



EU Sport Forum 2008

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Sport and active leisure: a much needed social dialogue

INTRODUCTION

Sport and active leisure is a growing sector in the European Union Member States. The Declaration of Nice in 2000 recognized for the first time the specificities of sport and pointed out that one of the main characteristic of the sector is its high workers' mobility rate (7% for the sport sector against 3% in general). Because of the free movement of persons, the sport and active leisure workers freely circulate in the EU and deserve to have the same rights and guarantees in each EU country. These guarantees can be reached through European social dialogue.

In this respect and with the support of the European Commission, UNI-Europa/EURO-MEI (employees) and EASE (European Association of Sport Employers) have recognized each other as the European social partners for the sport sector at the occasion of the RBT ("Reinforce the representativeness of the social partners in the sport sector: Row the Boat") project's final conference in February 2008, Arnhem, the Netherlands. This mutual recognition marked the start of a new phase in the development of European sectoral social dialogue for the sport sector reinforced by the White Paper on Sport of the European Commission published in July 2007.

I - White Paper on Sport of the European Commission

The point 53 of the Action Plan "Pierre de Coubertin" to the White Paper on Sport (July 2007) stresses this support to the work being done by the social partners:

« (53) The Commission encourages and welcomes all efforts leading to the establishment of European Social Dialogue Committees in the sport sector. It will continue to give support to both employers and employees and it will pursue its open dialogue with all sport organisations on this issue ».

What kind of framework is needed for this dialogue?

II - The European sectoral social dialogue framework in sport and active leisure

1 - The legal framework

Article 138 of the EC Treaty provides for the consultation of social partner organisations at European level on a range of issues concerning employment and social affairs. The dialogue between employee and employer organisations at Community level may lead to contractual relations, including agreements (Article 139).

The European sectoral social dialogue is gradually taking shape. It provides an effective level of intervention on the questions of employment, work organisation and the improvement of working conditions as it is closer to workplace and able to anticipate change. At sectoral level, the social partner organisations must submit jointly to the European Commission an application for the establishment of a European Sectoral Social Dialogue Committee. The European organisations representing employers and workers must, when submitting this application, meet a number of criteria:

- be organised at European level,
- have national social partners as members (according to national practices),
- have adequate administrative capacity,
- have the mandate, capacity and power to negotiate.

2 - The European social partners of the sport and active leisure sector

On the employer side, EASE is a European not-for-profit organisation located in France. It is an independent membership association of national and European sport employer organisations wishing to promote social dialogue. EASE, created in 2003, is composed of 7 members: 6 national employer organisations coming from 5 European countries, and 1 European organisation.

The agreed objectives of EASE are:

- to understand and defend the rights and the material and moral interests of its members,
- to work together to ensure the harmonious development of the sector,
- to participate in the European Sectoral Social Dialogue Committee for sports,
- to negotiate at European level on behalf of employers in sport and active leisure.

Sport and active leisure is regarded as a whole even if sub-sectors are identified. The work of EASE is organised through 3 commissions to encompass the specialist interests of the sub-sectors: not-for-profit sport, professional sport and active leisure.

EURO-MEI represents unions in sports, broadcasting, live performance, film and TV production and the arts. EURO-MEI has affiliated unions in the sport sector in Spain, France, Sweden, Belgium, Germany, Italy and Austria.

EASE and EURO-MEI will develop their representativeness to meet the European Commission's criteria.

3 - Structuring of the European Sectoral Social Dialogue Committee for sports

EASE and EURO-MEI are working to create a European Sectoral Social Dialogue Committee for the whole sport sector and to set up sub-committees to deal with the specificities of the

sub-sectors: not-for-profit sport, professional sport, and “active leisure” (which gathers fitness and outdoors). It is important to mention that numerous gateways exist between the sub-sectors in terms of mobility and employment.

III - What has been done so far and what is being done

1 - Mutual recognition (RBT project)

As already mentioned, EURO-MEI and EASE have recognized each other as the European social partners for the sport sector.

As a result of the RBT project’s meetings, EASE and EURO-MEI identified some key issues to be dealt with at European level. They agreed to start with soft issues: issues on which a consensus is easily reached. The key issues that could be on the agenda of a Sectoral Social Dialogue Committee for sports are:

- the minimum requirements of an employment contract,
- health and safety,
- and education and training.

2 - The European Commission’s support: the CC-project (“Moving forward towards European social dialogue in the sport sector: Content and Contact project”)

The European Commission continues to support EASE and EURO-MEI joint work to develop social dialogue by financing the CC-project (Budget Heading “Industrial Relations and Social Dialogue” of the Directorate-General for Employment, Social Affairs and Equal Opportunity).

The CC-project aims to bridge the gap between the end of the RBT project (mapping of the social partners) and the creation of the European Sectoral Social Dialogue Committee for the sport sector as a whole, including the sub-sectors not-for-profit sport, active leisure and professional sports, of which the latter respects the specific initiatives of professional football.

Throughout the development of the project, EASE and EURO-MEI are working to increase their representativeness in the European Union countries.

Summary of the project

Duration: 1 year - from 1st July 2008 to 30th June 2009

Project leader: EURO-MEI

Managing partner: EASE

Strategic partner: EU Sport Office

The main phase of the project will revolve around three meetings:

- two 2-day content-based conferences to gather and review materials on specific issues
- and one informal social dialogue meeting.

Conference on the contractual landscape in the sport sector – 8th & 9th December 2008, London

The first 2-day conference will have as its theme the contractual landscape in the sport sector as described above. The discussions will be launched by a presentation of two studies. Contracts for sport workers other than professional players will be specifically addressed.

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

The second 2-day conference will have as its theme health and safety in the sport sector in a broad sense. The discussions will be launched by a presentation of a study and will include issues that address the health, safety and well-being of workers in the sport sector.

Informal social dialogue meeting – 27th May 2009, Brussels

The informal social dialogue meeting will have on the agenda issues such as the structure of the future European Sectoral Social Dialogue Committee, rules of procedure, issues to be dealt with at European level, initiatives from other disciplines of sport (namely professional football, EU Athletes and professional cycling).

The meeting will consist of discussions and exchange of information between the national social partners in the sport sector.

Results

The results of the project will include the proceedings from the two 2-day conferences and from the informal social dialogue meeting as well as the results from the two studies undertaken. Concretely, the project partners aim to achieve during these meetings:

- A list of contractual basic clauses for sport workers in general, annexed by a shortlist of specific basic clauses for professional players.
- A compendium of best (and worst) practices on health and safety in the sport sector.
- A list of topics to be put on the agenda of the European Sectoral Social Dialogue Committee for the sport sector in the coming years.

3 - EASE involvement in projects on the European Qualifications Framework (EQF) in the sport and active leisure sector

Even before a formal European Sectoral Social Dialogue Committee for sports can be established, there are some important issues that need a co-ordinated response from employers, in particular if we are to successfully influence and implement the plans of the EU to reform Vocational Education and Training in Europe. We have two projects on EQF that give employers the opportunity for this influence.

These meetings organised under the EQF projects are important moments to consolidate this global vision of sports and active leisure and they could act as sub-committees of the European Sectoral Social Dialogue Committee.

IV – The challenge of the representativeness

The main challenge that EASE is facing is that there are not a lot of employer organisations in the sector in the European Union. The employers of the sport sector are often associations or small businesses with few employees and they do not belong to national bodies. In countries where **national employer organisations do exist, they do not seem to be quite prepared as yet to envision a new level of negotiation.**

However, the creation of employer organisations at national level implies an efficient professionalization and fosters the dialogue on sport specificities with public authorities.

Considering the French and Dutch successful experiences whereas respective National Olympic Committees gave their support to the creation of an employer organisation specific to the sport movement, the support of the European sport movement appears to be essential.

The European Olympic Committees (EOC) could be the intermediary between the sport organisations in the countries where the National Olympic Committee plays a key role in the organisation of sport and could, therefore, stimulate the creation of representative employer organisations.

In addition **ENGSO**, a non-governmental organisation which gathers national sport confederations but also National Olympic Committees, is also an important ally because of EASE willingness to convey its missions and goals.

The **European federations** of such-and-such discipline can also be helpful. In this respect, EASE will make a presentation on European social dialogue at the General Assembly of the European federation of rugby at the beginning of December.

CONCLUSION

In conclusion, do we have a chance to succeed? The answer is YES.

- YES, from the moment we identified **our main challenge as being one of representativeness**.
- YES, from the moment that we will be able to rely on **the support of the European Olympic Committees and the European federations** to face it.
- YES, because all members share a common value: **the uniqueness of sport and active leisure**. The visionary aspect shared by all members validates the existence of EASE which in turn is an acknowledgement of its significant power. **This vision does not rule out the sub-sectors**, because sport and active leisure may be quite different in some ways but they do remain complementary.
- YES, because there is **a learning process between the EASE members**. Learn from each other, exchange experiences of social dialogue, is a driving force for EASE.
- YES, because **the European Commission supports the EASE initiatives**. Besides, **the official recognition by the European Commission of the EASE representativeness** would represent a major opportunity for its development. Such recognition would allow EASE to become a legitimate European social partner.

Social dialogue is perceived by all stakeholders as a key factor to professionalize the sector. There is a need for sport and active leisure to be fully recognized at European level as an important sector that has potential to contribute significantly to employment and job creation, economic development, social cohesion, education and health. An enhanced involvement by the social partners, alongside the traditional sport movement institutions and government, is seen as a major opportunity to achieve this recognition.