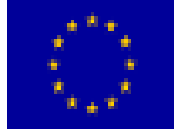




Strengthening Social Dialogue in the Process of
Structural Adjustment and
Private Sector Participation in Ports

Sectoral
Activities
Department



EU Funded ILO Technical Cooperation Project



ILO Reference: RER/06/06/EEC

**Evaluation Report on the “International Cross-Fertilization Workshop on
Social Dialogue in Ports in Bulgaria, Croatia and Romania”**

Antwerp and Brussels, 14-16 October 2009

Lead Facilitator: *Professor Peter Turnbull*

Acknowledgement

This project has been implemented following a relevant agreement signed between the ILO and the Commission of the European Communities.

Reference number of the Agreement: N° 30-CE-0194198/00-19 – SI2, 502974

Strengthening Social Dialogue in the Process of Structural Adjustment and Private Sector Participation in Ports in Bulgaria, Croatia and Romania

Background

Following three successful National Tripartite Workshops on “Strengthening Social Dialogue in the Process of Structural Adjustment and Private Sector Participation in Ports”, held in the ports of Varna (Bulgaria, 11-15 May 2009), Constanța (Romania 22-26 June 2009) and Rijeka (Croatia, 29 June - 3 July 2009), the National Port Steering Committee for the project in each country was tasked to prepare a “National Plan” to sustain and strengthen social dialogue in the port transport industry. These plans were presented at an “International Cross-Fertilization Workshop” where participants from each country (representing employers, workers and the relevant government ministries) were able to share their experiences of social dialogue, reflect on the earlier National Tripartite Workshops, and most importantly exchange ideas with colleagues from other countries involved in the technical cooperation project in order to refine and further strengthen their National Plan for social dialogue in ports. The cross-fertilization workshop was held in Brussels on 15-16 October 2009 at the offices of the European Transport Workers’ Federation (ETF), preceded by a visit to the Port of Antwerp (14 October 2009).

Programme Overview¹

On Wednesday 14 October 2009, participants travelled by coach from Brussels to Antwerp to visit the port. The day began with an introduction to the port and its activities by APEC (the Antwerp/Flanders Port Training Centre) and the Port Authority. This was followed by a tour of the port facilities, lunch at the offices of APEC, and then meetings with the employers’ association and the port trade unions.

On Thursday 15 and Friday 16 October 2009, participants attended the Cross-Fertilization Workshop at the offices of the ETF. Following welcoming addresses and an overview of the programme by Mr Meletiou (ILO) each delegation presented the first draft of their National Plan for social dialogue in ports, followed by a “question and answer” (Q&A) session. After

¹ A copy of the Workshop Programme is attached in the Appendices.

lunch on the first day of the Workshop, there was a presentation by DG Employment, followed by a Q&A session. Unfortunately, a scheduled presentation by DG TREN was cancelled because of illness, although a very full power-point presentation was made available to all participants. The national delegations were then reassigned to three working groups with a mixture of nationalities/representatives (i.e. government, employers and workers from different countries). These groups were tasked to reflect on the National Plans and generate a list of common features and potential problems. The first day concluded with a brief summary of the day's activities by Professor Turnbull (Lead Facilitator).

The first activity on Friday 16 October 2009 was a presentation of the initial work by the three mixed working groups, followed by a discussion coordinated by the Lead Facilitator. The purpose of this discussion was to generate a common set of problems or areas for development identified by the three mixed groups. The mixed working groups were then tasked to focus on possible solutions to the common set of problems. The conclusions of each group were presented at a plenary session immediately before lunch. During the afternoon, the national delegations reconvened to update their National Plans for social dialogue based on the material presented in the plenary session. The National Plans were then re-presented to the Workshop, followed by a Q&A session. The Workshop ended with an evaluation questionnaire and presentation of certificates of attendance.

National Plans²

All three National Plans for social dialogue in ports proposed that coordination should be undertaken by a National Tripartite Project Steering Committee (NTPSC). Each delegation proposed membership of the NTPSC to be drawn from the relevant government ministries (transport and employment), employers associations and trade unions. Under the Croatian National Plan, responsibility for implementation will rest with the Office for Social Partnership (OSP), which is already supporting tripartite and bipartite meetings and other activities at both the national (inter-professional) level and within a range of different sectors.

² All three National Plans are appended to this Report.

All three National Plans will build on the relevant National Tripartite Workshop held earlier this year, utilising the ILO *Guidance Manuals*³ and training materials developed for each workshop (including the specially commissioned national studies of the port transport industry and social dialogue). The National Plans also identified other useful material to be included in future training for social dialogue, in particular any changes to relevant national or EU legislation, as well as outside experts who might be called upon to assist with the delivery of future training. The National Plans highlighted the quality of the training materials developed for the ILO National Tripartite Workshops held in their country's principal port, echoing the feedback that was received from the participants at these National Tripartite Workshops. Under each National Plan, the (initial) trainers will be drawn from the pool of participants who attended the ILO National Tripartite Workshop.

The objectives of the National Plans were broadly similar:

Bulgaria

“Strengthening the social cooperation between the social partners; informing the social partners of the social dialogue and preparing them to conduct constructive negotiations and to defend their positions; involvement of the stakeholders to the mechanism of social dialogue; inclusion of more social partners in the field of social dialogue in the ports which will promote and safeguard their working and living conditions at European standards and achieve efficient and competitive operations of their business respectively; introduction to students from final courses of education the nature and mechanism of social dialogue.”

Croatia

“To build the capacities of the social partners, Government and other stakeholders, particularly institutions included in the port sector, to address all the relevant issues in the port sector through constructive social dialogue, including the enabling or promotion of the idea of conclusion of the sectoral collective agreement and to sustain this capacity through training

³ Turnbull, P. *Consolidarea Dialogului Social în Procesul de Ajustare Structurală și Participare a Sectorului Privat în Porturi*, Geneva: International Labour Office, 2009, ISBN 978-92-2-821671-4; Turnbull, P. *Socijalni Dijalog u Procesu Strukturalne Prilagodbe i Sudjelovanje Privatnog Sektora u Lukama*, Geneva: International Labour Office, 2009, ISBN 978-92-2-821669-1; and Turnbull, P. *социалният диалог в процеса на структурни промени и при участие на частния сектор в пристанищата*, Geneva: International Labour Office, 2009, ISBN 978-9228177213.

and promotion, especially in the process of reconstruction and private sector participation in ports.

Romania

“The general aim of the project is to strengthen the capacity of the social partners and other institutions involved in the port sector in Romania to engage in a constructive social dialogue in general and particularly during the process of structural adjustment and private sector participation in ports.”

In each National Plan, the focal point of the proposed activities will be national tripartite workshops of 3 days duration. All three delegations expressed the view that the ILO National Tripartite Workshops held earlier this year were too long and too intense, with too much material to digest. In each National Plan, future training will focus on the ILO Model of Social Dialogue, with more limited background information on national and EU developments in the port transport industry. The Bulgarian National Plan introduced a very novel idea of conducting lectures on the topic of social dialogue in specialised secondary and higher education schools for students in their final year of study in the broad field of water transport.⁴ The Plan also introduced the idea of “expert working groups” that will meet twice a year to focus on specific issues or problems in areas such as health and safety, employment contracts, and the possible creation of a register of dock workers (following the example of other countries).

National Plan for Croatia went further than the other two countries in terms of extending social dialogue to the regional and “group” levels as well as the national level. The details are as follows:

At the national level ...

members of trade union confederations

members of employers’ association

ministers and other high-ranking officials in the ministries dealing with the different aspects of the port sector

⁴ These lectures will focus on the nature of social dialogue, its history, operation and application under Bulgarian legislation.

At regional level ...

Trade unions: presidents and secretaries of trade unions; trade unions stewards, worker's representatives in Supervisory boards, representatives of Workers councils in ports, representatives of trade unions for health and safety at work in ports

Employers: members of the board in ports, directors of divisions/sections in ports, heads of business units

Government: employees of ministries and port authorities directly dealing with the port sector

At group level...

representatives of each interest group by themselves, i.e. trade unions/workers, employers, and government

Given the diversity of these different levels, it is proposed that training sessions will vary from 1½ to 3 days under the Croatian National Plan. There will be one national awareness conference, four regional workshops in the major ports (Rijeka, Split, Plöce and Vukovar) and three group workshop (each held separately for the employers, workers and government).

All three National Plans propose a “cycle” of 2 years for the implementation of their programme of activities to strengthen sector social dialogue, with systematic evaluation and appropriate revision and adjustment of the programme as it unfolds. In this respect, each National Plan is consistent with the action-research model that underpins the ILO Model of Social Dialogue.

Cost estimates varied widely. The Bulgarian National Plan budgeted for meetings of the NTPSC, expert working groups, social dialogue training, and lectures in specialised secondary and higher education schools. The estimated cost is €152,709, which is way in excess of the estimated cost of the Croatian (€81,000) and Romanian (€27,000) National Plans.⁵ All three National Plans envisage at least some financial support from external (non-national) sources.

⁵ The Croatian National Plan budgeted for one national awareness conference, four regional workshops (to be held twice a year, therefore four in total over the 2 year cycle) and three group workshops (one each for employers, workers and the government). The Romanian National Plan budgeted for three national tripartite workshops, each of 3 days duration.

Evaluation of the Cross-Fertilization Workshop⁶

Port Visit

Participants welcomed the opportunity to visit the Port of Antwerp and in particular the opportunity to discuss the activities of the Port with employer and trade union representatives. Although the Port of Antwerp is much bigger than their own ports, which makes direct comparisons difficult, all the participants were impressed by the central role of social dialogue in the commercial success of the port and the promotion of decent work. The presentations by Centrale der Werkgevers aan de Haven van Antwerpen (CEPA), the Port of Antwerp employers' association, proved to be especially useful. In the End of Workshop Evaluation Questionnaire, 62% of participants rated the port visit as "very informative" (38% rated it as "informative"). More than three-quarters rated the meeting with CEPA as "very informative" (24% "informative"). The corresponding figures for the meeting with the port trade unions was 38% "very informative" and 62% "informative".⁷

Cross-Fertilization Workshop Activities

It was evident that one of the main benefits of the ILO Tripartite Workshops was simply the opportunity it provided for the social partners to interact.⁸ Both the Bulgarian and Croatian National Plans highlighted this cooperation:

"Particularly useful for the participants was their inclusion in work groups where it was felt the spirit of social dialogue" (Bulgarian National Plan)

"Most participants were very satisfied with mutual cooperation during the workshop, especially in the light that they did not know each other before the workshop. They particularly liked the discussions among participants" (Croatian National Plan)

⁶ Data from the "End of Workshop Evaluation Questionnaire" is used to inform this section of the report. A copy of the Questionnaire, with the responses (n = 21) to each question, is appended to this report.

⁷ None of the participants answered "not at all informative" to any of the questions about the port visit.

⁸ There were numerous comments to this effect in the Evaluation Questionnaires for each Workshop.

It was unsurprising not to find a similar endorsement in the Romanian National Plan as the participation of the employers was very poor during ILO Tripartite Workshop in Constanța (22-26 June 2009). Likewise, the participation of one of the employer representatives during the Cross-Fertilisation Workshop in Brussels was less than ideal (he missed the port visit to Antwerp due to “business commitments” and spent most of the first day and some of the second day in Brussels on the telephone).⁹ In future, a condition of attendance at the Cross-Fertilization Workshop should be full participation at the preceding ILO National Tripartite Workshop.

The majority of participants (52%) reported “very good” communication and cooperation between themselves during the workshop (43% reported “good” communication and cooperation among participants). The vast majority of participants (86%) reported that discussion within the mixed country groups was either “very constructive” or “constructive” in terms of improving their National Plan for strengthening social dialogue. Nearly one-in-five participants reported “substantial” knowledge sharing within the mixed country groups and a further 62% reported “moderate” knowledge sharing. This provided “highly valuable feedback” for well over a third of participants (38%) and “valuable feedback” for a further 62%. When asked if they will maintain contact in the future with some of the participants from other countries, and/or with EC officials, ILO facilitators and others they have met during the training period, 48% answered “definitely” and a further 38% responded “probably”.

According to the vast majority of participants, interaction and feedback resulted in only “minor” revisions to their national plans, although two Romanian delegates did report “major revisions” as a result of this interaction. The first draft of the Romanian National Plan was certainly the least developed of the three countries and as a result benefited most from the Cross-Fertilization Workshop in Brussels. The main revision to the first draft of the Bulgarian National Plan related to cost – this brought the cost estimates closer to those of the other two National Plans but it still remains much higher (see above). All three delegations seemed reluctant to incorporate ideas from the other National Plans (e.g. the Bulgarian proposal of introducing social dialogue to the curriculum of secondary and high education courses related

⁹ This particular participant missed almost all of the ILO Tripartite Workshop in Constanța and it was rather surprising that he was nominated by his National Steering Committee to attend the Workshop in Brussels.

to transport or the Croatian proposal for “group level” training, which was in fact recommended during the ILO National Tripartite Workshops).

National Plans

It would be fair to say that there was an atmosphere of suspicion, or even antagonism in some quarters, at the start of each of the ILO National Tripartite Workshops. The progress that each group made in developing a National Plan to strengthen sector social dialogue in their country’s ports is therefore highly commendable.

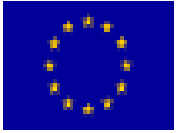
The National Plans for both Bulgaria and Croatia were carefully considered and strongly supported by all the social partners. The Romanian National Plan was far less developed, even after input at the Cross-Fertilization Workshop,¹⁰ but given the poor participation of employers at the ILO Tripartite Workshop (see above) the progress made by the National Steering Group is also to be congratulated.

All three National Plans have clearly stated aims and objectives and a systematic approach to the organisation and delivery of future training activities. The Croatian National Plan is the most sophisticated of the three, with a multi-level approach to training (national, regional and local levels) that is firmly embedded within, and builds upon, existing national resources and institutions for social dialogue. There is also a proposal to extend the scope of training beyond the ILO Model of Social Dialogue, with dedicated sessions on mediation and resolving labour disputes (collective and individual) that will address the particular and pressing needs of the social partners in Croatian ports. Monitoring and evaluation is an integral and on-going component of the proposed National Plan and every effort has been made to mobilise the necessary resources for social dialogue through existing institutions and sources of funding.

It is important to continue to support the social partners in all three countries with advice, information and more direct assistance if possible. An obvious example would be

¹⁰ For example, the National Plan does not include trade union representatives in the list of participants for the proposed national workshops on social dialogue. The participants are listed as: (i) human resource and operations managers in the port sector, public or private sector port managers; (ii) government officials from relevant departments of transport and labour, port administration officials; and (iii) trainers who work for port training centres and consultants who provide advice to ports on structural adjustment and private port sector participation.

participation at future national workshops on social dialogue under the respective National Plans. The Lead Facilitator has offered his services in this respect, free of charge, to all three delegations.



ANNEX II

EU funded ILO Technical Cooperation Project: “Strengthening Social Dialogue in the Process of Structural Adjustment and Private Sector Participation in Ports in Bulgaria, Croatia and Romania”

ILO Reference: RER/06/06/EEC
Grant Agreement: N° 30-CE-0194198/00-19 – SI2, 502974

Programme of the International Cross - Fertilization Workshop on Social Dialogue in Ports in Bulgaria, Croatia and Romania Language: English

Dates: Thursday 15 & Friday 16 October 2009

**Venue: ETF Conference Facilities,
(Galeria Agora, Rue du Marché aux Herbes 105, Boîte 11, Brussels, Belgium)**

Lead Facilitator: Professor Peter Turnbull

Item	Time	Activity	Remarks
		Date: Thursday 15 October 2009	
1A.	09.00 – 09.30	Arrival of participants / registration	
2A.	09.30 – 10.30	Opening Session	Welcome addresses (ETF, FEPORT, EC, ILO) introduction of participants, facilitators and officials, briefing on the workshop activities / programme, housekeeping arrangements
3A.	10.30 – 10.50	Coffee Break	
4A.	10.50 – 11.30	Presentation of report of Bulgarian delegation	30 minutes Presentation and 10 minutes Q/A
5A.	11.30 – 12.10	Presentation of report of Croatian delegation	30 minutes Presentation and 10 minutes Q/A
6A.	12.10 – 12.50	Presentation of report of Romanian delegation	30 minutes Presentation and 10 minutes Q/A
7A.	12.50 – 14.20	Lunch Break	Participants will use part of their DSA to have lunch as per their preference
8A.	14.20 – 14.50	Presentation by Representative of DG Employment	Includes Q/A session
9A.	14.50 – 15.20	Presentation by Representative of DG TREN	Includes Q/A session
10A.	15.20 – 15.40	Coffee Break	

11A.	15.40 – 16.00	Establishment of groups and briefing on group work on Day 2 of workshop	Three groups comprising six persons (a mixture of government; employers' and workers' representatives from all three countries)
12A.	16.00 – 16.50	Group work (Part 1) - Groups work separately	A short description of the group work procedure will be provided during workshop activity 11A.
13A.	16.50 – 17.00	Summary of workshop activities of Day 1	By Professor P. Turnbull
14A.	17.00	End of Day 1	
		Date: Friday 16 October 2009	
1B.	09.30 – 10.30	Plenary session - Groups present first set of their findings and establish a common list of findings	Presentations by groups' spokespersons, followed by discussion to be coordinated by Professor Peter Turnbull
2B.	10.30 – 10.50	Coffee Break	
3B.	10.50 – 11.30	Group work (Part 2) - Groups work separately	
4B.	11.30 – 12.20	Plenary session - Groups present second set of their findings and establish a common list of findings	Presentations by groups' spokespersons, followed by discussion to be coordinated by Professor Peter Turnbull
5B.	12.20 – 12.50	Meeting of National Delegations	Review and update of National Recommendations for project sustainability
6B.	12.50 – 14.20	Lunch Break	Participants will use part of their DSA to have lunch as per their preference
7B.	14.20 – 14.50	Meeting of National Delegations (continued from morning session)	Review and update of National Recommendations for project sustainability – preparation of an outline
8B.	14.50 – 15.30	Presentations of the outlines of the three updated national recommendations	Coordinated by Professor Peter Turnbull
9B.	15.30 – 15.50	Coffee Break	
10B.	15.50 – 16.10	Port visit and workshop assessment	An evaluation questionnaire will be completed by the participants
11B.	16.10 – 16.20	Summary of workshop activities of Day 2	By Professor P. Turnbull
12B.	16.20 – 17.00	Closing session	Closing remarks and presentation of certificates
13B.	17.00	End of Workshop	

DRAFT PROPOSAL

NATIONAL ACTION PLAN FOR STRENGTHENING THE SOCIAL DIALOGUE IN THE PORT SECTOR IN BULGARIA FOR THE PERIOD 2010-2011

Introduction

Bulgaria occupies a strategically important place in Southeast Europe and is part of the Trans-European Transport Networks (TEN-T). Geographical situation of the country, in turn, puts a kind of challenge to the state on taking timely steps for infrastructure development relating to all modes. The crossing Republic of Bulgaria corridors include virtually all major sea and river ports, through which passes more than 60% of the country's foreign trade turnover.

In Bulgaria the tripartite cooperation has a short history. At the beginning of 1990 negotiations began on a national level between government representatives, the Confederation of Independent Trade Unions in Bulgaria and the National Union of managers in Bulgaria. As a result on 15.03.1990 was signed the first in our country General Agreement on solving the most pressing issues that affect vital processes of workers and generate social tensions. A particularly important component of this first agreement in the system of tripartite cooperation at national level is the general agreement between the representatives of the Government, unions and employers to establish a National Commission for conciliation of interests, built on parity basis - with an equal number of representatives of the government, organizations of employers and workers' and employees' organizations.

The Social dialogue is the basis for the development of civil society and is a continued government policy to strengthen the social protection. It is a guarantee to attract entities in the establishment of relevant legislation and sets guidelines for national employment and social policy.

Forms of social dialogue:

- Tripartite cooperation;
- Collective bargaining
- Collective agreements

- General Assembly of the employees and their participation in the management of the enterprises;

- Voluntary settlement of collective disputes

In addition to this typical area in which social dialogue is used, a number of its important forms are covered in other legal acts.

Participants in the social dialogue are: the state (through its bodies), employees (through their representatives and organizations - trade unions or by the general meeting of employees) and employers - either directly or through their representatives (employers' organizations).

At the scope of the social cooperation are included the issues of labor force, labor relations, employment, training and retraining, wage, income and social security, collective litigations, collective bargaining, working conditions, restructuring and privatization, affecting the social status of transport workers and the preparation of regulations relating to employment and transport legislation.

Table 1 - Current status of employment in ports for public transport with national importance
- number of employees and level of professional association

Port operator in Port of public transport of national importance	Number of employees	Total number of employees - members in trade unions
Port Varna	1625	1602
Port Burgas	1400	400
Port Rousse	342	323
Port Lom	308	305
Port Vidin	37	34
Danube Industrial Park Ferry terminal Silistra	4	-
Port Lesport	119	-

Table 2 - Current employment situation in the ports for public transport with regional importance - number of employees (port staff) and level of professional association

Port operator in Port of public transport of regional importance	Number of employees	Total number of employees - members in trade unions
Port "PCHMV"	19	-
General cargo terminal		
Terminal for base oils	11	
ODESSOS PBM	24	-
KRZ Port Bourgas	63	25
Ro-ro SOMAT Vidin	18	-
BULMARKET	49	-
TPP SVILOZA	16	12
Bellene	9	9
East Point Silistra	3	-
Petrol - Somovit	2	-
W Ve Co - Ruse	5	-
Rousse – duty free zone	19	-

During the project of the International Labor Organization (ILO) “Strengthening the social dialogue process and structural changes in private sector participation in ports” there was a 5-day training in Varna, which covered more than 20 representatives of the social partners. The main objective of the training was to build and strengthen the capacity of social partners and other institutions involved in the port sector aiming to build a constructive social dialogue. As a result, participants received knowledge in terms of the ILO Social Dialogue, ILO activities in the port sector, the history of social dialogue in the port and review of the social policy of the European countries, the new agenda of social dialogue at European ports, social dialogue in a situation of structural

changes, private sector participation in European ports, development of national ports, the ILO model of social dialogue, planning, monitoring and evaluation process of social dialogue and mobilize the necessary resources for social dialogue. Particularly useful for the participants was their inclusion in work groups where it was felt the spirit of social dialogue. Obtained from evaluation of training provided, the audience indicated their satisfaction with the high quality training and materials, professionalism and rich experience of the lecturers in the sector and has identified the need to capture a larger audience and to focus on more specific topics of the Bulgarian ports.

As a result, one of the certified participants exposed the received information, knowledge and skills to the employees of the Directorate of Port Administration - Burgas.

Draft proposal

National Action Plan for strengthening the social dialogue in the Port sector in Bulgaria

The ILO project sets the base of a recognized need to improve the knowledge and skills of social partners in conducting social dialogue in the port sector. In this regard, the representatives of the government, employers and unions have reached mutual agreement to continue what was made by ILO as proposing the creation of a draft proposal of a National Action Plan for strengthening the social dialogue in the Port sector in Bulgaria.

Main objectives

- Strengthening the social cooperation between the social partners;
- Informing the social partners of the social dialogue and preparing them to conduct constructive negotiations and to defend their positions;
- Involvement of the stakeholders to the mechanism of social dialogue;
- Inclusion of more social partners in the field of social dialogue in the ports which will promote and safeguard their working and living conditions at European standards and achieve efficient and competitive operations of their business respectively;
- Introduction to students from final courses of education the nature and mechanism of social dialogue.

Partners

Leading role with its collaboration will play the Ministry of Transport, Communications and Information Technology with the support of the Ministry

of Labor and Social Policy. By employers will be engaged all employers' organizations in the sector. By representatives of the employees will contribute two nationally represented trade union organizations STSB - CITUB and FTW Podkrepa – CL Podkrepa.

It is envisaged between the social partners to be circulated and signed an agreement which aims to lay down the duties and responsibilities of the parties in order to achieve transparency and greater efficiency of the National Plan.

Structure

It is envisaged to set up a *National Tripartite Steering Committee* (NTSC), which will be responsible for the implementation, monitoring and coordination of the draft proposal of the National Plan. NTUK is expected to consist of 6 members - two representative of each social partner, which will meet three times a year. At its meetings NTUK will:

- organize and coordinate the training;
- organize and coordinate the working groups;
- sets the tasks of the working groups;
- examine the reports from the trainings;
- review the progress of the working groups;
- organize the consultation of experts /Bulgarian or foreign/ when necessary;
- organize meetings with the EU member states for exchanging information and experience.

We plan to create *working groups of experts*, which will consist of six experts in specific fields which will establish the sources and causes of the existing problems will analyze and propose ways to resolve them. Recruiting information can be provided from:

- discussions from the organized trainings;

- submitted signals;
- the Committee;
- the press, etc.

For each working group are envisaged two meetings a year where will be discussed and summarized the results of the work undertaken to implement the assignment. It is envisaged that each working group will prepare a report to submit to the Committee.

Membership of the Working Groups:

Experts aware of the operation of ports and the legislation in Bulgaria.

Possible assignments of the working groups associated with issues of the social dialogue at the ports:

- Healthy and safe working conditions;
- Permanent or temporary employment;
- Consideration of the need to establish a register of dock workers following the example of other countries;
- Examining the experiences of other countries;
- Provision of labor without an employment contract;
- A study in order to attract new social partners from the port sector, etc;

In the National Plan has been included the conducting of *trainings* of the social partners in the social dialogue in the sector. These trainings will be organized by the ILO model, but adapted to the specifics of the Bulgarian ports. Training will be conducted on materials provided by the ILO, which will be processed in accordance with Bulgarian legislation and problems in the sector. It is planned to have three three-day trainings per year with 20 participants present. Instructors will be the certified by ILO representatives of the social partners. The overall objective of the training is to strengthen the capacity of social

partners and other institutions involved in the ports sector in Bulgaria in order to engage them in constructive social dialogue on economic, labor, social and other issues of common interest. Participants after the seminar should be able to:

- fully understand the process of social dialogue at national and company level;
- explain to others the content and the benefits of the social dialogue in the port sector and advising organizations on their social dialogue;
- participate in constructive social dialogue on economic, labor, social and other issues of common interest to the social partners.

The topics of the trainings are planned to be:

- Historical overview of the social dialogue and the role of ILO to strengthen the tripartism and the social dialogue;
- Legal framework of social dialogue, according to the Labor Code: nature and scope; collective bargaining - at national, regional or at enterprise level
- How can we encourage the social dialogue to work
- Construction and improvement of the skills in planning, implementation and monitoring of the social dialogue; mobilizing the necessary resources;
- Building the skills of communication between the social partners - exchange of information, consultation, negotiation
- Building the skills and creation of the conditions for feedback among the participants in the social dialogue.

The National Plan envisages the conduction of *lectures* in specialized secondary and higher education schools. The aim of these lectures is that students in the last course of education in the field of water transport to be aware of the nature of social dialogue, its history, operation and application in the Bulgarian legislation. Lecturers will be the certified participants by the ILO training from the project "Strengthening social dialogue in the process of

structural change and the private sector participation in ports”. These lectures are intended to be conducted in 3 schools per year.

Draft Budget of the National Plan for 2010-2011 in BGN

Heading 1 - NTSC

1.1. Costs per member per meeting	
Travel costs.	100.00
Materials.	100.00
Accommodation.	200.00
Food.	100.00
Total expenses.	500.00
1.2. Costs of 6 members for a meeting	
Total expenses.	3 000.00
1.3. Charge 6 members in six meetings	
Total expenses.	18 000.00
Total cost of NTSC	18.000.00

Heading 2 - Working Groups

2.1. Experts' costs	
Travel costs.	100.00
Materials.	150.00
Accommodation	200.00
Food.	100.00
Total expenses.	550.00
2.2 Expenditure for 6 members per meeting	3 300.00
2.3. Costs for 6 members to four meeting.	13 200.00
2.4. Professional honorarium	
Honorarium for an expert.	4 000.00
Total costs for 6 experts.	24 000.00
2.5. Other expenses	

Total.	20 000.00
Total cost of working groups.	57 200.00

Heading 3 - Training

3.1. Costs per participant

Travel costs.	100.00
Materials.	100.00
Accommodation	300.00
Food.	100.00
Total expenses.	600.00
Costs for 120 participants.	72 000.00

3.2. Costs for lecturer

Honorarium for lecturer.	3 000.00
Costs.	5 000.00
Total cost for 18 lecturers.	144 000.00

3.3 Cost of Facilities

Room + equipment.	150.00
Total cost of facilities for 6 trainings	900.00

Total cost of training 216 900.00

Heading 4 - Lectures

4.1. Costs for lecturers

Honorarium.	500.00
Others.	600.00
Total cost for one lecture.	1 100.00

Total cost for six lectures 6 600.00

Total	298 700.00 BGN
	152 709.00 EUR

Promotion and publicity of the project

NTSC aims to achieve sustainability of the National Plan for a period longer than two years. The results of the National Plan will be disseminated through:

- web pages of the social partners;
- press release;
- brochures and posters;
- other materials.

Time frame

The national plan is expected to extend over a period of two calendar years (2010-2011).

	Ja n	Fe b	Ma r	Apr	Ma y	Ju n	Jul	Au g	Se p	Oct	No v	De c
NTSC Program												
Meeting 1	■											
Meeting 2					■							
Meeting 3											■	
Working groups Program												
Meetings			■						■			
Training Program												
Training 1		■										
Training 2						■						
Training 3											■	
Lectures Program												
Lecture 1		■										
Lecture 2					■							
Lecture 3											■	

Conclusion

It is necessary to promote the social dialogue. This should be done in close cooperation with social partners. Good and safe working conditions and continuous improvement of initial and continuing training of port workers are key factors for positive and sustainable further development of ports and regions in which they are located. The EU promotes high standards of reliability and safety in European ports, by providing adequate (financial) support of programs for training and education and through enforcement of existing legislation on safety. It is therefore essential to develop a national good social policy in ports, in close cooperation with social partners. National governments and social partners have very important instruments for good social policy, in particular the Conventions of the ILO on labor in ports, which may also contribute significantly to the establishment of fair labor conditions.

With this draft proposal for a National plan the social partners express their greater willingness to cooperate in the field of social dialogue in the port sector. The aims are strengthening the capacity of participating in the sector, raising awareness of the social partners and building trust between them that will help their work together, conducting training, creation of prerequisites for the sustainability of social dialogue.



NATIONAL PLAN OF FUTURE SUSTAINABILITY OF THE PROJECT - CROATIA

FINAL

Profile of the port sector

In the Republic of Croatia there are six ports of outstanding (international) economic importance and those are the ports of: Rijeka, Zadar, Šibenik, Split, Ploče and Dubrovnik. Ports of Rijeka and Ploče are also important for connection to the trans-European transport corridors (corridor V). There are also 2 river-ports: Sisak and Vukovar.

During the period 2004-2007 the State invested in the development of those ports a total amount of over EUR 52 million, mostly in capital infrastructure projects.

It is planned that in the period 2006-2013 the investment for the six ports will reach the total sum of EUR 531 million.

Work-force in the ports and trade unions coverage

The sector employs about 3,000 workers, and the trade unions’ coverage is very high; from 60-95%.

For example:

- Rijeka
 - Total number of employees: 970
 - 3 trade unions – 910 members (94% coverage)
- Ploče
 - Total number of employees: 669
 - 2 trade unions – 557 members (83% coverage)
- Šibenik
 - Total number of employees: 190
 - 1 trade union – 120 members (63%)

These are numbers obtained by the management and the trade unions operating in the ports. However, these data are not to be taken literally, because there is a peculiar situation the ports of Croatia; if there are more than one trade union operating in the particular port, a number of workers are members of more than one trade union at the same time.

Social dialogue in the port sector in Croatia

There is a developed legislative and institutional framework for the social dialogue and trade unions’ participation in decision-making. Social dialogue on the company level is conducted between the management and employees through the possibility of founding trade unions and their operation, in order to promote and protect the interests of their members and conclude collective agreements, by appointing employee representatives into Workers’ Councils and

supervisory boards of the enterprises, all of which is based on the relevant provisions of the Constitution of the Republic of Croatia and the Labour Act.

In addition, the employees have the right to participate in certain decisions with the employer by notification, consulting, co-deciding and in bargaining through their elected representatives in the Workers' Councils, as well as by the appointment of the occupational health and safety representatives in the company's Supervisory Board.

On the basis of the Occupational Health and Safety Act the employees have the right to elect or appoint occupational health and safety representatives, who monitor the implementation of employee health protection measures and those pertaining to the health and safety at work.

There is a developed institutional framework for the social dialogue and trade unions' participation in decision-making. There are workers' councils, shop stewards and representatives of workers in the company's Supervisory boards.

The social dialogue in port industry is considered to be at the developed level, rising more and more from the level of consultations towards the social partnership model. It is a platform for determination of terms and conditions of employment, such as wages, benefits, working conditions, health and safety at work issues, and is mainly conducted in the form of collective bargaining.

However, in the European Commission's **Croatia Progress Report for 2008**, it was evaluated that the sectoral social dialogue in general in Croatia remains weak and needs further strengthening.

National tripartite workshop – evaluations

Most participants have given very high grades to the workshop, especially for the quality of materials, describing them as very comprehensive and detailed with good examples from world ports.

However, some said that it was too long and some suggested it was too much information for such a short training.

Most participants were very satisfied with mutual cooperation during the workshop, especially in the light that they did not know each other before the workshop. They particularly liked the discussions among participants, so the recommendation by several participants is to provide more time for discussions.

Majority of participants (2/3) stated a high level of meeting personal goals and a complete satisfaction with the workshop.

Objectives of the plan:

Main objectives are:

To build the capacities of the social partners, Government and other stakeholders, particularly institutions included in the port sector to be to address all the relevant issues in the port sector through constructive social dialogue, including the enabling or promotion of the idea of conclusion of the sectoral collective agreement and to sustain this capacity through training and promotion, especially in the process of reconstruction and private sector participation in ports.

This will provide the opportunity for the larger number of the Government employees, members of workers' and employers' organizations in the port sector to gain appropriate

knowledge and attitude and develop skills necessary for the process of social dialogue in ports and to support their organizations in conducting an effective social dialogue in general and to encourage consultations on structural adjustments and private sector participations process in ports.

In conclusion, there is a need for further development of social dialogue in the port sector with the aim to ensure decent work and job security for a large number of employees in the port industry in Croatia. This is also of particular importance in the process of the accession of Croatia to the EU and inclusion and participation of the social partners in the European social dialogue.

Basis of the project

- Outputs of the ILO / EC funded project (workshop materials and ILO Guidelines – translated into Croatian)
- Trained personnel – 20 participants of the first workshop and possible trainers form abroad (EC, ILO, ETF, FEPORT)
- Including any other updates from national or European legislation that will become available in the future

Method of implementation:

- workshops and discussions at national, regional and group level and in tripartite, bipartite or group setting series of 1,5 to 3-day workshops

TARGET GROUPS

At the national level

- members of trade union confederations
- members of employers' association
- ministers and other high-ranking officials in the ministries dealing with the different aspects of the port sector

At regional level

- Trade unions: presidents and secretaries of trade unions; trade unions stewards, worker's representatives in Supervisory boards, representatives of Workers councils in ports, representatives of trade unions for health and safety at work in ports
- Employers: members of the board in ports, directors of divisions/sections in ports, heads of business units
- Government: employees of ministries and port authorities directly dealing with the port sector

At group level

- representatives of each interest group by themselves, i.e. trade unions/workers, employers, Government

Lead role in programming: National tripartite project steering committee (NTPSC) in present formation or enlarged with new members. The NTPSC will also be the responsible body to adjust the training materials, i.e. shorten the materials to fit 3-day training by selecting the appropriate chapters from the ILO training workbook. The NTPSC will also be responsible for selecting the trainers and guest speakers for each training and other events (like the national awareness conference).

Lead role in implementation: Office for social partnership in Croatia (OSP). The OSP is a Governmental office, independent of any ministry, working directly under the Office of the Prime Minister of Croatia. Among its other duties and responsibilities, the OSP is functioning as the secretariat of the national Economic and Social Council in Croatia and coordinating different tripartite and bipartite meetings and other activities on the national and regional level in Croatia.

Partners:

- Employers in port sector
- Trade unions in port sector
- Line ministries (Ministry of Sea, Transport and Infrastructure and Ministry of Economy, Labour and Entrepreneurship)

Materials

- based on ILO workbook, shortened to 1,5 to 3 days
- ILO Guidelines on social dialogue in the port sector
- In addition, at the end of each workshop there will be a session on mediation in solving labor disputes (collective and individual) and presentation of practical experience in social dialogue by representatives of trade unions and employers associations

Trainers

Group of 20 persons who completed the first ILO workshop in Rijeka in June/July 2009 and possible trainers from abroad, like prof. Turnbull or representatives of FEPOR or ETF, depending on financial possibilities.

Workshops venues

There will be four regional training venues:

Port of Rijeka – for participants from Rijeka and the counties close to Rijeka

Port of Split – for participant from Split (and area), Zadar and Šibenik

Port of Ploče – for participants from Ploče and Dubrovnik

Port of Vukovar – for participants from Vukovar and Sisak

Certificates of completion

Ministry of Sea, Transport and Infrastructure, as the line ministry for the port sector, will be responsible to issue certificates of completion and to keep records of all participants who completed the training and obtained the certificates.

Publicity of the project

Informing the public is of high importance for sustainability of the project in rising awareness not only of people working-in the sector, but also of the experts studying the sector and conducting research. The beneficial factor is that now days every organization has its web page, so the plan is to commit all the project's partners to regularly publish all relevant information on the progress of the workshop, the relevant materials and other useful information. It is also foreseen to hold a press-conference after each workshop.

Duration of the project

The project will be conducted in cycles, each lasting for the period of 2 years. At the end of each cycle there will be an evaluation, revision and adjustment of the program, by the

NTPSC, and elaboration of the plan for the next cycle, according to the lessons learned and new conditions in the sector.

During the first cycle (2010 and 2011) there will be:

- 1 national awareness conference
- 4 regional works-shops (twice a year)
- 3 group workshops (each group separately – employers, workers, Government)

FINANCIAL ASPECT

Cost for the national conference: 5,500 Eur

Cost per workshop

- Estimated amount: **10,800 Eur**
- Includes: printing of materials, refreshments for participants, rooms and presentation equipment, simultaneous interpretation, renting interpretation booths, travel and accommodation for one (1) foreign trainer/speaker which will be present during the whole duration of the workshop, accommodation for trainers and participants of the workshop who do not live in the city where the venue will be organized (estimated to at least ½ of participants).

Total estimated amount for 2 years' cycle: 81,100 Eur (or 40,500 per year)
(includes: 1 national conference, 4 regional workshops and 3 group workshops)

Finance resources

- Office for social partnership (20%)
- Trade unions – contributions in kind – travel costs (20%)
- Employers in ports – contributions in kind – training rooms, presentation equipment, (20%)
- External resources (40%)

Because of the recession, the possibilities for financing by the Office for social partnership and social partners are limited. However, the Office for social partnership is already in the process of programming a large project, “Promotion of social dialogue” under the IPA preaccession instrument (component IV), and this project (promotion of the social dialogue in the port sector) will be the integral part of the whole program, and it is planned that the “External resources” would come from this fund. However, because of the lengthy procedure for IPA funds to be released, majority of activities will take place after the approval of the whole IPA project by the EC, hopefully in the 2011.

Depending on the dynamics of availability of the finance resources, the National Steering Committee will decide on the dynamics of the planned activities for each year.

IIMMEDIATE IMPACT OF THE PROJECT

In the Port of Rijeka a consultation with the trade unions about a training program for port workers in container transport under the title „Port workers Development Program“ (PDP) is

ongoing. It is a specialized program for container terminals and it has been approved by the ILO and the World Bank. They proposed that the Ministry of Sea, Transport and Infrastructure could, when announcing public tenders for concessions, include in the tender a paragraph of giving priority to those offers who have included the obligation of the concessionaire to ensure appropriate training for port workers, which is based on the ILO's PDP program. ETF and FEPORT have already started discussions on including the PDP program in the relevant training programs within the port sector. This way the private companies participating in the ports would be obligated to „import“ this program into the future plans in port sector. The ILO is willing to help the ministry with consultations, in the preparatory phase of tenders, to precisely define the clause within the tender which deals with this issue.

Romanian National Plan for Strengthening Social Dialogue in Ports

Detailed Description of the Project

1. Basis of the project:

The proposed project will be mainly based on the practical guidance manual on social dialogue in the process of structural adjustment and private sector participation in ports, and its complementary training materials that recently have been developed and published in 2009 in Romanian by the Sectoral Activities Branch of the Social Dialog, Labour Law, Labour Administration and Sectoral Activities Department of the ILO.

2. General aim and outline of the project:

Dissemination among the society members of the skills and good practice necessary for an effective and fruitful social dialog.

The general aim of the project is to strengthen the capacity of the social partners and other institutions involved in the port sector in Romania to engage in a constructive social dialogue in general and particularly during the process of structural adjustment and private sector participation in ports.

The project would mainly comprise the design and holding of three (one in Constanta, one in Galati and one in Giurgiu) national tripartite workshops on social dialogue in the process of structural adjustment and private sector participation in ports. Special emphasis would be given to relevant EU legislation and to the national conditions, which are reflected in the local study, undertaken by the Professor Doina Carp.

The participants, after attending the workshop, should be able to:

- fully understand the content of the *Guidance Manual on Social Dialogue in the Process of Structural Adjustment and Private Sector Participation in Ports*
- explain to others the content of the *Manual* and provide advice to their respective organizations on the process of social dialogue
- conduct social dialogue in an effective manner in situations of structural adjustment and private sector participation in ports

3. Beneficiaries:

The main beneficiaries of the project would be the port Workers and Employers in the port sector in Constanta, Galati and Giurgiu that through their ability to be engaged in effective social dialogue would promote and safeguard their working and living conditions at European standards and achieve efficient and competitive operations of their businesses respectively. The general beneficiary would be the national trade that would in turn contribute to economic and social growth.

In the same time, the benefits of a sound and fair social dialog will be positively reflected through out entire society.

4. Descriptions of Project Activities:

a) Establishment and the meetings of the National Tripartite Project Steering Committee (NTPSC):

The first activity will be the establishment of a NTPSC. The NTPSC will comprise six members: two members representing the Government (one from the Ministry of Transport and Infrastructure and one from the Ministry of Labor, Family and Social Protection), two representing the Employers' (from the Constanta Port Operator Organization / CNPR) and two representing the Workers' organizations (from National Federation of Port Unions Constanta). The NTPSC would be chaired by one of the Government representatives.

The NTPSC will be chaired by one of the Government representative. All decisions of the NTPSC will be taken preferably by consensus or by another democratic manner.

The NTPSC will be responsible for the nomination of the Government, Employers' and Workers' participants to the national workshops. The NTPSC will also take decisions for the award of the local contracts for all the local services (e.g. publications, renting of workshop venue, facilities, equipment, workshops materials, etc.) following appropriate procedures. It also consider plans for the publicity and promotion of the project and it also identify and invite officials for the opening and closing ceremony of the national workshops.

The NTPSC will meet three times or whenever is necessary. The president of the NTPSC will propose the agenda for all the meetings of the NTPSC.

b) National Tripartite Workshops:

The main project activities are the three national tripartite workshops of three days duration each on social dialogue in the process of structural adjustment and private sector participation in ports (one in Constanta, one in Galati and one in Giurgiu). The national tripartite workshops will take place once a year in every town (Constanta, Galati and Giurgiu).

The three national workshops would be similar and therefore will be based on an identical timetable. The workshops it will be in the Romanian language. At the workshops it will be presented the translated ILO material by the local instructors who would be selected from those that attended the initial workshop.

Each national tripartite workshop will be attended by 15 local participants: five to be nominated by the Government, five to be nominated by the Employers' organizations and five to be nominated by the Workers' organizations in each town.

The workshop participants' profile would be:

- (i) human resource and operations managers in the port sector, public or private sector port managers;
- (ii) Government officials from relevant departments of transport and labour, port administration officials;
- (iii) Trainers who work for port training centres and consultants who provide advice to port on structural adjustment and private port sector participation.

The participants, before the end of the workshop would complete a project evaluation form. Certificates of attendance will be presented to the workshop participants within the framework of a short informal closing ceremony.

5. Promotion and publicity of the project:

General principles for promoting and advertising the project will be timeliness, transparency, information accuracy and political neutrality.

NTPSC will ensure that minimal promotion and advertising measures will be in place, in conformity with the project, to achieve visibility of the project. It will provide the project location, description of workshops activities through:

- Press Releases;
- Briefings, interviews;
- Temporary display panels;
- Posters, leaflets, brochures;
- Posting on the website of Ministry of Transport and Infrastructure and on the website of Ministry of Labor, Family and Social Protection;
- Promotional and advertising materials in accordance with the project.

6. Project financing:

The project “Strengthening Social Dialogue in the Process of Structural Adjustment and Private Sector Participation in Ports” it would be funded by the Government of Romania and by the European Community.

In this respect:

- will be initiated procedures for attracting EU funds
- the Government will be invited to allocate financial and legal resources to implement this project

It will be considered eligible as direct cost:

- the cost of staff assigned to the project;
- travel and subsistence costs for staff taking part in the project;
- purchase costs for equipment which are attributable to the project;

- purchase costs for goods and services which are attributable to the project;
- costs directly arising out of, or related to, accepting or distributing contributions in kind;
- expenditure on contracting directly attributable to the project.

The following costs shall not be considered eligible:

- debts and provisions for possible future losses or debts;
- interest owed by any third party;
- items already financed from other sources;
- purchases of land or buildings;
- currency exchange losses;
- taxes, duties and charges.

7. Staff involved in the Project:

1. Mrs. Ioana Serbinov – Ministry of Transport and Infrastructure;
2. Mrs. Maria Oprea – Ministry of Transport and Infrastructure;
3. Mrs. Luiza Nicolaescu – Ministry of Labor, Family and Social Protection;
4. Mr. Andrei Popa – Constanta Port Operator Organization;
5. Mr. Viorel Panait – Constanta Port Operator Organization;
6. Mr. Vladimir Gica – National Federation of Port Unions Constanta;
7. Mr. Petrica Gheorghe – National Federation of Port Unions Constanta;

Estimated budget of the project:

1. Staff costs	16500
➤ Management	9000
➤ Administration	2500
➤ Secretariat	1000
➤ Other staff	4000
2. Travel and subsistence allowances	7500
➤ Travel	5000
➤ Subsistence allowances (accommodation, meals)	2500
3. Administration costs	
➤ Depreciation for purchase of equipment	0
➤ Hire of rooms	2250
➤ Other administrative costs	5000
4. Overheads	3000
<hr/>	
Total	27 000 euro

EU funded ILO Technical Cooperation Project: “Strengthening Social Dialogue in the Process of Structural Adjustment and Private Sector Participation in Ports in Bulgaria, Croatia and Romania”

ILO Reference: RER/06/06/EEC
Grant Agreement: N° 30-CE-0194198/00-19 – SI2, 502974

End of Workshop Questionnaire

The purpose of this questionnaire is to help us evaluate the Cross-Fertilization Workshop on Social Dialogue in Ports in Bulgaria, Croatia and Romania (Brussels, 14-16 October 2009).

The aims of the Workshop were to:

- expose the participants to new information from the Port of Antwerp and the European Commission (DG TREN and DG Employment)
- evaluate and develop the three national plans for improving social dialogue in the port transport
- to facilitate a cross-fertilization of ideas (“knowledge sharing”) between the delegates from different countries
- identify both short-term and long-term impediments to the implementation of national plans for social dialogue and develop appropriate solutions
- facilitate future networking of participants

Background Information

Please tick appropriate box **21 participants responded**

Country: Bulgaria Croatia Romania

Organisation: Government Employers Unions

Workshop Objectives

Please tick appropriate box

1. How informative was the visit to the Port of Antwerp?

Very Informative **13** Informative **8** Not at all Informative

2. How informative was the meeting at CEPA (Antwerp employers’ organisation)

Very Informative **16** Informative **5** Not at all Informative

3. How informative was the meeting with the trade unions in the Port of Antwerp?

Very Informative **8** Informative **13** Not at all Informative

4. How informative was the presentation by DG Employment?

Very Informative **3** Informative **17** Not at all Informative **1**

5. How informative was the presentation by DG TREN?

Very Informative **4** Informative **8** Not at all Informative **4**

5 respondents recorded “not applicable” or did not respond to this question

6. Please indicate the level of communication and co-operation among participants.

Very good **11** Good **9** Poor

1 missing

7. How constructive was the discussion within the mixed country groups in terms of improving your national plan for strengthening social dialogue?

Very Constructive **10** Constructive **8** Not at all Constructive **2** – the two “not at all constructive” were from Bulgaria (one government and one union representative)

8. How much “knowledge sharing” was there within your mixed country group?

Substantial **4** Moderate **13** Limited **4** None

The four “limited” were comprised of three from Croatia (one government, one employer and one union) and one from Bulgaria (government).

9. How valuable was the feedback on your national plan for social dialogue?

Highly Valuable **8** Valuable **13** Not at all Valuable

10. To what extent do you plan to revise your national plan for strengthening social dialogue as a result of the cross-fertilization of ideas at the Workshop

Major Revisions **2** Minor Revisions **18** No Changes

One respondent failed to answer this question. The two who reported “major revisions” were both from Romania (both union representatives)

11. Will you maintain contact with participants from other countries after the Workshop?

Definitely **10** Probably **8** Possibly **2** No
One missing

Thank you
Your comments are very much appreciated