

## JOINT STATEMENT

### EU Sectoral Social Partners in the Private Security Services

#### In Response to the Social Partner Consultation on the EU Quality Jobs Roadmap

CoESS and UNI Europa appreciate the recognition that social partners will play a central role in the process of developing an EU Quality Jobs Roadmap. We thereby underline that the private security sector exemplifies the complex landscape described in the Commission's background note. Key challenges include:

- Labour and skills shortages in a growing and increasingly complex market due to the security situation in Europe.
- Unlawful competition, including under-declared work and wage dumping, exacerbated by the inadequacies of the EU Public Procurement Directives and awarding practices that focus by large majority on the lowest price instead of quality criteria, such as qualitative working conditions.
- Digital transformation, particularly through AI and algorithmic management, reshaping jobs and driving change in the industry for the long-term.

As outlined in our EU Sectoral Social Dialogue Work Programme 2024–2025, our shared objective is to strengthen collective bargaining and social dialogue in the European private security services sector. These are essential pillars of the European social model and are key to achieving fair wages, decent working conditions, and resilient labour markets in light of the outlined challenges.

However, we are surprised and concerned that one of the horizontally most impactful tools to improve job quality - public procurement - is not addressed in the Commission's background note. This omission overlooks a critical barrier and enabler to quality employment, particularly in essential sectors such as private security that will be critical for the implementation of the EU Preparedness Union. As Enrico Letta rightly states in his EU Single Market Report, "public procurement regulations must ensure that contracts foster the creation of high-quality jobs, characterised by fair wages and conditions underpinned by Collective Agreements."

#### Leverage the EU Public Procurement Directive to promote quality jobs

We urge the Commission to make the ongoing revision of Directive 2014/24/EU on public procurement a core pillar of the Quality Jobs Roadmap.

From the view of CoESS and UNI Europa, the current Directive hinders the implementation of EU strategic goals, because rules provide loopholes for unlawful competition and do not provide public buyers with legal certainty to award quality, e.g. in terms of training and working conditions of staff.

As per the most recent European Parliament Study on Public Procurement, most EU Member States award between 60% to 95% of public tenders based solely on the lowest cost. This "lowest-cost approach" undermines collective bargaining, quality jobs, sustainable business conduct, attractiveness and competitiveness in the private security services. Despite its objectives, the current Directive failed

to promote the “Most Economically Advantageous Tender” principle and incentivises a race to the bottom in working conditions and, from the view of the security services industry, weakens public security and preparedness. In the private security sector, a significant share of jobs is linked to publicly procured services. However, the current procurement framework fails to foster quality employment:

- Social clauses are too often ignored by public buyers, because Article 18 of the current Directive leaves legal loopholes.
- Article 67’s weak language on awarding contracts based on the “most economically advantageous tender” allows public authorities to disregard collective agreements and quality-related social criteria such as training and working conditions.
- This legal uncertainty leads to a race to the bottom, weakening collective bargaining and undermining job quality and public safety outcomes.

A revision should have the objective to help implement EU’s strategic goals, including of the European Pillar of Social Rights, the Porto Declaration and the EU Preparedness Union Strategy, such as :

- Strengthening of Social Dialogue, Collective Bargaining and fair competition – and with it the European social model.
- High-quality jobs with fair wages and working conditions, underpinned by Collective Agreements and adequate training, to support inclusive growth.
- Economic and societal resilience, ensuring the security of critical infrastructure and availability of essential services such as private security, including during public emergencies.

From the view of the EU Sectoral Social Partners in private security services, we recommend the European Commission to simplify the current Directive and provide legal certainty for buyers to award and enforce quality. We therefore call for a revision along four lines:

1. Legally mandatory bidder compliance with labour and sectoral legislation, as well as Collective Agreements (where they exist), as selection criteria.
2. Legal clarity on awarding criteria which prioritise quality jobs and preparedness, with an obligation to use at least 60% quality criteria over price.
3. Legal basis for execution criteria that ensure enforcement of quality awarding criteria.
4. Legally mandatory clauses that allow for price revisions tied to changes in Collective Agreements, labour and fiscal law, and annual inflation rates above the 2% target of the ECB.

Without these reforms, the Quality Jobs Roadmap risks missing one of the most direct levers for improving employment conditions in Europe. The detailed position of CoESS and UNI Europa on the revision can be found in their joint contributions to the respective EU Social Partner consultation and call for evidence.

## **Commitments of CoESS and UNI Europa to the Quality Jobs Roadmap**

Through their EU Sectoral Social Dialogue Committee, CoESS and UNI Europa further commit to activities that aim to ensure qualitative working conditions, to promote the retention of workers through re- and upskilling, and to accompany a just transition of the sector for both companies and workers that reflects the growing expectations of law enforcement, other public authorities and

private clients towards private security services. Please find here our commitments, together with further recommendations for action at EU- and national level.

#### **Fair working conditions:**

- Work with the European Labour Authority (ELA) on solutions to tackle un- and underdeclared work in the private security services. On request of CoESS and UNI Europa, the ELA has already started in-depth research on the matter, which we pro-actively support.
  - We recall the finding of the ELA report on policy responses to prevent undeclared work in public procurement that low-cost focused procurement promotes undeclared work.
- Following up on our Joint Declaration on “[Diversity, Equality, Inclusion and Non-Discrimination in the European private security services](#)”, we will address equality, diversity and inclusion issues (such as the ageing of the workforce, women, LGBTQIA+, persons of colour, persons with disability) through highlighting national examples.
  - We welcome opportunities for EU and national Social Partners to access EU funding for anti-discrimination initiatives. This support can be very useful for addressing sector- and country-specific challenges, improving data collection, and deepening understanding of the root causes of discrimination.

#### **Digitalisation:**

- Building on our EU-funded Anticipating Change in Private Security Services in 2019 and our ongoing work which includes exchanges on the impact of AI in the security services sector, we will help Social Partners understand, anticipate and manage drivers of employment change related to digitalisation and engage with public authorities, client stakeholders and technology providers. This structural transformation requires a strong Social Dialogue and the empowerment of Social Partners to pro-actively and collectively address the matter.
- With the emergence of AI-powered security solutions, application of legislation, such as the EU AI Act, EU initiatives on AI literacy and procurement practices must guarantee that oversight of high-risk technologies is carried out by skilled, trained professionals. AI is not merely changing the way individual tasks are performed, nor does it simply lead to task-level automation or augmentation. It has the potential to transform workflows, decision-making structures, services and business models. Action on AI literacy is required both at EU- and national level. This is why we call for a human-centred approach on algorithmic management and AI at the workplace based on guaranteeing the right to collective bargaining on AI.

#### **Fair transitions:**

- Actively support the implementation of the Preparedness Union Strategy and the Preparedness Task Force, notably with regard to a better recognition of the essential contribution of the security services sector and its workers to crisis management and preparedness in Europe. This includes in particular ensuring decent working conditions, adequate training, and fair pay to attract and retain skilled personnel, and making careers in private security services more appealing and sustainable.

- Given the current security landscape, we call on the European Commission to enter rapidly in a structured dialogue with Social Partners on this important initiative and discussion on how to enhance preparedness in a whole-of-society approach, with a focus on sectors relevant for crisis management such as private security.
- Continue to address the issues of labour and skills shortages, retention and labour turnover and follow-up on the outcomes of the EU-funded Social Partner Projects conducted by CoESS and UNI Europa, including the currently running INTEL: NextGeneration and RETAIN II projects. We will thereby investigate how the sector can better accommodate the requirements and expectations of women, young workers, minorities, LGBTQ persons, and how training systems and curricula can both enhance attractiveness and address current and future skills shortages in the sector.
  - We see further need for EU action on improving skills intelligence, skills development, and activation of underrepresented groups in the labour market – notably in sectors essential to the implementation of the EU Preparedness Union such as private security.

These commitments align with the three pillars of the Roadmap: fair working conditions, digitalisation, and fair transitions, and reflect our proactive approach to shaping the future of quality work in Europe.

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