

## “Strengthening employability in the sport and active leisure sector”

Joint Opinion

*by the European Sectoral Social Dialogue Committee for sports and active leisure (Test Phase)*

### 1 Context and aim

In 2016 the economy of the European Union is still recovering from the impact of the recent financial and economic crisis. Unemployment remains at an alarming rate of approximately 9% in the EU-28<sup>1</sup>. At roughly 20% the rate for youth unemployment is equally worrisome and far away from pre-crisis levels<sup>2</sup>. Through various initiatives and communications (e.g. *Strategy Europe2020; Strengthening the social dimension of the economic and monetary union, New Skills Agenda*) the EU Commission has begun to address these problems.

The sport and active leisure sector has been recognized as a developing, labour-intensive sector that has demonstrated a high resilience to the economic cycle<sup>3</sup>. The sector offers a variety of occupations of which many apply to young people. Moreover, the innovation potential that is inherent in sport can have significant spill-over effects to other sectors in helping to improve employability. This view is shared by the Council that has recognized the potential of sport and active leisure as a ‘new source for growth and employment in Europe’<sup>4</sup>. To realise this potential strengthening the employability of prospective and current employees is essential.

European sectoral social dialogue in the sport and active leisure sector brings together the social partners European Association of Sport Employers (EASE) and UNI Europa, as well as the observing partners EuropeActive and the European Confederation of Outdoor Employers (EC-OE) (‘the partners’) in an effort to proactively shape the future of our sector. Together they

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<sup>1</sup> [http://ec.europa.eu/eurostat/statistics-explained/index.php/Unemployment\\_statistics](http://ec.europa.eu/eurostat/statistics-explained/index.php/Unemployment_statistics)

<sup>2</sup> Ibid.

<sup>3</sup> *Study on the Contribution of Sport to Economic Growth and Employment in the EU* (<http://ec.europa.eu/sport/library/studies/study-contribution-spors-economic-growth-final-rpt.pdf>)

<sup>4</sup> *Conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on sport as a driver of innovation and economic growth (2014/C 436/02)*

underpin the sector's growing professionalization in areas such as working contracts, health and safety, skills, and qualifications.

In this Joint Opinion the partners aim to identify the barriers to employability in the sport and active leisure sector and to offer recommendations as to how these barriers can be overcome. This statement is addressed to European and national policy makers who are encouraged to use its conclusions to support new and existing policy initiatives.

## **2 Definition**

The partners stress that employability must be understood as a holistic concept. For the purpose of this Joint Opinion they therefore agreed upon the following definition:

*Employability is the capability to move into and within labour markets and to realise potential through sustainable and accessible employment.*

*For the individual, employability depends on:*

- *the knowledge and skills they possess, and their attitudes;*
- *the way personal attributes are presented in the labour market;*
- *the environmental and social context within which work is sought; and*
- *the economic context within which work is sought.*<sup>5</sup>

It follows from this definition that strengthening employability is a collaborative endeavour to be undertaken by employees, employers and policy-makers alike.

## **3 Barriers to employability**

The partners identified the following barriers to employability that apply to the whole sector:

- Short-term employment and high turnover especially in coaching professions;
- Physically and mentally demanding job profiles negatively impacting the health and the longevity of workers;
- Skills gaps and skills mismatches;
- Discrepancies between national skill levels that impede mobility;

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<sup>5</sup> Adapted from a definition provided by the Northern Ireland Department for Employment and Learning

- Lack of strategic financial management which hinders sustainable employment.

The sport and active leisure sector is divided into three sub-sectors which are professional sport, not-for-profit sport, and active leisure. The barriers to employability are specific to each sector and are outlined below.

### **3.1 Professional sport**

In the professional sport sub-sector employability must be approached from two different angles:  
a) within sporting careers and b) after the termination of sporting careers.

#### a) within sporting careers

- **Contractual instability and lack of employment-related rights**

Employability – in this case understood as the ability to find sustainable employment - for professional athletes is often reduced by the instability or - in some cases - even the absence of proper working contracts. While the situation varies among sports and Member States there are clubs that terminate contracts unilaterally, withhold payments, or force players to repeatedly sign “try-out” contracts with very short durations. In addition, professional athletes have reported about having been deprived of basic employment-related rights such as social security protection, especially with regard to adequate insurance or pension provisions.

- **Non-compliance with health and safety requirements and inadequate medical treatment**

A sporting career entails high risks for athletes’ health and safety which in some instances are not properly accounted for. Unsafe workplaces and overloaded training and competition schedules may lead to injuries, overtraining or burnout.

Injuries frequently interrupt the careers of sportsmen and –women. Inadequate medical treatment, be it initially at the sporting venue or at a later stage during the rehabilitation phase, may prevent professional athletes from reaching pre-injury levels or even lead to the termination of their sporting careers. Even in case of successful recovery professional athletes may have initial difficulties finding a new club or retaining support from their national federation.

- **Lack of equal rights and opportunities**

Female professional athletes are often denied the proper recognition for their performances, which results in unequal treatment when it comes to employment. As a

consequence, it is challenging for sportswomen to find and to maintain sustainable employment. In particular, the denial of pregnancy and maternity-related rights makes it extremely difficult for female professional athletes to combine their sport and family life, and to continue their career after the pregnancy.

b) after the termination of sporting careers

- Insufficient support for dual careers

A major barrier to the employability of professional athletes is insufficient support for their dual careers. As a recent German study indicates a significant factor for athletes aborting their careers before peaking (“drop-out”) is the incompatibility between the demands of being an elite athlete and a student or apprentice at the same time<sup>6</sup>. The various barriers that professional athletes face can be cultural (i.e. the expectation that athletes subordinate their entire life to reaching their sporting goals – “win-at-all-cost” approach) or structural (i.e. the incompatibility between practice schedules and university lectures, the lack of distance-learning programmes, or coaches that are insensitive towards dual career issues).

Insufficient dual career support during sporting careers reduces employability after career termination. Due to a lack of skills, qualifications, and relevant work experience retired athletes are almost inevitably put at a disadvantage when trying to move into new labour markets.

### **3.2 Not-for-profit sport**

In the not-for-profit sport sub-sector the following barriers to employability can be identified:

- Contractual instability or absence of contracts

The sub-sector is characterized by high numbers of part-time jobs, fixed-term employment relationships, state-subsidised jobs, low wages and plenty of volunteers. The low level of quality employment stems mainly from the insufficient financial capabilities of sport organisations. In addition, sport organisations are often run by volunteers that sometimes

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<sup>6</sup> Breuer, C., K. Hallmann, and M. Illgner. 2015. *Erfolgsfaktoren der Athletenfoerderung in Deutschland*. Bundesinstitut fuer Sportwissenschaft. Koeln: Sportverlag Strauss.

lack the expertise and competences to fulfill their role as employer. Moreover, national regulations preventing employers to share the workforce can restrain employability.

- Physical health issues

Most jobs of coaches/instructors/trainers depend on the physical health of the employee as they are expected to engage to a certain degree in the sporting activity to be taught. Health requirements and physical limited conditions can, thus, limit career in sport.

### **3.3. Active leisure**

Active leisure is a combination of fitness and outdoor-based activities that are generally unstructured and non-competitive. They promote active, healthy lifestyles through activities, events and exercise. They are commonly provided under the direction of qualified animators or instructors so that the activities are tailored to match the abilities of the participants and meet their needs in an enjoyable and safe way<sup>7</sup>. In the European active leisure sub-sector there are an estimated 750-800.000 employees and relatively low levels of volunteering. Instructors and animators in active leisure are almost exclusively involved in improving the outcome (experience) of the participants in activities. The sub-sector is further characterized by a complex arrangement of full-time, part-time, seasonal/casual and second-jobbers and significant numbers of self-employed workers.

As main barriers the partners have identified:

- Skill shortages and mismatches

Employers have indicated difficulties to hire employees with the appropriate skill-sets. For instance, the use of digital applications, wearable devices and next generation internet-based information guidance and instruction programmes challenges traditional job roles across the active leisure sub-sector. The growing importance of promoting health-enhancing physical activity to wider population groups equally demands an altered array of skills. An insufficient linkage between the labour market and the education/training sub-sectors plays an important role in this regard.

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<sup>7</sup> Adapted from the definition provided by the Active Leisure Alliance (EuropeActive – EC-OE, 2015)

- Lack of labour market integration

The uneven recognition of skills and qualification across Member States continues to impede the mobility of fitness professionals and outdoor animators. As long as workers cannot move effectively and legally between national labour markets their employment opportunities will remain limited as will the opportunities of businesses to hire personnel with adequate skill sets.

#### 4 Recommendations

To address the barriers to employability common to the sport and the active leisure sector as a whole, the partners agreed on the following general recommendations:

- Promote risk assessments (i.e. OiRA tool) and the implementation of the *Guidelines on Health and Safety in the sport and active leisure sector*<sup>8</sup>;
- Ensure contractual stability and promote National Collective Agreements;
- Support and promote gender equality;
- Promote lifelong learning and dual career programmes in the case of athletes and coaches;
- To explore and set up the structures for European sector skills alliances for the sport and active leisure sectors;
- Highlight the role of employers' and employees' organisations, i.e. social partners, to support sport organisations and their employees to jointly improve working conditions.

The specific recommendations for each sub-sector are outlined below.

#### 4.1 Professional sport

As demonstrated in section 3.1 professional athletes face multiple barriers to their employability during their sporting careers as well as beyond. To address them the partners above all call upon European and national policymakers to recognize the status of professional athletes as workers and to ensure that all social rights apply to them as to any other employee.

The partners further recommend the following:

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<sup>8</sup> [http://www.uniglobalunion.org/sites/default/files/files/news/final\\_version\\_hs\\_guidelines\\_signed\\_-\\_20-02-2015\\_0.pdf](http://www.uniglobalunion.org/sites/default/files/files/news/final_version_hs_guidelines_signed_-_20-02-2015_0.pdf)

To ensure contractual stability:

- promote collective bargaining agreements;
- mandate leagues to implement stricter club licensing rules;
- research into the scale of disregard of employee status of professional athletes;
- ensure that all social security provisions are applicable to professional athletes;
- advocate for standard contracts that are concluded for the full length of the season but; allow social partners through collective bargaining to agree on specific provision for;
- shorter term of contract that would match the nature of their discipline in accordance with EU Directive 1999/70/EC.

To improve health and safety standards and medical treatment:

- support policy initiatives designed to promote;
  - risk assessments (i.e. OiRA tool),
  - comprehensive and standardized medical checks,
  - specific injury protocols,
  - return-to-play protocols,
- promote the implementation of the *Guidelines on Health and Safety in the sport and active leisure sector*<sup>9</sup>.

To support gender equality:

- facilitate women's equal access to employment;
- protect all women workers, irrespective of their employment status, including pregnant workers and ensure that this principle is applied to female professional athletes;
- promote and support actions geared toward the harmonization of professional sports life; and family responsibilities such as flexible working/training hours.

To improve support for dual careers:

- monitor and assess the implementation of the *EU Guidelines on Dual Careers of Athletes* with particular emphasis on Guidelines 7,10,12, and 20<sup>10</sup>;
- pay special attention to the pivotal role of coaches when considering initiatives in the field of dual careers;

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<sup>9</sup> [http://www.uniglobalunion.org/sites/default/files/files/news/final\\_version\\_hs\\_guidelines\\_signed - 20-02-2015\\_0.pdf](http://www.uniglobalunion.org/sites/default/files/files/news/final_version_hs_guidelines_signed_-_20-02-2015_0.pdf)

<sup>10</sup> [http://ec.europa.eu/sport/library/documents/dual-career-guidelines-final\\_en.pdf](http://ec.europa.eu/sport/library/documents/dual-career-guidelines-final_en.pdf) (pp. 16, 22, 27)

- recognize that a successful dual career concerns the wider personal development of athletes (not just a university education);
- be mindful of the fact that players associations are well-placed to deliver dual career support;
- fund effective dual career programmes through Erasmus+;
- promote awareness amongst national federations, leagues, and clubs to accept greater responsibility for the dual careers of their athletes;
- set up a framework of actions to promote and guarantee equality of opportunity in terms of training, life-long learning and career development.

#### **4.2 Not-for-profit sport**

To overcome the barriers identified in section 3.2, the partners recommend the following:

##### To help create better and more sustainable jobs:

- initiate national regulations that facilitate the sharing of the workforce thus allowing employers to provide full-time and permanent employment;
- strengthen the financial capacity of sport organisations to allow for sustainable employment instead of relying on short-term insertion subsidies;
- encourage employers' organisations to accompany the professionalization of sport organisations (i.e. in terms of legal assistance in labour law and National Collective Agreements for employers especially for those who are volunteers).

##### To enhance the employability of coaches/instructors/trainers:

- promote the implementation of the *Guidelines for Health and Safety in the sport and active leisure sector*;
- initiate and support life-long learning projects to help ensure their competence development.

#### **4.3 Active Leisure**

In April 2015 the fitness and the outdoor sub- sector completed the recording of the occupational descriptors, essential skills and standards for the main occupations in the active leisure sub-sector, as part of the “Employment Skills Competencies Qualifications Occupations” (ESCO) reference group – coordinated by the European Commission DG Employment, Social Affairs and Inclusion. Fully referenced to European Qualifications Framework (EQF), these occupational descriptors are based on units of learning outcome and have been developed in consultation with many sector-based employers, stakeholders and experts. This work is expected to have an enabling action to improve the prospect of professionals’ mobility and realisation of current as well as future skills needs. In this context, the following recommendations are proposed:

- Take due account of the outcomes of the European Skills, Competences, Qualifications and Occupations reference group in the preparatory work leading to the implementation of Directive 2005/36/EC, amended by Directive 2013/55/EU on the recognition of professional qualifications;
- Create a European Professional card for professionals in the sub-sector as envisaged by the instruments of Directive 2005/36/EC, amended by Directive 2013/55/EU;
- Promote effective communication and dialogue between the labour market and the education/training sub-sector since the ability to design and deliver relevant training programmes through VET, informal and non-formal setting and even through higher
- education is an essential mechanism to fully exploit the employment potential of the fitness and outdoor;
- Support the creation of European sector skills alliances where stakeholders, trade unions, employers' organisations and training providers can coordinate on the identification of existing and emerging skills needs for its workers and to strengthen the exchange of knowledge and practice between education and training institutions and the labour market.

## 5 Summary

The sport and active leisure sector is broad, diverse and growing. Whereas employment in sport used to be related to physical education or built around sports facility provision it is now equally linked to coaching, sports science, injury rehabilitation, marketing, event management, healthy lifestyles, and elite competition.

To this point the industry has not been able to translate its economic growth into stable and sustainable employment conditions for its workforce. Across the sector employees face temporary and part-time (often seasonal) working contracts while employers lament skills gaps and mismatches.

In order to enhance the skills and competences of all workers in the sector and to make employment more accessible and sustainable the partners invite European and national policy-makers to follow the recommendations outlined above. Moreover, they encourage the employers and employees of the entire sector to engage in social dialogue as a way to define social regulations while adhering to recognized good governance standards.

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The English version is the original.

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