



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?

**European "Standard
Players Contract"**

2000

**Creation of WG of
the UEFA Leagues
and FIFPro Panel
on player contracts**

2004

**Approval by UEFA
Executive
Committee of
minimum
requirements**

2006

**Recommendation for
UEFA member associations**

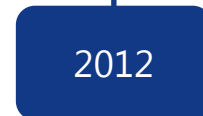
2007

**Creation of EU Social
Dialogue Committee**

2008

**Signature of
Autonomous
Agreement**

2012



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)
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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





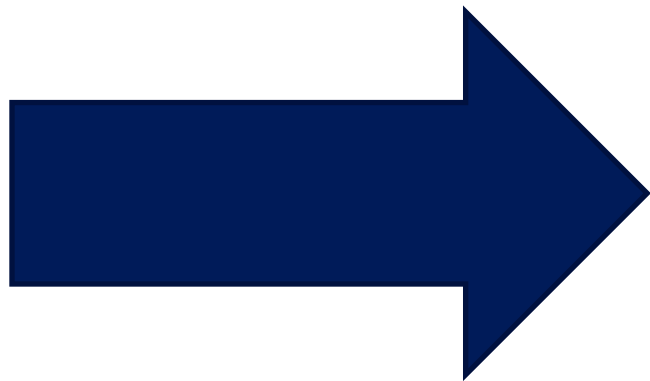
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Implementation, future procedures and Q&A

Implementation and future procedures

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

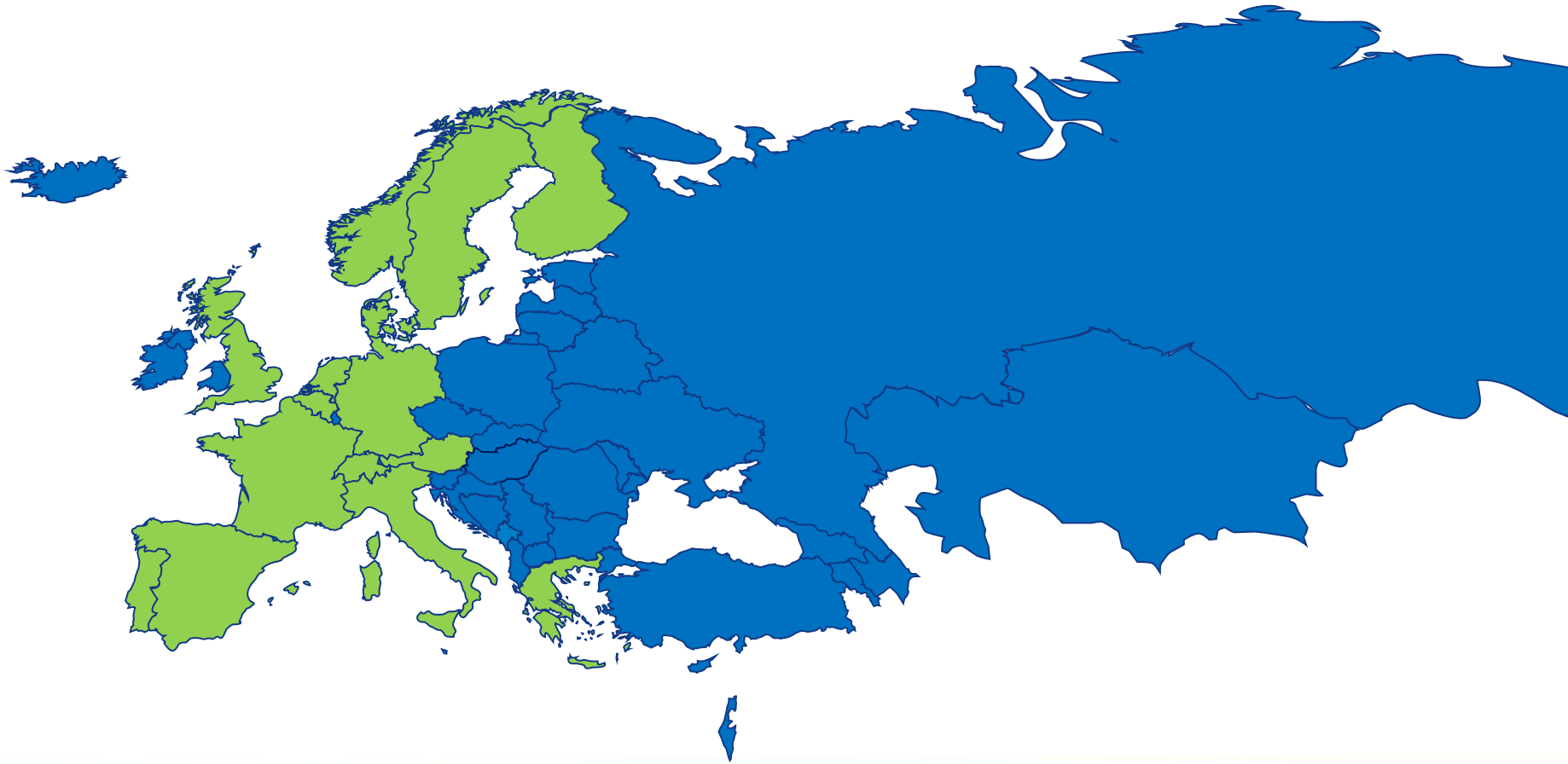
Implementation and future procedures

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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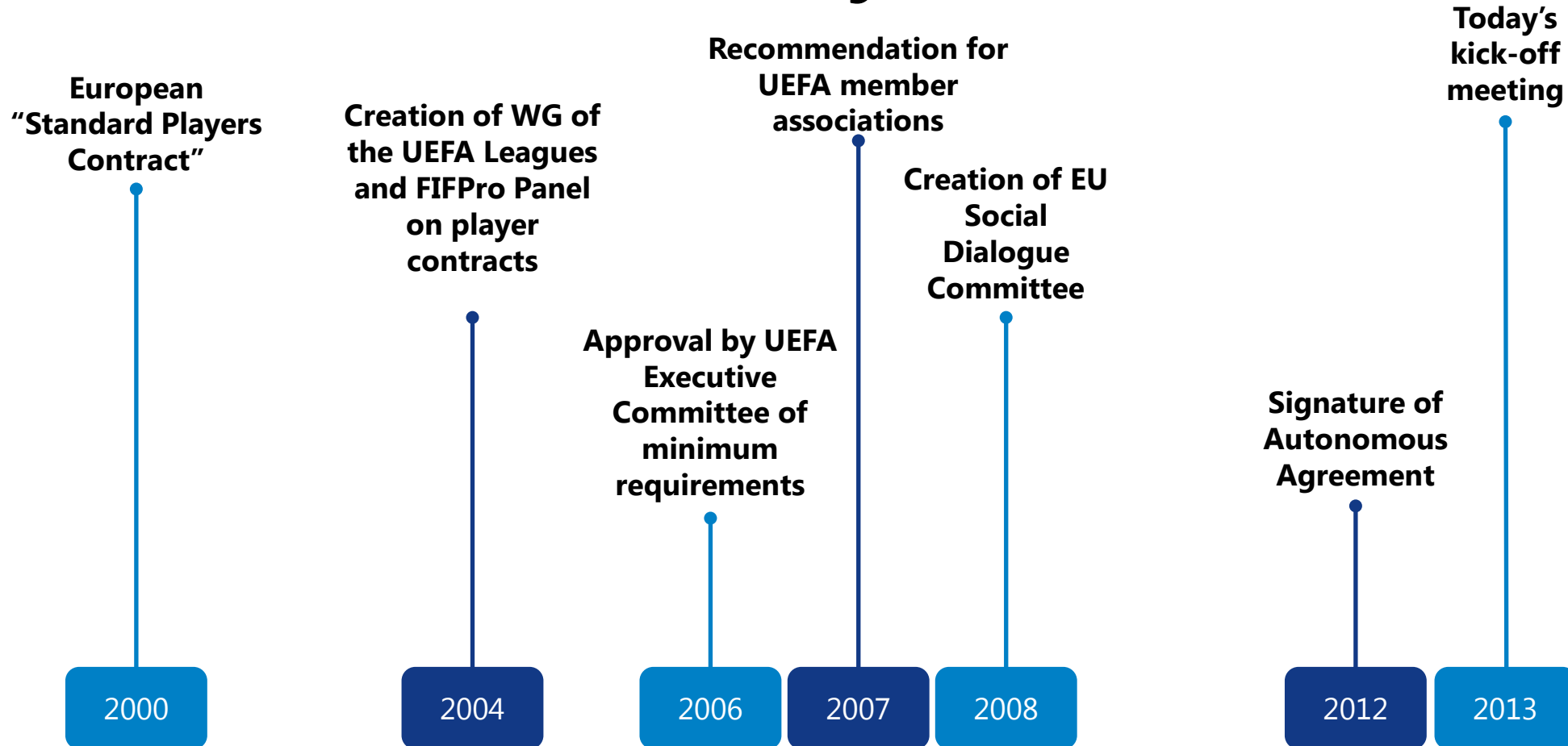
Implementation and future procedures

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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