

BUILDING AND CONSTRUCTION

Workers' representatives	European Federation of Building and Woodworkers (EFBWW) (1958) www.efbww.org
Employers' representatives	European Construction Industry Federation (FIEC) (1905) http://www.fiec.org

Sectoral Social Dialogue Committee (SSDC)

Informal working group:	
SSDC:	1999
Internal Rules:	22 September 2006
Work Programme:	2004 - 2007; 2008 - 2011

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GENERAL OVERVIEW OF SECTOR

Construction was originally regarded as a “local” trade, in which there was a predominance of small, or very small, firms (masons, carpenters, etc.). Cross-border activity has however been developing in the sector over the years, with major civil engineering projects now being carried out in Europe or elsewhere in the world by huge construction, planning, management and engineering companies.

Globalisation has therefore had a considerable impact on the building trade, even though local work still remains the sector's "core business". The work is highly labour-intensive (and the workforce increasingly mobile: migrant labour has grown significantly in the past few years). The construction sector has 26 million workers and, taking into consideration indirect employment, it accounts for some 30% of industrial jobs in Europe nowadays. Some observers believe that the sector might in future see the emergence of a small number of large companies specialising in project management, which will outsource the building work to small and medium-sized subcontracting firms.

Another significant characteristic of the building sector is that it is highly dependent on economic growth rates and on the level of public expenditure or national support measures (loans, allowances and tax incentives for property-owners, access to mortgages, etc.). The sector is generally regarded as a bellwether of the economy. In addition, it is without doubt a front-line sector when it comes to confronting the new challenges of climate change: constructing "passive" houses, insulating buildings, energy performance, new materials, etc.

The building sector comprised 2.9 million firms in the European Union in 2007, 95% of which employed fewer than 20 workers. As far as employment is concerned, this sector is very labour-intensive and has a powerful multiplier effect: it is estimated that every job created in the construction industry generates two new jobs in the economy as a whole. As the saying goes, “a booming building sector means a booming economy”.

But the industry is faced with several challenges: workforce training, accidents at work and employment fraud (pseudo-self-employment, undeclared labour, etc.).

PARTICIPANTS AND CHALLENGES

The initial meetings between the European social partners in the building sector took place independently of the European Commission. The European Federation of Building and Woodworkers (EFBWW-FETBB), for the workers, and the European Construction Industry Federation (FIEC), for the employers, set up three independent working groups on the topics of jobs and training, health and safety, and social security schemes.

The dialogue was put on a formal footing at a meeting on 22 May 1992, devoted to examining a Commission study on “jobs and skills shortage in the construction trades” (European Commission, European Employment Observatory, Brussels 1991). The social partners managed at that point in time to have self-employed workers covered by the [directive](#) on temporary or mobile construction sites. A conference on vocational training was held in March 1993, and a seminar on health and safety at the workplace took place in November 1994. Other priorities at the time were accidents at work and occupational diseases.

The posting of workers is an issue that came to the fore in 1996, following the completion of the single market ([Directive 96/71/EC](#)), putting the social partners under considerable pressure owing to the fear that different sets of legislation would compete with one another in the same country. Indeed, the “posted workers” directive of 1996 stipulates that the wages of posted workers are to be set in accordance with the host country’s domestic legislation on the minimum wage and with collective agreements applying *erga omnes* in that country, while social security is governed by [Regulation 1408/71](#) “on the application of social security schemes to employed persons and their families moving within the Community”. In September 1997, with a view to ensuring protection for posted workers, FIEC and the EFBWW issued a joint declaration calling for certain coordinating principles to be laid down by means of bilateral agreements drawn up by the sectoral social partners in the Member States. This declaration spawned a series of texts on the enforcement of working conditions for posted workers.

A few years later, the Commission's [proposal for a directive](#) on services in the internal market (2004) triggered renewed joint activity around the posting of workers, most notably two joint declarations calling for the amendment or deletion of certain articles of that directive which could, in the social partners’ view, prompt harmful practices such as unfair competition, social dumping and undeclared labour. They pointed out in particular that the “services” directive could pose major risks in terms of compliance with health and safety rules on building sites, owing to the envisaged prohibition of controls: this, they believed, could compromise the health and safety of workers on building sites.

For almost twenty years, therefore, social dialogue in the building sector has been developing around certain specific topics such as the posting of workers, freedom to provide services, health and safety in the workplace, vocational training for young people and their integration into the company.

OUTCOMES

No fewer than 20 joint texts have been adopted between 1996 and 2010, making this sector a very “productive” one.

These texts vary in nature: joint opinions (on working conditions, on the “posted workers” and “services in the internal market” directives, recommendations (on [stress at work](#), linked to the framework agreement reached at cross-industry level in October 2004), tools (on health and safety, and on attracting and retaining young people) and declarations (on the “[working at heights](#)” directive).

In the typology drawn up by the European Social Observatory, the building sector is classified in the category of sectors exposed to competition and interconnection within the national arena. This classification is attributed primarily where a sector is affected by the completion of the internal market, the “posting” directive and the liberalisation of services.

It should however be pointed out that the social partners in this sector had initiated a pragmatic social dialogue long before that dialogue became institutionalised. This is a reflection both of a trusting relationship between the two sides and of similar views on the role and importance of social dialogue. Moreover, the belated adoption (in 2006) of rules of procedure governing this dialogue implies that such rules were long deemed superfluous. It is also noteworthy that these rules of procedure are among the few that explicitly encourage the signing of framework agreements and the establishment of contractual relations.

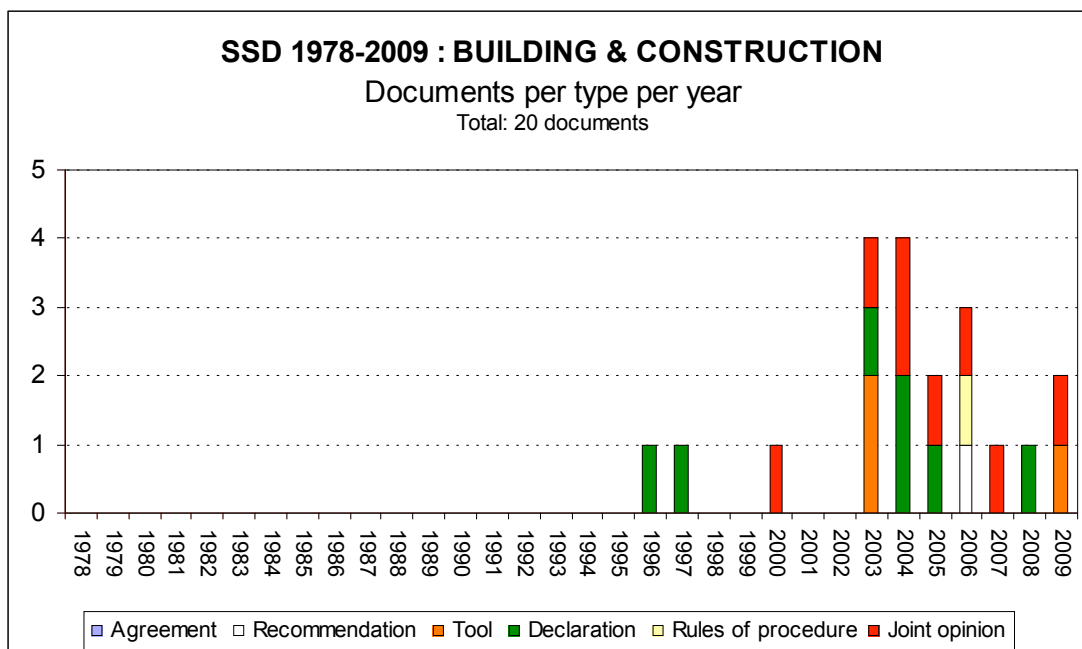
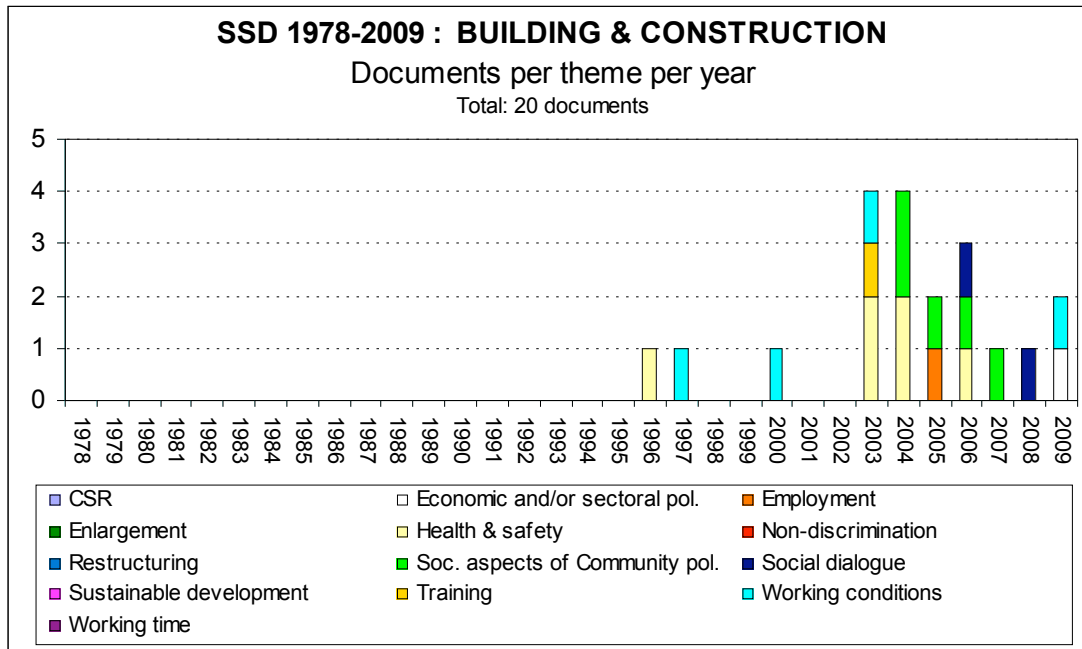
This mutual trust derives from the pragmatic nature of social dialogue in the sector, which deals with problems specific to the sector and of interest to both sides (even if their motivation may differ: on the posting of workers, whereas one side wants an alignment of social security systems, the other hopes to avoid paying two sets of contributions).

The SSDC work programme for 2008-2011 focuses on:

- employment: flexicurity, migration, cross-border mobility, combating pseudo-self-employment, demographic trends;
- enlargement;
- health and safety: promoting accident reduction, implementing [REACH](#) in the building sector, and following up the agreement on stress;
- vocational training: recognition of qualifications, demographic change, energy efficiency.

JOINT TEXTS

The “building and construction” sectoral social dialogue has resulted, since 1996, in the adoption of 20 joint texts.



Date	Title	Theme	Type	Addressee
25/09/2009	Posting construction workers in Europe: know your rights and obligations www.posting-workers.eu	Working conditions	Tool	National organisations
30/06/2009	The global economic crisis and its consequences for the European construction industry Positive measures and concerns of the European Social Partners EFBWW and FIEC	Economic and/or sectoral policies	Joint opinion	National public authorities
07/03/2008	Joint declaration on paritarian funds	Social dialogue	Declaration	National public authorities
11/12/2007	Joint position on the Communication from the Commission regarding the "posting of workers within the framework of the provision of services: maximising its benefits and potential while guaranteeing the protection of workers" (COM(2007)304 final)	Social aspects of Community policies	Joint opinion	European institutions
22/09/2006	Rules of Procedure European Social Dialogue Committee in the Construction Sector	Social dialogue	Rules of procedure	European social partners
01/06/2006	Joint position of the European Construction Industry's Social Partners on the Communication from the Commission regarding the "Guidance on the posting of workers within the framework of the provision of services"	Social aspects of sectoral policies	Joint opinion	European institutions
10/01/2006	Joint recommendation of the European construction industry's social partners on the prevention of occupational stress in the construction sector	Health and safety	Recommendation	National organisations
19/05/2005	Third joint statement of the European Construction Industry's Social Partners on the European Commission's proposal for a Directive on services in the internal market COM (2004)002	Social aspects of sectoral policies	Joint opinion	European institutions
04/03/2005	Joint statement of the European construction industry' s social partners on young people	Employment	Declaration	European institutions
22/11/2004	Joint declaration of the European construction industry's social partners on the occasion of the European Health & Safety Summit 2004 in Bilbao	Health and safety	Declaration	European social partners
09/11/2004	Second joint statement on the European Commission's Proposal for a Directive on Services in the Internal	Social aspects of sectoral policies	Joint opinion	European institutions

	Market COM (2004)002			
30/04/2004	Joint statement of the European construction industry's social partners on the European Week for Safety and Health at work 2004. Building in safety.	Health and safety	Declaration	European social partners
02/04/2004	Joint statement of the European construction industry social partners on the European Commission's proposal for a directive on services in the internal market COM (2004)002	Social aspects of sectoral policies	Joint opinion	European institutions
31/12/2003	A challenge: integrating young people in the company. A solution: tutorship	Training	Tool	National organisations
24/06/2003	Joint FIEC-FETBB declaration regarding the proposed COM(2001)386 - 2001/0154/CNS Directive of 11th July 2001 relating to entry and residence conditions for workers who are national of other countries	Working conditions	Joint opinion	European institutions
02/04/2003	Recommendations to the national federations regarding implementation of Directive 2001/45/EC on "working at heights"	Health and safety	Declaration	National organisations
01/04/2003	Guide of best practices on the co-ordination of health and safety	Health and safety	Tool	National organisations
24/01/2000	Joint FIEC-FETBB Declaration (on posted workers 1999)	Working conditions	Joint opinion	European institutions
23/09/1997	Joint FIEC-FETBB Position (on the "posting of workers" Directive 96/71/EC)	Working conditions	Declaration	European institutions
11/10/1996	Communication of the social partners issued at the seminar on safety and health in construction	Health and safety	Declaration	European social partners