



UNI-Europa and CoESS joint position against undeclared work in the private security sector

The European partners in the private security sector, CoESS and UNI-Europa, are opposed to undeclared work¹.

The nature, methods employed and size of the problem are certainly different in Member States, but, everywhere it exists, this phenomenon undermines the viability and image of the sector; employment and social protection; professional training; and workers rights to dignity and security. It leads to unfair competitive practices, albeit these practices are forbidden by national and European legislation.

In this context, UNI-Europa and CoESS:

- Recall² that all private security activity must be governed by the allocation of a license to the company or security officer by the relevant national authorities.

¹ Defined by the EC as any paid activities that are lawful as regards their nature, but not declared to the public authorities, taking into account differences in the regulatory systems of Member States

² See common declaration UNI-Europa Coess dated 13-12-2001

The allocation of a license must be based on a procedure that is independent and transparent, focusing on character and aptitude criteria, while taking account of the staffs' professional training that is stipulated by national legislation and/or collective agreements in force and corresponding at a minimum to the basic level in the European training manual drawn up by UNI-Europa and CoESS.

- Demand that public procurements awarded on the basis of a tender that does not meet the norm be subject to thorough inquiries to ensure that conditions of employment respect labour law and/or collective agreements in force in the country where the service is provided.

UNI-Europa and CoESS have jointly published a guide on the 'Best Values' as regards the awarding of public procurements which should also contribute to a preventive approach to this question.

- Worry about the development of the phenomenon of so-called 'false self-employed' and call for vigilance to deal with the lack of transparency created by cascading sub-contracting and consider positive the legal and/or contractual measures already adopted in different Member States to combat this phenomenon.
- Companies that sub-contract private security services must constantly ensure that their social responsibility is not undermined by the existence of undeclared work in their departments and/or sites.

- Ask the European, national and local public authorities to genuinely combat undeclared work by implementing suitable administrative and legislative controls and sanctions. The supervisory authorities must have more resources, most notably at European level, to coordinate their actions.
- Worry about the growing proportion of immigrant workers who are the victims of this phenomenon.

While recognising the specific responsibility of each party (public authorities, customers, companies and trade unions) in the struggle against undeclared work, UNI-Europa and CoESS wish to:

- contribute to fighting undeclared work in an effort to put an end to illegal activities according to the principles already expressed in their joint declarations and shared manuals
- favour the transformation of undeclared work to declared work
- raise awareness among their members so that they act against undeclared work in their respective countries.

Follow up :

UNI-Europa and CoESS intend to intervene through their members via:

- exchanges of good practices and a compilation of information in their possession
- taking account of this phenomenon in sector-based national collective negotiation
- joint actions aimed at European, national and local authorities
- joint awareness campaigns for client companies
- internal and external communication campaigns

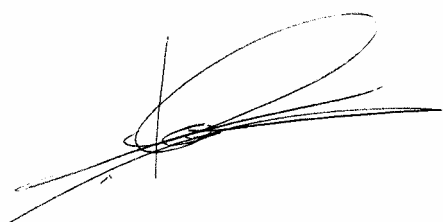
Implementation Calendar

Start: April 2006

Stocktaking and consideration of new measures: April 2007

The original version of this document to take into consideration is the French version.

Signed on April 6th, 2006.

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

For CoESS
Marc Pissens
President

A handwritten signature in black ink, featuring a large, stylized 'B' and 'T' followed by a long diagonal stroke.

For UNI-Europa
Bernadette Tesch-Sékol
Regional Secretary