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# **PRESS RELEASE**

**EUROPEAN TRANSPORT WORKERS' FEDERATION**

**FEDERATION EUROPEENNE DES TRAVAILLEURS DES TRANSPORTS**

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**Brussels, 8 October 2015**

**EU Transport Ministers partly reinstall the freedom of choice for the organization of rail public transport services but failed to give more social protection for public transport workers exposed to social dumping threats in competitive tendering**

ETF comments the today adopted Common Approach of EU Transport Ministers on the political pillar of the 4<sup>th</sup> Railway Package as follows:

We welcome that the Transport Council did not accept the Commission's dogmatic approach, which imposes competitive tendering for all rail public passenger transport and reinstalled the possibility of direct award of rail public service contracts.

However, we denounce that the Council did not agree on an equal treatment of the two awarding procedures, direct award and competitive tendering, and thus still gives priority to competition in rail public services. In particular the criteria for direct award confirm an ideological approach that competition would automatically improve the quality of passenger services. ETF is of the opinion that there is no proving for such an automatism but many experiences with deterioration of services after competition.

Matter of concern is the interpretation of the criteria on geographical, technical or structural conditions and whether the freedom of choice, which in ETF's opinion is guaranteed by Protocol 26 on Services of General Interest of the EU Treaty, is valid for all.

We strongly criticize that the Transport Council did not improve the protection of public transport workers whose working conditions and job security are endangered by competitive tendering procedures. Such awarding procedure usually results in the selection of the cheapest offer.

ETF demands to amend Articles 4(5) and 4(6) of the PSO Regulation 1370/2007 and render social criteria and standards in tender specification compulsory as well as the transfer of personnel in the case of change of operator. ETF now calls on the European Parliament to insist in the trilogue negotiations on its position, adopted in February 2014 as regards a compulsory social protection of workers.

As regards the 'governance directive' the ETF always rejected market opening for so-called commercial rail passenger services. Such open access competition invites to cherry picking and jeopardizes a good network offer of rail passenger services for the passengers and the existing regular timetable networks, which are for the comfort of passengers. We strongly criticize that the Council decided in favour of open access competition for rail passenger services.

<p>The ETF represents more than 3.5 million transport workers from more than 230 transport unions and 41 European countries, in the following sectors: railways, road transport and logistics, maritime transport, inland waterways, civil aviation, ports &amp; docks, tourism and fisheries.</p>
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ETF welcomes that the Transport Council agreed to maintain integrated railway companies and rejected the Commission's 'Chinese wall' criteria. Maintaining an integrated company internal labour market is of high importance for railway workers' for job security and opportunities for career development and lifelong learning. In particular workers trained in the numerous safety relevant rail professions, such as locomotive drivers or traffic controllers with requirements on medical fitness need such job security.

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