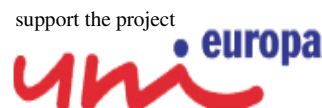




collaborate in name of members



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Strengthening Social Dialogue in the Private Security Industry – Networking and Set-up of Mutual Assistance in the EU’s New Eastern Member and Candidate Countries

GD Employment, Social Affairs and Equal Opportunities VS/2007/0524 - Industrial Relations and Social Dialogue

Responsible Body: ZBORNICA ZA RAZVOJ SLOVENSKEGA ZASEBNEGA VAROVANJA

FINAL REPORT ON THE IMPLEMENTATION OF THE EUROPEAN PROJECT

1. How was the project carried out? (Please provide a short description of the project, results and methodology. This part of the report will be published.)

1. Project Basis

The existing studies allow us to establish that the private security sector of new EU member states is facing numerous problems in the field of social dialogue. These include the incomprehensible pricing policy and the resulting problems concerning the quality of service and the negative public image of this branch. They also include problems resulting from the close involvement of state institutions (the Ministry of the Interior, the police and other authorities) with the economic activity of private security. We must further consider the circumstance that private security activity has so far not been harmonised in the European Union and that, especially, new member states display significant differences in this sector, especially with regard to legislative regulations, the attitude of authorities towards the sector and the general regulation of the sector's status. In this, we need to consider that, with new EU member states, the private security sector represents a rather new economic activity with significant differences with regard to both operating conditions and the state's influence.

We contacted all representative chambers or associations from the field of private security in the specified new EU member states and, following the prior consent of the authorised representative of the European Commission, we also contacted representatives of countries involved in accession negotiations (Croatia and Macedonia). In this regard, all CoESS members from this part of Europe were addressed and included in the project together with other representative organisations from Poland and Bulgaria, while from Lithuania, the conference included the non-representative employers' association, LSA. Despite our intensive efforts, we were unable to include partners from the Czech Republic, Slovakia, Estonia or Latvia in the project. We need to establish that in these countries, especially in the Czech Republic, Slovakia and Latvia, the private security sector is facing substantial problems; its legal status is badly or not at all regulated and not appropriately organised. This finding almost equally applies to Lithuania, although the trade union organisation in the field

of private security is rather strongly organised. In the Czech Republic, there is an association of employers from the private security field but they have no jurisdiction in procedures involving the signing of collective agreements.

On the other hand, the project included all representative trade union organisations from the private security sector that are members of the UNI Europa association. The project did not include trade union associations from Croatia or Macedonia, who are not yet members of the European Union. Partner to the project was also the Bulgarian women's association, WAPS. The project also included a representative organisation on behalf of the employees and one on behalf of the trade union from the private security sector in Germany, who acted as observers and consultants.

The project was supported by the European CoESS organisation on behalf of its members and was also fully supported by UNI Europa and the Friedrich Ebert Stiftung foundation.

2. Project Contents

The project foresaw dealing with current questions relating to national and European social dialogue among employers' associations and branch trade unions from the private security field in new EU member states. The purpose of the project was to strengthen cooperation on national levels, to solve current problems with the help of international comparisons and good practice examples and to activate the national branch organisations of social partners accompanied by the European umbrella association and with the help of broader public notification.

The project established the level of social dialogue in the sector of private security in the specified new EU member states and in this regard especially:

- which questions needed to be regulated within the framework of social dialogue;
- which questions with regard to concluding collective agreements need to be addressed;
- in what extent does disloyal competition occur;
- which problems in the field of employment, professional qualifications, education and training, work conditions and salary regulations of security staff need to be addressed;
- the minimal extent of questions that need to be solved by collective agreements in the field of private security;
- the problems concerning the development of jobs in the field of private security;
- which problems in the field of attitude towards security staff and work-related stress of security staff need to be addressed;
- the relations between the private security sector and the authorities;
- the problems relating to public procurements in the field of private security services;
- the relation between criminal prevention and private security;
- the question regarding standardisation of private security in individual countries;
- developmental possibilities of private security in individual countries;
- the problems in media coverage of problems relating to private security;
- possibilities of harmonising the private security sector within the framework of the European Union.

3. Project Method

In all countries of the project partners (organisations), project meetings were organised. This methodical approach was especially important for the implementation of the project. Project meetings included all project partners, both from employers' and trade union organisations, along with competent representatives of the authorities and other organisations important for social dialogue, as well as institutions relevant to the private security sector, representatives of a broader circle of providers of private security services in the concrete country and representatives of the public (journalists). Programmes of these project meetings were prepared within the framework of two programme preparatory conferences and determined in detail on the basis of elaborated proposals prepared by project partners from the country in which the conference was organised. Part of this methodical approach of organising and implementing project conferences in the countries of individual project partners also included the consistently implemented appropriate manner and preparation of the thematic conference. Within the framework of individual thematic sets determined at the two preparatory conferences, project partners themselves proposed a more detailed thematic classification of the conference's foreseen subject matter and appointed actual speakers for individual subjects for each conference organised in their country. For the conference organised in their country, project partners together with trade union representatives from their country further proposed speakers to be assigned to current and specific themes in the country. In organising the conference in their country, the partners (representatives of employers and trade unions) foresaw invited guests and the broader circle of conference participants from their country.

The methodical approach to implementing these conferences was to present the most important current problems relating to the development of social dialogue in an individual country in private security. This had to be done while considering concrete conditions and activities in each individual partner country and which of these significantly influence the development of social dialogue in the country. In this context, the previously specified questions, especially with regard to the reasons for problems and the setbacks of social dialogue, were not only presented at each individual conference, but also broadly discussed through active participation of project members, guests and participants. In this context, each conference adopted appropriate resolutions on the basis of such analytical discussion and proposals. These resolutions were, above all, directed towards determining the regulation of aims and establishing which procedures or measures are needed to improve social dialogue in an individual country. In doing so, the methodical approach of including other project members in the discussion and formation of resolutions was especially important. The purpose of such a methodical approach was to underline that this is an EU project. This is why all project activities were specifically directed towards all project members moving on a joint European level in clarifying individual problems in individual countries, especially within the framework of mutual clarification of opinions. In this way, at least one step was taken towards uniting project partners into a mutual and common European network within the framework of project implementation.

On the methodical level, we need to mention the manner of preparing individual conferences. The preparation of the conferences was based on prior meetings with project partners from the hosting country and their active inclusion in all organisational aspects of the conference. In this context, the partner also elaborated a detailed programme of each conference within the framework of the programme starting points as determined at the preparatory conferences. Within the framework of the previously elaborated conference programme, the partners

(together with employers and trade unions) invited competent speakers for the foreseen subject matter, both specific and related to private security in their country, as well as an appropriate circle of conference guests.

The active participation of representatives of the European associations, CoESS and Friedrich Ebert Stiftung, and the German BDWS association, at these conferences was especially important, as they all presented, each from their own viewpoint, the current European view on the determined specific subject matter of individual conferences.

At each project meeting, a power point presentation included the presentation of the project and the work that had been conducted thus far, including the adopted key findings and resolutions.

4. Project Aims

The project deals with currently pressing questions, especially the situation and impediments for national and European social dialogue in the field of private security among employers' associations and branch trade unions in new EU member states. The purpose of the project was to strengthen cooperation on national levels, to solve current problems with the help of international comparisons and good practice examples and to activate other national branch organisations of social partners accompanied by European umbrella associations. The aim of the project was also to attract representative partners, competent authorities and other public institutions and public notification companies and to use them to strengthen the importance of social dialogue in the field of private security in participating states.

The main aim of the project was to raise the importance of the branch's value, which is an essential task, especially with regard to the previously specified substantial problems. This is supposed to be achieved by increasing the possibilities of international contacts and agreements, as well as by achieving a more reliable foundation in national associations of social partners. It was left to project partners (both on the part of the employers and on the part of the trade unions) to use the organised national conferences and their foreseen subject matter along with the active participation of the included European organisation and the German partners to establish the existing situation and problems relating to this field and to define the possibilities of overcoming them.

Another important aim of the project was to include countries that have not yet participated in European social dialogue in the security sector and to use appropriate activities within the framework of the project to attract them to a certain level of commitment. In this context and to an important extent, the project also realised the possibility of including social partners from the field of private security who are not yet included in European representative associations and to include them in the project for national consultation. This exceptionally important field saw some fundamental improvements during the implementation of the project, especially by attracting representative organisations of the employers and the trade union in Poland to the project and by organising a very successful conference in Poland. Another important success was the conference in Croatia attended by the representative of their national trade union organisation and after which, an appropriate collective agreement for the private security sector was concluded in the country. Another important success was

the conference organised in Lithuania attended by their employers' association (which is, however, still in its infancy).

As specified in the aims presented in the proposal for this project, its implementation (the success of which even surpassed our expectations) is actually only the first step towards the development of social dialogue within the private security sector in this part of Europe. In implementing this project, we were able to make key issues relating to social dialogue in private security in these countries (project members) the subject of discussion, to realistically establish the existing conditions and to even generate positive shifts of individual partners.

With regard to the established actual condition, which, unfortunately, does not show a satisfactory level of social dialogue in this sector and in this part of Europe and which even presents serious problems for the implementation of the project, it is essential for the project's efficiency (as foreseen in its proposal) to continue with phase two on the basis of the project's conclusions as its starting point. The content framework of the project's continuation, i.e. phase two, is presented at the end of this report following the presentation of the project's key findings.

5. Partners of the project

From Slovenia:

- Zbornica za razvoj slovenskega zasebnega varovanja, ZRSZV– holder of the project
- Sindikat komunale, varovanja in poslovanja z nepremičninami Slovenije, SKVNS

From Poland:

- NSZZ Solidarnosz
- PZP Ochrona

From Croatia:

- Croatian Security Association, HCZ

From Hungary:

- Magyar Biztonsági Vállalkozások Munkaadói Szövetsége, MBVMSZ
- Vagyonvédelmi Szakszervezetek Szövetsége, VSZSZ

From Romania:

- Romanian Security Industry Association, ARIS
- Employees' Security Services - PatroSec
- GUARD Romania, Cartel Alfa
- Cartel Alfa – International Dep.
- Cartel Alfa Caras-Severin

From Bulgaria:

- National Association of Industrial Security Companies, NAFTSO
- Confederation of Branch Organisations in the Private Security Sector, CBOPSS
- Guards and Security Employees' National Trade Union, GSENTU
- Women's Association in Private Security, WAPS

From Lithuania:

- Lithuanian Service Workers' Trade Union, LPSDPS

From Germany (as observer and adviser):

- Bundesverband Deutscher Wach- und Sicherheitsunternehmen, BDWS
- Vereinte Dienstleistungsgewerkschaft, Ver.di

From Macedonia (as observer):

- Chamber of the Republic of Macedonia for private security, KRMO

6. Project Implementation

The first plan conference was organised on 14 and 15 February 2008 in Ljubljana. The conference was attended by representatives of Lithuania, Bulgaria (but only from the CBOPSS and WAPS employers' associations and the GSENTU trade union and not from the NAFTSO employers' association, which initially declined to cooperate with CBOPSS), Hungary, Slovenia, Poland, Romania and Germany (the latter acting as observers and consultants). At the meeting, the partners agreed on the plan of implementing individual conferences and on joint themes of the conferences determining individual specific important themes of project members. It was thus arranged that, within each individual international conference in an individual country, the following would be discussed as common themes:

- the situation regarding social dialogue,
- the problem of disloyal competition and the implementation of standards in the field of private security,
- the problems regarding professional training of security staff.

With the consent of the representative of the European Commission, the project subsequently included the candidate for the start of accession negotiations for Macedonia as an observer.

A special event at the planning conference organised in Ljubljana was the signing of the collective agreement for the field of private security in Bulgaria. The agreement was signed by representatives of the CBOPSS employers' association and the GSENTU trade union association.

This was followed by harmonisations with the CoESS and NAFTSO associations regarding their participation in the project. In this context, a meeting was organised between employers that were partners to the project, which took place on 4 April 2008 in Borovets, Bulgaria. The unanimous decisions of the meeting were as follows:

- the implementation of the project shall continue,
- a solution will be found regarding NAFTSO, to keep them included in the project,
- the European FES association should be drawn to the project as a professional consultant,
- the situation of the project should be presented to a representative of the European Commission,
- in the meantime, the Polish employers' association should be included in the project,
- it should be proposed to the European Commission to prolong the project.

At the beginning of May, 2008, representatives of the European Commission, the Slovenian Private Security Chamber, as the developer of the project, and CoESS arranged a three-month period for any remarks to be brought forward by CoESS and their harmonisation with the Slovenian Private Security Chamber and partner projects. In light of the harmonisation and the new consent of the NAFTA association to participate in the project, the second preparatory conference was organised in Warsaw immediately after the expiration of the arranged three-month period. In addition to the necessary re-harmonisation of project activities, the purpose of the conference was to draw the Polish representative PZP Ochrona employers' association (which is not yet a member of CoESS) to the project. In principle, this planning conference provided the consent for PZP Ochrona to participate in the project, while due to the mentioned postponement of the project's implementation, new time plans for individual conferences were determined and the roles of project partners in preparing the conferences in their countries were clearly defined. It was concluded that due to the extent of subject matter and in order to ensure the possibility of active participation of state officials, important professionals and project members, the conferences would be organised over two days. The conference was also attended by FES representative Mr. Clemens Rode, confirming FES's willingness to participate.

The implementation of all international conferences received media coverage by publications in print media as well as in other means of communication.

An important achievement in the field of organising the implementation of the project was the participation of all relevant organisations in Bulgaria and Poland as well as the active participation of the relevant trade union from Croatia and the only current employers' association (in its infancy) in the field of private security in Lithuania. Despite our intensive efforts, we were, unfortunately, unable to include relevant partners from the Czech Republic, Slovakia, Estonia and Latvia in the project. In the mentioned countries, private security is statistically very weakly organised. We studied the conditions in the Czech Republic, where there is an organisation of trade unions for the private security sector, while there is no relevant organisation regarding employers (there is an association, however, that does not have any original jurisdiction of employers' associations, especially with regard to concluding collective agreements. In the Czech Republic, there is also no appropriate legislative regulation of the private security sector, while, according to the information that we received, Slovakia has very rigid laws. The organisation of private security in Slovakia is poorly arranged and we were therefore unable to establish any contact with a relevant institution despite our greatest efforts).

The preparatory conference in Warsaw was followed by the first project conference organised in Opatija, Croatia on 16 and 17 July 2008. The conference was attended by Mr. Dirk Hadrich from the European Commission, who spoke about the opportunities of social dialogue in light of Croatia being an active candidate for EU membership. The conference was also attended by Mr. Frank Hantke of the FES foundation. Among the conference's important active participants were also the president of the National Commission for Social Dialogue in Croatia and the chairmen of the employers' association and of the trade union.

The situation in Croatia is by no means an easy one, as there are over 2,000 companies operating in this sector with the competition being extremely fierce and the prices of security services correspondingly low. This has a negative impact, especially with regard to the security of special risk facilities. The conference established a standstill of negotiations on

social dialogue, whereby Croatian speakers assumed that the conference might facilitate this dialogue, which has, subsequently, proven to be the case. After this conference, a collective social agreement for the private security sector was actually signed in Croatia. The key problems stressed by the speakers were, above all, the price of services and the problems relating to the training of security staff and, especially, the problem of private security being largely subordinated to national authorities who make decisions regarding practically all aspects of its operation.

The next project conference was organised in Budapest, Hungary on 11 and 12 September 2008. The conference received a lot of attention, as it was attended not only by representatives of social partners but also by important national officials, the state secretary of crime prevention in Hungary, Ms. Katalin Gönczöl, and Mr. László Herczog from the Ministry of Labour. Mr. Eduardo Cobas Urcelay of CoESS was also among the active participants of the conference. It was established that collective agreements are being concluded due to a larger number of trade unions in individual sectors, that they are facing the problem of grey economy (especially when security staff work much longer than registered with social insurance) and, in this respect, the disregard for compulsory rest requirements. As ascertained by József Kaló, PhD., a special problem is that the larger companies offer low prices and do not support the formation of minimal standards. Even though the minimal wage is determined, this does not solve the problem, as working hours are badly regulated and security staff work twice as long as full working hours. We covered the problems of disloyal competition, illegal work, the grey economy and monthly wages of security staff that are below minimum monthly wages (the minimum wage in Hungary is 2.7 EUR/h). According to the representative of the Hungarian MBVMSZ chamber, it would be essential for the Public Procurement Act to enable the determination of the lowest price for security services. Such a price should guarantee security staff to receive at least the lowest level of wages and should, according to the currently available information, stand at least 4.5 EUR/h. The conference also established too great an influence of the state on the private security sector and the need for a higher placement of this activity in the field of economy. The conference also pointed out a similarity of the problem defining the situation of private security in Hungary with the problems found in this field in Bulgaria.

The next project conference was organised in Bled, Slovenia, on 9 and 10 October 2008. The conference was attended by Mr. Samo Hribar Milič, General Director of the Slovenian Chamber of Commerce and Industry, Mr. Dušan Semolič, MSc., chairman of Slovenia's strongest trade union (Union of Free Trade Unions of Slovenia), general director of the competent directorate at the Ministry of the Interior, Mr. Srečko Jarc, MSc., and the director of the Slovenian Institute for Standardisation, Ms. Marjetka Strle Vidali, MSc., as well as by Eduardo Cobas Urcelay of CoESS and Mr. Frank Hantke of the FES foundation. The conference dealt with the position of private security in Slovenia and the dependence of the success of social dialogue with regard to the existing situation. In this context, the conference pointed out the inappropriate solutions provided by legislation relating to private security and which of these solutions are the consequence of the recent inappropriate attitude of the Ministry of the Interior to private security. This was specifically pointed out by Mr. Mitja Horvat, PhD. from the Faculty of Law at the University of Ljubljana, who called upon the Ministry of the Interior to study the situation that the Ministry caused by changing the legislation. He further strongly criticised the inappropriate relations of the Ministry of the Interior with regard to the proposals put forward by representatives of private security. In this context, the conference established a standstill in the field of social dialogue in the private

security sector (after substantial legislative changes caused by the termination of the collective agreement in the field of private security, which had been in force since the year 2000). Mr. Eduardo Cobas Urcelay of CoESS presented the problem of estimating the best offer in the field of private security in accordance with criteria adopted on a European level. The implementation of these criteria (which has to be based on the voluntary decision upon recognising the needed quality of security services) is one of the fundamental conditions for the proper evaluation of private security services and thus, the social status of those employed in the branch. Here we want to note that the Slovenian trade unions have on final conference observed a lack of interest of employers' associations (also of Slovenian) concerning the negotiation of collective agreements.

A number of important resolutions were adopted and are presented in the final part of this report along with the resolutions adopted at other conferences. They are the starting point for the next phase of the project.

The conference adopted the following conclusions:

- the construction of the system coordinated compatible legislative framework that is necessary - the cooperation of all the factors, profession, trade union, and the MNZ.
- in the framework of the SD, the specific questions of the branch should be governed, and the governing of these questions in the collective agreement must mean the prevention of unfair competition – the task of the social partners.
- training and education – which are undoubtedly one of the most important substantive pieces of the SD – must raise the quality of their goal, and therefore provide for better assessment of the branch – the task of all the factors, profession, CPI, trade union, the MNZ, and adequate professional institutions.
- preparation, implementation and use of the standards – the standpoint that the profession must be more actively included in the development and implementation of the standards needs to be adopted – the task of the profession, SIST, the MNZ
- the co-operation between the police and private protection needs to be improved – the task of profession, the MNZ, the Police, and the trade union.
- supervision must be legal, legitimate, and especially ethical and independent – the task of the MNZ, the Police, the profession, and the trade union – the question of whether it is appropriate that supervision in the existing scope be conducted by the sector of the police who co-operate with private protection is raised.
- a special task is to care for the public image of private protection – the profession should care for it.

The next conference was in Sofia, Bulgaria, on 13 and 14 November 2008. The conference was attended by Ms. Kameliya Kukeva from the Bulgarian Ministry of the Interior, Mr. Milcho Enev, commissioner of the Ministry of the Interior, Mr. Zhivko Asparuhov from the department of police security, secretary of the confederation of employers Ms. Roumyana Georgieva, Ms. Petya Nikolova, expert associate of the Procurement Agency and Mr. Eduardo Cobas Urcelay on behalf of CoESS. The discussion mainly focused on the open issues regarding the cooperation between representatives of employers and employees, payment of overtime and the general definition of work hours, the issue of paying commissions and the issue of control. The discussion showed that in Bulgaria, a Social Dialogue Council was established in 2003 on both national and sectoral levels, and that social dialogue is further conducted on the level of regions and companies. In this relation, there are

also differences regarding the form of authority among individual bodies engaged in social dialogue. In 2007, an agreement between employers and employees regarding the workers' wages was concluded whereby they were trying to solve the influence of the grey economy. There are at least two representative trade unions in Bulgaria and several employers' associations (as established after the presentation given by Mr. Teodor Dechev, vice chairman of the Association of Private Security Companies). The underlying question is, therefore, how to begin social dialogue among all these organisations. In 2006, individual representative organisations adopted an agreement on minimum standards, while certain other representative parties did not sign this agreement. In 2008, individual representative parties also concluded collective agreements, while again other representative parties refused to sign these agreements. In this context, they expressed the desire to come together for the preparation of the needed legislation. In this respect, they are also facing negative influences (disloyal competition and corruption). Double measures are imposed by state institutions – they demand legality of operation, while, at the same time, paying the minimum price for security services. In this regard, the requirement for a collective agreement was highlighted. On the other hand, individual participants (Ms. Nina Miteva, NAFTSO) expressed the opinion that while social dialogue is important, the proposed collective agreement still needs to be polished. At the same time, the participants raised the question of professional training and the need to set up a training centre and to implement a certification system in the field of obtaining vocational qualifications. The need for organising similar conferences to the present one was also particularly highlighted.

The next conference was organised on 10 and 11 December 2008 in Bucharest, Rumania. The conference was attended by representatives of the Rumanian police, Mr. Gudacu Gheorghiu Mihail and Mr. Lucian Tomuta, Ms. Victoria Caprini from the CNFPA Professional Standards Institution and Ms. Victoria Stoiciu of FES for Rumania. The conference established that private security is a young branch in Rumania and that social dialogue is still in its developmental phase. The assessment regarding social conditions in Rumania was that worker wages are low, that the relation between active and inactive population is not very good and that there are migrations to other EU countries. Social dialogue in Rumania is conducted bipartite (government/employers) or tripartite (government/employers/employees). The structure of social partners encompasses 5 trade union confederations, 11 employers' confederations and 21 branch federations that operate on a company level. The basic finding was that employers in Rumania reject trade unions. An interesting point was that, in the rural areas, there are several smaller companies competing on the security market with plunging prices. Ms. Caprini stressed that in the past, there has been no social dialogue and that today, Rumania is consequently still on the lowest level. It is urgent to implement a flexible and transparent qualification system in Rumania along with permanent adult education, especially in the field of private security. It especially needs to be stressed that Rumania is currently deliberating on the proposal of the liberation of the private security market. It needs to be said that that the conference in Rumania meant important stimulation both in establishing the need and the determination of the manner of social dialogue in the private security sector. The ultimate finding is undoubtedly that with regard to development in this field, Rumania is still in its initial phase.

In accordance with the adopted schedule, the next conference was organised on 22 and 23 January 2009 in Vilnius, Lithuania. We need to point out that the Lithuanian LPSDPS trade union organisation was greatly deserving for the successful organisation of this conference. Private security in Lithuania of course does exist but the employers' side is very poorly

organised in a modest association headed by Mr. Julius Adomaitis, representative of KOMANDA. In this respect, we need to point out that, according to representatives of the Lithuanian trade union, the situation is no better or possibly even worse in Latvia. The situation in Lithuanian private security is additionally impeded by disloyal competition. In Lithuania, social dialogue in the field of private security takes place between representatives of employers, especially LPK and VDK, and representatives of employees, especially LPSK, Solidarumas and Dabro federacija. Social dialogue is conducted in the form of a tripartite system at the level of the state, institution or municipality, whereby governmental programmes and individual projects are implemented with the aim of developing social dialogue. The conference was attended by the chairman of the biggest Lithuanian trade unions association uniting 26 different branches, Mr. Artūras Černiauskas. Let us mention that the social conditions in Lithuania are problematic and just before our conference, there was a bigger mass protest. Mr. Sergejus Glovackas, coordinator of ITUC/PERC presented the condition of social dialogue in private security in Baltic states. The situation in our field is difficult in these countries. Other speakers (Mr. Saulius Tulevicius, General Director of G4S Litva, Nerijus Kasiliauskas, PhD., attorney at law) spoke of the difficult situation in both relation to the trade unions and with regard to conducting social dialogue. The negotiations for the conclusion of the collective agreement began in 2003, but so far no sectoral, territorial or national collective agreement has been concluded. In Lithuania, they currently have collective agreements only on the level of individual companies. Mr. Algirdas Sysas, member of the Lithuanian Parliament stressed the unfavourable situation when decisions are made beforehand and a discussion is opened only after these decisions had been adopted which also caused the protests. A great problem lies in the Ministry amending the legislation without considering the opinion of other partners. The discussions showed that the problems in the private security sector in Lithuania include vocational qualifications, minimum quality standards and price formulation. The conference unanimously established the following:

- social dialogue among private security partners is evolving but the situation is not an easy one, especially with regard to current unoptimistic economic conditions
- time is essential for social dialogue to be successful, whereby it needs to be established that Lithuanian trade unions are active but that the level of cooperation of employers' associations needs to be raised
- cooperation with the state is necessary for social dialogue

The last conference was organised on 26 and 27 February 2009 in Warsaw, Poland. The conference was exceptionally well attended featuring a number of important governmental officials as well as representatives from employers' associations and trade unions and experts from the private security field, especially from the Ministry of the Interior and Administration Mr. Andrezej Przemyski, Mr. Cezary Galwas from the General Police Directorate, Ms. Katarzyna Olejnik from the Public Procurement Office, Ms. Izabela Rzepowska, PhD, inspector Ms. Michał Czeszejko – Sochacki, director of the Prevention Department with the National Police Office, while representatives of employers' and employees' associations included also Ms. Dorota Godlewska of PZP Ochron and Mr. Krzysztof Zgoda from the NSZZ Solidarność trade union. The conference was also attended by Mr. Clemens Rode of FES and Mr. Eduardo Cobas Urcelay of CoESS. The conference established that the Polish market has about 200,000 security officers for who the licenses are issued by the Ministry of the Interior which at the same time monitors this activity. The act regulating the private security field was adopted in 1997 and since 2007, a new act is being prepared that is to especially regulate the questions regarding employing security staff (obtaining health

certificates, verifying conditions for carrying weapons, etc.). The conference also focused on the current crucial conditions and the impact of the economic crisis on the development of the private security sector. Current conditions in private security show that the work of security staff is highly undervalued (the price is 1.5 EUR/h). The price is still the decisive factor with clients for choosing the provider of security services. With regard to these conditions, the private security sector is faced with great staff fluctuations. However, in light of the economic crisis, an increase in the number of people seeking employment in private security has become evident. The conference specifically stressed the problems relating to public procurements, especially with regard to the lowest price being the only factor in choosing the tenderer for the job. It was also stressed that so far, no providers have been sanctioned due to past irregularities with the possibility of being excluded from future tenders for obtaining work in private security. The conference also expressed the need to implement certification or standardisation of security services, as well as public procurement enabling the determination of the minimum price for individual security services.

The conference adopted the following conclusions:

- the law governing public procurement should be formulated so as to determine the minimum price for providing private security services;
- working conditions and the duties of employees should be defined;
- standards in the area of security should be defined and applied.

Due to a very tough situation in the field of structure of the private security sector in the Czech Republic and Slovakia, after several lengthy attempts at trying to get in touch with competent employee and trade union organisations in these two countries, we managed, at the conclusion of the project, to organise a working meeting on 10 March 2009 with Mr. Rudolf Kubásek, President of Bank and Insurance Companies Trade Unions, and Mr. Tomáš Kubíček, Commercial Director of G4S. Mr. Ingo Paš, President of the ZRSZV and project coordinator, and Mr. Hans D. Brauns, representative of the trade unions, took part in the meeting. It was ascertained at the meeting that there is a special association of employers, which, however, is not entitled to conclude collective agreements. The trade union organisation is a member of UNI Europe. In the Czech Republic, the branch of private security emerged in banks. A collective agreement for physical security exists in the Czech Republic. Contractual arrangements distinguish between physical security and money transport. The branch of private security in the Czech Republic is not regulated by law, and there are over 2000 private security companies, some of them very large, including Securitas, Group 4, Abel, and Feniks. There are approximately 55,000 security personnel employed in the security industry. There have been some attempts to regulate the private security industry by law. There is a governmental decree stipulating that impunity of persons working in the field of private security is to be checked. However, the checking of criminal records has not been prescribed, and impunity is still not a pre-condition for working in the security industry. Establishing whether or not a person has a criminal record will be carried out in the transitional period by the end of 2012. Criminal record checking is thus still an internal matter for companies themselves. In addition, the training of security personnel has not yet been regulated (large companies, such as Group 4, carry out training on the basis of their own programmes) either. As of 1 January 2009, a new governmental decree came into force that regulates the basis for training security personnel and stipulates a period of three years for such training. However, the problem is that there are no necessary implementing regulations that regulate the implementation of such training. In accordance with this regulation, the

Ministry of Education must draw up appropriate training programmes (these programmes are currently underway for security guards, and are expected to last approximately 150 hours). As a pre-condition to take part in the training programme, one must have successfully concluded high school (matura exam). If a person has not sat matura examinations, he or she will have to pass a special exam, whereby the contents and the procedure of such exam have not yet been determined. A minimum age of 18 years and high school education are a pre-requisite to work in the private security branch. There is a governmental decree prescribing a minimum salary, however, no other rules govern the field of salaries. For 162 to 168 hours per month, security guards receive a salary of approximately EUR 400 gross. At this point, it is important to note that in the field of security, salaries are at a minimum level. According to the rules for employment relationships, 25% supplement to the salary is granted for extra working hours, and 100% for night work and work on Sundays and during holidays. Hazardous working conditions (danger) are evaluated only according to internal rules of private security companies. No branch agreement for the arrangement of these matters exists. Security personnel are not officially registered (there is no register, no official cards). In order to work in the security industry, security personnel do not necessarily need to be in an employment relationship. There is an agency that hires security personnel to work for security contractors. It is not obligatory for security personnel to have a special (official) card, however, a new regulation that has just become effective stipulates that security personnel need to obtain such a card. There are no limitations for police personnel to transfer to the security industry. Because private security is not regulated by law, there are problems in implementing these tasks, especially when a security guard is obliged to take action. A security guard can thus restrict a person's freedom of movement only for a limited period of time. Due to the absence of any statutory regulation, conflicting situations have arisen between security personnel and other people.

Slovakia has a very strict statutory regulation, however, the situation is non-transparent.

7. Findings and achievements of the project

The implementation of the project in the mentioned countries and the new EU Member States provides a basis for establishing the following findings:

1. Private security is a specific and socially delicate industry. If we take into consideration the risks of modern life, private security is mandatory. It exists at different developmental and legal levels in all countries, new EU Member States, as well as in both countries that are still in the process of joining the EU (Croatia and Macedonia)
2. The statutory situation and the level of economic development of private security in the mentioned countries and project members are at different levels, especially concerning social regulation of employee rights in this sector; and the development of the mentioned relations is:
 - a. In Baltic countries – it is still in its infancy (with the exception of large transnational companies who are present in this field)
 - b. It is also non-transparent and is undergoing major problems in the Czech Republic and Slovakia (despite different levels of statutory regulation and the mentioned exception, which is true of great transnational companies present in

this area)

- c. Furthermore, Hungary, Romania and Bulgaria are facing major development problems. There are important differences in the fields of statutory regulation and social dialogue. In Hungary there are problems, concerning the principles of employer structure, and in Romania and Bulgaria, they are mainly concerning the status of private security and the rights of workers in the sector. A lack of social dialogue, or problems with the full conclusion and implementation of the reached agreement are further problems that plague Romania and Bulgaria, respectively.
- d. Furthermore, private security in Poland is marked by a lack of social regulation of workers' rights in this branch. The sector is regulated by law, however, the work itself is underestimated, and ascertained violations in winning businesses remain unsanctioned (especially in winning public tenders)
- e. Private security in Slovenia and Croatia has been regulated by law since 1994, and 1996 respectively, with important open questions in relation to responsible authorities along with certain development questions and a good level of managing the social rights of workers in this branch (a collective agreement in this branch in Slovenia was enforced in 2000, and ceased to exist in 2006 due to a change in legislation. Subsequent attempts of settling relations at this level have not been concluded. In Croatia, due to a specific relationship of the state towards private security, negotiations between the branch and the trade unions on the basis of this project did not exist to conclude such a contract by the time of the conference in this country. As a result of the project shortly after the conference in Croatia a collective agreement was negotiated.

Project implementation in the mentioned countries, new EU Member States has, so far, conditioned the following positive developmental movements and achievements:

- To attract the Poland representative employer organization to cooperate in project and stimulate the interest for Social Dialog; to regulate unsuitable relation in field of public orders
- Progress in field of organizing the relations between representative employer and employees organizations in Bulgaria and the possibility of determination of branch collective agreement
- The progress in field of constructive beginning of dialog relations between representative employer and employees organizations by support of competent state agency and resolution of branch collective agreement in Croatia, which was implemented shortly after our conference
- The support for positive suggestions to arrange open questions in private security and to already existed procedures of suitable solutions of Social Dialog in Hungary
- The support for changing the law and for public competitions in harmonious with principle of best value in Slovenia
- Reestablishment of radical contact between performers of private security and trade unions on this field and concerning that radical possibility for beginning of social dialogue in Romania
- Social dialogue between partners on field of private security in Lithuania is developing. Position is not simple and current economic circumstances are not optimistic. For social dialogue the time and cooperation with state is necessary. In

Lithuania the trade unions are active, but it is necessary to ascertain the weak level on employers association side

2. How has the operation met the objectives of the budget heading?

As shown in the previous pages the project's central issue was the improvement of the social dialogue in Eastern Europe countries' private security industry and thus it met directly the demands of the budget line.

3. Describe the transnational dimension of the operation

The transnational dimension of the project was especially important and the possibility of its implementation was provided while considering the following points:

- the thorough preparation for the implementation of the project that included all partners in detail determined essential subject matter of the conferences organised in individual countries that were partners to the project;
- project partners and the participating trade union organisation in each of the countries hosting the conference prepared a detailed thematic schedule of the conference, determined the speakers and the timetable of the meeting and invited interested national guests to participate at the conference;
- in each of the conferences, other partners had the opportunity to get to know the fundamental and specific problems regarding social dialogue in private security in the host country and were challenged to open dialogue and a presentation of the conditions in their own country, as well as their own viewpoints and guidelines;
- during the implementation of the project, project partners were provided with an increasingly deeper insight into the condition and developmental needs of social dialogue in partner countries and therefore also into developmental possibilities in this extremely sensitive field in their own country;
- project partners were provided with an increasingly clearer picture regarding the level of development of social dialogue in this field in their own country, about the needs and possibilities of overcoming problems relating to social dialogue and the necessity of mutual support in overcoming problems on this path;
- project partners were provided with important insight into the needs and possibilities regarding mutual cooperation in the field of overcoming problems and mutual support in order to improve the social and economic status of the branch and mutual support relating to the development of the branch.

The implementation of the project helped not only the active exchange of viewpoints and learning about actual conditions in this field in individual countries, but, in individual countries that were also project partners, also contributed to individual positive shifts in the treated areas (in Poland, Croatia, partially in Bulgaria and Rumania). It also established more clarity regarding the developmental turning points in project partner countries that are the essential starting point for the continuation of this project.

4. How were social partners/stakeholders involved?

As mentioned before, project partners actively participated in the preparation and implementation of international conferences, as well as in the choice of subject matter for the conferences. They also actively participated in the formation of resolutions and conclusions of the individual conferences. Due to lack of a representative employers' organisation, a more active role in the implementation of the international conference in Lithuania was taken on by the trade union association. In Poland, we were able to include a representative employers' association in the active implementation of the project and they took on an important role in the organisation and management of the conference, while in Croatia, we were also able to attract the, as of yet, inactive trade union. With regard to critical relationships and lack of cooperation between employers' associations and the trade union, the organisation of the conference in Rumania presented an important breakthrough. A lack of progress, however, needs to be established in Hungary regarding cooperation with the legally determined employers' association with mandatory membership and thus, the related possibility of developing social dialogue on a democratic basis.

5. What contribution was made by the partners?

The partners notably contributed to the preparation of subject matter, the providing of speakers, the course of the conferences and the forming of resolutions within their own countries – in Lithuania, an important role was taken on by the trade union.

6. What added value has the project contributed?

The added value of the project was formed by important resolutions to organise and clarify problems regarding social dialogue in the security sector by acquiring a current representation of the situation and the problems relating to private security from both the viewpoint of employers' and trade union representative organisations and from that of competent national bodies. Another contribution in all participating countries was the setting up and formation of up-to-date programme starting points used to clarify fundamental developmental issues in this field.

7. How was the operation publicised and how have the results been disseminated?

The media covered the implementation of the project in all countries where the project had been implemented, while the course of the project has been published in full in English and German on the website of our Chamber at: www.zrszv.si.

As mentioned previously, we tried to inform the public about the course of our joint work and cooperation during the implementation of individual international conferences. Please find attached texts of individual media publications.

8. What other efforts have been made to ensure that the project has a lasting impact?

We are currently preparing a print version of all contributions gathered within the framework of the organised international conferences. We will also prepare a shorter summary of the report and the resolutions of the project in English and German and in the national language of participating countries in the form of a Power Point presentation.

9. What lessons have been learnt from this experience?

This project enabled the participants to get to know the main problems relating to social dialogue with regard to the current situation of the private security sector in countries that were partners to the project. By conducting a comparative analysis, we were able to determine common and integral factors influencing the established situation in the partner countries, while at the same time defining specific issues and causes. The acquired experience is evident from the conclusions and resolutions of individual conferences—in this relation, these conclusions and resolutions might serve as an important problem basis for preparing problem starting points for the start of the harmonisation procedure of the legal order on this subject in the European Union.

10. Are there any plans to follow up this project, and if so, how?

Yes, such plans to follow up this project already exist. In its design and starting points, this project was defined as a starting point for further necessary steps that need to be taken in this very sensitive economic field in order to substantially improve the situation both in harmonisation, as well as in the field of its crucial economic, professional and ethical stabilisation. The starting point of the follow up project are the final conclusions, which we adopted within the framework of the existing project and the necessity to fully include all new EU member states that we were unable to include in the first phase (especially Slovakia and the Czech Republic). The next phase of the project is to give concrete starting points and a scope of an European harmonisation of this extremely sensitive and important economic sphere. We have already communicated new letters of intent to the currently participating project partners. Let us mention that we have so far already obtained a positive answer regarding further cooperation from the majority of the partners. We have also received decisive support for the continuation of the project from a high representative of the FES foundation. Such a response is evidence of the importance and necessity of this international cooperation, of striving to search for common or similar solutions to individual problems in the field of private security common to us all.

As this is a rather young and sensitive activity that is closely related to risk factors and great developmental opportunities, which is, however, in this European space, still very diversely developed and not yet harmonised, we believe that it is essential to take the next step; after establishing the existing developmental stage of social dialogue in the activity and the initial progress in individual countries (which resulted from this project), we need to determine further steps on individual levels of individual countries for how social relations in the branch might improve and thus form the needed conditions of harmonisation in European space.