

EUROSITE

Information and consultation procedures
on large European construction sites
- A Guide Book of Good Practice

EUROPEAN FEDERATION OF BUILDING AND WOODWORKERS

FEDERATION EUROPEENNE DES TRAVAILLEURS DU BATIMENT ET DU BOIS

EUROPÄISCHE FÖDERATION DER BAU- UND HOLZARBEITER

Rue Royale 45, 1000 Bruxelles • Tel: 32/2/227.10.40 • Fax: 32/2/219.82.28 • E-mail: efbh.fetbb@skynet.be

Produktion: Fagbladet SiD

I. INTRODUCTION

On large temporary and mobile working sites in Europe, i.e. infrastructure projects, stadiums etc., one can observe the "Europeanization" of construction sites. A large number of companies are facing the challenges of internationalization of construction which comes along with cross-border employment in this sector. Very often companies and workers from a range of different countries are involved - so we call them Eurosites.

In a number of cases, this has created problems in the field of employment conditions, wages and health and safety matters, e.g. ensuring that the national regulations on wage and working conditions were followed. This has challenged the national trade unions ability to gain influence on the sites. Until recently, the problems were first and foremost dealt with at the national level. It was up to the respective trade unions to do what they were able to in order to secure the conditions on the sites.

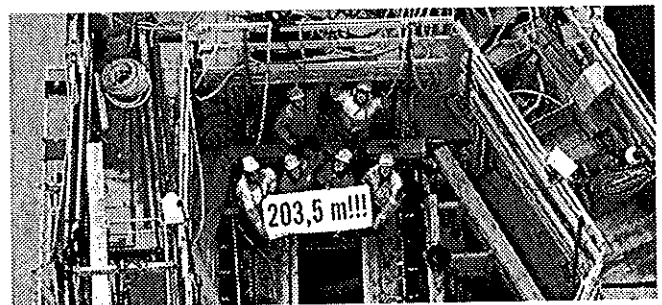
As a consequence of the growing number of sites and the transnational aspect of the projects the EFBWWV decided to take action in this field. To improve representation of the workers on large building sites was already the aim of Resolution no 3 of the EFBWWV General Assembly 1995. In order to improve the working conditions for all workers on these sites closer co-operation of the unions involved is necessary in terms of establishing common regulation and agreements for employment on site. Finally, trade union, contractor and client must have a solid and good co-operation all through the process of the project.

With the view to implementing this task a first inventory of future major construction projects was made including the TEN's (Trans-European Transport Networks). It became clear, that on the one hand Eurosites are not always regarded as such in the view of the unions and on the other hand there are large-scale projects which are cut into independent tasks which avoids from being treated as a European site. To follow the subject properly the EFBWWV organised a Eurosite Start Conference in October 1997 gathering worker representatives, union officials and experts. This was in order to show the problems faced on site and to exchange ideas on best practices on information and consultation procedures and over-all control of the building project in terms of working environment and working conditions. In the meantime two pilot projects were selected, one for the motorway link between Frankfurt/Main and Cologne in Germany and the other for the Øresund link between Denmark and Sweden. The Øresund project was round up by a Eurosite-Conference organised by the EFBWWV in April 1998.

The example of the Øresund-project shows a successful co-operation of all parties involved, the unions, the employers' side and the public authorities and can be used as a model for other projects in Europe in the future. As a document of good practice on Eurosites this manual was developed, describing

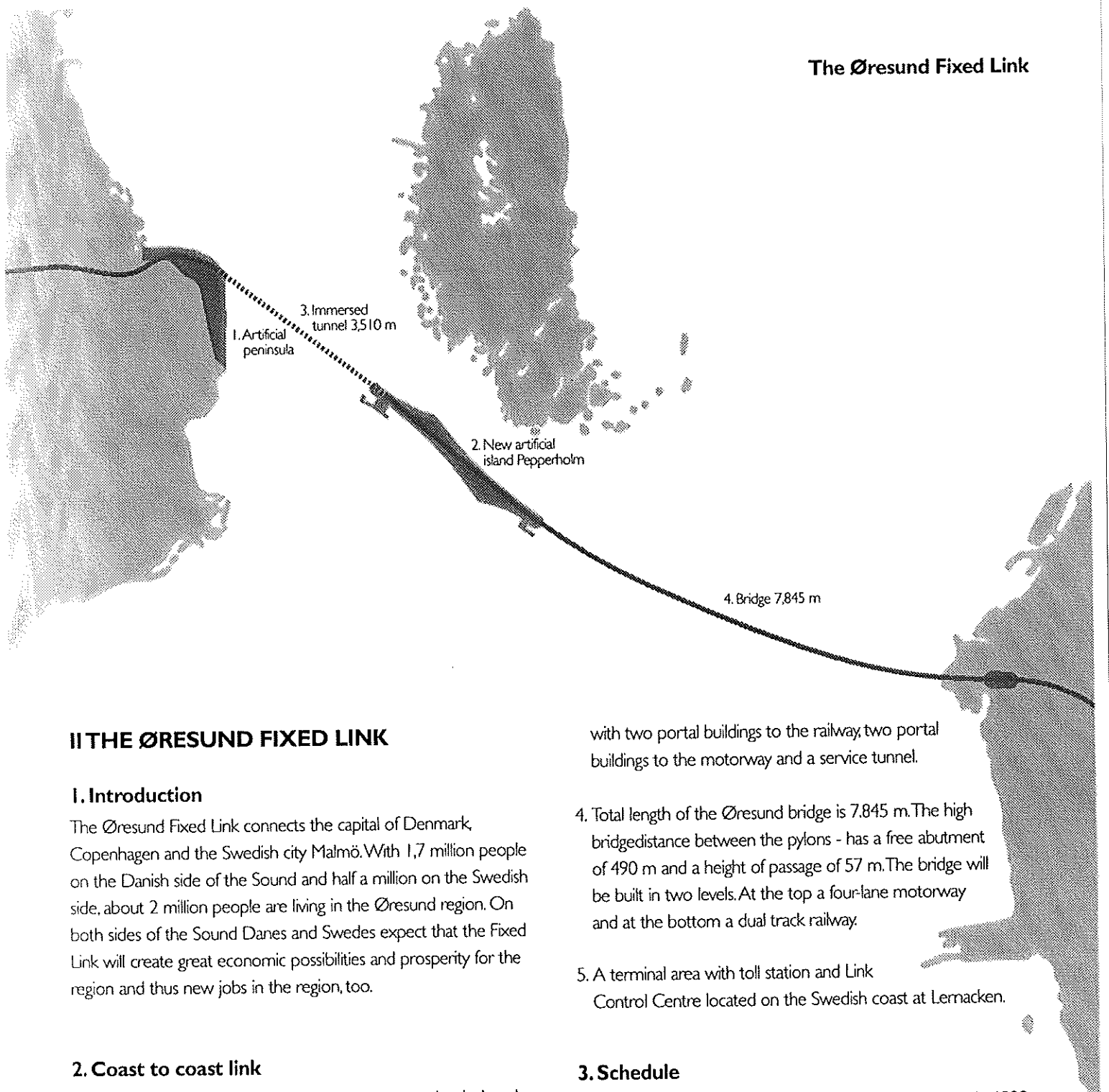
- the Øresund Fixed Link - Project: size in technical terms, the companies involved, the tender procedure, contractual systems, the workforce - recruitment and workplaces,
- the working conditions: the rules, the tools and the results of co-operation during the whole process,
- the improvement of the working environment in terms of health and safety measures.

This manual is a documentation of solutions for specific problems and of agreements concluded and it comes to conclusions with a view to using this experiences elsewhere in Europe.



However, a good practice in one country is not in any case applicable in another country. Differences e.g. in relation to collective agreements and legislation, the role of public authorities or tendering rules and practices form the background for different national conditions which exists and cannot be changed, at least in a short run. The Eurosite - Project should be seen as an ongoing process of improving the co-operation of all unions and workers representatives (horizontal approach) and at the same time improving the co-operation with all other parties involved e.g. the client and the employers (vertical approach) in large-scale European construction sites.

Confronting this manual with various other national frameworks of labour regulation on future Eurosite - Projects may lead to further discussion of good practices and different solutions. Adjustments of each country or Eurosite - Project can then be documented, e.g. as annexes of the present manual. Finally, it is intended to create a comprehensive "Guide Book of Good Practice on Eurosites".



II THE ØRESUND FIXED LINK

I. Introduction

The Øresund Fixed Link connects the capital of Denmark, Copenhagen and the Swedish city Malmö. With 1,7 million people on the Danish side of the Sound and half a million on the Swedish side, about 2 million people are living in the Øresund region. On both sides of the Sound Danes and Swedes expect that the Fixed Link will create great economic possibilities and prosperity for the region and thus new jobs in the region, too.

2. Coast to coast link

The Øresund Fixed Link is a four-lane motorway and a dual track railway consisting of:

1. An artificial peninsula at Kastrup, Amager near Copenhagen on the Danish side. The artificial peninsula is extending 430 m from the Danish coast.
2. A new artificial island at Kastrup. The island 4,055 m long is called Pepperholm. (As it is situated nearby an island called Saltholm).
3. A 3,510 m immersed tunnel between the artificial peninsula at Kastrup and the new artificial island called Pepperholm. As to the volume the tunnel is the largest immersed tunnel in the world

with two portal buildings to the railway, two portal buildings to the motorway and a service tunnel.

4. Total length of the Øresund bridge is 7,845 m. The high bridgedistance between the pylons - has a free abutment of 490 m and a height of passage of 57 m. The bridge will be built in two levels. At the top a four-lane motorway and at the bottom a dual track railway.

5. A terminal area with toll station and Link Control Centre located on the Swedish coast at Lernacken.

3. Schedule

The Danish landworks started in 1993 and were finished in 1998. The Swedish landworks and the coast to coast link started in 1995. The Fixed Link is planned to open in July 2000.

4. The client

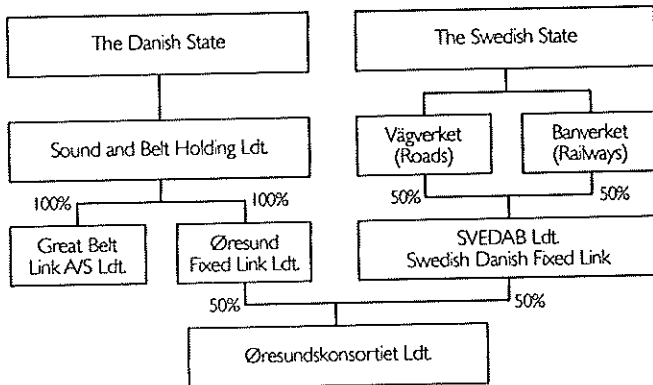
- wanted more than "just" to build a Fixed Link

The client of the coast to coast project is the Øresundskonsortium. The budget is DKK 15 billion in 1990 prices or nearly 2 billion Euro. About one third of the link is carried out on Swedish territory and about one third on Danish territory.

Concurrently with the coast to coast link, road- and train services to the city centres on both sides of the Sound are being built, the

so-called landworks. The Danish client is the Øresund Fixed Link and the Swedish client is SVEDAB (Swedish Danish Fixed link). These are the parent companies of the Øresundskonsortiet by 50% each. The budget of the landworks is DKK 7 billion in 1990 prices or nearly 1 billion Euro.

The organisation



The Danish and Swedish states chose to build-up an organisation with a 50-50% ownership of the shares in Øresundskonsortiet. On the Danish side the holding company "Sound and Belt" is 100% state-owned, which again is 100% owned by "A/S Øresund Fixed Link", who built the landworks in connection with the Øresund Link. The Øresund Fixed Link thus holds 50% of the shares in "Øresundskonsortiet".

On the Swedish side the state owns the two institutions Vägverket (roads) and Banverket (railways). The two state-owned institutions each own 50% in the limited company SVEDAB (Swedish Danish Fixed Link), who built the landworks on the Swedish side. Thus, SVEDAB owns the remaining 50% of the shares in "Øresundskonsortiet", who built the coast-to-coast link.

The relationship between the client companies and the main contractors is forced to be more committed than normal as the client companies force the contractors to follow the regulation of health and safety etc. The relationship also forces the main contractors to commit the subcontractors to follow the common rules, regulations etc.

Hereafter the manual will concentrate on the coast to coast part of the fixed link.

The client-company, Øresundskonsortiet, is a state limited company. That means, that the Danish and Swedish states own the company - 50% each. The states appoint the board, which means, that the members of the board represent the states and the interests of the states. But a state limited company is functioning as a private limited company. The employees in the client compa-

ny are for instance employed under the conditions of the private labour market. As the state owns the client company the client company has to behave in a well-regulated way. The client company can not accept companies, which do not follow the collective agreements, the health and safety regulations etc. This means that the management of the client company - Øresundskonsortiet - pays attention to health and safety already in the tendering procedure (see chapter 4).

The clients are limited companies functioning as private limited companies - the employees in the client company are f. inst. employed under the conditions of the private labour market. But the Danish and Swedish states are the only shareholders with 50% each. They appoint the board of each company and gives state security for the loans raised to build the link. These loans are to be repaid within 30 years. The loans will be repaid by toll charges from cars, buses/coaches and HGVs.

The company management is under the impression that this company structure obliges the companies to go further than the existing laws and provisions as to the surrounding environment, the working environment and the technical knowledge. Therefore a campaign was started to change the attitude with the employees as to the working environment, as described in chapter 4.

Already early in the process - before tendering and before preparation of the contract material for the Fixed Link, the client company, Øresundskonsortiet, set up a working environment group. The group consisting of trade unionists, representatives for the employers organisation and the working environment service contributed input how to prepare the contract material - which demands to be included in the contract material. The group gave good advice, which was mostly taken. The group still convenes four times a year. The client company also set up a similar working party on recruitment, where the trade unions were represented.

5. Tender procedure - contractors

The coast to coast link was an invitation to submit tenders in four parts. From the beginning the bridge was invited for tender in two parts. But when the tenders were received, it was decided to lump them together. Furthermore there were some smaller contracts for the railway, the communication on the bridge and the road safety.

The general contract is applicable to everyone on the construction site. If the general contractor engages a subcontractor the same conditions are applicable to the subcontractor. It goes for all conditions of the contract as f. example quality control, safety and environment. Thus it is impossible to speculate in subcontractors and there is no "self-employed" on the project.

General Contractors: Øresunds Brigde

Sundlink Contractors:

Skanska AB (S)

Højgaard & Schultz A/S (DK)

Monberg og Thorsen A/S (DK)

Hochtief AG (D)

Immersed tunnel

Øresund Tunnel Contractors, ØTC:

NCC AB (S)

E. Phil & Søn A/S (DK)

Dumez-GTM SA (F)

John Laing Construction Ltd. (UK)

Boskalis Westminster Dredging bv (NL)

Digging

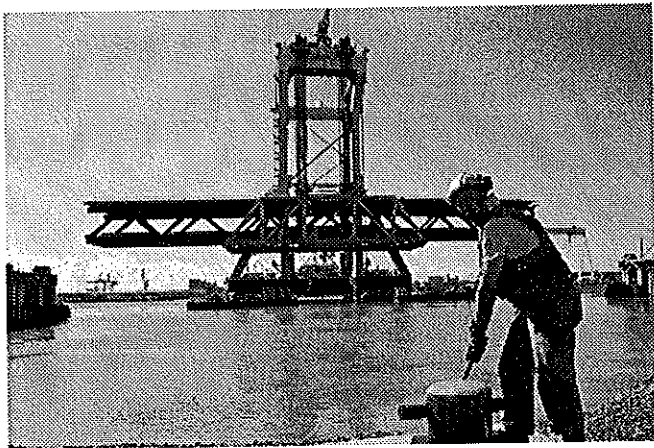
Øresund Marine Joint Venture:

Per Aarslev (DK)

Ballast Nedam (NL)

Breat Lake Duck and Gregde (USA)

The client company demanded already in the tender procedure, that health and safety should be as important as the technical demands. This improved the construction sites and made it easier for the trade unions to co-operate with the client and later on with the contractors as the contractors had to follow the demands set up by the client company.



6. Workplaces and the Workforce

The head office of Sundlink Contractors is situated in the Nordhavn in Malmö together with the principal workplace for the bridge elements.

The floating caissons and bridge piers for the approach bridges are being built in the Nordhavn in Malmö, and the two floating caissons for the pylons were built in Kockoms dry dock, also in

Malmö. The bridge girders for the approach bridges are being built in Cadiz in Spain and the bridge girders for the high bridge in Karlskrona in Sweden. The bridge elements are carried, transported and placed at their positions by the floating crane "Svanen". The two 204 m high pylons for the high bridge are cast on the floating caissons in Øresund.

The tunnel elements were built in a new factory in the Nordhavn in Copenhagen.

At the turn of the year 1998/99 the number of employees at the bridge building was reaching its climax by 3.000 men. Hereafter the number is declining towards the year of 2000, when the project shall be finished.

Number of staff employed on the Øresund project
Directly employed

	1995	1996	1997	1998	1999	2000
Swedish landworks	260	550	670	690	510	140
Coast - coast	1.200	2.800	3.200	3.000	2.400	1.600
Danish landworks	1.500	1.400	700	100		

Most of the employees of the project are either Danish or Swedish. The foreign workers were specialists coming from Great Britain, France and The Netherlands. To a considerable extent it is global specialized engineers. There were also about 1.000 men on the construction site in Cadiz, Spain, as well as subcontractors for this construction site.

There were also sailors, but working under foreign colours, they do follow their original agreement.

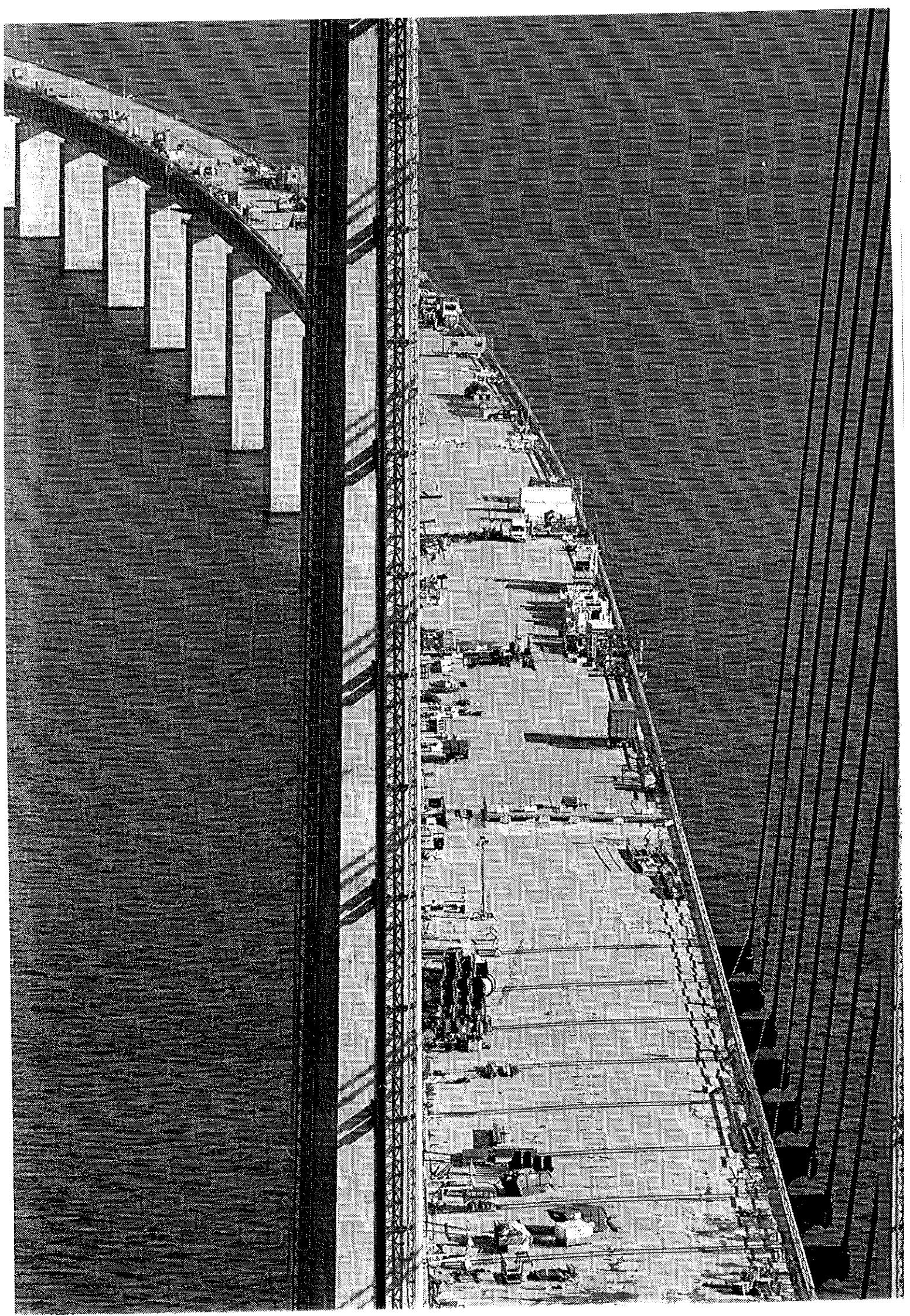
7. Recruitment, training and education

Already before the employment of construction workers Byggnads contacted Sundlink to discuss how to find with best attention the different occupational groups needed for the construction site.

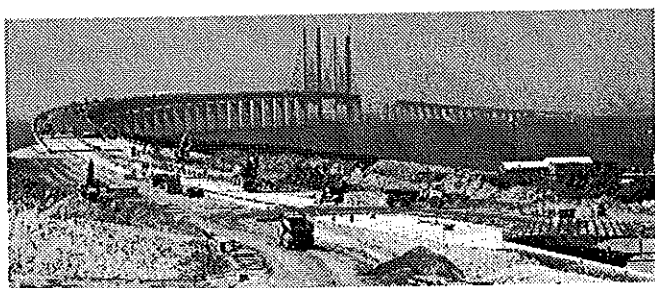
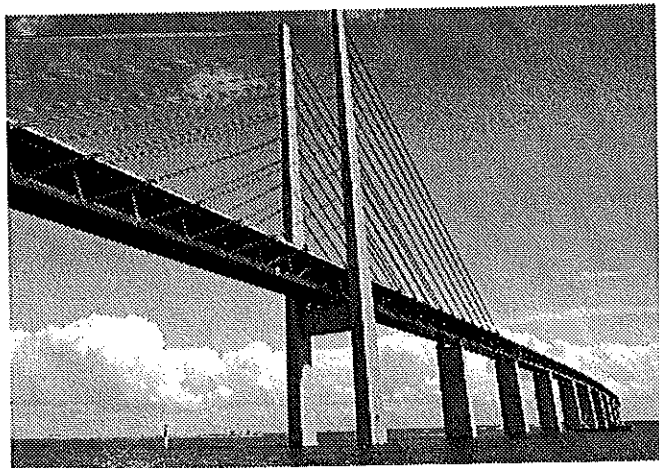
When the unemployment was high in the beginning of the nineties it was decided to look for labour in the region itself. This implied that Byggnads, Sundlink and the employment service started an introduction for the workers having been unemployed through a longer period.

Many workers from a bridge project in north Sweden were called for Malmö and thus they got labour with wide experience.

Further to this Byggnads did together with the industrial relations committee in the region develop training courses - a bridge builder course. The Industrial relations committee is a regular commit-



tee with representatives from the local government, the employers organisation and trade unions. The institution - among other things - observes the labour market and implement new labour market policies. It was hereby stated, which education was demanded of for instance a wood worker or a concrete labourer to build a bridge. 160 workers were educated by this course and 90% were employed at the bridge.



Sundlink took also a responsibility as to employ apprentices and aged employees, which has contributed to a harmonious workplace.

As every employee was known, Byggnads in Malmö invited everyone from Sweden, who was going to work on the bridge project, for a meeting. They agreed to build up a strong spirit of solidarity to have a good workplace. They wanted a good wage, piece-work and good working environment.

From the Danish side many of the employees came from the Great Belt Link, which was finished nearly at the same time as a need of labour appeared at the Øresund Fixed Link.

III WORKING CONDITIONS ON SITE

8. Rules

Importance of demands in the tender procedure already

Further to the existing Danish and EU rules about invitation to submit tenders, - procurement rules - the client demanded already in the tender procedure, that health and safety should be as

important as the technical demands. This procedure - with client demands in the tender procedure already started with an earlier project, the Great Belt Link, and was accelerated with the Øresund Fixed Link. This has improved the construction sites and made it easier for the trade unions to co-operate with the client and later on with the contractors.

Before starting up the building of the Øresund Fixed Link, the client company sat up several working parties, where also the trade unions were represented. They were among other things about working environment and recruitment.

As this is about state limited companies the client companies have to behave in a well-regulated way. The client companies can not accept companies which do not follow the collective agreements, the health and safety regulations etceteras.

Common rules across the countries?

When two states, as Denmark and Sweden, decide to carry out a common link, there is no provision saying that they also have to decide common rules for carrying out the building, i.e. common working environment service, etc. In connection with the Øresund Fixed Link there was co-ordination, but no common legislation. This did impede the tasks of the trade unions on both sides of the Øresund.

Therefore the trade unions early on started to co-operate across the Sound, as described under results.

Although Sweden and Denmark are very much alike, big differences are to be found for instance within the social field. Therefore great efforts await to make the region form a whole, when the link opens. The co-operation during the building of the Øresund Fixed Link shows great differences. (The Swedish and Danish trade unions here made a report: "An integrated Öresund region" available in English).

9. Tools

Collective agreement system

The tool of the trade union work is the collective bargaining. The collective agreement made on the Øresund Fixed Link is based on this system. It is dated from the turn of the century, where the employers and the employees agreed upon a set of rules for industrial action. This means a system to settle disputes, so that strikes or lock outs will not occur; whenever there is a conflict on the workplace. Most of the Danish and Swedish labour market is covered by collective agreements and thus the same set of rules.

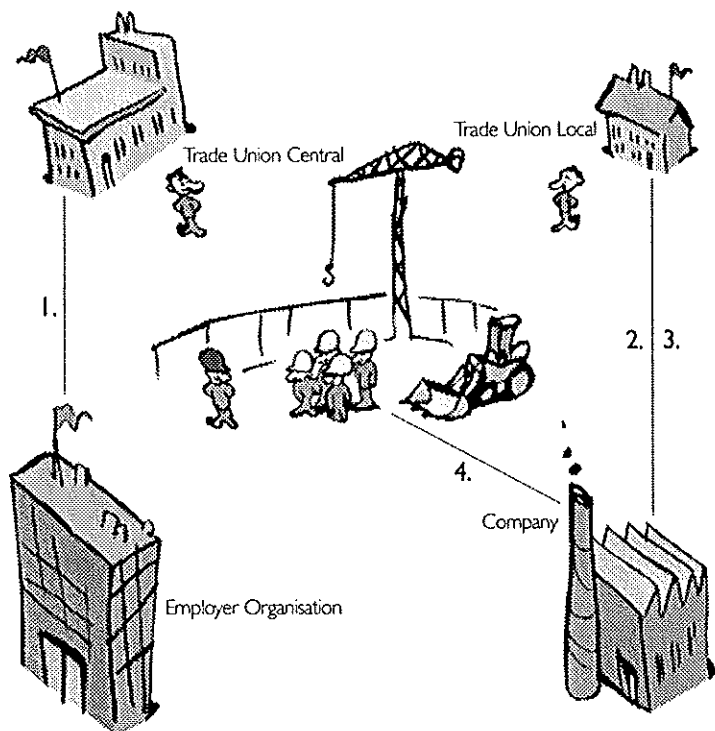
In Denmark we call this system a conciliation or arbitration system to solve disagreements between the employer and the employees. First the disagreement has to be described, after which will be

called for a conciliation meeting. If you cannot come to an agreement, the case must go further - possibly to an arbitration, consisting of the parties and a third party, an arbitrator, as a rule a judge. The arbitrator is appointed by both parties, usually coming from the Supreme Court. In case of disagreement it is for the arbitrator to decide.

The Danish collective agreement system consists of 4 levels:

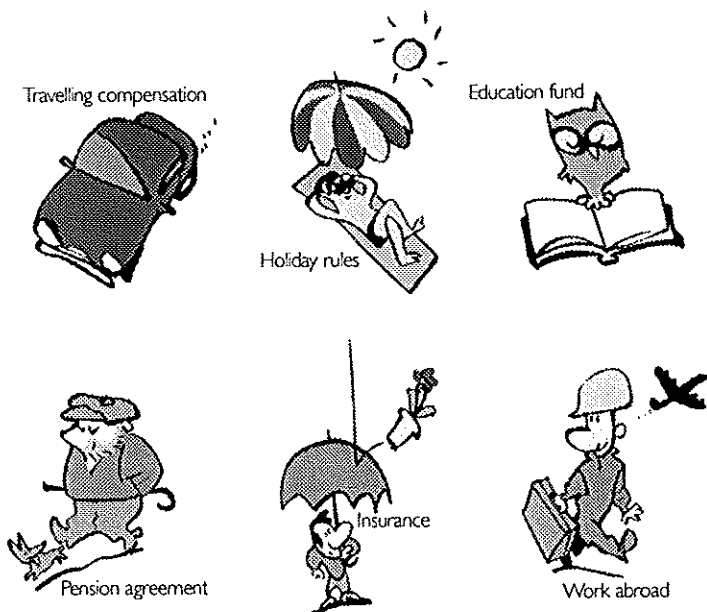
1. The general level, where the general trade union enters into a framework agreement - a collective agreement - with its opponent, the employers' organisation. The collective agreement is applicable to the member companies of the employers' organisation.
2. The individual branch of a trade union enters into an agreement with the companies, which are not member of an employers' organisation. It is a so-called agreement of accession based on the general collective agreement.
3. The local level, where the individual branch enters into specific agreements with one individual company. It might be about a company working with soil preparation, where the employees are often moving. Thus you need a supplementary ad hoc agreement covering this speciality.
4. The plant level, where piece-work agreements are entered into between a gang and the company.

The Danish Collective Agreement System:



In case of breach of settlement the labour law system will be used. (No. 1 of the enclosure shows an example). Concretely it is about the fact that the construction workers in the Nordhavn did cease work, as they were not satisfied with the piece-work negotiations. A few days later the construction workers in Kastrup and Pepperholmen did also cease work. At a joint meeting the following day with participation of the General Workers' Union in Denmark (SiD) and The Confederation of Trade Unions (TUC) on one side and The Danish Contractors' Association and The Employers' Confederation (DA) on the other side, the trade union acknowledged that the stoppage was in conflict with the collective agreement and ordered the employees to resume work the day after.

Content of the collective agreements:



As they would not resume work, the matter was referred to the Labour Court. As appearing from the enclosure the matter was closed by a fine of DKK 22 for each hour of strike. The fine fell to The Employers' Confederation.

If the employer takes up breach of agreement, it goes on as described above, too.

Content of the agreements

The picture shows the coverage of the agreement. Part of the agreement is not only collective agreement. This goes f. inst. for holiday, which is regulated by law, but also covered by the agreements. The agreements are first of all covering wage and working conditions, while f. inst. working environment is regulated by law.

Sweden has a law about participation in decision making

The Swedish law about participation in decision making means that in Sweden has been established a local trade union on the workplace, giving the employees a great influence. Three partici-

pants are to be present at the negotiations. When there are several workplaces within a company employees from these workplaces have to be present, when it is about conditions at their workplaces. In addition to the current information there is a meeting twice a year:

One general agreement is applicable, being the agreement with Byggnads and the opponent, the employers' organisation. This agreement is applicable, no matter if the employee is crane driver, concrete labourer or joiner etc. This makes the union work successful.

The Swedish shop stewards - or the codetermination group - work f. inst. with seniority rights for the different occupational groups. These provisions are to be used when the workplace is going to be closed ensuring the "first in last out" principle. There are different types of employment, but the leading principle is a permanent employment. Before the employer makes any changes, he has to negotiate with the codetermination group.

10. Working hours

The normal working hours are between 7 a.m. and 6 p.m. But many construction workers are coming from far away. It has therefore been agreed that it will be possible to work seven days and then to have seven days off. This implies working twelve hours a day.

This does not meet the trade union demands for working hours, but because of the great project and the fact that the employees are coming from far away, it is necessary having flexible rules.

In addition to the seven plus seven days, they are working five days, where Saturday and Sunday are days off, working again five days and then nine days off. On the high bridge they are working on two shifts from 6 a.m. to 2 p.m. and from 2 p.m. to 10 p.m. Finally, there are some with normal working hours.

Wages

In Denmark the local branch of the trade union visits the individual workplace to enter into an agreement about piece-work. This takes place just upon the upstart of the workplace. Also employed surveyors are suggesting piece-work contracts. But the piece-work contract itself is entered into by the people on the site. The trade union employees are participating as consultants.

The project is doing rather well, as nearly all work in connection with the Øresund is covered by piece-work. The wage level in 1994 was DKK 100 or Euro 13,5 per hour on average, rising in 1998 to DKK 150 or Euro 20 per hour. A general positive development of the employment was also of importance.

In Sweden Byggnads Malmö has also negotiated wages with the subcontractors.

11. Results

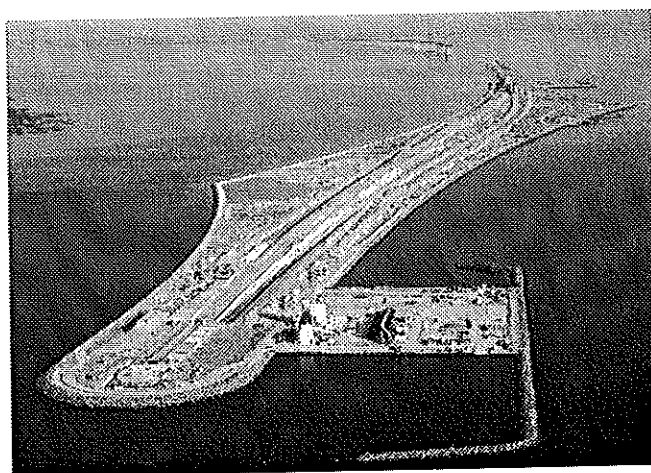
Co-operation between the Danish and Swedish trade unions and branches

The Co-operation between the Swedish and Danish trade unions started very early in the process. It began before the invitation to submit tenders was ready.

A working party with trade unions representatives was set up to compare the provisions about the working environment as well as to compare the Swedish and Danish agreements on the occasion of this joint building project. The trade unions agreed to try to select the best provisions from each agreement for preparation of one common agreement. The co-operation did develop very positively thanks to great efforts of the local branches, but also a great support and assistance from the general trade unions.

The co-operation implies that already before the invitation to submit tenders was ready, a draft from the employees was prepared for a collective Swedish-Danish agreement, which could cover all work on the Øresund. The trade unions had selected the best provisions from the Danish and the Swedish agreement. Therefore the employment conditions should be Swedish and the wage conditions Danish. They also found out that the Swedish health and safety at work act was better than the Danish one.

They assessed that the employers would enjoy the advantage of a collective agreement. But the employers were afraid that the trade unions would be too strong in case of a collective agreement. Therefore the opponent - the Danish and Swedish Contractors' Association - would not negotiate a collective agreement and the work stopped. The trade unions regret that the employers did not accept this offer of a collective agreement. It would not only facilitate the building, but also the integration into the region after the link.



The new artificial island Pepperholm

Agreement between Danish trade union and Swedish employer on the Pepperholm.

A large part of the work of Sundlink, which is the bridge itself, takes place in Danish territory. After negotiations between the

Danish and Swedish trade unions it was agreed that it would be most practical that a part of the work within the Danish territory should follow the Swedish agreements.

Furthermore it was agreed that the work in connection with the bridge building on the Pepperholm - the artificial island - should be carried out according to Danish agreement.

The work at the Pepperholm was complicated by the fact that the employer was locating in Sweden and all the employees were sailed from Sweden, where most of them also were living. It was therefore necessary to adjust the Danish agreement to include Swedish social benefits. The trade unions on both sides of the Sound used a lot of time in close co-operation to examine the differences. The employer did very much appreciate the preliminary work, when the negotiations about the work on the Pepperholm were opened. The employer realized that because of the close co-operation he could not play off the trade unions against each other.

The result was that the Danish agreement should be followed - but incorporating the Swedish social benefits. This meant that the individual employee was employed according to the Swedish conditions of employment, which are better than the Danish ones. The Swedish holidays scheme were also followed and the wages were paid in Sweden. The employees also belong to the Swedish Byggnads unemployment fund as well as the Swedish social security system, among this wage during sickness. The employees were member of the Danish trade union, as working in Denmark. It became apparent, when they during a Danish general strike went on strike together with the Danish construction workers, as they were working in Denmark. The agreement appears from the annex no. 2.

The co-operation bears fruit

As a concrete result of the co-operation between the unions a new agreement has been entered between the Danish union of organisations within the construction industry BAT and the Swedish union Byggnadsarbetarförbundet about working in the two countries. This agreement is an attempt to establish procedures for the co-operation and provisions for the members how to act organizationally, when working in the other country. The agreement also proves that as a minimum the collective agreement of the working country has to be followed. The agreement is based on a Nordic agreement between the Nordic unions about working in another Nordic country.

The local trade unions have made a comparison of the working environment in Denmark and Sweden, where Sweden has a lower number of work-related accidents than Denmark. The Swedish demands for education of supervisors are more extensive and the Swedish companies have a greater liability for damages than is the case in Denmark.

Further, they have prepared a guide for those living on one side of the Sound and working on the other side. This guide states that before starting to work in the other country, you have to contact the trade union, the unemployment fund and the taxation authorities. It contains information on trade union questions, unemployment benefits, laws and agreements as well as taxation, pension and sickness.

On basis of the good co-operation during the bridge building process the trade unions are expecting that it will go on after the opening of the bridge. Thus the national agreement system will not be undermined, as seen in for example Berlin with much illegal labour. Because of the good co-operation the employer is not able to play the trade unions off against each other. They will act as one trade union.

The close co-operation has shown that the national trade unions and the local branches are able to control a large construction site, when willing to co-operate and inform each other well in advance of the upstart of the project. By behaving the same way towards the employers, it is possible to get very far in stead of the fact that the employer would be able to play on the disagreement between the trade unions. When the co-operation is an open process with confidence to each other, it is the attitude of the Danish and Swedish trade unions that there is no need of one European trade union. On the contrary it is important that the co-operation and the great efforts for such a large project are carried out by local efforts and supported by the general unions. But an European trade union as EFBWWV can be beneficial in co-ordinating the effort of the various unions, when many nationalities are present on a construction site.

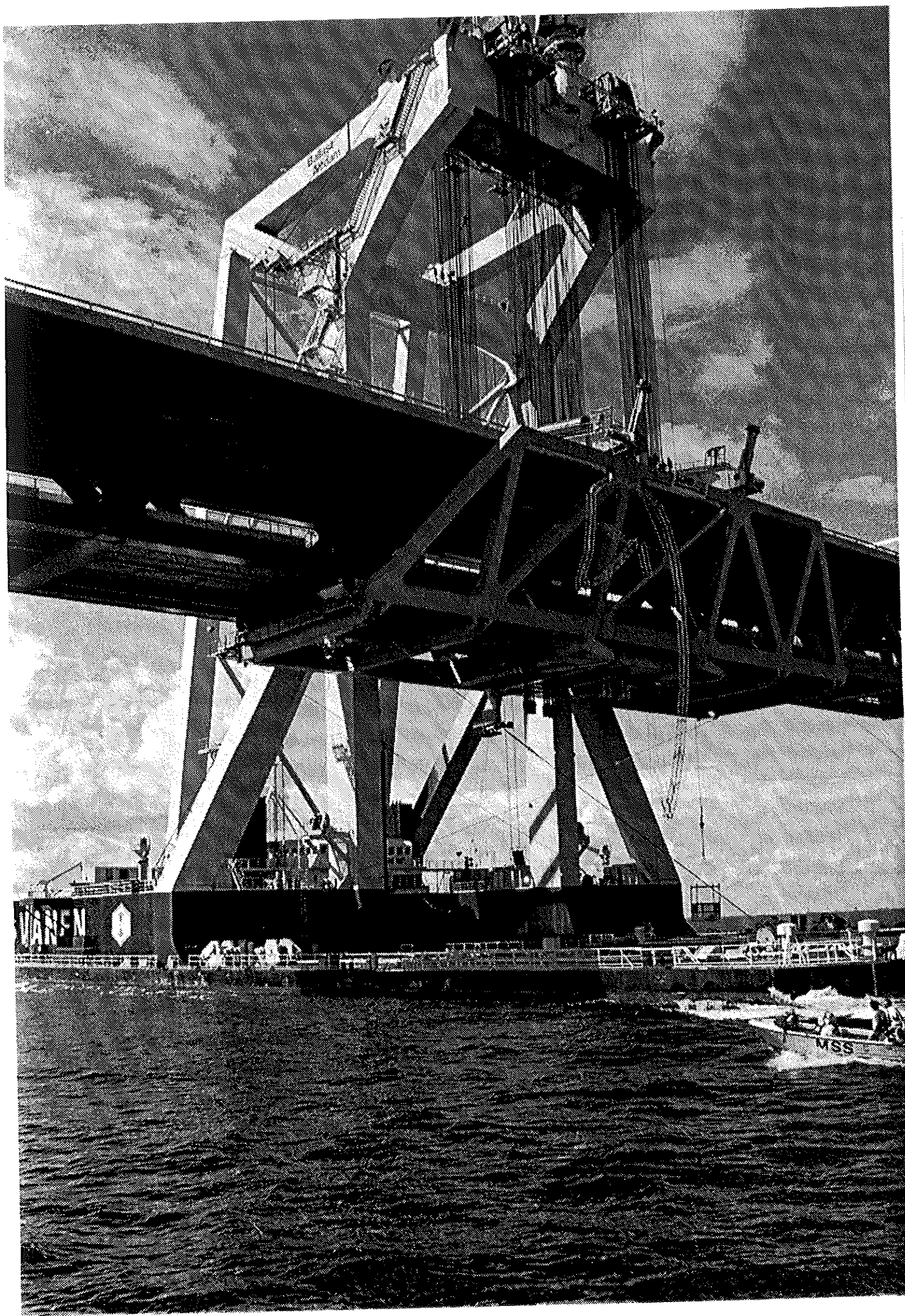
IV WORKING ENVIRONMENT - HEALTH AND SAFETY

12. Working environment just as important as the other parameters of the bridge building

As mentioned in chapter 2 the national limited companies as the client would also develop the construction sector as to the surroundings, working environment and technical knowledge. The Øresund Fixed Link has therefore further developed the quality control programme of the Great Belt Link. In principle it is about the fact that the environment - the surroundings and the working environment - are as important as for instance the correct cast of concrete as to the quality control.

Furthermore the client company, Øresundskonsortiet, started a successful campaign for a better working environment.

By casting of concrete the working environment must be one of the parameters to fulfil the contractor's aims of quality and to get



his payments on account. If the concrete is not technically correct, if the environment around the concrete and the working environment by casting of the concrete is not as it should be, the contractor's concrete will get no approval and consequently he will not get his payments on account.

13. Co-operation at an early stage in the process

The Øresundskonsortium set up a working environment group in 1993 already before preparation of the contract material. The group consisting of trade unionists and the working environment service contributed with input how to prepare the contract material - which demands to include in the contract material. The group gave good advice, which was mostly taken.

The group still convenes four times a year. Representatives of the general unions are participating in the group.

The Danish and Swedish authorities compared the health and safety at work act of both countries. They showed up to be very equal, as both countries have implemented the EU directive about mobile construction sites.

14. Tools for a better working environment

A co-ordinator has been employed and a health and safety plan prepared according to the directive about mobile workplaces. Further, the Øresundskonsortium demands a safety plan with the individual contractor.

The individual contractors must according to their contract ensure the safety work on their sphere of contract and there is a security supervisor and security groups for each sphere of contract. Thus, there is a great security organisation for each of the projects, - the tunnel, the bridge, the digging, the railway, the communication and the traffic control.

The Øresundskonsortium, having a co-ordinating security council, examined the quality plans and working procedure to find out, whether the working environment has been taken into account. It is the role of the co-ordinator to gather up the threads of all safety work of the project.

The client has one project leader for each security organisation. He monitors that the contractor keeps the safety agreement as well as laws and provisions about health and safety.

The monitoring engineers visit the site every day to see, if the contractors are meeting the contract. The contractors are independent (Design and Construct) and have got a task to perform

themselves. But the Øresundskonsortium is of the opinion that they have to some extent to follow and monitor the work.

The Øresundskonsortium gets orders from the working environment service, which is following closely the project. The Øresundskonsortium considers these orders as a help to monitor the contractors. The orders are not considered as a misplaced intervention in the project. The orders are used towards the individual contractor to know, how he intends to establish the building process, while at the same time meeting the rules. It could be about work without a safety helmet, missing railings, blocked emergency exits or insufficient information on the use of precautionary measures.

There is also an emergency group meeting once a month with the police, the fire authorities and the rescue authorities to be sure of the emergency measures. It is very important to be able to treat an injured person immediately.

A book about how the Øresundskonsortium has integrated the quality control into the working environment system is available.

15. The campaign - a further step

To get a long step forward improving considerably the working environment it was discussed very early in the Øresund project how to encourage the 3.000 employees to work for a better working environment. It should be in force from the station of Copenhagen to the station of Malmö. It was discussed how to make the parties involved to understand that the client seriously wanted a good working environment, a good bridge as well as a good behaviour on the project.

The result was a working environment campaign starting the same day as the landworks on the Danish side. The campaign should not replace the present rules of working environment, but build up on them.

This campaign does every year award a prize for the best workplace. The prize is used for an evaluation of each workplace. The system is very simple, - three points for the extremely well-funded workplace. The site must be clean and tidy and every rule observed. You have to do extraordinary good things and provide for good instruction of the staff. You will get one point for normal good standard and minus three points, if the standard is low.

The evaluation is made by a team visiting the sites - each week a new site for evaluation. Every six months a prize of DKK 25.000 is awarded and the winners get the Yellow Jersey and a diploma. There will also be a party with non-alcoholic champagne, as alcohol on the site is prohibited.

Further to this a folder with the campaign slogan: "One accident is one too many" has been prepared. The folder informs against mess and disorder and tells about the good and healthy "beaver", which is the campaign mascot. It appears all over the project. Posters with special warnings are hanging at the dangerous places.

A newspaper available in Danish, Swedish and English is issued four times a year, informing on the whole project. It contains a statistic of accident, stories about how people are living, etc. The newspaper is delivered to each employee.

Each new employee of the project has to watch a video film. It is an introduction film asking everyone to exercise caution on the workplace.

Successful campaign

The campaign has had an effect. The aim of halving the number of reportable accidents has so far been achieved. In general the Danish construction sites have 35,4 accidents per 1 million working hours. The number of accidents for the whole Øresund project for the month of August 1999 was just about 17. However, the project has succeeded in reducing the number of accidents on the Øresund Fixed Link to less than half of this.

If we also include missed working hours and the expenses of the public authorities - the Konsortium has by the campaign, which costs about half a million DKK a year, saved the employees and the public authorities DKK two million. That is the immediate effect of the campaign. To this end the Øresundskonsortium and the contractors are highly committed.

16. The experiences of the trade union

The trade unions are very satisfied with the campaign, as it has changed the attitude towards the working environment. The working environment has now become a more natural part of the building process. The campaign prize is regarded very positively and everyone endeavours to obtain the prize. The mass media write about the campaign enabling the general public to pay attention to the working environment of the construction industry. It is as well gratifying that the rising curve as to the work-related accidents has been stopped. In Denmark we get after 14 days of sickness sick pay to the amount of DKK 70 per hour. The time rate of wages is DKK 150. Thus it is very valuable for the individual workers private economy as well to avoid accidents.

The most important result is that the campaign has moved the ideology from the working environment and made it a technical problem. The Øresund Fixed Link has included the safety work in the projects as to be monitored. When the safety conditions are described as a technical condition it is easier to monitor and avoid to discuss, whether it is opportune having a scaffold or a ladder. Just as there will be no discussion where to place the doors of a house, when stated on a drawing, there will be no discussion either of the safety arrangements on the Øresund Fixed Link. They are stated on the drawing, too.

In Denmark the Øresund project differs from the other building projects, although the same companies are present on the site. The trade unions are endeavouring to transfer this concept to other building and construction sites. An agreement with the Airport of Copenhagen has been entered, implying that they are using the same concept in connection with their building.

HEALTH and SAFETY STATISTICAL REPORT

Øresundskonsortiet	REPORTABLE ACCIDENTS - STATISTICS Denmark & Sweden				Period: maj/99	
Contractor	No. of employees	No. of workhours	No. of accidents	Work hours lost due to accidents this year	Accident Frequency	Loss Frequency
		This year	This year		(A)	(B)
Tunnel Contract	522	507653	14	1418	27,58	2,79
Dredging & Reclamation Contract	150	178064	0	0	0	0
Bridges Contract	1230	1145120	12	2160	10,48	1,89
Railway Contract	26	9433	0	0	0	0
Communication Contract	23	16068	1	24	62,24	1,49
SCADA Contract	16	2853	0	0	0	0
ASØ Railway	65	32829	2	267	60,92	8,13
NCC	65	45700	0	0	0	0
Total	2097	1937720	29	3869	14,97	2
(A) = No. of accidents, this year No. of workhours, this year/1.000.000				(B) = No. of hours lost due to accidents, this year No. of workhours, this year/1.000		

Danish Employers Organisation Statistics for Construction Works, 1998 shows
Working Environment Service Statistic for Earth, Concrete and Pavement Works, 1997 shows
Reportable accidents are accident with more than one day absence

35,4
22,4

3

Source: Øresundskonsortiet

V CONCLUSION

The Øresund Fixed Link may be considered as a successful building project. Although it is a large construction site with many persons involved, the project is doing well at all levels. It is still expectable to keep the schedule as per July 1, 2000, which is in itself impressive for such a large building project.

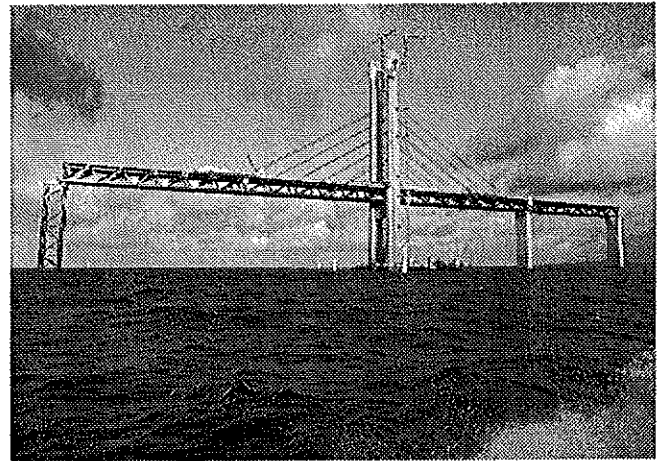
Also from a trade union point of view the project is very successful. The working conditions are good, especially the working environment.

This is due to the following facts:

- The client decided very early, before the tender procedure, that the project should be better than building projects normally are. They decided for special efforts. All parties - including the trade unions - were early invited to bring up ideas to ensure a good construction site.
- The client made demands for a good construction site at the tender procedure already. The working environment - health and safety - was given the same priority as the other technical conditions in the tender material. The demands for the security organisation were more extensive than required by the current provisions about inviting tenders for building projects. The demands for a good working environment was not brought up for discussion. They had to be followed under the same conditions as other quality demands for a perfect concrete, etc.
- The trade unions on both sides of the Sound - in Denmark and in Sweden - early met to on-start a co-operation, which should last the whole project period.
- The co-operation lasted the whole project period, so that the trade unions on both sides of the Sound acted as one trade union towards the employers.
- The local unionists on both sides of the Sound were very engaged and received a great support from the general trade unions.

Use the experiences elsewhere in Europe

- As mentioned before it is an important factor that the client makes demands for the working environment at the tender procedure already. The Øresundskonsortium decided so, as they thought to have a special obligation being the national limited company as well as the client for such a large building project.



The EFBWW-affiliates could have in view to incorporate this attitude in every national building project, especially projects with financial support from the EU. Here we have to demand that in EU these are used constructively as to change the building process in a positive respect, when they are giving financial support.

STATEMENT OF CLAIM:

At 6.30 am on 14th March 1997 the defendant members of the General Workers' Union in Denmark established a collective stoppage in contravention of the agreement at Øresund Tunnel Contractors I/S at the Nordhavn site due to dissatisfaction with the on-going piece-rate negotiations. Work was resumed on 14th March 1997 at 1.00 pm, but on 17th March 1997 at 6.30 am the same employees stopped work again due to the same reasons.

The stoppage at the Nordhavn site triggered of a collective sympathy stoppage on 17th March 1997 at 10.15 am and at 11.00 am respectively which was in contravention of the agreement, and which was established by the defendant members of the General Workers' Union in Denmark at Øresund Tunnel Contractors I/S at the Kastrup and "Peberholmen" sites.

The case concerning the stoppage at the Nordhavn site was treated at a joint meeting on 17th March 1997, at which the representatives of the employees acknowledged that the stoppage was in contravention of the agreement, and the representatives of the employees undertook to order the employees involved to resume work no later than the 18th March 1997 at the start of normal working hours. The minutes from the joint meeting are presented as **Annex 2**.

The cases concerning the stoppages at the Kastrup and "Peberholmen" sites were treated at a joint meeting on the 18th March 1997, at which the representatives of employees acknowledged that the stoppage was in contravention of the agreement, and the representatives of the employees undertook to order the employees involved to resume work no later than the 19th March 1997 at normal working hours. The minutes from the joint meeting are presented as **Annex 3**.

It is held as a separate issue that the stoppages form part of a systematic action inasmuch as it is held that the stoppages at the Kastrup and "Peberholmen" sites are systematically connected to the stoppage at the Nordhavn site.

In breach of the obligations imposed at the joint meetings the employees continued the stoppages in contravention of the agreement, and since they are still occurring, we request that the matter be proceeded with immediately.

THE DANISH EMPLOYERS' CONFEDERATION

Knud Erik Linius

/Peter S. Stenholm

Annex 1: List of names (will be forwarded as soon as possible)

Annex 2: Minutes from the joint meeting of 17th March 1997

Annex 3: Minutes from the joint meeting of 18th March 1997

At a joint meeting today in The Danish Employers' Confederation a complaint raised by the Danish Contractors' Association was considered. The complaint concerned the fact that a number of members of the General Workers' Union in Denmark employed by Øresund Tunnel Contractors I/S, Amagerstrandvej 60-64, 2300 København S at the Nordhavn site have established a collective stoppage in contravention of the agreement on 14th March 1997 at 6.30 am.

At the time of the joint meeting the stoppage was still going on.

The case was negotiated.

The representatives of employees acknowledged that a collective stoppage in contravention of the agreement is taking place today, and they undertook to order the employees to resume work as soon as possible, though no later than 18th March 1997 at the start of normal working hours.

With regard to the 14th March 1997 the representatives of the employers were of the opinion that work had not been resumed until 1.00 pm while the representatives of the employees partly made reservations with regard to the time stated and partly were of the opinion that union meetings held in the cabins were condoned by management.

In relation to this, the representatives of the employers pointed out that on 14th March 1997 management had only permitted a briefing session for the members of the gang.

The representatives of the employers stated the reservation that they would refer the matter to the Labour Court if work had not been resumed as indicated above.

Copenhagen 17th March 1997

The Danish Confederation of Trade Unions

The Danish Employers' Confederation

General Workers' Union in Denmark

Danish Contractors' Association

At a joint meeting today in The Danish Employers' Confederation a complaint raised by the Danish Contractors' Association was considered. The complaint concerned the fact that the stoppage at the company's Nordhavn site had triggered off a number of members of The General Workers' Union in Denmark employed by Øresund Tunnel Contractors I/S, at the Kastrup and "Peberholmen" sites to establish collective sympathy stoppages on 17th March 1997 at 10.15 am and 11.00 am respectively.

At the time of the joint meeting the stoppage was still going on.

The case was negotiated.

The representatives of the employees acknowledged that the stoppages were in contravention of the agreement, and they undertook to order the employees to resume work as soon as possible and no later than 19th March 1997 at the start of normal working hours. The representatives of the employees, however, made reservations with regard to the above stated times of the stoppages.

The representatives of the employers held that the stoppages formed part of a systematic action; this was denied by the representatives of the employees.

The representatives of the employers stated the reservation that they would refer the matter to the Labour Court.

Copenhagen 18th March 1997

On behalf of
The Danish Confederation of Trade Unions

On behalf of
The Danish Employers' Confederation

On behalf of
General Workers' Union in Denmark

On behalf of
Danish Contractors' Association

In a collective agreement entered into on 4th April 1997 by Sundlink Contractors HB and the General Workers' Union in Denmark (SiD) it was agreed that the Danish collective agreement was to apply to Sundlink's work on the Danish island of Peberholmen. Sundlink is now a member of the Danish Contractors' Association.

Sundlink and SiD, Kastrup have agreed on a number of derogations and clarifications, as described below:

- §1 The basis of the agreement is that the skilled workers of Sundlink working on Peberholmen are, for taxation purposes, residents of Sweden and that they with regard to their insurance, have been seconded to Denmark from Sweden; they thus remain in the Swedish social security system and are covered by the so-called AMF-insurance system. Sundlink commits itself to apply for a so-called secondment certificate, E101, for the employees in question.
- §2 Holidays (and the like) and other non-working days will, with regard to work, follow the Swedish calendar and Swedish practice.
- §3 Provisions regarding pension including provisions on early retirement and partial pension must adhere to Swedish legislation and Swedish agreements. As the employees are covered by the Swedish social security system it thus applies that the ATP-payment (except own payment) is paid by the employer to the Swedish ATP-system (Labour Market Supplementary Pension).
- §4 Wages and other payments are paid in Swedish Kr. In case of comparisons with wages expressed in Danish Kr. any conversion must take place according to the current rate in Denmark.
- §5 If work has to be stopped - completely or partially - due to adverse weather conditions, then the provisions applicable correspond to those in the agreement in force at the time in question between the Swedish Contractors' Association and the Swedish Building and Construction Workers' Union (The Building and Construction Agreement)
- §6 The rights and obligations of the employees and the employers respectively with regard to health and safety are those applicable according to Swedish legislation and the Building and Construction Agreement and within Sundlink.
- §7 Form and periods of payment must follow rules applicable in Sundlink.
- §8 Public holiday payment must follow the agreement in force in Denmark between the Contractors Association and SiD.

- §9 Rules applying to sickness and holidays are to be in accordance with Swedish legislation and with the rules in force in the collective agreement.
- §10 The payments according to §45 in the Danish agreement are not to be added. Sundlink commits itself to set aside a corresponding amount for education, leisure time and/or similar purposes. The employees must be consulted when decisions are made as to how the money should be spent.
- §11 Rules applying to working clothes and protective clothing must follow what has been agreed in §6 above.
- §12 Provisions with regard to travel are to be in accordance with Swedish legislation and the rules in force in the collective agreement.
- §13 Sundlink commits itself - after having received written authorisation - to withhold and to forward to SiD, Kastrup trade union dues.
- §14 The parties agree that the rules applying to shift work arrangements for the employees on Peberholmen are subject to an MB-negotiation.

It must be noted that the representatives of the employees of Sundlink and the representatives of the Building and The Constructors Association in Malmø have participated in negotiating this agreement.

This agreement shall be endorsed by the Danish Contractors' Association and the General Workers' Union in Denmark.

Kastrup 7th January 1998

SUNDLINKS CONTRACTORS HB

SiD Kastrup and District

Endorsed:

The Danish Contractors Association

General Workers' Union in Denmark (SiD)