

## European CSR news for the postal sector

**POST EUROPE**  
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## Relaunching the Social Europe as part of European Union's future

On 26 April the European Commission presented a series of initiatives aimed at giving more impetus to the social dimension of the European project, and at reconciling citizens with the EU.

### The "European Pillar of Social Rights" initiative

As an essential element of a comprehensive reflection over the future of Europe, the European Commission launched a major reflection on the future of the European social project. Faced with both Brexit and a rising wave of Eurosceptic election campaigns, the European Executive is wondering what should be the appropriate degree of integration in terms of social issues. As a first step, the Commission presented its "European Pillar of Social Rights", the goal of which is to readjust the balance between the economic and social dimensions, in particular within the Eurozone.

The Pillar reaffirms twenty principles that address three themes, namely equal opportunities and access to the labour market, fair working conditions, and social protection and inclusion. It looks to serve as a "compass" for the EU Institutions and Member States so that they pursue goals ensuring fair labour markets. It is not a binding instrument as such, but if it receives the backing of the European Parliament and European Council it will be able to put political weight behind the desire to place the social dimension back at the heart of the European agenda and, further down the line, allow social performances of Member States to be reviewed in addition to regular assessments of their economic and fiscal results.

### Some concrete measures

The European Commission also adopted a draft directive on parental leave, the main novelty of which is the introduction of the principle of mandatory compensation for parental leave that must be paid as a minimum at the same level as the relevant sick pay. The text also intends for a ten-day leave period for fathers upon the birth of a child and five days per year for those caring for an ill or dependent relative. Both of these periods would also be compensated, as a minimum, at the relevant sick pay. In addition and against the backdrop an increasing digitalisation of the economy, the Commission has launched a debate over the rights of non-standard workers.

### The three dimensions of the "European Pillar of Social Rights"



Equal opportunities and access to the labour market



Fair working conditions



Social protection and inclusion

### COMPENSATION FOR PARENTAL LEAVE



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## EU & you



### CJEU<sup>1</sup> rulings on religion within companies

In two rulings handed down on 14 March, Europe's judges have recognised that employers can ban workers from wearing the Islamic veil in the workplace once the prohibition forms part of a company's neutrality policy. However, demands by customers not to deal with workers wearing the veil do not justify banning the wearing of this religious sign.

In the first case, in Belgium, an employee was made redundant following her refusal to remove her veil in breach of the company's internal regulations. In its decision, the CJEU recognised that prohibiting the wearing of the Islamic veil did not in itself constitute direct discrimination against religion or religious beliefs so long as the prohibition stems from an internal company regulation

that bans the wearing in the workplace of all political, philosophical and religious signs. Such a policy applies across all expressions of such beliefs and treats all employees in the company equally by requiring them all to adopt a neutral clothing policy.

In the second case, in France, an employee was made redundant for refusing to remove the veil whilst the client had expressed the wish not to see veiled females in the company. For the CJEU, although different treatment can be justified under specific essential business requirements, this does not encompass subjective considerations such as the employer's wish to take into account its customer's specific demands.

<sup>1</sup> Court of Justice of the European Union



### Teleworking and nomadic working – a report by the ILO<sup>2</sup> and Eurofound<sup>3</sup>

The report entitled "Working anytime, anywhere: The effects on the world of work", published on 15 February highlights the impact of teleworking and ICT-mobile work on the length of working time.

This study summarises the ambivalence surrounding these forms of working. Seen by workers as enabling greater autonomy and a better overall work-life balance, they can however have a tendency to lengthen working hours. Teleworkers compared with other employees are more likely to work long hours (defined as working more than 48 hours per week). The report underlines significant gender differences with females most often working part-time and appearing to benefit more from ways to achieve better work-life balance.

Although individual national reports indicate that teleworkers and ICT-mobile workers are for the most part satisfied with the compromises they have made, some of these workers do complain of more intense stress and work levels. It is for these workers in particular that both organisations recommend partial or occasional recourse to these forms of working so as to maintain links with the working community, as well as limiting informal supplementary, teleworking (completing work from home) and "highly mobile" working, which are situations that expose workers to long working hours and to health risks.

<sup>2</sup> International Labour Organisation

<sup>3</sup> European Foundation for the Improvement of living and working conditions



### Telecoms: joint declaration on mobile working

Telecommunications employers' body ETNO together with the union federation UNI Europa signed a joint declaration providing a definition of mobile work and recommendations.

Signed on 2 February, this joint declaration defines mobile work and provides national negotiators, at sector and company level, with recommendations on the issues to address when they are considering to develop this type of work organisation. Mobile working concerns employees who perform part of their work during agreed working hours at locations chosen by the employee, outside the normal worksite/office, and it relies heavily on information and communication technologies tools: computers, Internet, e-mail and social networks. This type of work should be voluntary and reversible. These workers have the same rights, notably in terms of training, as others and should not be discriminated.

A clear framework should formulate work time frames, secure work-life balance, and guarantee the right to disconnect from work. Negotiated variations to regular working hours should be possible but overall working time must be maintained. Working time must be documented with workloads being evaluated as a complement to working time. Some part of the work must be carried out at the employer's premises so as to maintain links with the company, social contacts, and information flow.





## European Posts



### La Poste prepares its postal workers to change

On 7 February, La Poste concluded an agreement on improving working conditions and changes in the postmen/postwomen function by way of its "Ambition 2020" plan, which aims "to penetrate new proximity services markets". By 2020, postal workers will be spending more than half of their working time carrying out tasks other than delivering mail, for instance, delivering small international parcels, providing proximity services, and making home visits. The agreement aims to anticipate and accommodate these changes.

Management has also committed to proceeding with 3,000 permanent employment hires in 2017. Aside from these jobs the agreement allows for 31,000 postal worker promotions and 2,000 managerial promotions. It also intends to bolster resources for staff replacement so

as to ensure customer quality and a smooth working organisation for postal workers. To achieve this, a new multi-skilled postal worker function as well as a services postal worker function will be created.

Working environment changes include changing transport methods to meet the specific needs of postal rounds so as to improve working conditions. In addition €6 million is earmarked for renovating workplaces and offices of postal workers and managers, with a further €9 million dedicated to efforts facilitating the quality of working life.

Moreover the agreement intends to establish a "postmen/women school" to be set up so as to support them taking up positions and throughout the various key career stages as well as to redefine postal workers' onboarding, integration, and training processes.



### Well-being at work irrespective of age

Yet again the European Agency for Safety and Health at Work chose PostEurop as an official partner in its "Healthy Workplaces for All Ages" campaign that links in with the Erasmus+ project, INNOVAGE. This project is conducted under the PostEurop CSR-Circle Training Working Group and seeks to formulate a training prototype aimed at facilitating the management of the sector's intergenerational challenge. The Agency together with PostEurop identified this as an essential theme in the light of European age pyramids and increasingly greater career lengths in order to develop the sharing of best practices.

In addition, the Agency created the "E-guide" tool that provides employers, HR professionals, and all employees with information on age management, risk evaluation, and occupational safety and health promotion. The guide is available in 31 languages on the campaign site – [healthy-workplaces.eu](http://healthy-workplaces.eu).

As an official campaign partner, the PostEurop team had the opportunity to share the issues with Marianne Thyssen, European Commissioner for Employment, Social Affairs, Skills and Labour Mobility, on 22 March in Brussels.

"Post My MOOC" the new online learning tool to know more about e-commerce and new postal proximity services co-funded by the European Commission.

To find out more on the MOOC, please follow this link:

<http://www.postsocialdialog.eu/MOOC>



### Harmonisation of employees' social conditions in the Dutch postal sector

The Dutch authorities are fighting against the phenomenon of self-employed persons who are paid by piece in delivery. A 2015 amendment to the Postal Act stipulated that at least 80% of the postal staff should have an employment contract with the operator which provides them with mail to be delivered from January 2017. Despite this law, the percentage of staff under contract at Sandd, the main competitor of PostNL, was still 50% on 1 January 2017. As a result, a new law guarantees that those who do not have such a contract will automatically get the minimum wage from 1 July 2017. A similar provision concerning staff remunerated on a piece-by-piece basis was voted in January 2017 and will enter into force next July.



### PostEurop and UPU cooperate on reducing CO<sub>2</sub> emissions

Faced with the major challenge of protecting the environment, the postal sector has been a longtime committed and engaged actor. Lowering CO<sub>2</sub> emissions is a priority concern with several concrete initiatives having been implemented including a fleet of alternative vehicles, solar panels, and

eco-driving, as well as several innovative approaches, notably as regards the circular economy.

Given this context, PostEurop is working with all of the sector's actors involved in sustainable development. It is in line with this that a cooperation agreement was signed on 27



**OSCAR.POST**  
Online Solution for Carbon Analysis and Reporting

March with the Universal Postal Union (UPU) where the parties agree to share data and make a CO<sub>2</sub> emissions measurement tool – OSCAR.post – available in a bid to offer the PostEurop members new opportunities to manage more efficiently their environmental impact.



## News from member States



### Belgium's law for more flexible and feasible labour

"More flexible and feasible labour" is the slogan by which Belgium's government presented its labour law reform that was finally adopted on 22 February, at the heart of which lies annualised working time. In fact, the law extends the reference period used for calculating average working time, from three months to a full year. Employers will have the possibility of varying working hours depending on the needs of the company, albeit within a two-hour limit vis-à-vis normal daily hours and provided that over the year average weekly working time does not exceed 38 hours. In addition, the law introduces the notion of voluntary overtime hours based on employees' requests and within a more flexible regime with no recourse clause and no compensatory rest periods.

The law also introduces a specific legal framework for occasional teleworking allowing workers facing difficult or unexpected situations to ask their employers for the opportunity to telework from home or elsewhere. Employers can deny such requests if refusals are justified in written form. Employees must perform their work within the working timeframe that applies to the company, but they do not have to strictly adhere to the work timetable hours and can work outside of those. A collective agreement or labour regulation can provide a framework for occasional telework.



### French multinational companies' due diligence obligations

The law adopted on 22 February obliges large French companies to take reasonable care in order to preempt human rights violations and environmental damages both at their subsidiaries located abroad and along their sub-contracting and supply chains. Although measures against human rights violations have already been adopted in several countries, this is the first piece of legislation that opens the door to legal action compensating for damages incurred abroad if the contractor company either does not have an appropriate due diligence plan or if it has not implemented it.

This plan aims to preempt serious damage to fundamental human rights and freedoms, personal health and safety as well as the environment as a result of the activities carried

out by its subsidiaries and along its supply chain. It intends to be formulated in association with society's stakeholders and will have to include a mapping of risks and regular assessments of subsidiaries, sub-contractors, and suppliers in the light of these risks. In addition, actions aimed at mitigating risks or preventing serious damages as well as mechanisms for alerting and reporting on potential and actual risks must be provided for. Both the due diligence plan and a report on its effective implementation must be made public and included in companies' annual management report. Firms which fail to do so run the risk of a fine. Failure by companies to comply with the requirement to establish a due diligence plan may trigger a civil liability process should any damages arise.



### Bonus for employing local Austrian workers

Austria's government is seeking to introduce a bonus payment for hiring local Austrian workers in a bid to combat rising unemployment, of 10.6% according to Austrian norm (European norm being 5.7%). The difference between those figures can be explained by the fact that Austrian authorities include in the unemployed

category the people in training or underemployed. For a maximum of three years per newly hired Austrian resident, the government will pay 50% of the employer's employee related social contributions. The government has set aside €2 billion for the measure and is seeking to create 160,000 new jobs.

## AGENDA

- **1 June 2017:** PostEurop Management Board
- **21-23 June 2017:** Workshop "CSR applied to 'small countries' as an innovation driver", Monaco
- **28 June 2017:** Meeting of the European Social Dialogue Committee (SDC) Post, Brussels
- **September 2017:** Regional seminar of the SDC Post project on social dialogue and digitalisation, Prague

