



#### **URBAN PUBLIC TRANSPORT:**

Trends in urban mobility and the engagement of trade unions



Report in the context of the ETF (European Transport Workers' Federation) project "Strengthening the capacity of workers' organisations to address social challenges in land transport in Europe"

Authors: KATHARINA SCHÖNEBERG and HANNAH RIEDE, wmp consult **December 2023** 

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#### **Contents**

Executive summary	4
1. Introduction: background and methodology	5
2. Current trends in UPT	<b>7</b>
2.1. Opening public transport to competition and liberalisation	8
2.2 The crucial role of UPT on the way towards climate neutrality and sustainability	9
2.3. A changing UPT landscape	10
2.4. The additional challenge of an increasing shortage of drivers	13
3. Challenges for UPT organisation and funding	14
3.1. Organisation, funding and ownership of UPT in seven countries	15
3.2. Lack of sufficient and sustainable budgets and investments in UPT operation	20
3.3. Additional funding sources with inadequate consideration of social consequences	21
4. Negative consequences of competitive tendering and privatisation	24
4.1. The increased administrative burden and cost of tendering processes	25
4.2. Less attractive invitations to tender and reduced competition for contracts	27
4.3. Deteriorating pay, working conditions and collective bargaining	30
4.4. (Re-)municipalisation tendencies: a reaction to the failure of privatisation	33
5. Trade union advocacy in UPT	36
5.1. Possibilities for trade union action and engagement	37
5.2. Examples in seven countries	37
Influencing sustainable urban mobility planning	37
Pushing for sufficient funding	39
Opposing liberalisation and privatisation and promoting social criteria	41
Providing for the transfer of staff and the maintenance of wage levels and working conditions	343
Improving salaries, working hours and general working conditions	43
6. Conclusion: Trade union demands and policy recommendations	47
6.1. Considering UPT as a public good and an essential right	47
6.2. Promoting quality, accessibility and safety in UPT	51
6.3. Investing in high quality public transport	53
6.4. Improving working conditions	55
6.5. Involving stakeholders and strengthening solidarity	57
Glossary	58
Bibliography	61

#### **Executive summary**

Current trends in Urban Public Transport (UPT) are shaped by such factors as increased competition, a focus on climate change, and the need for sustainable solutions. Various mobility services, including traditional public transport, ride-hailing, and shared mobility solutions, are reshaping the urban transport landscape. At the same time, challenges such as a shortage of personnel, especially drivers, and difficulty in attracting women to the sector, persist. Adequate funding is crucial for the successful implementation of sustainable solutions and good working conditions.

- Ensuring high social standards among all mobility providers is crucial. Trade unions play a vital role in influencing UPT policies and practices. At the European and national levels, having information about competition, privatisation and their consequences is vital. Trade unions need to stay informed about current trends and future challenges. Examples show their involvement in influencing sustainable urban mobility planning, pushing for sufficient funding, opposing liberalisation and privatisation, and promoting social criteria in the transfer of staff, the maintenance of decent wage levels and working conditions, and the improvement of salaries, working hours and general working conditions.
- In conclusion, the creation of a sustainable, efficient and inclusive public transport system, benefiting workers and passengers alike, requires the following things: Consid-

- eration of UPT as a public good and an essential right
- Prioritising public ownership, and favouring direct awards to public operators in tendering processes
- The promotion of quality, accessibility, and safety in UPT through defined, harmonised standards, service quality benchmarks, and efficient, climate-friendly transport policies
- Investment in high-quality public transport, with a focus on climate-conscious solutions, workforce development, and transparent financing mechanisms
- The improvement of working conditions by establishing high standards, promoting social dialogue, and providing clear guidelines for PSO regulations
- Involving stakeholders and enhancing solidarity through the democratic development of EU regulations, with sectoral consultation and social dialogue, and by engaging trade unions and employee representatives in funding decisions



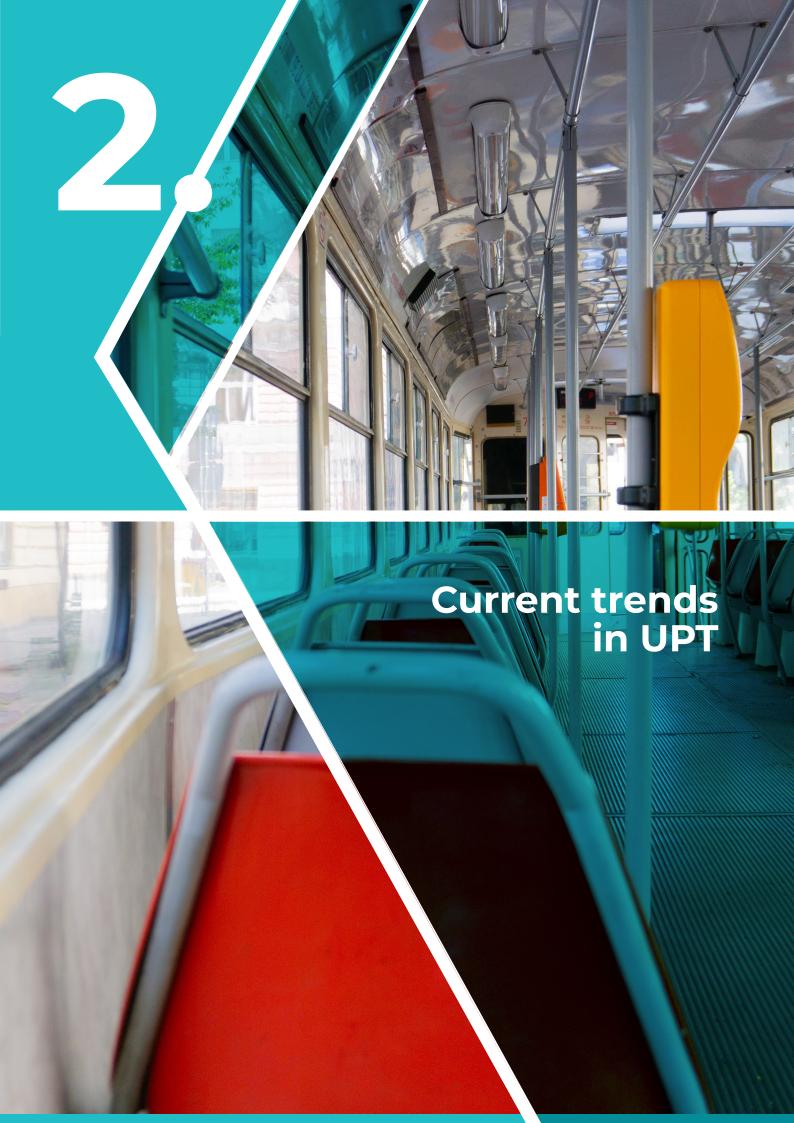
# 1.Introduction: background and methodology

The trend towards urbanisation, accompanied by the growing economic and political importance of cities and urbanised areas, the ageing of the EU population, technological advances, the development of new business models and changes in attitudes and preferences among transport users and citizens in general all have an important impact on urban mobility. The push to decarbonise transport in cities, and new technologies and concepts such as on-demand or shared services[1], all affect public transport. These developments can also affect jobs and work patterns, and create new forms of employment. Throughout these changes it will be important to ensure high social standards among all types of mobility providers.

In this context, the main aim of the project is to analyse the current developments in urban mobility from the workers' perspective and to build trade unions' capacity to promote workers interests in urban mobility strategies. Through desk research and expert interviews with 16 trade union and works council representatives from the UPT sector in seven countries (Austria, Belgium, Bulgaria, Denmark, France, Germany and Spain), the authors have gathered evidence and data on current trends in UPT, including trends in UPT financing and operation, and on the effects of these trends on employment, working conditions and social dialogue in the sector. They have also collected examples of trade union advocacy in

UPT, which have shaped their recommendations for boosting trade union involvement and influence in shaping urban mobility policy. Their findings have been discussed and further developed in two workshops with 26 participants in total from 12 countries. This report reflects the results of their research, and the workshops.

Focusing on the funding of UPT operations, the first chapter examines current trends in UPT and their relation to privatisation and funding needs. An analysis of challenges for UPT organisation and funding follows, with a presentation of the negative consequences of competitive tendering and privatisation, together with examples showing how trade union advocacy in UPT can be strengthened. A presentation of trade union demands and policy recommendations concludes the report.



#### 2. Current trends in UPT

According to the authors' desk research and their interviews with national trade union representatives, as well as their discussions with the participants in the first workshop in June 2023, opening public transport to competition, addressing climate change and improving sustainability are among the most important defining factors for current trends in UPT. These trends are closely related to changes in the UPT landscape, and the emergence of new services. While budgetary restraints can be a cause of these developments, at the same time, some, in turn, lead to increased funding needs, as the following paragraphs describe. An increasing shortage of drivers represents an additional challenge..

#### 2.1. Opening public transport to competition and liberalisation

The European Commission has been actively pursuing liberalisation and increased competition in public transport services for several decades. The process began with Regulation (EEC) 1191/69, last amended by Regulation (EEC) 1893/91 in 1991, which set the groundwork for introducing more competition in the public transport sector across Europe (Infoportal NRW mobil 2023). It was not until July 2000 that the Commission made a more vigorous effort to promote competition in public passenger transport. A draft regulation for opening passenger transport to the market proposed future obligations to tender service concessions with a maximum contract duration of five years. The

concept of "controlled competition" was envisioned, which involved geographically and temporally limited exclusive rights that were expected to improve the efficiency and quality of public passenger transport. However, on the first reading of the draft in November 2001, the European Parliament rejected the mandatory tendering requirement (European Commission 2002).

Finally, on December 3, 2009, EU Regulation No. 1370/2007 (commonly known as the PSO [Public Service Obligation] regulation) came fully into effect. This represented a shift from demanding outright competition to a concept of "regulated competition" for public passenger transport services with a public service orientation (Infoportal NRW mobil 2023). The key innovation was the introduction of public service contracts when granting exclusive rights or compensation for public service obligations. Changes in UPT provision began in the UK with bus service deregulation in 1986, which was followed by other countries' adoption of regulated competition models based on public service obligations defined by competent authorities, such as in France, Sweden, and Finland in the early 1990s (ICF 2016). There are some important disparities between the individual Member States when it comes to the implementation of Regulation 1370, which is associated with some legal uncertainties (Forschungsinformationssystem 2022).

In general, the European Commission wants more flexibility in local on-demand public transport defined by the Commission as "transport services with a car and a driver, which happen on demand of the passenger (...) and are usually carried out by taxis and/or Private Hire Vehicles with driver" and has presented its view in a "Notice on well-functioning and sustainable local passenger transport-on-demand". The Commission also revised the interpretative guidelines of Regulation 1360, with the intention to make direct award a rare exception. However, trade union representatives highlight the importance and benefits of awarding services to an internal operator. Also, a legal opinion commissioned by the Austrian Workers' Chamber AK (Aicher/Lessiak 2021) suggests that the PSO regulation still allows Member States and authorities to choose between direct awards and tendering, and that the latest EC guidelines contradict the orientation of the regulation text (AK Europa 2022b). In response to the initial draft of the interpretative guidelines, a broad coalition of transport stakeholders calls on the European Commission to avoid undermining the legal framework for public transport organisations, since "by proposing new legal concepts on public services, the guidelines as drafted would limit the ability of competent transport authorities and introduce legal uncertainty, which will inhibit future effective investment in, and development of, public transport services." (UITP et al. 2022).

# 2.2. The crucial role of UPT on the way towards climate neutrality and sustainability

Urbanisation is spurring the need for sustainable, accessible, and resilient transport systems, as urban travel currently accounts for 40 per cent of greenhouse gas emissions from passenger transport – a figure projected to double by 2050. Private vehicles contribute three-quarters of these emissions, which underlines the necessity of reducing car dependence in cities. To achieve this, it is crucial to bolster public, shared, and active transport options for decarbonisation, accessibility, and resilience (OECD/ITF 2021). In this context, the European Green Deal aims at a reduction of 90 per cent in transport greenhouse gas emissions by 2050. In February 2023, the European Commission proposed a 2030 zero-emissions target for new city buses (European Commission 2023).

However, many countries still rely heavily on cars as the primary mode of transport, with the willingness to adopt more environmentally friendly options contingent on such factors as cost, availability, speed, and infrastructure readiness (European Commission 2019). Despite the pandemic's influence on transport demand, emissions persistently continue to rise, and funding for sustainable transport has not kept pace, being overshadowed by investments in carbon-intensive infrastructure (SLOCAT 2021). Consequently, substantial investment is needed to transform the transport system (ITF 2023).

The EU is actively formulating policies and tools to address these challenges, emphasising integrated planning, improved governance, and evidence-based policymaking (Lozzi, Rodrigues, Marcucci et al. 2020). Sustainable Urban Mobility Plans (SUMPs) play a pivotal role, endorsed by the European Commission, covering all modes of urban transport, and with a focus on promoting

active transport modes (European Commission 2022). Successful implementation of national SUMPs hinges on stable financial and support frameworks, using European and national funding (Plevnik *et al.* 2019; Mladenovič *et al.* 2022).

Diversifying revenue sources through sustainable and innovative means is crucial for cities (United Nations Human Settlements Programme 2022). However, finding methods that balance economic efficiency, territorial accessibility, the polluter-pays principle, and social equality is a subject of ongoing debate. Subsidies are crucial for urban mass public transport systems, which often cannot generate sufficient revenue from fares alone (Combe 2020; World Bank Group 2015).

Essential financing is required to support infrastructure and public transport services, as these are public services that cannot sustain themselves (ETF 2015). Urban growth, evolving demand, new environmental standards, and technological advancements necessitate substantial improvements in UPT networks, needing increased investment and raising operational costs (Gutberlet 2018). To achieve sustainable transport policies, investment in the workforce is critical, to ensure adequate funding for workers' wellbeing, facilities, staffing levels, wages, and training opportunities (Schmid/ Beile 2021; ETF 2021). However, public budgets, reduced tax income, and reluctance to implement mobility charges all pose challenges to the security of long-term funding for public transport. Longterm commitment to public transport is vital for the sector's success (UITP 2021).

#### Financial support to SUMPs in the Province of Barcelona

The provincial government, Diputacio de Barcelona (DiBA), has implemented a SUMP supporting program for municipalities in the province. This financial aid initiative has led to increased adoption of SUMPs by municipalities, including smaller ones not legally obliged to have them. However, many implemented SUMPs have struggled to achieve their goals owing to funding limitations. To address this issue, the new SUMP Support Programme for the Province of Barcelona provides financial assistance, not only for SUMP development, but also for implementing planned measures. This additional support aims to overcome funding constraints and improve the successful execution of SUMP measures in the region (Plevnik et al. 2019).

#### 2.3. A changing UPT landscape

Against this, the public transport industry needs to modify its business model to encompass rising operational expenses that are driven partly by the push for decarbonisation and improvements in vehicle fleets and infrastructure (UITP 2023). This is one of various factors giving rise to a changing UPT landscape. Servicification and individualisation are having an important impact on urban transport systems (City of Helsinki Urban Environment publications 2020). Various mobility services, including traditional public transport, ride-hailing companies such as Uber, and shared mobility solutions, are reshaping the urban transport landscape. The COVID-19 pandemic has affected transport demand, and has led to a rise in walking, cycling, private car use, and e-commerce, alongside an increased interest in contactless solutions (Lozzi, Rodrigues, Marcucci et al. 2020; TUMI et al. 2020). The relationships of cooperation or competition that the providers of these services operate under are different from those in traditional public transport. Some of these services are offered directly by public transport companies, through municipal utilities (Kollosche *et al.* 2022).

On-demand public transport has been put forward as a cost-effective solution in areas with low population densities that addresses the increasing operating costs of traditional bus services, and the financial limitations faced by local authorities (ITF/OECD 2015). The trend towards on-demand services is causing concern in Europe, with potential impacts on the financing and privatisation of public transport. The European Commission's focus on on-demand transport and ride hailing is raising questions about the role of companies such as Uber and Bolt. While they position themselves in competition with the well-regulated taxi industry, and to potentially serve rural areas, their organisation as private companies and drivers may not make them a viable option for meeting rural transport needs. There are also grave concerns about employment and social rights of drivers and the potential cannibalisation of bus services that are not well used.

Mobility-as-a-Service (MaaS) is a rising concept with an increasing market volume (PwC 2018), Maas integrates different transport services into one system, potentially offering cost savings and improved options for consumers. The economic success of MaaS depends on the chosen governance model, requiring local authorities to invest in data openness and Advanced Passenger Information systems. However, achieving fi-

nancial sustainability without public subsidies can be challenging for MaaS operators (Cerema 2019; Van den Berg et al. 2022).

During the pandemic, public transport was significantly affected, and since restrictions were lifted it has been struggling to regain market share, particularly when measured in numbers of users (Lozzi, Rodrigues, Marcucci *et al.* 2020). The pandemic has also affected shared mobility services, leading to some suspensions and financial challenges for start-up companies in the sector (TUMI *et al.* 2020).

To maintain financial sustainability and attract customers, public transport services must now focus on reliability, integration, use of technology, and environmental, social und governance priorities. A survey carried out by KMPG with customer-centric strategy decision-makers at public transport organisations indicated that current and future investment priorities are focused on improving customer experience, utilising emerging technologies to achieve seamless services, and prioritising environmental, social, and governance considerations (KPMG 2022). Intermodality has become increasingly important. This involves combining different modes of transport, such as medium-distance travel using buses, trains, and bikes. Also, the development of peri-urban transport is of major importance, as many people do not live where they work and have to commute across large distances every day.

Overall, emerging technologies and changing user preferences are also contributing to the reshaping of the urban transport landscape, with a shift towards more user-centric and sustainable

systems. In this context, digitalisation and automation are also discussed. Significant technological advancements in operations include developments related to artificial intelligence and big data, particularly in driver assistance systems, autonomous vehicles, and digitalised traffic control systems. The integration of sensors, the Internet of Things, big data analytics, and machine learning have led to profound changes in vehicle maintenance and UPT infrastructure. To meet

customer expectations, companies in the sector are expanding their digitalisation efforts in customer service, offering such amenities as WiFi, infotainment, and Real-Time Passenger Information, to enhance customer satisfaction. Effects on employment result in changes of job profiles rather than in job losses – also because there is a general shortage of personnel in the sector (wmp consult 2020).



#### 2.4. The additional challenge of an increasing shortage of drivers

One challenge that overshadows every development in the UPT sector, is the significant shortage of personnel, especially drivers. In Europe, the driver shortage is growing, with seven per cent of bus and coach driver jobs unfilled in 2021. This shortage is a consequence of increased demand, drivers moving to other professions owing to the pandemic, a decline in young drivers entering the profession, and retiring drivers not being fully replaced (IRU 2022).

Low wages and unattractive working conditions make it difficult to find drivers, and pose a risk to the operation of services. Several public transport companies, such as RATP Dev and Wiener Linien, are struggling to fill thousands of vacant positions, which hinders the introduction of new vehicles and routes (UITP 2023). A survey of the Association of German Transport Companies VDV in 2023, for example, showed that, out of the 152,000

employees in the VDV member companies in UPT, around 80,000 will retire by 2030. Only one in five of these positions will be filled by an apprentice (VDV 2023).

Moreover, bus and train companies have a high proportion of older workers, owing to the shortage of hiring opportunities caused by public sector budget constraints in recent years. In Germany, the shortage has been tackled by lowering the minimum age for drivers, and using retired drivers and drivers from other countries - practices that raise concerns regarding health and safety and, according to interview partners, lower the qualification level of drivers. In addition, the transport sector faces challenges in attracting women for various reasons, including the perception that it is male-dominated, the lack of work-life balance measures, safety concerns, and gender stereotyping that affects education choices in relevant disciplines (Sansonetti/Davern 2021).



# 3. Challenges for UPT organisation and funding

### 3.1. Organisation, funding and ownership of UPT in seven countries

UPT market organisation falls into two categories: authority-led and market-led. In authority-led models, the initial right to provide passenger services rests with the authority, although it may potentially be delegated later. In market-led models, this right is open to anyone. Competitive tendering can be used across these models to outsource the services partly or entirely (ELTIS 2003). While, in the first case, direct management is characterised by a public monopoly, public ownership and operations without competition, with full regulation and subsidised transport services, in the second case, at the other extreme, there is a deregulated, competitive open market. In this open market, transport services are provided by independent external operators with private ownership, management and operations, without predefined social aims or with exclusive rights and subsidies provided only in rare cases. Public authorities have the duty of assessing compliance with minimal standards and legal rules. In between, there is competition on the market with different degrees of deregulation with either public or private ownership and management, and private operations (OECD 2008; Trel 2014; Zatti 2011).

The organisation of urban passenger transport services varies greatly among countries and cities, being influenced by such factors as regulatory powers, financing mechanisms, transport operator ownership and structure, relationships between authorities and operators, and competition within regulatory frameworks (Van de Velde 2008). Direct award of public service contracts remains prevalent in most capitals and larger cities, but competitive tendering for UPT services has increased. Variations exist within and between Member States and different modes of transport, with bus services involving more international companies in tendered services. Tram, light rail, and metro services are often operated internally, but some urban transport networks are tendered. Newly built track-bound lines are increasingly subject to competitive tendering with the involvement of international companies (ICF Consulting Services Limited 2016). Owing to growing mobility demands in rapidly urbanising cities, along with budget constraints and deficits, public authorities have increasingly relied on the private sector to deliver UPT services (ILO 2021).

Public funding for transport services shows wide disparities (steer davies gleave 2016). The funding for public transport operations comes from three main sources: fares, taxpayer and government subsidies, and third-party funding (see for example: AFD-Agence française de développement 2009). The ratio and significance of each funding source vary according to the local context. In most networks, fares cover a substantial part of the operational costs (UITP 2020). Although municipal budget allocations are the

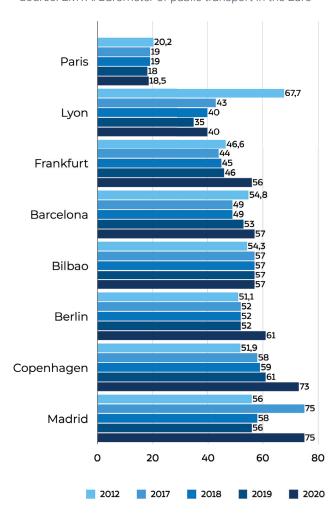
most important income source, many cities have implemented transport-related fees and charges to expand their tax base. These include not only public transport user fares but also other revenue sources such as the lease of advertising space in vehicles or at bus stops, pricing measures for individual car use and parking management measures. Employers' contributions have been introduced, for example, in Vienna ("Dienstgeberabgabe" as a fixed amount per employee) and Îlede-France ("Versement mobilité" as a percentage of wages paid), where their role in UPT financing has increased over the years. and they have now become one of the most important sources of funding (Cerema 2017).

In addition, most cities receive transfer payments from national or regional levels of government for providing public transport services. For large-scale projects, national and EU-level funding and lending instruments are commonly used, along with Public-Private Partnerships (PPPs) involving the private sector in urban mobility, for example, through service delivery schemes and concession agreements<sup>[2]</sup> (European Platform on Sustainable Urban Mobility Plans 2019).

In the European metropolitan areas covered by the EMTA barometer, on average, about 50 per cent of UPT financing is covered by public subsidies. A big increase occurred in 2020, when services were maintained despite a massive drop in passenger trips.

Figure 1: Coverage of UPT financing by public subsidies

(%), 2012 and 2017-2020 Source: EMTA: Barometer of public transport in the Euro-



pean metropolitan areas (editions 2014 to 2022)

During the years 2013–2019, the authorities' average annual operational costs per inhabitant oscillated between €379 and €398, peaking in 2014 and reaching its lowest value in 2016. Between

<sup>[2]</sup> Service delivery schemes involve private companies providing services such as bus lines based on defined levels of service and quality standards. Concession agreements involve private companies paying for the exclusive right to operate an infrastructure asset or a public transport line.

2013 and 2019 the costs rose by one per cent (EMTA 2015-2021). The average cost of public transport operations per person per year among EMTA members was approximately €360 in 2020.

In 2020, there was a significant decrease in public transport passenger trips, which resulted in a decrease in fare revenues. Consequently, the coverage of operational costs by fare revenues dropped from 48% in 2019 to 33% in 2020 as the decision was made to maintain service levels, and to prioritise the availa-

bility of public transport for passengers. Coverage of operational costs by fare revenues in EMTA member cities within focus countries of this study is 25% in Barcelona, 26% in Madrid, 27% in Copenhagen, 28% in Paris, 31% in Valencia, 38% in Berlin, 42% in Lyon and 44% in Bilbao and Frankfurt (EMTA 2022).

The following table gives an overview of the organisation and funding of UPT in the seven focus countries:

Table 1: Organisation of UPT and competition in the seven focus countries

	ORGANISATION/OWNERSHIP MODELS	DEVELOPMENT OF PRIVATE COMPANY SHARE IN OPERATION	COMPETITIVE ENVIRONMENT/LIBERALISATION TENDENCIES
AT	<ul> <li>Mixed (direct authorisation in urban areas, competitive tendering in rural and subsidised routes, market initiatives for commercial routes)</li> <li>Vienna: 100% owned by the city (operation: mainly public, 10–15% sub-contracted (only in the bus sector))</li> <li>Rural areas: operation is dominated by private companies</li> </ul>	Stable     Some tendencies to return operation to public hands	<ul> <li>No competition in Vienna</li> <li>Significant competition for lines in rural areas</li> <li>Lmited degree of liberalisation</li> </ul>
BE	<ul> <li>Public authority owned companies (with legal, financial, and managerial autonomy while being owned and controlled by the competent authority)</li> <li>Increasing sub-contracting of operational tasks</li> <li>Brussels: 100% public</li> <li>Wallonia: 1/3 contracted</li> <li>Flanders: 50% contracted</li> </ul>	Stable     Increase expected in Flanders from 2024	<ul> <li>Lack of competition, direct awards used</li> <li>Limited degree of liberalisation</li> </ul>
BG	Sofia: 90% public     Suburban lines: private operators selected through competition	<ul><li>Decreasing in the last 10 years</li><li>Returning UPT to public hands</li></ul>	Reduced competition due to limited interest in tenders     Limited degree of liberalisation
DE	<ul> <li>Mixed (direct authorisation in urban areas, competitive tendering in rural and subsidised routes, market initiative for commercial routes)</li> <li>Cities: mainly in public hands, but often sub-contracted bus services to different degrees</li> <li>Suburban and rural areas: mainly private operators</li> </ul>	<ul><li>Stable</li><li>Some cases of Remunicipalisation</li></ul>	<ul> <li>Majority of urban transport contracts in terms of transport volume/ in cities directly awarded</li> <li>Large share of subcontracting</li> <li>Limited degree of liberalisation in cities, dominant competitive tendering in suburban and rural areas</li> </ul>

	ORGANISATION/OWNERSHIP MODELS	DEVELOPMENT OF PRIVATE COMPANY SHARE IN OPERATION	COMPETITIVE ENVIRONMENT/LIBERALISATION TENDENCIES
DK	Outsourcing of small bundle contracts/lines     Public administration retains strategic decision-making power while outsourcing the service implementation     Public operation only in Aarhus and Bornholm	• Stable	<ul> <li>Well established tendering processes</li> <li>No political interference in decision of transport authorities</li> <li>Long experience of competitive environment</li> <li>High degree of liberalisaton (with disintegration limited to operations, and persisting strategic control by authorities)</li> </ul>
ES	<ul> <li>Public authority owned companies prevailing</li> <li>30% publicly owned (larger cities and local trains and trams)</li> <li>70% under public supervision but operated by private companies</li> </ul>	• Stable	<ul> <li>Lack of competition, direct awards used</li> <li>Limited degree of liberalisation</li> </ul>
FR	<ul> <li>Public-authority-owned companies (Paris and larger cities)</li> <li>Delegation of networks (outside Paris)</li> <li>Mainly operated by private (multinational) companies</li> <li>Exception is Paris, operated by RATP (EPIC-public establishment of an industrial and commercial nature)</li> <li>+ some larger cities</li> </ul>	• Stable	<ul> <li>Important market concentration</li> <li>68% of the networks (and 78% of trips) operated by the two largest companies (Transdev and Keolis)</li> <li>Medium degree of liberalisation</li> </ul>

Sources: Zatti 2011, steer davies gleave 2016, ICF 2016, interviews

In-house delivery of public transport remains widespread and dominant in many countries, particularly in complex urban areas (with bus, tram, and metro). Free market competition (deregulation) is much less common and has only been extensively implemented in the bus sector in the United Kingdom (outside London) (Ministerie van Infrastructuur en Waterstaat 2020). Regarding the prevailing ownership model and the share of publicly operated UPT services, within the seven countries analysed,

a common feature is that public companies are more active in urban area operations especially in larger cities, while in rural areas operation is more often taken over by private companies.

The share of private companies' operation of UPT is generally considered to be relatively stable. However, there are some tendencies towards returning operation to public hands (for example, in the Burgenland region in Austria, and in Germany) owing to service quality concerns. Also, in Bulgaria, the share of private companies has been

Table 2: Ownership and operation of UPT in France, Germany and Spain

In **France**, public companies operate as **EPICs** in larger cities, such as Marseille, Grenoble, and Toulouse. In some cases, UPT services are directly operated by these public entities, while in others, they are operated by private companies. Currently, three multinationals dominate the market: RATPDEV, Transdev, and Keolis. RATPDEV is a subsidiary of RATP, while Transdev is owned by Caisses des dépôts and Keolis is part of SNCF, which means they are partly financed by public funds. The main goal of these companies is to achieve financial profitability, which allows them to gather funds to expand beyond local communities in France. This means that the collected money is not necessarily reinvested in public transport in France but rather in the development of projects in Europe and elsewhere in the world.

In **France,** over 90% of urban transport networks are outsourced, which means that the companies are regularly subject to competition from the organising authorities (UTP n.d.; interview.). The French government foresees bus network restructuring by December 2024, tramway networks by December 2029, and metro system by December 2039. New lines are subject to competition. Bus networks in outer suburbs are being restructured and consolidated, while the RATP zone's bus network is being divided. A significant social impact is expected, as employees are transferred to new operating companies, even if the current operator wins the bidding process. RATP Group, not RATP Public Establishment, will respond to tenders. This leads to privatisation, with subsidiaries managing different transport services. This shift reduces public management involvement (Secafi 2023; CGT 2018a).

In **Spain**, private companies largely control bus lines, with only a few big cities having public entities managing UPT. Private companies must operate under predefined conditions as public services. A 2012 study on urban public bus transport in Spanish cities found that 79% of services were operated by private companies, with larger cities typically having a single public bus operator. Metropolitan bus networks mostly involve private companies operating under concession agreements. For rail transport, public companies are the primary operators, but private involvement has increased in some networks (Ministerio de Transportes, Movilidad y Agenda Urbana 2022; Suárez Falcón 2019; interviews).

In **Germany**, public enterprises are still predominant in the transport sector, with the **public role often** being performed by them (Resch 2015). In 2018, private companies accounted for nearly 81% of all companies in scheduled local rail and commercial road passenger transport. Despite this, public companies carried the majority of passengers (almost 88%) and provided about 80% of transport services in passenger kilometres. While public companies remain the most important, the share of private companies has slightly increased in terms of passengers carried and passenger kilometres between 2014 and 2018 (Statistisches Bundesamt 2016 and 2020).

decreasing over the last 10 years, with UPT returning to public hands. In Flanders, an expected increase in the private share is due to a new law. In Spain, some large companies have bought out smaller companies and taken over the provision of the service. This has resulted in a reduction in the number of companies but not in the share of lines operated. In Germany, in recent years, there has been significant expansion in public transport, especially in regional rail transport. As this expansion has occurred in rural areas, the proportion of private companies involved has increased. However, in urban rail and bus transport, the expansion varies, with municipal companies remaining more dominant.

# 3.2. Lack of sufficient and sustainable budgets and investments in UPT operation

Having looked at the budget available for UPT in the seven focus countries, interview partners in six of the countries stated that the budget for UPT has been increasing over recent years. Only the Danish interview partner spoke of an unchanged budget. Also, there are regional differences in Belgium. While the budget has increased in Brussels - where the operation and infrastructure of UPT is in public hands - thanks to a long-term plan and vision for the city and its public transport, it has not increased in Flanders. While there is a growing investment in new prestigious projects, the operating budget for De Lijn, the public transport company in Flanders, only increased by €12 million between 2009 and 2020. During the same period, operating costs for De Lijn increased by €240 million, which was recompensed

through higher ticket prices and savings. Interestingly, despite not increasing funding for public transport operations, the government in Flanders has money available for investments; however, the right-wing government does not wish to invest more in UPT. This indicates a potential issue with fund allocation rather than a lack of overall funds (Van Eenoo/Boussauw/Fransen 2022; Stynen/Vertriest 2022).

In all countries, there are still some challenges in financing UPT. First, the budget depends very much on the political party in charge. Second, we can see a general trend that the share of funds provided by the State is decreasing, making it necessary to develop alternative sources of funding. This may also lead to a general lack of funds, with at least some municipalities struggling to maintain good quality services. There also is an unequal distribution of funds, with more funds provided in urban areas, especially in larger cities, than in rural areas. This is, for example, the case in Austria, where Vienna is a good practice example, with important investments made, while the much-needed funds to boost public transport in rural areas are still lacking.

In France, in the view of the trade union Confédération Générale du Travail (CGT, General Confederation of Labour), individual private transport solutions absorb considerable funding, which could be better used to promote public transport.

In Bulgaria, where pensioners and people with disabilities are entitled to government subsidies, the outdated base level funding for calculating the subsidies has further exacerbated the funding challenges faced by the UPT sector, as UPT prices are not in line with current market realities.

In Spain, the budget for public transport pro-

jects is a contentious political issue, with yearly battles taking place to allocate funds. In 2023, local and regional elections in May and a general election in July are adding to the complexity of the budget discussions.

In Germany, although more money has been spent on public transport in the last 20 years, savings have been made at the expense of the employees. The tendering process forced the restructuring of local public transport. The aim was to offer more public transport with the same amount of money. Costs were cut and the first cuts were in staff numbers.

In Austria, the sustainability of the UPT system is a crucial factor when allocating budgets. However, the British example demonstrates that state levies and subsidies for UPT operations can typically last only for one year, and afterward, there is often a return to "old habits" with sustainability taking a back seat in funding decisions. Multinational companies take advantage of these subsidies and operate some UPT lines. Yet, once the subsidies end, the operation becomes economically unviable, except for the main routes.

Several interview partners highlighted the important need for funds to pay for changing the propulsion systems of buses. In Belgium, private companies are encouraged by the government to invest in electric buses and cleaner transport. To have their contracts renewed, private operators must adopt green solutions. Some companies, however, choose to pay fines instead of buying new buses. In Germany, there is a growing focus on sustainable transport, but inadequate infrastructure remains a challenge. Hydrogen or electricity are considered essential as alternative fuel sources for the future. In rural areas, conventional

buses are more common owing to the high cost of purchasing and maintaining electric or hydrogen buses. Funding is needed to support such investments. France is also moving towards sustainability, with local communities being required to shift to cleaner energy sources for their vehicle fleets. Technologies such as hydrogen are being explored, but funding difficulties arise owing to the higher cost of alternative propulsion vehicles compared with traditional diesel ones. Since fully replacing Île-de-France's bus fleet with electric buses would require additional power generation (often nuclear) for charging, it is crucial to explore various alternatives, as recent studies may have overlooked other possibilities beyond electric buses. The general assessment provided by the interview partners was that the budget provided is not sufficient to guarantee a successful green transition.

# 3.3. Additional funding sources with inadequate consideration of social consequences

Because of increased quantitative and qualitative demands in UPT, operational costs have increased. Traditional financing practice includes support and subsidies from local and national governments to overcome operational deficits. However, as budget cuts can put public transport authorities in a position where they cannot guarantee transport anymore, they increasingly try to find alternative funding sources (EMTA/Rebelgroup 2017; European Platform on Sustainable Urban Mobility Plans 2019). In this context, a study carried out by EMTA (2017) showed that public transport authorities increasingly rely on

indirect revenue streams, such as subsidies and grants, fuel taxes, vehicle charges and taxes, employer taxes or congestion charging.

Fare-free public transport is also being considered. However, this alone it is not enough to attract car users, so complementary strate-

#### **Funding of SUMPs in Bulgaria**

Bulgarian municipalities will have access to European funds for sustainable urban mobility until 2029 through the National Recovery and Sustainability Plan and the Regional Development Program 2021-2027. A pilot scheme called "Green Mobility" will provide financing for partnerships between city municipalities and public transport operators. Eligible activities include integrating zero-emission vehicles, establishing charging stations, implementing infrastructure measures, and developing traffic plans. The reform of the National Institute of Public Health is tied to the pilot scheme. The aim is to have approved Sustainable Urban Mobility Plans in 20 municipalities. The Regional Development Plan also includes investments for sustainable urban mobility in 50 municipalities (National Association of Municipalities in the Republic of Bulgaria 2022).

gies, such as improving public transport offers and implementing car-restrictive measures, are needed. The number of cases of Fare-Free Public Transport (FFPT) has grown since the first case in the United States in the 1970s to 96 cases worldwide in 2017. Despite its limited implementation in public transport networks, FFPT is growing in the US, Poland and France, especially in mid-sized cities. However, not all FFPT experiments have been successful, and many schemes have been discontinued over the years. To improve public transport affordability and social inclusion, concessionary fares and soli-

darity pricing are considered to be more fruitful (UITP 2020). Even so, some findings also show increased passenger numbers and mode shifts from private cars due to FFPT schemes. However, evaluation results are often limited (Fig 2021).

According to UITP (Union Internationale des Transports Publiques, International Association of Public Transport), effective funding strategies include a mix of subsidies, green bonds, guarantees, contracts, state aid, equity funds, and private investments. Traditionally, the main source of EU grants for sustainable local transport has been the European Structural and Investment Funds. However, for 2021-2027, the bulk of grants and loans for local mobility and public transport investments may come from the Recovery and Resilience Facility (RRF) (UITP 2022), which aims to enhance sustainability, resilience, and the green and digital transitions in Member States' economies and societies. Many Member States have included transport sector measures in their national plans, focusing on alternative fuels for cars, but not enough on public transport. However, the financing and distribution of funds has faced challenges, with limited focus on social aspects of transport and insufficient involvement of social partners in implementing the plans. Efforts are being made to promote sustainable transport, but more action is needed to support public transport and address safety and security issues. Resilient transport governance measures are also being emphasized, but safety and security aspects are not adequately covered. While several countries have implemented measures to promote sustainable transport and improve transport sector governance, challenges remain

#### 9-euro and 49-euro tickets in Germany

The 9 Euro ticket in Germany was a temporary response to energy price and inflation increases. It allowed one month of travel on local and regional transport and was funded through a 2.5 billion Euro compensation. Users are highly satisfied, and it has contributed to reduced car usage and CO2 savings.

Trade unions have raised concerns regarding workforce impact, reduced investments, and potential service cuts. They call for such measures as making regional rail and public transport more attractive, investing in infrastructure, personnel, and vehicles to improve service quality and capacity, and implementing smart concepts for affordable or even free public transport in the long term. Since May 2023, a 49 Euro ticket has been available nationwide for UPT services, accompanied by additional subsidies.

Sources: Schlömer 2022; VDV 2022, Bündnis sozialverträgliche Mobilitätswende 2022, ver.di 2023a

in coordinating and implementing these plans effectively y (Belicka et al. 2022, Belicka 2022<sup>[3]</sup>).

Measures to improve social and environmental resilience in the transport sector have not been identified in RRF plans. The RRF has allocated significant funds to road projects and electric cars, but public transport is not adequately covered, and transparency in fund allocation is limited (Wittemann 2022a, 2022b). While the European Commission acknowledges the importance of stakeholder participation, social partners' involvement in the RRF plans' implementation has been limited, which has caused discontent among trade unions (European Parliament 2023; ETUC 2021b). Concrete measures for a just transition and sustainable economy are needed (ETUC 2021a). Although some RRF measures promote cleaner transport and better access to transport networks, longterm effects and sustainability concerns remain (European Parliament 2022). In a joint statement UITP and ETF argue that the RRF has not yet fully delivered on its potential for the urban public transport sector, citing concerns such as incomplete implementation, insufficient focus on sustainable transport, lack of transparency, and administrative challenges (ETF/UITP 2023).

<sup>[3]</sup> See also: Council Implementing Decisions on the approval of the assessment of the recovery and resilience plans implemented on 5th July 2021 for France, Germany and Spain, on 6th July 2021 for Austria, Belgium and Denmark and on 28 April 2022 for Bulgaria



# 4. Negative consequences of competitive tendering and privatisation

Competition, tendering, and privatisation in the transport sector are advocated to enhance efficiency, innovation, and cost savings, as well as to reduce financial burden on public budgets. Proponents argue that competition will result in improved service quality, lower prices, and higher customer satisfaction. The tendering process is believed to foster competition among private providers, ensuring the selection of the most competent and cost-effective bidders for service delivery. Privatisation aims to improve overall transport performance by introducing market-driven practices, streamlining operations, and reducing bureaucratic inefficiencies. Private operators are expected to bring fresh ideas, invest in modern technologies, and optimise the use of resources, to deliver superior services.

However, the implementation of initiatives to privatise and deregulate transport services has often resulted in negative outcomes. Privatisation and deregulation have raised concerns, including fragmented networks, reduced coordination, and a potential decline in the overall efficiency and accessibility of public transport systems (Quiggan 2019). Other concerns include cost-cutting measures leading to a decline in safety due to the hiring of inadequately trained drivers.

Tendering processes increase the administrative burden on municipalities and incur significant costs. With less attractive invitations to tender, competition often remains limited. Furthermore,

competitive tendering and privatisation have a detrimental effect on pay, working conditions and collective bargaining. Failures of privatisation often result in a loss of public accountability and financial transparency, and insufficient contract monitoring, which may facilitate corruption, in turn often leads to a (re-)municipalisation of UPT services (PSI 2020).

# 4.1. The increased administrative burden and cost of tendering processes

Conducting tendering processes requires significant time and effort, especially by comparison with situations without tendering. In the past, municipalities simply ordered services from their own or external transport companies. Today, pre-announcement and European-wide tendering are more common, which involves substantial cost as well as effort for municipalities and companies. Many municipalities outsource these processes to specialised firms or transport associations, which can significantly affect the operating budget. While interview partners considered that competitive tendering puts an additional administrative and financial burden to authorities and municipalities, available data on the costs of tender procedures is limited.

For example, local authorities in Stockholm require 4.6 per cent of the budget for public trans-

port for tender procedures. This is mainly spent on administration for managing bids, consultants, and lawyers, owing to the complexity of the process. The percentage for Germany is unknown, but the interviewee estimated it to be around 3-4 per cent (while authorities claim it to be lower). Administrative costs for tender procedures are increasing. The procurement of a single S-Bahn (rail line) in Cologne requires separate contracts for vehicle procurement, maintenance, and four separate contracts for operation, each with a limit of two lots per company. The bidding process is time-consuming and expensive, with separate contracts even for individual activity groups. Companies are required to invest more and more in the bidding process. In Sweden, competitors who have not won the bid will challenge the decision in court, to get access to the tender documents, so they can adapt their offer the next time they bid. Court proceedings not only confront municipalities with additional costs but also cause further insecurity and short-term planning, as the operation will be awarded as an "emergency award" for only two years in these cases. The operation does not necessarily remain with the old operator but will be awarded for a short-term (either to the old operator or a new one in both cases funded by the municipality.

A study by the Hans Böckler Foundation analysed case studies of public transport services in large cities in Germany. It revealed that public transport systems operated through direct awards were significantly more successful in terms of traffic management, attracting passengers, and achieving economic results. The main reason for the superior performance of the direct

award systems by comparison with the competitive tendering system is related to transaction costs. The expenses associated with organising the competitive tendering process outweigh the

### Guaranteed minimum income for private transport companies in Spain

In Spain, private companies operating public transport services are assured a minimum income through public contracts that ensure continuous access to these services for citizens. If these companies face losses due to low passenger numbers, the public administration covers the deficit. However, the Spanish Confederation of Workers' Commissions (CCOO, Confederación Sindical de Comisiones Obreras) expressed the concern that some large companies may redirect profits from one business line to another to obtain public funds for their transport projects. Close monitoring is necessary to ensure efficient and effective use of public funds in the public transport sector

Source: interview

cost savings achieved through the competition. The cost advantages of the competitive tendering system are likely based solely on the application of lower wage agreements (Resch/Neth 2008).

Privatisation and public-private partnerships (PPPs) not only often fail to deliver on their promises; they also pose challenges in terms of flexibility and modification. Once a contract is signed, private providers can establish fixed conditions making it difficult for public authorities to make changes without incurring additional costs. In some cases, the inability to modify contractual arrangements to adapt to changing circumstanc-

es becomes a driving factor for public authorities to bring services back under their control. Moreover, private operators can exert influence over local authorities once they gain de facto control, leveraging contractual changes to their advantage. A common strategy employed by large international corporations is to secure PPP contracts with unrealistically low bids and subsequently to negotiate significant budget increases through an addendum to the contract. Terminating or not renewing contracts with private companies can be a difficult and expensive process for local and national authorities. Private companies often withhold information and knowledge necessary for public authorities to effectively control and monitor the contracts (Petitjean/Kishimoto 2017).

Failed privatisation and PPPs in transport have led to significant financial losses, fragmented transport systems, and poor service. Unrealistic private sector bids burden governments with risks. Private financing is costlier than public alternatives: it neglects service investment, brings social costs, worsens working conditions, and exacerbates labour inequalities. Public ownership prioritises quality and requires subsidies to ensure accessibility across diverse urban areas and socio-economic groups (Weghman 2019).

In addition, when private transport companies fail, states are often forced to intervene, which creates financial burdens for the public sector. The pressure for profit maximisation may lead operators to prioritise profitable routes, neglecting the social objective of providing mobility to low-income groups. Cost-cutting measures often result in wage cuts and do not necessarily lead to significant over-

all cost-benefit improvements. To navigate these changes successfully and provide quality and accessible transport services for the public, effective oversight, adequate funding, and consideration for social criteria are crucial elements. However, ensuring effective oversight of multiple private providers can be challenging for public authorities, owing to limited resources and monitoring difficulties (AK Europa 2022b; Barter 2008; CGT 2018b; OECD/ International Transport Forum 2008; Van Eenoo/ Boussauw/Fransen 2022; SYSTRA 2021).

## 4.2. Less attractive invitations to tender and reduced competition for contracts

Having examined some of the tendering and the contracts given to private companies in UPT, interview partners stated that some private operators are withdrawing from the market and are, in particular, ceasing to operate lines in remote areas. While in Denmark and France operation in UPT is still attractive for private companies, in the other five countries analysed tenders have become less attractive and profitable for private bidders, as benefits are not covering the costs. Increasing cost pressure is due to rising fuel prices as well as the very cost-intensive modernisation of the fleet. This often leads to a situation where the operation is not possible without subsidies. In addition, the lack of drivers makes it very difficult for all companies to guarantee the operation of services.

For instance, the private bus company Zuklin-Bus won several routes in the south Vienna area but could not find enough drivers to operate them. Complaints arose in school bus services that some drivers had only limited proficiency in German. As a result, the contract was revoked and emergency contracts were awarded to Blaguss, Dr. Richard, and Postbus, who now jointly operate the routes. There have been some cases where private companies were no longer able to put in bids in tendering procedures, as they could not find any drivers to take over the service. In Germany, examples of unsuccessful tendering processes include the case of Transdev taking over the S-Bahn in Hannover in 2021, which led to chaos and decreased service quality because of the lack of personnel. Similar issues have been seen in rural areas across the country with bus service tendering resulting in disruptions in at least one-fifth of the services over the last 6-7 years.

In Denmark, the number of bidders for bus contracts typically ranges from four to six, although there have been cases with only one bidder. Public transport authorities aim to promote competition and encourage small operators to participate in the bidding process. They achieve this by keeping tenders relatively small, focusing on specific areas instead of on widespread contracts covering the entire region. Area-wide contracts for bus services are not common in Denmark (Urban Transport Group 2017).

While, on the one hand, short contract durations lead to unattractive investment conditions, on the other hand, longer contract durations make it difficult for the bidders to provide funding over the whole period when renegotiation and

adaption to conditions are not foreseen in the contract. Against this, direct awards to municipal companies often last longer, giving guarantees for longer investment cycles and reducing costs.

Table 3: Duration of contracts

	RAIL OR OTHER TRACK-BASED FORMS	BUS SERVICES
AT	8–15 years	8-15 years
BE	5 years (Flanders)	5 years (Flanders)
BG	10 years	10 years
DE	10-15 years	8 years
DK	10 years	4–10 years (with the possibility of extension between 2 and 6 years)
ES	10-20-year concessions	10–20-year concessions
FR	4-10 years (6 years average)	4–10 years (6 years average)

Source: interviews; ICF (2016); Urban Transport Group (2017)

However, data regarding the number of private companies submitting proposals for tenders are scarce and based on estimates. Between 2004 and 2009, France, Italy and the Netherlands experienced a lack of competition in passenger transport tenders, with most tenders receiving only one or two offers. This was attributed to advantages for incumbents, higher costs of bidding for external bidders compared to incumbents, unclear access to essential facilities, lack of transparency in tender procedures and geographic synergies favouring certain operators with proximity to the networks and routes in question (steer davies gleave

2016). In Germany, interview partners estimated that the success rate in tendering procedures for services has been mixed. According to one interviewee, on average, there are only 1.8 applicants for each regional rail passenger transport tender with the exception of some of the more attractive tenders, such as those for subway networks that tend to attract more applicants.

#### Tenders and changes in management in French UPT

Every year since 2005, the UTP (Union des transports publics et ferroviaires) studies developments in the French urban transport market (excluding Îlede-France) by monitoring tenders and changes in management mode among its 154 member networks. Between 2005 and 2020, there were 257 tenders in the French market, with 75 of them (28%) leading to a change of operator. In terms of management modes, 85% of the networks currently use outsourced management, primarily through Public Service Delegation. Over the fifteen-year period, 17 networks have changed their management mode, with six networks shifting from outsourced management to direct management (EPIC or Local Public Company), nine networks moving from outsourced management as a Local Public Company to direct management (EPIC or Local Public Company), and two networks transitioning from direct management to outsourced management (DSP) (UTP 2021).

One reason for the lack of competition could be that companies have become very cautious in their bidding strategies. With slim profit margins, profits can only be made through synergies, such as those found in having an existing regional presence, a local workshop, regional management, and no separate overheads. For this reason, companies are more se-

lective in their bidding, only choosing tenders that fit their profile rather than simply trying their luck.

Smaller bus and railway companies have faced disadvantages, struggling to survive and even withdrawing from the market. In Austria, the introduction of competitive tendering drove some smaller companies out of the market (steer davies gleave 2016). Against this, in Spain, there is a push to promote competitiveness among smaller operators, to ensure a competitive market (CNMC 2022). Overall, liberalisation resulted in market consolidation, with smaller companies being acquired by larger ones, leading to concentrated markets. In the local public transport sector, there was a shift from permanent licenses to temporary ones, and tendering became a significant focus in controlling outcomes (Hermann/Verhoest 2009).

In the market for regional rail passenger transport in Germany, a few well-known companies and their subsidiaries dominate the scene. In 2020, DB Regio held a 59 per cent market share of transport services in Germany (Bundesnetzagentur 2022). One interview partner stated that, with the current trend continuing (liquidation of Abellio, withdrawal of Keolis from the German market), competition in this segment will come to an end. The public transport market in France is highly concentrated and dominated by three national operators: Keolis (SNCF group), Transdev and RATP (which has a virtual monopoly in the Île-de-France region) that have expanded abroad and now rank among the world's top five public transport groups. Other players include Vectalia (Spain), as well as numerous public and semi-public companies (Xerfi 2023). Measured in terms of the number of passengers carried on the local transport lines in Austria in 2021, the Wiener Linienlead with 596 million passengers (48%), followed by ÖBB Nahverkehr with 299 million passengers (24%) and Grazer Stadtwerke AG with 199 million passenger (10%) (WKÖ 2022). In 2022, Wiener Linien transported over 747 million passengers with numbers rising, but not yet reaching pre-Covid levels (Wiener Linien 2020 and 2023). Concentration in Denmark is low with all companies having a market share of less than five per cent (IbisWorld 2021).

# 4.3. Deteriorating pay, working conditions and collective bargaining

There are important differences in working conditions between public and private operators. Generally, interview partners considered working conditions to be better for employees working for public operators. Working conditions, including salaries for drivers, are the same regardless of ownership in Denmark's transport sector. In Bulgaria, Germany and Spain, wages are generally higher in the public sector. In publicly financed transport, there are usually regular social dialogue meetings between the employer and the trade unions, which result in periodic salary increases. For instance, in Sofia (Bulgaria), salaries have increased over the last three years, with a guaranteed 10 per cent increase annually which has not been the case in private companies.

While wages are similar in the public and private sectors in Austria, Belgium and France, public operators are considered to provide better working

conditions, including higher job security (AT), days off (BE) or working hours and allowances (DE). In France, working conditions vary, depending on the transport network's history of social dialogue, regardless of public or private financing. In Spain, disparities in salaries and conditions are influenced by trade union strength, with companies that have a strong union presence offering better pay conditions, regardless of public or private ownership.

In Austria, employees in on-demand transport are governed by the taxi collective agreement, which offers lower wages compared to the private bus transport sector. Their weekly working hours amount to 56 instead of 40 hours. Attempts are being made to cover on-demand services with even cheaper labour. This also applies in Belgium where, for example, drivers under the taxi agreement will not necessarily be paid while they are waiting for customers. In Bulgaria, private companies often use lower qualified personnel to operate small minibuses, and consequently pay lower wages, particularly in suburban areas.

Generally, when operation of UPT is transferred to a private operator, working conditions tend to deteriorate. The reform and privatisation of municipal services have had varying effects on working conditions in the sector. These effects include changes in work intensity, income, pension rights, health and other benefits. They have also influenced health and safety outcomes and job security. In instances where urban passenger transport services have been outsourced or transferred to the private sector, there has been a significant impact on the terms and conditions of employment for the affected staff, as well as on employment levels (ILO

2021). Owing to the high intensity of work in public transport, competition is often mainly over labour costs (Brandt *et al.* 2008).

Studies on the impact of market forces in public transport find that there have been significant staff reductions, and that the working conditions of employees have significantly deteriorated as a result of comprehensive processes of "flexibilisation". Measures such as the increased use of parttime work, fixed-term employment contracts, interrupted and irregular shifts, job dequalification, reductions of rest and break times and reductions of real wages as well as service reductions are frequently observed, while trade unions have been further weakened and often fragmented (see for example Atzmüller/Hermann 2004; Flecker/Hermann 2009; Wolf n.d.).

The consequences of compulsorily organised competition include wage and training dumping

### Tendering of bus services in Austria negatively affects the working conditions of drivers

In Lower Austria, bus service tendering processes have led to tight profit margins for winning companies, with cost pressures consequently shifted onto employees. This has resulted in reduced schedules, compressed routes, and extremely low prices, affecting bus drivers' working conditions negatively. Drivers have been raising these concerns for three years and in 2023 have escalated the issue ito the Austrian Parliament, emphasising the need for improved conditions and fair reimbursement for essential services.

Source: interview

as well as decreased job security (AK Europa 2022b). German and Spanish interview partners emphasised that the bidding process is often used to push down wage levels and to degrade working conditions. In Spain, companies seeking to obtain transport concessions often offer lower bids than the previous company, which leads to a reduction in labour costs to maintain profitability. In Germany, too, cost-cutting measures often first target employees' working conditions to achieve lower prices. Other expenses, such as vehicles, fuel, and operational facilities, are fixed. Areas for cost-saving include wages, benefits, and workforce planning. In Austria, municipal transport companies, such as the Wiener Linien (Vienna Lines) in the early 2000s, began employing new staff as company employees rather than as civil servants, which has resulted in lower entry salaries (13 per cent lower in 2001) and reduced participation rights. The focus of liberalisation efforts driven by budget constraints and the government's reluctance to fund public transport adequately is primarily on reducing labour costs and aligning wages in public companies with those in the private sector (Hermann 2008).

When public transport systems are privatised or outsourced to private companies, workers may also experience changes in their job responsibilities or work locations. Despite efforts to ensure equal employment conditions, these changes can still lead to inequalities in pay, benefits, and job security. Furthermore, larger contracts and tenders can lead to significant restructuring within public transport companies. This may result in the consolidation of multiple companies or departments, changes to work schedules and operations, and

other significant changes to the overall structure of the organisation.

While no major effect of privatisation on collective bargaining coverage was identified by Austrian, Belgian, Danish, French or German interview partners. In Bulgaria, in municipalities where public transport services are publicly operated, employees typically have a collective bargaining agreement in place, and the agreement applies to all employees who are members of the respective trade union. However, in the case of privately operated UPT in Bulgaria, there are usually no trade unions, and therefore no collective bargaining agreements. Instead, private companies may have internal rules and policies that govern their employees' working conditions and pay. This can lead to a lack of standardisation and potentially to lower wages and benefits for employees, by comparison with those in publicly operated services. The ETF experience in working with its affiliated members across Europe shows that the Bulgarian case is not unique, but rather symptomatic for the Central and Eastern Europe.

In **Spain**, the trade union CCOO reported that regional disparities pose a challenge. There are in total 52 provincial agreements covering public transport. Some regions have good collective bargaining agreements and working conditions, while neighbouring regions may have lower salaries and standards. This can lead to companies attempting to apply the lowest collective bargaining agreement when operating between regions. It is generally observed that publicly funded transport offers greater coverage for collective bargaining compared with privately funded transport. This is

because, in cases where transport is publicly funded, the government usually sets certain standards of quality and safety, and unions have more bargaining power.

Even so, while there are often collective agreements in place for public and private operators, their provisions may differ. Private transport companies have pursued wage dumping strategies to gain a competitive advantage over their public counterparts. This involves offering significantly lower wages and working conditions through separate agreements that provide inferior terms (Brandt/Schulten 2009; Flecker/Hermann 2009). For example, in Germany, because of liberalisation measures and cost competition, public transport (ÖPNV) was excluded from the direct scope of public service collective agreements. Instead, they had to negotiate their own sector-specific collective agreements. The new wage level was below that in the previously applicable collective agreement for the public service sector, but above the level paid by outsourced services or new private competitors entering the market (Brandt et al. 2008).

On-demand transport is often governed by a separate collective agreement. In **Belgium**, from January 1, 2024, the less favourable conditions of the taxi sector agreement will also apply to on-demand services in Flanders.

In **France**, there are several employment statuses for workers in the transport sector, with a distinction between railway workers and employees in urban and interurban transport. For the latter, there is a specific status for RATP (Régie Autonome des Transports Parisiens) employees, with two different collective agreements. Generally, the collective

agreement for urban transport personnel is more protective than the one for interurban passenger transport personnel. If one wants to expand transport services beyond urban areas, especially into rural zones, it usually involves subcontracting and sub delegation, with a different collective agreement for employees, which results in lower salaries and insufficient funding for these services. The Île-de-France Mobilités project aims to privatise public transport, forcing RATP and SNCF to compete with private operators. This would set back decades of social gains for employees, degrading working conditions and benefits. Privatisation could negatively affect users by prioritising profits over service quality. The reforms follow European directives, and the trade union response includes organising strikes and raising awareness among residents and activists (Louvet /Borges 2020).

# 4.4. (Re-)municipalisation tendencies: a reaction to the failure of privatisation

(Re-)municipalisation campaigns have been effective in improving conditions and services in UPT in ways that foster resilient and environmentally-friendly cities while promoting democratic public ownership. Austerity measures have driven local authorities, along with civil society groups, trade unions, and communities, to consider (re-)municipalisation as a viable option. Common motivations for this shift include the need for larger investments, unprofitability for private companies, alignment with policy goals, and the need to ensure stable, high-quality services for citizens. Additionally, (re-)municipalisa-

tion is seen as a way to facilitate investment in eco-friendly transport systems, such as electric buses, and to counter potentially negative effects of private management on service quality such as route cuts and higher ticket prices (Weghman 2019); Petitjean/Kishimoto 2017; PSI 2020; Public Futures 2023). Examples of (re-)municipalisation in UPT include the following:

- In Sofia, Bulgaria, about 10 years ago, there
  was a challenge to public ownership that resulted in private companies taking over UPT
  services and increasing ticket prices. However, the trade union's efforts led to the return
  of UPT property to the municipality, ensuring
  more affordable and accessible services for
  the public.
- In Germany, the private bus industry, represented by the Federal Association of German Bus Operators (bdo e.V.), as well as the four major nationwide bus operators (Deutsche Bahn, Rhenus Veniro, Transdev, and Netinera), are concerned about their gradual displacement from the German market due to the increasing municipalisation of public transport in Germany, which coincided with the implementation of EU Regulation 1370/2007 and was further intensified with the amendment of the Passenger Transport Act (PBefG) in January 2013. They state that bus services in public transport are systematically being withdrawn from the overall market in Germany by being awarded to municipal companies through inhouse and direct contracts. They list 19 cases of (re-)municipalisation up to the end of 2016 in Germany (bdo et al. 2016).
- In 2020, Stadtbus GmbH asked to be released from their bus service operation in Bad

Kreuznach (Germany) on the grounds of unprofitability. In response, the city council voted to re-municipalise local bus transport and a public transport company was set up in July 2021, funded by the County of Mainz-Bingen, the County of Bad Kreuznach, and the City of Bad Kreuznach. The re-municipalisation took effect in January 2022. The decision to re-municipalise was motivated by the need to align public transport services with policy goals and to offer fair fares. Municipalisation will also improve working conditions for employees, who will become public employees with better pay and benefits (Public Futures 2023).

- Because of insolvency after 17 years of operating regional trains in North Rhine-Westphalia, and to prevent disruptions in services, Abellio GmbH is having its operation taken over by a state-owned company. In regional transport, the pressure on railway companies has recently increased significantly, partly because of the open market and its relatively low entry barriers. Public network tenders often impose stricter limits on companies, reducing their entrepreneurial flexibility. Staffing costs have also risen faster than expected (Gerl 2022).
- In France, the (re-)municipalisation of local transport has taken place in several cities, with service provision taken over either by a régie (transport authority) or by a local public company (société publique locale). Between 2000 and 2017, at least 20 cities or regions terminated privatisation contracts and reclaimed control of their transport systems (Petitjean 2017). For example, in Toulouse local public transport was managed by a public-private

- partnership company until 2014. It was then outsourced to Veolia in 2015, but because of political conflicts a régie was created in 2016. In Nice, urban transport services were operated by Veolia Transdev until 2013. When a new privatisation contract was put out to tender, the prices offered by bidder companies were considered too high. In 2015, Chartres wanted to renew its outsourced contract but got only one offer from Transdev, which was judged too expensive, so the city decided to re-municipalise the service (with SPL status). Annecy's local public transport system was run by a mixed-ownership company (public-private). In 2016, private shareholders were bought out and a new 100 per cent public SPL was created (Public Futures 2023).
- In Vienna, since 2014, private companies still operate some of the services but they no longer hold the concessions themselves (on the basis of a city council resolution of 2007). Instead, these are engaged by the municipal company Wiener Linien. This has enhanced public and democratic control (Public Futures 2023).
- In 2016, the Madrid government took over control of public bicycle rental from the private provider Bonopark S.L., ending their 12-year contract early on the grounds of poor quality of service. Bonopark received €10.5 million in compensation instead of the €16.7 million they had demanded. The Popular Party challenged the procedure in court but lost the case. After municipalisation, service costs decreased, the number of available bikes increased, and there were less technical issues and complaints.

The number of employees also decreased, but their working conditions and minimum wage improved (Sánchez Mato/ Garzón Espinosa 2019).

The UK has shifted its perspective on outsourcing public services, recognising that the claimed benefits were overstated. Insourcing, the practice of bringing previously outsourced services back in-house, has become a prevalent trend in the past decade, and it is considered to have achieved cost savings. Supporting this perspective, a 2017 survey by the Association for Public Service Excellence (APSE 2019) found that 73% of senior local government officers had considered or were considering insourcing services, with 45% having already completed the transition. Similarly, a poll by the New Local Government Network (2018), involving nearly 200 council leaders, revealed that 39% aimed to reduce outsourcing in the next two years, while only 15% planned to increase it. One significant issue in the outsourcing market has been identified in this context: the limited number of prospective providers has resulted in insufficient competition during tendering (Quiggin 2019).

Workers and their unions play a vital role in (re-)municipalisation efforts, as they are often the most negatively affected by privatisation. Public service unions actively support (re-)municipalisation to protect workers' interests, and advocate public ownership. While (re-)municipalisation generally benefits workers, there may be concerns in certain sectors. Close collaboration with trade unions is crucial in the decision-making and

in the implementation of (re-)municipalisation processes (Petitjean/Kishimoto 2017).





### 5. Trade union advocacy in UPT

### 5.1. Possibilities for trade union action and engagement

There are several fields of action by which trade unions can influence the funding and privatisation of UPT services as well as sustainable urban mobility planning; these include political lobbying, giving opinions on legal drafts, developing position papers, organising events, awareness raising, campaigning, negotiating collective agreements and organising strikes. Involving employees at the company level offers a further possibility for improving working conditions in UPT. At the national and European levels, it is of the utmost importance to improve knowledge of trade union action and to provide information about competition and privatisation, and their effects, as ETF is doing with this project and other campaigns. Trade unions need to develop an understanding of current trends and future challenges.

In this context, trade unions should actively engage in sustainable urban mobility planning, amplifying workers' concerns, advocating solutions and participate in consultations. They must also take part in national discussions on public transport investment, and on ensuring good quality transport and working conditions. In addition, unions should resist privatisation efforts, advocate for direct awards to public operators and the embedding of social considerations in agreements. They should also collaborate with stakeholders and engage in dialogue to enforce stringent social standards in public transport contracts. In order to ensure the maintenance of wage levels and

working conditions in the event of a change of operator. Moreover, unions should work towards improved working conditions, reduced hours, and fair wages through lobbying and negotiation at various levels. Lastly, they should consider forming partnerships with NGOs and other sectoral unions to identify common goals and demands in UPT.

#### 5.2. Examples in seven countries

### Influencing sustainable urban mobility planning

Austria, France, Flanders (Belgium) and Catalonia (Spain) have a well-established urban transport planning framework that incorporates SUMPs, or equivalent documents. They are fully supported at the national or regional level of government, or at both, through a SUMP programme, a legal definition, national guidance on SUMPs, an assessment scheme, monitoring and evaluation, training, etc. Bulgaria, the rest of Belgium, Denmark and Germany have a well-established urban transport planning framework that incorporates SUMPs (or equivalent documents), but without the same level of support at the national or regional level. In the rest of Spain, support at the national or regional level is lacking (Plevnik et al. 2019). Against this relatively advanced state of urban mobility planning in the seven focus countries, the influence of trade unions on sustainable urban mobility planning is not yet very developed, and SUMPs remain a mainly local political matter. The extent to which trade unions are involved very much depends on the political party in charge, and may differ from city to city. In Germany, a first attempt was started in Rhineland-Palatinate to involve stakeholders, including trade unions, in urban mobility planning, in order to develop routes that also make sense to drivers and attract personnel.

#### German Alliances for a Socially Responsible Mobility Transition (Bündnis sozialverträgliche Mobilitätswende) and the future of urban public transport (ÖPNV braucht Zukunft)

The Alliance for a Socially Responsible Mobility Transition, including various organisations such as trade unions, environmental groups, and social associations, aims to foster constructive dialogue on transport policy, and to develop a shared vision for the future of mobility (Bündnis sozialverträgliche Mobilitätswende 2021; DGB 2021).

The alliance "ÖPNV braucht Zukunft" comprises the trade unions EVG and ver.di, together with several other organisations. They urge the federal government to prioritise sustainable mobility in the budget, to collaborate with states to finance public transport expansion, and to halt motorway construction, highlighting the importance of better working conditions, especially in local public transport. In addition, ver.di and Fridays for Future organised a joint action day, campaigning for increased funding for public transport consolidation and expansion, with a focus on improving working conditions (ver.di n.d.; ver.di 2023c).

In **Austria**, trade unions such as younion \_ die Daseinsgewerkschaft are mainly involved through works councils, and company engagement, as well as in political projects. They communicate workers' demands to politicians, send requests to all levels of government, and demand to be involved in decision making. Trade unions have been extensively involved in the development of the 2040 plan for Vienna, with ongoing communication through supervisory board meetings at the company level.

Trade unions such as STSB/FTTUB (Federation of Transport Trade Unions in Bulgaria) were involved in the creation and implementation of the SUMP in 2019 in Sofia. Although , trade unions are not directly or officially involved in planning urban mobility, nor in the creation of SUMPs and related funding practices, they have advocated for sustainable and accessible urban mobility and tried to influence financing practices and ensure that the needs and concerns of workers are considered.

Trade unions in **Belgium**, such as the public services trade union Centrale Générale des Services Publics, CGSP/ACOD, are actively dealing with current trends in UPT by engaging with various stakeholders through discussions with the board of the public operator, as well as with the managers of companies involved in UPT. Moreover, the BTB-ABVV (Belgian Union of Transport Workers) seeks to be involved in urban mobility planning. They advise and follow up on it and also work to influence members of the parliament.

In **Denmark**, although SUMPs are primarily a political task, trade unions such as 3F par-

ticipate in providing advice – in writing and at meetings – as well as in lobbying politicians. Trade unions in Germany are involved with the responsible bodies in the regional public transport sector.

In Spain, trade unions also participate in urban mobility planning - specifically in the creation of Sustainable Urban Mobility Plans - through consultation and by presenting preliminary drafts to labour and business organisations, to seek their feedback. However, the representation of employees in the management of regional transport authorities is very limited. The trade union CCOO is nevertheless trying to influence local urban mobility policies. For example, CCOO has criticised a proposed change by Valladolid City Council, stating that its aim to increase lanes for private vehicles while eliminating bike lanes and bus-taxi lanes runs counter to European guidelines. CCOO has emphasised the importance of bus-taxi lanes in improving public transport efficiency, and expressed concern over the potential negative impact on air quality and climate change mitigation that would result from reducing low emissions zones. They have also advocated a commuter model that unifies existing and proposed rail corridors under a single command (Estaire Cabañas 2023).

In **France**, CGT gives its opinion on transport policies. The Mobility Orientation Law requires the establishment of committees bringing together local authorities, users, and employees to decide jointly on matters of sustainable transport, but not necessarily with employee representatives. Moreover, these committees are purely advisory. For instance, in Lyon, some

union representatives have been brought into the committees, while other local authorities have excluded them. In some companies, there are boards of directors with employee representatives. However, these boards only have advisory powers, offering merely an opportunity to understand the strategies the companies adopt.

#### **Pushing for sufficient funding**

Generally, trade unions are not directly involved in funding and budget decisions. Yet, there are some exceptions:

In 2022, Sofia municipality faced financial challenges in funding public transport, which led to difficulties in paying workers' salaries, and proposed cost-cutting measures were rejected, which resulted in significant financial losses in the sector (Kirilova 2022). In a meeting in Sofia, transport commission representatives and trade unions requested increased financial support from the state to cover rising energy costs and revenue decline during the pandemic, emphasising the need for transparency in the use of funds for employee wages and infrastructure maintenance (DARIK News 2022). Trade unions in Sofia actively participate in budget voting, securing substantial funds for transport, but government support for UPT faces challenges due to unprofitable routes and rising energy prices, hindering progress and approval for trade union proposals. STSB and the Municipality of Varna signed a cooperation agreement to support the transport sector's recovery and improve public transport, seeking the necessary state support to address pandemic-related revenue reduction and high fuel prices (Farhi 2022).

- In **Denmark**, it is quite common for politicians to consult with trade unions and employer organisations during the decision-making process, as they rely on their input and expertise. These stakeholders often come together to negotiate and reach agreement on the best course of action.
- In **Germany**, political decisions made to finance public transport have included the introduction of a 49 euro ticket. The use of regionalisation funds in November 2022 prompted reactions from trade unions and the their alliances. Measures taken include a €1 billion annual increase in federal funding, with a 3 per cent annual increase from 2023 onwards, but the 49-euro ticket may lead to revenue losses and additional costs, requiring proper financing and government support to avoid disruptions (ver.di 2022c). Ver.di criticises the fact that the increase in regionalisation funds does not cover inflation-related cost increases or the additional necessary investments arising from the shortage of skilled workers in municipal public transport (ver.di 2022e). Works councils and employee representatives have expressed concerns about underfunding in public transport, demanding expansion, better conditions, fair pay, and sufficient funding guaranteed by federal and state governments in a joint resolution (ver.di 2022a; ver.di 2022d). Ver. di and Fridays for Future call for extending earmarked regionalisation funds to finance public transport reliably, and they are worried about the cap on financing for the "Germany ticket", which
- may lead to job cuts and service reductions (ver. di 2022b). The alliance "ÖPNV braucht Zukunft" urges the prioritising of sustainable mobility options in the 2024 budget, demanding funding for modern infrastructure and bus and train services, an end to the construction of new highways, and the promotion of climate-friendly transport (ver.di 2023d). In March 2023, ver.di called for warning strikes in six federal states, over issues in municipal public transport companies, highlighting the lack of rural connections, overcrowding in urban areas, and staff shortages due to cost-cutting, while urging sustainable funding and investment (ver.di 2023b).
- In **France**, CGT proposes the creation of a publicly financed public transport sector to consolidate resources, fund projects, improve services, and improve working conditions, suggesting reforms in the funding of transport networks, such as eliminating employee thresholds for employers' contributions ("versement mobilité"), allocating revenue from mobility-related taxes, and reducing VAT on transport fares (CGT 2018). CGT proposes such measures as regional transport centres and a public financial hub. CGT suggests preventing private interests from overshadowing public benefits by establishing a public financial hub through public banks, to promote socially beneficial investments. They advocate regional funding, expanding employer tax, and reforming transport taxation. They envision a nationwide public transport hub with social goals and democratic governance, and the maintenance of consistent standards during operator transitions. They support regaining public transport management for the common good, opposing

the misuse of public funds, and advocating direct public service management, workers' unity, and social and environmental considerations in contracts (CGT 2017; CGT/UIT n.d.; FNST-CGT 2022).

## Opposing liberalisation and privatisation and promoting social criteria

In general, trade unions tend to object to the liberalisation and privatisation of UPT, and to favour direct awards to public operators over the use of competitive tendering because they believe it can negatively affect labour conditions and sustainability. For example, regarding the interpretative PSO guidelines of the European Commission that will hinder direct awards in public transport, the Austrian Federal Chamber of Labour (AK EUROPA), together with ÖGB, vida, and the European Transport Workers' Federation (ETF), organised a webinar in which the speakers made it clear that Member States must continue to have the choice of whether to tender transport services or award them directly (AK Europa 2022a). A policy brief published by AK Europa highlights the importance of direct awards for the European Railway System (AK Europa 2022b).

The STSB/FTTUB in Bulgaria emphasizes that public urban and suburban transport is a public good, and that it is the responsibility of municipalities and the state to ensure its functioning. In the past, political decisions had a significant impact on public transport in Sofia. The privatisation of UPT services led to higher

ticket prices, deteriorating working conditions, and reduced control over public funds. However, with the assistance of the trade union and transport commission, UPT was returned to municipal ownership, allowing for better oversight and affordability. The French trade union CGT highlights the fact that the liberalisation and privatisation of transport in the Île-de-France region is not inevitable, demanding political decisions to ensure integrated public management of the networks. They ask the government to end destructive competition and promote cooperation among public operators within a public transport hub serving as a platform for the joint management and funding of public transport projects (CGT 2018b).

Information about tenders is scarce. Only the company applying for a tender receives the documents. Unions do not have access to the content. This is the context in which, trade unions engage in discussions about quality and social standards in public passenger transport by road and rail:

• In **Austria**, an agreement was reached in 2011 to establish social and quality criteria, to create a Quality Advisory Board, to transfer operations, introduce tariff-supported services, and protect existing services, and thus to improve the quality of transport services while safeguarding workers' rights (Unfried 2011). The vida trade union in Austria has been lobbying for the inclusion of social criteria in tender procedures (see for example vida 2018), arguing for the "best bidder" principle in transport tenders (vida 2016; vida /AK Wien 2015). However,

the current law, in accord with the relevant EU regulations and directives, does not apply to passenger transport by rail and underground, or to service concessions in the bus and tram sector (Parliament Österreich 2018).

- To support the competitiveness of Austrian companies, and to ensure good conditions for employees, the Chamber of Labor (AK), the vida trade union, and the trade union for municipal employees developed a guideline to prevent social dumping. The guideline proposes the exclusion of wage dumping and unregulated working conditions, the protection of workers' rights during operator changes, and adherence to local and industrial salary and employment standards. Such social and quality criteria are essential for meaningful price comparisons (AK Wien 2009).
- The German association Mobifair e.V. uniting companies, associations, unions, individuals, as well as politicians at various levels, aims to protect employees and consumers from unethical practices in the transport industry while promoting fair competition and environmental protection. They have developed a procurement guide to prevent wage and social dumping in public transport contracts (mobifair 2017)
- In **Belgium**, the trade union BTB-ABVV is negotiating provisions for staff transfers for De Lijn in addition to an existing agreement at TEC.
- In **Germany**, the trade union ver.di expresses concerns about potentially precarious em-

- ployment and negative effects on employees in the local public transport sector, since the draft amendment to the Passenger Transport Act lacks sufficient protection for workers (ver.di 2020). The union is concerned about adherence to social standards, includes the issue in its political campaigning in the lead-up to the 2021 federal elections (ver.di 2021).
- In **France**, the CGT calls for stronger obligations to include social criteria in agreements between transport authorities and operators, with ongoing consultation with employee representatives (CGT 2018). CGT emphasises the need to address social dumping and advocates a radical change in French and European legislation to prioritise a genuine public service provided by democratically managed public enterprises (CGT 2018a). It also opposes the division of urban transport networks (CGT 2022).
- In **Spain**, in November 2022, the City Council and the Spanish General Union of Workers (Unión General de Trabajadores y Trabajadoras, UGT) in Santiago discussed urban transport, focusing on personnel transfers and labour conditions for new urban bus concessions. UGT expressed concerns about the new concessions and emphasised the need for stable employment and improved labour conditions, while the City Council acknowledged the importance of addressing social and labour issues in urban transport (UGT 2022). In November 2018, CCOO called for municipalisation of urban bus transport in Ceuta, at the same time announcing an indefinite strike of the employ-

ees of the concessionaire of the urban transport service. The workers' representative stated that it was the company that did not respect the agreement reached the previous August, by which the company committed to a 3.0 per cent pay increase (Ceuta Actualidad 2018).

While the political situation does not always allow trade unions to approach politicians, as is the case, for example, in Hungary, in Germany it has been possible to invite politicians to workshops in order to discuss the situation of employees. In Flanders, while it is difficult to talk to politicians from the right-wing party, the trade union engages with civil society organisations.

#### Providing for the transfer of staff and the maintenance of wage levels and working conditions

While in **Denmark** transitioning from one company to another through tendering is unproblematic, as the same agreement still applies, this is not the case in the other countries analysed. It is worth noting that in Denmark no permit is granted for public transport unless the government is informed of how the staff will be paid, and a collective agreement has been accepted. Even so, it is rare that provisions on the transfer of staff, wage levels and working conditions are included in tender documents.

No provisions on the transfer of staff, pay lev-

# New Flemish public transport regulations having an important impact on working conditions

Until the end of 2023, Flanders operated under a single operator system designated through direct award, with uniform working conditions for transport employees. However, as from January 1, 2024, new demand-driven public transport regulations will adversely affect working conditions, potentially leading to reduced pay and worsened conditions for on-demand drivers. The public services trade union division for tram, buses and metro CGSP-ACOD TBM actively pressures the Flemish government against liberalisation, advocates drivers' rights, and collaborates with various organisations to promote public services and strengthen opposition to privatisation. They also engage with taxi industry unions to address mutual concerns.

Source: interview and presentation of trade union representative at the first project workshop

els, or working conditions are obligatory in tender documents or agreements in France or Bulgaria. However, the transfer of staff in Bulgaria is regulated by the National Labour Code. Also, the French "mobility orientation law (LOM)[4] defines rules governing the transfer of employees in the event of a change of operator. However, it does not provide for the maintenance of working conditions. It also gives rise to questions about the legitimacy of creating a two-tier worker status system between Paris, the suburbs, and the rest of France, as well as the management of

<sup>[4]</sup> The Mobility Orientation Law, enacted in December 2019, aims at making everyday transport easier, more affordable, and environmentally friendly. It involves substantial investments of €13.4 billion from 2017 to 2022, prioritising daily transport needs. https://www.ecologie.gouv.fr/loi-dorientation-des-mobilites

social configurations resulting from the coexistence of RATP-transferred employees and those falling under the Road/Interurban Transport Collective Agreement (Progexa 2019). Issues such as personnel transfer, remuneration levels, and working conditions are not uniformly addressed in tender documents. It depends on the political majority in the local authorities. Some contracts may provide for the maintenance of existing conditions, while others grant more freedom to the operator. While personnel transfers are automatically planned according to labour laws, operators may establish a dual status system leading to wage stagnation. For example, in Lyon, networks are fragmented. Unions play a role in anticipating such situations and lobbying policymakers to maintain agreements.

In Austria and Belgium, collective agreements have been drawn up to take care of these The Flemish government has made changes to the "Operation and Tariffs Decree", removing an important statement regarding equal wages and working conditions for operators of De Lijn, the public transport company. Previously, the decree required private operators awarded contracts to comply with employment conditions equivalent to those of De Lijn. The removal of this passage raises concerns about potential privatisation and competition based on staff conditions (ACV 2022b). Even so, every bus driver working for a sub-contractor benefits from provisions on wages included in the public contract. On the other hand, there is no sentence included in the tender document for on-demand services regarding the transfer of staff, pay levels, or work conditions. The trade union CGSP/ ACOD is lobbying for it to be included, but there is currently no text or law that addresses this issue.

In **Germany**, in most federal states, topics such as employee acquisition, wage levels, and working conditions are required to be included in the tender documents, as defined by Tariff Loyalty Laws. With the exception of Bavaria and Saxony, all German Länder have passed legislation on tariff compliance, making the award of public contracts subject to the obligation to comply with certain collective bargaining standards. Their aim is to enable fair competition and to protect workers and employers from wage dumping. In, Rheinland-Pfalz and Saarland, there is an obligation to take over staff in the event of a change of operator on rail and road (mobifair 2023). The effectiveness of the Tariff Loyalty Laws largely depends on sufficient monitoring, which is not always present except in Saarland and Rheinland-Pfalz.

According to the German Civil Code (BGB), employee acquisition must adhere to the principle of "continuity of employment," meaning that the same employment conditions must be maintained after the acquisition. In the local passenger rail transport sector (SPNV), transport companies are now obliged by German law to take over personnel, but this is not mandatory in such other transport areas as road transport. Social standards are often not considered in tenders, as they lead to higher costs, and many authorities aim to save costs through the tendering process.

According to European law, municipalities have the choice, either to tender public transport

services or to assign them directly to their own company. They can set requirements for quality and social conditions for employees. However, German law allows bidders to submit what are called "economically motivated applications" under the Passenger Transport Act. In such cases, employees are not entitled to protection by social standards, such as collective bargaining agreements, and the state laws on wage compliance do not apply. This legislation restricts the municipalities' freedom to make decisions and prevents companies that adhere to collective agreements and provide good working conditions from competing in the market (ver.di 2016; Schreiner 2016).

In **Spain**, the public administration establishes a bidding process for service provision and proposals are made to maintain working conditions. The Federation of Services, Mobility, and Consumers (Federación de Servicios, Movilidad y Consumo; FeSMC) within UGT negotiated an agreement on salary levels and working conditions with employer organisations. Contracts put out to tender included clauses related to personnel transfer, salary levels, and working conditions.

### Improving salaries, working hours and general working conditions

Reducing working time and stress, improving salaries and work organisation as well as health and safety are all of major concern to trade unions.

 Austria: Trade unions are fighting against the 2018 working time law, which increased max-

**Table 4:** Provisions on transfer of staff, wage levels and working conditions

	Transfer of staff, wage levels, and working conditions covered by		
	Collective agreement	Tender documents	Law(s)
AT	+	X	X
BE	+ (partly)	X	<b>x</b> (not any more)
BG	x	X	+ (transfer of staff regulated in the National Labour Code)
DE	X	+	+ (with exceptions)
DK		Same agreeme	nt applies to all
ES	+	+	x
FR	X	X	+ (only regarding staff transfer)

Sources: interviews, workshops

imum working hours to 60 hours per week. The trade union younion \_ die Daseinsgewerkschaft started a major campaign on its implementation in 2018, with a demonstration involving more than 100,000 participants. Wiener Linien introduced a four-day working week as a trial in 2022. This did not lead to a reduction of working hours but to a redistribution from five to four days, there are ongoing union efforts to bring about a real reduction of working hours.

 Belgium: ACV monitors public transport changes resulting from the implementation of the "basic accessibility" plan, which calls attention to working conditions, rest periods, and social dialogue, including clear decisions on dial-a-buses and the future of dial-a-bus operators, realistic driving times, respect for rest periods during service changes, suitable working conditions such as sanitary facilities, and adherence to agreed negotiating terms (ACV 2022a).

- Denmark: For 3F, one of the top issues in negotiations in 2023 was working hours for drivers in the coach section. To address this, the trade union launched a campaign that will continue until the next negotiations in 2025. 3F works closely with shop stewards to address these challenges.
- **Germany:** Rail services established a wage index and compensation by the government in the form of wage increases of 10 per cent. The focus is on fair wages and attracting drivers.
- France: CGT proposes a high-level social framework for transport workers, including fair salaries and work-life balance, a 32-hour week, early retirement options, social protection, including healthcare coverage and support for employees who become unfit for work (CGT 2020a, CGT 2020b). CFDT addresses shared mobility services, lobbying for regulations to protect workers' rights (CFDT

- n.d.). Also, at Rennes (Brittany), a social charter has been signed by several companies who then get a "social badge". In the event of non-compliance with the contents of the charter, companies have to pay a fine. A commission is monitoring the compliance. Companies that have signed the charter and are consequently respecting the required social criteria have a much better chance at being awarded UPT contracts.
- Spain: CCOO urged the City Council of Logroño, the capital of Rioja, to address labour issues at the urban transport concession: Autobuses Logroño. CCOO argues that the evolution of the urban transport service has not been accompanied by necessary regulations regarding service provision conditions for workers. They have highlighted concerns about the poor condition of buses, malfunctioning access ramps, and maintenance issues, emphasising that these conditions not only jeopardise service quality but also pose risks to both workers and passengers (Agencia EFE 2022)





## Conclusion: Trade union demands and policy recommendations

In summary, this report illuminates the dynamics of UPT. Focusing on seven countries, it examines evolving trends in UPT, from increasing competition to the pressing issue of driver shortages, highlighting the need for strategic interventions. It underscores the pivotal role of UPT in achieving climate neutrality and sustainability, emphasising the urgency of the need for comprehensive measures (see **section 2**).

Examining the organisational, funding, and ownership models in seven countries provides insights into the diverse approaches taken towards managing UPT. Regarding budget allocation and investment, there remains room for more sustainable funding mechanisms and alternative sources as well as the consideration of social consequences for passengers and workers (see **section 3**).

Competitive tendering and privatisation are revealed to have significant negative impacts, including an increased administrative burden and additional costs for authorities and municipalities, along with reduced service quality, and deteriorating pay, working conditions and social dialogue (see section 4).

In this context, trade union advocacy emerges as a crucial force in shaping the UPT landscape, with potential for meaningful engagement in sustainable urban mobility planning and lobbying for sufficient funding. The necessity of resisting liberalisation and privatisation while promoting social criteria, as well as the imperative to improve salaries, working hours, and overall conditions for

UPT workers, becomes evident (see **section 5**).

The shortage of workers resulting from low wages and poor working conditions in UPT further aggravates the situation. This makes the operation of high quality UPT as a contribution to the achievement of climate goals even more difficult. The project reveals the need for attractive, inclusive and safe, high quality UPT, the promotion of carbon-neutral transport, and sustainability and good working conditions throughout the sector.

Consequently, the following policy recommendation are rooted in the principles of considering UPT as a public good and an essential right, and of promoting quality, accessibility, and safety. This involves investing in quality, improving working conditions, and fostering stakeholder involvement and solidarity, to provide a framework enabling policymakers and stakeholders to navigate the complexities of UPT.

### 6.1. Considering UPT as a public good and an essential right

The European Commission has actively pursued liberalisation and increased competition in public transport services, recently challenging the freedom of choice between direct awards and competitive tendering (see **section 2.1**). As shown in **section 4.1**., tendering for public transport services demands significant time and resources, which engender additional administrative bur-

Figure 1: Five focus topics for recommendations



dens and costs. Studies show that systems operated through direct awards are generally more efficient owing to lower costs. Failed privatisation and PPPs result in financial losses and poor service. Pressure for profit maximisation may lead to wage cuts without significant benefits. Effective oversight and adequate funding are crucial for high quality, accessible transport services, but overseeing multiple private providers poses challenges for public authorities.

Invitations to tender become less attractive for private UPT operators faced with such factors as rising fuel costs and fleet modernisation expenses. Driver shortages exacerbate operational issues and disruptions in service provision. Contract durations present hurdles for bidders, and affect the conditions for investment. The competition gap in passenger transport tenders is a widespread issue attributed to advantages for incumbents and higher bidding costs for external operators. In addition, liberalisation has led to mar-

ket consolidation, favouring larger companies (see section 4.2). Whereas privatisation and competitive tendering have a detrimental effect on wages, working conditions and collective bargaining (see section 4.3.), (re-)municipalisation in UPT is an effective strategy for improving services, promoting sustainability, and ensuring democratic ownership. It addresses the need for larger investments, the challenges faced by private companies, and the goal of stable, high-quality services (see section 4.4.).

Given the described negative consequences of competitive tendering and privatisation, treating UPT as a vital public service and an essential entitlement is highly important. Preference for public ownership must be promoted to ensure sustainability. Direct awards must be favoured, and standardised regulations for new mobility services have to be established. The following table shows recommendations at EU, national, sectoral or regional and company level, for considering UPT as a public good and essential right.

**Table 5:** Considering UPT as a public good and essential right: recommendations at EU, national, sectoral or regional and company level

#### 

#### sectoral/ regional

#### **Municipalities should:**

- encourage the transition from private to public operation
- focus on direct awards to public operators.

#### **Authorities must:**

- adapt governance for the integration of new forms of mobility into transport organisation that is in public hands
- regulate on-demand and ride-hailing services that should only be operated as services that complement the backbone of UPT
- ensure that infrastructure (for charging/maintenance, etc.) remains in public hands, since changes in operators may lead to higher costs for municipalities if each operator can choose a different propulsion system, charging arrangement, and so on.

#### Companv

#### **UPT operators must:**

• commit to employing enough personnel to guarantee sufficient high-quality services throughout the whole duration of the contract.

### 6.2. Promoting quality, accessibility and safety in UPT

As described in **section 4**, competitive tendering and privatisation in transport are intended to boost efficiency, innovation, and cost-effectiveness, but they can lead to negative consequences. These initiatives may compromise safety, result in fragmented networks, and increase administrative burdens and costs for municipalities. Safety concerns arise as cost-cutting measures lead to the hiring of inadequately trained drivers, which in turn leads to a decline in safety in transport. To promote the further use of UPT on the way towards climate neutrality and sustainability, accessibility needs to be improved (see section 2.2.). A lack of funds causes at least some municipalities to fail to maintain good quality services (see section 3.2.). The safety of passengers and workers, and other aspects of security, are not adequately covered in sustainability plans and funding decisions (see section 3.3.).

Consequently, to forestall the negative effects of tendering and privatisation, EU-level quality standards and service quality benchmarks for UPT must be established. Efficient, climate-friendly public transport must be promoted, especially in rural areas. The monitoring of compliance with climate goals must be assured. To ensure the effective implementation of transport initiatives, it is imperative to have precise legal interpretation of tendering criteria. This will ensure that the selection process is fair, transparent, and in compliance with established regulations. Additionally, there should be a strong emphasis on enforcing eco-friendly and safety standards within the transport sector. This not only promotes sustainable practices but also prioritises the wellbeing and security of both passengers and workers.

The following table shows recommendations at EU, national, sectoral or regional and company level promoting quality, accessibility and safety in UPT.



**Table 6:** promoting quality, accessibility and safety in UPT: recommendations at EU, national, sectoral or regional and company level

EU	<ul> <li>EU institutions should promote:</li> <li>a comprehensive public transport policy prioritising public ownership as the most important way to achieve social, environmental and economic sustainability</li> <li>research on public management and the benefits of different ownership models in UPT.</li> <li>The EU Commission should:</li> <li>revisit the PSO guidelines and adapt the interpretation to favour direct awards.</li> <li>implement standardised regulations for new forms of mobility integrating on-demand services (such as on-call buses) and shared mobility services (for example, bike or car sharing services) into UPT</li> <li>address driver employment rights, working hours and the prioritising of sustainability over excessive privatisation.</li> </ul>
National	<ul> <li>National governments should:</li> <li>maintain and promote the possibility of direct awards in national legal frameworks, and limit the number of subcontractors</li> <li>ensure that national transport policies focus on public operation and emphasise UPT as a universal right.</li> </ul>
Sec- toral/ regional	<ul> <li>Municipalities should:</li> <li>encourage the transition from private to public operation</li> <li>focus on direct awards to public operators.</li> </ul> Authorities must: <ul> <li>adapt governance for the integration of new forms of mobility into transport organisation that is in public hands</li> <li>regulate on-demand and ride-hailing services that should only be operated as services that complement the backbone of UPT</li> <li>ensure that infrastructure (for charging/maintenance, etc.) remains in public hands, since changes in operators may lead to higher costs for municipalities if each operator can choose a different propulsion system, charging arrangement, and so on.</li> </ul>
Compa- ny	<ul> <li>UPT operators must:</li> <li>commit to employing enough personnel to guarantee sufficient high quality services throughout the whole duration of the contract.</li> </ul>

### **6.3.** Investing in high quality public transport

As shown in section 2.2, UPT is crucial for achieving climate neutrality and sustainability amidst urbanisation. The European Green Deal targets a 90 per cent reduction in transport emissions by 2050, and includes a proposal for emission-free city buses by 2030. However, car dependence persists, owing to cost and infrastructure issues. Emissions continue to rise while funding for sustainable transport lags behind. Diversifying revenue sources for cities is essential, but how best to balance efficiency, accessibility, and equity is a matter of debate. Subsidies are vital for UPT, which often relies on state support. Securing funding for infrastructure and services is crucial, especially with rising operational costs. Prioritising workforce development is essential, but budget constraints pose challenges. A long-term commitment to public transport is critical for its success.

Inadequate and unsustainable funding for UPT is observed in the seven focus countries, with varying trends in available budgets. Political interference in budget allocation and a declining

share of state funding pose challenges. Discrepancies in funding between urban and rural areas, together with concerns about outdated subsidy calculations and political conflicts over budget allocation, are prevailing issues (see **section 3.2.**). Operational costs are rising due to increased demand, which leads authorities to seek alternative funding sources. However, these funding sources give rise to concerns about allocation, transparency and the neglect of social consequences (see **section 3.3**.).

For these reasons, investing in high-quality public transport should involve prioritising climate-conscious solutions and improving working conditions. Long-term investments that accord with consideration for disadvantaged groups and assessments of the impact of new technologies must play an important role. Collaboration between national and regional authorities, transparent financing mechanisms, and fair fare policies are crucial for sustainable and accessible urban transport. The following table shows recommendations at EU, national, sectoral or regional and company level for promoting investment in high quality public transport.



Table 7: Investing in high quality public transport: recommendations at EU, national, sectoral or regional and company level

EU	EU funding should:
	be allocated for climate-friendly public transport and the improvement of working conditions for
	a green recovery
	focus on sustainable transport solutions.
National	National funding should:
	focus on long-term investments in order to prevent destabilisation and constant changes for
	employees and customers
	consider disadvantaged groups to promote social inclusion
	focus on carbon-neutral transport in the long-term
	• be increased for public transport in economic stimulus plans, potentially reallocating funds from
	road projects, to ensure operational sustainability
	consider the impact of new technologies on working conditions, and undertake a social impact
	assessment to mitigate any negative impact.
	National governments about
	National governments should:  • create a national public policy involving regional authorities to guarantee sufficient, sustainable
	<ul> <li>create a national public policy involving regional authorities to guarantee sufficient, sustainable and fair funding. Economies of scale in purchases (for example of buses) and joint innovation will</li> </ul>
	also allow smaller cities to develop UPT.
Sec-	Local authorities, in collaboration with higher-level governments, should:
toral/	<ul> <li>create clear financing mechanisms, through the exploration of sustainable models that benefit</li> </ul>
regional	lower-income groups.
regional	lower-income groups.
	Municipalities should:
	<ul> <li>consider free services in limited-access regions and establish fair fare policies for all.</li> </ul>
Compa-	UPT operators must:
	<ul> <li>modernise fleets and introduce technology in accord with consideration of consequences for</li> </ul>
ny	working conditions as well as workforce training
	prioritise sustainability, safety and customer experience
	invest in sustainability and involve workers in climate-neutrality plans.
	in each sustained and involve workers in climate neutrality plans.

### **6.4.** Improving working conditions

A shown in **section 4.3.**, private operators in UPT often offer less favourable working conditions by comparison with public operators. Publicly funded transport tends to have regular social dialogue and periodic salary increases, while private companies may not offer the same benefits. There are differences in wages and working hours, with some private companies employing lower-qualified personnel for lower pay. When UPT is transferred to private operators, working conditions can deteriorate, which generates concerns about safety and job security. Privatisation and deregulation have led to reductions in real wages, job security, and trade union strength, as well as to increased flexibility in working conditions. Wage dumping strategies are sometimes employed by private companies to gain a competitive advantage, offering lower wages and benefits than are offered by public counterparts.

Given the negative effects for workers of privatisation and competitive tendering, it is very important to uphold high standards of working conditions and transport drivers' rest times, and to encourage social dialogue. Issues affecting social standards and staff transfers must be addressed. Ensuring good working conditions, fair pay, and job retention during operator changes, involving unions in nationwide negotiations, and promoting social standards in competitive tendering are all matters of major importance. Social requirements must be integrated into contracts, ensuring that they apply to subcontractors as well as main contractors. Work-life balance, safety, and parity for subcontracted workers must all be addressed. Trade union alliances can propose measures for achieving good working conditions in the sector as a whole. The following table shows recommendations at EU, national, sectoral or regional and company level for improving working conditions.



 Table 8: Improving working conditions: recommendations at EU, national, sectoral or regional and company level

The EU should:		
provide clear guidelines for PSO regulations, emphasising social standards and staff transfer considerations.      Governments must:	EU	<ul> <li>establish high standards for working conditions in public transport and regulate rest times for drivers</li> </ul>
<ul> <li>ensure good quality working conditions, guarantee fair pay and job retention as well as the maintenance of social conditions during operator changes</li> <li>oversee private and public operators</li> <li>monitor existing laws to ensure compliance</li> <li>involve unions in nationwide negotiations for uniform standards</li> <li>promote the setting of social standards in competitive tendering</li> <li>provide a guarantee that social conditions will be maintained in operator changes.</li> </ul> Sectoral/regional <ul> <li>integrate representative social requirements into contracts, using exclusion criteria and preaward evaluations</li> <li>ensure that all criteria applied to any subcontractors as well as main contractors</li> <li>ensure that sectoral agreements implement family-friendly schedules, address work-life balance, maintain parity for subcontracted workers, and tackle safety concerns.</li> </ul> Trade union alliances can:		provide clear guidelines for PSO regulations, emphasising social standards and staff transfer
maintenance of social conditions during operator changes  oversee private and public operators  monitor existing laws to ensure compliance  involve unions in nationwide negotiations for uniform standards  promote the setting of social standards in competitive tendering  provide a guarantee that social conditions will be maintained in operator changes.  Authorities should:  integrate representative social requirements into contracts, using exclusion criteria and preaward evaluations  ensure that all criteria applied to any subcontractors as well as main contractors  ensure that sectoral agreements implement family-friendly schedules, address work-life balance, maintain parity for subcontracted workers, and tackle safety concerns.  Trade union alliances can:	National	Governments must:
<ul> <li>involve unions in nationwide negotiations for uniform standards</li> <li>promote the setting of social standards in competitive tendering</li> <li>provide a guarantee that social conditions will be maintained in operator changes.</li> <li>Sectoral/ regional</li> <li>integrate representative social requirements into contracts, using exclusion criteria and preaward evaluations</li> <li>ensure that all criteria applied to any subcontractors as well as main contractors</li> <li>ensure that sectoral agreements implement family-friendly schedules, address work-life balance, maintain parity for subcontracted workers, and tackle safety concerns.</li> <li>Trade union alliances can:</li> </ul>		maintenance of social conditions during operator changes
<ul> <li>promote the setting of social standards in competitive tendering</li> <li>provide a guarantee that social conditions will be maintained in operator changes.</li> <li>Sectoral/ regional</li> <li>integrate representative social requirements into contracts, using exclusion criteria and preaward evaluations</li> <li>ensure that all criteria applied to any subcontractors as well as main contractors</li> <li>ensure that sectoral agreements implement family-friendly schedules, address work-life balance, maintain parity for subcontracted workers, and tackle safety concerns.</li> <li>Trade union alliances can:</li> </ul>		monitor existing laws to ensure compliance
<ul> <li>provide a guarantee that social conditions will be maintained in operator changes.</li> <li>Sectoral/ regional</li> <li>integrate representative social requirements into contracts, using exclusion criteria and preaward evaluations</li> <li>ensure that all criteria applied to any subcontractors as well as main contractors</li> <li>ensure that sectoral agreements implement family-friendly schedules, address work-life balance, maintain parity for subcontracted workers, and tackle safety concerns.</li> </ul> Trade union alliances can:		involve unions in nationwide negotiations for uniform standards
<ul> <li>Sectoral/ regional</li> <li>integrate representative social requirements into contracts, using exclusion criteria and preaward evaluations</li> <li>ensure that all criteria applied to any subcontractors as well as main contractors</li> <li>ensure that sectoral agreements implement family-friendly schedules, address work-life balance, maintain parity for subcontracted workers, and tackle safety concerns.</li> <li>Trade union alliances can:</li> </ul>		<ul> <li>promote the setting of social standards in competitive tendering</li> </ul>
<ul> <li>integrate representative social requirements into contracts, using exclusion criteria and preaward evaluations</li> <li>ensure that all criteria applied to any subcontractors as well as main contractors</li> <li>ensure that sectoral agreements implement family-friendly schedules, address work-life balance, maintain parity for subcontracted workers, and tackle safety concerns.</li> </ul> Trade union alliances can:		<ul> <li>provide a guarantee that social conditions will be maintained in operator changes.</li> </ul>
<ul> <li>award evaluations</li> <li>ensure that all criteria applied to any subcontractors as well as main contractors</li> <li>ensure that sectoral agreements implement family-friendly schedules, address work-life balance, maintain parity for subcontracted workers, and tackle safety concerns.</li> </ul> Trade union alliances can:	Sec-	Authorities should:
<ul> <li>ensure that all criteria applied to any subcontractors as well as main contractors</li> <li>ensure that sectoral agreements implement family-friendly schedules, address work-life balance, maintain parity for subcontracted workers, and tackle safety concerns.</li> </ul> Trade union alliances can:		
maintain parity for subcontracted workers, and tackle safety concerns.  Trade union alliances can:		ensure that all criteria applied to any subcontractors as well as main contractors
		Trade union alliances can:
consideration.		put forward proposals for good working conditions, taking the nature of the whole sector into
Compa- Transport companies must:	Compa-	Transport companies must:
• prioritise fair wages, safety measures, and inclusivity, and invest in driver training	ny	
• fully pay for the education and training of their drivers (including the driver's license), to attract		
people to work in the sector		
<ul> <li>take charge of sickness-related costs, and the costs of psychological support and legal fees</li> <li>involve employee representatives in decisions, and adhere to relevant collective bargaining agreements for improved working conditions.</li> </ul>		involve employee representatives in decisions, and adhere to relevant collective bargaining

### **6.5.** Involving stakeholders and strengthening solidarity

As shown in **section 5.2**, trade unions can have an influence on sustainable mobility planning. They may push for sufficient funding, for avoiding the negative effects of liberalisation and privatisation, and for promoting social criteria and good pay and working conditions. Stakeholder involvement, particularly the involvement

of social partners, is important in achieving a just transition to a sustainable economy. However, stakeholder involvement has been limited (for example in the implementation of RRF plans, see **section 3.3**.). To improve participation, cooperation between different stakeholder is needed. The following table shows recommendations at EU, national, sectoral or regional and company level for involving stakeholders and strengthening solidarity.

**Table 9:** Involving stakeholders and strengthening solidarity: recommendations at EU, national, sectoral or regional and company level

EU	<ul> <li>The EU should:</li> <li>ensure the democratic development of EU regulations and guidelines</li> <li>Ensure that European sectoral social dialogue is consulted and has a greater influence regarding questions of concern in the UPT sector.</li> </ul>
National	<ul> <li>Governments should:</li> <li>involve trade unions and employee representatives in funding and sustainable urban mobility decisions to ensure democratic input.</li> </ul>
Sectoral/ regional	<ul> <li>Local authorities should:         <ul> <li>engage stakeholders early in contract design</li> </ul> </li> <li>improve transparency in tender procedures and related criteria, to address concerns and build trust</li> <li>involve stakeholders in the development of Sustainable Urban Mobility Plans (SUMPs).</li> </ul> <li>Trade unions should:         <ul> <li>have a say in criteria for contract awards</li> <li>work together, across the public and private sectors, and with employer organisations and NGOs, to develop public transport.</li> </ul> </li>
Company	<ul> <li>Transport companies should:</li> <li>cooperate with each other and with unions to improve public transport</li> <li>collaborate with trade unions and other stakeholders in the interests of transparency, innovation, and community engagement, all of which are essential for socially responsible and efficient transport companies.</li> </ul>

### **Glossary**

- Competitive tendering: the process of competition in the market by which a public authority selects a private contractor to supply goods or services. When a contract is advertised, potential suppliers are invited to submit bids (tenders). The most favourable bid wins the contract. In the public transport sector, contracts subject to competitive tendering are for the operation of the transport service. Responsibility for planning, co-ordination and oversight remains with the local authority.
- Congestion charge: the charge levied by some urban local authorities on the use of private cars a way to reduce traffic congestion and a source of revenue
- Dequalification: a process by which less skill, knowledge or responsibility is required of an employee than was previously the case, often obliging the employee to work below the level of their capacity and qualifications, and with poorer or less secure wages and conditions
- Deregulation: the process of reducing or removing government-imposed regulations and restrictions on the provision of a service, such as a transport service within a specific region or jurisdiction. This often involves allowing greater freedom for private companies or operators to enter the market and provide transport services without strict oversight from public authorities.
- **Direct award**: the award of a public service contract to a given public service operator without any pri-

- or competitive tendering procedure (see: REGULATION (EC) No 1370/2007)
- Flexibilisation: the practice of making pay rates, working hours and other conditions of employment flexible, typically in ways that are not in workers' interests
- In-house delivery of public transport: the direct operation and management of transport services by a public authority or government agency, without involving private companies or external service providers. See also "internal operator")
- Internal operator: a legally distinct entity over which a competent local authority, or in the case of a group of authorities at least one competent local authority, exercises control similar to that exercised over its own department (see: REGULATION (EC) No 1370/2007)
- Intermodality: in urban public transport refers to the seamless and coordinated use of different modes of transport within a city or metropolitan area. It involves the integration of various transport options, such as buses, trams, metros, bikes, and walking, to create a cohesive and efficient transport network.
- Liberalisation: the broad process of reducing public ownership and control, as well as market entry barriers, in favour of private ownership and competition in the fully opened market. It typically involves deregulation and privatisation.

- **Licence:** in the context of urban public transport, an official authorisation or permit granted by a regulatory authority to an individual or organisation, allowing them to operate specific transport services within a defined area or jurisdiction.
- **Lot:** In the award procedure, tenders may consist of several parts that are to be awarded independently of each other. These parts are referred to as lots.
- Mobility-as-a-Service (MaaS): a comprehensive approach to urban transport that integrates various modes of travel into a single, user-centric service. It aims to provide travellers with a seamless and convenient way to plan, book, and pay for their journeys using a combination of transport options.
- On-demand transport: a model of transport that, by contrast with traditional urban public transport, does not follow a pre-defined schedule or route but responds to the demands of customers. On-demand transport can include local bus transport operated by a driver in some cases employed by the UPT operator.
- Privatisation: The transfer of assets, services and utilities from the public sector to the private sector, or the participation of private entities in carrying out public tasks under the supervision of public authorities. In the UPT sector, the ultimate responsibility for the public service remains with the municipality, which has the authority to decide the scope and manner of privatisation.

- Public service contract: a formal agreement between a public authority or government entity and a service provider, typically a private company, to deliver specific public services, for example public transport. Such contracts outline the terms, conditions, and responsibilities of both parties, including the scope of services to be provided, performance standards, duration of the contract, and any financial arrangements such as compensation or subsidies.
- Public-Private Partnerships (PPPs): collaborative arrangements between government or public entities and private sector companies to jointly undertake a project or provide a service.
- Public service obligation (PSO): a requirement defined or determined by a competent authority in order to ensure public passenger transport services in the general interest that an operator, if it were considering its own commercial interests, would not assume or would not assume to the same extent or under the same conditions without reward (see: REGULATION (EC) No 1370/2007).
- Public transport authority: a government or public agency responsible for overseeing and regulating the provision of public transport services within a specific region or jurisdiction. Its primary role is to plan, coordinate, and manage the operation of various modes of public transit, such as buses, trams, subways, trains, and other forms of shared transport.
- (Re-)municipalisation: Re-municipalisation

refers to the process of transferring ownership and control of a previously privatised service or asset *back* to public or municipal ownership and management. **Municipalisation** describes the same process when the service has never been publicly owned and controlled.

- **Resilience:** in the context of urban public transport, refers to the capacity of a transport system to withstand, adapt to, and recover from disruptions, shocks, or stresses, while continuing to provide essential services to the community. This includes withstanding such challenges as natural disasters, extreme weather events, technological failures, or other unforeseen circumstances.
- Ride-hailing: mode of transport where individuals use a mobile application to request a ride from a nearby driver with a vehicle
- **Servicification:** the transformation of a field of economic activity so as to give greater importance to service provision, or to additional or improved services that create additional value for customers and generate new revenue streams, or to the value of public service even at the expense of revenue.
- Shared mobility solutions: transport services that allow multiple users to share a vehicle or mode of transport for all or part of a journey, rather than each person using their own individual vehicle. These solutions are designed to provide more efficient and sustainable options for getting around in urban and suburban environments.

- **Subcontract:** an arrangement by which a contracted service provider (the primary contractor) delegates specific tasks or responsibilities to another party (the subcontractor) to help fulfil the terms of the primary contract.
- **Subdelegation:** Subdelegation in the context of urban public transport refers to the practice of a transport authority or agency granting specific responsibilities or tasks related to the operation of public transport services to a third-party entity. This third-party entity is typically a private company or another public agency.
- Sustainable Urban Mobility Plans (SUMPs): a strategic planning framework that aims to improve transport and mobility within urban areas in a sustainable and efficient manner. SUMPs focus on creating integrated and multi-modal transport systems that prioritise pedestrians, cyclists, and public transport, while also addressing the needs of private vehicles.
- Urban public transport (UPT): the system of transport services provided within urban areas, in some cases extending into adjacent rural areas, typically consisting of buses, trams, trains, and underground metros.

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