

20 years SSDC in the Live Performance

An overview

Update October 2019

Introduction

In general and regardless of the sector, the European social dialogue refers to discussions, consultations, negotiations and joint actions involving organisations representing the two sides of industry (employers and workers).

It takes two main forms:

- a tripartite dialogue involving the public authorities,
- a bipartite dialogue between the European employers and trade union organisations. This takes place at cross-industry level and within sectoral social dialogue committees.

At European level there was no sectoral social dialogue until 1998, when the Commission decided on the establishment of sectoral dialogue committees promoting the dialogue between the social partners in the sectors at European level (Commission decision of 20 May 1998 – 98/500/EC).

The sectoral social dialogue committees are established with due regard for the autonomy of the social partners. The social partner organisations must apply jointly to the European Commission in order to take part in a social dialogue at European level. The European organisations representing employers and workers must, when submitting this application, meet a number of criteria:

- relate to specific sectors or categories, and be organised at European level
- consist of organisations which are themselves an integral and recognised part of Member State's social partner structures, and have the capacity to negotiate agreements, and which are representative of several Member States
- have adequate structures to ensure their effective participation in the work of the committees

Each Committee adopts its own rules of procedure, and holds at least one plenary meeting per year, dealing with more specific questions at meetings of enlarged secretariats or restricted working parties. The task of preparing meetings, the agenda and following-up work is most frequently delegated to the respective secretariats of the social partners, together with the Commission.

The European sectoral social dialogue committee 'live performance'

The first talks for a cross-national social dialogue started in 1995 between the representative of theatre technicians (ISETU/FISTAV, then MEI) and of employers (Pearle), with meetings held in 1996 and 1997, involving in the process also FIM and FIA, the international musicians and actors unions.

Following the Commission decision to expand social dialogue at the European level to sectoral social partner committees (COM (98) 322), exchanges of social partners started with the Commission with a view to set up a social dialogue committee. After demonstration of representativity an official demand was addressed to the Commission in January 2019 by Uni-Mei, FIA, FIM forming the EEA and Pearle¹.

After undergoing a representativeness study (EU 15 countries) which started in 1998 and finished in 1999, the Commission gave green light for the setting up of a European sectoral social dialogue committee of the live performance sector. In the meantime at meetings facilitated by the Commission, the Committee fully embarked upon its work as 26th October 1999 onwards, with a first joint research project and a first work programme for the year 2000.

The first joint project including a research on the financing of theatre in Europe, with the aim to "ascertain understand whether or not domestic models are converging and whether or not one or several "positive" trends towards the consolidation or even expansion of the performing arts industry can be pinpointed among or within the different domestic models". In 2000 Euro-Mei and Pearle also held their first seminar on theatre technicians training in Turku, Finland.

It is worth noting that the DG Culture was present at meetings in the early years of the Social dialogue committee.

Who are the social partners in the live performance sector?

On the workers side the EAEA – European Arts and Entertainment Alliance is a group of three established international workers organisations:

- FIA, the international federation of actors
- FIM, the international federation of musicians
- UNI-MEI, the international federation representing the technicians and those working off-stage

The employers are represented by PEARLE*-Live Performance Europe which is the Performing Arts Employers Associations League Europe.

The sector represents at least 1,2 million workers (Eurostat, 2014) and is the largest employer among the cultural sectors. It covers activities within NACE 90 (.01 to .04), belonging to NACE group R 'arts, entertainment and recreational'.

¹ Jim Wilson, Secretary of EEA and General Secretary of MEI; Katherine Sand, General Secretary of FIA; Jean Vincent, General Secretary of FIM; Rudolf Wolfensberger, Executive Officer of PEARLE

The main areas of joint activities

As a red thread through the history of the SSDC LP committee are the following main headings on the work programme :

- social dialogue
- training, lifelong learning, skills
- health and safety
- mobility
- culture policy and regulatory affairs affecting culture; public funding

The past years also gender equality and recently sexual harassment were added to the list of items discussed in the European sectoral social dialogue.

The joint actions comprise a variety of activities and outcomes. They include: joint projects, statements, declarations, studies, joint letters and lobby activities, conclusions, action plans, joint positions, contribution to EU guidance, joint publications and tools.

Social partners in the live performance sector also jointly take part in expert groups putting forward their experts on specific specialised areas. This includes the ESCO reference group “arts, entertainment and recreation” or the tax expert group on removing tax problems facing individuals who are active across borders within the EU.

At the international level they also jointly took part in sectoral dialogue forums on Employment relationships in the media and cultural sectors, initiated by the ILO in 2004 and 2014.

In the early years of the European social dialogue, social partners were exploring on which themes and how they could work together taking into consideration the European dimension of social dialogue. This process led to interesting exchanges at meetings which were often focused on specific themes (such as skills) and developments in Europe (such as the enlargement of the EU). To increase knowledge a number of studies and mapping exercises were undertaken by academics and experts.

As from 2005 onwards the number of joint letters and other papers increased and allowed to give more visibility to the Committee and the importance of the European social partners in the EU policy making.

In the past years, having built on knowledge by studies conducted and projects undertaken, the European social dialogue committee undertook initiatives with the aim to lead to concrete outcomes, tools and guidance for use across Europe. An underlying motive is the capacity building and support to joint initiatives and social dialogue across Europe. Concrete examples are: the Online interactive Risk Assessment (OiRA) tools for venues and for productions in the live performance sector, a dedicated chapter on noise in the music and entertainment sector as part of the non-binding guidance on the implementation of the noise directive for member states, ‘Crossing borders’ – guide for travelling with musical instruments containing protected species.

The SSDC LP in figures

A) By type of outcome

- 1 action plan
- 1 guidance
- 1 tool
- 2 publications
- 6 studies (one started in 2019)
- 3 representativity studies (one started in 2019)
- 2 position papers
- 5 conclusions
- 5 declarations
- 10 statements
- 20 joint letters
- 14 joint projects (+ 2 awaiting reply)

B) By main heading on the work programme

- social dialogue : 18
- training, lifelong learning, skills : 12
- health and safety : 3
- mobility : 20
- culture policy and regulatory affairs affecting culture; public funding : 13