



NYON, 17 JANUARY 2013

Presentation of the agreement History and content

Introduction

What is Social Dialogue?

- Social Dialogue refers to consultations, negotiations and joint actions undertaken by the "Social Partner" organisations representing the two sides of an industry (management and labour)
 - It is a means by which the social partners assist in the definition of European employment and social standards
 - Article 154 of the Treaty on the Functioning of the European Union gives the European Commission the role to promote Social Dialogue
 - Article 155 of the Treaty offers the possibility to negotiate agreements in this sphere
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Introduction

What is Social Dialogue?

- UEFA, FIFA and the European Commission agreed revised rules relating to the international transfer of players in 2001
 - At that time, the European Commission invited the relevant football bodies to pursue Social Dialogue in order to agree common solutions on matters concerning employment in the sector
 - In view of the "specificity" of football, UEFA as governing body for European football is involved in the Social Dialogue process together with the Social Partner organisations
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Introduction

What is Social Dialogue?

- EU Social Dialogue Committee for Professional Football created in July 2008 by the European Commission
 - Brings together:
 - 1. Employers (EPFL, ECA)
 - 2. Employees (FIFPro – Division Europe)
 - 3. Governing body (UEFA)
 - Chaired by the UEFA President
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Introduction

What is Social Dialogue?

- Rules of Procedure agreed by EPFL, ECA, FIFPro, UEFA and approved by the European Commission
 - Work programme agreed unanimously by the Professional Football Strategy Council
 - First item on the agenda: **Player contract minimum requirements**
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Why player contract minimum requirements?

- Football's reputation as a professional sport
 - Raising standards across European football for players and clubs
 - Fewer disputes and greater legal stability for players and clubs
 - "Regularisation" of the employment relation between players and clubs
 - Improve "governance" standards in the sport
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How was the agreement on minimum requirements reached?

- The 'Autonomous Agreement' setting out minimum requirements for player contracts was finally agreed by the Social Partners (and UEFA) in 2012
 - This Agreement is a kind of contract between the parties who have signed it
 - A challenging process but goodwill and flexibility was demonstrated by all sides
 - EPFL, ECA, FIFPro and UEFA all validated the 'Autonomous Agreement' within their appropriate decision-making bodies in 2012
 - The objective is to make the minimum requirements a reality throughout **the whole UEFA territory**, whilst respecting the principle of subsidiarity
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What are the minimum requirements?

Definition of the basic obligations for club and player:

- Contract
 - Obligations of the club
 - Obligations of the player
 - Image rights
 - Anti-doping
 - Dispute resolution
 - Compliance with football regulations
 - Anti-racism and discrimination
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What are the minimum requirements?

Relevant examples of standard requirements

- Contract in written form (article 3.1)
 - Registration of the contract at the professional league and/or national association (article 3.2)
 - Equal rights of club and player to negotiate an extension and/or termination of the contract earlier (article 3.5)
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What are the minimum requirements?

Examples of standard obligations of clubs

- Article 6.2: Payment of salary, pension contributions, social security costs, etc
 - Definition of paid leave (holidays) with a minimum of four weeks in each 12-month period (article 6.7)
 - Health and safety policy of the club, including mandatory insurance coverage for the player for illness and accident (article 6.9)
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What are the minimum requirements?

Examples of standard obligations of players

- Participation in training and match preparation (article 7.2.b)
- To maintain a healthy lifestyle and high standard of fitness (article 7.2.c)
- To obey club rules (including, where applicable, club disciplinary regulations) (article 7.2.f)



What are the minimum requirements?

Other matters regulated in the Autonomous Agreement

- Image rights: club and player should agree how image rights are exploited (article 8)
 - Respect of anti-doping regulations (article 11)
 - Both clubs and players must act against racism and other discriminatory acts in football (article 16)
 - Player discipline and grievance (article 10)
 - Compliance with football regulations (article 13)
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What are the minimum requirements?

Dispute resolution (article 12)

- Disputes between clubs and players to be submitted to independent and impartial arbitration
- Where no national arbitration process applies, disputes may be submitted to CAS



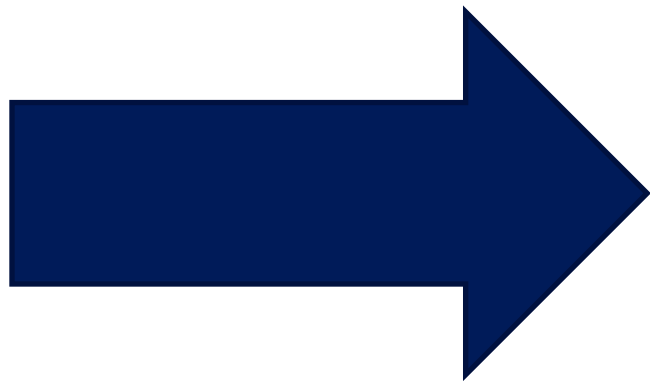


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Implementation, future procedures and Q&A

When does the implementation start?

Signature of the Autonomous Agreement on 19 April 2012



Start of implementation

What are the objectives of the implementation?



Make the minimum requirements a reality throughout UEFA territory

What are the objectives of the implementation?

2012 → **2015**

Entrance into effect within three years

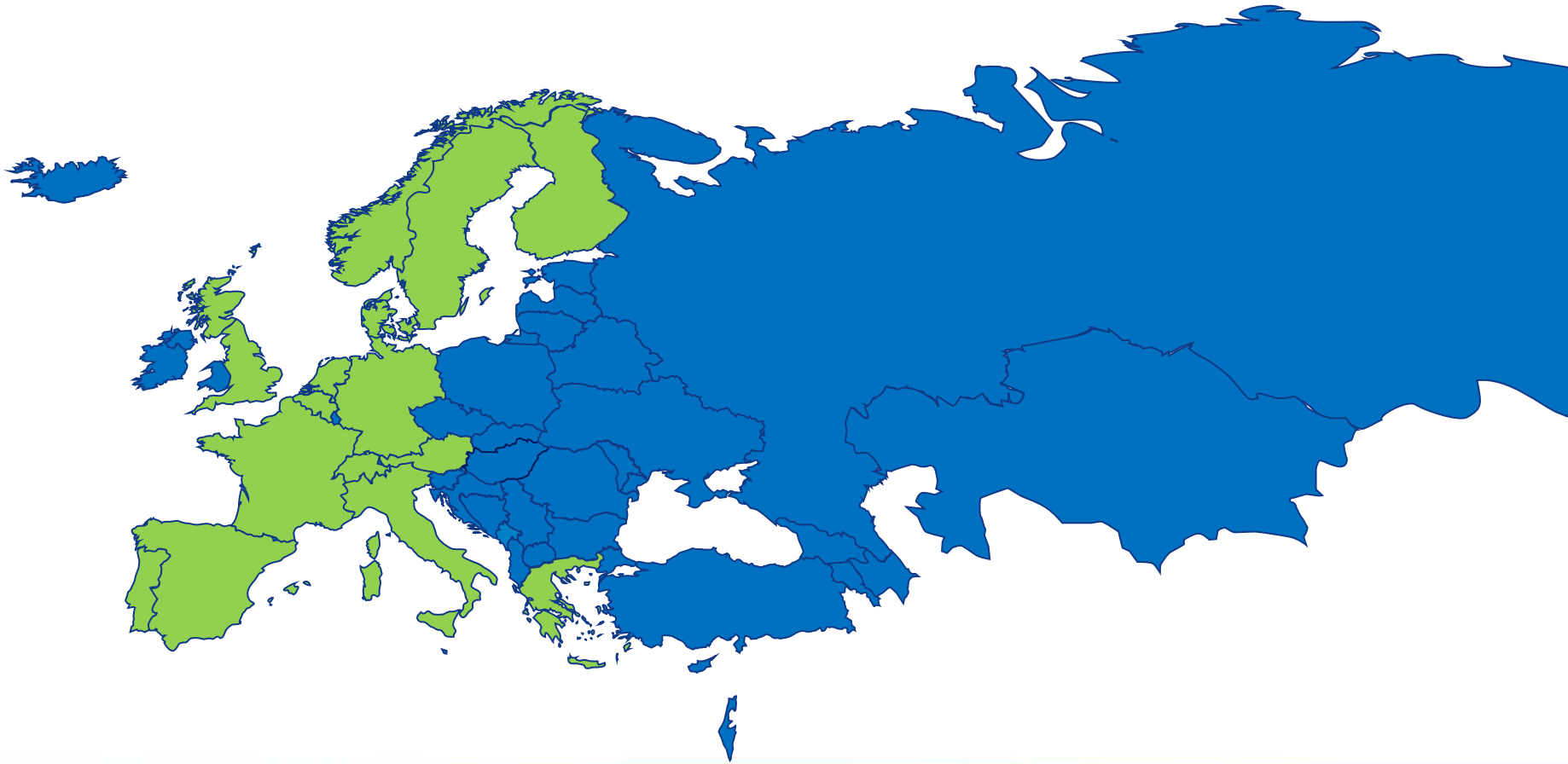
Implementation and future procedures

What has been done so far?

- ✓ Creation of an implementation working group at a European level
 - ✓ Signature of side-letter for countries where standard of contractual protection already meets the minimum requirements
 - ✓ Planning of kick-off meetings for remaining countries
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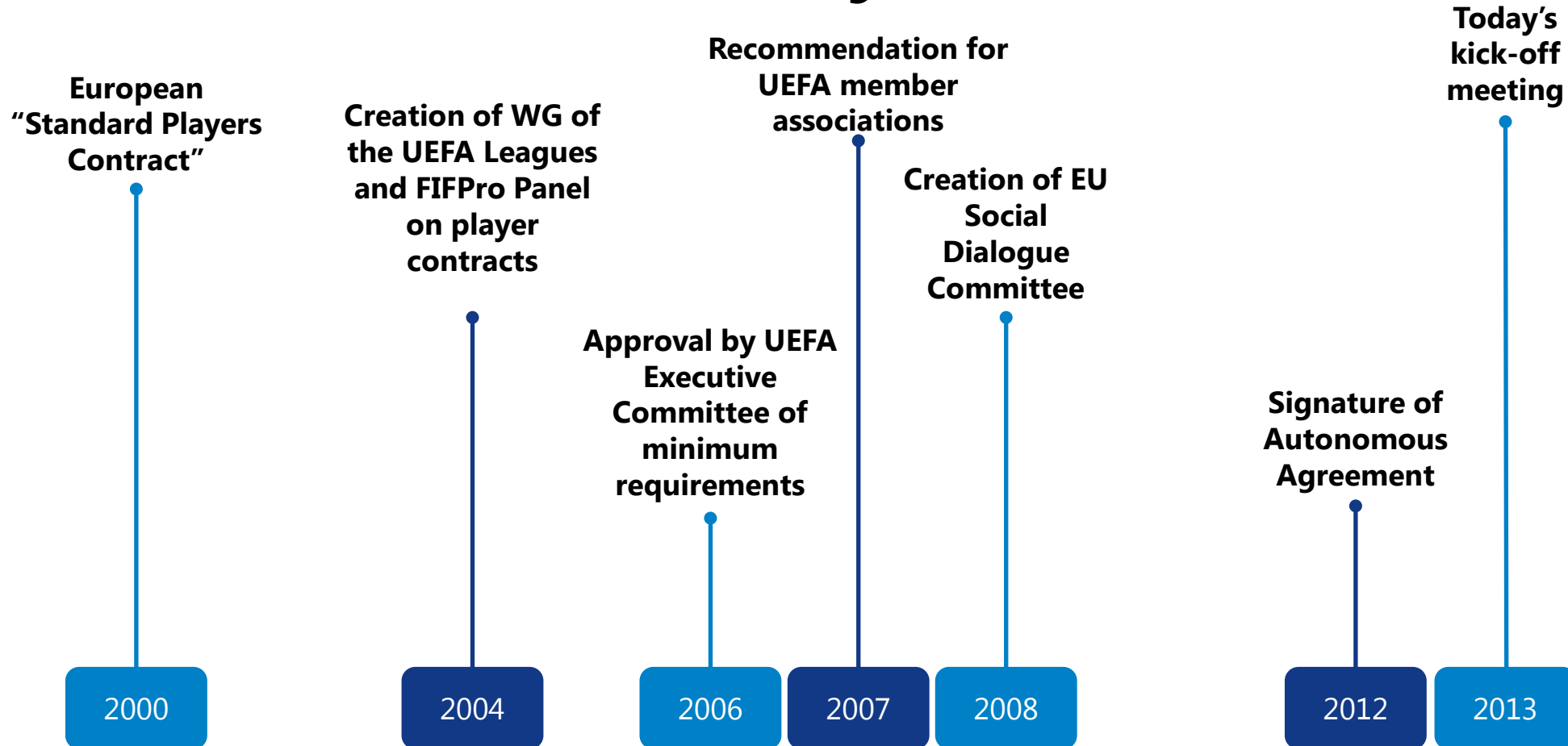
Implementation and future procedures

What has been done so far?



Implementation and future procedures

Where do we stand today?



What are the next steps?

- 1. Creation of Social Dialogue Taskforce for each country**
- 2. Visit of the Taskforce (within 3 to 4 months)**

Objective



**Implementation of
the agreement on
national level**

Implementation and future procedures

1. Creation of Social Dialogue Taskforce

- ✓ Experts from the four parties (ECA, EPFL, FIFPro and UEFA) and possibly FIFA
 - ✓ Composition specific to each country
 - ✓ Role: coordinate the promotion and implementation of the agreement
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2. Visit of the Taskforce

- ✓ Meeting between the members of the respective Taskforce and the national representatives from each of the four parties
- ✓ Purpose: Discuss and agree the best way, on a national level, to implement the minimum requirements

What is your role in the implementation?

- ✓ To work together in order to define the best - most practical - mean to implement the minimum requirements in your country
- ✓ To use your best endeavour to make the minimum requirements a reality in your country

How can the agreement be implemented in your country?

- ✓ Not by using a “one size fits all” approach
 - ✓ Subsidiarity is a key element
 - ✓ Flexibility and creativity are needed
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How can the agreement be implemented in your country?

- ✓ Various methods possible: CBA method, national football regulations, etc.
 - ✓ Need to consider the relative merits of the different approaches
 - ✓ How best to achieve this in **your country**?
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