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ETUC Press release

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## THE ETUC WELCOMES FAIRER RULES ON PUBLIC PROCUREMENT

17/07/2013

***The European Trade Union Confederation (ETUC) welcomes today's decision by COREPER to secure the agreement between the European Parliament and the Council on a revision of the rules governing public procurement. The ETUC also welcomes the exclusion of water services from the scope of the Directive on concessions, but still have concerns about the content.***

According to the deal, which needs to be confirmed by a formal vote in the European Parliament, the revised framework on public procurement will introduce a mandatory social clause guaranteeing the respect for labour law and collective agreements at the place of work. Quality will also become central to the award criteria, as opposed to the resorting to the lowest price as the only criterion when granting a contract. Unfortunately, the EU institutions were not able to agree on the inclusion of a mandatory joint and several liability mechanism to guarantee respect for the law throughout the chains of subcontractors. Nonetheless, the new rules should help improve transparency in subcontracting. A few points, however, are unsatisfactory and will have to be carefully scrutinised in the next phase. This particularly applies to reserved contracts for social, health and cultural services which must not be open to brutal competition by commercial entities.

Veronica Nilsson, ETUC Confederal Secretary, said: "Although not perfect, the compromise is therefore a success and will lead to public money being spent in a more responsible way. It is surprising that this deal was so difficult to reach. Respect for the

*host country's labour law and collective agreements is the most basic element for fair competition in Europe and should be the norm in every piece of EU legislation. The mandatory social clause in the revised public procurement framework, together with the fact that bidding for the lowest price should be marginalised, should bring considerable changes to the daily lives of thousands of workers in Europe. Too often, public procurement has gone hand in hand with ruthless cost cutting, poor quality services and worsening working conditions."*

In parallel, a deal was struck on the adoption of a new concessions Directive, also including mandatory social considerations and excluding water services from its scope. The ETUC did not support the Commission proposal because of the risk that it would lead to further privatisation of public services.

Added Veronica Nilsson: "*the exclusion of water services from the scope of the concessions Directive must be welcomed. Equally, the fact that it expressly states that local authorities remain free to decide how they want to manage their work and organise their public services is a positive development. But this is not enough. Europe needs a positive agenda for public services; not just blind market opening*".

***The European Trade Union Confederation (ETUC) exists to speak with a single voice, on behalf of the common interests of workers, at European level. Founded in 1973, it now represents 85 trade union organisations in 36 European countries, plus 10 industry-based federations. The ETUC is also on [Facebook](#), [Twitter](#), [YouTube](#) and [Flickr](#).***

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