



EFFAT

EUROPEAN FEDERATION OF FOOD, AGRICULTURE AND TOURISM TRADE UNIONS

**Meeting of the EFFAT Executive Committee
BRUSSELS, 17 and 18 December 2018**

Agenda item 17: ACTIVITY REPORTS AND EFFAT WORK AREAS 2018

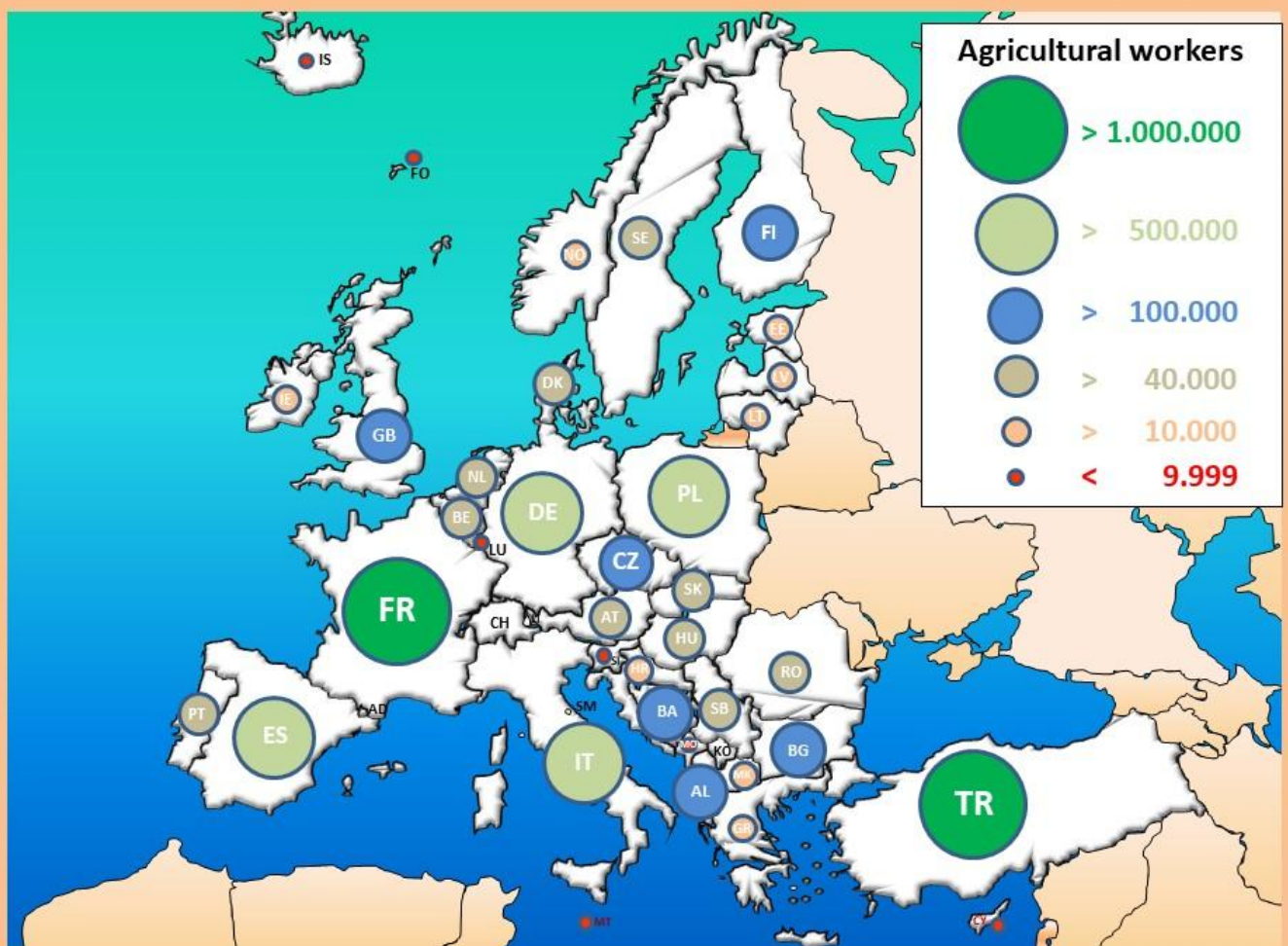
B) AGRICULTURE

Decision: The Executive Committee takes note of the reports and endorses the documents presented.

EFFAT

Annual Report 2018

EFFAT Agricultural sector
October 2018



TITLE

One focus of our work this year was the registration of agricultural workers in Europe. With around 11 million employees, they represent an important group of employees in Europe. Although many of them only find employment for months or weeks a year and many of them have to leave their home countries to do so, an important finding of our work is that the workers in agriculture, forestry, horticulture and aquaculture make important and indispensable contributions to the people of Europe. This has become clear again this year with the effects of climate change and the associated crop failures.

By visualising the number of agricultural workers in the European countries studied, it is possible to see at a glance how many workers are working in each country and region. Perhaps this overview is an incentive for our affiliates to recognise the extent of the unionisation of agricultural workers and to draw the possible conclusions from it.

This report is intended solely for internal opinion-forming purposes

Editorial office: Arnd Spahn, EFFAT Agricultural Secretary

Version: December 2018

Photos: own

© EFFAT 2018

for more information: www.effat.org

EFFAT: 130A, Avenue de Louise, BE 1040 Brussels

CONTENTS



	FOREWORD	4
0	SUMMARY	6
1	INTERNA	6
2	EU COMMON AGRICULTURAL POLICY (CAP)	7
3	EMPLOYMENT	8
4	FORESTRY	10
5	THE IMPORTANCE OF EMPLOYEES IN AGRICULTURE, FORESTRY AND HORTICULTURE FOR THE DEVELOPMENT OF EUROPE	11
6	SOCIAL DIALOGUE AGRICULTURE	11
7	OCCUPATIONAL HEALTH AND SAFETY	13
8	SOCIAL SECURITY	16
9	TRADE POLICY 17	
	APPENDIX 1 DRAFT WORK INFORMATION FOR EMPLOYEES IN AGRICULTURE, FORESTRY AND HORTICULTURE	18

FOREWORD

The shape of the EU's Common Agricultural Policy (CAP) after 2020 is the subject of fierce debate in the European institutions. EFFAT is involved and is calling for social standards to be included in the CAP: only those offering legal employment should receive subsidies. There is a lot on the cards - and one thing is clear: we will only win if we actively fight for our demands at all levels.

The way in which the United Kingdom is leaving is highly dangerous, partly because, in addition to thousands of domestic workers, hundreds of thousands of workers from other European countries also work in agriculture in the United Kingdom. They are facing an uncertain future. We are fighting against nationalism and social dumping and defending agricultural workers - as in Spain where the former government had trade unionists imprisoned.

This year has seen us lobbying for our demands regarding the future of the Common Agricultural Policy (CAP) in the political centre and on the left. We are experiencing a lot of support and would like to thank all our member organisations who support this progress with their own national activities.

Now it is important to achieve understanding for our demands in other political camps as well. It is important for our demands not to be blockaded. This requires an intensive dialogue with the representatives of the relevant parties at both European and national levels. To achieve our demands, we need majorities at both European and national levels.

Concrete instruments are needed to implement our demands. For this reason, we have worked intensively for a revision of the Written Statement Directive (RL 91/533/EC). We want all employees to receive written confirmation of their employment at the latest on the first working day. This document can then easily be sent to the relevant social insurance body on starting work. Non-compliant employers promote undeclared work and should therefore not receive any CAP subsidies. So much for our demands. Though we've already made a lot of progress, there's still a long way to go.

Our work on occupational health and safety has intensified. To this end, we have organised several conferences, partly with employers (GEOPA-COPA) and representatives of the national observatories.

We would like to use this opportunity to congratulate our colleague Anja WESTBERG (KOMMUNAL, Sweden), member of the board of our sector in EF-FAT, who was elected at the 27th IUF Congress as President of the Group of Agricultural Workers.

We would also like to thank all our members who initiated, supported or sponsored our work during the reporting period.

This report provides an account of the sector's main activities. Unfortunately, it is not possible to present all sector activities. We ask for your understanding and are happy to provide further information on request.



Peter **HOLM**
President
agriculture sector



Antonio **PERIANES**
President
of the agriculture sector



Arnd **SPAHN**
Secretary of the
of the agriculture sector

ACTIVITY REPORT OF THE AGRICULTURAL SECTOR

0 EXECUTIVE SUMMARY

Our main activities:

1. promoting our position on the EU Common Agricultural Policy (CAP) after 2020 in the European institutions, European civil society and the Member States,
2. supporting the introduction of written information from the employer on working conditions for all employees at the beginning of their employment,
3. highlighting the importance of the contributions of agricultural workers to the development of European societies, and
4. establishing common positions on the further development of occupational health and safety.

1 INTERNAL

1.1 EXECUTIVE BOARD

In 2018, Peter **HOLM** (3F Denmark) and Antonio **PERIANES** (CC.OO de Industria, Spain) were the sector's presidents and Valentina **VASILIONOVA** (FNSZ, Bulgaria) vice-president. Arnd **SPAHN** (IG BAU, Germany) was secretary.

Anja **WESTBERG** (Kommunal, Sweden), was the Nordic Region representative, Josef **TREIBER** (GÖD, Austria) the representative of the DE-AT-CH Region, Bohumir **DUFKE** (OSPZV-ASO, Czech Republic) 7th region, Claudio **PAITOVSKY** (CONFEDERDIA, Italy) the representative of the Eastern Mediterranean Region and Miguel **RODRIGUEZ** (UGT-FICA, Spain) the representative of the Western Mediterranean Region. The seats of the representatives of the French-BEN-ELUX and British Isles regions are vacant. The President of the Small Farmers' Committee Luigi

(Gino) **ROTELLA** (ALPAA, Italy) is a born member of the Board of Directors. The seat of the women's representative is vacant. The seat of the youth representative is vacant. The board met three times.

2 EU COMMON AGRICULTURAL POLICY (CAP)

The reform of the CAP is at the heart of our activities. This work has many aspects and also concerns policy areas and activities outside the actual agricultural policy.

2.1 EUROPEAN ACTIVITIES

The competent members of the European institutions are kept informed about our demands and goals. Special thanks are extended to various representatives of Group II (Employees) of the European Economic and Social Committee (EESC) who backed our goals and demands.

In June 2018, the European Commission published its post-2020 CAP proposals.

The European Commission has taken up EFFAT's key demand from the last reform and is now proposing a limit on direct payments (DP) for farms receiving more than € 60,000 DP per year. Statutory wages, taxes and social security contributions for employees are to be credited, without impacting the DP¹. For smallholders, better support is planned for the so-called "first hectares". EFFAT's more far-reaching demands (occupational health and safety and VET) were not taken up by the European Commission.

In the European Parliament our demands are being discussed. They are being used for different purposes between the groups. In the Council of Agriculture Ministers, on the other hand, our demands are discriminated against, being seen as obstacles to achieving national targets.

2.3 NATIONAL ACTIVITIES

¹see Appendix 1

Our member organisations from Austria, Bulgaria, Germany and the Czech Republic actively participate in the national discussions on the CAP after 2020 and shape the national positions of governments and responsible institutions. In France, there is an exchange between the positions of the trade unions and the cabinets of the President of the Republic and the relevant ministries. These member organisations inform the Secretariat about their activities and thus enable new connections and a strengthening of our work.

3 EMPLOYMENT

3.1 PLATFORM FOR UNDECLARED WORK

The platform is up and running. In an initial review of "best practices", we were able to include various activities from our sectors. Further discussions have taken place with representatives of national labour inspectorates and comparable institutions where we have found understanding for the particular situation in the agricultural sector. In the coming months a study by the Platform on undeclared work in the agricultural sector will be published, with a meeting planned for January 2019 in Brussels.

The future of the platform is much discussed. EFFAT advocates the strong involvement of the social partners in the platform. This involvement must also be maintained if the platform is to be transformed into a possible European Employment Agency.

<http://ec.europa.eu/social/BlobServlet?docId=16358&langId=en>

<http://ec.europa.eu/social/BlobServlet?docId=16412&langId=en>;

<http://ec.europa.eu/social/BlobServlet?docId=16411&langId=en>

3.2 SEASONAL WORKERS DIRECTIVE

Directive 2014/36/EU is currently being implemented in the Member States. To date, we have had no national reports on implementation. It is to be feared that the Directive will have little or no effect. We will be monitoring developments critically.

3.3 INTEGRATION OF REFUGEES INTO THE AGRICULTURAL LABOUR MARKET

Various activities are taking place in the Member States to train refugees, give them jobs and integrate them into society. The 2017 survey is to be repeated in 2019. This requires the support of the employers in GEOPA-COPA.

3.4 POSTING

Information on the application of posting in the agricultural sector remains blurred. We have set ourselves the goal of achieving a significant improvement in this information and ask our member organisations for relevant information.

3.5 WRITTEN WORK INFORMATION

The focus is on our activities to introduce an employer's written confirmation of an employment relationship, to be handed over to the employee at the latest on the day of commencement of work. Furthermore, we want to ensure that such confirmation is²also sent to the competent social insurance body (in accordance with national conditions) at the latest on the day on which the employee starts work. These activities are being based on both EU legislation (Directive 91/533/EEC) and on the discussions on the future European Common Agricultural Policy (CAP). Turning to social dialogue, we would like to gain the support of the agricultural employers. That is why we discussed our demands at every meeting of the Sectoral Social Dialogue Committee this year.

The European Parliament has concluded its discussions on the subject. The trialogue between Parliament, the Council and the Commission is currently being prepared. We hope that the work can be successfully completed by May 2019.

This requires strong national support from our member organisations in order to overcome resistance, especially from employers. The Agricultural Secretariat is happy to provide support for corresponding national activities.

4 FORESTRY INDUSTRY

² see Appendix 1

4.1 EU STANDARD ON THE USE OF CHAINSAWS

We are looking critically at various initiatives to create module-based standards for the handling of chainsaws by untrained or semi-skilled persons. Such systems must not result in the safety net for forest workers and foresters being dismantled. We held a European conference on this subject in Marseilles (France) at the end of 2018.

4.2 OUTSOURCING OF HAZARDOUS WORK TO SUBCONTRACTORS AND OTHERS

We must also stop skilled and sometimes highly dangerous work being carried out by insufficiently trained employees. Where such work is outsourced by forestry operators to non-skilled persons or subcontractors, the relevant occupational health and safety authorities should be informed immediately.

4.3 SOLO WORK AND EMERGENCY CALL SYSTEMS

For some years now, we have been negotiating with GEOPA-COPA employers to establish sufficient access to seamless rescue chains in agriculture and forestry. Unfortunately, employers continue to refuse to look at sectoral solutions. There are now many different forest emergency call systems in the EU Member States. While older systems are CB radio-based, new systems tend to use general mobile radio networks, which, however, are often not sufficiently accessible in forests. In some Member States, forest centres are being set up to ensure faster rescue chains. We want to evaluate the different systems, formulate regional requirements and make progress in protecting employees.

As part of this project, we held a European conference in Marseilles in the autumn of 2018 on the subject of solo work.

5 THE IMPORTANCE OF WORKERS IN AGRICULTURE, FORESTRY AND HORTICULTURE FOR THE DEVELOPMENT OF EUROPE

With the support of the European Commission, we carried out a study in 2017 and 2018 on the extent and quality of dependent employment in our sector. This investigation provides the necessary information:

- to make transparent the importance of agricultural workers as an important group in the EU,
- to identify obstacles to the development of employment in agriculture, forestry and horticulture,
- to describe the different types of workers in our sector,
- to distinguish between employees and quasi-employees,
- to formulate requirements for the instruments for strengthening the protection of workers, and
- to specify requirements for instruments for upskilling employees.

We reported on the results of the study at a European conference in Bruges (Belgium).

6 SOCIAL DIALOGUE IN AGRICULTURE

The Agricultural Social Dialogue Committee met four times a year (2 working groups, 1 plenary group, 1 board meeting). The social partners take annual turns in chair the Committee. In 2018 the Finnish employer representative Veli-Matti **RECOLA** chaired the Committee on behalf of GEOPA. The year's activities were marked by the successful involvement of the social partners in various institutional developments (WGAT, the Platform against undeclared work, preparatory work on the mobility package). Further activities included:

6.1 GEOPA WORK ON "UNREGULATED AND UNDECLARED WORK IN AGRICULTURE: IMPLICATIONS FOR LEGISLATION, LABOUR INSPECTIONS AND EFFECTIVE SANCTIONS"

The GEOPA project on the reduction of illegal or covert work in agriculture was presented and the conclusions intensively discussed.

6.2 CLASSIFICATION OF SKILLS, COMPETENCES, QUALIFICATIONS AND OCCUPATIONS (ESCO)

The first round of work on categorising vocational skills has been completed. ESCO is the multi-lingual European classification of skills, competences, qualifications and occupations and is part of the Europe 2020 strategy. ESCO categorises the skills, competences, qualifications and

occupations relevant to the labour market and education and training in the EU. It systematically shows the relationships between the different concepts.

The next stage involves evaluating the results and making any appropriate adjustments. The work was reported on in autumn 2018.

<https://ec.europa.eu/esco/portal/home>

6.3 MOBILITY PACKAGE

The experiences of the agricultural social partners were presented to the representatives of the European Commission, with willingness expressed to link possible conclusions from the development of the mobility package with the realities of the agricultural labour market. This would make it possible to implement the ideas of the social partners on promoting the employment of job-seeking young people and apprentices as well as the attempts of the social partners to evaluate new labour market policy instruments with regard to their suitability for maintaining and improving the social conditions of agricultural employees. EFFAT has justified its rejection of the e-card.

6.4 RECOMMENDATION 204 ON THE TRANSITION FROM THE INFORMAL TO THE FORMAL ECONOMY

The Recommendation recognises that most people do not enter the informal economy on a voluntary basis but due to a lack of opportunities in the formal economy and the absence of any other means of subsistence. Labour standards provide strategies and practical guidelines for principles and measures facilitating the transition from the informal to the formal economy.

The social partners have issued a joint declaration and agreed to incorporate the conclusions into their work.

6.5 EFFAT WORK ON MIGRANT WORKERS

The EFFAT project on ways of improving the working and living conditions of migrant workers was presented and the conclusions intensively discussed.

6.6 JOINT WEBSITE OF THE SOCIAL PARTNERS

The projected joint website of the agriculture social partners is to be realised in 2019.

7. REDUCING MUSCULO-SKELETAL DISORDERS

The agriculture social partners, EFFAT and GEOPA-COPA, jointly held a European conference in Bologna (Italy) on reducing musculo-skeletal disorders among agricultural workers. The conference was also attended by representatives of the National Observatories, set up in 9 Member States in the context of implementing the 2005 social partners agreement. The representatives of the national institutions reported on their activities and the changing situation regarding musculo-skeletal disorders among agricultural workers. The results of the conference are available on the website www.agri-msd.eu.

7.2 MACHINERY AND EQUIPMENT

In December we held a conference in Prague (Czech Republic) together with the European Association of Machinery Manufacturers on the topic of "Health and Safety when using Agricultural Machinery and Equipment". The key topic of the meeting was our demand for the elimination of inhumane working conditions through technical progress. It soon became clear that the manufacturers' strategies were first and foremost geared more to boosting turnover than to providing solutions to unacceptable working conditions. This bodes ill for the implementation of digitalisation solutions in companies. Progress has however been made in assessing the risks associated with the use of machinery and equipment.

No progress has been made in the DG GROW Working Group on Agricultural Tractors (WGAT).

7.3 PESTICIDES

On 27 June 2018, we held a conference on pesticides in Brussels, focusing on authorisation, protection and cooperation with other organisations.

7.4 WORKERS' MEMORIAL DAY

Since 2002, this United Nations day of remembrance has been called "World Day for Safety and Health at Work". It is commemorated every year throughout the world on 28 April. In recent years, EFFAT activities on this day have considerably expanded. We would like to thank all trade unions involved. Nevertheless, we would like to see our member organisations participating even more and our Secretariat being informed about plans so that we can draw attention to these national events. This day is also a good opportunity to inform others about our activities.

7.5 RISK ASSESSMENT

The electronic sectoral risk assessment (OIRA) developed by the European Agency for Safety and Health at Work (OSHA Europe) has been evaluated, thus laying the foundations for the development of a European sectoral instrument. An application from EFFAT to this effect was rejected by the European Commission. We hope to be able to carry out this project at a later date. However, this requires clear support from the European Commission.

7.6 PESTICIDES

Our work focuses on the implementation of the "Directive on the Sustainable Use of PESTICIDES" (2009/128/EU) and the monitoring of the associated National Action Plans (NAPs). Wanting to step up the participation of trade unions in this work, we held a European conference on this subject in Brussels in summer 2018.

7.6.1 GLYPHOSATE

The sector's position has been presented many times. New contacts have been established in the all-party network "Members against Cancer" (MAC) of MEPs from all parliamentary groups. The conditional temporary approval of glyphosate is a first success for the campaign. In particular, the significant reduction in the use and quantity of the active agent is an important contribution to improving protection of workers' health. This is a major intermediate success. We now need to translate our other demands into practical measures. This is the only way to replace glyphosate with low-risk alternatives.

7.6.2 PESTICIDE SPRAYING BY SELF-PROPELLED MACHINES AND TRACTORS

While the first self-propelled machines with class 4 cabs are already on the market, the situation with tractors is not looking good. It is still unclear how long the corresponding filters (so-called CAT 4 filters) last³. In addition, there are still no suitable solutions for storing personal protective equipment in the machines. Further work relates to a uniform label for pesticide packaging (EN ISO 4254-6). We discussed this in Prague on 14 December 2017.

7.7 INCREASING PROBLEMS THROUGH THE USE OF NEW SMALL VEHICLES

The use of new small vehicles in agriculture and forestry is increasingly being reported, for the most part quads. The problem with these vehicles is their inadequate protection against tipping and rolling over and the associated considerable to fatal risks for riders. These reports have been sent to the European Commission (DG GROW; WGAT) and initial investigations have started in

³ EN 15695

the Member States (e.g. IRSTEA from France). We want to see limits on the approval for these vehicle types and are lobbying for solutions. We intend to carry out further research and gather information on the extent of work with such unsuitable machines and then draw appropriate conclusions.

7.8 ULTRAVIOLET RADIATION

Together with the European Federation of Building and Wood Workers (EFBWW), we are working to improve the protection of outdoor workers against dangerous solar radiation. Employers continue to oppose the creation of new legal regulations in this area. We would like to thank those member organisations that have implemented a variety of initiatives (workplace access to drinking water; protection from sunlight; shifting working hours to less sunny hours; provision of hats, sun creams and other prevention materials).

7.9 EMISSIONS FROM HAND-HELD DEVICES

Together with the European Federation of Building and Wood Workers (EFBWW), at our "European Conference on Occupational Safety and Health of Agricultural and Forestry Machinery" in Prague (Czech Republic), we dealt with initiatives to reduce emissions from two-stroke hand-held power tools using the example of chainsaws and motor scythes. We want to ensure that the health burdens for operators are ended or at least significantly reduced. Alternatives were discussed, as were future prospects.

<https://www.russfrei-fuers-klima.de/themen/baumaschinen/fachforum-baumaschinen-und-luftreinhaltung/>

8 SOCIAL SECURITY

8.1 OPEN METHOD OF COORDINATION

With regard to the future of social security systems in EU Member States, we have repeatedly drawn the European Commission's attention to the problems of transferring possible social security rights for cross-border workers, some of whom have been paying contributions into the

systems of host countries for years without this giving rise to any entitlements (above all to pension entitlements). Solutions for this are still not on the horizon.

<http://ec.europa.eu/social/keyDocuments.jsp?advSearchKey=EUSSCFactSheets&mode=advancedSubmit&languageId=en&search.x=0&search.y=0>

8.2 EUROPEAN NETWORK OF AGRICULTURAL SOCIAL PROTECTION SYSTEMS (ENASP)

An overview of how the agricultural social protection systems in this network work is available on the website www.enasp.eu.

8.3 INTERNATIONAL ASSOCIATION FOR SOCIAL SECURITY, AGRICULTURE SECTION

On the occasion of the "XXI World Congress on Safety and Health at Work, we held a colloquium of the Agriculture Section, chaired by Eric **VAN DAELE** (FGA-CFDT France). EFFAT Agricultural Secretary Arnd **SPAHN** also took part in the section meeting as a speaker. We aim to achieve a regular consultation of elected trade union representatives, at least from European countries, with a view to developing common positions on and contributions to new regulations. Our activities served this goal in 2018 as well.

9 TRADE POLICY

In recent years, we have worked intensively on various trade policy issues: the Russian trade embargo, TTIP, CETA and other bilateral and interregional trade agreements (Colombia, South Korea, Vietnam). New questions have come our way. The food sector is already working on the agreement with Latin America (Mercosur). We want to participate in these activities and help develop answers.

Now that the CETA trade agreement with Canada has entered into force and is being ratified by Member States, we are lobbying for clear employment and production standards, with a focus on agricultural employment.

APPENDIX 1 EXCERPT FROM THE EUROPEAN COMMISSION PROPOSAL ON THE COMMON EUROPEAN AGRICULTURAL POLICY (CAP) AFTER 2020

COM(2018) 392 final - 2018/0216 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

establishing rules on support for strategic plans to be drawn up by Member States under the Common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulation (EU) No 1305/2013 of the European Parliament and of the Council and Regulation (EU) No 1307/2013 of the European Parliament and of the Council.

Article 15

Reduction of payments

1. Member States shall reduce the amount of direct payments to be granted to a farmer under this Chapter for a calendar year exceeding EUR 60 000 as follows:
 - (a) (a) by at least 25 % for the tranche between EUR 60 000 and EUR 75 000;
 - (b) (b) by at least 50 % for the tranche between EUR 75 000 and EUR 90 000;
 - (c) (c) by at least 75 % for the tranche between EUR 90 000 and EUR 100 000;
 - (d) (d) by 100 % for the amount exceeding EUR 100 000.
2. Before applying paragraph 1, Member States shall subtract from the amount of direct payments to be granted to a farmer pursuant to this Chapter in a given calendar year:
 - (a) the salaries linked to an agricultural activity declared by the farmer, including taxes and social contributions related to employment; and
 - (a) (b) the equivalent cost of regular and unpaid labour linked to an agricultural activity practiced by persons working on the farm concerned who do not receive a salary, or who receive less remuneration than the amount normally paid for the services rendered, but are rewarded through the economic result of the farm business.

To calculate the amounts referred to in points a) and b), Member States shall use the average standard salaries linked to an agricultural activity at national or regional level multiplied by the number of annual work units declared by the farmer concerned.