Moving forward towards European social dialogue in the sport sector: Content and Contact: CC-project
The new project by EURO-MEI and EASE
Co-financed by the European Commission

Conference on health and safety in the sport sector
1st and 2nd April 2009, Lisbon

Minutes

Meeting Venue
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Please note that all annexes, presentations and background documentation as well as these minutes can be downloaded from:

Participants
See annex 2009-04-01&02 Participants Hand-out.pdf for the names, organisations and contact details of the attendees.

The conference was co-chaired by
- Carlos Poncé, FeS-UGT, Spain (Member of EURO-MEI)
- Stephen Studd, SkillsActive, United Kingdom (Member of EASE)

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Avec le soutien financier de la Commission Européenne
Mit der finanziellen Unterstützung der Europäischen Kommission
With the financial support of the European Commission
13:00 Registration

14:00 Official opening of the conference and welcoming of the participants
Stephen Studd welcomed the participants to the second conference of the CC-project and introduced himself and his organisation, SkillsActive.

Carlos Poncé introduced himself and his organisation and expressed his satisfaction with the participation to this conference and the project in general.

Stephen Studd introduced Raul Martins, the Director of the ALTIS Hotel, Member of the Executive Committee of the European Rugby Federation and Representative for Europe on the International Rugby Board, who welcomed the participants to Portugal and to Lisbon, and to the ALTIS Hotel on behalf of himself and on behalf of Professor Cardoso of the Sports Confederation of Portugal who unfortunately could not join us today. He explained that the economic dimension of sport is substantial; big sport events promote economic development and tourism. It can be a great help to overcome the current crisis. Sport also has an important social function to integrate handicapped persons.

14:15 “Tour de table”: the participants introduce themselves
The tour de table started with the top-table members briefly introducing themselves and their organisations. After that, each participant did the same. Please see annex 2009-04-01&02 Participants Hand-out.pdf for a full list of the attendees and their contact details.

Marjolein Oorsprong, UNI europa Policy Officer - Coordinator of the sport sector, explained that the agenda has changed somewhat to what was communicated earlier.

15:00 Update on the Lisbon Treaty regarding the reference to social dialogue
Marie Barsacq Leroux, General Secretary of EASE, spoke of the conference entitled “European social dialogue and the European Qualifications Framework” organised on 25th March 2009 by EASE and the French National Olympic Committee (CNOSF) at the premises of the CNOSF in Paris. This conference gave the participants a good overview of the theoretical and practical advancements of European social dialogue through a presentation of François Ziegler from DG Employment of the European Commission and a speech by Marcel Martin, EASE President. François Ziegler explained that the Lisbon Treaty will make social dialogue into one of the prerogatives of the European Union and not only of the European Commission.

New Article 152 Treaty of Lisbon: “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.”
Besides, the “social impact assessment” will be applied to all community measures and not only to the measures linked to DG employment. Therefore the unit for social issues of DG Employment will be consulted by all DGs of the European Commission (Article 9). It will give more power to the social partners at European level and will mean that they have to prepare themselves with more staff for this task. See also: http://www.easesport.org/art.php?id=21659

Bernadette Ségol, Regional Secretary of UNI europa, added that a new Treaty alone does not yet fulfil our expectations; we have to make better use of the measures and instruments that are already available to us. The input of UNI europa has up to now always been taken into account by the relevant European Institutions and we should work towards the true implementation of the Treaty of Lisbon once it is ratified.

Marie Barsacq Leroux added that the European Commission sees the sport sector as a whole.

Bernadette Ségol explained that to establish a European sectoral social dialogue committee, the social partners have to prove that there is a robust and representative structure in place and that both sides mutually recognize each other. Only then the European Commission will confirm that there is a social dialogue taking place within that sector.

15:20 Sport and EU update: Information related to the European study on sports agents
Mathieu Fonteneau, EOC EU Office gave an update on EU matters related to sport through a presentation concerning the EU study on player’s agents. See annex PrésentationEustudySportsagents-Lisbon-1April2009.pdf for more information. He explained that this study is extremely important in terms of our relations with the European Commission. The support for this study does not only come from the European Commission, but also from the other institutions. The terms of reference of the study were published in July 2008.

The main questions of the study are: “What is a sport agent?” and “What is the situation of sport agent in the European Union?”

Background of the study lays in the White Paper on Sport that clearly sets the objectives of the European Commission on sports agents (Recommendation n°41): The Commission will carry out an impact assessment to provide a clear overview of the activities of players’ agents in the EU and an evaluation of whether action at EU level is necessary, which will also analyse the different possible options.
Numerous calls have been made to the European Commission to regulate the player’s agents through a legislative initiative. At the time the Lisbon Treaty did not exist yet. Now, article 149 of the Lisbon Treaty (article 165 of the consolidated version) might include sport within the competences of the European Commission. If the Lisbon Treaty is not ratified, it will not be possible to initiate this legislative proposal due to a lack a competence in this field.

The European Parliament supported the initiative through two Resolutions:
- Resolution on the future of professional football; March 27, 2007 - Belet report
- Resolution on the WP; May 8, 2008 – Mavrommatis report

Especially the second Resolution mentions several times sport agents, especially article 100: the European Parliament “condemns bad practices in the activities of some representatives of professional sports players which have resulted in instances of corruption, money laundering and the exploitation of under-age players and sportswomen, and takes the view that such practices harm sport in general; believes that the current economic reality surrounding players’ agents requires that sport governing bodies at all levels, in consultation with the Commission, improve the rules governing players’ agents; in this respect calls on the Commission to support the efforts of sports governing bodies to regulate players’ agents, if necessary by presenting a proposal for a directive concerning players’ agents; supports public-private partnerships representative of sports interests and anticorruption authorities, which will assist in the development of effective preventive and repressive strategies to counter such corruption”

The Member States themselves have also supported the initiative. The Dutch Minister in charge of European Affairs Mr. Timmermans and the former French Secretary of State in charge of European Affairs, Mr Jouyet, supported two years ago in a common memorandum on sports that sports agents is a main issue to tackle.

The European Court of Justice (case PIAU, ECJ: February 23, 2006 and Court of First Instance: January 26, 2005): In 1998 a case was brought before the European institutions against FIFA regulations on players agents. After a long procedure, the complaint was rejected first by the European Commission and finally by the European jurisdictions of Luxembourg (in 2005 and 2006).

General objectives of the study:
“To chart the situation regarding sports agents in the European Union, to identify, analyse and describe the problems posed by their activities and to identify and analyse the solutions provided by public and/or private stakeholders, so that the European Commission can assess whether intervention is required, and if so, at what level and in what form.”
Specific objectives of the study:

- To chart the current situation regarding sports agents in the European Union
- To identify, analyse and describe the problems posed by sports agents' activities
- To identify the public and private stakeholders involved in regulating the activities of sports agents in the European Union
- To identify the laws and regulations, whether public or private, applying to sports agents in the European Union
- To assess the degree to which these laws and regulations, whether public or private, offer an adequate response to the problems posed by the activities of sports agents

Other relevant information on the study:

- Geographical coverage: 27 Member States
- A sport agent study or a player agent study?
- Establishment of a detailed document charting the situation regarding sports agents within the European Union, in terms of their legal situation, the volume of their economic activity, and their numbers
- Presentation of a detailed description of all the stakeholders involved in regulating the activity of sport agents in Europe. The study should cover all stakeholders, whether public or private, national, European or international

Agenda of the study:

- Duration: 9 months
- Start of study: mid January 2009
- End of the study: mid October 2009, most probably end of 2009

More information can be obtained from:

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Roberto Branco Martins from the T.M.C. Asser Institute added a few points:

- In the PIAU case the ECJ stated that sport agents are not part of the sport specificity, but were carrying out consultancy services. In that sense special competences for the European Commission in the sport sector would not be necessary.
- In the PIAU case the ECJ stated that there were three arguments for allowing FIFA to regulate the player’s agents:
  - The short careers of (young) players; to promote morality and professionalism
  - The lack of national regulation concerning sport agents; this would normally fall under the regulations for job placement because of their consultancy services to mediate between employers and employees. The ILO convention on private employment agencies covers 95% of football agents, which is a higher form of law than sport law.
  - The lack of a collective organisation representing the interests of European football agents. There is a European Football Agents Association. Similar organisations exist in Basketball and Athletics. In Cyclism such an organisation is currently being built.

The part on social issues in the Mavrommatis report says that player’s agents have a place in a “strengthened” social dialogue.

Mathieu Fonteneau confirms once more that the social partners are invited to participate in the study.

Marcel Martin, President of EASE, adds that an agent represents both parties at the same time and therefore cannot be considered to be engaged in social dialogue.

15:50 Status of the project by EURO-MEI and EASE and presentation of the objectives of the conference.

Moving forward towards European social dialogue in the sport sector: Content and Contact (CC-project)

Marjolein Oorsprong, UNI europa Policy Officer - Coordinator of the sport sector, presented the CC-Project of which this conference is a key event. Please see annex 2009-04-01&02 Presentation CC-Project-FINAL.pdf for more information on the project, its background and its objectives. The project partners promote their work through a leaflet available in English, French, German and Spanish. Please go to http://www.uniglobalunion.org/Apps/portal.nsf/pages/homeEn?Opendocument&xURL=http://www.uniglobalunion.org/Apps/UNINews.nsf/0/9BAB63402F777949C1257547004F3BE7 to download the leaflet.
The project revolves around two studies, one on the contractual landscape in the sport sector, carried out by Planet Labor from France and presented at the conference on 8th and 9th December 2008 in London, and a second one on health & safety in the sport sector, carried out by the Dutch T.M.C. Asser Institute and to be presented at this conference. The project will be finalised at an informal social dialogue meeting foreseen for the 27th of May 2009 in Brussels.

16:00 Joint recommendations on minimum requirements of employment contracts in the sport sector
Bernadette Ségol, UNI-Europa Regional Secretary; Jim Wilson, Director of EURO-MEI; Marie Barsacq Leroux, EASE General Secretary and Marcel Martin, President of EASE officially signed the Joint recommendations on minimum requirements of employment contracts in the sport sector that was discussed and negotiated at the conference on the contractual landscape in the sport sector in London on 8th and 9th December 2008.

Marie Barsacq Leroux explained the history of this document, which is the result of the discussions in London and hereby also formalises the agreement between EASE and EURO-MEI on the issues stated in the document. She stressed that the minimum requirements are those things that EURO-MEI and EASE deem should be at least included in a sport contract. See annex 2008-12-09JointRecommendationContracts-FINAL-EN.pdf

Jim Wilson added that we can commend ourselves that we have already achieved very concrete results in a very young social dialogue. The worker’s side is appreciative of the civilised way in which we have worked together with EASE and feels that this is a good start. He reminded the audience of the mutual recognition that was signed even before this document on contracts.

16:10 Coffee break

16:20 Health & Safety in the sport sector: Presentation of the study undertaken by the T.M.C. Asser Institute (The Netherlands)
Roberto Branco Martins presented the study. Below is an abstract of his speech. See annex RBM_Lisboa010409.pdf for more information.

The Asser International Sports Law Centre (AISLC) has carried out a study under the heading of the "Content and Contact" Project, a third project in the process related to the promotion of the Social Dialogue in the Sports Sector.

The research project consisted of a study into the situation in the 27 EU Member States and had as its objective to seek out similarities and opportunities for the harmonisation of social conditions and to identify best practices in the sphere of health and safety related to sport.
The study fits into the larger objective as defined by the stakeholders in the sport social dialogue sector:

- To extend the knowledge in the field of health and safety in sport
- To pursue professionalisation in the field of health and safety in sport
- To prepare a social dialogue (European Sectoral Social Dialogue Committee (ESSDC)) in sport
- To strive towards consensus in relation to health and safety in sport

The AISLC (Asser International Sports Law Centre) cooperated with EURO-MEI and EASE to devise a questionnaire that served as the study’s backbone. The questionnaire was sent out and actively promoted in the 27 Member States of the EU. The study further relied on desk research, internet research and the discussions at the Lisbon conference on 1st and 2nd April 2009.

The major conclusion was that the issue of health and safety, as embedded in the various jurisdictions, makes for a scattered landscape when viewed from the umbrella perspective of the EU.

In all Member States, regulations exist that are directly related to health and safety and to the social conditions concerning workers and employers. The European Union as a whole, however, reveals large differences in the governance and regulation of the sport sector due to the unequal evolution of the sports sector at the level of the Member States.

The major differences between the countries lie in the varying structures of regulation of the sport market, namely mainly interventionist vs. non-interventionist and post-communism systems. The source of regulations addressing health and safety in sport may therefore differ (constitution, general acts and laws, labour laws, sport laws, sport labour laws, collective bargaining agreements), but the study clearly points to the fact that the issue is present and addressed in all countries.

In relation to the above, EURO-MEI and EASE and their members are invited to reflect once more on the essence of the European Social Dialogue. The Social Dialogue is a tool for harmonisation offered by the EU institutions to the social partners.

The EU does not offer a "solid" (treaty) basis for harmonising EU Member States' labour laws. This delegated power to promote harmonisation includes the authority to negotiate on issues on the basis of own initiative taken by the Social Partners in a sector, possibly leading to agreements in accordance with procedures laid down in Article 137 of the EC Treaty.
The realization that the issue of Health and Safety in sport is omnipresent and regulated to various extents in all Member States and that the EU Social Dialogue offers Social Partners an opportunity to discuss and negotiate every topic that they consider of interest to their sector results in the broad conclusion of this study that the "scattered landscape" of Health and Safety justifies a "bottom-up" approach for harmonisation, in contrast to a (maybe preliminarily anticipated) "top-down approach". Hence, in practice, the stakeholders could draft a list of issues directly from the umbrella perspective of the position of sports in the EU, as opposed to identifying similarities in the EU Member States.

Drafting a factual list of themes and issues and promoting best practices is a complicated, but not impossible task. EURO-MEI and EASE represent actors (their members) that are experienced in social issues related to the various levels of sports, including social partner organizations.

There are some caveats, however. The AISLC suggests that the following issues are taken into consideration before embarking on the harmonisation of health and safety in sport:

The stakeholders currently meet in a so-called "informal" social dialogue, as the official recognition of the ESSDC in sports is not yet a fact. This limits the possible productivity of the social partners in formulating recommendations, joint statements and guidelines. When defining the scope of the guidelines in the harmonisation of Health and Safety issues, it is advised to take the legal systems of interventionist countries, such as Spain, Portugal, France and Italy, as a starting point. The reason for this is that in these countries Health and Safety issues in sport are regulated in "formal" acts and (sport/labour) laws. A joint statement on an umbrella level that contradicts the terms and conditions laid down in these formal instruments would in principle be null and void in these countries as private agreements may not go against the law. The social partners on the level of the Member States may, after having been informed of the joint statement, use their tool of preference to implement the agreement in their national system.

After the establishment of the official ESSDC in sports, the social partners will have (even) more freedom to choose their own mechanism for discussion given the fact that whenever the topics for discussion fall within the scope of Article 137 of the EU Treaty, negotiations and agreements between Social Partners within the ESSDC may lead to directives and compulsory implementation on the national level of the Member States.

For now, the conclusion is that EURO-MEI and EASE in the series of projects in the process of creating an ESSDC can be invited to draft a list of issues related to health and safety in sport in the EU. What is important to realize is that health and safety are major issues and a source for regulation in all the Member States.
However, the most important factor is the willingness of the stakeholders to actively engage in the task of creating an ESSDC and arriving at consensus on the level of the EU on the issue of Health and Safety. The foundation for this has already been created.

16:50 Beginning of discussions on Health & Safety in the sport sector

Stephen Studd summarised that the most important factor to have a good discussion on an issue is a factual basis, which the study provided in this case. He also asked the participants to take note of the contents of the report and add where necessary information, details and comments.

Stephen Studd clarified that in the context of this study, fitness instructors are included under “trainers”. Every worker under an employment contract is included in the study; volunteers are not taken into account.

Jim Wilson pointed out that harmonisation might not necessarily be the way we want to go forward. Stephen Studd adds that we are looking for best practices. Harmonisation is a step forward, as step we might no be able to take at this stage of our social dialogue.

Marcel Martin pointed out that the freedom of choice of medical doctor does not protect the interests of the employer as he is often not informed about the treatments ordered by the private medical doctor of the player. This is a risk to the main asset of the employer: the player him- or herself.

Jim Wilson pointed out that much of the information in the report comes from the professional sport sub-sector. Also, the report deals with employed persons, not with volunteers. Notwithstanding that health and safety for employed persons also applies to the volunteers that work in that facility. The drug issue should be looked at from an employer – employee relationship point of view.

André Langenus insisted that persons without an employment contract also have to be covered by the rules and regulations that apply to employed workers. This is necessary to avoid social dumping and bogus self-employed. Marie Barsacq Leroux replied that EURO-MEI and EASE are not representative for independent workers.

Bernadette Ségol reacted that as trade union we have a responsibility to the workers that have an employment contract. But since the group of self-employed is growing increasingly, we cannot ignore them. We have an obligation to include all categories of workers in the social dialogue even if they do not have a typical employment contract. UNI europa does not ignore this issue in other sectors and this has never posed a problem.

17:30 End of day 1
2nd April 2009

Carlos Poncé opened the meeting and welcomed the participants to the second conference day.

9:00 Summary of the presentation on Health & Safety in the sport sector of 1st April

Michael Trinker, EOC EU Office, introduced himself and his organisation and then summarised the discussions of the previous day and highlighted the most important points that were mentioned:

- Professional sport workers are usually categorised as employees, with the exception of Spain, where special legislation exists.
- In most EU Member States health and safety is regulated by general law, applicable to all workers.
- Some collective bargaining agreements, especially in the football sector also include clauses on health and safety. This possibility to protect workers could be used much more.
- Sports medicine associations could be very helpful in providing input to the social dialogue.
- The legal structures in the EU Member States with regard to health and safety are very different.
- It is necessary to be proactive from the very beginning on this issue.

9:15 Panel discussion and open floor

After the introduction by Michael Trinker, the members of the three panels kicked off the discussions with contributions from their national experience.

Carlos Poncé explained the situation in Spain where a special law exist that puts in place a tri-partite commission that regulates the health and safety of workers in the different sectors and that initiates specific studies into this topic.

Panel 1: Not-for-Profit Sport

- René van den Burg, WOS (Member of EASE)
- Jérôme Morin, F3C-CFDT (Member of EURO-MEI)

René van den Burg highlighted the difficulties to separate the different sub-sectors. He explained the computer-model that is used in the Netherlands (as an addendum to the Collective Agreement) to map the risks and incidents in the field of health and safety. At each workplace there is a person or commission in place that holds the responsibility for health and safety at that workplace.
Some of the topics he deemed important in this field are:

- Aggressive or undesirable behaviour
- Medical infrastructure in sport venues
- Check-list for events
- Safe working conditions
- Travelling to events and games
- Accommodation and field games

Carlos Poncé reacted to the point of René van den Burg on sport events that often the sport worker is better protected than the public or for instance the TV-crew that comes to that event or game. This also has to be taken into account in overall health and safety plans.

Jérôme Morin (Annex: CFDT_2nd version LISBONNE_1_2_avril_2009-1-.pdf) described the practices from France in the field of health and safety in sports. He concluded that the following points are important in this respect:

- Le rôle de l’encadrement sportif
- Lifelong Learning
- Prevention of risks by initiating studies per profession
- Cooperation and exchange of good practices between EU Member States
- Financing of studies and of practical experiments

The social dialogue has a role as the motor of this process as well as promoting cohesion within the sector.

Panel 2: Active Leisure (Fitness and Outdoors)

- Christian Pierar, BBF&W (Member of EASE)
- André Langenus, SETCa (Member of EURO-MEI)

Christian Pierar explained that in Belgium after 15 years of hard work a social dialogue commission has been established for the commercial sport / fitness sector. Unfortunately this commission has by law been related to the hairdressers and chemical workers. The advantage is that with this commission the sector regulates itself and is not regulated by the government.

In Belgium 90% of the commercial sport market is fragmented. Only a few chains with many clubs can be considered as large employers.
The main topics on the agenda are:
- Salaries
- The statute of the instructor
- The balance between work and private life
- Education

André Langenus underlined the fact that the sport sector does not mean sport workers only: many other workers work in the sector also. These workers can gain a lot if the athletes succeed in improving working conditions, e.g. working contracts as discussed in London.

The economic crisis is responsible for a drop in health and safety budgets, although this is a very undesirable development.

Professional illnesses in the sport sector affect the entire life of the sport worker, as these diseases are not yet recognised as work-related illnesses by the social security.

**Panel 3: Professional Sport**
- Marcel Martin, EASE President
- Walter Palmer, EU Athletes

Marcel Martin spoke from his 10-year experience as the president of a rugby club. He underlined that there are similarities between sport games and shows; there is a stadium/podium, spectators and a director and also health and safety in both cases covered the players or actors and the audience alike.

In the sport sector a worker might have several employers. In that case multiple (sport) doctors might oversee the player’s health. It is very important that these doctors do not only have special knowledge of sport medicine, but also that they exchange information on the physical condition of the player and treatments that might be prescribed in case of injury. The player is the most valuable asset of the club, i.e. the employer, and has to be kept as healthy as possible.

Jim Wilson seriously doubted if the employer, or rather the employer’s doctor, has the right to the entire medical dossier, because this could contain information that is strictly private.
Walter Palmer noted a the points from the discussions that are also relevant to the professional sub-sector

- Top-down vs. bottom-up approach: in Walter’s experience the bottom-up approach works best
- The mechanism of social dialogue is a very valuable tool
- Medical checks are an important topic for the future
- Scheduling is very important in relation to health and safety of professional players
- Medical support and issues surrounding it, should be discussed: physiotherapists, doctors and their availability during games
- Anti-doping should be discussed within social dialogue
- Safe work place and the responsibility for the safety of the spectators and others around a game
- Insurance and adequate coverage for players
- Equipment

Marie Barsacq Leroux noted the importance of the sport institutions and the need for contact between them and the social partners to forward these issues.

10:00 Presentation on Health and Safety in the Sport Sector in Spain
- Daniel Gomez Otero, MAPFRE, Spain

Daniel Gomez Otero presented three studies that MAPFRE has undertaken in the field of health and safety in three sub-sectors of sport:
- Swimming pools
- Gymnasiums / sport facilities
- Professional football

More information on MAPFRE and the three studies can be found here: http://www.mapfre.com/seguros/es/empresas/masinfo/proyectos.shtml?idPestanya=_0900ab3e80480629&padre=0900ab3e804804fa

10:30 Coffee break

11:00 Separate meeting of employers and employees

13:00 Lunch
14:30 Plenary review of the conclusions of the employers and employees

- Marie Barsacq Leroux, EASE General Secretary
- Jim Wilson, Director EURO-MEI

Jim Wilson reported on the discussions of the employee’s group:
- Health and safety is a joint responsibility of employers and workers
- The practice of a health and safety committee or responsible person at every workplace should be promoted

He listed the issues that were deemed important to be included per sub-sector and explained that many issues are valid for more than one or even all sub-sectors. Some items are valid for only one sub-sector, but are therefore extra important to be mentioned. On some topics agreement exist on the desired outcome; other topics have to be discussed further.

Not for Profit (or Social Profit) Sector:
- Medical consultations
- The obligation to train both workers and volunteers in positions of responsibility regarding health and safety issues
- A catalogue of risks and illnesses specific to each activity, sport and professional group should be drawn up
- Aggressive or undesirable behaviour must be dealt with
- Protection of minors must be taken into consideration
- Safe transportation, particularly collective transportation for the young, is an issue
- Site for all activities and equipment used must be appropriate, safe and hygienic
- Training at all levels must include health and safety issues and should be financed by the employer / responsible external or company person
- The worker should conform to the regulations established
- The employer should inform the worker of the rules and safety standards and how they should be applied in the activities concerned
Commercial Sector (indoor and outdoor, fitness and active leisure)
Note: Most of the issues already mentioned under the Not for Profit Sector should also be applied to the commercial sector – however, the issues listed below are additional ones for this sector or should be given particular emphasis in this sector.

- Hygiene in the workplace
- Training
- Certification and labelling
- Transportation
- Stress – psycho-social illness related to work
- Though joint concern for best possible standards to protect client and co-responsibility for implementation, in case of failure (accidents, etc.) the final responsibility returns to management/owners

Professional Sport Sector
Note: Again, issues mentioned above also most apply to this sector as well, but specific attention should be given to:
- Scheduling (adequate time for rest)
- Medical checks, according to procedures agreed by both sides
- Adequate medical support and back-up
- Measures to prevent doping and other disciplinary issues should be jointly discussed in their labour relations aspects
- Safe workplace, strategies for dealing with violence, interference and for stopping extremely distasteful verbal attacks for racial, personal or other reasons, by third parties
- Security
- Adequate insurance
- Equipment (this goes for all sectors)
- Discussion with sport institutions, governing bodies, etc., not to interfere with social dialogue between the employers and workers but for useful background and to seek their understanding and compliance as well with the standards agreed by the industrial social partners
- Formulation of joint codes of conduct for specific professional categories (thee can also be adapted, perhaps with less rigidity, to the Not for Profit Sector)
Marie Barsacq Leroux presented the outcome of the discussions in the employer group.

Principles

- H & S is a shared (joint) responsibility between employers and employees.
- Assessment of risk in the workplace is a shared responsibility to ensure risk is minimised for employees and customers (participants).
- There should be a link (communication) between social dialogue partners and the federations/institutions responsible for the laws of the sport.
- Employers and employees share a “duty of care” to each other and to their customers (participants). This is the same duty regardless of whether the individual is paid or unpaid.
  
  Duty of care = rights and responsibilities of employers and employees

- Employees / volunteers should be trained on health & safety issues.
- Employees are entitled to regular medical checks in relation to their employment.
- Work scheduling is joint responsibility. Social partners should engage with federations and sport institutions on matters of scheduling and rest.
- Adequate insurance should be in place to cover participants and employees/employers for each activity.

Issues for discussion (as part of social dialogue):

- To promote and share studies on risk assessment and prevention.
- To further investigate the requirement for medical checks for:
  - professional players
  - trainers / coaches / instructors
  - participants
- To discuss the development (and agreement) of competence standards for trainers (etc) to support their role in health & safety.
- To consider adoption of codes of conduct and ethical practice as part of contractual arrangements.
- To create a secure working environment e.g. management of aggressive behaviour.
- To share good practice e.g. to promote health & safety committees in workplace and in individual formal discussions with employees.
- To consider the impact of the short working life of professionals (e.g. players and fitness instruction) what provision can be made for extending work / alternative employment.
- To discuss our joint responsibility for health & safety / protection of children / young people.
15:30 Coffee break

16:00 Conclusions and joint statement

- Jim Wilson, Director EURO-MEI
- Marie Barsacq Leroux, EASE General Secretary
- Bernadette Ségol, UNI-Europa Regional Secretary
- Marcel Martin, EASE President

It was concluded that the secretariats of EURO-MEI and EASE will prepare the joint declaration in consultation with their members to be ready for signing at the Informal Social Dialogue Meeting on 27\textsuperscript{th} of May in Brussels. At that occasion a list of topics to be discussed in social dialogue will also be drafted and agreed.

Bernadette Ségol stated that UNI europa’s aim is first and foremost the strengthening of the sector so that after this project social dialogue at European level can start off on a firm basis.

Marie Barsacq Leroux explained that after the 27\textsuperscript{th} of May the full attention of the two social partners will be given to the questionnaire on representativity that the European Commission want to see filled out in order to assess social partners and to give green light for a European Sectoral Social Dialogue Committee for the Sport Sector.

17:00 End of day 2

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Thank you for your participation!
Your input will help the development of a European Sectoral Social Dialogue in Sports!
EURO-MEI and EASE Project Management Team

Next meeting:
Informal social dialogue meeting for the sport sector
27\textsuperscript{th} May 2009, Brussels