

Collective Bargaining Agreement for the insurance sector 2021-2023



OGB-L
Finance sector

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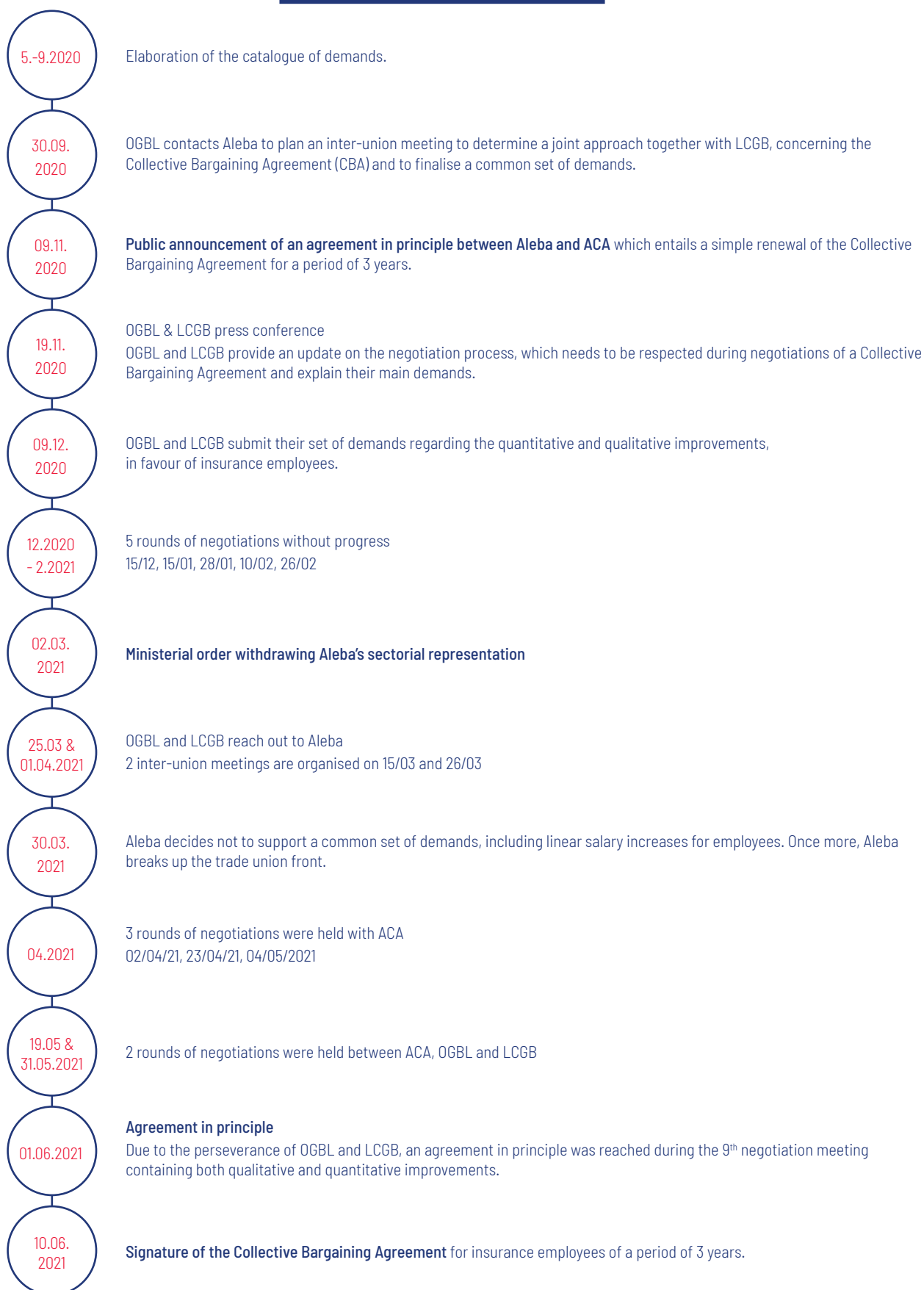


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Timeline of negotiations



Renewal of the Collective Bargaining Agreement for employees of the insurance sector

In light of the renewal of the Collective Bargaining Agreement (CBA) for employees of the insurance sector, OGBL invited Aleba in September 2020, to draw up a joint set of demands.

However, we did not receive a response up until November 9th, when we learned through a press release, that Aleba had reached an agreement in principle with ACA. This agreement called for a simple renewal of the existing Collective Bargaining Agreement for 3 years, without any financial or qualitative improvements.

The uncertainty about the impact of the COVID crisis on the results of the insurance sector was used as an argument to justify this approach. We considered this unacceptable in light of the undeniable performance of the insurance sector as a whole and deemed this proposal, devoid of any substantive argument, an affront to the interests of the sector and its employees.

Although the law stipulates that all signatories of the Collective Bargaining Agreement must meet in a joint negotiating committee for negotiations, the nationally representative trade unions OGBL and LCGB were not involved in the discussions between ACA and Aleba.

We were shocked by this blatant violation of the law.

From a trade union perspective, the steps undertaken by Aleba are unacceptable. Initiating the agreement and not even making an effort to fight for the interests of the employees they represent, allowing themselves to be appeased by weak arguments from the ACA, is unacceptable and unworthy of a trade union that claims to be fighting in the interest of workers.

In this context, and judging that Aleba's actions were detrimental to the interests of employees, OGBL and LCGB took the matter to the Minister of Labour to challenge Aleba's sectoral representativeness, as defined in the national Labour Code. The rationale for this action are linked to Aleba's results in the last social elections, in which the trade union did not obtain the necessary percentage of votes required to qualify for sectoral representativeness.

On December 9th, 2020, OGBL and LCGB submitted a joint catalogue of demands to ACA. At a financial level, this catalogue contained demands for linear wage increases for all employees, as well as qualitative improvements, such as the right to disconnect, work-life balance, teleworking and the right to a minimum of 5 days' social leave for all employees.

Hereafter, 5 rounds of negotiations took place.

ACA made it clear from the beginning that they would not accept any linear wage increase for all employees and that any other demand that went beyond the initial agreement signed with Aleba would be refused.

It goes without saying that the negotiations were extremely tense and Aleba's over the top conciliatory approach to the employers' position significantly complicated the discussions. It must be made clear that to the two nationally representative trade unions, Aleba's position was incomprehen-

sible as it became increasingly difficult to see whose interests Aleba was actually trying to protect.

On March 20th, 2021, the Minister of Labour confirmed, on the basis of a detailed report issued by the ITM, that Aleba would be stripped of their sectoral representativeness, due to the results of the last social elections.

After the ministerial decision, OGBL and LCGB contacted Aleba, suggesting to draw up a joint catalogue of demands which could then be submitted to ACA. The objective was to form a united trade union front. To our great surprise, Aleba stuck to their original position: they would, not under any circumstances, demand a linear increase for all employees, on the pretext that ACA would categorically oppose such a demand.

The loss of the sectoral representativeness was confirmed by the courts on May 4th, 2021. A final judgement in this case is expected by the end of the year.

The court's confirmation of the withdrawal of Aleba's sectoral representativeness made it possible to conduct constructive negotiations in the interest of the employees of the insurance sector. ACA finally had to concede that OGBL and LCGB were essential partners in the negotiation of this collective agreement.

Two negotiation rounds without Aleba's presence were sufficient to negotiate linear wage increases for ALL employees in the sector.

This is due to the efforts and determination of OGBL and LCGB.

Finally, an agreement for the renewal of the collective bargaining agreement with both qualitative and quantitative improvements was signed on Thursday, June 10th, 2021.

The agreement includes almost the entirety of our 2019 social election programme, a programme that OGBL had drawn up together with its candidates and staff delegates in the insurance sector. Hence, we have kept our word to achieve these improvements for the employees.

Thank you for your support.



Véronique EISCHEN
Member of the Executive Board
SecFin Central Secretary

Details of our achieved improvements

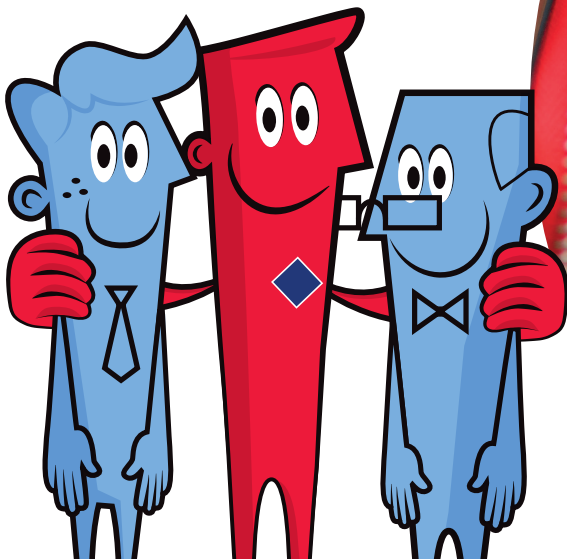
1 - 1. Wages

Financial improvements for all salary scales:

- ▶ An increase in the thresholds of the salary scales
- ▶ An increase in the three-year guarantee:
 - Between the starting salary and threshold 1: employees benefit from an increase in the three-year guarantee from 15 to 18 (index 100) gross;
 - From threshold 1 to threshold 2 :
 - employees benefit from an increase in the three-year guarantee from EUR 9 to EUR 12 (index 100);
 - the annual performance amount which is granted to 67% of employees has been increased from 3 to 4 (index 100).
- ▶ A one-off «COVID19» bonus of EUR 500, is to be paid with the September 2021 salary.

2 - Job security

- ▶ Commitment of the employer to discuss with the trade unions represented in the staff delegation and/or signatories of the CBA to put in place a job maintenance plans before any restructuring/reorganisation for economic reasons in companies.
- ▶ The Joint Committee is responsible for carrying out an analysis and mapping out job functions in the sector in order to check whether the existing functions of the CBA still correspond to the realities in the field and the needs of the insurance sector.





3 - Organisation of working time

► Right to disconnect

- At company level, a system ensuring the respect of the right to disconnect outside working hours must be defined. The system should be adapted to the particular situation of the company.
- The terms and conditions of this specific system have to be defined in accordance with the rights of the staff delegation or company's employees, if there is no staff delegation.

► Interprofessional agreement on telework

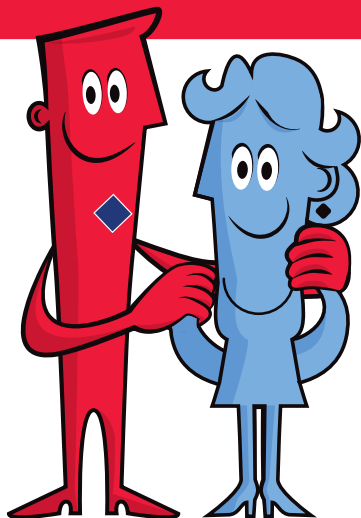
- The interprofessional agreement on telework, signed on October 20th, 2020 between UEL, OGBL and LCGB, has been integrated into the CBA.
- In accordance with article 8, the employer has to compensate the costs directly linked to telework up to a minimum of 3€ ind.100 per month, when telework is done on a regular basis.

► Right to an individual social leave

- Right to an individual social leave of at least 5 days per year; companies are free to increase this minimum threshold. The modalities of this leave will have to be defined within each company between the staff delegation and the employer before December 31st, 2021.

► Time Savings Accounts (TSA)

- Set up of an agreement on Time Savings Accounts (TSA). Upon request of the staff delegation, insurances will have to enter into negotiations regarding the implementation of a TSA within 30 days. The TSA will allow employees to save hours within the legal and conventional limits as well as in agreement with the employer. The staff delegations must include a draft agreement in their request addressing the points that need to be negotiated. If the employer refuses to enter into negotiations, the staff delegation may refer the matter to the Joint Committee. **The TSA must respect the principles defined in Art. L.235-1 et seq. of the Labour Code (law of April 12th, 2019)**



4 – Well-being at work

► Prevention of psychosocial risks

- Structured measures for the prevention of psychosocial risks; The social partners are committed to significantly improve the prevention of psychosocial risks and the quality of life in the workplace. The Joint Committee, in cooperation with the ASTF, will organise a meeting to review wellbeing in the sector at least once a year and may decide to bring in changes based on this report. Companies, in collaboration with their respective staff delegations, will put in place structured measures enabling employees to become involved in this process. This can be done by giving employees the opportunity to propose improvements for working conditions and offering the opportunity to develop personal resources to prevent and deal with the identified risks.

► Improved work-life balance

- Commitment to negotiate an agreement within each company for a better work-life balance of insurance employees. At the request of the staff delegation, insurances are obliged to discuss an agreement to better reconcile work and private life. **Procedures and discussions on the subject should cover at least the following subjects :**
- reduction of working time (e.g. part-time) ;
- reduction of fixed-term working time: application procedures, duration, selection criteria (e.g. children under the age of 12, employees over 50 years, further training, etc.)
- flexible working hours: starting the work day at a later hour, ending each day an hour early, 4-day week;
- setting up time savings accounts (TSA);
- absence from work for reasons of force majeure: definition of force majeure and possibilities to recover lost hours, such as deducting them from paid leave or from the TSA or allowing telework.

5 – Adjustement and clarification of existing articles of the CBA

- Annual leave of 26 days, plus age-related leave;
- Inclusion of the Europe Day (May 9th) as a public holiday;
- Clarification of the scope of application of the CBA, in particular with regard to the 4 cumulative conditions which have to be met to be considered a higher ranking employee;
- Improvement of the rights of the staff delegation;
- Adjustment of the provisions of time savings accounts to the new legal provisions;
- The joint committee can be made up of a maximum of 9 members each for the employer and the trade union side. Its task is to resolve problems linked to the application of the CBA.
- The framework for disciplinary measures within the company should be negotiated with the staff delegation.

Negotiation committee for the insurance sector



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Your OGBL delegation within your company is also at your disposal, do not hesitate to contact them.

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Stronger together for the future!

