as employer and its conditions for attracting is the staff needed to deliver high quality services. It also requires a focus on the ageing population in the companies. Providing job security is an important element to attract and retain public transport workers.

- Work intensification, congestion (health), safety (accidents) and security (aggressive passengers) are elements jeopardizing the working environment and thus the attractiveness of the sector including for young workers or women.
- The problem of insecurity, unsocial behaviour, aggressions and violence affect public transport front line workers as well as passengers require strong action not only at the level of social partners but also in close cooperation with local governments. The importance of human presence in public transport for the feeling of security has to be recognised.

In this context, it is crucial to emphasize the responsibility of all levels of government including the European level to ensure quality in public transport and thus quality working conditions, the provision of appropriate financing as well as a close cooperation among employers, employees and trade unions to pursue common objectives.

UITP and ETF therefore underline the importance of the social dialogue at all levels including the European level and wish to remind their joint letter dated 9 February 2015. Furthermore, the European social partners in urban public transport call on the European Commission to inform, consult in due time and hear the social partners on all initiatives relevant for the urban public transport sector with direct and indirect social impact. UITP and ETF reaffirm their availability to discuss with the European institutions proposals and solutions.

**Signed in Brussels on March 14th, 2016**

For ETF

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