PHS Dialogue

Building an EU Sectoral Social Dialogue and collective bargaining capacity in Personal and Household Services

EU-funded Project 2023/101102302

Webinar "Fostering Employer's Building Capacity"–

9 January 2024 - Brussels

Co-funded by
the European Union

Toolkit for the PHS Sector - Introduction

- **Toolkit:** The toolkit, a deliverable from the **PHSDialogue Project**, seeks to help PHS Employers and Business organisations to participate in the decision-making process defining employment relationships (industrial democracy), and to pursue efficiency (industrial competitiveness) and equity (social justice and quality of work and employment). Overall, it will reinforce their abilities and power to engage in an institutional context for stable and sustainable industrial relations.

- **Aims: 1)** To better identify PHS Employers' capacity-building needs at the national level; **2)** To understand the best ways in which PHS Employers and Business organisations' capacity can be reinforced; **3)** To provide PHS Employers and Business organisations **with practical advice, tools and links to external resources to review their approaches on different aspects of their operations, and help them to build their organisations more strategically, effectively and efficiently.**

- **Target Audience:** The toolkit will target well-established PHS Employers, Business organisations, and newer organisations. It will only focus on their capacities at the national level. Main users (e.g., trade unions, employer associations, government officials, mediators, civil society).

- **Publication:** April 2025

Toolkit for the PHS sector - Structure

1. Capacity Building

- **Definition of Capacity Building**

- Eurofound:
"The enhancement of the skills, abilities, and powers of social partners to engage effectively at different levels in social dialogue, collective bargaining, regulating the employment relationship, tripartite and bipartite consultations, influencing public policy."

2. Social Dialogue

- **Demonstrate the importance of social dialogue and how to develop it**

- What is social dialogue;
- Bipartite Consultations;
- Preparation of negotiations;
- The negotiations;
- Member Communication;

3. Gaps in Capacity Building

- **Fragmented Policy Landscape**

- **Role of State Intervention**

- **Lack of Social Dialogue**

- **Lack of Capacity Building Initiatives**

- **Lack of Independence and Trust among Social Partners**

4. Toolkit

- **Good governance**
- Better Human Resources, and financial resources
- **Advocacy**
- Strategic approach, Targets, Networks, Briefings, **Communication**, Press Releases
- **Membership Development**
- Increased membership, representativeness capacity mandate to negotiation
- **Services**
- Information, networking, consultancy

1. Definitions

Capacity Building: The enhancement of social partners' skills, abilities, and powers to engage effectively at different levels in social dialogue, collective bargaining, regulating the employment relationship, bipartite relationship, public policymaking, and influencing public policymaking via advocacy.

→ increase and improve financial, legal, analytical, institutional, and political capacities.

Social Dialogue: Encompasses all negotiations, consultations, and exchanges of information between government, employers, and workers on shared economic concerns:

- Strong variation among countries in terms of structure, laws, and scope.
- Either tripartite (government, employers and workers) or bipartite (employers and workers).

Employers have identified several benefits of sector agreements:

1) Standardises wages & conditions, easing employee relations and labour competition;
2) Supports budget planning;
3) Promotes structured social dialogue.

2. General Challenges for Capacity Building

Lack of Capacity Building Initiatives: Rights to participate in social dialogue should be better promoted:

- Introducing the right of association, trade unions being able to initiate proceedings.
- The participation of the national social partners in decision-making.

Lack of Trust among Social partners /Employers' lack of willingness to negotiate working conditions with trade unions: Workers are not always able to see the importance of joining trade unions with the addition of:

- The fragmentation of actors.
- The lack of representativeness of social partners.

  → This leads to a lack of will to enter into social dialogue and cooperation among social partners.

The Dominant Role of the State: The increasing dominance of the state in social dialogue, favours centralization.

  → Decreases the autonomy and interest in entering into dialogue between social partners.

3. Challenges on the PHS Perspective

Weakness of Social Partners: The lack of representative bodies of PHS social partners:

- Migrant workers unaware of their rights or to how access support.
- Undeclared work.
- Emergence of new and diverse forms of work.

Fragmentation of Actors and Landscape: Policies and structures supporting the PHS sector vary:

- Some have vouchers or systems of tax incentives.
- Others are more reliable on undeclared work and have no public support.

The Predominance of SMEs and User-Employers: Predominance of small entities with limited resources focused on short-term needs, often overlooking long-term initiatives like capacity building or collective bargaining.

Lack of Collective Bargaining: Limits employer's capacity to strengthen labour relations, influence policy-making, and provide cohesive support to members.

4. Toolkit
4.1. Good Governance

The basis of any organization: regulatory compliance, transparent membership criteria, and measures to prevent conflicts of interest.

Specific adaptation to SEOs: rules like competition law compliance.

Criteria to achieve good governance: democratic decision-making processes, transparency, and preventing undue influence; clear status for membership eligibility.

Specific attention to members: the ultimate authority and beneficiaries of the SEO's actions. Represented by the Board ,it is responsible for major decisions, such as strategic planning, budget approval, and CEO appointment. The secretariat supports the SEO's action plan.

The importance of joining **umbrella employers' organizations.**

4.2. Advocacy

Objectives:

→ **Influence** laws, regulations, and public policies that impact the sector.

→ Present members' concerns as a **unified voice**.

→ **Communicate regularly with decision-makers**, government, and media…to help stabilize regulatory frameworks, understand the impact of their policies on the sector, ensure fair application of laws inform them, and develop a partnership.

→ Enhance the **SEO's visibility** and eventually increase revenue.

→ To become **part of the policy process**: being consulted in advance by policy-makers.

PHS Dialogue Project 2023/101102302

Co-funded by
the European Union

4.3. Membership Development

A Sectoral Employers' Organization (SEO) in PHS is a voluntary, membership-based group of companies or user employers representing common interests within a sector.

→ Voluntary membership is essential, allowing employers' organisations the freedom to establish, join, and self-govern SEOs.

Types of Memberships:

- Regular Membership: Full governance participation and service access.
- Associate Membership: Limited services and no voting rights, often seen as a "probation" period with reduced fee.
- In the case of user-employers it can be affiliates.

Recruitment :

- The size of the member base is crucial for effective lobbying and collective bargaining.
- Efforts should be made by SEO to maintain existing members and attracting new ones.
- Specific adaptation to user employers' organisation: members and affiliates.
- Outline membership benefits, summarise, and present SEO services to prospective members.

4.4. Communication

In the PHS sector, the importance of a multi-level communication :

→ To members, to decision-makers, to all stakeholders, is a way to boost the attractiveness of an invisible sector:

- Creation of referential documents for employers: promote all the **information on the legal framework**

- **Inform employers about worker's rights** (insurance, professional training, retirement and occupational health) and all stakeholders including end users

- In the **direct employment model**, crucial that the user employers have easy access to clear and reliable information to guarantee employees' social rights

- To the **general public**: thanks to an extensive and clear database with regular mailings to maintain contact (invitations to public events, information campaigns, online surveys to learn more about our members and their roles), etc.

- To **decision-makers** : importance of an updated mapping to communicate with all political stakeholders invitations to targeted events, information about the SEO's update, give them access to key data, position papers, easily accessible...

4.5. Services

To expand services, an SEO should leverage its strengths, which may include:

- **Advocacy:** A strong position with legislators offers influence, access to information, and specialized expertise.

- **Collective Bargaining:** Relations with unions provide knowledge and expertise in employee matters.

- **Loyal Membership**: Stable, trusting member relationships enable reliable service expansion.

  → Services include information sharing, networking, consultancy, legal support, and access to funding.

SEOs representing user employers generally offer:

- **Practical tools:** cost simulators, contract generators, model documents, job sheets, and collective agreements in several languages.

- **Dedicated services:** legal advice, access to vocational training, pensions, illness, unemployment, wages, and assistance in finding a job.

- **A Territorial Network:** local contact points throughout the territory, offering local information to citizens.

Open Questions to Participants

- **How do you see the toolkit addressing the specific needs and challenges faced by your organisations?**

- **Based on your experience, which sections of the toolkit do you think would be most useful in your daily operations or strategic planning?**

- **What are the potential barriers or challenges to implementing the practices and strategies outlined in the toolkit?**

- **What is your feedback on the toolkit's structure and content? Are there areas where you feel more details or examples would be helpful?**

- **What type of support would be most beneficial to help your organisation apply the toolkit effectively?**