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'Think European – Act responsibly – Manage diversity

Draft Resolution A

► Foreword

The object of this paper is to underline the main basic positions of *EUROCADRES* as Council of European Professional and Managerial Staff and to provide a starting point for unions representing professional and managerial staff¹ to adjust to the demands of operating in a harsher economic climate.

The world is facing the most severe economic crisis since the 1930s. Although it first emerged in the finance sector, its effects are now being felt across all industrial sectors, creating economic and social uncertainty. This will create new challenges for professional and managerial staff seeking to increase their influence through their unions, as it is clear that the current frameworks are inadequate. Only an economic and social Europe can make the necessary changes which will improve the economic climate and protect employment. We need a new socially responsible model of growth, based on innovation and sustainability.

Europe must develop value-added industrial activities. We need to grasp the opportunity to promote research and development and to raise social standards. We also need to develop ways to anticipate change and guide the economy in a socially enhancing direction.

► 'Think European'

Because Europe is not only a geographical expression, and not just the sum of different States. We want to work for a cultural and political Union of citizens as a condition for maintaining and strengthening social Europe, as well as responding to the issues coming from the global economic, social and environmental problems.

1 With reference to ILO (1977), ISCO – EUROSTAT (classes 1st and 2nd) and EQF contents and considerations, the Professional and Managerial Staff are employed (or self employed mainly working for companies, for instance following specific projects) undertaking people
a) having a relative higher level of formal education or an equivalent recognized professional qualification coming by other work experiences
b) exerting functions mainly intellectual, with (relatively to the considered work organization) a high level of autonomy, initiative and responsibility

Our aim is greater European democracy at citizen level for a more social and competitive Europe.

► 'Act responsibly'

Because responsibility is a historical paradigm of the culture of the European countries, and more and more a distinguishing connotation of the European Union.

To act responsibly involves attitudes and behaviours by each person according to an 'ethic of responsibility', not only following a set of values and principles, but first taking into account the consequences of actions and decisions, and also new decision-making processes for more sustainable development.

Social responsibility means that any corporation, organization and individual not only has the duty to respect laws and fundamental EU rights and values, but is also responsible vis-à-vis society, other individuals and the general public for the consequences of decisions and actions.

► 'Manage diversity'

Because balancing diversity and unity is a new key challenge.

The enlargement process and the ambitions to develop the Europe project show that European development is not a stream flowing steadily forwards, but a process with a lot of contradictions, problems and ups and downs, despite the big milestones of success.

In connection with the outside global challenges with their impacts on the social, economic and environmental situation in Europe, there are a lot of tendencies with different sources but similar results damaging the reputation of European policy and people's trust in it.

Despite all reason, there is a growing call for regional and even separatist and populist 'solutions' that make the necessary European and global solutions even less acceptable to the people.

In this sensitive situation, especially given the rules governing processes in the European Union (the Constitution, the Nice and Lisbon treaties), it is a big challenge to underline the unity of

Europe and the dream of Europe on one side, while not forgetting or neglecting the fact that we bear long and diverse traditions of policy and culture, and have traditionally found different ways out of a crisis (both good and very bad ones).

So using the good side of diversity needs patience and sustainability in proposing good ideas, commenting on the proposals of others, engaging in amendment processes and targeting conclusions.

This is precisely the job of professionals and managers in their companies and organizations. Professionals and managers organized in the trade unions represented by *EUROCADRES* are willing to bring in those values to the future European debate, in the official social dialogue as well as in projects, publications and initiatives at company, national and Union levels.

► **1. Globalisation, an unprecedented process of change, which also brings changes to the contents of work organization and the role of P&MS**

Since the 1990s, the dismantling of some borders has brought changes to the traditional vision of economy, society, work and cultures as never before.

Economic and financial activities are moving beyond national borders, rules and controls, and freeing themselves from them.

This has made economic activities increasingly financial, with finance being the easiest way to overcome distances and an essential way to create wealth, while giving the richest countries the possibility to drain wealth in order to finance a debt economy.

The current crisis in the economy and finance proves and even underlines the complex ways in which various sectoral, national and worldwide economic systems depend on one another.

The diffusion of information technologies is multiplying the transfer of scientific research results into technological and social innovation, building a knowledge economy, a knowledge society, and knowledge-based organization of work.

Knowledge is the most important renewable energy.

Competition in the global knowledge-based economy no longer concerns just goods, it now also applies to built-in cultural and social models.

In the knowledge-based work organization, competences are individual, while the trade union tradition is to negotiate for collective (standardised) conditions.

More general knowledge – more individual ignorance?

The sum of knowledge theoretically available to the whole of humankind is exponentially increasing, but, for each single person, that means a greater distance between the possible general knowledge and the individual ignorance. This creates uncertainty and insecurity.

Providing workers as well as P&MS with security policies and tools for facing up to change is now the most important mission of a modern incarnation of trade unionism.

The implementation of the European strategy for a competitive knowledge society is important for the conditions enjoyed by citizens and employees.

Global economy, global crisis

The last decades have not made the world poorer. It is a caricature to say that the most advanced part of the world has drained away the wealth from the poorest part. The level of debt and interest to be paid (by the poorest countries) to the IMF is decreasing sharply.

Among other things, the difference between rich and poor nations is significantly lower than the difference between rich and poor people within the poorest nations.

Nonetheless, it is true that an enormous part of the world population is intolerably poor, in stark comparison with the conditions and opportunities available in the other parts of the world.

Is hunger resurgent in the world? An increasing number of people no longer have enough money to buy food, yet this is not because of a lack of agricultural and food production.

Another factor that is unprecedented is the global extension and contemporaneity of the crisis, which started in the summer of 2007 and exploded in the autumn of 2008.

Failure of the financial ‘casino economy’

A long period of general economic growth after the mid-90s seemed to overcome the years of ‘boom and bust’ which started in the 70s. The end of 2007 witnessed the start of a crisis of financial activities. As well as the financial power, the financial crisis is having effects all over the world, across all borders. New financial products have created the possibility to win bets on bad outcomes of the economy and of finance itself, staking either on future inflation of raw materials and foodstuffs, or future decreasing value of financial products themselves.

Financial activities have escaped democratic controls and the possibility of earning money betting against good economic outcomes has become too great. A sort of dangerous ‘wishful betting’ has begun to become self-fulfilling.

Crisis in the richest countries

Facing up to the consequences of the first global economic crisis is the absolute priority for trade unionism, be it the general trade unionism movement or specific P&MS trade unionism.

For a long period the first priority must be to defend real wages and employment, which today face even more risks than in the last crisis in 1993-1994.

► **2. The building of European citizens’ democracy – an answer to the problems arising from globalisation**

The way to face the crisis is directly influencing the future.

Aspects which are very important are public financial measures for facing the credit crunch and supporting employment, wages and purchasing power.

But in Europe, ‘public’, at the moment, does not mean the European public, but more power in the economy for the national governments, national power as an alternative to European power, which has the consequence of weakening the European Union.

Co-ordinated answers by the European Union are of the highest priority, for the sake of facing the crisis. But they could also be a way to build a democracy of European citizens.

This crisis itself would be the best moment and opportunity for greater integration of countries and for enlarging roles for European institutions. The chance to look at the European Union as a subject of growth and development for the future, not a bureaucracy managing residual power, left over by the national states.

► 3. How to revive what the Lisbon Treaty dropped

The European Union is already an example of a democratic way of managing the processes of economic and financial internationalisation, processes which are provoking a crisis in the models of democracy based on the national states.

A democratic social model is an alternative to wild liberalization, and likewise an alternative to the state-owned economy and to recurring temptations to return to protectionism. It is an ongoing achievement in a history which is more afflicted by the continent at war, showing that peaceful competition is possible. Meanwhile, social injustices and economic competition between states have always been, and are today, causes of war.

The blockage in the political institutions, after 2005, likewise restrained initiatives for the social dialogue.

The Lisbon Treaty for 'a more democratic and transparent Europe' is important and urgently necessary.

The role of the European Parliament is strengthened, the qualified majority is a step forward from unanimity, and the Presidency of the European Council will achieve stability. At the same time, Europe needs to revive what was established in the Rome Treaty of May 2004 and dropped by the 2007 Treaty.²

► 4. Social dialogue

Social dialogue marks the most important difference between the EU model and other models all over the world in terms of how social problems and conflicts can be faced and mastered.

Within the social dialogue activity fields, qualification is of the highest importance for *EUROCADRES*.

Social dialogue may make a major contribution towards overcoming the fracture between the European framework and countries.

National negotiations do not directly link with European levels.

² The symbols (flag, hymn, currency, Europe Day), which are not empty rhetoric but, in their original meaning, designed to create a token of identity, in this case of the EU citizens. The status of the euro currency has decreased, despite the fact that the common currency of the euro is a powerful instrument to face the financial aspects of the crisis and that the European Union showed a good example of European co-operation. A 'High Representative' for the Union in Foreign Affairs and Security instead of a minister. The Charter of Fundamental Rights is no longer integrated into the Treaty, but only mentioned (and with a separate and limiting protocol on its application to Poland and the United Kingdom). The role of European law is no longer explicitly stated. Finally, the abandonment of the term 'Constitution' sends out the message that a democratic Union still needs to be constituted. Work on preparing that process needs to be started as of now.

But there are direct consequences of collective bargaining at national levels for mobile employees, professionals and managers crossing borders, with many difficulties in terms of rights based on various laws, collective agreements and individual contracts. So it is very difficult to draw conclusions about European links to collective bargaining, and it is difficult in the current situation, with protectionist and even aggressive attitudes, to achieve that closer alignment between national systems which is more necessary to underline the fact that social Europe can be reached only by overcoming narrowly national thinking within the trade unions.

In concrete terms, this means transferring sovereignty to European trade unionism and increasing pressure on the national employers' organizations for the transfer of power to their European representatives.³

► 5. A responsible European Management Model

The crisis is also an occasion for revising the Lisbon strategy and at long last for understanding that in being competitive, Europe must not copy the USA model, but must develop a European model of management, based on social responsibility and gender balance, aiming at the same time to achieve competitiveness and solidarity, and strengthening the social dialogue as part of the European leadership model.

Social responsibility should mean not one separate field of activity or only procedures, but a cultural attitude of every individual having to manage knowledge, competences and human resources. Europe is the region from which the ethic of responsibility originated.⁴

Looking for green choices on sustainable development and for consumer sobriety: a 'green attitude' free from any fundamentalism, in fact on the contrary ready to update its practical choices at any time according to scientific rationality.

Looking for a model of company governance with a high level of independence in the administrative boards and autonomy in the middle management and executives. Using the companies' communications for '*societing*' and not only for marketing.⁵

³ Linking the national issues with European issues means, for example, complementing the national picture with the European picture. We need to show the national organizations that there are concrete links with European issues: the Laval & Viking (ECJ) cases are affecting P&MS. European Social Dialogue can influence the real life of P&MS: the Agreements on Stress at work, violence and harassment, etc are influenced by *EUROCADRES*, as the Council of European Professional and Managerial staff played an active role in the social dialogue procedures

⁴ An ethic asking everyone not to follow only his or her ethical principles, but to decide any action by measuring continuously the consequences for other people (and not only in Europe, but in a global focus) and firstly for the employees involved. Trying to integrate diversities of gender, generation, ethnic origin and professional qualification in a set of common targets.

⁵ Everyone should be called to work for an economic activity consistent with a kind of society based on equal opportunities. For professionals and managers, this means schools and universities offering training with regard not only to the technical side but also to human empathy, comprehension of cultures and creativity. Building a good social model into our commodities is the best way of selling those commodities in a competitive way.

And only our professionals and managers can bring all that to fruition.

► 6. More spaces of European action at Union level

6.1. EIT – European Institute for Technology

The EIT will be an institute that identifies strategic scientific challenges of potential economic interest in interdisciplinary areas and selects and funds Knowledge Communities to address them. Its Knowledge Communities are integrated partnerships, consisting of teams put together by universities, research organizations and industry to carry out research, education and innovation in these areas in order to meet the objectives laid down by the EIT.

Its central core, conceived as a light, effective and operational entity, should be provided with legal personality. It should have a Governing Board with a limited support staff. The EIT's tasks (i.e. research, innovation, teaching of postgraduate students) would be carried out by the Knowledge Communities. A Knowledge Community would therefore be much more than simply a network: a Knowledge Community would be an integrated partner which has agreed to achieve strategic goals identified by the Governing Board of the EIT.

The EIT would therefore be an autonomous body with an innovative structural and operational model and a strong European identity. It would be an operator: that is, it would be active in the fields of education, research and innovation on the basis of human and physical resources mainly provided by partner organizations. These should be organized within the framework of Knowledge Communities under the strategic direction of the Governing Board.

Possible approaches to the establishment of the Knowledge Communities and the governing body are set out in the following sections.

EUROCADRES believes that the development of the EIT is of paramount importance for professional and managerial staff in Europe. It is a great and innovative attempt to improve the competitiveness of Europe as a key player in the areas of research and higher education.

6.2. ERA – European Research Area

EUROCADRES proposes three tools to monitor researchers' flexicity.

The establishment of a European portfolio for researchers: we mean a personal document registering both results and skills, reporting diversity of experience, and including a formal individual assessment according to the criteria of each employer. Partners, the researcher and the employer should be jointly responsible for the completion of this document and should agree on the information delivered.

Prototypes of such documents do exist in other professions and support cross-recognition of qualifications and experience for inter-sector mobility and career development.

EUROCADRES calls for all ERA stakeholders which are associated to devise this portfolio.

The creation of pairs of overlapping fixed-term work contracts: the current employer should be in charge of finding the next employer in co-operation with the researcher, and fitting the terms of successive contracts to ensure continuity in the researcher's professional life. A triple benefit would result for the researcher on the one hand (maintaining his/her qualification), for the employers on the other hand, through control of the diffusion of newly acquired know-how, and thirdly, at the ERA level, in controlling the brain drain.

Some experimental paired contracts have been developed for researchers by European institutions and deserve to be analysed.

The creation of a European Research Stakeholder Platform dedicated to social innovation in R&D career management, paving the way to exemplary European flexicity, should be supported in the frame of FP7, in the same way that other European Technological Platforms were dedicated to scientific challenges.

EUROCADRES assumes that the involvement of social partners should trigger the passage from principles to concrete provisions, and would appreciate deeper discussions with representatives of scientists' associations, research institutions and Human Resources managers to finalize these propositions.

► 7. Concrete priorities for the P&MS's interests

7.1. Security in change

Change is changing. Where in the past, change was happening step by step with periods for establishing and diffusing what was new, now it is uninterrupted.

For many corporations' HR management, innovation and change are targets in themselves.⁶

The role of P&MS (autonomy, responsibility, recognized leadership) in the new work organization

Following the need to preserve security in the fast-changing work life of professionals and managers also means reducing various obstacles to fair mobility at both European and national levels and increasing security of life and income along unsure and uneven career paths. Security networks and a legal basis are the only fair and serious motivators driving a person to take the individual risks of changing jobs, changing residence and changing professions in order to realize new chances and opportunities: this is our core understanding of flexicity, against its widespread neo-liberal misinterpretation. *EUROCADRES* has clearly announced this position vis-à-vis the Commission, referring to the social dialogue on flexicity and recently the working time debate.

Our position on flexicity, based on support to employees' revenues and investment in their education and training, represents the most suitable provisions in the current crisis.

⁶ See the new charge of 'Chief strategy officer', just for managing continuous change.

7.2. Education and training

The Bologna Process is the most important European tool in developing the structures of higher education. The Leuven declaration is the newest basis for the process. The structural changes also affect the labour market and the individual employees graduating from the higher education institutions. *EUROCADRES* has official observer status with regard to the Bologna Process. The quality of education, the impacts of this process on labour market qualifications (employability) and mobility are among the key questions linked to Bologna from the point of view of *EUROCADRES*.⁷

The EQF (European Qualifications Framework) has been developed to support voluntary comparisons and translation of any qualification level at European, national and sector level. Its objective is to facilitate communication between systems and increase transparency. It is up to the qualifications authorities, preferably after consulting the social partners, in each country to decide how to link their qualifications to the EQF. The progress and the importance of the EQF varies considerably between the Member States.

EUROCADRES could contribute to this process by raising the employees' views and their effects on the labour market. The exchange of experiences between the *EUROCADRES* member organizations is also of importance, and may ease the national implementation and promote best practices.⁸

The non-binding nature of the legal basis – it is a recommendation – and the nature of the EQF itself – a reference framework to which national systems need to be related – require mutual trust, generated through effective co-operation.

It is up to the Member States themselves to make the final decision on how to refer their national qualifications levels to the EQF. However, since cross-border comparability is a key objective of the EQF, this national 'self-certification' process must be designed and organized in such a way that it can be understood and trusted by stakeholders in other countries. This requires a set of agreed criteria, which can guide national processes and facilitate comparison of qualifications.

7.3. European recognition of professional qualifications

The rights of EU citizens to establish themselves or to provide services anywhere in the EU are fundamental freedoms in the Single Market. National regulations that only recognize profes-

7 The last conference of the Bologna Process was in London in 2007 and the next one is in 2009 in Leuven. During the last conference in London, the EQF recommendation project was presented to all the ministers of education. The Recommendation on the EQF for lifelong learning was signed on 23 April 2008 by the presidents of the European Parliament and the Council and is therefore formally adopted.

8 To achieve this, the EQF is based on a learning outcomes approach, shifting the focus from the duration and location of qualifications (input) to their profile and content (learning outcomes understood as knowledge, skills and competences). The aim, as stated in the EQF Recommendation, is for countries to relate their national qualifications levels – by using a learning outcomes approach – to the EQF by 2010. By 2012, countries should ensure that the necessary steps are taken so that a reference to the EQF will be introduced into individual qualifications documents (certificates and diplomas).

sional qualifications of a particular jurisdiction present obstacles to these fundamental freedoms. These obstacles are overcome by EU rules guaranteeing the mutual recognition of professional qualifications between Member States.

The EU has reformed the system for recognition of professional qualifications, in order to help make labour markets more flexible, further liberalise the provision of services, encourage more automatic recognition of qualifications, and simplify administrative procedures.

The Directive (2005/36/EC), which came into effect on 20 October 2007, consolidates and modernises 15 existing Directives covering all recognition rules, except for those applicable to lawyers, activities in the field of toxic substances and commercial agents. This was the first comprehensive modernisation of the EU system since its introduction over 40 years ago.

The EQF was adopted by the Parliament and Council on 23 April 2008 and will relate different countries' national qualifications systems to a common European reference framework. Individuals and employers will be able to use the EQF to better understand and compare the qualification levels of different countries and different education and training systems.

For P&MS, who often hold a higher education degree, and most probably will venture into experiences of career mobility and geographical mobility, it is of the utmost importance that they are not hindered in their ambitions to develop by national red tape. All efforts to improve recognition will be supported by *EUROCADRES* and some of our own efforts are also aimed at this goal, such as the European Professional Cards and the project for Skills and Competences for Mobility in a Competitive Europe. *EUROCADRES* will work to provide professionals with the European Cards.

7.4. Ranking system of European universities

The EU is preparing a new ranking system for universities. To measure the performance of universities is a challenging task and is far from problem free. In addition, the current ranking systems do not fully take into account the European conditions and special features. It is preferable, therefore, to develop a European system, and *EUROCADRES* should try to influence its content. It would be important for *EUROCADRES* to underline the benchmarks measuring the effectiveness of teaching and research. It is also of significance to evaluate the learning outcomes and excellence of the universities. *EUROCADRES* should also require that the possibilities of ranking the polytechnics ('Fachhochschulen', 'les grandes écoles', 'yrkeshögskola', etc) be explored.

7.5. EU funds for knowledge-based activities

The share of funds in the EU budget which are dedicated to education, training, research, innovation and other corresponding knowledge-based activities is around 10%. The share is very low, because the competitiveness of Europe and future jobs are mostly based on skills and knowledge. In the global economy, Europe is competing more and more with other 'giants' and absolutely needs a high level of excellence and skills. The share of knowledge-based activities, such as education and research, should be at least doubled for the next EU budget period starting in 2013. *EUROCADRES* should actively promote a larger share for these activities.

7.6. Labour and social security law at EU level

The regulation of working time for P&MS is very complicated, since many professional and managerial staff do not measure their work by time. We argue for a correct inclusion of professional and managerial staff within the scope of the working time directive. The derogation for managers and other autonomous workers in Article 17.1 in the working time directive is very problematic. A new formulation of this article is needed, and it needs to restrict the derogation.

Competition clauses have become too restrictive. In many cases, their conditions are disproportionate and they constitute an obstacle to free movement. The social partners' document on 'Key challenges facing European labour markets' in 2007 raised this matter in the recommendations: 'Address non-competitive clauses and practices in order to promote voluntary mobility of workers'. A legal instrument is needed to render these clauses more proportionate.

We argue for a balanced representation of the different categories of employees with regard to the workers' information and consultation directives. In the special negotiating body of the EWC directive, the balanced representation of different categories of employees is important. Therefore the EWC directive and the other relevant workers' information and consultation directives should include a clause indicating the necessity of balanced representation. There is a need for harmonization of EU directives on workers' information and consultation. Their content and procedures differ from each other. After the revision of the EWC directive, a process of harmonization could be launched.

The legal initiative on economically dependent self-employed workers is a topic that *EUROCADRES* has pledged to examine. Many economically dependent self-employed workers are in a vulnerable position. They are dependent on a single principal client/employer for their source of income. Better protection is needed, and clear rules have to be established for these workers.

The revision of the directive on the posting of workers has also been on the agenda during the development of a new Social Agenda. There are two kinds of pressures to modify the directive in question.

Supervision of working conditions is not always effective enough. On the other hand, supervision mechanisms are argued to be an impediment to free movement. A new balance should be found between effective supervision and non-bureaucratic mechanisms.

The directive (and first agreement within the European Social Dialogue) on paternal leave has to be revised. Men should have equal possibilities of taking leave for childcare purposes. The stronger participation of men in childcare is also in the interest of women and society as a whole. For the sake of balancing parents' childcare duties, this initiative would be useful and could improve equality between the sexes as well as the demographic roller coaster in Europe.

The maternal leave, part-time and fixed-term work directives should be modified in the light of case law and experience. The collectivisation of individual claims should likewise be raised in

this context. An individual employee may not have the knowledge to bring a complaint, but the trade union has.

The Commission roadmap for equality, its implementation report, evaluation and follow-up proposals have to be strong enough to be able to improve the situation. Particular attention should be paid to equal pay questions.

The rules for transnational trade union rights have to be created as a natural continuation of the Viking, Laval and Ruffert cases from the European Court of Justice, among others. Joint liability has been a part of the Employers' Sanction directive in immigration matters. A general Europe-wide joint liability should be explored.

The protection of workers' data is not at a satisfactory level in many Member States, and is growing in importance as a transnational issue (for instance, the delivery of health information). The transfer of employees' data between the EU and third countries is also a relevant question.

7.7. Privacy

In modern working life there is a very thin line between the needs of an employer and the professional's right to privacy at work. Employers argue for their need to protect themselves from criminal liability and monitor workforce performance and the need for public protection. These employer needs are transformed into monitoring of e-mail, Internet use, phone calls, workplace performance and drug testing. This behaviour is viewed by the employees as an unacceptable invasion of their privacy in the workplace. It can even be argued that this monitoring becomes counterproductive in the workplace, introducing ineffective work procedures, bad relations among colleagues and anti-recruiting. For P&MS, the problems are twofold, since they can be both the 'victims' and at the same time the ones who are asked to manage the monitoring.

7.8. Modem workers

Telecommuting, e-commuting, e-work, telework, working at home (WAH), or working from home (WFH) is a work arrangement in which employees enjoy flexibility in working location and hours. In other words, the daily commute to a central place of work is replaced by telecommunication links. Many work from home, while others, occasionally also referred to as nomad workers or web commuters, utilize mobile telecommunications technology to work from coffee shops or myriad other locations. A recent survey made by GMI on the initiative from Regus also shows that these 'modem workers' face new practical obstacles such as a need for privacy. In the US they estimate that there are about 103 million 'modem workers' and they find themselves working in public places, on aeroplanes, in bars, gyms and public toilets. An additional dilemma was that about 59% answered that they had overheard someone else's business conversation because of frequent and careless use of cell phones. For the P&MS group, this behaviour is probably more frequent than among other groups, which creates a need for the P&MS trade unions to produce guidelines and policies on how to reach these nomads in order to organize them and to offer advice.

7.9. Transnational agreements

The European Commission has initiated a discussion on setting up an optional legal framework for transnational agreements. More than 120 such agreements have already been signed at multinational company level. Some texts have been signed by EWCs, which, for the time being, do not have the right to negotiate. Collective bargaining is and should remain a core business of trade unions, based on national legislation and practices in different countries.

Due to the lack of a legal framework, each agreement also has to be negotiated and implemented at national level in accordance with national systems and traditions. Otherwise, an employer could decide not to abide by it. According to a recent survey on P&MS mobility conducted by *EUROCADRES* it is evident that professional and managerial staff are more open to geographical mobility than other groups.

In addition, project work in cross-border and international teams

is usual, especially in the research, development and engineering fields. Cross-border and cross-branch mobility is a usual precondition for professional and managerial careers. Professional experience and its appreciation by (new) employers are evidently important, and so is the possibility to compare and document individual contracts as visiting cards for career development. *EUROCADRES'* aims are therefore not only to bring about harmonization and recognition of professional qualifications and diplomas in Europe, but also to take steps forward to make the very diverse systems of collective agreements and individual contracts more transparent, more readily comparable and documented in line with European standards describing competences, as the European Qualification Framework does for other reasons, but with possibly good effects for collective bargaining.

Consequently the P&MS trade unions are more likely to be involved in companies that are already guided by transnational agreements and can expect to be involved in their further development.

Organizational policy for strengthening *EUROCADRES'* capacity for activities at European level, according to the national members' actions and priorities

Draft Resolution B

► 1. *EUROCADRES* confirms its political and organizational specificity in relation with the general trade union model

1.1. To stress and represent the specificities of P&MS's needs and requests, as the basis of *EUROCADRES'* priorities.

1.2. To provide general trade unionism with specific proposals for P&MS, improving the trade unions' capacity to represent all professional levels, beyond the traditional social rooting, mainly based on blue and white collars.

1.3. To play an active and autonomous role when it comes to negotiations, avoiding opposition or competition between P&MS, blue and white collar workers.

1.4. To increase the understanding and the representative capacity of our different affiliated professional identities, studying and conducting surveys at EU level and taking into account countries' representations.

1.5. We are like a European Federation but are not the same: We are associated to the ETUC, not members, and autonomously recognized as one of the six cross-industry, European social partners; We want our members to be organized and committed inside the European Federations and the ETUC;

We are established to provide a P&MS position and so give an added value to the ETUC and the European Social Dialogue.

1.6. *EUROCADRES'* opinions on specific P&MS issues can be different or even 'opposed' to those of the ETUC: the target of our leading groups is to manage such diversity together with the ETUC for the sake of making it into a source of political enrichment for both.

1.7. The organizational model for P&MS trade unionism differs from country to country;

EUROCADRES is a 'compromise' between a professional association and trade unionism;

between national organizations taking root in representing specific professional levels in a separate way, and members representing the different levels within the same organization.

1.8. To support a trade unionism model based on autonomy (by institutions, political parties, owners), democracy, unifying representation of labour, employees as well as selfemployed workers.

1.9. To support an international organizational model based on a regional (and political) zone like the ETUC, or a global one like the ITUC, or, at company level, on the EWC model.

► 2. To help our members to strengthen the representative capacity of P&MS.

With special regard to Central and Eastern European countries:

Co-operation with Central and Eastern European countries is more difficult than expected because of a lack of financial resources and attraction to professionals, but it is not only a question of financial means.

The past in the Central and Eastern European member states is still an obstacle in the path of trust in the new trade unionism.

The challenge is to support our members in those countries, showing that the trade unionism of the past is finished, and that the European social model and a competitive 'European management model' can help P&MS, employees and countries, working more with dedicated projects and common initiatives.

► 3. Projects

The projects, and in particular the ones subsidized by the EU, are core elements and, with regard to the budgetary aspects, the material backbone of *EUROCADRES'* activities. With EU projects initiated by *EUROCADRES* as single project-holder or together with other partner organizations at European or national level, it is possible:

- To follow our key challenges and activity fields, as long as they suit the various European budget lines – it is an important task to identify appropriate budget lines, preparing project drafts in time to be discussed and decided in the *EUROCADRES* bodies and applied within the deadline; for those issues in which we want to have continuity of work and projects (mobility network, Femanet, StartPro, CSR, research etc), it is even more important to have longterm planning with alternative options for different budget line applications;
- To open European learning fields: that means developing practical partnerships between our national and confederation organisations within *EUROCADRES*, the input and exchange of ideas and aims, their transfer into practice and activities at national level, with the common focus to bundle activities and power to realise our targets also at European level, and last but not least to experience that progress at European level needs resources (intellectual input, money, time) from the national level;
- To show at national level that results of well-conducted projects may have direct positive effects for our members; this is a very important aspect that allows members to feel that European efforts are worth participating in, that Europe is also a big family with regard to the trade union movement. In a longterm perspective it should decrease the commonly-voiced fear of shifting more competences in terms of social affairs and labour relations from the national to the European level.

In order to tackle the above challenges successfully and maximise the chances of projects, it is necessary that *EUROCADRES*:

- Integrates project plans into the total working programme (to avoid selfrunning and resource-eating projects which could be interesting but do not really fit into our overall policy concept); including the question of shutting down or not opening particular projects;
- Identifies not only national partners but personal participation and responsibility with defined resources input (before deciding and applying for a project);
- Shares responsibility for every project by discussing the main aims, the questions of resources, the personal and organizational participation, the gender and country/region balance etc, before any decision as to application;
- Takes into consideration the chances and possibilities of limited participation in projects powered and applied by other organizations from the national or European level, with a particular focus on matching the draft project to our main policy targets and fields;
- Monitors every project regularly in its bodies: that means reporting the progress and controlling the political aspects in the Executive Committee and monitoring and controlling the practical and legal aspects in the Presidium, including clear responsibilities and procedures for application, signing and responsibility for followup;
- Pays particular attention to monitoring something that has been widely neglected up until now, namely the transfer of project results into practice at European level with the focus of lobbying for aims at the national level with the focus of the immediate activities of our affiliates; that means reporting to the Executive Committee on what can be realised in the various countries.

These ambitious aims which we follow with our projects can only be successful if we reach a broader share of responsibility and resource input, not only concentrated at the residium and the Secretariat, but open to all of our members in the Executive Committee and in addition to experts from the national level. We have done this in the past, but with only partial success. Therefore it will be necessary to strengthen the marketing of our project plans and to make the projects more attractive to members taking their part in building Europe.

- 4. In the same way *EUROCADRES* needs more forces, organizations and single colleagues, beyond the Brussels Secretariat, available to work at their national levels on the priorities that we have decided.

► 5. Support Programme (Recommendation)

According to the projected amendments to the Constitution, the new Executive Committee is expected:

- To decide a 'fourth support programme' reducing the 'spread' of the national contributions
- To go for a higher amount of contribution, and giving value to the contribution in kind is important for us too.

► 6. Visibility

- a) More continuity on advertising our working areas, topics, the ways we are handling these issues.
- b) Invest money and work force on website and newsletter creating interconnection with members' websites.
- c) More integration with the national trade union system of communication.
- d) What are the concrete services and added values for our

members; this has to be tangible and concrete. The networks are one important tool for this visibility.

- e) Trade unionism 2.0: an interactive opening of *EUROCADRES'* networking and communication system to all European professionals and managers.

- 7. Confirming and giving value to the *EUROCADRES* national Liaison Committees (as foreseen by the Constitution)

Amendments to the Constitution

Draft

► Art. 8

Votes of national organisations shall be distributed per country as follows:

- countries with less than 100,000 P&MS members: 10 votes;
- countries with 100,000 or more but less than 500,000 P&MS members: 20 votes;
- countries with 500,000 P&MS members or more: 25 votes.

Votes of European organisations shall be distributed as follows:

- European organisations with less than 1,000,000 P&MS members: 15 votes;
- European organisations with 1,000,000 P&MS members or more: 20 votes.

Art. 8 Amendment proposal:

Votes of national organisations shall be distributed per country as follows:

Any country with member organisations has at least 5 votes. Countries contributing to the support programme (or additional in-kind support):

- with fewer than 100,000 P&MS members: 10 votes;
- with 100,000 or more but fewer than 500,000 P&MS members: 20 votes;
- with 500,000 P&MS members or more: 25 votes.

Votes of European Industrial Federations shall be distributed as follows:

- with fewer than 1,000,000 P&MS members: 15 votes;
- with 1,000,000 P&MS members or more: 20 votes.

► Art. 10

The Congress shall determine policy guidelines to be followed within the framework of *EUROCADRES* general objectives. In particular, Congress shall have the following tasks:

- to determine and modify the Constitution and the Standing Orders of the Congress;
- to decide on motions put forward by the Executive Committee or member organisations;
- to elect the members of the Executive Committee in accordance with article 13;
- to elect from among the members of the Executive Committee

- the President and the Vice-Presidents of *EUROCADRES*;
- to elect two Auditors.

Art. 10 Amendment proposal:

Add a new line: President and Vice-President candidatures by the countries are conditional upon the commitment and continuous respect of the agreed support programme.

► Amendment to add between the present Art. 19 and 20:

"After the Congress the elected President and Vice-Presidents will submit to the Executive Committee proposals for appointing an Executive Officer and a Treasurer."

► Art. 20

The Presidium shall comprise the President, the Vice-Presidents, the Treasurer, the Executive Officer and the other officers. In order to cover various areas there shall be a minimum of four Vice-Presidents. In case of resignation a member of the presidium may be replaced by decision of the Executive Committee. Such decision shall be endorsed by the next General Assembly

Art. 20 Amendment proposal:

The Presidium shall comprise the President, the Vice-Presidents, the Executive Officer and the Treasurer; the other officers may take part in the Presidium meetings.

In order to cover various areas of responsibility there shall be a minimum of four Vice-Presidents and a maximum of six.

Election in the European Parliament or leadership position in a European political party, is incompatible with the mandates of the present articles.

In the event of resignation a member of the Presidium may be replaced by decision of the Executive Committee. Such decision shall be endorsed by the next General Assembly.

► Art. 23

The Executive Officer shall be responsible for coordinating the activities of *EUROCADRES*, including its officers and staff, to ensure that the decisions of the Congress, Executive Committee

and Presidium are implemented. He/she shall be elected by the Executive Committee, on a proposal of the Presidium.

Art. 23 Amendment proposal:

Consequently to the amendment between Art. 19 and 20, delete the last sentence (<He/she shall be elected by the Executive Committee, on a proposal of the Presidium>)

► **Art. 25**

EUROCADRES aims at an appropriate gender balance in all its bodies. When there is less than one third of a gender within the Executive Committee or within the Presidium, additional members shall be appointed by the Executive Committee to reach this

minimum level of one third. Such an appointment shall be endorsed by the next General Assembly.

Art 25 Amendment proposal:

EUROCADRES aims at a full gender balance within its Congress, Executive Committee and Presidium. When the candidacies do not reach the minimum level of one gender representing a third of the members, the body at that moment in charge requests the member organisations to reopen their list of proposed members and substitutes, suggesting procedures and timing for reaching the goal. Should this additional procedure not deliver an appropriate gender balance, the Executive Committee shall appoint additional members after the Congress. Such appointment shall be endorsed by the next General Assembly.

Constitution of the council of European professional and managerial staff - *EUROCADRES*-

adopted by the *EUROCADRES* Congress 23-24 November 2005

► **I. Constitution and membership**

Art. 1 The Council of European Professional and Managerial staff shall be called *EUROCADRES*.

Art. 2 *EUROCADRES* shall have the following tasks in particular:

- to deal with intersectoral matters affecting European Professional and Managerial Staff;
- to intervene on behalf of European Professional and Managerial Staff;
- and to represent them vis-à-vis relevant institutions and bodies, and in particular to take part, on their behalf, at European level in social dialogue and collective bargaining.

Art. 3 The constitutional bodies of *EUROCADRES* are the Congress and the Executive Committee.

Art. 4 The Council of European Professional and Managerial Staff, *EUROCADRES*, shall consist of organisations representing professional and managerial staff that are:

- national Confederations affiliated to the ETUC or their intersectoral P&MS organisations, and national organisations affiliated to a member organisation of the ETUC;
- European Industry Federations affiliated to the ETUC.

Art. 5 *EUROCADRES* pursues its tasks in co-operation with its member organisations.

EUROCADRES is an organisation associated to the ETUC.

Art. 6 National *EUROCADRES* Committees can be set up by the national member organisations at national level. Their objectives are particularly:

- to facilitate cooperation on European affairs between member organisations at national level;

- to facilitate close coordination and exchange of information between the national and European levels;
- to deal with national representation at the Congress

► **II. Congress**

Art. 7 The Congress shall be held every four years. Each member organisation may send a representative who may have a deputy.

Art. 8 Votes of national organisations shall be distributed per country as follows:

- countries with less than 100,000 P&MS members: 10 votes;
- countries with 100,000 or more but less than 500,000 P&MS members: 20 votes;
- countries with 500,000 P&MS members or more: 25 votes.

Votes of European organisations shall be distributed as follows:

- European organisations with less than 1,000,000 P&MS members: 15 votes;
- European organisations with 1,000,000 P&MS members or more: 20 votes.

Art. 9 The Congress shall elect a Congress Chair Person and two Deputy Chair Persons on a proposal of the Executive Committee.

Art. 10 The Congress shall determine policy guidelines to be followed within the framework of *EUROCADRES* general objectives. In particular, Congress shall have the following tasks:

- to determine and modify the Constitution and the Standing Orders of the Congress;
- to decide on motions put forward by the Executive Committee or member organisations;

- ▶ to elect the members of the Executive Committee in accordance with article 13;
- ▶ to elect from among the members of the Executive Committee the President and the Vice-Presidents of EUROCADRES;
- ▶ to elect two Auditors.

Art. 11 An extraordinary Congress shall be convened by the Executive Committee at any time on a majority decision of its members or a decision of the General Assembly by the majority of the votes cast.

▶ III. General assembly

Art. 12 The General Assembly should be held every year where there is no Congress. It should receive an annual report of activity.

Art. 13 The Executive Committee is responsible for deciding on the agenda of the General Assembly and to put forth resolutions to be adopted.

▶ IV. Executive committee

Art. 14 Congress shall elect the members of the Executive Committee on the basis of the proposals provided by the countries and the European Industry Federations and who will serve for a four-year term.

Each country and each European Industry Federation shall be represented by one member. A substitute shall be elected for each member.

In agreement with the Executive Committee, a member may be replaced by the respective country or EIF. Such a decision shall be endorsed by the next General Assembly.

Art. 15 The Executive Committee shall be responsible for taking the necessary decisions for implementing the Constitution. The Executive Committee shall have overall responsibility for all EUROCADRES activities and policies between Congresses in accordance with the Constitution and Congress decisions.

The Executive Committee shall elect the Treasurer from among its members.

Art. 16 The Executive Committee may mandate some of its members or other persons acting for EUROCADRES to follow particular issues. Such a person is assisted, within its means, by the Secretariat and reports on his/her activities.

Art. 17 The Executive Committee may establish sub-committees or working groups. It shall specify the composition, the tasks and the modes of operation of such committees.

Art. 18 The Executive Committee shall produce an annual financial report on accounts which shall be submitted to the Auditors.

The Executive Committee shall adopt an annual budget and is entitled after necessary consultations with the General Assembly to make decisions concerning membership fees and other financial arrangements.

▶ V. Presidium

Art. 19 The Presidium of the Executive Committee shall be responsible for making decisions between meetings of that body and report to it for endorsement. It, together with the

Executive Officer, will be responsible for preparing the agenda for the Executive Committee meetings.

Art. 20 The Presidium shall comprise the President, the Vice-Presidents, the Treasurer, the Executive Officer and the other officers. In order to cover various areas there shall be a minimum of four Vice-Presidents. In case of resignation a member of the presidium may be replaced by decision of the Executive Committee. Such decision shall be endorsed by the next General Assembly.

Art. 21 The President is the chief political representative of EUROCADRES and represents EUROCADRES in cooperation with the Vice-Presidents and the Executive Officer.

Once elected by the Congress, President and Vice-Presidents may be re-elected once to that position. They shall be employed or elected officers of their union at the time of their nomination and if it is no more the case they can continue until the end of their term of office with the agreement of their union.

Art. 22 The Treasurer is responsible for supervising the management of EUROCADRES finances on behalf of the Executive Committee.

▶ VI. Secretariat

Art. 23 The Executive Officer shall be responsible for coordinating the activities of EUROCADRES, including its officers and staff, to ensure that the decisions of the Congress, Executive Committee and Presidium are implemented. He/she shall be elected by the Executive Committee, on a proposal of the Presidium.

Art. 24 The Executive Officer will be a member of the Presidium and will be the secretary of the Executive Committee. He/she shall report to those bodies as appropriate

▶ VII. Gender balance

Art. 25 EUROCADRES aims at an appropriate gender balance in all its bodies. When there is less than one third of a gender within the Executive Committee or within the Presidium, additional members shall be appointed by the Executive Committee to reach this minimum level of one third. Such an appointment shall be endorsed by the next General Assembly.

▶ VIII. Voting

Art. 26 Congress, General Assembly and Executive Committee shall endeavour to achieve the widest possible measure of agreement. When a vote is necessary, decision shall require a majority of two-thirds of the votes cast, except for the provisions in Article 10.

Calendar and procedures for the 2009 EUROCADRES Congress

► END OF JUNE 2009:

Deadline for sending amendments and candidacies for all the mandates

THE MEMBER ORGANIZATIONS

- ▶ Can send their amendments [on Draft Resolution A](#), [Draft Resolution B](#) and [the Constitution](#) to the EUROCADRES Secretariat. The English version will be the reference of documents and amendments
- ▶ Are requested to send the names of two representatives for any country and European Federation, as candidacies for member and substitute on the new EUROCADRES Executive Committee; the two names shall include one male and one female.

Candidacies should comprise „declaration of interest“ and presentation of functions and responsibilities at national level.

The working language of the Executive Committee is English, and EUROCADRES does not provide translations.

Candidacies for President and Vice-Presidents can be presented within the same deadline.

The EUROCADRES Executive Committee in charge suggests some guidance concerning the capabilities and experience suitable for the President and the Vice-Presidents. The formal process of candidature and election is specified in the EUROCADRES Constitution and by the Standing Orders of the EUROCADRES Congress. Candidates are expected to send an application letter, to be published, detailing their skills and commitments.

THE PRESIDENT'S CAPABILITIES AND EXPERIENCE SHOULD PREFERABLY INCLUDE:

- ▶ leadership and teamwork skills;
- ▶ networking abilities;
- ▶ skills in managing diversity issues;
- ▶ a clear European vision;
- ▶ familiarity with European issues and processes;
- ▶ experience in a senior role in organizing professional and managerial staff in a member union;
- ▶ good English and French language skills and preferably other language abilities;
- ▶ a strong commitment to the responsibilities of the EUROCADRES Presidency.

The President should have enough time available to fully commit to this work as his/her main responsibility. He/she may maintain another activity in his/her organization, but this should not conflict with the responsibilities of the EUROCADRES Presidency nor affect the ability of the EUROCADRES President to act with autonomy. He/she should be able to come to Brussels for regular meetings and contact.

PREFERABLE ATTRIBUTES FOR VICE-PRESIDENTS WOULD INCLUDE:

- ▶ teamwork skills;
- ▶ ability to run activities and projects;
- ▶ ability to take initiatives in activity areas;
- ▶ a clear European vision;
- ▶ experience in organizing professional and managerial staff in a member union;
- ▶ good English language skills and preferably other language abilities.

The Vice-Presidents should be strongly committed to their EUROCADRES responsibilities. Vice-Presidents should be able to act in the President's place when necessary. They should be able to come to Brussels for meetings and contact. As a general guideline, their organizations should make the Vice-Presidents available for EUROCADRES responsibilities for some 25-30% of their time.

► BETWEEN JUNE AND SEPTEMBER

Should the candidacies for Executive Committee members and Vice-Presidents not guarantee a gender balance, the Presidium will ask countries and European Federations to propose a second set of candidacies, to be sent by the end of September, making changes or adding as members people of the gender that did not reach the one third established by the Constitution.

► 6 – 7 OCTOBER

The Executive Committee

- a) debates on the amendments
- b) approves the final draft documents to be submitted to the Congress

► 16 – 17 NOVEMBER

EUROCADRES Congress

In Brussels; European Economic and Social Committee on 16th.
European Transport Workers' Federation (ETF) on 17th.



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