

## *Joint Declaration*

### *'Promoting Social Dialogue in the Audiovisual industry'*

*European Seminar – Sofia, 1<sup>st</sup> October 2010*

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#### **European Social Dialogue**

European social dialogue is the process by which trade unions and employer organisations can exchange information and influence European policy and legislation through their European representative organisations. Over the historical development of the European Communities, the European social dialogue process has become more structured and has increased significantly in importance.

We recognize that European Social Dialogue is an important plank in European Union (EU) policy. It embodies the principle of social subsidiarity and complements the national practices of social dialogue and industrial relations, while acknowledging the autonomy of social partners and the diversity of industrial relations in Europe. It is viewed as fundamental to a stable relationship between employees and employers and hence a crucial feature in building and strengthening the social dimension of the European Union members states.

We support the EU view that social partnership delivers the added value of helping in the quest to modernize EU societies while respecting the commonly shared European values

#### **Audiovisual sector**

The audiovisual sector is a unique sector. It is both a practical resource and a primary source of information and entertainment across the EU. Because of this it has a special significance in the protection and promotion of fundamental freedoms and democracy across the member states of the EU.

In the EU, the audiovisual sector contains public and commercial organisations. As underlined by the Audiovisual Media Services Directive, the EU audiovisual landscape is characterised by what has been described as “the dual system”. The co-existence of public and commercial organisations looks to create a diverse range of programming. It

contributes to media pluralism, cultural and linguistic diversity, editorial competition (in terms of content quality and diversity) as well as freedom of expression and the public's right to information.

The audiovisual sector also provides European people with film and TV contents, which cultural and social value also strongly contributes to the development of European societies.

It is vital that the audiovisual sector remains vibrant and healthy. European social dialogue can play its part in helping to support this intrinsic aim.

### **The AV SDC Enlargement Project 2010**

It is important that organisations in the audiovisual sector across all member states of the EU are given the opportunity to play their part in the development of the EU and maintenance of the audiovisual sector.

The audiovisual sector Social Dialogue Committee believes that it is now necessary to involve social partners from new Member States in a capacity building process whilst looking at the breadth and depth of experiences through awareness of industrial relations and collective bargaining – process and agreements.

Accordingly the Social Dialogue Committee proposed the project to the European Commission which culminated in the Conference in Sofia.

Building on the experience from the previous enlargement project, this project has undertaken national roundtables before the Sofia seminar in order to better mobilise European social partners. It was the intention this would lead to a beneficial range of representation from European social partners at the seminar. Further we believe such national roundtables can facilitate and promote European social dialogue with social partners of new Member States and the workings of the European Audiovisual Social Dialogue Committee in order to encourage further involvement where there is insufficient representation.

For reference, national roundtables were held in Romania, Bulgaria, Hungary, Slovenia and the Slovak Republic in the period from March to September 2010. Such events have created and built momentum to ensure participation. As such they have resulted in the attendance at the Sofia Conference meeting the highest expectations of the social dialogue committee. We have been pleased to welcome delegates from all the countries visited during the national round tables. In addition we have welcomed a number of delegates from the established Member States to provide further breadth to the discussions.

## **Commitment**

The European social partners are faithful to ensuring the continuing good health and quality of the audiovisual sector;

The European social partners in the audiovisual sector believe that:

- 1) All member states should recognise the necessity and benefits of employers' associations and trade unions, and the mutual recognition between employers and workers;
- 2) To strengthen European social dialogue it is necessary to have strong employers' associations and strong unions who are able and capable to negotiate on collective agreements;
- 3) Social dialogue should be considered, developed and strengthened where possible in the audiovisual sector in those countries where it is absent.

To promote and improve social dialogue in new Member States, the audiovisual sector Social Dialogue Committee proposes that:

### *a) The European Union*

- Support employers' association and trade unions in the audiovisual sector in the new Member States to increase their capacity to better reach out to their potential affiliates and build upon any current established relationships;
- Encourage governments to allow for conditions for an autonomous bi-lateral social dialogue;
- Stimulate the international exchange between countries of Europe as regards best practices of the organisation of labour and management and of social dialogue;
- Support the professional career development of those who work within the audiovisual sector through life-long learning and vocational training.

### *b) European Governments*

- Give the management the freedom and independence to jointly initiate social dialogue and to be a real partner in bi-partite and tri-partite social dialogue;
- Encourage and allow management and labour to organise;
- Enable and allow for conditions for an autonomous social dialogue;
- Encourage the development of social dialogue in the audiovisual sector;
- Adopt an integrated approach between the relevant government departments responsible for labour, social affairs and culture to create a coherent social dialogue;
- Consult and consider management and labour when transposing and implementing EU legislation which has an impact on the audiovisual sector;
- Develop the regulatory framework which enables the sector to develop its full potential as part of the culture and creative industries and to contribute to local economic and social development and involve closely employers and trade unions.

*c) Employers and employers' associations in the new Member States*

- Permit the establishment, where applicable of employers' organisations to defend collectively the interests of management;
- All employers including those who are in the public broadcasting sector should be able to set-up and participate in employers' associations if they so wish;
- Allow for the establishment of a regular dialogue with colleagues from different European countries to exchange and consider best practices and discuss themes of common interest and importance to the audiovisual sector;
- Where applicable, and relevant assist governments in setting up an independent social dialogue (bi-partite and tri-partite);
- Where necessary identify solutions or provide a sounding board to setting up a coherent and accessible system for career development, including life-long training and vocational training schemes.

*d) Workers and trade unions in new Member States*

- Develop strategies for trade unions to carry out a new and relevant role to reach out to potential affiliates and especially younger workers in the sector;
- Develop coordination and cooperation with other trade unions inside the sector, at home and abroad to define strategies on how to better defend the interest of all workers in the sector including freelance and the self-employed;
- Develop strategies with national employers and employers' organisations to develop an independent bi-lateral social dialogue at national/regional and establishment levels;
- Identify solutions to set up a coherent and accessible system for professional career development, including schemes for life-long vocational training and professional reconversion.

This declaration is made at the conclusion of the AV SDC Conference held in Sofia, Bulgaria on 30th September and 1st October 2010. It will henceforth be known as the 'Sofia Declaration' and has been endorsed by all the confederations which were present in Sofia: CEPI, EBU and FIAPF for the employers, and FIA, FIM, EFJ and UNI MEI for the trade unions.