



Sociaal Economische Raad
Social Economic Council

WORKING VISIT OF TWO STAFF MEMBERS OF THE SOCIAL ECONOMIC COUNCIL (SER) SINT MAARTEN TO THE SER NETHERLANDS

NOVEMBER 6- 18, 2012

The delegation consisted of:

- D. Choennie- Babel, policy advisor
- B. Peters, policy worker

The program of the working visit comprised:

Friday, November 9th 2012

9:00 Appointment with AOR secretary Hans v/d Meer
10:00 Commission Arbeids- en Ondernemingsrecht (AOR)
13:30 Appointment SZG secretary Ivy Koopmans
14:00 Commission Sociale Zekerheid en Gezondheidszorg (SZG)

Monday, November 12th 2012

11:00 Appointment with Jannie Mooren (Stichting v/d Arbeid)
12:30 Internal Discussion on the consultative structures of the new government (only for staff members of the secretariat)

Thursday, November 15th 2012

9:00 Appointment IMVO secretary Bart van Riel and Alexandra van Selm
10:00 Commission Internationaal Maatschappelijk Verantwoord Ondernemen (IMVO)
12:00 Appointment with Arbo secretary Tyche Riemens
13:00 Commission Arbo (ARBO)
15.30 Appointment with Thom van Mierlo,
16:30 Appointment with secretary Ton v/d Wijst

Friday, November 16th 2012

9:30 Meeting of 'Crown Members' SER
10:15 Board meeting
12:00 Kick-off meeting on Energy Innovation



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The establishment of SER Sint Maarten has its legal basis in the Ordinance of the Social Economic Council dated December 20th 2010. However, it lasted until May 2011 before the members of the Board were appointed and the first meeting of this advisory body could take place. Meanwhile the secretariat became operational on March 1st, 2012 where after SER Sint Maarten could fulfill its central role as advisor to the government on all important social and economic matters.

In the context of building up a new SER for Sint Maarten, it is very important that we build a network with other SER's within the Dutch kingdom. SER Sint Maarten is the youngest within the Dutch kingdom. The SER members and secretariat staff members have only relatively experience with the SER of the former Netherlands Antilles. Information exchange is needed for the development of best practices that can improve the functioning of the SER Sint Maarten. Thus, the experience of the nearly two-week internship at the SER Netherlands serves as an example for the SER Sint Maarten, in particular regarding the role of the Secretariat.

We attended several committee meetings and one board meeting. The committee meetings were about topics and in various stages in the process. The committee may, for example, hold a hearing (see the meeting of Friday, November 9th 2012 at 14:00 Commission "Sociale Zekerheid en Gezondheidszorg" (SZG), arrange a panel discussion (see meeting of Friday, November 9th 2012 at 10:00 Commission Arbeids- en Ondernemingsrecht (AOR) or pay a working visit. It was interesting to notice that the more actual the topic was, the more interests there was at stake and the louder the voices of the different organizations became. In those meetings of the committee, the respective organizations of the social partners discuss the draft advice internally and provide feedback, after consultation with their members. The committee then discusses the feedback and when all parties agree, incorporates it into the advice. When consensus is reached in



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the committee, the draft advisory report is sent to the council and after the approval of the council, the advice is finalized in a public board meeting (see Friday, November 16th 2012 at 10:15 Boardmeeting).

Ministerial representatives (representatives of government ministries, civil servants) specialized in certain policy areas are always welcome at committee meetings or private meetings of the committees, albeit only in the role of observers. This facilitates the good and timely interchange of information between the council, its committees and relevant government departments.

The work visit had an extra dynamic element due to the declaration of the new government in parliament and the changing of major policy areas during our stay in the Netherlands. We could observe how politicians, employers' and employees' representatives, and also the SER itself reviewed their position and even general attitude towards each other in relation to the objectives and opportunities they saw in a changing political arena.

We have experienced the SER Netherlands as a well-oiled internal organization where dedicated staff members fully take their responsibilities. The hospitality and cooperation of all SER colleagues in the Netherlands have certainly contributed to a successful work visit.

Friday, November 9

9:00-10.00 Meeting on preliminary advice 'support collective labor agreements (CAO's)' with Secretary Hans van der Meer.

Hans van der Meer is involved as a senior policy advisor with the advice support for collective labor agreements. Hans van der Meer and André de Groot co-wrote the documents regarding this advice. Hans said the advice was discussed beforehand in an informal setting with employers and employees and the subject is relatively uncontroversial because both parties support the instrument of collective labor agreements. The current preliminary advice involves an explanation of how collective agreements work and how this mechanism is legally embedded. Both staff members believe that the discussion in the upcoming committee meeting will (mainly) concern how 'wide' or 'narrow' the advice should be.

10.00-12.00 Committee meeting 'support collective labor agreements'; a cheerful committee.

Chairman Mr. Verhulp takes the committee through the advice papers. Improvements are suggested here and there. The additions and comments of the committee members are aimed at consent and agreement. The length of the advice is indeed a point of discussion. The input is discussed in a pleasant and dynamic manner. The secretariat only speaks when asked to clarify issues.

13.30-14.00 Preliminary Committee meeting Social Security and Health (SZG) 'towards a good, accessible and affordable care 'with Ivy Koomans.

Ivy Koomans explains briefly the preliminary phase of the current opinion. This advice is a follow-up to an earlier report of the same committee. This advice will not result in legislation but will describe how prevention can be incorporated more explicitly in the healthcare system. Today meeting is an expert meeting in which the committee members will be informed by professionals from the field about the challenges of healthcare prevention but also on existing initiatives. There will be little room for discussion between the SER members given the informative nature of the meeting.



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14.00-16.00 Committee meeting Social Security and Health (SZG) on the advice 'towards a good, accessible and affordable care.'

This committee is an expert meeting with experts in the field of prevention in healthcare. There are several presentations about the effectiveness of different prevention measures and the health care cost of lifestyle choices. After each presentation there is an opportunity to ask questions by the committee members. Critical questions are asked on each presentation.

Monday, November 12

12.30-13.30 Secretariat SER panel discussion about the declaration of government (regeringsverklaring)

The (internal) discussion meeting is an inventory of the opportunities for SER activities related to the declaration of government. The questions raised related to the SER advisory role in the next four years and to which extent employers and unions have something to gain through the advisory role of the SER. The secretary of the SER, Ms. Véronique Timmerhuis, emphasized the positive side of the declaration of government, namely that this new government explicitly wants to talk with social partners on the implementation of various measures. The President of the SER, Mr. Draaijer, also mentions that this government is planning a number of measures that previous governments have not touched upon the last years in areas such as employment, housing, social security and pensions.

Furthermore, the point of departure of the new government seems to be on the budgetary aspect of policies and this offers the SER an opportunity to make a substantive contribution in respect of the proposed reforms (within the financial frameworks) on content. The secretariat prepared a draft 'non-paper' and comparisons between the government declaration and the current regulations was made. An internal debate is important. Firstly, it helps in determining the position of the SER and the opportunities for employees and employers in the next reign. Secondly, the employees have an opportunity to express their opinions and identify opportunities for future SER advice in their own field. Thirdly, it is an opportunity to critically reflect on planned government policies.

Tuesday, November 13

13.00-19.00 Debate on the government declaration in parliament (2nd Chamber)

Some topics of the yesterday's discussion meeting are debated during the discussion of the government statement in parliament. The changes during that week regarding to the income-related-health-insurance-premiums directly influences the activities of the SER in the coming years.

Wednesday, November 14

09.00-10.00 Informal meeting with the Department Head Financial and Economic Cooperation Kingdom Relations (Ministry of Interior).

Meeting on the future relation between Netherlands and Sint Maarten regarding financial and economic cooperation between both countries.

Thursday, November 15

09.00-10.00 Meeting on International Corporate Social Responsibility (IMVO) with staff members Bart van Riel and Alexandra van Selm.

Bart van Riel gives a short introduction on developments in the IMVO area in the private sector and elaborates on his views about the role of the Secretariat in the work process of an advice. The staff members try to write analytically and try to remain as neutral as possible regarding the content of the advice. The Secretariat tries to stay out of substantive choices on content of the advice. In a preliminary stage (in a committee meeting) will reach consensus on certain issues. The importance



of the committee's discussed. In the committee consensus is formed. To gain more ownership of the advice the SER Sint Maarten could form sub committee's to ensure that each advice is supported by the various representatives in the SER.

10.00-12.00 IMVO Committee meeting: a difficult dialogue.

In the committee IMVO the discussion does not go smoothly. The employers provided the draft report with numerous comments and amendments. The employee unions seemed to be annoyed by all the amendments, partly because some representatives from the unions just joined this committee and got lost in all the documents. Employers then accused the unions to failed to have done their homework. Because the committee members were still in the process of getting used to each other getting used to each a sometimes heated debate followed. The chairman intervened often and became more strict as the dialogue became more uncontrolled. Sometimes the text needed to be left alone so that the discussion not only focused on the text but also on the interest of both parties.

12.00-13.00 Meeting on preliminary advice 'healthy and safe working environment' with Tyche Riemens.

Tyche Riemens elaborates briefly about the content and process of the advice. The advice has been prepared in three different subcommittees. The purpose of this committee meeting is to confirm the advice.

13.00-15.00 Committee meeting on the preliminary advice 'healthy and safe work environment.

The chairman went through the advice page by page and asked for comments. It soon became apparent that both employers and employees have consulted their stakeholders. Especially the employers suggested some unexpected changes on the preliminary. Moreover, they presented the changes as non-negotiable which provoked an equally hardline reaction from employees' side. The advice could not be confirmed and the chairman will consult with the board of directors of the SER to make more progress. Some remarks:

The ministerial representatives were present as observer. The ministry has no influence on the content of the advice itself. One ministerial representative did multiple text suggestions and asked detailed questions to the committee (which again was followed by discussion) but this was frowned upon.

- The chairman made several textual suggestions during the meeting to get gain support from both side. The secretariat only explained text when asked by the chairman.
- Employees and employers consulted before the meeting with their stakeholders and reversed earlier positions with reference to their stakeholders.

15.00-16.00 Meeting with Thom van Mierlo (senior policy consumer affairs)

The SER has a department (and committee's for consumer affairs (CCA). This committee promotes dialogue between entrepreneurs and consumers. The CCA committee gives solicited or unsolicited advice to the government of the Netherlands on consumer topics. The conditions of the Civil Code are often leading

Friday, November 16

09.30-10.15 Consultation Crown Members

The consultation between the crown members serves as preparation for the public board meeting. The public board meeting will officially confirm the advice 'agreement on sustainable and renewable energy". Employers and employees also meet with each other separately to prepare for the board



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meeting. Crown members agree who will comment on the advice and what will be said regarding current events. Possible shifts of the agenda and the tone of the meeting is also discussed.

10.15-12.00 Public SER Council meeting.

Although all matters related to the content of the advice are handled in the committee meetings the significance of the formal public determination should not be underestimated. During the public council meeting employees, employers and Crown members offer a public statement. Today's council meeting was the very well attended and considered to be the busiest public council of the last ten years. The subject is a national, European and international important topic: "agreement on sustainable and renewable energy". This advice entails a vision for renewable energy and decentralized energy generation (local energy development). How fit local initiatives within a national framework? Energy use is a central aspect of the economy and thus has influence on many issues. Based on this advice a 'national discussion' on energy will be facilitated by the SER, thereby extending their platform function to all stakeholders (instead of only employers and employees representatives).

12.00-14.30 Start meeting "Towards an agreement for sustainable energy."

Directly after the public SER council meeting the kick-off meeting on energy started where politicians, civil servants, environmentalists, students, researchers, volunteers and other stakeholders such as energy producers and network operators discussed the future of energy in the Netherlands in relation to European developments. Four speakers gave a short introduction after which a joint exploration for a broad energy plan for sustainable growth started.

Evaluation

The SER Netherlands could serve as an example for the SER Sint Maarten in several ways; in particular for the role between the Secretariat and the board. For example, the SER Sint Maarten Secretariat tries to write as analytically as possible but also includes a preliminary staff position. This preliminary staff position should be withheld to give board members an opportunity to discuss the advice freely. Board members should also consult with their stakeholders during an (important) advice. SER Sint Maarten should also consider forming 'working committee's to prepare advice to actively engage board members to keep them closer during the advice process to promote ownership of the advice. Ultimately, the advice should be supported by the SER board members and their stakeholders to maximize the weight of the advice when it enters the political arena.

We have attended several committee meetings on various topics and in various stages of the advice process. Clearly the more the topic is at the center of public debate, the more a discussion turns into negotiation. During the discussion / negotiation in the board or committee the chairman remains in the center of the meeting and the Secretariat responds only when explicitly requested. In the Netherlands the ministerial representatives are always present at committee meetings, albeit in the role of observers.