

European Commission  
Heads of Cabinet of  
Commission President von der Leyen  
Commissioner Schmit, Commissioner Hahn.

**Mr Bjoern Seibert**, Head of Cabinet President von der Leyen

**Mr Antoine Kasel**, Head of Cabinet Commissioner Schmit (Jobs and Social Rights)

**Mr David Müller**, Head of Cabinet Commissioner Hahn (Budget and Administration)

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Brussels, 2 May 2023

Dear Mr. Seibert,  
Dear Mr. Kasel,  
Dear Mr. Müller,

We received information concerning the social dialogue inside the European Commission. The Brussels' section of Union Syndicale Fédérale, one of the affiliated unions of EPSU (which is a member of ETUC) ([www.epsu.org](http://www.epsu.org)) pointed out the lack of dialogue.

The union request us to raise with you the regrettable state of social dialogue inside the European Commission. We kindly ask you to take steps to remedy this. The European Commission as employer should lead and have the highest standards as regards social dialogue, information and consultation rights, bargaining. These high standards should also apply when there are differences and conflict and staff use their rights to protest, demonstrate and strike. They are part of the core of European values and democracy.

- The union has informed us that it has noticed a deterioration of the quality of the social dialogue between formal staff representatives and the Commission since the new College took office. It says, "Since the start of their term, almost all new rules, changes to rules or major strategies directly impacting the employees' working conditions have been implemented without consultation of the formal intermediary bodies (trade unions and Staff Committee) which, according to rules and consolidated practice, should have been consulted." For a Commission that has put social dialogue at the centre of its work this is regrettable.

- Commission management (the Administration) organised direct consultations (of a part) of the personnel through surveys, again without any consideration of the formal intermediary bodies. This is a practice we sometimes see in companies as part of anti-union policies, trying to by-pass the unions. These direct staff consultations result in a collection of many and sometimes contradictory proposals. Who chooses what to value and how?. If the Commission management does this, it will find the proposals that suit its agenda. On a personal note: it is extremely dangerous to weaken the trade unions as it paves the way for authoritarian management (or government leaders), removing a (hopefully powerful) check on powers of employers, institutions or governments.
- The union informs that the management of the Commission seeks to impose on trade unions a 'code of good conduct'. This code our colleagues say will be the possibility of the unions and its representatives to communicate with the Commission staff. We are informed that this Code is not an expression of the College. The General Data Protection Regulation (Regulation 2016/679 of the European Parliament and of the Council of 27 April 2016) is apparently used as an excuse. Other EU institutions have a different interpretation and communication between trade unions and staff is not limited. This code therefore is an attempt to limit the means of action at the disposal of trade unions operating at the European Commission level.
- We are dismayed to learn that the Commission as employer argued against staff joining strike action. USF gave a strike notice on the occasion of the recent Belgian general strike and national demonstration. It received notice from the Commission H.R. department that it regarded this strike as illegal. Similar arguments could be used against the union when it would call for a solidarity strike with workers employed of an EU agency or another EU Institution. We recently had a presentation of the Secretariat of the European Social Rights Committee to the EPSU Executive Committee. It presented the results of the assessment regarding respect for the right to strike in the EU. Many Member States violate the right to strike, including the right to conduct solidarity strikes. The European Commission is about to join the ranks of those violators.

EPSU and the European trade union movement want the right to participate in a trade union and the freedom of association to be respected. Social dialogue must be continuous also inside the Commission with its unions.

We look forward to learn more about the steps that are taken to remedy the situation and improve the dialogue with the unions.

Yours sincerely,



Jan Willem Goudriaan  
EPSU General Secretary

cc. Nicolas Mavraganis (USF)