

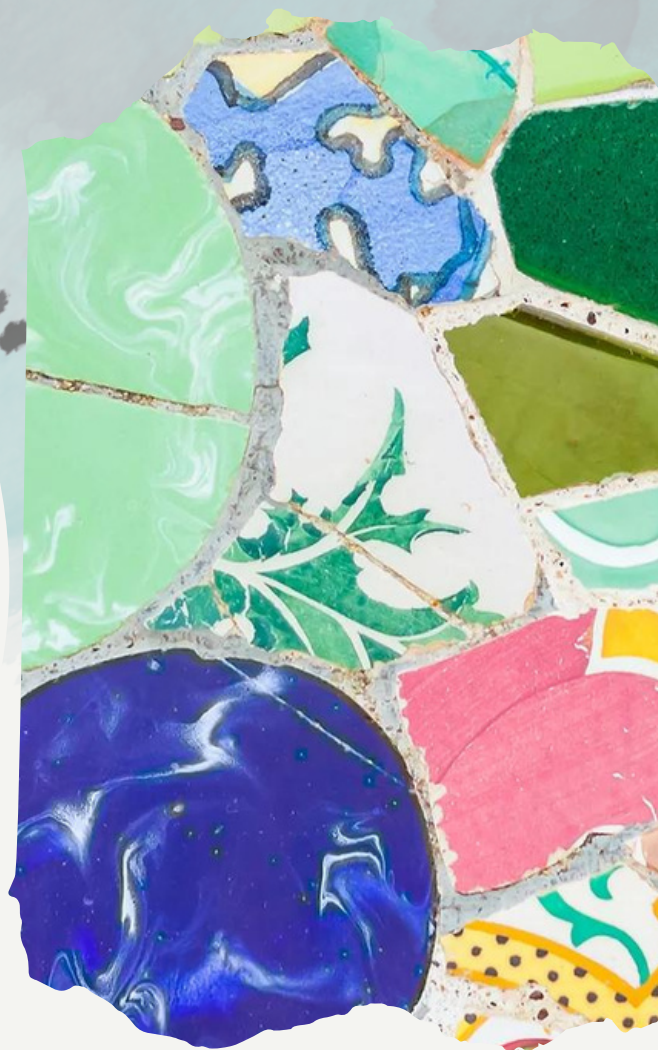
Abstract Book

13TH ILERA EUROPEAN CONGRESS

INDUSTRIAL RELATIONS AND THE GREEN TRANSITION

TOWARDS INCLUSIVE AND
SUSTAINABLE GROWTH

Barcelona, UAB Campus
8-10 September 2022



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Industrial relations and the Green Transition; Towards inclusive and sustainable growth

Barcelona, 8-10 September 2022

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ABSTRACT BOOK

**INDUSTRIAL RELATIONS AND THE
GREEN TRANSITION; TOWARDS
INCLUSIVE AND SUSTAINABLE GROWTH**

SEPTEMBER 8TH-10TH, 2022
UNIVERSITAT AUTÒNOMA DE BARCELONA

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WORDS OF WELCOME

Welcome to the 13th ILERA European Congress in Barcelona.

In a world still recovering from the pandemic and experiencing challenges like rising inequalities and the increase in energy prices and inflation, the theme of this year's European Congress has been the Green Transition and the Role of Employment Relations. We firmly believe Climate Change remains the most important challenge facing world societies, whose impact is increasingly important through global warming, extreme weather episodes, etc. Fighting it and the social and economic consequences it brings, requires all societal efforts.

This European Congress will accordingly pay particular attention to the role social partners and employment relations can have in promoting a Green Just Transition contributing to slow down climate change and alleviate its negative impact. Achieving these goals requires balancing different and often contradictory goals and is precisely in this context where employment relations can prove particularly relevant. Through social dialogue and collective bargaining, social partners have in very difficult circumstances contributed to strike deals and devise policies with a very positive impact, as the pandemic has clearly shown. The Congress will thus contribute to understand the opportunities and challenges for social partners to contribute to a Greener Europe.

But there are other social problems addressed by contributions in this Congress that will also be discussed in plenaries, parallel and special sessions. Technological change in its very diverse manifestations, including artificial intelligence and algorithmic management tools, remains one of the major drivers of change in employment relations and an issue that will be debated at length in the Congress. Similarly, the increase in inequalities and low wage employment with a significant gender dimension, remains a major threat to social cohesion and sustainable growth, calling for new solutions both at EU and national levels, as well as strengthening and updating traditional instruments like minimum wages.

We really hope the works in this 13th ILERA European Congress will help to achieve these important goals and hope you will enjoy your stay in Barcelona.

Óscar Molina

Professor at Universitat Autònoma de Barcelona

Member of the Executive Committee of ILERA

Coordinator of 13th ILERA European Congress, Barcelona 2022

PROGRAMME ORGANISATION

The congress sessions are organised around the following thematic tracks

Track 1: LABOUR MARKET REGULATION AND INEQUALITIES

Labour market regulations constitute a key element of the European Social Model. For many years, attention to these regulations has focused on its impact on employment levels and firms' competitiveness. Changes in regulations over the last four decades contributed to extend flexible and non-standard forms of employment, whilst reducing workers' protection. The increase in inequalities resulting from these trends has contributed to shift the focus back on their role in enhancing quality of employment and impact on reducing labour market generated disparities.

This track aims at gathering contributions on the role of labour market regulations in reducing inequalities. Since there are many dimensions to these inequalities, including gender-based, income, employment opportunities etc.), papers are welcomed to explore the role of labour market regulations in explaining these dimensions of inequality.

Track 2: COLLECTIVE BARGAINING, INDUSTRIAL DEMOCRACY AND DIGITALISATION

Collective bargaining constitutes the main instrument for industrial democracy in most societies. By empowering workers to negotiate working conditions, collective bargaining has become a key institution regulating labour markets, protecting employees and enhancing quality of employment.

There are however, significant differences in the way workers' voice and representation is channelled across European countries. In spite of strong pressures to change and adapt, these institutions exhibit a high degree of resilience.

The digital economy and its manifold manifestations are nonetheless challenging the capacity of collective bargaining institutions and actors to protect effectively workers. These include the extension of platforms, the use of robots and artificial intelligence tools, the increase and growing diversity in subcontracting and outsourcing practices, among others.

All together, these developments, pose new challenges but also opportunities for democratic participation at workplace level.

Track 3: SOCIAL DIALOGUE, COLLECTIVE BARGAINING AND THE JUST TRANSITION

Climate change, environmental degradation and scarcity of resources poses enormous social challenges that require the involvement and effort all social actors. Moving towards a low carbon economy whilst ensuring high levels of inclusiveness, employment levels and quality, requires not only an active role of the state, but also the capacities of social partners to find innovative solutions.

Companies need to green their practices in order to reduce their environmental impact, but this may lead in some cases to job losses. The participation of workers in this transition is accordingly essential since the effectiveness of any policy measure and its capacity to deliver socially just outcomes will depend on joint efforts from workers and employers.

Track 4: PUBLIC SECTOR EMPLOYMENT RELATIONS AND THE COVID19 PANDEMIC

The important role of the state in responding to the Covid-19 health, economic and social crisis has brought aspects related to the employment conditions of public employees to the agenda. This has been the case for health workers, but also for care workers, education and other public administration agencies. Without fully recovering from the cuts experienced during the adjustment to the 2008 crisis and austerity policies, some workers have experienced an intensification of their working hours, along with increased risks from the pandemic crisis. Following protests by health workers, other groups in the public sector have started calling for improvements in their working conditions. Therefore,

governments are faced with the need to negotiate and modernize the collective agreements of these workers in a context characterized by an uncertain recovery.

Track 5: HUMAN RESOURCE MANAGEMENT AND TECHNOLOGICAL CHANGE; CHALLENGES AND PROSPECTS

The extension of new technologies and digitalisation has impacted upon all the dimensions of human resource management, from recruitment to performance management, training and development or employee satisfaction. Moreover, the transition to remote work accelerated by the Covid-19, has brought new challenges for HR, including issues related to time management, performance assessment and monitoring, or managing remotely teamwork.

Another big change in recent years is the integration of Artificial intelligence in HR. Applications of AI mechanisms range from hiring processes, but also performance management, organizational structure etc. The use of AI tools has important implications for HR practice, but it also raises important ethical and legal questions in relation to the extent and type of data collected and used.

The complete programme is available for download [here](#).

PLENARY SESSIONS

The role of social partners and social dialogue in promoting a green transition and fight climate change

From the New Deal of the 1930s to the Green New Deal of the 2020s: The importance of - and for - trade unions

Steffen LEHNDORFF, *IAQ / University of Duisburg-Essen*

Green Growth is an Oxymoron – What does that mean for the environmental policies of workers' organisations?

Nora RÄTHZEL, *Umeå Universitet*,

From the New Deal of the 1930s to the Green New Deal of the 2020s: The importance of - and for - trade unions

STEFFEN LEHNDORFF

IAQ / University of Duisburg-Essen

ABSTRACT

The US New Deal under President Roosevelt has become a broadly shared historical point of reference for a 'Green New Deal' of the 2020s. Given the enormous, albeit very different, challenges faced by these two massive reform projects, it is worth taking a closer look not only or primarily at what was done in the 1930s, but above all at how it was put into practice.

The New Deal broke new ground in various ways: It included a wide range of trial-and-error journeys into uncharted policy territory; it was organised around large and popular flagship projects; it proved to be unfeasible without a growing willingness on the part of the administration to engage in hard conflicts with economic and political opponents; and it triggered interaction and mutual reinforcement of government policies and social movements.

A key example for the latter was the legal anchorage of fundamental labour rights in 1935 ff. as a result of earlier but failed attempts at social partnership. The turn towards a conflict-ready approach would not have been possible without massive strikes organised by an emerging grass roots unionism. These movements led to the splitting of the traditional (mostly occupational) trade unions and the rise of industrial unionism, resulting in a surge in membership.

Similar to 90 years ago, the upcoming question for trade unions today is whether to criticise foreseeable shortcomings of a "Green New Deal" from the sidelines or whether to become drivers of a socio-ecological transformation. The latter requires initiatives in all areas of union activism — from expertise at the workplace level and alliance building at regional and industry level up to political engagement at national and European level.

Further reading:

Lehndorff, Steffen, 2022: From the New Deal of the 1930s to the Green New Deal of the 2020s. In: Baier, Walter / Canepa, Eric / Golemis, Haris (eds.): Left Strategies in the Covid Pandemic and Its Aftermath. transform! yearbook 2022. London: Merlin Press, pp. 254–264

Or chapter 6 in Lehndorff, Steffen, 2020: "New Deal" means being prepared for conflict. What we can learn from the New Deal of the 1930s. Hamburg: VSA Verlag.

Available online:

https://www.vsa-verlag.de/uploads/media/VSA_Lehndorff_New_Deal_means_being_prepared_for_conflict_Web.pdf

Green Growth is an Oxymoron – What does that mean for the environmental policies of workers' organisations?

NORA RÄTHZEL
Umeå universitet

ABSTRACT

The term through which to speak about trade union's environmental policies these days is Just Transition. As with any term that enters the public discourse, the more it is used, the less it means. After shortly presenting the origins of the term I will maintain that green growth (which is the vision of most just transition policies of unions world-wide) is not a viable strategy to halt what I call the ecological crisis, since climate change is not a correct description of what we are facing: we need to act not only against greenhouse gas emissions, but also against the destruction of arable land, the acidification and plastification of the oceans, the diminishing of usable groundwater, all of which lead to the loss of biodiversity and dire threats to the health and lastly the survival of humans. Discussing some environmental strategies of workers' organisations across the globe, I will suggest that workers need to think of themselves as the actors and promoters, not the victims of transformational change. In doing so, workers need to think and act globally and towards all the dimensions of the ecological crisis we are facing. They do have the skills and knowledge and possibilities to help bring about the changes we need.

Governing artificial intelligence and algorithmic management: dimensions, challenges and instruments

Artificial Intelligence and labour markets. Social and employment implications
Lucía VELASCO, *School of Transnational Governance EUI Florence*

Making algorithms safe for workers: occupational risks associated with work managed by
artificial intelligence
Adrian TODOLI, *Universitat de València*

Human and ethical implications of digitisation and automation at the workplace
Ricardo RODRÍGUEZ CONTRERAS, *EUROFOUND*

Making algorithms safe for workers: occupational risks associated with work managed by artificial intelligence

ADRIAN TODOLÍ-SIGNES

Universitat de València

ABSTRACT

It is increasingly common for companies to use artificial intelligence mechanisms to manage work. This study examines the health hazards caused by these new forms of technological management. Occupational risks can be reduced if they are taken into account when programming an algorithm. This study confirms the need for algorithms to be correctly programmed, taking account of these occupational risks. In the same way as supervisors have to be trained in risk prevention to be able to perform their work, the algorithm must be programmed to weigh up the occupational risks – and when such features do not exist, steps must be taken to prevent the algorithm being used to direct workers. The algorithm must assess all (known) factors posing a risk to workers' health and safety. It therefore seems necessary to incorporate a mandatory risk assessment performed by specialists in the programming of algorithms so that all ascertained risks can be taken into account.

Further reading:

Todolí-Signes, A. (2021). Making algorithms safe for workers: occupational risks associated with work managed by artificial intelligence. *Transfer: European Review of Labour and Research*, 27(4), 433–452. <https://doi.org/10.1177/10242589211035040>

Young Scholars Session: Changing trade union strategies and structural drivers of change in industrial relations

Solidarity, mobilisation and organising in the gig economy: taking stock and looking forward

Arianna TASSINARI, *Max Planck Institute for the Study of Societies*

Vincenzo MACCARRONE, *University College Dublin*

Unions and Social Media: Union democracy and grassroots in the digital age

Mark Friis HAU, *FAOS Employment Relations Research Centre, University of Copenhagen*

Solidarity, mobilisation and organising in the gig economy: taking stock and looking forward

VINCENZO MACCARRONE

University College Dublin

ARIANNA TASSINARI

Max Planck Institute for the Study of Societies

ABSTRACT

As the global gig economy has grown in size and relevance, gig workers across the world have increasingly attempted to organize conflict and resistance as well as to defend their interests and demands more systematically. Their attempts at collective action have been articulated through a diverse array of organizational forms and practices, which have varied across sectors, types of platforms and localities. In this presentation, we provide a theoretical framework to understand both how collective action emerges also within such a precarious world of work and why it takes very different forms of organising across the globe. By relying on our own empirical findings and by reviewing the burgeoning international literature on labour conflict and organisation in the gig and precarious economy, we show how various agential and contextual factors, especially those related to the political and social context of mobilisation, combine with precarious labour processes to produce collective organisation and conflict.

Governing minimum and living wages in Europe; trends and challenges

Recent Developments in Minimum Wages in Europe

Carlos VACAS SORIANO, *EUROFOUND*

The Minimum Wage Directive. Prospects and challenges for decent wages in the EU

Thorsten SCHULTEN, *Wirtschafts- und Sozialwissenschaftliches Institut (WSI) - Hans-Böckler-Stiftung*

The Moral Economy of Living Wages

Tony DOBBINS, *Birmingham Business School -University of Birmingham*

PARALLEL SESSIONS

Regulating atypical work

Between Service Providers and Exploiters? Staffing Agencies as Two-Faced Actors in Tight Labor Markets

Ronny EHLEN, *University of Hohenheim*

Challenging notions of part-time work: country and occupational differences in employment status reporting

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Between service providers and exploiters? Staffing agencies as two-faced actors in tight labor markets

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ABSTRACT

Temporary employment and contracting are common phenomena in today's labor markets. In this context, staffing agencies have become well established actors, building a central link between labor supply and demand. Based on the notion of ideal markets, agencies are often seen as pure service providers of both sides of the labor market as they might minimize transaction costs and uncertainties in the initiation of labor relations. However, most labor markets deviate from these ideal typical conditions in terms of power imbalances and inequalities, and thus the role of the agencies appears to be changing as well.

Several empirical studies describe agencies acting as gatekeepers that secure and monetize the access to the structurally privileged market side at the expense of the disadvantaged one. This has been claimed particularly for labor markets characterized by an oversupply of labor, e.g. in simple industrial work. Thus, under the condition of power imbalances and inequalities in labor markets, staffing agencies turn into two-faced actors, being service providers for the parties of the privileged market side and exploiters for the other ones. It remains unclear so far, how agencies interpret their role as market actors in labor markets which face a lack of (qualified) labor supply, e.g. in knowledge-intensive branches. Referring to the functions of minimizing transaction costs vs. exploiting structurally disadvantaged market actors, we ask:

What role do staffing agencies play in labor markets facing a lack of labor supply?

We answer the research question by investigating the labor market for doctors and nurses in hospitals as well as the market for (highly) qualified IT professionals, which are characterized by a lack of labor supply and well-established staffing agencies. We do this by analyzing expert interviews we conducted with representatives of staffing agencies, cooperatives, trade unions, professional associations, representatives of the strategic organizational level of hospitals (chief physicians, ward and nursing service managers) and IT companies (especially project managers and other leading staff members) as well as problem-centered interviews with external and permanent workers. In total, our sample comprises 24 interviews. All of them were conducted from spring 2019 to the beginning of 2020.

Our research makes three contributions. First, it directs attention to a substantial gap in the theoretical debate and empirical research by focusing on the role of staffing agencies in knowledge-intensive labor markets characterized by a lack of labor supply. Second, it conceptualizes the role of staffing agencies considering the specific market conditions of a lack of labor supply. Third, by taking a comparative look on two branches characterized by a lack of labor supply, our research will also critically explore the extent to which the role of agencies can be traced back to specific market conditions.

KEYWORDS staffing agencies; medicine labor market, it labor market, exploiters, market imbalances

Challenging notions of part-time work: country and occupational differences in employment status reporting

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ABSTRACT

Recent attention on the diversity of part-time employment has called into question standard definitions of part-time and full-time employment (Nicolaisen & Kavli, 2019). In the UK, for example, Stovell and Besamusca (2021) show ambiguities between commonly used classifications of employment status based on self-reports of working hours, working days and self-identity. One in ten workers (12%) and a quarter of mothers in professional occupations (23%) were identified with ‘ambiguous’ employment statuses (e.g., working in excess of 35 or 40 hours per week but identifying as part-time workers). Employment status ambiguity is scientifically important as it suggests current understandings of part-time and full-time work may be under- or over-reporting these phenomena.

The presence of ambiguity in the UK is potentially linked to the combination of country-specific or occupation-specific work hour cultures and could therefore vary cross-nationally. This paper investigates potential variation in employment status ambiguity across and within countries with diverse policies and practices towards working time to contribute to better understanding of labour market disparities.

Objective: Using cross-national, representative data, this paper investigates (1) the prevalence of employment status ambiguities based on self-reports of working hours, working days and self-identity; and (2) the extent to which these ambiguities differ (a) between country settings with long-hour and part-time working cultures and (b) across sex, parental status and occupational class.

Method: Multivariate analyses on representative survey data from the ERC-CAPABLE project, a four-country CAWI survey collected by Kantar Public using post-stratification weights in the Netherlands, Slovenia, Spain and the UK.

Firstly, we replicate and extend the UK study by Stovell and Besamusca (2021) to establish the prevalence of employment status ambiguity within and across the four countries. We will use their multidimensional schema to divide respondents into seven employment status categories to allow for a nuanced measurement of part-time and full-time work. By comparing the alignment of three measures of part-time employment status - self-identification, working under 5 days a week, and working under 30 hours a week – respondents are categorized as either unambiguous part-time, unambiguous full-time or one of five ambiguous categories.

Secondly, we aim to explain differences in the prevalence of employment status ambiguity. Across countries, we pose the exploratory hypothesis that employment status ambiguity will be more common in countries with long-hour and part-time working due to higher salience of employment status in identity formation. Within countries, we further expect that professionals, compared to non-professional occupations, are more likely to report employment status ambiguity in countries with stronger long-work hour cultures, and that mothers, more often than fathers, will report employment status ambiguity in countries with stronger part-time work cultures.

Results: Analyses are currently ongoing, due to COVID-related delayed data collection. Results will include:

- 1) Descriptive statistics on the prevalence of employment status ambiguity across socio-demographic groups for the four countries (replication and extension of Stovell & Besamusca, 2021)
- 2) Multivariate results of the probability of reporting employment status ambiguity across the four countries
- 3) Multivariate models testing variation within countries (non-professional/professional * parental status * gender)

KEYWORDS part-time; gender; occupation; country-comparative; parenthood

Economically dependent self-employment - at the crossroad between labour and civil law

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ABSTRACT

Self-employment is often seen as an alternative to employment relationships. The category of self-employed persons is not uniform, as apart from classic self-employment, we can indicate the group of workers who perform work as part of their business, on the basis of contracts that do not lead to an employment relationship, but in conditions similar to employees. This group of workers is to be placed between classic self-employment and employees.

It should be noted, that within this relationship there is a strong dependence on the client, similar to the dependence on the employer in the employment relationship, and it is generally not subject to protective regulations similar to those of employees. Their situation is associated with high uncertainty in terms of employment and income stability. The issue of protecting these workers is widely recognized, but the regulations in this matter across EU Member States remain scarce. It seems that maintaining the current situation, leading to a strong precarization of this type of work performance and in fact leading to a specific exclusion and inequality in terms of employment opportunities, should not take place.

The basic problems concerning introducing some regulations concerning this group of workers are: firstly, the necessity to define the category of workers which the regulation in question should cover, secondly, it should be considered whether the protection would entail granting them all employment rights.

Referring to the first of them, it is necessary to decide what delimitation criteria should be used to distinguish this group of workers from truly independent contractors, and therefore what will constitute its *differentia specifica*. The second one is related to the analysis of whether there is an axiological justification for extending all protective regulations to this group of workers, and if not, which of them should apply.

The analysis of these issues will be carried out firstly on the basis of the dogmatic method, taking into account the legal and comparative aspects, and reasoning based on axiological assumptions.

The result of the analysis will be the creation of a definition of an economically dependent self-employed person. Considerations will also lead to the conclusion that it would not be appropriate to cover economically dependent self-employed workers with a comprehensive protective regulation resulting from labour law, as it would in fact blur the boundaries between these two legal relationships. Economically dependent self-employment differs from the employment relationship and this determines the necessity to limit the protection of such persons to fundamental rights, such as the right to a minimum wage, the right to annual leave, protection of working time, protection against contract termination.

To conclude the considerations, it should be stated, that it is necessary to introduce protective regulations in relation to economically dependent self-employed workers. The analysis of the regulations of the Member States in this respect leads to the conclusion that only a few of them have decided to regulate this issue, which seems to justify taking the initiative on the part of the EU and introducing some kind of a frame regulation.

KEYWORDS economically dependent self-employment, precarization

Some lessons on the impact of labour reforms on temporary employment in Spain. Will the 2022'labour reform work?

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ABSTRACT

This paper reviews the transformations of the Spanish labour market regulation and its impact on employment stability in the last forty years, with special emphasis on the labour reforms implemented since the Great Recession.

A law, beforehand, does not change the behaviour of the subjects involved in a given relationship. Various incentives are required to act so that the contents of the norm and its subsequent developments are incorporated into these behaviours, in order to promote the desired changes in the micro and macroeconomic functioning of the relationships that are the object of transformation. For this, it is necessary that such incentives are gradually assumed by the agents that intervene in the structure, and the underlying relationships to be reformed, so that their attitudes and behaviours, in and during the praxis of the relationship, are modified. This is what happens in the Spanish labour market and in the underlying and explicit plot of labour relations to be reformed. We have seen numerous examples in the last forty years, after implementing several dozen reforms (Ruesga, 2014 and 2016), of greater or lesser scope and importance, in the regulation of the market and/or labour relations.

There are several occasions in which the legislator or directly the executive in power has tried to transform, for example, the structures of labour contracting, modifying the specific regulations or policies that regulate and/or encourage it in a certain direction, in order to reduce the high degree of temporality that has characterised, and still does, this aspect of the labour relations.

The objective of this paper is to analyse the evolution of temporary employment in the Spanish labour market in relation to the labour reforms launched since the eighties of the last century and with special emphasis on those that have occurred since 2008. The different labour measures are reviewed throughout the period, together with the analysis of statistics from the Labour Force Survey (INE). Thus, the role of labour market regulations in reducing inequalities related to temporary vs open-end contracts is deepened.

The results show how historically there have been several occasions in which it has been observed, after a certain period of application of the new regulation, that the effect has been null or non-existent, what economists call the "deadweight effect" of the reform or the specific labour policy (Toharia, 2008). With this analysis, new evidence is obtained to contribute to anticipate the future impact of the labour reform approved in 2022 on the stability of employment in Spain.

KEYWORDS Labour Reform, Temporary Employment

Managing employment relations

Negotiating idiosyncratic deals to access, motivate and retain STEM outstanding employees

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Is the Portuguese labour market rigid or flexible? Firms' Compensation policies in last two decades

Fátima SULEMAN, *Instituto Universitário de Lisboa (ISCTE-IUL) – DINAMIA'CET*

Organizational Responses to Workforce Aging: The Role of Employment Relations Institutions

Peter BERG, *Michigan State University*

Negotiating idiosyncratic deals to access, motivate and retain STEM outstanding employees

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ABSTRACT

1. Objective

Employees individualized work arrangements is an increasing trend in today's employment that has been accelerated by the pandemic. Those individually negotiated agreements that benefit both the employer and employee are known as idiosyncratic deals, i-deals in short.

Despite the abundant literature on i-deals, this study addresses previous research gaps when considering both sides, the employee and employer. Including not only employees who were granted with i-deals, but also employees who were not successful and those who feel no need.

Furthermore, little is known about how i-deals relates to start-ups despite having a decisive impact in the economic and social development of countries by fostering rapid job creations and new innovations. Indeed, on average across OECD countries new start-ups account for about 20% of employment but create almost half of new jobs. Therefore, individualised work arrangements are essential to ensure operational continuity despite fluctuating investments.

Hence the objective of this qualitative study is to describe the i-deals in the context of health technology start-ups in Spain. Specifically, how heterogeneous i-deals are in time, scope and content, and how they relate to higher work attraction, motivation and retention in science, technology, engineering and mathematics (STEM) employees.

2. Methods

The data for the study consists of 42 semi-structured online interviews with employees and C-level employers from 21 Spanish health start-ups.

The interviews focused on past i-deals negotiations, including how the process was, what emotions arise, how was prepare and communicate to the team, what aspects were considered to reach agreements and what benefits the employee and the start-ups obtained.

3. Results

Preliminary results prove that integrative i-deals negotiation in health ventures shall positively influence the management of outstanding STEM employees, while improving entrepreneurs' and employees' satisfaction and retention.

The results reveals that on start-ups (1) flexible i-deals, both in location and schedule, are granted by default, (2) customized financial arrangements are mainly understood for key STEM employees through phantom shares issuing, (3) training opportunities as part of the career development are performed by external advisors, board members or events and accelerator programmes, (4) task i-deals to change the job content is intrinsic in the development face, despite not always are granted to increase job

satisfaction and (5) i-deals communication sometimes is fully transparent and others tend to be kept secret.

4. Conclusions

Our results shed light on the black box of i-deal negotiation in health start-ups, revealing unique behaviours such as phantom shares issuing or default flexibility i-deals.

The findings provide useful and practical insights for entrepreneurs and institutions willing to engage with outstanding STEM employees through customized arrangements to fulfil their personal needs.

Although the sample is diverse, with an equal distribution of working technologies - biotechnology, medical devices or digital health- and geographies, the organizations represented are predominantly micro and small. It is therefore unknown whether these same conclusions are prevalent in bigger or multinational organisations.

Future research is suggested to explore the gender perspective underlying the i-deals process request and granting, as gender equity continues to be a challenge in STEM fields.

KEYWORDS Idiosyncratic deals (i-deals); Entrepreneurship; Job creation.

Is the Portuguese labour market rigid or flexible? Firms' Compensation policies in last two decades

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ABSTRACT

The wages in Portugal are based on two regulatory frameworks, notably minimum wage (MW), and collective bargaining. Labour market reforms were undertaken until mid of 2010s to create a proper context for job recovery after the global financial economic crisis. Furthermore, there is evidence showing that wages are highly responsive to macroeconomic conditions despite that regulatory framework.

However, little is known about how private firms respond to labour market institutions and design their compensation policies. Our research provides evidence on the patterns of compensation policies in Portugal and how they have evolved in two decades. The empirical analysis draws on linked employer–employee data, the Quadros de Pessoal, of large-sized Portuguese firms (≥ 250 employees) for the years of 1999, 2009 and 2019.

The empirical analysis uses K-means cluster analysis to segment firms based on practices associated with pay level, and the influence of MW to the that level; the pay structure or pay grades, which provides information on the equity inside firms; and the pay flexibility as the response of wages to market conditions, but also as a mechanism to reward individual skills and performance. Ultimately, we attempt to submit to empirical test the hypothesis of rigidity/flexibility of Portuguese labour market.

We found three types of firms in the Portuguese labour market. One is characterised by the influence of regulatory regime on compensation policies: the firms offer low wages, which are closer to the MW, and have a high share of MW earners. The major feature of second type of firms is the equity, which is translated into a hierarchical pay system. Finally, one type comprises the firms that combine collective and individualised pay rules. The wages are higher among the sample and MW has no influence. Those firms use wage cushion to reward skills and performance and, at same time, have a high degree of wage dispersion inside jobs. However, they respect the rules collectively defined, notably the hierarchy of jobs and tenure profile. We therefore labelled the first set of firms as Regulated, the second as Hierarchical, and the latter as Internal labour market (ILM) with incentives. Despite the differences, the cyclicity of wages is a common feature of all type of firms.

The Regulated model prevails in the labour market, and it had the largest increase in 2019. Furthermore, this model has accompanied the tertiarisation of the economy: whereas the manufacturing sectors were prevalent in 1999, the service sectors outpaced in 2009 and 2019 took the leadership. So, low, and flexible wages remain a competitive driver of those firms. The other types of firms use monetary incentives to attract and reward best performers, i.e., employers have discretionary power and resources to adopt flexible pay schemes.

Based on the findings, we should be cautious in designating the Portuguese labour market as rigid. All types of firms adjust wages to the market conditions, and collectively defined rules help limit employers' discretionary power only towards lower wages. High-wages firms use flexible pay schemes to differentiate their workers.

KEYWORDS Compensation policies; regulation; Portugal

Organizational Responses to Workforce Aging: The Role of Employment Relations Institutions

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ABSTRACT

Objective

Amidst a trend of workforce aging, some organizations enact age-related human resource management practices. However, it remains unclear when and why organizations adopt or do not adopt such practices, as extant research has primarily focused on the effects of such practices on individual employees. We argue that the proportion of older workers in an establishment and the presence of employee representation institutions will drive the adoption of six age-related human resource management practices that can improve the quality of work for older workers.

As a vulnerable population, older workers, on average, may have unique needs and preferences for work relative to their younger counterparts. Age-related HR practices can help older workers age successfully. In addition to benefiting older workers directly, a healthier and more productive older workforce also benefits society more broadly by encouraging longer work lives which help balance public pension expenditure. However, our results suggest employees must use their representatives to gain access to such practices and that organizations in general are not likely to adopt them, even when they have a higher proportion of older workers.

Method

This study uses the German Linked-Employer-Employee Data (LIAB) cross-sectional model 2, waves 2002-2011 (LIAB QM2 9310) from the IAB. These data contain information on individuals and establishments collected from administrative records in Germany. Our primary analysis consists of logit models using data from year t (i.e., 2001, 2003, 2005, and 2010) to predict the presence of a practice in year $t+1$ (i.e., years 2002, 2004, 2006, and 2011, respectively). One-year lagged outcomes to help mitigate potential common method effects and create a more rigorous test of our hypotheses relative to a purely cross-sectional approach, maximizing the utility of the dataset in the context of its limitations.

Results

Our results show robust, high-magnitude relationships between employee representation mechanisms and age-related practices above and beyond the proportion of older workers in the establishment. Despite previous research that suggests age-related HR practices may also help older workers' productivity, our results indicate that establishments are less likely to adopt certain age-related HR practices when they have a proportionally older workforce. This is an important finding because the relationship between employee age distribution and firm productivity is mixed and stereotypes about older workers having lower productivity are not supported in the individual-level research.

Conclusion

Consistent with our expectations, the results show that the presence of employment relations institutions is positively associated with age-related human resource practices, but that having a high proportion of older workers within the establishment is a less consistent predictor of age-related practice presence. We interpret these results to mean that organizations are not seeking to design jobs around an older workforce as often suggested in the literature, but rather are seeking to maintain the status quo and keep the oldest workers on a path toward retirement except when compliance logics demand otherwise.

KEYWORDS Aging workforce; employment relations institutions

Minimum wages – I

The European Minimum Wage Directive: Change of direction in European Labour Relations?

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Enforcement of labour regulation in relation to minimum wages

Frikkie DE BRUIN, *Public Service Co-ordinating Bargaining Council (PSCBC)*

Do minimum wages crowd out union density?

Georg PICOT, *University of Bergen*

Facing inequalities through the guarantee of a minimum wage in global green value chains

María José GÓMEZ-MILLÁN HERENCIA, *Universidad Pablo de Olavide*

The European Minimum Wage Directive: Change of direction in European Labour Relations?

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ABSTRACT

For a long time, the dominant trend in European industrial relations was that of “neoliberal transformation” (Baccaro/Howell) leading to a significant weakening of trade union power resources in most European countries. In the first half of the 2010s during the Euro-Crisis this trend became even radicalised by a new European Economic Governance which actively promotes a weakening of labour protection and collective bargaining. More recently, however, one can observe a significant change of the dominant political discourse towards a stronger commitment to a more social capitalism based on comprehensive labour market regulations.

A clear expression of this is the proposed Directive on adequate minimum wages in the EU which was published in autumn 2020. Contrary to its name, the directive is not only about setting European rules and criteria on adequate minimum wage levels, but also about a European-wide strengthening of collective bargaining. For decades minimum wages and collective bargaining were regarded as institutional constraints which hinder the functioning of free markets, limit employers’ flexibility and were, therefore, regarded as having a negative effect on growth and employment. By contrast, the proposed EU Minimum Wage Directive now describes minimum wages and collective bargaining as indispensable institutional preconditions for a more sustainable and inclusive economic development.

At the time of writing this proposal, the draft directive is under negotiation in the so called Trilogue between the European Commission, the European Parliament and the Council. It is very likely that the directive will have been adopted at the time the 13 ILERA European Congress will take place in September 2022.

The focus of this paper will, therefore, be on the potential impact on labour relations in the various European countries. It will examine the different positions of national actors regarding the proposed aims and measures and its link to the particular national labour relation background. We will argue that regardless of its concrete final provisions, the political debate about the directive has already led to the establishment and recognition of certain thresholds for adequate minimum wages (60% of median and 50% of average wage) as well as for an adequate collective bargaining coverage (70%). In future, these thresholds can be used not only for international comparison but also as a benchmark for adequacy. The European directive might contribute to a more fundamental change of direction in European labour relations as it becomes an important reference for more substantial increases in minimum wages or reforms to strengthen collective bargaining at national level, as they are currently being carried out in Germany and Spain, for example.

KEYWORDS Minimum wages; Collective bargaining; Social Europe

Enforcement of labour regulation in relation to minimum wages

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ABSTRACT

Minimum wage compliance amongst employers has always been an issue for many countries. South Africa for years has been experiencing the same problem particularly amongst the informal sector. Most of the informal sector workers have always fall outside the collective bargaining sphere as a result, they have not enjoyed the minimum wage coverage. The introduction of Minimum Wage Act in South Africa has been long overdue as it provides coverage to those workers that have been neglected.

The paper highlights what is entailed in the minimum wage act, which was enacted in November 2018 as a more progressive way to deal with the enforcement of minimum wages. The paper will also deal with interventions around the enforcement of minimum wages, penalties for those employers who violated the minimum wage act as well as provision available for those employers that are truly unable to conform to the set annual sectoral minimum wages.

KEYWORDS Minimum wages

Do minimum wages crowd out union density?

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ABSTRACT

Minimum wage legislation has spread across rich democracies in recent decades in response to rising wage inequality and low-wage employment. However, trade unions have frequently been hesitant or even outright hostile toward introducing minimum wages. There are several reasons for trade union scepticism towards minimum wages, but a major one is the worry that state regulation of wages may reduce incentives to join a union. In this paper we empirically test this crowding out hypothesis.

To do so we use International Value Survey data and run a multi-level model with a difference-in-differences design to test the effect of introducing a statutory minimum wage. The analysis covers 14 countries. Six of these (Germany, Ireland, United Kingdom, Australia, Slovenia, and South Korea) have introduced a statutory minimum wage, the others have never introduced it. Although countries with a statutory minimum wage have lower union density, our study shows that this is not a result of introducing a minimum wage. Rather, our evidence suggests that minimum wages are introduced in contexts of declining union membership.

KEYWORDS Minimum wage; Union density; Trade unions; State; Wage setting

Facing inequalities through the guarantee of a minimum wage in global green value chains

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ABSTRACT

This paper was made in the context of the following research project. Proyecto Coordinado de I+D+I: “El salario en el contexto de la globalización, las nuevas formas de organización empresarial y la economía digital” (RTI2018-096674-B-C21). Ministerio de Ciencias, Innovación y Universidades. Investigador principal: Prof. Dr. D. Santiago González Ortega.

1. Objectives

The debate about how to implement the New Green Deals suggests exploring different ways in order to reach the objectives and commitments of just transition, in order to get a global market more sustainable in terms of environmental and human rights approaches. This paper explores these ways, emphasizing the role that GGVC could have to enforce environmental and human rights commitment, in particular regarding the guarantee of a minimum wage and the eradication of inequalities. Because international law and domestic employment policies find many obstacles to ruling over just transition.

Therefore, the main objective is to analyse the GGVC' outstanding role to guarantee the right to earn a minimum wage, as an expression of the wider concept of decent work highlighted in Agenda 2030, and to face inequality, according to the New Green Deals.

2. Method

To explore the different ways of reaching the objectives and commitments of just transition, this paper answer three fundamental questions: why regulate minimum wages in the global labour market where GGVC operates?, how to encourage commitment and compliance about minimum wage and equality in GGVC? and which should be the minimum wage in GGVC?.

To address these questions, this paper reviews ILO Conventions, New Green Deals, European Union rules about due diligence, as well as the wide diversity of tools and mechanisms that had been used for fixing environmental and working conditions commitments in GGVC: Global Framework Agreement, Codes of CSR, monitoring, oversight and internal canal of compliance.

3. Results

As a principal result, this paper offers an analysis of the contribution of GGVC to just transition, through the guarantee of a minimum wage and the eradication of inequality, as an alternative to the obstacles of international and domestic laws for ruling over global markets. Despite the GGVC's uncertain future, as well as the increased production costs related to environmental commitments and human rights, it has more relevance in GGVC rather than in other companies. Moreover, it shows how the development of new mechanisms and tools linking to CSR and ESG to reach a culture of compliance, which has been settled in the European Union through soft-law instruments and in the companies through voluntary compliance programs, has been raising the number of enterprises with internal processes of monitoring and the oversight of the employers' obligations of Labour Law, especially in GVC. This evidences the enforcement of soft-law instruments as an alternative to the obstacles of international hard-law, the relationship between environmental and human rights commitments, as well as the relevance of CSR, ESG and GGVC's internal rules, in order to reach a just transition and sustainably grown.

Finally, this research reviews the International Labour Standards which GGCV must be taken into account in the definition of internal rules aimed to guarantee a minimum wage in all the processes of production and services, linking it with just transition and decent work concept. Moreover, this paper engages International Environmental commitment and International Labour Standards for defining workers' remuneration wages in GGVC, underlining its role in facing inequalities in global trade markets.

4. Conclusions

The obstacles of International Labour Law for guarantying the minimum wage and the equality in global market encourage the role of the GGVC in the just transition, through the increased level of CSR and ESG commitments, which include specific environmental objectives (low carbon production) and the human rights (the right to earn a minimum wage and the eradication of inequality).

Mandatory rules to enforce due diligence, as the European Union has suggested, could be a good way to enforce a just transition and sustainable growth. Meanwhile, Codes of CSR, processes of monitoring and oversight, as well as internal canals are also useful for the CSR and ESG commitments.

Taking into account International Labor Standards and International Environmental Commitments, these internal rules should include: percentage of variable remuneration depending on objective ESG plus the guarantee of earning a minimum wage, digital payroll and monthly payment of wages, employee websites, obligations of information to workers' representative and trade unions and others transparency mechanism in wages, as well as public information about wages in a website. All of these would prevent inequalities and could make possible a just transition and sustainable growth.

5. References

- CHACARTEGUI JÁVEGA, C. (2021): 'Transición justa con justicia social: por una sostenibilidad real y efectiva', en CHACARTEGUI JÁVEGA, C.: Condiciones de trabajo decente para una transición ecológica justa, Tirant Lo Blanch, Valencia, pp. 17-48;
- DISTELHORST, G. and FU, D. (2017): 'Wages and working conditions in and out of global supply chains: A comparative empirical review', ILO (publication): Wages and working conditions in and out of global supply chains: A comparative empirical review, pp. 1-42;
- LÓPEZ GONZÁLEZ, J., KOWALSKI, P. AND ACHARD, P.: 'Trade, global value chains and wage-income inequality', OECD Trade Policy Papers, n° 182, <http://dx.doi.org/10.1787/5js009mzrqd4-en>;
- LUND-THOMSEN, P. (2022): Rethinking Global Value Chains and Corporate Social Responsibility, Edward Elgar Publishing;
- MORENO DÍAZ, J.M. (2021): La negociación colectiva internacional en el marco de la digitalización, Bomarzo, 2021;
- PÉREZ DE LAS HERAS, B. (2020): 'La Unión Europea en la transición hacia la neutralidad climática: retos y estrategias en la implementación del Acuerdo de París', Revista española de derecho internacional, vol. 72, n° 2, pp. 117-141;
- PORTER, M. (1985): Competitive Advantage: Creating and Sustaining Superior Performance, Free Press, New York, USA;
- SANGUINETI RAYMOND, W. (2022): 'La construcción de un nuevo derecho trasnacional del trabajo para las cadenas globales de valor', Revista General de Derecho del Trabajo y de la Seguridad Social, n° 61, pp. 29-82;
- TEJANI, S. and FUKUDA-PARR, S., 2021: Gender and COVID-19: Workers in global value chains, International Labour Review, vol. 160, n° 4, pp. 649-667.

KEYWORDS Global Green Value Chains; Inequality; Minimum Wage; Fair Wage; Decent Work

Trans-National action and collective bargaining

Stagnation and decline of transnational company agreements

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European Works Councils after Brexit: New Challenges for Transnational Employee Representation?

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What factors are driving the increasing number of transnational labour protests in Europe (1997-2019)?

Roland ERNE, *University College Dublin*

Transnational Company Agreements: Recent Trends

Isabel DA COSTA, *CNRS, IDHES, ENS Paris-Saclay*

Stagnation and decline of transnational company agreements

UDO REHFELDT

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ABSTRACT

Objective:

Our paper will present a quantitative review of the transnational company agreements (TCAs) until 2020.

Method:

The paper is based on the TCA database of the European Commission and the ILO (unfortunately terminated mid-2018), on our previous empirical research on TCAs during the last decades, as well as on information for the period after 2018 found on websites of the global union federations (GUFs) and in the newsletters PlanetLabor and Liaisons Sociales Europe.

Results:

Our analysis shows that, if the first TCAs were signed in the 1980s, their real dynamics started in the 2000s and peaked in 2008. Since then, there has been, at best, stagnation in the number of international (or global) framework agreements (IFAs) negotiated each year. This stagnation shows the difficulty of the GUFs to extend them to new businesses not only outside Europe, but also in Europe itself. For the European framework agreements (EFAs), on the other hand, there is a loss of momentum and a drop in the number of agreements.

Conclusions:

We have identified factors that would explain these different dynamics, by analyzing the strategies and practices of the actors. Our analysis focuses on actors in French and German TNCs, which have signed more than half of all TCAs and thus dominate the dynamics of transnational negotiation. It reveals the contradictory role of the mandating and validation procedures adopted by both the GUFs and the European international trade union federations, which in turn influence the practices of the local actors (unions, European works councils and company management). Several effects can be observed, including a renationalization of negotiations, greater informality of agreements and a change in company preferences from EFAs towards IFAs.

KEYWORDS Transnational company agreements, international framework agreements, European framework agreements, European works councils, trade union federations

European Works Councils after Brexit: New Challenges for Transnational Employee Representation?

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ABSTRACT

Brexit, hence the decision on the United Kingdom's (UK) withdrawal from the European Union (EU), has implications for, inter alia, the transnational collective representation of workers' interests. With regards to industrial relations, the European Works Councils (EWCs) are considered to have a particular key role in this context. EWCs provide employees with consultation and information rights in multinational companies (MNCs) operating in the EU. Brexit had implications for EWCs as it concerned two threshold conditions of the EWC legislation: (1) the existence of sites in at least two European countries with 150 employees and (2) a required total European company size of 1,000 employees. As a result of Brexit, some MNCs with subsidiaries in the UK no longer met these conditions. This circumstance led to massive pressure for action by the established bodies and trade unions, as either UK plants no longer had a right to be represented in the EWC or the EWC as a whole was at risk. Our research pursues the question, in which way EWCs have been affected by Brexit and which coping strategies have been developed by different actors.

To comprehend and trace the impact of Brexit on EWCs, we have analysed and highlighted different types of reactions and pathways through qualitative content analysis based on our preliminary research. First, we conducted two exploratory interviews with German union representatives from the mining, chemicals and energy industries union and the metal workers union. Both unions have developed coping strategies and advised EWCs affected by Brexit respectively; second, we collected 17 publications, documents and agreements from trade unions and companies, including collective agreements negotiated between management and EWCs that addressed problems caused by Brexit; third, we conducted a mail survey of German based companies affected by Brexit.

The analysis revealed different paths of EWC reaction to the crisis and three prominent types of coping with the problem situation. The first type maintained full membership through a supplementary agreement. With the second type, guest status was guaranteed. The third type solved the problem by maintaining an informal information status. Against this backdrop, the

various actors involved in the focussed problem-solving can be considered as change agents according to Thelen and Mahoney (2010). Building on these initial findings, it is expected to further generate practical knowledge that supports actors in companies in the design of agreements on information and consultation rights as well as to generate new empirical insights and theoretical knowledge about the reaction of social institutions in and to existential crises. Our research makes several key contributions relevant to the field of EWCs. First, no empirical research has examined the impact of Brexit on EWCs yet. Second, we are developing the first empirically based ideal-typical forms of response to Brexit in order to preserve the body of the EWC. Third, we contribute to the theoretical literature by providing an outlook on how the EWC as an institution persists, changes or demises when the legal supranational state framework breaks down.

KEYWORDS European Works Council; interest representation

What factors are driving the increasing number of transnational labour protests in Europe (1997-2019)?

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ABSTRACT

Why has there been an increase in transnational labour protests in Europe between 1997 and 2019, as shown in our transnational labour protest database? There have been many case studies of transnational labour protest events. As these were primarily based on participant observations and interviews with activists and trade union officials, it is not surprising that they explain successful transnational protests primarily by actor-centred factors. But whereas these factors (such as campaign design, labour control regimes, grassroots participation) are certainly important, they can hardly explain alone the substantial rise of transnational protest events since 1997. In this paper, we therefore will test a structural explanation, which is linked to the changing nature of both corporate and political governance structures within the EU.

In 2008, Erne argued that the European labour strategies in the ABB Alstom Power merger case were “a result of the centralization of corporate decision making at a supranational level” and “the dominant role of the European Commission in the area of competition policy” (Erne 2008: 194). As the EU introduced a new economic governance regime (NEG) after the financial crisis, Erne predicted an increase of transnational labour protests, as NEG would allow vertical EU interventions even in areas that were hitherto been shielded from EU interventions, such as wages and collective bargaining policy (Erne 2018). In this article, we are testing this hypothesis based on a quantitative database of all transnational labour protest events that we have compiled, starting with the year 1997, and ending with the year 2019. If Erne’s hypothesis is correct, the increase in transnational labour protests should be driven by protests against (1) the vertical EU interventions or / and (2) interventions of supranational HQs of multinational corporations, rather than horizontal market pressures. This has happened as our data neatly demonstrate.

KEYWORDS Transnational collective action; European Union, horizontal market integration pressures; vertical political integration pressures, trade unions

Transnational Company Agreements: Recent Trends

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ABSTRACT

Democracy at work and workers' participation and involvement at various levels are essential issues to tackle global challenges, including increasing income inequality and the erosion of wages, not to mention they are crucial for the development of decent work that respects fundamental rights. However, in many countries freedom of association is not guaranteed and at the global level worker representation is still in its youth.

My communication will address the development of transnational worker representation and participation. It will use the EU database, the Global Unions database and my own database to map Transnational Company Agreements (TCAs) and their evolution for the past two decades. The difference between the TCAs at the European and Global levels will be related to the strategies of the actors (TNC management, Global Unions, EWCs, European Trade Union Federations, and national trade unions). These strategies can evolve and differ according, for example, to the main topics of the TCAs: health and safety, restructuring, and freedom of association, to mention a few, often have different implications and expected outcomes that might account for the choice of the level of negotiation. Because they are trans-national, the negotiation and implementation of TCAs entail a coordination and an articulation of the national and cross-national levels which require innovative and autonomous practices, particularly as regards mandates to negotiate, sign and follow-up on the employee side. These will be analyzed in my communication.

My communication will then identify different stages of development of these transnational industrial relations tools and focus on the interpretation of the trends observed in the most recent years.

My conclusion will outline the importance of the strategies of the social partners, and the institutional characteristics of the predominant national systems of industrial relations as well as the dynamics of transnational industrial relations.

KEYWORDS International Framework Agreements; Global Labour Unions; European Works Councils; European Trade Union Federations

Platform work regulation and union responses

Two different solutions for delivery riders: Employees by law in Spain or by platform will in Norway

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Riding together? Why food deliver riders join trade unions

Kurt VANDAELE, *European Trade Union Institute (ETUI)*

Back to basics: European unions' innovative organizing strategies towards freelancers and platform workers

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Two different solutions for delivery riders: Employees by law in Spain or by platform will in Norway

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ABSTRACT

As in most countries, delivery riders in Spain worked as self-employed. This changed in 2021, when they became employees by law. By contrast, delivery platforms in Norway operate under a hybrid system of contracting (Jesnes, 2019) that lead to a collective agreement in 2019 between Foodora riders and the trade union organizing transport workers.

This paper compares these different outcomes to argue that the industrial relations background heavily determines actors' strategies in the platform economy. It proceeds as follows: First part delves on Eurostat data to link each industrial relation model with its economic and labour market background. Second part contextualizes the situation of drivers, their working conditions and analyses the actions put in place to claim their rights. Third part compares the strategies followed by the platforms involved and how these might be influenced by the organizational power of the other actors. Fourth part focusses on the role of unions to analyse how the institutional involvement might shape their response to the new challenges posed by the platform work. Fifth part discusses to what extent the different strategies adopted in Norway and in Spain are ad-hoc solutions for a context of precarious work or whether these could be appropriated in a wider context of digital work where tasks require higher levels of skills.

KEYWORDS Riders; Actors' strategies; Industrial Relations Systems

Riding together? Why food deliver riders join trade unions

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ABSTRACT

Workers in the platform and gig-economy are often subject to irregular employment contracts and bad working conditions (Eurofound, 2018) and, hence, have much to gain from strong trade unions. Moreover, in a context of declining union density, trade unions would benefit from an influx of new members from industries like the platform and gig-economy which experience strong growth and have not yet been strongly unionised. However, the atomised nature of platform work and the questionable classification of workers as self-employed presents a structural challenge to organisation and collective action (Vandaele, 2018). Against this background, the question why workers in the platform and gig-economy do join trade unions is relevant and one on which research remains limited to mostly qualitative studies.

Different theories have been proposed. Classic studies suggest workers' decision to join unions are motivated by instrumental reasons namely, to improve unsatisfactory pay and working conditions (Brett, 1980). From this perspective, the level of economic attachment to the job and the availability of alternative employment options plays an important role. Choosing between "voice" and "exit", workers who view their employment as only temporary or are less dependent on the income gained from it are likely to shy away from the commitment of improving their situation through unionisation and opt for alternative employment opportunities instead.

Studies focussing on the distinct world of platform work suggests additional factors. Maffie (2020) points us towards the important role played by online social networks in offering riders a forum to exchange views, build communities and, thereby, develop more positive perspectives towards trade unions. His findings suggests that the number of (online) social interactions between platform workers is positively associated with the likelihood to join a trade union. Tassinari and Maccarone (2020) and Cini, Maccarone and Tassinari (2021) show that union organisers can play an important role in supporting the development of solidarity among platform workers which is a necessary precondition for unionisation.

Our paper aims at testing these theories and contributing to our understanding why platform workers join trade unions by using novel data gathered from a survey among self-employed and employed food delivery riders in Austria (N=303). We rely on two dependent variables: trade union membership (yes/no) and the self-declared likelihood of riders to join a trade union in the near future on a five-point scale. We then use the richness of the dataset to test whether the following individual-level characteristics influence the dependent variables: employment status; perceived working conditions which include job autonomy and enjoyment of the activity as rider (cf. Caleb, Veen & Barrat, 2019); current and expected job tenure as rider; dependency on their income as rider; availability of alternative employment options; the frequency of online and in-person interactions with other riders; contact with the Riderscollective, an initiative organising riders supported by the Austrian trade unions.

KEYWORDS platform economy, trade union membership, trade union renewal

Back to basics: European unions' innovative organizing strategies towards freelancers and platform workers

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ABSTRACT

The European trade union landscape is changing with declining union densities, shifting occupational structures and rising numbers of non-standard workers like platform workers and freelancers. To respond to these changes, unions have initiated various strategies, involving what can be considered innovative union services in that these resemble path-breaking initiatives or involve a rethinking of traditional union organising activities. Ample research has explored unions' plethora of revitalization and organizing strategies, notably the implications of the so-called organizing and servicing models for individual union's ability to attract and retain members. Less researched are individual unions' organising approach towards emerging groups of workers like freelancers and platform workers that often work in the grey zones between traditional employment and self-employment with exception of the growing body of literature on platform workers.

This paper offers novel insights into how European unions have responded to the recent membership trends with a particular focus on service provision as an instrument to reach groups on the margins of the labour market. We focus on the Danish, Spanish and Belgian union movement and examples of their recent and often innovative organizing approach towards freelancers and platform workers, where we also explore the organizing logics underpinning these innovative activities and the potential effects of these initiatives on recent membership trends and the union's power resources. Two purposefully selected Danish (HK and DM), two Spanish (UGT and CCOO) and two Belgian (ACV-CSC, ABVV-FGTB) unions are examined as they represent distinct occupational groups, differ in size and operate in very distinct IR-systems. Empirically, we draw on interviews with Belgian, Danish and Spanish trade union representatives, freelancers, and platform workers and combine the interview data with union strategies, actions, internal evaluations and statistical material on their membership development.

Analytically, we draw on literature on union revitalization and power resource theory. We posit that different organizing logics underpin the series of recent innovative union activities, where individual unions combine elements from the organizing and servicing models, but in some instances move beyond the traditional employer-employee divide in their services to attract new members. Our findings support our argument, but also point to a shift in European trade unions' organizing approach. There is an increasing awareness among Danish, Belgian and Spanish unions as to the importance of organizing from the grass roots with examples of organizing activities emerging outside the established union movement and then individual unions tap into these activities and seek to integrate them as part of their services. Moreover, some unions in their attempts to reach freelancers and platform workers often blur the traditional employer-

employee divide. There are examples of unions offering business like services, expanding their collective agreements to freelancers and taking on the traditional employer responsibilities by acting both as the employer and the employee representative in collective bargaining. These innovative services may offer path-breaking solutions to attract freelancers and platform workers, but they may also challenge the very foundation of European IR-models and potentially jeopardise trade unions' power resources when unions negotiate and represent both sides of industry.

KEYWORDS Innovative union services; freelancers; organizing strategies; power resources

Labour markets and the green transition

Labor market policy in the transformation to a green economy

Gerhard BOSCH, *IAQ University Duisburg-Essen*

Just transition, lifelong learning, and labour law

Jari MURTO, *University of Helsinki*

The way to “greening” the workplaces in Poland

Anna PISZCZEK, *University of Lodz; Supreme Court of the Republic of Poland*

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Labor market policy in the transformation to a green economy

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ABSTRACT

What is special about this transformation is its long-time horizon. CO₂ emissions are to be reduced to zero by 2050. At the same time, "Industry 4.0" is leading to a new boost in digitization. Short-term qualification programs will not suffice as several generations of employees are affected. Through a consistent system of lifelong learning, employees must have the opportunity to continue learning within the company and when changing jobs voluntarily or involuntarily.

At the same time, vocational training for the next generation must be modernized. Strengths and weaknesses of labor market policy in transformation policy are presented using Germany as an example. The strengths of the German example lie first in the continuous modernization of vocational training by the social partners, second in the strong codetermination in the company, in which the works councils and trade unions often successfully enforce a forward-looking personnel policy and third in recent the far-reaching reform of labor market policy, which follows the "train-first" paradigm which replaced the "work-first" approach of the Hartz laws. Added to this is the new government's agreement to significantly raise the age limit for grants and loans for continuing education from the current 30 years.

The weaknesses are consequences of the dual German labor market. Due to the large wage differences between companies covered by a collectively agreement and companies which are not covered, the loss of income in the event of a forced change of company is often very high. This is all the more true as new jobs are being created primarily in the service sector with significantly lower collective bargaining coverage. These income risks can only be reduced by increasing collective bargaining coverage through generally binding collective agreements and prevailing wage laws. Since the market in no way pays workers according to their productivity, the power imbalances between capital and labor must be balanced by strong labor market institutions.

KEYWORDS Labor market policy; retraining; vocational training; collective bargaining; codetermination

Just transition, lifelong learning, and labour law

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ABSTRACT

Green transition has considerable effects on the society, on the labour market and businesses. These effects can be positive or negative as well as fair or unfair. A mean to govern negative socio-economic effects is a mechanism of just transition. Just transition is mentioned Paris Agreement (2015), UNs Agenda 2030 – Sustainable Development Goals (2015), in the report for OECD (2017) and in the ILOs guidelines for a just transition (2015). EU has become active in the matter until the last couple of years: European Green Deal and The Just Transition Mechanism, Just Transition Fund and Just Transition Forum. Now, the war in Ukraine, have highlighted the need to accelerate the implementation of just transition.

It is characteristic of just transition that the implementation of it linked to the special characteristics of each nation: economic structures, labour markets, labour market policies, education policies and social policies, and the institutions and structures built around them. One essential institution in the context of just transition is lifelong learning. This dimension is closely linked creation and emergence of new quality jobs and the problematic whether employees have the skills required for the new tasks, either in their old jobs or even in a completely new sector. Therefore, lifelong learning constitutes one key dimension when analysing just transition measures. The significance of lifelong learning has strengthened also in EU politics; the European Pillar of Social Rights and The European Pillar of Social Rights Action Plan are illustrative examples from recent years.

Lifelong learning has seen as a means by which it is possible to solve several problems in the contemporary labour market and support at the same time the progress of just transitions. In this paper, lifelong learning is analysed in the context of promoting juts transition in Finland. The main purpose is to analyse the interaction of between just transition measures, lifelong learning (norms and intuitions) and social parents and collective agreements. Analysis is based on the following questions:

How the relationship between lifelong learning and collective agreements/social partners should understand?

How the relationship between just transition and collective agreements/social partners should understand?

KEYWORDS Just transition; lifelong learning; labour law; collective agreements; social partners

The way to “greening” the workplaces in Poland

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ABSTRACT

Issues related to climate change find themselves under increased scrutiny as part of institutional reflections on the future of human work. In this context, the International Labour Organization (ILO) specifically mentions environmental and climate change among current trends, alongside technological change, demographic change and persistent inequalities (ILO, 2019). Labour law is likely to play in efforts to curb climate change. It needs to be considered whether there are solutions that could respond to the progressing climate change under current provisions of the Polish labour law.

Focusing on the current regulations is justified by the Polish socio-political specificity. There is no political will to introduce solutions for greening in a broad sense, including greening of workplaces. Admittedly on 16 July 2019, the Council of Ministers adopted the "The 2030 National Environmental Policy – the Development Strategy in the Area of the Environment and Water Management", and COP24 was held in Katowice, Poland, from 2 to 14 December 2018. However, this activity does not lead to concrete solutions, and the case of the Turów lignite mine near the Czech border has shown the state policy in the climate sphere (decision of the EU Court of Justice, C-121/21 R). Social dialogue and collective bargaining cannot be an effective solution either. The state does not support social dialogue (or at least one can doubt whether it supports it). A good example of such an approach constitutes recent works on the regulation of remote work in Poland. Collective bargaining is also not an option due to the low unionisation - according to the Statistics Poland (GUS), people affiliated with trade unions represent 4.9% in relation to the adult population of Poland. The opportunity, therefore, lies in action by individual employers and individual employees. Moreover, employees are usually the first to become aware of environmental risks or damage to the public interest caused by their employer's actions.

In our view, there are some solutions under the current labour law regulations in Poland that could adequately address the ongoing climate change. They can be explored at the level of the rights and obligations of the parties to the employment relationship. Of the many aspects, we want to present the general obligation of the employee to take care of the good of the workplace, from the perspective of the title workplace greening. The legislator clearly formulates the obligation of the employee to take care of "the good of the workplace" understood objectively as an organisational unit being the place of work, and thus it is a common value, "good" not only of the employer but also of the hired employees. It should also be mentioned that the important role of the employee in developing environmentally friendly attitudes in the workplace is explicitly recognised by the EU legislator (recently, for example, through Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of whistleblowers). Poland has not implemented this directive.

KEYWORDS Climate change; employee obligations; whistleblower

Essential workers

Healthcare workers in COVID times: Heroes suffering from a dark side

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Towards Sustainable ER in Healthcare? Examining Workload and Pay Initiatives in Response to the Pandemic

Nick KRACHLER, *King's College London*

Stephen BACH, *King's College London*

Identity work as identity intensification: Professional identity and purpose in the public sector in Chile

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Healthcare workers in COVID times: Heroes suffering from a dark side

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ABSTRACT

During the COVID-19 pandemic, health workers have been celebrated as heroes, honored with public applause, songs, and celebrations. However, there also are grim and dark sides for these workers, related to their working conditions. In many parts of the world, we see that health workers are not satisfied with the working conditions. The pandemic has not only directed consequences for public health, however, also heavily impacts health workers, the organization of their work, the working conditions, and contracts. The result is the rise of collective labor conflicts, which can escalate to dramatic levels as we have seen. The current situation has brought to light structural problems with their employment conditions, and this is shown in frequent and diverse protests and strikes. Doctors and nurses announced that they are "exhausted" and "discouraged", admitting that the work pressure is affecting their mental health (Mouzo, 2021). This list of actions and problems could easily be further extended by often dramatic stories from health workers, around the globe.

Under these circumstances the WHO makes a strong appeal to governments, employers, and health care management to ensure health workers' safety. This appeal by the WHO reflects concerns worldwide, as it seems that health workers need to negotiate and ensure decent working conditions, despite the public applause. Why is it apparently so hard to get results out of these negotiations? And how can theories on collective negotiation and mediation contribute to improve the situation of health workers in such a crisis as the one we are living now?

The ILO and OECD strongly advocate in a recent report social dialogue to overcome the COVID-19 pandemic consequences for workplace conditions worldwide (International Labor Organization, 2020). They state that social dialogue between employers, employees and government can play a central role in managing the impact of the COVID-19 crisis in the workplace and has great potential in ensuring that the livelihoods and opportunities of those hardest hit are protected (Global Deal et al., 2020).

In this paper we aim to explore the reality of health workers under these challenging circumstances and link it to the theory on social dialogue. To do so, we first explore the theoretical framework of this case, focusing on the concepts of conflict management and social dialogue as key tools for collective negotiation. Secondly, we present the challenges shared by the parties regarding the system of social dialogue and elaborate on the main conclusions of an international study on the topic, linking it to this specific case. Thirdly, we elaborate on how an effective system of social dialogue could contribute to improve labour conditions among health workers. We conclude that constructive social dialogue can be an effective tool for improving working conditions for health workers.

KEYWORDS Health workers; COVID-19; Collective Labor Conflict; Social Dialogue.

Towards Sustainable ER in Healthcare? Examining Workload and Pay Initiatives in Response to the Pandemic

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ABSTRACT

Objective:

This research examines what employment relations (ER) initiatives in the area of workload management and pay determination have been taken in response to the Covid-19 pandemic in England and whether these suggest a shift towards more sustainable and innovative employment relations in healthcare. The pandemic has raised important questions around society's valuation of essential work in healthcare in terms of the bargain between effort and reward, and whether the pandemic is an impetus for the resolution of long-standing employment relations issues in healthcare. These issues have likely been intensified by the pandemic and include: the demand by professional associations and trade unions for higher nurse-to-patient staffing ratios due to increasing patient acuity and staffing vacancies, and their concerns about declining living standards in the absence of real pay increases for most healthcare staff groups since 2010. The question of 'model employment' by the state lies at the heart of the research due to the British National Health Service being a publicly funded, provided and regulated healthcare system.

Method:

This research is based on a review of literature on the impact of the pandemic on workload and pay in healthcare. It also reports the preliminary results of semi-structured interviews with national-level social partners and a survey questionnaire of human resource directors and trade union officials working in healthcare in England, conducted between June and August 2022.

Results:

The paper will set out findings on the development in employment relations at different stages of the pandemic and from the perspective of various stakeholders. For example, results will be presented on: how different Covid waves have impacted on patterns of work organisation; whether pay systems, especially overtime and hazard pay, have facilitated or restricted organisational responsiveness to shifts in workload over the pandemic; whether the changing interface between pay and workload over the period has been regulated through established collective bargaining practices or prompted the emergence of new ones. We will explore patterns regarding any relevant hospital characteristics.

Conclusions:

The research will highlight the conditions under which more sustainable employment relations initiatives emerge in the context of public-sector employment, emphasizing the role of the state and government ideology in managing a large-scale public health crisis. Practical implications considered include the need to build up capacities for flexible employment relations adjustments, such as workforce redeployment, while also developing mechanisms to compensate for this extraordinary effort, including a reform of workload planning and pay determination mechanisms, in the context of a policy environment of significant austerity and marketization.

KEYWORDS Healthcare; Sustainable Employment Relations; Pay Determination; Model Employer; Crisis Management

Identity work as identity intensification: Professional identity and purpose in the public sector in Chile

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ABSTRACT

Objective

The covid-19 pandemic has created fragmentation in work settings, with questions emerging about new meaning(s) of work and work identities. In this paper, we explore changes and reformulations to professional identity and purpose in a public sector context. We engage with the notion of identity work, used to refer to how individuals articulate and maintain distinctive, meaningful, and coherent self-constructions, to explore how individuals (re)articulate narratives about their profession in response to contextual changes, and perform actions and behaviours to engage others with these narratives. The pandemic context provides a unique opportunity for this exploration because whilst workers have globally experienced dramatic, unfamiliar changes, these have been uneven across settings and geographies. We do not know much about how workplace and national culture settings affect individuals' sense of professional self. This paper engages with the questions: What impact has the pandemic had on individuals' professional identity and purpose? What form does identity work take to deal with professional identity and purpose in the context of crisis and change?

Method

This paper reports on data from 40 semi-structured interviews with kinesiologists working in the frontline in an A&E hospital in Chile during the pandemic. Interviews lasted an average of 1 hour and 20 minutes. Interviews explored occupational purpose, work dynamics and structure of work before and during the pandemic, professional development and future.

Results

Kinesiologists see the pandemic as an opportunity to reposition themselves as legitimate members of medical teams. A historical pecking order of medical professionals in Chile sees kinesiology side-lined and undermined as a "new profession". This is prevalent in the public sector and has meant that the profession has low market value and limited legitimacy in medical circles, where it is considered an optional, private sector support service. The pandemic has opened a space for kinesiologists in the public sector and allowed them to claim expertise and gain a prominent role as specialists for respiratory therapy and ventilatory rehabilitation of critical patients suffering from covid-19.

To become legitimate members of medical teams, kinesiologists have intensified their efforts at visibility, engaging in more collaborative and authoritative conversations with other medical professionals (e.g., doctors). Additionally, relationships with different actors (e.g., patients, patients' families, hospital management, other medical professionals) to become sources of expertise has been at the heart of the kinesiologists' strategy to maintain a space of professional legitimacy. Ultimately, kinesiologists report a newfound sense of professional purpose that provides hope for a more prestigious professional future, in terms of societal and labour market value.

Conclusions

We must re-think whether "identity work" is the most useful way to understand efforts and processes individuals go through to (re)articulate professional identity and purpose. The

metaphor is predicated on assumed self-coherence and the existence of a concrete effort that can successfully maintain it. This implies some contextual fixity, which the pandemic has dramatically challenged. This paper calls for a deconstruction of the meaning, purpose and scope of identity work and its interaction with situated socio-historical aspects that shape professional identity and purpose.

KEYWORDS Identity work; identity identification; pandemic; public sector; Chile

Digitalization, workers voices and participation

Trade Unions' Rage Against the Machine? The Role of Industrial Relations for the Use of Digital Technology

Bernd BRANDL, *Durham University Business School*

The acceleration of digitalisation during the Covid-19 pandemic: Implications for employee voice

Laura GOOD, *University of Sydney*

Digitization, monitoring, and privacy in Norwegian companies

Mona BRÅTEN, *FAFO*

Rolf K ANDERSEN, *FAFO*

Level up computerized

David ÖBORN REGIN, *Karlstad University*

Trade Unions' Rage Against the Machine? The Role of Industrial Relations for the Use of Digital Technology

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ABSTRACT

Objectives:

There has been a long debate whether employees and their representatives, e.g. trade unions, are supportive (or not) to the implementation and use of new “machines”, i.e. new technologies and automatization, within the workplace. Research has shown that the answer to this question is far from straightforward and dependent upon a number of contextual factors. In fact, literature provides evidence that employee representatives can be very supportive to the implementation and use of new technologies, including robots and various new digital methods and tools, but literature also shows that employee representatives can be very critical to the implementation and resist that their implementation.

In this paper the role of differences in the institutional and organizational structure of industrial relations systems in different countries for the use of automation processes, e.g. robots, and new digital technologies in workplace management is analysed. The motivation behind this work is that automation and the use of new digital technologies became increasingly important in recent years but, so far, little attention has been paid to the role of industrial relations institutions and structures regarding the implementation and use of such “machines” in firms. More specifically, in the paper it will be argued and explained that support or resistance by the employee representation is dependent upon differences in the industrial relations systems in which actors are embedded. Most notably, by the rights employee representatives have to influence and monitor the implementation of new technologies.

Method and data:

The main analysis is based on a multi-level regression analysis that makes use an up-to-date, large scale, cross-national and cross-sectoral data set on the incidence of use of automation processes and new digital methodologies in 20,411 firms in all member states of the EU (Eurofound, European Company Survey 2019). Against the background that the dataset covers firms within a wide range of countries and therefore within different industrial relations systems and within different cultural traditions, this paper is able to analyse the importance of differences in the role of trade unions and the employee representation in different countries play with respect to their role for the use of automation processes, i.e. robots, and various digital technologies in European firms.

Results and conclusions:

It will be shown that, on the one hand, the employee representation is generally very supportive to the implementation and use of automation and new digital technologies. However, on the other hand it shown that the employee representation tends to oppose the implementation of automation and new technologies only if employers' discretion in the workplace management increases by new technologies and automation. More importantly however, it is shown that if the industrial relations system allows employee representatives to participate in the implementation of new technologies, the employee representation facilitates its use substantially. This means that it is shown if the employee representation has the controllability over procedural and substantive use of technologies and digital methods it supports its implementation as it not only improves production processes, but also increases transparency and fairness in the regulation of the employment relationship.

KEYWORDS Digital Technology; Robots; Industrial Relations; Employee Representation

The acceleration of digitalisation during the Covid-19 pandemic: Implications for employee voice

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ABSTRACT

Objective

The COVID-19 pandemic has caused unexpected and abrupt changes throughout the global economy, including substantial technological change in the service industry. This includes the growth in ecommerce sales and delivery services, automated contactless customer processes and the need for data analysis technology to enable customers to purchase online. For frontline retail workers, this change in the context of the pandemic has highlighted specific workforce vulnerabilities and affected everything from an increased need for workers, to concerns about job quality, workplace safety and job security. While retail workers have been lauded as ‘heroes’, their importance is not reflected in their low wages and precarious working conditions. As we move past the initial stages of the pandemic, crucial questions arise about the future of work in retail, including employees’ capacity to exercise voice.

Many of the workers in retail, distribution and logistics are among the least likely to have access to union representation. Employee voice, defined as the ability to have a say and influence over matters at the workplace (Wilkinson et.al, 2021), is important for empowering frontline service workers and promoting decent work. It can allow workers to address concerns about workplace health and safety, job quality and ameliorate pay and working conditions. However, little is known about the dynamics of employee voice for frontline service workers during the pandemic and the substantial changes it brought.

Method

This study aims to identify the workplace transformations currently unfolding in retail and capture how workers make sense of and respond to these changes, including their capacity to exercise employee voice. The study uses a mixed-methods approach by drawing on data on from a representative nation-wide survey of 1000 Australian retail workers and qualitative interviews with 30 workers and their representatives, and employers and their representatives. The survey data was analysed using multiple regression techniques and factor analysis, with a particular focus on applying theories of work to understand distinct employment sub-groups. The interviews were transcribed and coded for key themes using the qualitative software, NVivo.

Results

Precariously employed retail workers bore the brunt of the worst effects of the pandemic, reporting higher levels of customer abuse, workplace absences due to Covid-19 and work intensification. The pandemic impacted on their current work and future plans, revealing uneven perceptions and anxieties regarding the future of work. Where collective representation through unions was limited or absent, workers took to other means of expressing their concerns, informally through conversations with managers and peers or social media. However, in the absence of voice, many have opted to exit. Large number of retail workers reported plans to leave the industry in the near future.

Conclusions

Understanding the dynamics of employee voice in frontline service work is crucial in the context of the pandemic. Significant digital change has impacted the labour process in retail, with many precariously employed workers having limited capacity to exercise voice regarding these changes. More consideration is needed of employee voice in frontline service work and its potential to empower vulnerable workers and promote decent work.

KEYWORDS Covid 19; digitalisation; employee voice

Digitization, monitoring, and privacy in Norwegian companies

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ABSTRACT

The increased use of digital technologies that affect both the work process and work organization has led to a growing concern about the consequences for employees' privacy (Eurofond 2020). The technological development and introduction of new digital tools opens the possibilities for detailed control and monitoring of employees. This includes the possibility for control over of time used on work tasks, where the employees are located and how the work is performed. This can be further enhanced through opportunities for interconnection of data from various sources, networks, and platforms both within and outside the current company.

New digital technology often enables control and monitoring of employees without this necessarily being the actual purpose of acquiring the technology. The boundaries between digital control measures and new digital work tools can in many cases be unclear. The EU regulation General data protection regulation (GDPR) restricts the employer's possibilities to control and monitor employees. In addition, there are rules in national laws that further limit this. European data protection authorities and key employee organizations (ILO, ETUC and UNI Europe) view the development of increased digitalization with concern. They have called for greater emphasis on discussions about the consequences and need for regulatory changes to ensure that employees' privacy interests and participation are safeguarded when new digital technologies are introduced (Eurofound 2020).

Research questions in this paper are:

1. In which areas have Norwegian companies adopted new or upgraded existing digital solutions or technologies the last years?
2. To what extent and in what ways is the consideration for employees' privacy assessed and safeguarded when using these new digital solutions or technologies?
3. And to what extent have the employees been involved in the implementation, individually or representatively by their union representatives?

Method

The data material is a representative survey among Norwegian enterprises in private and public sector (N = 1000), conducted in the autumn of 2021. In the survey, we have a detailed overview in which areas the new digital solutions have been implemented: access control to buildings, IT equipment, vehicles or the like, camera surveillance and GPS tracking etc. We have also asked the employers whether the systems are used to monitor employees 'time use, how the employees perform the work tasks, location data and employees' private activities or private use of the employer's equipment.

Results and conclusions

Over the past 3 years, an overwhelming majority of Norwegian companies have adopted new or upgraded existing digital solutions or technologies.

New "communication systems" dominate

A significant proportion use the new technology to monitor employees and work

Trade union representatives are less involved than other actors in decisions and implementation of new digital solutions and technologies

Shop stewards present in the company increases the likelihood that the company has assessed the consequences for employees' privacy when they have implemented new digital solutions or technologies.

KEYWORDS Digitization; monitoring; privacy; employee participation

**FURTHER
READING** Eurofound (2020): Employee monitoring and surveillance: The challenges of digitalization

Level up computerized

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ABSTRACT

Objective

The objective to this paper is to investigate the impacts of technological and organisational changes amongst administrative staff at a Swedish university. As part of an ongoing computerisation agenda, the Swedish government suggested in the late 1980s that the computer skills of secretaries within the national public administration needed to be strengthened. That created a crossroad of risk and possibilities (Wilhelmson, 1994) for the secretarial functions. If they failed to adapt to the computerisation, they ran the long term risk of being out of work, since more of the everyday administration was expected to be handled by computers and jobs being rationalised. However, if they did embrace the new technology, they could engage in job crafting and become more specialised administrators, conducting more qualified tasks. Inspired by Hughes (1996, p. 228) urging to “examining both the direct impact of new technologies, as well as the indirect consequences”, this paper explores hindrances and potentials in the administrators position.

Method

This mixed methods case study was conducted at a medium-sized Swedish university. It has a predominantly inductive input and the data generation was done in different stages. Initial explorative interviews were followed by a questionnaire, followed by workshops and another set of interviews. In total, the study contains data from 18 individual interviews; an organization wide survey among the administrative staff; 5 workshop groups with 40 administrators in total, as well as group discussions with 7 managers and 11 HR representatives.

Result

As a direct effect of the computerisation, the administrators' jobs seem more fragmented and less within their control. However, the time saved by a new division of labour enabled by digitalisation, has increased the possibilities for specialisation and job crafting. Moreover, this new division of labour also led to increased tensions between academics, administrators and management. Findings indicate that altering gender patterns and perceptions of gender both enable and hinder development of the role at various departments in the organisation. A key finding in this study is the tension regarding the division of labour between departmental administrators and academics and how it seems to increase with the implementation of new technology and changed administrative routines. As the departmental administrators benefit in some ways from the use of digital systems as it gives them time to develop other skills, some academics resist the (actual or perceived) job enlargement that comes from increased self-administration, thus hindering the advancement of the administrators.

Conclusions

This study illustrates how multiple aspects come into play in the status and potential advancements of the departmental administrators' positions. The positions of different actors within the organisation are connected as resistance in one place, by the teachers and researchers, occasionally creates hindrance in other places, for the departmental administrators in this case, increasing the lateral conflicts within the organisation. Those conflicts and perceptions of gender could enable as well as hinder changes showing that the risks and possibilities connected to computerisation is a matter of social relations as much as being governed by technology.

KEYWORDS Academia; Administrators; Computerization; Gender relations

Minimum wages – II

Minimum Wage Effects across the Wage Distribution

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Effects of the introduction of the statutory minimum wage on income and consumption in Germany

Toralf PUSCH, *Wirtschafts- und Sozialwissenschaftliches Institut (WSI)- Hans-Böckler-Stiftung*

Criteria for setting the minimum wage as a factor in meeting the vital needs of workers

Marcin WUJCZYK, *Jagiellonian University of Cracow*

The development of low-wage work in Sweden - how should they be measure

Johan ALFONSSON, *Department of Sociology and Work Science, University of Gothenburg*

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Minimum Wage Effects across the Wage Distribution

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ABSTRACT

We estimate the employment and wage effects of a reform in 2019 that increased the minimum wage in Spain by 22.3%. Using a very rich administrative dataset of social security records, we first measure the effect on employment changes by wage bins throughout the wage distribution. To do so, we construct a counterfactual wage distribution using data from before the policy change and comparing workers near the minimum wage to workers well above it, and hence not affected by the increase.

Our first set of results shows that the overall number of jobs did not change during the next fourteen months after the reform and before the onset of the social distancing measures due to the COVID-19 pandemic. Therefore, the minimum wage is successful in increasing earnings of low-wage workers without harming their employment prospects. In our second set of results, we extend the analysis to include the rest of the year 2020. We conclude that workers that benefited from the minimum wage hike were not more likely to lose their jobs relative to workers who did not benefit from it. The evidence we document portrays the minimum wage as an effective policy in reducing wage inequality.

KEYWORDS Minimum Wage; Unemployment; Income Inequality

Effects of the introduction of the statutory minimum wage on income and consumption in Germany

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ABSTRACT

This paper is the first to take a detailed look at the effects of the statutory minimum wage introduced in 2015 on the income development, consumption and savings of households. Internationally, there are already a number of studies on the income effects of minimum wages, most of which estimate positive effects. Studies on the effects on consumption and savings are rare. For the study, we make use of the sample survey on income and consumption (EVS). The EVS, which is collected every 5 years, is particularly well suited for the investigation of income development and also income use, as it includes very detailed information on income and consumption for a large number of surveyed households in Germany.

The effects of the minimum wage are measured in 2018 in comparison to the previous survey of the EVS 2013 and 2008 (before the minimum wage introduction). They therefore also include the effects of the first increase in the minimum wage in 2017. The main focus of the survey is on households with employees to whom the statutory minimum wage applies. Households without employees entitled to the minimum wage are not examined.

In the descriptive analysis, we make a distinction between minimum-wage households and households in a comparison group. The descriptive analysis shows that the share of minimum-wage households among households entitled to the minimum wage decreased by about one third between 2013 and 2018. Extrapolated, this corresponded to 4.9 million households in 2013 and about 3.25 million in 2018. Overall, minimum-wage households spent more on consumption over time, and the increase here is higher than for comparison households. Savings have also grown disproportionately, which is likely due in part to the very low baseline level of savings in the baseline.

The paper concludes with causal analysis of the effects of the minimum wage on household income and income use. For this purpose, we use Unconditional Quantile Regressions (UQR), which have proven particularly useful in examining the effects on income distribution. The effects on the distribution of means-weighted gross household income and net household income are similar; significant effects reach up to the 40th and 45th percentile of the respective distribution. As expected, the magnitude of the effects on means-weighted household gross incomes is higher than for the effects on household net incomes. At the lower end of the distribution, this is likely to be mainly related to social transfer withdrawal. At somewhat higher gross incomes, tax progression is likely to take effect and also lead to a reduced increase in net income.

The causal analytical studies for the effects of the minimum wage on consumption and savings show less clear results. The reason for this is mainly to be seen in the less direct connection between minimum wage and consumption or savings, while the connection between minimum wage and gross or net income is comparatively direct.

KEYWORDS Minimum wage; Household income; Consumption, Saving

Criteria for setting the minimum wage as a factor in meeting the vital needs of workers

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ABSTRACT

Objective

The subject of this paper is to identify the criteria for setting the minimum wage based on international standards and to assess their usefulness. The mechanisms for setting minimum wages in the context of achieving the goal of ensuring minimum living conditions for employees will also be identified.

The evolution of the criteria for setting the minimum wage will be presented. Mutual relations between particular criteria and their significance for the determination of this remuneration will be analysed, along with the limits of the freedom of states to set the amount of the minimum remuneration.

Method

The analysis will be based on international standards in the area of minimum wages formulated by ILO in Conventions No. 26, 99 and 131 with their supplementary recommendations. The regulations of the UN and the Council of Europe will also be verified. The criteria for setting minimum wages will also be examined on the basis of the draft EU directive on adequate minimum wages.

Results

The analysis of international standards leads to the conclusion that a decent standard of living can be considered a metacriterion for determining the amount of the minimum wage. It follows from international and European regulations that ensuring a decent standard of existence goes beyond meeting basic human needs, such as food or housing. It also includes spheres related to social and cultural life. The need to ensure a decent standard of living for workers and their families is not only the responsibility of the employer, but a challenge for the whole society, organised on the basis of human rights and the principle of social solidarity. Therefore, the minimum wage can be supplemented in its pursuit by social transfers, especially social security benefits. It should be noted, however, that it is the minimum wage as income from work that is of primary importance in ensuring a decent life for the workers and their families.

An examination of Conventions Nos. 26, 99 and 131 reveals an evolution in the development of these criteria. Initially, the Conventions did not refer to minimum wages.

The detailed criteria for setting the minimum wage are also contained in the draft directive on adequate minimum wages in the European Union. The obligation to adopt national criteria for setting the minimum wage in order to realise decent work and living conditions, social cohesion and positive convergence indirectly points to the primacy of social requirements.

Conclusions

International standards leave considerable freedom to states to adapt minimum wage criteria to national socio-economic conditions, as well as to adopt additional indicators. The limitations of states in determining the level of the minimum wage are mainly due to its essence as an instrument to provide the workers and their families with the means of adequate subsistence. Such a method of regulating the criteria for setting the minimum wage promotes its determination on the basis of a compromise between the social needs of workers and their families and the financial capabilities of employers and the general economic development of countries.

KEYWORDS Minimum wage; Criteria; international standards

The development of low-wage work in Sweden - how should they be measure

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ABSTRACT

There is an ongoing discussion about whether the Swedish occupational structure has been polarized into a growing low-wage group and a growing high-wage group. The purpose of the article is to examine and explain the development of low-paid jobs in Sweden between the years 2005–2018, do they expand into the labor market or does their share decrease?

There is no consensus on how the group should be defined. Using LFS data and register data, we test three different definitions of low-wage work and examine differences and similarities in the development trend depending on the definition.

The first definition we use focuses on occupations and their average full-time wage. The 25 percent of occupations with the lowest full-time wages are defined as low-wage occupations. A second definition we use is to rank occupations based on the actual average wage that employees in the occupations receive. In this way, one can capture the impact that part-time work and fixed-term employment have on wages and how it affects the wage situation in occupations. A third definition does not focus on the profession but on individuals in low-wage positions. This definition examines the proportion of employees who receive a wage that is less than 60% of the median wage. We will compare how development trends differ depending on the definition and further we will investigate whether the definitions affect who is at risk of being in a low-wage position and whether this risk has changed over time. Key variables here include socio-economic class, country of birth, age, gender, occupation.

KEYWORDS Low wage, Poverty, social inequality, polarization

Precarity and inequalities

Hidden groups of hybrid workers on labour platforms in Denmark

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Turning Post-materialism on its head: Self-expression and autonomy at work in the age of precarity

Petar MARČETA, *University of Amsterdam*

Comparing workplace regimes in a low-end service sector: the case of McDonald's in China and the UK

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Employment services as providers of social capital to young people with precarious employment trajectories

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Hidden groups of hybrid workers on labour platforms in Denmark

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ABSTRACT

Digital labour platforms like Uber and Upwork are changing fundamental conceptions of the labour market; work is redefined as “gigs”, employees are often replaced with self-employed, management is governed by algorithms and social contact is mediated digitally (Kovalainen et al., 2019; Stark & Pais, 2020; Vallas & Schor, 2020). Much literature on digital platforms has been occupied with the precarious aspects of digital labour, such as low pay, uncertain working hours and lower levels of social protection (Berg, 2016; De Stefano, 2016). Other strands of research has focused on the heterogeneity of the platform workforce and shown that most platform workers use platform work as a supplementary source of income and do not depend exclusively on their income from platform work (Ilsøe et al., 2021; Schor et al., 2020; Urzi Brancati et al., 2019). However, less researched is who are the platform workers when looking outside of the platforms, and what are the typical patterns of combining labour on digital platforms with traditional economic activity? We argue that these are important questions for understanding the often-portrayed fractious interlinkages between platform workers and the traditional labour market.

In this paper, we contribute to the growing body of literature on platform work by exploring the income patterns, understood as the combination of multiple income sources, among platform workers. Analytically we seek inspiration from literature on labour market segmentation theory and multiple jobholding to nuance the often-dichotomized view of labour markets characterized by much labour market segmentation theory (Campion et al., 2020; Conen, 2020; Doeringer & Piore, 1971; Grimshaw et al., 2017; Smith & McBride, 2021). We use survey data on platform work from the Danish Labour Force Survey conducted in 2017 and 2019, combined with register data from Statistics Denmark concerning the Danish population’s income. Combined, these data provides us with a comprehensive overview of the labour market position of a representative sample of platform workers in Denmark. Methodologically, we apply latent class analysis models to uncover patterns of labour market segmentation and identify and potentially categorize distinct forms of income hybridity amongst platform workers. We find three major groups of platform workers, and while all of them have multiple income sources, they have very different labour market positions when considering how they combine platform work with their activities on the traditional labour market.

We categorize them as “established workers”, “transitional workers” and “new labour market entrants”. These divisions point to marked differences among platform workers, implying that platform work is characterized by varying blends of hybridity and mobility. Based on solid empirical evidence we thus contribute to the literature on platform workers as a heterogeneous and hybrid workforce, with a novel perspective on the different ways in which platform workers organize labour and income-generating activities across distinct arenas. In conclusion, we discuss the potential implications of the variations in hybridity for policy and further studies.

KEYWORDS Digital labour; Latent class analysis; Segmentation

Turning Post-materialism on its head: Self-expression and autonomy at work in the age of precarity

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ABSTRACT

The post-fordist world of work can be examined through two dynamic processes of change. On the one side, there is an evolving change in the organisation of work, with the rise of flexible employment and organisations challenging the “fordist settlement” of the post-war period (Streeck, 2017) and exposing a growing number of workers to the experience of precarity (Kalleberg, 2018). On the other, there are important changes and developments in the expectations from and values associated with work. The post-fordist period of capitalism has seen a growing recognition of work as a means for self-realisation (Chamberlain, 2018). This new work ethic centres around the idea that the value of work rests in the activity itself, rather than in the extrinsic rewards that it entails (Méda & Vendramin, 2017, p. 29).

The tensions and paradoxes of these developments are perhaps best exemplified in the creative industries – a sector which can be seen as the ‘poster-child’ of post-fordist work, traditionally characterised by the prominence of non-material working values and flexible organisation of work. Here, this tension is materialized in the form of what we can name the ‘creative paradox’. Namely, existing literature overwhelmingly demonstrates the apparent contradiction between, on the one side, optimistic promises of creative labour as liberating, self-expressive and autonomous, and on the other the rampant precarity and inequality which plagues the sector. The view that self-expressive work values can coexist with precarious working conditions is at odds with the influential perspective of post-materialism which suggests that non-material values are pursued only after the material ones are satisfied.

This article sets out to empirically investigate this tension between values of work and its realities, by focusing on the individual level of creative workers, where values of work can be seen as a set of preferences about materialistic and non-materialistic aspects of work. Using an original dataset (N=774) of “vignettes”, or fictional job descriptions, rated by architects and designers (n=129) working in the Netherlands, we explore how workers in the creative industries weight different non-material and material values of work against each other when faced with different levels of precarity.

Our preliminary results suggest that the relationship between precarity and non-material work values is not straight forward. According to our data, both material and non-material working conditions have a positive effect on the rating of fictitious jobs however, in relative terms, having autonomy and ‘doing what you love’ seem to be more important, even when controlled for the level of precarity experienced by our respondents. These results point towards the conclusion that post-materialism theories fail to explain the values of work in a vanguard sector of post-fordist economies.

KEYWORDS Creative labour; Creative industries; Precarity; values of work

Comparing workplace regimes in a low-end service sector: the case of McDonald's in China and the UK

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ABSTRACT

This paper presents a comparative study of employment relations practices at one leading multinational enterprise in a low-end service sector - the McDonald's Corporation in two different countries (China and the UK). In doing so, this paper applies Burawoy's notion of 'workplace regimes' (1985) to help to understand workplace dynamics around 'control-consent-resistance' and the connections between the labour process and broader social structures.

Multiple research strategies are adopted, and various sources of data are collected in this ethnographic study. First, participant observation was conducted at McDonald's stores in both China and the UK. Second, 51 semi-structured interviews were undertaken with (ex)-employees and (ex-) store-level managers at McDonald's in both China and the UK, in addition to interviews with two officials from central government and one official from trade union (ACFTU) in China, and one union organizer from the Bakers, Food and Allied Workers Union in the UK. Third, an analysis of documentary materials, including reports and newspaper articles in the media, operation reports from McDonald's, and documents from governments or trade unions, regulatory and policy documents relating to labour standards in both China and the UK has been carried out.

At McDonalds China, the workplace regime is termed as 'fragmented hegemonic despotism'. On the one hand, hegemonic features still remain in the form of considerable state intervention on standard employment, in terms of full-time hourly paid workers who are employed on labour contracts; on the other hand, due to the regulatory void in terms of employment status, more than two third of hourly-paid workers at stores are student workers and retirees, who are employed on service agreements and not protected by labour laws. At McDonald's UK, the regime is flexible despotism, which is reflective of the external deregulated and flexible labour market in the UK, and a vast majority of workers are based on zero-hour contracts.

In both workplace regimes, employment contracts and working time are manipulated by McDonald's managers to seek greater flexibility and control over employees. However, the findings suggest that different control styles and divergent employee responses are revealed in workplace regimes at McDonald's in two countries. Despite the labour dualism at McDonald's China, a form of 'coalition consent' has been forged among hourly-paid workers under the paternalistic control. By contrast, a co-existence of significant resistance (three strikes from 2017 to 2019) and supine acquiescence is generated under the arbitrary control system of the UK.

The paper concludes that workplace regimes not only represent the workplace dynamics between employers and employees, but also reflect and are influenced by wider institutional rules, cultural norms and political dynamics.

KEYWORDS Workplace regime; Employment relations; Employer control; Employee response

Employment services as providers of social capital to young people with precarious employment trajectories

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ABSTRACT

The worldwide emergence of the Covid-19 pandemic has only worsened the risk of employment exclusion that young people suffered as a result of the Great Recession. In this context, the measures aimed at generating social capital that are developed or could be developed within the framework of active labour market policies take great relevance. It should be remembered that the use of personal networks, also known as network social capital, are the main means of job searching and finding for young people; and that in times of job scarcity this use increases even more. However, young people with precarious labour market trajectories mainly use personal contacts obtained in close spheres, which contribute little to job finding in contexts of high unemployment.

This communication studies, using a qualitative approach, the degree and way in which the different measures that are part of the active employment policies developed at the local level in Catalonia may contribute to developing useful personal contacts for the job search of young people. In this sense, the research presented studies the formal policies developed by local employment services to reinforce network social capital of young people (i.e., network policies, formal mentoring policies, etc.), but also the non-formal ways in which this target group obtain personal contacts useful for job search through the actions developed by these employment services.

The results obtained in the research show that there is no formal commitment on the part of local employment services to generate social capital resources. It seems that social capital is not considered a resource to be developed. However, other kind of policies of local employment services can generate useful social capital for labour market insertion. This generation of social capital occurs, firstly, through the creation of contacts as an indirect outcome of training actions and work placements, and secondly, through informal mentoring developed by the workers of local employment services. This finding suggest that deliberate and comprehensive social capital building actions could be even more profitable for the group of young people studied.

KEYWORDS Youth; social capital; social inequalities; precarious labour market trajectories; labour market insertion

Labour market policy in the post-pandemic

Income guarantee schemes and inclusion during Covid-19. Reform and policy innovation in the Southern Cone

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The Covid-19 (Miscellaneous) Provision Act 2020 -The Mauritian Case Study

Rajendra Parsad GUNPUTH, *University of Mauritius*

Doubling down or switching paths? Labour market policy change in Southern Europe after Covid-19

Arianna TASSINARI, *Max Planck Institute for the Study of Societies*

Job retention arrangements in Norway: institutional change in the face of the covid-19 pandemics?

Jørgen SVALUND, *FAFO*

Income guarantee schemes and inclusion during Covid-19. Reform and policy innovation in the Southern Cone

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ABSTRACT

Income guarantee schemes have been fundamental to mitigate the economic consequences of the pandemic. Southern Cone countries have carried out different strategies to reinforce non-contributory policies (minimum income transfer schemes, emergency family benefits, child benefits, etc.), which are aimed at the most vulnerable groups who don't usually have access to traditional work-related social protection schemes. This article will compare the reforms and innovations in non-contributory transfer schemes developed during the Covid-19 crisis in three countries of the Southern Cone: Argentina, Chile and Uruguay.

Following Fernando Filgueira's classification, these countries share a universal-stratified welfare model. However, during the Covid-19 crisis, they have developed income guarantee policies with differences in design, duration, conditionality, generosity and scope. This paper has two main objectives. On one hand, to assess whether there have been significant changes that bring these income guarantee policies closer to the main features of a Universal Basic Income (Universality, sufficiency, individualization, unconditionality and indefinite duration). On the other hand, to analyse the common trends and the main differences in the strategies followed by these three countries by performing a comparative public policy analysis.

KEYWORDS Social security; Welfare state; Latin America; Basic Income; Covid-19

The Covid-19 (Miscellaneous) Provision Act 2020 - The Mauritian Case Study-

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ABSTRACT

The Covid-19 pandemic disease took the world by storm distorting the whole image and spirit on labour and industrial relations with new innovations such as Work From Home (WFH) and it amended, temporarily, the Workers' Rights Act 2019 and some fifty-seven legislations in order to cater for the impact of the Covid-19 infectious disease with both and negative impact on the usual landscape of the Mauritian way of doing business, trade, finance or economics.

Objective. Therefore, the aim and objective of this contextualised paper is to make a study how this legislative change the whole image of employment relations in the small Republic of Mauritius with access to workplace with online lecturing, access to the workplace and the right to information, the right to collective bargaining as per the procedure agreement and collective agreement with restricted fundamental rights both on the workplace and outside the workplace, strict control prior to access to the workplace in order to reflect to what extent workers, employees, and employees including trade unions have to deal with new rules and regulations on the workplace and how Mauritians adapted to these changes in terms of, inter alia, working hours, shift work, overtime, reduction of workforce in certain enterprises in the services sector, age of retirement, leaves, bargaining power or right to strike.

Method. It is a contextualised paper with a literature review, a research methodology, facts and findings as per the primary and secondary data collected. Trade unions members in Mauritius will be interviewed as per a questionnaire which has been set up to reflect the situations on the field and why people voiced out their anger openly when freedom of expression, discrimination towards women, various forms of abuses, freedom of movement and freedom to access to places of worships were also very restricted with heavy fines and such term of imprisonment for workers who violate the minimum rules and regulations as per the various communiqués sent to them. All relevant enactments will also be analysed, as per the law in force actually in Mauritius, with relevant figures, facts and cases as per the statistics received from the Central Statistics of Mauritius (CSO).

Results. The situation in Mauritius was in turmoil and disorder for a certain period until workers in Mauritius adapted to the new normal and the domino effect.

Conclusion. This conference allows practitioners, academics and other researchers to bring forward their facts and findings in the respective country and it is an ideal platform to discuss on various emerging issues (supra) related to problems and various obstacles met during the Covid-19, solutions we can bring together to it to enhance the socio-economic development and that respective government are informed on various improvements that they can inspire to avoid lay-off in a very positive and constructive manner. If we deal with all these social problems individually, and not collectively, without hearing from situations in other countries and how each country is facing the Covid-19 then it might be too late.

KEYWORDS Short-Time Work; Temporary Workers; Segmentation; Dual Labour Markets

Doubling down or switching paths? Labour market policy change in Southern Europe after Covid-19

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ABSTRACT

Liberalising labour market reforms have been at the centre of structural reforms agenda that crisis-struck South European countries implemented in response to the Great Recession, under the combined pressures of external creditors and of the Eurozone economic governance mechanisms. The effects of the contentious labour market liberalization agenda implemented during the last decade on employment creation and employment quality have been limited if not altogether detrimental. South European labour markets continue to be plagued by segmentation, youth unemployment, low female labour force participation, stagnant wages and high incidence of informal employment.

The Covid-19 crisis has exacerbated many of these problems, making quality employment creation a key challenge for the post-crisis recovery. Have any lessons been learnt from the previous crisis? What kind of labour market policy response are South European countries implementing to address the shockwaves left by Covid-19 on their labour markets, and what are the political processes shaping these responses? This paper compares the labour market policy responses implemented in the post-Covid19 period in the two largest South European countries – Italy and Spain – interrogating both the content of their reform packages (including the measures foreseen in their National Recovery and Resilience Plans), and the interplay of domestic politics, external conditionality and technocratic expertise that shaped their content and that account for the increasingly diverging trajectories of labour market policy change that have been pursued in the two countries.

KEYWORDS Labour Market Policy; Southern Europe; Nextgeneu; Liberalization

Job retention arrangements in Norway: institutional change in the face of the covid-19 pandemics?

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ABSTRACT

The Covid-19 pandemic led to fear of illness and death, and a overloaded health care system. To avoid this, Norway, and many other countries, used a number of measures to reduce the general activity in society. Those who could work from home had to do that, and hotels, restaurants and other service industries that required close social contact were shut down. The limited activity in a number of companies was therefore not due to lower demand internationally, but largely due to domestic measures used to reduce social activity.

Commonly used measures during recessions in Norway, such as Keynesian policy and active labor market policy, thus became counterproductive in the first phase of the Covid-19 pandemic (2002-2021). A widely used measure in Norway ensures that employees can keep their jobs even when companies do not have work tasks they can perform is furloughs. Furloughs, and other types of job retention schemes, allow companies to reduce the working hours of employees temporarily, at the same time as the employment relationship is maintained, and the furloughed individuals income is partly secured (Drahokoupil & Müller, 2021).

In recent years, especially after the financial crisis, various forms of job retention schemes have changed from only being used in some countries, to being used in many countries (Arpaia et al., 2010). The furlough scheme in Norway has existed at least since the 1920s, and is a tripartite arrangement based on collaboration between the state, the main employer organizations and trade unions. Facing a pandemic health crisis, we study whether and how this institution change during crisis. While there exists studies of changes in labour market institutions over time, Chung og Thewissen (2011) point out that there are few studies of welfare state actors reactions to crises, sudden events.

In this paper, institutional changes in the existing furlough scheme, as well as the development of new job retention schemes is analyzed by way of power resource theory as well as different types of institutional theory. The paper contrast the current crisis with the financial crisis, comparing the changes made at the changes made at these two occasions. Doing this, the paper is based on document studies, statistics, as well as interviews with main actors from the state, trade unions and employer organizations. The study show that the existing furlough scheme were adjusted in similar ways as the financial crisis, but also that there have been made several institutional innovations during the pandemic crisis, perhaps indicating that the crisis have been a critical juncture for change.

KEYWORDS Pandemic crisis; job retention scheme; social partners; institutional change

Transformations of collective bargaining

The role of collective agreements in the liberalisation of industrial relations

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Trends and challenges of decentralization in the German system of labor regulation. Tales from two sectors

Thomas HAIPETER, *University of Duisburg-Essen*

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Local Collective Bargaining and Organised Decentralisation in Sweden

Mia RÖNNMAR, *Faculty of Law, Lund University*

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The role of collective agreements in the liberalisation of industrial relations

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ABSTRACT

Collective bargaining is seen as a way to order and control the labour market and to democratise parts of the economy by guaranteeing the participation and protection of workers (Ferraras, 2017). Collective agreements, as the main instrument of collective bargaining, embody these partly contrasting interests. They stipulate the rights, obligations and constraints of both employees and employers via sometimes quite detailed arrangements on the regulation and organisation of the labour process.

Since the inception and heyday of collective bargaining that ended in the 1970s the power relations between organised employers and employees has changed considerably due to changes in the political economy. Baccaro and Howell (2017) conclude that an increase of employers' discretionary powers is the most important effect of these changes in relation to industrial relations.

Their amplified possibilities to unilaterally decide on the organisation and allocation of labour are primarily associated with changes in the institutions governing industrial relations; a decollectivisation of class organisations, most notably trade unions, the deregulation of labour markets and the shift from collective to individual bargaining (ibid.). This leads to changes in the formal, contractual position of employers vis-à-vis workers, but also influences power and trust relations. Dukes and Streeck (2020) talk in this respect of a shift from industrial citizenship, also referred to as industrial democracy, to private status, i.e. a marketized relationship characterised by the absence of the need for employers to ascertain the good will of employees.

This paper focuses on the role of collective agreements in these transformations in industrial relations and the political economy. Did collective agreements enhance these developments or did they try to alter, stop or diminish the effects? And how does this effect the manner in which collective agreements regulate and organise the labour process?

Following Baccaro and Howells conclusion that increased employers' discretion, i.e. the reduction of constraints on employers, is the main feature of liberalisation of industrial relations, an analytical framework on employers' discretion consisting of 16 indicators is proposed to analyse the content and nature of collective agreements since the 1970s. Three Dutch collective agreements, notably Metal-Electronics, food service and hotel industries, and banking/Rabobank, are chosen as the case studies at hand.

KEYWORDS Collective bargaining; collective agreements; employers; liberalization

Trends and challenges of decentralization in the German system of labor regulation. Tales from two sectors

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ABSTRACT

Decentralization is a central trend of the dual model of collective bargaining autonomy and workplace co-determination that characterizes German industrial relations. Two different forms of decentralization in collective bargaining can be distinguished. Firstly, there is a dynamic trend of wild decentralization through erosion measured in terms of a decline in collective bargaining coverage and the increase in the proportion of companies and employees whose working conditions are no longer regulated by collective agreements. Secondly, processes of coordinated decentralization can be observed in two forms. The first form is 'establishmentisation' ('Verbetrieblichung'), meaning a shift of regulatory competences between the levels of the dual system from the actors at industry level to the actors at company level. The second form is collective bargaining decentralization as a shift of regulatory competences within the collective bargaining system from the industry level to the company level, both as derogations from collective bargaining agreements and as company collective agreements without the companies being members of an employers' associations.

Our paper addresses the trend of decentralization in collective bargaining in Germany by analyzing main characteristics of decentralization and comparing recent developments in the metal sector and the retail sector. Based on semi-structure interviews, we investigate the practices and strategic (re)actions of employers' associations, trade unions and works councils towards decentralization in collective bargaining. Moreover, we analyze whether and in which way decentralization practices affect relationships between trade unions and works councils.

Our analysis reveals different trajectories of decentralization in both sectors: while decentralization of collective bargaining in the German metalworking industry is characterized by an interplay of wild and organized decentralization – both forms of controlled decentralization, 'establishmentisation' and derogations, play a crucial role – decentralization in the retail sector mainly takes the form of wild and uncontrolled decentralization. Derogations by opening clauses are far less common in the retail sector than in other industries. In addition, our empirical insights from our case studies underline that new challenges for trade unions and works councils go along with these developments. Overall, a close cooperation among those actors is crucial to cope with these challenges. On the one hand, the trade unions need the works councils in derogations since they are indispensable for monitoring the implementation of derogations.

Moreover, 'establishmentisation' does not work without works councils who are able and willing to step in and to implement what the unions have negotiated in the agreements. On the other hand, the works councils need the trade unions; they need professional support to deal with new tasks arising from 'establishmentisation', and they need the organizing and bargaining power of the unions to negotiate fair derogation deals with management. Even in the case of wild decentralization, collaboration is needed in order to strategically react to existing decentralization pressures from the employers' side.

KEYWORDS Collective bargaining; decentralization; Germany; retail; metal

Local Collective Bargaining and Organised Decentralisation in Sweden

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ABSTRACT

Objective

The background of this paper is a general trend in many EU Member States towards decentralisation in collective bargaining. The objective is to analyse local collective bargaining and organised decentralisation in Sweden in the context of the labour law and industrial relations system and current pressures at EU and national level.

The Swedish labour law and industrial relations system is based on self-regulation through autonomous collective bargaining, social partnership and strong legal rights and industrial relations practices of employee representation and information, consultation and co-determination. Collective bargaining is characterised by organised decentralisation, and an emphasis on individual and local bargaining within a stable framework of national sectoral bargaining. In recent years, there is also an increased activity and innovation at the cross-sectoral bargaining level. Worker participation is channelled through trade unions and their representatives, at local and national levels, in a single-channel system.

This paper focuses on three case studies in the manufacturing, retail, and public sectors, respectively, the institutional and legal framework of collective bargaining and employee representation, and trends and debates on decentralisation in collective bargaining.

Method

This paper combines a legal-analytical method with a socio-legal approach, and an integration of labour law, industrial relations and collective bargaining perspectives. In the case studies, analysis of collective agreements at cross-sectoral, sectoral and local level is combined with analysis of semi-structured interviews with social partner representatives to gain further insights into inter alia the views and strategies of employers/employees' organisations and trade unions, different aspects of local collective bargaining, and the content and implementation of collective agreements.

Results and conclusions

This paper will provide analysis and results on local collective bargaining and decentralisation in relation to the manufacturing, retail and public sectors as well as in relation to the Swedish labour law and industrial relations system as a whole, specifically on:

- sector characteristics and the interplay between collective bargaining at cross-sectoral, sectoral and local level,
- legal scope, processes and outcomes of local collective bargaining,
- everyday practices, industrial relations aspects and employer and trade union strategies on local collective bargaining,
- social partner relations and interaction between collective bargaining, on the one hand, and information, consultation and co-determination, on the other hand, and,
- current pressures on Swedish collective bargaining, including the European Commission's proposal for a Directive on adequate minimum wages in the EU, a new Swedish cross-sectoral social partner agreement on security, transition and employment protection, and the COVID-19 pandemic.

Furthermore, the paper will contribute to European research discourses on organised decentralisation of collective bargaining, and national and sectoral variety in collective bargaining and employee representation, information and consultation.

This research was carried out within the framework of the comparative research project CODEBAR. Comparisons in decentralised bargaining: towards new relations between trade unions and works councils? funded by the European Commission, DG Employment, Social Affairs and Inclusion, and coordinated by Dr F. Tros, AIAS-HSI, University of Amsterdam.

KEYWORDS Local collective bargaining; decentralization; Sweden

New technologies and workers participation

Embracing digitalization and AI: A taxonomy of tools developed by labor organizations

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Unions on Facebook: Developing union democracy on- and offline

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Participation in the digitalisation of work: models and experiences for a shared sustainable process

Stefano BINI, *University of Córdoba*

Algorithmic mediation or interpersonal communication?

David ÖBORN REGIN, *Karlstad University*

Embracing digitalization and AI: A taxonomy of tools developed by labor organizations

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ABSTRACT

While it is recognized that trade unions in industrialized countries today face many difficulties, recent research shows that they are trying to renew themselves, notably through the development of digital technologies and artificial intelligence (AI) tools. Because this line of research is still in its embryonic stages, opportunities remain with regard to the ways that those organizing collective representation appropriate these technologies to develop new digital applications designed for their specific needs. Such specific purpose tools may entail Web applications or mobile applications, so long as they contain functionalities and interactive elements.

An important gap in this literature is that academic research does not yet capture the scope of AI and digital experimentations being carried out by labor organizations, making it difficult to ascertain the theoretical, empirical, and practical importance of this phenomenon. More specifically, we know little about the variety of rationales behind the conception of these devices, the actors involved in their creation, the characteristics of the users for whom they are intended, as well as the outcomes targeted and achieved. As a result, it seems necessary to look more closely at the affordances of these tools to see more clearly how they contribute to union renewal.

With this in mind, our theoretical paper attempts to situate specific purpose applications within the global strategies of unions to envision how and under which conditions these tools could contribute to 1- enhancing and facilitating grassroots participation, 2- strengthening internal democracy, and 3- increasing union efficiency. To achieve these objectives, we develop a taxonomy of digital technologies and AI tools developed and used by unions and their members. This taxonomy, founded on an extensive search of the empirical evidence reported in both the academic and the grey literature, allows us to classify specific purpose applications and thus clarify our understanding of the way they operate.

Such a systematic analysis and reporting of the various digital and AI tools developed by labor organizations is, to our knowledge, a first in this field of literature. This classification allows us to shed light on the diversity of rationales behind the development of these tools, as well as the different contributions that they can make to the global functioning of trade unions. Such a categorization also allows us to contrast the contributions of tools developed by labor organizations and those offered by more traditional media (e.g., email, Facebook, Twitter, Instagram, etc.).

Furthermore, our approach allowed us to highlight the importance of the organizational context in the functioning of these tools, the logistical difficulties involved, as well as the importance of aligning online and offline strategies. Such findings contribute to advancing the literature on labor revitalization, trade unions, and digital organizing. Our paper concludes on analytical guidelines intended for future empirical research on specific purpose applications designed by and for unions.

KEYWORDS Trade unions; labour revitalization; digital technologies and AI; organising

Unions on Facebook: Developing union democracy on- and offline

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ABSTRACT

Evidence suggest that trade unions are challenged by digital technologies in relation to outreach and communications strategies (Carneiro and Costa 2020), and that the use of social media results in more polyphonic unions, requiring unions to rethink their role in the workplace (Houghton & Hodder 2021; Panagiotopoulos & Barnett 2015; Upchurch and Grassman 2015). However, digital technologies also hold potential for strengthening internal union processes and union democracy (Martinez Lucio et al. 2009). Unions are on a digital learning curve (Geeland 2021; Stevens and Greer 2005), though they might move slower than their members and grassroots base (Pasquier et al. 2020). This article explores what consequences social media communication has for union democracy.

The analysis draws on posts from three union Facebook pages and one grassroots page for during collective bargaining in the highly coordinated Danish bargaining model in 2017 and in 2020 (n=1.185). Moreover, 27 qualitative interviews was conducted with union communication officers, union chairs and union grassroots representatives in the same period. The paper provides a systematic examination of labor unions (and their grassroots) development of on- and offline communication and how this affects union democracy.

Comparing the social media communication of the two bargaining rounds, we find that grassroots groups at first significantly outperformed established unions with their more fractious communication, but with this difference lessening over time. We also find that unions and their grassroots though internally connected have divergent communication styles and pursue separate objectives on social media. Moreover, we show how unions develop new communicative strategies on- and offline when their power base is threatened. We argue that the communicative challenge from unions own grass roots – now fully visible online – have resulted in a strengthening of union democracy both on- and offline.

KEYWORDS Social media; union democracy; collective bargaining; union grassroots

Participation in the anticipation in the digitalisation of work: models and experiences for a shared sustainable process

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ABSTRACT

In the light of the empirical evidence emerging from the contemporary productive reality, the digitalisation of socio-economic paradigms emerges as disruptive enough to determine -among other things- the apparent eclipse of the collective dimension of work, as a result of an important push towards the individualization of and in the work itself. The same identity and class consciousness of the workers seem to “discolour”, broken down into a molecular society model, driven by intelligent technologies, structured according to disintermediation logics (in this sense, blockchain and distributed ledger systems are emblematic archetypes).

In such a context -in detail critically considered in the paper- the research intends to propose a reasoning around a fundamental question: how can this trend be reversed, re-evaluating the role of intermediate bodies?

The thesis presented in the study can be summarized as follows. The digitalisation of work should be considered as a transition to build inclusively, according to an anthropocentric vision - consistent with the development model of “industry 5.0”- and with the indispensable participation of workers’ representative organisations. Digitalisation cannot be considered as a phenomenon fulfilled, inexorable, implacable, which the worker and the social partners can only interpret and “suffer” passively, but as a «partnership process between employers and workers and representatives» (European Social Partners Framework Agreement on Digitalisation).

In this perspective, it seems interesting to explore two strategical trajectories. Firstly, it seems appropriate to consider adequately the need to adapt -at least in part and in a complementary way- the tools and languages of trade union action, opening to digital change, in the forms and places of representation. In this regard, the paper tests a concrete hypothesis: can the social network be considered as a new digital “ecosystem” for a “smart” trade union action?

Secondly, it seems equally appropriate to consider adequately the need to develop new tools and new forms of participation of workers and trade union organisations in governing the processes of digitalisation of work and its organization. In this regard, the paper tests a concrete hypothesis: can the “digital transformation committee” -a bilateral body, composed also of workers’ representatives- be considered as a virtuous model for reintermediation and the relaunching of an active role of workers in governing the digitalisation of work, in a truly human-centric way?

From a methodological point of view, the research is based on an accurate study of the coordinates of the impact that digitalisation produces on the dynamics of representation, focusing then the attention on a critical analysis of selected trade union practices and collective bargaining experiences, in order to identify models of reference, properly contextualised in the different national legal systems considered.

The results of the research show that trade union practices and collective bargaining experiences are rich in reference models that well express, in concrete terms, the centrality of intermediate bodies in the processes of digital transformation of work, thus testifying to the indispensable fundamental role that the representation and the union are called to play in a moment of swirling change as is the contemporary.

KEYWORDS Digitalisation; representation; unions; social network; participation

Algorithmic mediation or interpersonal communication?

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ABSTRACT

Objective

The objective of this study is to examine the in-app and out-of-app interaction among users of gig work apps. The Swedish platform economy seems to be mainly driven by technological development and a “hype” to make use of the latest tech, rather than demands and business models, which might hinder profitability (Hemberg, 2021). The rhetoric surrounding the gig platforms tends to focus on the algorithmic matching of work, taking for granted the lack of human involvement. While previously been addressed as a quest for recognition from the side of the workers (Newlands, 2022), this study explore the “out-of-app” communication as strategical acts from the worker as well as the platforms and their clients.

Method

The paper is based in an ongoing study on platform-mediated work in Sweden, focusing on workers providing a variety of “non-wheel” based services via a range of digital platforms. It consists of 31 interviews with gig workers involved in works ranging from hospitality, reception work, marketing, garden maintenance and other basic service tasks and 5 (so far) interviews with stakeholders (eg app developers and union representatives.)

Results

This study suggests that “out-of-app” communication between gig-workers, platform companies and the clients using the services the gig-worker provides, plays a major part in mediating the performance of work. On an abstract, general level, human agency has been obscured rather than replaced by digital interfaces. On a less abstract level, there is a lot of hands-on intervention and actions outside of the platforms in all directions. Sometimes, the clients want to bypass the platforms all together and have the relation directly with the worker, either as a long-term arrangement (becoming their employer) or a short-term arrangement, a spot contract, adding on extra tasks and paying the worker directly. Other times the clients and platform companies converses before posting adds to make sure that the right workers are targeted, and also contacted by the platforms outside of the app to encourage them to take on the gig. Conversely, vague or lacking information regarding tasks and context prompt workers to contact and screen potential clients before deciding whether to take on the gig. Workers also go outside of the app for strategic reasons, building more personal relations with the key gatekeepers at the platform companies handing out the gigs, making sure that they are known and noticed so that future gigs come their way.

Conclusions

While there are some base line expectations on what should be communicated on the platform– such as digital CVs , and general description of the task– the different actors step out of the platform in order to get ahead, suggesting that it is not all just algorithms in the gig economy. The possibility to do so differentiates this sector of the gig economy from others, arguing it is not a uniform phenomenon. The tendency to fetishize technology risks obscuring the social relations of paid work reflected in the interactions between the different actors in the somewhat mystified area of platform economy.

KEYWORDS Platform economy; communication; social relations; technology

Social partners and the green transition

The varying effect of union membership on environmental policy support across countries

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The Regulatory Challenges of the Just Transition at Work

Vincenzo PIETROGIOVANNI, *Lund University*

Beatriz MARTINEZ ROMERA, *Copenhagen University*

The relationship between environmental care and labour rights in global value chains: two endangered resources

Marouane LAABBAS EL GUENNOUNI, *Universitat Rovira I Virgili*

European Social Dialogue Documents: An Effective Commitment for Ecological Sustainability?

Selen UNCULAR, *Pompeu Fabra University*

The varying effect of union membership on environmental policy support across countries

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ABSTRACT

Objective.

The global community is yet sufficiently to address the human-induced drivers of climate change (IPCC 2021). While government is often attributed a leading role going forward, the viability of government policy intervention relies on support, or indeed pressure, both from the public and organized interest groups – among which trade unions have played a central role historically (Korpi 1983). Research shows not only that public attitudes influence policy, but also more specifically that union members' preferences affect which government policies are pursued by unions (Engler & Voigt, 2022).

It is therefore of importance to gain a more comprehensive understanding of union members' support for environmental policies. This paper aims to do so by analysing the effects of union membership on preference for government environmental regulation and spending. The paper addresses the question of whether the membership effect varies across a broad international sample of countries, contributing to the emerging research field on union membership and environmental concern by building on previous studies which have covered relatively more restricted samples (e.g. Chen 2017; Ringqvist 2021).

Such a broader scope is important because previous research reports substantial cross-national variation not only in overall levels of environmental concern, but notably also in its antecedents. Specifically, the 'Objective Problems, Subjective Values' thesis (Inglehart 1995) holds subjective values to be a more important determinant of environmental concern in more affluent nations. Drawing on this literature and the notion of a 'solidarity effect' (Mosimann and Pontusson 2017), whereby membership has a larger effect on policy support when the policy is less immediately linked with self-interest, this paper evaluates the argument that the membership effect on environmental policy support is moderated positively by country-level affluence and environmental performance.

Methods

The analyses are based on 2016 data from the International Social Survey Programme, covering 34 countries. Multilevel regression modelling is utilized to assess whether the membership varies effect across contexts.

Results

The research findings reveal that the membership effect varies to a higher extent than found in previous studies: membership is more likely to have a positive effect on environmental policy support in more affluent countries and in countries with lower levels of environmental degradation, where such support tends generally to be lower. These results are argued to align with the logic of the 'Objective Problems, Subjective Values' thesis and the notion of a 'solidarity effect' (Mosimann and Pontusson 2017), as lower levels of overall concern, related to better national-level environmental quality, leave more room for norms and ideology – a solidaristic membership effect – to boost support for such policies.

On basis of the research findings, the paper suggests caution in terms of generalizing conclusions from previous research about a positive association between membership and environmental concern to less affluent contexts – where environmental policy support tends to be more widely held among members and non-members alike. In relatively more affluent nations,

on the other hand, membership appears to counteract the general tendency for affluence and environmental performance to suppress environmental policy support.

KEYWORDS Union membership; environmental policy support; affluence; multilevel analysis

The Regulatory Challenges of the Just Transition at Work

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ABSTRACT

The Covid-19 pandemic has shown that any plan to restart the economy cannot escape the challenges of creating a socially fair climate transition. This is exactly the policy framework the EU has clarified with its Recover Fund plans coupled with the NextGenerationEU, via the Just Transition Fund and the Digital Europe Programme.

This paper is framed through the question of how labour law can protect and promote workers' rights through these future European plans. Moreover, all EU Member States must actively promote the Paris Agreement's goal of limiting the global rise in temperature to 1.5 degrees Celsius. These binding targets are to be achieved across all sectors of the economy.

Despite the climate action urgency, however, there is little research in legal scholarship on how climate change affects labour markets, in particular for what concerns the working environment. In this connection, it is crucial that the actions undertaken by the European governments along with workers and employers' organisations are based on solid and sound knowledge, which is not yet very comprehensive at the moment.

The paper advocates for collective bargaining as the most relevant regulatory tool for addressing the just transition at work.

First, the paper will provide an understanding in a socio-legal perspective of how the objectives in achieving decarbonized and sustainable economies and societies would impact the labour markets: specifically, new opportunities and challenges in the just transition to a green economy for ensuring to all workers in Europe a healthy and safe workplace.

The paper, then, will focus on two sub-streams related to main engines of social and economic change towards a more sustainable Europe:

1) automation: how can Artificial Intelligence and algorithms play a major role in fostering green jobs also improving the quality of work environment?

2) working time – how can the regulation of working time become a pivotal tool for the green transition to create a work environment that is inclusive and attractive?

Automation and working time are crucial for a sustainable European transition; moreover, it is evident that collective bargaining and social dialogue, also at EU level, will play a major role in regulating automation and working time.

KEYWORDS Climate change; adaptation and mitigation; labour law; fundamental rights

The relationship between environmental care and labour rights in global value chains: two endangered resources

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ABSTRACT

Today's economic market is organised in a globalised environment in which there are connections between states that few years ago were unlikely. These connections respond to commercial needs through which international trade is carried out by means of which products that do not exist in a specific territory end up arriving there and vice versa. At the same time, however, we are witnessing how certain rights are facing a decline in their protection. Specifically, we are referring to trade practices that are detrimental to two specific resources, workers' rights on the one hand and natural resources on the other. With regard to the first, it is the precarious situation in which workers find themselves, which has been fuelled by the road map followed by an economic system based on using its strength with a weak protection of their rights. The second resource refers to the (poor) state of our natural environment, ecosystems and biodiversity; given that, the economic system obeys an extractivism that only identifies economic profit as a factor without thinking about the need to satisfy future needs.

By this token, it is clear that both aspects are related. Firstly, because both are part of the same economic system, which is based on the abusive use of these resources. And secondly, because they are two factors that are found in the same scenario, as it is the workers who materialise the use of natural resources in exchange for benefits and working conditions that are much lower than desirable.

For all these reasons, this paper will try to find out what protection both concepts show, both in common and separately. To this end, we will first identify the regulations that materialize the protection of workers and the natural environment from the biggest aggressors, which are usually big companies. Secondly, we will analyse the rules regulating trade exchanges, specifically the sustainability chapters of the Free Trade Agreements, which are already beginning to bring together labour and environmental issues in an interconnected sphere. Finally, it will be possible to observe to what extent this protection is materialised and what are the different actions that should be taken into account for the near future (objectives).

All this will be carried out on the basis of a legal search of the known standards on the topic. This is the international laws, the Free Trade Agreements, the United Nations Principles on Human Rights and Business, the international conventions of the ILO and also the legal doctrine and the actions carried out by social actors such as international trade unions. This will be followed by a legal analysis and a comparison of the texts (Method). Finally, a proposal for improvements will be made on the basis of the research. Some proposals will be aimed at the protection of labour and environmental rights on the basis of the protection granted to other rights, such as intellectual property. Other possible solutions will be related to the establishment of a more binding and less programmatic system (results and conclusion).

KEYWORDS Environmental labour protection; international trade

European Social Dialogue Documents: An Effective Commitment for Ecological Sustainability?

SELEN UNCULAR

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ABSTRACT

Being negotiated between the social partners at European level and covering various issues, European social dialogue documents have a hybrid legal nature containing binding agreements and non-binding texts such as declarations or joint opinions. In my presentation, I aim to evaluate the role and effectiveness of European social dialogue documents and their parties in mitigating the climate crisis by adopting a mixed methodology including quantitative, qualitative and critical analyses.

Within this scope, 46 non-binding European social dialogue texts (in 13 different sectors and 2 intersectoral) regarding ecological sustainability were examined from 1990 to the end of 2021 found in European Social Dialogue Database of ETUI and European Commission. Extractive industry, woodworking and chemical industry are the sectors which have the most social dialogue texts with ecological aspects (8, 8 and 7 texts respectively), followed by steel and electricity sectors (each with 4), paper sector (3), and sea fisheries, gas and road transport (each with 2), whereas postal services, construction, civil aviation and food and drink sectors have 1 text for each.

As regards their contents, economic growth is the most common theme linked to the ecological sustainability, followed by job creation, explicit references or commitments to the international and European climate instruments, and skills and training. In addition, assessment and monitoring mechanisms, occupational health and safety, establishment of tripartite bodies and participation of social partners and workers constitute the less prominent themes. Lastly, texts with requirements in ecological matters from contractors and subcontractors, safeguards for workers' collective rights and gender equality are equally scarce. Moreover, whilst 2004 and 2018 are the years without any social dialogue document linked to the protection of nature since 2003, 2021 is the year with the most texts (6) followed by 2008, 2015 and 2020 (each with 4).

Consequently, there has been a significant improvement in the demands and attitudes of social partners in Europe towards a just transition based on social, economic and ecological sustainability through sectoral social dialogue since 2003. In this respect, there is a considerable increase in the awareness of ecological degradation together with gender equality, collective rights and decent work particularly with COVID-19. However, there is no binding social dialogue agreement in ecological issues yet and 46 texts can be regarded as relatively few and insufficient taking into account the beginning of social dialogue documents in 1978. Furthermore, there is a high priority on economic growth and job creation, whereas these texts lack formal standards, responsibilities and sanctions without a binding structure.

Therefore, the rising number and comprehensive content of texts in 2020 and 2021 is valuable and promising but there must be a consistent increase in the number of sectors and documents (including agreements) with ecological aspects in the upcoming years. Gender equality, work-life balance and labour rights must be linked to ecological sustainability more. For an ecological and equitable future of work in Europe, stronger and more transformative social dialogue with an effective commitment to the mitigation of climate crisis is promptly needed.

KEYWORDS Social dialogue; Europe; just transition; climate; work

Employment relations in the pandemic

Public sector wage-setting and its implications for collective bargaining coordination

Sharlaine OODIT, *General Public Service Sector Bargaining Council (GPSSBC)*

It's not just the pandemic that's to blame: the stagnation of social dialogue in Slovenia

Valentina FRANCA, *University of Ljubljana*

Covid-19 and employee-employer interaction: The global paradigm for job security in employment relations

Joshua OLABIYI, *University of The Western Cape - Department of Industrial Psychology*

Voices from the City: rhetoric and experiences of public service work at the time of the pandemic

Andrea BELLINI, *Sapienza University of Rome*

Public sector wage-setting and its implications for collective bargaining coordination

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ABSTRACT

Co-ordination in wage bargaining helps take into account the macroeconomic effects of wage agreements by ensuring that these agreements do not undermine external competitiveness and are set in line with the business-cycle situation. This may be one factor behind the empirical association of co-ordinated systems with higher aggregate employment. The strongest form of wage co-ordination establishes a wage norm that defines the maximum for the collectively-agreed wage increase in every sector. In European countries the collective agreement approaches vary.

The role of wage co-ordination between sectoral (or firm-level) agreements, such as the setting of common wage targets, to take account of macroeconomic conditions. Co-ordination might also occur as regards working conditions.

Collective bargaining also tends to affect wage dispersion, with greater dispersion in systems with no collective bargaining or where firms set wages independently. By contrast, wage dispersion is on average smallest among workers who are covered by sectoral bargaining.

The effectiveness of the articulation of sector-level arrangements within framework agreements, which characterises organised decentralisation, hinges to an important extent on the degree of collective worker representation.

Collective bargaining can only contribute to labour market inclusiveness and have a significant macroeconomic effect if it covers a large share of workers and companies:

Well-organised trade unions and employer organisations with a broad support base tend to be the best way to attain high coverage. At sector level, they ensure representativeness in wage negotiations. At firm level, they are the basis for social dialogue between workers and employers.

Collective agreements signed by employers and unions primarily determine wage levels (or wage increases) and non-wage working conditions, including working time, leave arrangements, training, employment protection, and health and safety provisions. Lessons learnt in Collective Agreements in the Public sector in South Africa have shown the importance of collective bargaining through social dialogue between Trade Unions and the government. The implementation and non-implementation of agreements have brought some dynamic in the process.

KEYWORDS Public sector wage setting; Social dialogue; Europe; just transition; climate; work

It's not just the pandemic that's to blame: the stagnation of social dialogue in Slovenia

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ABSTRACT

Soon after the outbreak of Covid-19, it became clear that the consequences for the labor market would be long-term. In addition to urgently needed measures such as the introduction of subsidized part-time work and waiting for work, special attention had to be paid to other aspects of work. This should have forced the social partners to cooperate more closely, but this has not always been the case, as the example of Slovenia shows. The Slovenian government has played a weak role in concluding agreements with public sector unions, which has been reflected not only in the strikes in the health sector, but also in demands for higher wages and strikes in other sectors. In fact, the government has chosen a strategy of unilateral decisions. This was also evident, for example, in the increase in doctors' salaries in the otherwise uniform salary system for civil servants. The inability to bargain collectively in the public sector was also reflected in the regulation of work at home and Covid-19 allowances, leading to inequalities. All of this also affected the private sector, which could derive certain solutions from public sector collective agreements but did not because they were not adopted. As a result, many issues were settled at the employer level, leading to greater inequalities in the labor market. And ensuring equal opportunities is one of the most important tasks of collective agreements.

There are several reasons for this failure. One of them is the non-functioning of the Economic and Social Council at the national level, which means that all legislative proposals have been adopted without due consideration of the labour and social perspective. In addition, unresolved issues from the past have a significant impact on the functioning of the social dialogue. These include, in particular, a wage and salary system that has not been seriously modernised and renewed in the private sector for at least twenty years. There are also a number of appeals in the public sector to revamp the salary system for civil servants. Unresolved issues from the past pose a major hurdle to the inclusion of current issues in the social dialogue, such as digitalization, artificial intelligence, climate change and the like. It is quite telling that the framework agreement on digitalization adopted by the European social partners in 2020 has not even been translated, let alone discussed. Therefore, it is very important to analyse the causes of the non-pandemic and the causes caused by the pandemic when studying the (in)appropriate response of the social partners. Based on this, suggestions for overcoming the current situation with the aim of resolving open issues and integrating important content for the labor market in the future will be presented.

The main method of research is secondary data analysis, focusing on legal acts, intervention measures and other available data. Moreover, in-depth interviews with social partners in autumn 2021 were carried out. Consequently, conclusions are drawn about the (in)success of social agreement during the epidemic in Slovenia.

KEYWORDS Collective agreements; pandemic; trade unions; government

Covid-19 and employee-employer interaction: The global paradigm for job security in employment relations

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ABSTRACT

The near-universal inclination towards the guarantee of job security under the COVID-19 pandemic has engendered discussion among researchers and experts in labour relations. Different economies of the world adopted the lockdown strategy to curb the spread of the virus. Consequently, low productivity and outright closure of businesses led to employees' compulsory dis-engagement, laid-off, no-work-no pay measures, pay cuts and last-in-first-out. Equally, the stay at home period has been converted to any kind of leave or public holiday for employees in general. Similarly, working from home and virtual meetings is the technique employed by employers to sustain the continuity of the organization worldwide. This paper takes a critical look at the aggregate of a job loss due to covid-19 globally with a focus on the epicentres of the pandemic such as China, the U.S, and less affected countries such as Nigeria and South Africa. Drawing largely from anecdotal and popularly reported cases from, at least, three epicentres of the virus across the world, the paper scrutinises the overall numbers of employment lost as reported in the news media.

This paper employs a qualitative approach to analyse selected reported cases from high-risk nations like China, Italy, and the U.S and low-risk countries like South Africa and Nigeria, being low-risk countries to highlight evidence of employees who lost their jobs under the prevailing COVID-19 pandemic. While accentuating employers and state interventions to protect jobs, it also highlights the far-reaching impact of disengagement from work on the employees and general implications for the future of labour relations. Globally, the COVID-19 pandemic led to substantial job losses in every country. A pandemic's effects on employment can be evaluated using the natural experiment of job loss. A particularly severe consequence of the COVID-19 lockdown was that many workers were able to keep their positions after the lockdown ended, but were unable to do any work or earn any income during the entire period.

KEYWORDS Covid-19 Pandemic; employment relationship; job security; job losses

Voices from the City: rhetoric and experiences of public service work at the time of the pandemic

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ABSTRACT

In the last twenty years and even more so during the pandemic emergency, public service work has gained visibility in public and political-institutional discourses. This fact has occurred despite the reproduction of rhetoric based on stereotypes deeply rooted in common sense, which have nurtured policy ideas inspired by neoliberal ideology. On the other hand, such rhetoric, generated at the various regulation levels (macro, meso, micro), have become pervasive. Accordingly, it is difficult to overcome with a view to enhancing public service work in its "social reproduction" function.

At the macro level, the neoliberal rhetoric has promoted the idea of public services as unsustainable costs; that said, the "multiplicative effects" of public spending – a pillar of Keynesian macroeconomic theory – have been concentrated in the private sector to the detriment of the public sector. The social investment and Rawlsian contractarian perspectives point the opposite direction, considering social spending a "generative" factor and the expression of inalienable rights. In general, public service work remains a factor from which to "extract" value rather than "attribute" value.

At the meso level, public service work is subjected to regulation based on "make or buy" choices made by different organisations (i.e., public, private, private-social). The result is a variable geometry of inter-organisational relationships that originate from the spreading of public procurement and the growing demand for new providers, pushed by an outstanding demand for public services.

At the micro level, workers' values and motivations come into play. In this regard, a fundamental tension emerges between the quality of work, the quality of the services provided, and people's well-being. Pay and salary levels, for example, are medium to low, despite the rising educational requirements required for access to the public sector. The misalignment between individual investments in education and income expectations, besides uncertainty about working conditions, helps to redefine the trade-offs of job and career choices. It also stimulates "exit" processes – either internal (as in the case of multiple-job holders) or external (the creation of social micro-entrepreneurship) – or, even, the exercise of "voice" by joining collective action.

The paper addresses these issues from an analytical sociology point of view, looking at the "interaction" between multiple regulation levels. To this end, it starts from an analysis of the rhetoric underlying the policy discourse, as it has evolved over the last decade, intending to bring out the dominant thematisations. Then, it presents the results of a survey conducted in the metropolitan area of Rome on workers employed in various fields (e.g., social work and education). The survey – promoted by FP-CGIL Roma-Lazio and the Association Roma Ricerca Roma – aimed to collect data on the quality of work, motivations, and (where relevant) strategies (in terms of "voice") adopted by public service workers to cope with job dissatisfaction. It concludes by recomposing the macro and micro perspectives and outlining post-pandemic scenarios.

KEYWORDS Policy discourse; Public service work; Quality of work; Collective action; Analytical sociology

Trade unions in the public sector

Trade union power resources in the public and the private sector: The German example

Werner SCHMIDT, *Research Institute for Work, Technology and Culture*

Andrea MÜLLER, *Research Institute for Work, Technology and Culture*

The changing Trade union landscape in the public sector employment relations

Frikkie DE BRUIN, *Public Service Co-Ordinating Bargaining Council (PSCBC)*

Power resources in public sector employment relations in Denmark and Finland

Laust HØGEDAHL, *Aalborg Universitet*

Trade union power resources in the public and the private sector: The German example

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ABSTRACT

Objective:

German public sector industrial relations (IR) are still under-researched. When speaking about industrial relations in general, German IR scholars ignore public sector industrial relations sometimes completely (an exception is Keller). This phenomenon may have historical reasons dating from the formerly revolutionary role attributed to the working class, conceived as primarily manual, male, and factory working, often connected with hope or fear. Nowadays progressive concepts of social change often rely more on a democratized and extended public sector than on alterations in the private sector alone (Foundational Economy Collective 2018). The peculiarities of public sector IR and trade unions are therefore theoretically as well as politically important – and this affects not only public sector employees. The paper will present an outline of a concept of public sector trade union power resources and their effects.

Method:

We will describe (a) wages and working conditions and (b) trade union power resources (Schmalz/Dörre 2014: IB 21) in the public sector and compare them with the private sector. The paper relies empirically on four research projects dealing with particular aspects of public sector IR, like wages, performance related pay, and staff councils, but will take a more general and to some extent theoretical stance.

Results:

(1) Concurrent with Di Carlo's (2020: IRJ 51) analysis of a non-existing German pattern bargaining, we will suggest the existence of sectoral differences which can be explained neither by the outcome nor by IR processes within the private sector. Although both sectors interact with each other to a relevant extent, not at least public sector developments themselves explain public sector IR.

(2) Not only the outcomes of public sector IR are empirically different, differences result also from distinctly weighted factors shaping trade union power. It is of fundamental importance for the relevance of single power resources whether trade unions operate in a profit-driven market environment or under public control. The relative importance of structural, organizational, institutional, societal and political trade union power resources (Schmidt et al. 2019: EJIR 25) differs widely between the private and the public sector.

Conclusions:

Trade union power resources in the private sector are not always stronger than in the public sector – and vice versa. How trade unions in export-driven industries or the public sector perform, depends on both, markets and politics. In some constellations, private sector trade unions have to compete with globalized market pressure, whereas the public sector seems to be sheltered. However, depending on the circumstances, effects can be different. Globalization, financialization, austerity, the financial crisis, the Covid-pandemic, and also distinct concepts of fiscal policy or reorganisation concepts like New Public Management can have a negative or positive impact.

KEYWORDS Public sector; labour relations; trade unions; power resources; sector comparison

The changing Trade union landscape in the public sector employment relations

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ABSTRACT

The trade union landscape has significantly changed over time. There is no doubt that the evolution of Cosatu in the mid-1990s brought greater cohesion to the realm of organised labour. The growth of Trade unions in the public sector has relied much on an influx of competent leadership in the midst of labour relations and under the current socio-economic challenges.

No analysis of the South African labour relations landscape would be complete without a look at the Commission for Conciliation, Mediation and Arbitration (CCMA) and Bargaining Council dispute resolution centres. During Covid-19, the CCMA is probably approaching 900 labour disputes being referred to it every day, while the PSCBC have over 1000 disputes referred. This argument the importance of strong Trade Unions that can be catalysts of labour relations in the Public sector during and post Covid-19. The playing field has changed and it needs new ideas and minds, better linkages and social dialogues with the employer.

KEYWORDS Public sector employment relations

Power resources in public sector employment relations in Denmark and Finland

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ABSTRACT

Power Resource Theory (PRT) has mainly been applied when studying the labour movement broadly or with point of departure in the private sector. However, when studying industrial conflict across Europe it quickly becomes evident that the public sector in recent years have been a hotbed for labour unrest. Hence, more research is needed to understand reasons and consequences of this development. In this paper we wish to develop and refine the PRT theory to better understand the dynamics of public sector employment relations. First, we show how industrial conflict has shifted from private to public sector in most EU countries to underpin our argument. We then present our theoretical PRT framework by comparing private and public industrial relations discussing differences in structural and associational PR across the two sectors based on previous literature. Lastly, we apply our PRT perspectives as an analytic framework for analysing nurses strikes in Denmark and Finland.

We find that PR varies greatly between private- and public sectors. The public sector has predominantly been sheltered from international competition. However, the state as an employer (including sectorial levels such as municipality) makes collective bargaining thus industrial conflict take place in the 'shadow of the hierarchy'. We find that political capital won by ideological power and coalition building is much more essential in public sector compared to private sector where economic stamina based on structural power is more important.

KEYWORDS Strike; power resource theory; nurses

Workers' wellbeing in changing workplaces

A Collaborative Approach to Promoting Workplace Mental Health

Johanna MACNEIL, *RMIT University*

Mark BRAY, *The University of Newcastle, Australia*

Digital voice in the workplace: digital interactions and perceptions of employee well-being

Barbara BECHTER, *Durham University*

Uberization of private homes? Telework and the distribution of workplace costs between employers and employees

Dorothea ALEWELL, *University of Hamburg*

Ricarda REICH, *University of Hamburg*

A Collaborative Approach to Promoting Workplace Mental Health

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ABSTRACT

The overall aim of the study is to evaluate an initiative to promote employee mental health through collaborative (union-management) efforts to improve psychosocial safety climate (PSC). To date, most studies of the role that unions can or have played in improving health and safety at work have focused on physical health, either through the avoidance of injury or sickness, or (more recently) improvements in physical 'wellbeing'. This project is unusual in two ways – it focuses on psychological health; and it examines a collaborative approach to prevention of ill-health. This is given new urgency in the context of prospective changes in Victorian OH&S legislation which will put increased onus on employers to be proactive in managing mental health at work.

This paper begins by defining key concepts and their measurement. PSC is measured using the PSC12 instrument, developed by Dollard et al. A review of the literature explains why or how we might expect union-management collaboration to improve PSC in the organisations, with expected consequent improvements in mental health and in union-management relations, and related measures such as lost time, turnover, workers' insurance costs.

We report interim findings from a study undertaken with four manufacturing organisations and a manufacturing union in Australia. The study uses a mixed-method strategy across an 18-month period, comprising data on (1) perceptions and experience of key stakeholders, including a survey of employees and managers in four manufacturing organisations at time 1 (baseline); (2) the training of managers and workforce/union representatives about collaboration; and factors affecting psychosocial safety climate (PSC) and specific interventions to improve this climate; (3) collaborative development of workplace interventions; and (4) perceptions and experience of key stakeholders, including a repeat survey at time 2, to gauge any change in the quality of collaboration and in the PSC at the organisations. The paper reports empirical outcomes to the end of stage 3; the project (like many) has been extended in response to the challenges of the pandemic.

A collaborative approach to employment relations in general is rare in Australian manufacturing organisations. Early findings suggest that, while challenging, collaborative efforts by managers and unions working together have great potential to produce better mental health outcomes. External funding and expertise, and legislative requirements, provide welcome support.

KEYWORDS Psychosocial safety; unions; prevention

Digital voice in the workplace: digital interactions and perceptions of employee well-being

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ABSTRACT

The paper focuses on the effect of digital technology on opportunities and employees' willingness to exercise voice in the workplace. We aim to investigate challenges affecting working lives such as: How does digital technology affect social interactions at work and the opportunities and employee's willingness to use direct and indirect voice?

Many antecedents of employees' engagement in direct and indirect (representative) voice include some form of physical social proximity. Group identity, social network resources, and support are essential factors in employees' opportunities and willingness to share e.g., suggestions, ideas, and problems with co-workers and with management. Empirical research focused on the motives underlying voice, considering individual and situational factors, but research on the role of digital communication technology on how individuals and groups/teams interact, and exercise voice is missing. Current understanding is hampered by the lack of theory and data/knowledge on how digital communication technologies/tools facilitate, and in what ways they challenge, social interactions.

The analysis of social interaction has been primarily directed toward a human-to-human exchange. In environments where the workforce is composed of human and non-human workers (e.g. robots) work is carried out by humans and robots in collaboration, connecting both through processes and through technology. This pushes boundaries of social interaction and control. The analysis will control for both structural and social conditions affecting both opportunities and willingness. Much has been written about trends in robot growth, however, its effect on the control workers have over their work and how technology-driven compliance, performance, and profitability are changing the nature of voice and decision-making is under-researched.

A combination of online surveys, lab, and (subsequent) field experiments will be employed to investigate e.g. workers willingness to engage in a variety of types of worker voice practices and to understand the role of digital technology in shaping social interactions and the effects of virtual interactions on agency, influence, and power in the workplace.

The data of the pilot study¹ carried out in collaboration with the Shared Services Forum (SSF) UK between October and December 2021, have been collected in the period between October and December 2021. The first findings of how digital communication technologies affect modes of communication and social interactions and how this affects employee wellbeing at work will be presented at the conference.

KEYWORDS Digital; voice; wellbeing; social interaction; power

Acknowledgment:

This working paper is part of a research project carried out in collaboration with the SSF UK. The data collected in the pilot study are available and the first findings of the survey will be presented at the ILERA conference in 2022.

Uberization of private homes? Telework and the distribution of workplace costs between employers and employees

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ABSTRACT

Objectives

Digitalization and the COVID-19 pandemic have greatly increased the use of telework. In Germany, employers have often mandated employees to work from home, partially based on health protection laws, partially based on employer decisions. Such (employer-driven) relocation of workplaces to employees' homes raises entirely new issues regarding the allocation of workplace costs: Because, when working from home, employees use private (spatial) resources for work. They thus bear workplace costs, which up to the start of the pandemic crises belonged to the running costs of the organization. Usually, the employer has borne these costs. But with the widespread use of home-based telework these workplace costs are being shifted (partly) to employees, unless employers and employees share these cost, e.g. by additional wage fees or reimbursement of workplace costs by the employer. In other words, there may be an uberization of private homes. However, we know little so far about the level and structure of workplace costs and how employer and employee divide telework-related workplace costs. As far as we can see, collective agreements on this topic often do not yet (adequately) regulate the assumption of workplace costs.

We thus analyze the current situation in Germany.

Method

We start with the German legal framework and ask what the law and judicial legislation say on the assumption of (tele-)workplace cost by employer and employees. For the most common types of telework, assumption of costs is not regulated clearly and essential aspects remain open. In praxis, there is often only an implicit understanding that employees bear workplace costs – which runs partly against the legal frame. To get a clear view about the economic impact of this problem for employees and employers, we then estimate the composition and size of workplace costs for different scenarios in Germany, using publicly available price and cost information from many different sources. We then turn to a socioeconomic analysis of the allocation of workplace costs from the perspective of preference matching, risk allocation and the actual legal situation. Finally, we propose different variants how to calculate and reimburse workplace costs applying lump sum estimations.

Results and Conclusion

Our estimations show that under specific conditions, workplace costs may be of substantial size, and uberization of private homes may thus be an urgent and important aspect of work relations. Based on socioeconomic analysis we propose remedies against uberization of private homes, plead for an obligatory agreement on whether the employer or the employee decides on workplace location, whether the employer will reimburse (parts of) the workplace costs and, if so, which parts of the costs. Such agreements could ideally be negotiated by works councils or by unions, if such actors are active in the specific organization. Such agreements would help to improve preference matching, reduce uncertainty of employees, and make negotiation on workplace costs obligatory, thus increasing efficiency of spatial workplace organization. We evaluate different variants how to calculate and reimburse workplace costs applying lump sum estimations.

KEYWORDS

Telework; work from home; work location; workplace costs; preference matching

Green jobs and the green transition

Pros and Cons of Remote Working from the Perspective of Decent Work and Green Deal

Zeynep ŞİŞLİ, *Izmir University of Economics*

CSR in Green Transition: from Transnational Social Dialogue to the EU Directive on Due Diligence

Carla SPINELLI, *University Aldo Moro of Bari*

The Employer's Legal Responsibility for Working Environment and Rehabilitation

Johan HOLM, *Umeå universitet*

Green jobs as part of the legal roadmap towards a sustainable and responsible workplace in Colombia

Luz Maria ARBELAEZ VELASQUEZ, *ILERA Colombia - Brigard Urrutia*

Pros and Cons of Remote Working From the Perspective of Decent Work and Green Deal

ZEYNEP ŞİŞLİ

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ABSTRACT

Introduction and Objective:

Remote working is a type of non-standard and flexible working performed even by highly qualified workers in service industry, unlike the other vulnerable workers in the precarious works. The regulations that are necessary for the protection of remote workers are on the agenda of international organizations, first and foremost the ILO (International Labour Organization) and WHO (World Health Organization), especially in the time of COVID-19 pandemic when remote working became “the new normal” in many sectors. It seems to be long lasting since many employers tend to continue it, so that they would reduce the workplace expenses, even after the pandemic ends, and it is claimed that many workers prefer to do so because it is more beneficial for them as well. However, various inequalities between the regular workers and the remote workers might be in question in the course of remote working. It is also in debate if “working from home” could be an appropriate and effective tool in achieving green deal targets, by the way of reducing the carbon footprint of companies, by eliminating the transportation issues and saving energy at workplaces for instance. Most importantly, workers’ health and safety should be considered as a crucial part of sustainable and overarching green deal for the healthy and safe environment since the human beings are a part of it.

The aim of this paper is to discuss the pros and cons of remote working model in the light of decent work, and its relationship with the green deal, especially from the point of view of occupational health and safety for environmental health.

Method:

Review and content analysis of the international documents, including the ILO and the European Union regulations and reports.

Result and Conclusion:

Workers deserve to work in dignity and in compliance with the human rights, within the scope of the ILO’s aim of decent work all over the world in all types of employment. Therefore, it is concluded that the psychosocial and other occupational risks of remote working must be examined and regulated by international conventions that will guide to national legislations, and serve to provide the environmental health, which is the main target of the green deal, in our opinion.

KEYWORDS Remote working; Decent work; Green deal; Labour law

CSR in Green Transition: from Transnational Social Dialogue to the EU Directive on Due Diligence

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ABSTRACT

Objective: This essay aims to analyse the role of Transnational Social Dialogue and Global Framework Agreements in enhancing working conditions in Global Supply Chains from the perspective of what synergies can be established among them and the expected EU legislative initiative on mandatory due diligence.

The effective enforcement of mandatory human rights and environmental due diligence legislation, when paired with strengthened social dialogue, could be conducive to a more equitable and sustainable industry in global supply chains consistent with the Green transition.

Developing an enhancing social dialogue at transnational level is highly recommended by the ILO, even more so since the Covid-19 pandemic has exposed the fragility of global supply chains. However, there are major barriers that can prevent or hinder an impactful social dialogue, starting from diverse legal frameworks and several degrees of coordination among suppliers, unions, governments and other actors, shifting to industrial relations systems characterised by different structures of work organization not less than the peculiar habits of social dialogue and democratic interaction.

The EU is setting the stage for new legislation on supply chain due diligence, but the legislative process is going slowly, despite sustained pressure from the European Trade Union Confederation, which revealed in June 2021 how industry lobbyists were working to block legislation or, at least, weaken its impact. Such legislation would provide for important advantages, in terms of creating a level playing field among all companies operating on the EU market. The added value of EU mandatory regulation requiring companies to carry out due diligence on social and environmental risks in their operations and supply chains will be to overcome the insufficient voluntary approach, proposed by the international regulatory framework.

The involvement of workers' representatives and trade unions is expected to be fully recognised by the forthcoming Directive on Corporate Due Diligence and Corporate Accountability. Trade unions and workers' representatives, including European works councils, must be fully informed and proactively involved throughout the whole due diligence process, as corporate stakeholders. Workers must be empowered to take action against human-rights violations, providing effective sanctions, remedies and access to justice for victims, including trade unions.

Method: Monitoring social dialogue practises foreseen by transnational collective agreements. Monitoring EU Member States regulation in force or forthcoming on due diligence, to set the scene for the EU Directive in a comparative perspective.

Results and Conclusions: Evaluate due diligence regimes as part of a “smart mix” of measures to effectively foster business respect for human rights taking into account the broader environmental, social, and governance concerns at EU level. Evaluate the content of the EU Directive on Due Diligence – if any - in terms of improving sustainable working conditions and advancements in workers' rights, while ensuring Trade unions' and worker representatives' roles can even be enhanced.

KEYWORDS

Global Supply Chain; Corporate Social Responsibility; Transnational Social Dialogue; Due Diligence; EU Directive Proposal.

The Employer's Legal Responsibility for Working Environment and Rehabilitation

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ABSTRACT

The objective of the study is to analyse the Swedish employers' legal responsibility for the work environment and rehabilitation efforts. The focus of analysis is on the legal requirements to be met by the employer and the legal mechanisms available to enforce the requirements. Methodology is a study in jurisprudence. With a text-analytical method, applicable law is determined on the basis of predetermined sources; the law, preparatory work, precedent and previous research. The value of legal sources varies, which is why a weighting of the different legal arguments based on cited sources in the analysis of the content of the law is necessary. The legal source material is supplemented with empirical material in the form of court decisions from administrative law and appellate court, as well as decisions from the Swedish Work Environment Authority.

The measures the employer must take regarding the work environment and rehabilitation are regulated by different types of rules that impose some clear and some less clear requirements. Some rules are statutory, and some instead have been imposed by governmental regulations. In order to define the responsibilities of the employer, this study categorizes all of these requirements according to their design: they may constitute specification standards, performance standards, process-based standards, or general duties. To define the employers' legal responsibility, the conditions that must be fulfilled for the legal enforcement of the requirements also need to be clarified. Enforcement is accomplished through, among other mechanisms, injunctions, fines, criminal sanctions and employment protection rules.

The study describes and demonstrates the links between, on the one hand, the design of the requirements and, on the other hand, the legal possibilities for enforcement. It also shows that an employer's overall legal responsibility for the working environment and rehabilitation is complex. There are differences in the design and functioning of the employer's proactive responsibility – the responsibility to prevent ill health and to promote health – and the reactive responsibility – responsibility for rehabilitation. There are also major differences in the regulation of different aspects of work environments, with rules varying based on types of work done and risks faced and based on how the organizational rehabilitation responsibility is designed compared to the responsibility for the individual worker's rehabilitation. The study also clarifies how the legal regulation of the employer's responsibility for the work environment and for rehabilitation can contribute to the overall policy objective of ensuring for every worker a sustainable working life.

KEYWORDS OHS; work environment; rehabilitation; labour law

Green jobs as part of the legal roadmap towards a sustainable and responsible workplace in Colombia

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ILERA COLOMBIA - BRIGARD URRUTIA

ABSTRACT

1. Objective

A holistic approach to decent work will expand the scope of protection and projection of the labour rights envisaging a sustainable and responsible workplace. The programmatic content of sustainability also has a normative character, as it contains the basic legal order of the model of society pursued. The promotion of green jobs in both traditional and emerging sectors will foster a competitive and sustainable economy by promoting green workplace practices, green investments and the ultimate goal: decent work for all.

Colombia will have to learn how to successfully implement a viable transition, but one that can lead to long-term strategic plans with a vision of ecological productivity, sustainability, resilience and, above all, value for colombian society. Having the enormous advantage of being in a country with so much cultural and natural diversity, the possibilities are open to be ambitious fostering innovation, strategic actions and new productive ideas.

In 2019 the Ministry of Labour and ILO signed a Pledge for Green Jobs and Just Transition in Colombia, seeking to define strategies and prepare the country's workforce for the challenges of green growth and climate change. There is not a national legal framework articulated yet in Colombia, but the foundations are ready for these reforms since considerations related to just transition and decent work, have been included in several multi-sectoral policy instruments, and interrelated internal and international legal instruments.

It is necessary the determination of the normative baseline aimed to develop a comprehensive legal roadmap, with methods and tools capable to determine the priorities in regulating processes and policymaking.

2. Method

The approach of this study will be qualitative. This method collects nonnumerical legal data and searches for advances, patterns and connections between the various legal aspects of green jobs in Colombia. The decision to use a qualitative research method is determined by the research focus, which is legal, the research questions raised, and the nature of the data sought. It is expected to provide through this method, data that allows to assess the strengths and constraints of the Colombian Legal System

3. Result and conclusions

Even if there are some legal transformations in Colombia as the expression of the normative character of the international commitments of the Colombian Government in the transition to a workplace that ensures responsibility and sustainability, the Legal framework in Colombia is not still clear and seems to be disperse and unstructured. Even if the foundations are set, their development is only possible with the active engagement of the social actors, considering they constitute agents of change capable to develop these reorientated workplaces. These commitments stand at the heart of this transition process as means of promoting and ensuring decent working conditions through new workplace practices bearing in mind the flexibility and innovations in work organization, continuous workplace learning, respect for human rights and the environment, as well as their related impacts and remediation.

KEYWORDS Green Jobs Labor; Market regulations; sustainability; greening economy

Digitization, resistance, and conflict

Control and Conflict at Amazon

Georg BARTHEL, *University of Duisburg-Essen*

Digital employee monitoring and collective bargaining

Helena YSÀS, *Universitat Autònoma de Barcelona*

Workers' voice on how their work environment has changed with a software robot as a colleague

Annica ASP, *Karlstad University*

Fear of Missing Out: Workaholism and Gamification amongst Platform Delivery Workers in the UK

Tony ROYLE, *University of York*

Control and Conflict at Amazon

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ABSTRACT

The Daily Struggle to Challenge Digital Taylorism

Digitalisation has the potential to reshuffle labor processes and labor relations. The logistics centers of Amazon are an illustrating example of the use of digital technology to enhance the control of labor. At the same time, they have been the scenery of a long struggle of workers in several countries. In my paper I want to highlight how digital technology is used to organize the labor process, how it is experienced by workers and how they are reacting to it.

I refer to the Labor Process Theory of Michael Burawoy to analyze the labor process. My findings are based on a case study consisting of 18 interviews with workers and union officials at Amazon in Leipzig, Germany.

The work in the logistics center of Amazon is organized according to the principles of digital Taylorism. Digital technology is enhancing the possibilities of measuring performance. Workers are complaining about constant surveillance and pressure, which are creating fear, stress and mental illness. The works council agrees with implementing new technology to increase productivity while fighting the attempt of the management to introduce new devices to monitor work. Workers challenge the rationality of Amazon's supervision and control of labor. They defend a different way of working which is based on a productive stubbornness. To do so they are delegitimizing the managements strategies and are using various canny strategies to circumvent control.

KEYWORDS Digital Taylorism; Labour Process Theory

Digital employee monitoring and collective bargaining

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ABSTRACT

OBJECTIVE:

The paper proposal aims at approaching the potential and effective role of collective bargaining in setting limits and regulating the employers' power to use surveillance and monitoring technologies to control employee performance and activity at work. The starting point of the proposal is the present and future extension of technologies past video surveillance, access to emails or geolocation, including software that records characters typed, takes regular screenshots, compiles detailed productivity data, or monitors worker attentiveness, even emotions. The regulatory framework comprised by the fundamental rights approach and, more recently, the data protection legislation, is insufficient to provide the necessary rules to frame the aforementioned technologies as well as other existing. In this context, collective bargaining appears as an optimal instrument to complete the legal approach.

METHOD:

Despite the universality of the problems posed by employer monitoring and the crucial influence of General Data Protection Regulation at European Union level in tackling with the risks to which employee monitoring subjects fundamental rights, a national approach is still necessary to address this issue from the regulatory standpoint. For that matter, the paper will mainly focus on the Spanish case, by analysing a display of sectoral and company collective agreements to see if and how they regulate this issue. In parallel, an overview of the current state of the issue in other countries will be carried out through a literature review.

RESULTS:

The collective bargaining analysis will lead to conclusions as to how the social partners are dealing with the balance between fundamental rights, particularly the right to privacy, and the exercise of employer management and control powers to pursue his interest in the well-functioning of the company. These results will fundamentally circumscribe to the Spanish case; however, the reflection on the need and possibility for collective bargaining to establish limits to the implementation of invasive monitoring systems have a much wider scope.

CONCLUSIONS:

Expected conclusions are the recognition of clauses in collective agreements that have the ability of providing a regulatory framework for the use of technology as means of control enforced in and by companies to protect fundamental rights of employees. The identification of such clauses shall also bring the proposal of good practices in this field.

KEYWORDS Monitoring; technology; privacy; collective bargaining

Workers' voice on how their work environment has changed with a software robot as a colleague

ANNICA ASP

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ABSTRACT

Objective

Digitalization has opened up the possibility for public sector organizations to increase the efficiency and reduce costs, while at the same time contributing to meeting the government's goals. However, as a consequence work in the last two decades has undergone major changes, with both benefits and disadvantages to the work environment as a result (Christensen et al., 2019; European Agency for Safety and Health at Work, 2019). One of these advantages is that digital solutions have led to increased flexibility. One of the disadvantages is higher cognitive workload, with stress and psychosocial illness as a result (Swedish agency for work environment expertise [Sawee], 2020; Rohwer et al., 2022).

Despite that it has been known during decades that technology can affect employees' work situations and work environment, knowledge is still deficient (Mumford 2006; Sawee, 2020). This abstract aims to present how the work of municipal employees has changed in connection to the implementation of a software robot, how the content and form of their work, as well as their psychosocial work environment have been affected.

Method

The empirical data consists of nine semi-structured interviews, conducted with employees in an urban municipality that has implemented a software robot. The analysis started with 1st and 2nd order concepts to give a voice to the informants (Gioia et al., 2013). The data was then processed through a static-dynamic analysis, where focus lay on relations between theoretical concepts, categories, codes and empirical patterns (Aspers, 2011). To get a deeper understanding, we are using the theory Job demand resources model (Bakker and Demerouti, 2007) and Technostress (Chiappetta, 2017; Ragu-Nathan et al., 2008) as support. We have also explored the Work-life balance theory (Cijan et al., 2019; Guest, 2002), to explain the importance of also having a balance between the amount of work and the number of remaining colleagues after a digitization process is considered finished.

Results

We found that the employees were satisfied with the robot. What weighs on them is that the time that would be released with a robot instead has been filled with a larger customer base. Colleagues who resigned or retired during the digitization process have not been replaced. A higher customer base and recurrent software failures, prevent the employees from giving their customers a high service quality, which leads to negative stress.

Employees also find it difficult to trust the robot. Several proposed decisions have proven to be incorrect. Spending time for controlling errors in the robots decisions, while at the same time need to handle more customers, has contributed to the high workload.

Conclusion

The work of municipal employees has changed in connection to the implementation of a software robot. Their content and form of their work, as well as their psychosocial work environment have been affected. A reduced amount of colleagues need for example to carry the workload before the digital solution is completely reliable.

KEYWORDS Municipality; software robot; work environment

Fear of Missing Out: Workaholism and Gamification amongst Platform Delivery Workers in the UK

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ABSTRACT

In the 5 years to 2021 the numbers working for gig economy platforms in England and Wales has nearly trebled to 4.4 million (TUC, 2021). Although gig work arguably provides easy access to flexible jobs and ‘developmental’ opportunities (Plouffe, 2015) it can also be seen as precarious and exploitative (Burt, 2018). A good deal of the existing research on platform work has focused on workers’ employment classification and whilst the UK has mostly treated platform workers as ‘self-employed’ (Ravenelle, 2019; Fleming, 2017), some other European countries treat platform workers more favourably (Defossez, 2021). In this paper we focus on the concepts of workaholism and gamification to examine the extent to which platform work may or may not encourage the negative aspects of compulsive working.

Workaholism can be interpreted as both positive and negative for workers, on the one hand it can be interpreted as compulsive and addictive with negative consequences for performance, work-life balance and, physical and mental health (Taris et al., 2005). On the other hand, it can be seen as promoting work engagement, ‘vigour’ and ‘dedication’ (Baruch, 2011). Absorption suggests a state of full concentration and deep engrossment in work and in which detachment from work is difficult and, which can be experienced positively or negatively depending on the situation (Di Stefano and Gaudiino, 2019). Gamification introduces game mechanics into non-game environments as an attempt to motivate and engage workers and is strongly associated with the economic nudges utilised by platforms to entice workers into performing deliveries (Veen et al., 2019).

The focus of this article is on food-delivery couriers, Deliveroo and Uber Eats in a city in Northern England. The data derives from a period of direct participant observation and twenty-two semi-structured interviews undertaken between January and March 2021. One of the authors worked as a courier for a period of 2 years providing rich insights into the subject matter under investigation. The interviews took place over Zoom and were recorded and transcribed, the interviews were an hour in length on average.

The findings suggest that the unrestricted and unregulated nature of ‘free-login’ and economic nudges encouraged the negative aspects of workaholism. The lack of boundaries between work and life resulted in platform workers logging on at home (sometimes whilst still in bed) with some organising their lives around platform work. In particular ‘boosts’ compelled participants to begin working, to continue working, and to work harder, in many cases regardless of financial necessity. Compulsive working was found amongst all the workers interviewed in this study and twenty of the twenty-two participants experienced the Fear of Missing Out (FOMO) phenomena. Finally, the absorption experienced by the participants was not static, but varied depended on a variety of factors including working conditions, earnings targets, order frequency, and ‘boosts’

KEYWORDS Platform Work; Workaholism; Gamification; UK

Unions and collective bargaining

After industrial relations reform: Coping with the loss of decentralized representation structures?

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Under which conditions do unions sign collective agreements containing pro-outsider clauses? A fsQCA analysis

Paulo MARQUES, *ISCTE - Instituto Universitário de Lisboa and DINÂMIA'CET*

Level-up: moving from single-employer to multi-employer bargaining

Stan DE SPIEGELAERE, *Ghent University - UNI Europa*

After industrial relations reform: Coping with the loss of decentralized representation structures?

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ABSTRACT

Since the 1980s, a succession of industrial relations reform has aimed at moving the French mode of regulation away from an administrated one to a more decentralized one.

Paradoxically, the French version of the decentralization remains largely determined by the State. Not only it guarantees ample leeway for determining the terms and conditions of the employment relation at company level (Howell, 2009; Amable, 2016), it also increasingly charges the firm-level actors with negotiating issues that formerly belonged to the reserved domain of public policy (Groux, 2005; Mias et al., 2016).

The 2017 “Macron ordinances” represent another reform of the French industrial relations. Besides accelerating the emancipation of company bargaining from superior collective and legal norms, they also seek to facilitate social dialogue at this level by profoundly altering its institutional design. The merger of the three historical elected representation bodies (comité d’entreprise, CE; délégué du personnel, DP); comité d’hygiène, de sécurité et des conditions de travail, CHSCT) into one single works council (Comité social et économique, CSE) and the reduction of the number of representatives are at the centre of this reform.

Slashing the dedicated establishment (CHSCT) and shopfloor-level (DP) representation bodies deprives the works council system of its decentralized levels in charge of the representation of “everyday” job and work-related concerns. To compensate for this institutional void, the possibility for setting up “proximity representatives” (representants de proximité; RdP) was introduced. However, these suffer from a lack of resources and a very low degree of diffusion. Topic and research questions.

Taking cues from the sociology of worker representation (Dufour and Hege, 2013; Giraud et al., 2018) and the literature on institutional changes (Thelen and Mahoney, 2010), this contribution aims at identifying and understanding consequences of this void.

How are job and work-related concerns represented by the CSE? What are the coping strategies of worker representatives to compensate for the loss of the CHSCT and the DP?

To answer these questions, we build on data collected in a study on the implementation and functioning of the CSE (IRES, 2021), comprising eight company case studies, content analysis of 12 company agreements as well as interviews with CSE-affiliated experts.

Content and main findings

Our findings indicate detrimental effects on the representation of workplace-related concerns. Their treatment by the CSE suffers from delay, dissipation and increasing selectivity. Lacking acceptance of workers and managers, RdP are unable to fill the void.

Two distinct strategies emerge. The first aims at renegotiating the role of the RdP mandate, thereby counting on management’s own dissatisfaction. The second abandons the RdP altogether and redefines the role of establishment-level union delegates in the light of the former DP. Both coping strategies are indicative of an ongoing structural change within the worker

representation system, i.e., a tendency towards permanent negotiated adaptation of its regulatory frame and a shift in balance from the elected to the trade union channel.

KEYWORDS Works councils; Institutional changes; Multi-level representation; Trade unions; voice

Under which conditions do unions sign collective agreements containing pro-outsider clauses? A fsQCA analysis

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ABSTRACT

This paper analyses the positions taken by unions regarding the regulation of temporary employment (fixed-term contracts and agency work). The empirical study is based on a comparative analysis of 155 collective agreements signed in Portugal between 2003 and 2019. The selected time period is of particular interest because the favourability principle, which traditionally applied to collective agreements, was temporarily suspended in that time frame. Thus, collective agreements could contain clauses worsening the standards of wages and working conditions of temporary workers compared to those set by the labour code. The sample includes all collective agreements signed in this period in five economic sectors, namely: accommodation and restaurants; clothing and textiles; metal; banking; and construction.

Our results show that, compared with the Portuguese Labour Code, 189 clauses were less favourable to temporary workers and that 61 clauses were more favourable. Most of the derogatory clauses concerned the following dimensions: the “valid cases for the use of fixed-term contracts”, the “minimum duration of fixed-term contracts”, and the “number of successive fixed-term contracts”. The more favourable clauses concentrated in the following areas: “maximum number of successive fixed-term contracts” and the “maximum duration for fixed-term contracts”. As for the differences between economic sectors, most of the derogatory clauses were implemented in textiles and clothing, and in construction while favourable clauses were more implemented mainly in the accommodation and restaurant industry and in the banking sector.

Through fuzzy-set Qualitative Comparative Analysis, this paper investigates the conditions under which unions sign collective agreements containing pro-outsider clauses, namely: the importance of the economic context; the size of atypical employment in each sector; the type of unions; the type of employers’ organizations; and the degree of union density. By so doing, this study aims to contribute to the dualization literature (Rueda, 2005; Palier and Thelen, 2010) and to recent debates on the drivers of pro-outsider reforms (Benassi and Vlandas, 2016; Doellgast et al., 2018; Carver and Doellgast, 2020).

While the dualization literature tends to emphasise the negative role played by unions, which are often seen as exclusively concerned with insiders’ interests, a recent body of literature in comparative employment relations has shown that unions are not necessarily pro-insider. This latter strand of literature suggests several conditions that may contribute to unions’ inclusive strategies towards temporary workers – e.g. the strategic orientation of unions and the growing interdependence between insiders and outsiders –, which we systematically test through fsQCA.

KEYWORDS Dualization; collective agreements; temporary employment; fsQCA

Level-up: moving from single-employer to multi-employer bargaining

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ABSTRACT

Objective

If it's up to the European Union, at least seven out of ten employees in Europe should be covered by a collective agreement (European Commission, 2020). The current (estimated) collective bargaining coverage lies significantly under this threshold and is declining with every passing year (De Spiegelaere, 2022). A focus on the individual countries teaches us that every country that reaches this 70% threshold has a system of multi-employer bargaining. Countries with predominantly single-employer bargaining systems have collective bargaining coverage rates well below the EU envisaged threshold. The question, consequently, is how to trade unions and national policy makers can 'level-up' their collective bargaining systems and move from single-towards multi-employer bargaining.

Method

This article approaches this question in three ways. First of all, a secondary data analysis of Eurofound representatives studies from a selection of sectors aims to identify necessary and sufficient conditions for multi-employer bargaining such as trade union density, concentration of employment, national framework conditions and employers' organization rate. Secondly, trade union strategies in developing multi-employer bargaining are analysed, particularly focusing on recent experiences in the finance sector in Romania (UNI Global Union, 2018) and Ireland (UNI Europa, 2021). Third, literature research on policy options to support the development of MEB are presented.

This article contributes to the literature as it goes beyond the description of currently existing collective bargaining structures and trends in collective bargaining (e.g. Müller et al., 2019), by taking a future oriented focus on political and trade union strategies and instruments. This article also contributes to the political debate given the upcoming European minimum wage directive which will require member states to make action plans on supporting collective bargaining in order to raise the coverage rate to 70%.

Results

The main conclusion laid down in the article is that while trade union strategies have a strong potential in developing multi-employer bargaining experiences, it requires discursive and practical support from both employers and policy makers to entrench the experiences and make the norm. Organizing drives in strategic sectors should take this into account and invest in developing the associational power along with the discursive and societal (alliances) power to optimize the potential of building up a MEB infrastructure.

Conclusions

If the European Union is to reach its stated objective of attaining a 70% collective bargaining coverage rate, it will require efforts in enabling and supporting workers' organizing, along with employer's organizing and policy initiatives that encourage multi-employer bargaining.

KEYWORDS Collective bargaining; sectoral; multi-employer

Remote work in the pandemic

The teleworking experience during COVID-19: Changes in perceptions of labor relations

Vicent BORRÀS CATALÀ, *Universitat Autònoma de Barcelona*

Sara MORENO COLOM, *Universitat Autònoma de Barcelona*

The modern concept of employee subordination on the example of employees in the public sphere.

Paulina MATYJAS LYSAKOWSKA, *Jan Kochanowski University of Kielce*

Motivating and Dissuading Factors in Work-from-Home Arrangement: Employer vs. Employee Perspectives

Virgel BINGHAY, *University of the Philippines*

Telework regulation in the EU: a comparative analysis

Ricardo RODRÍGUEZ CONTRERAS, *Eurofound*

Pablo SANZ DE MIGUEL, *Notus-ASR*

The teleworking experience during COVID-19: Changes in perceptions of labor relations

VICENT BORRÀS CATALÀ

Universitat Autònoma de Barcelona

SARA MORENO COLOM

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ABSTRACT

The objective of the presentation is to analyze how the experience of teleworking during the Covid-19 pandemic influences the perception and expectations of labor relations. To this end, it presents the results of Gender Impact of teleworking and confinement routines are presented: beyond the obvious (IGETECO) financed by the Supera Covid-19 Funds of the CRUE and Banco de Santander. Specifically, the research develops a qualitative approach, through in-depth interviews with employees of a public administration in Barcelona.

The main results show that the experience of telework during the lockdown configure the false perception of this modality as a labor right. At the same time, the closure of the educational centers and the impossibility to contract care services difficult the time use arrangements and reinforce gender inequalities. Women consider the possibility of flexible working time an individual favor from their supervisor. By contrast, men perceive that telework gives them more autonomy and self-management of working and personal time. Both cases reinforce the trend to individualization of labor relations and the gender inequalities in the labor market.

KEYWORDS Telework; gender; labor relations; Covid-19

The modern concept of employee subordination on the example of employees in the public sphere

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ABSTRACT

The pandemic changed the traditional perception of the employment in the administration and opened it to innovative, flexible solutions in the field of work organization. Until the SARS-CoV-2 virus pandemic crisis, flexible employment elements were rarely used in the administration. In administration, also before the pandemic, it was permissible to use relatively flexible working hours, use certain working time systems (depending on whether we are dealing with government, local or state administration), and shift work (e.g. in local government administration). In the face of the crisis, these forms of work became popular. Although new trends usually reach public administration with a delay or at all, in the face of extraordinary circumstances the administration reacted almost immediately. Remote work, which has so far been a benefit for the "chosen", has become everyday life, also for officials and teachers.

The speech will present the benefits and risks related to remote work performed by public administration employees including teachers. Probably, some solutions will continue to be used with administration employees, and even if not, will be used more often than before. The speech is about whether the changes that have occurred in the face of the crisis will become permanent in the new reality.

The concept of subordination of a public administration employee needs clarification and modernization. The employee's subordination is still an integral feature of the employment relationship. Compliance with official orders is the essence of subordination. As social relations develop, the concept of subordination evolves and develops towards greater independence of employees. The classic employee subordination of officials and teachers ceased to fit the new reality. A strong relationship between an official and the office, between school and teacher are no longer an advantage but may be a disadvantage in certain situations. The question of maintaining the balance between the autonomous subordination and the official nature of the employment of officials and teachers remains open. So I am asking how autonomous subordination of an employee employed in public administration can influence a kind of public service.

KEYWORDS Subordination; officials; teachers; remote work; flexibility

Motivating and Dissuading Factors in Work-from-Home Arrangement: Employer vs. Employee Perspectives

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ABSTRACT

Objective:

Work from home (WFH) has been more common in recent years, especially with the Covid-19 outbreak. The WFH somehow preserves business continuity and jobs on the ground. This study addresses the benefits and drawbacks of WFH and how businesses might promote a healthy WFH culture.

Method:

This conceptual paper employs textual analysis to find the content's essence, architecture, and goals under investigation. After that, the components were organized into themes and patterns and displayed in a model.

Results.

The WFH arrangement is advantageous to both employers and employees over the long run. Additionally, because of the move, workers can spend more time with their families and other non-work-related duties in addition to saving money, energy, and time spent on their daily commute. Homeworkers' performance can be improved as work becomes more output-based and measurable, while employers' administrative expenses involved with running a business are reduced because of this practice. However, there is a potential that both parties would suffer adverse consequences because of the agreement. Poor and excessively costly Internet connections and the increasing toll that remote employees' mental and emotional health is taking because of their physical isolation from the rest of the world are among the issues that must be addressed immediately.

Conclusions:

Working from home is feasible and may even become entrenched if it benefits both employers and employees. Creating a WFH-friendly company culture is not always easy. These findings suggest that a more thorough investigation into the development of a WFH setup be done, considering the organization's vision and goal, business model, structure, roles, and other human variables such as competencies and reliability. The implementation should also be sensible and efficient. A closer look at WFH's involvement in employees' financial, mental, and emotional well-being is also proposed.

KEYWORDS

Work from home; COVID -19 pandemic; Performance management; Organizational culture; Work-life balance

Telework regulation in the EU: a comparative analysis

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Eurofound

PABLO SANZ DE MIGUEL

Notus-ASR

ABSTRACT

The expansion of telework during the Covid-19 pandemic prompted debates about challenges related to this form of work organisation. It is likely that in the long term the number of employees teleworking from home, or under other digital-based flexible arrangements, will remain much higher than in the pre-COVID-19 era. The main reasons for this will be that, after a period of adaptation, the cultural, technological and social barriers to this arrangement will fade to some extent. Moreover, in July 2020 78% of employees in the EU indicated a preference for working from home at least occasionally if there were no COVID-19 restrictions.

Currently, governments and social partners have started considering updating the existing regulation on telework. A debate has also taken place at EU level about the necessity of EU regulation on telework. In this context, it is necessary to differentiate between the regulation enacted specifically for the pandemic period to allow companies and workers to put in place telework under exceptional circumstances, and those initiatives that have the aim of regulating telework beyond the pandemic.

This paper aims at analysing telework regulation enacted in the pandemic context through statutory legislation and collective bargaining, with a focus on those initiatives that will remain in force beyond the pandemic.

The paper maps and analyses regulation in the 27 EU countries and Norway and focuses, in particular, on the following dimensions: monitoring of working time, the right to disconnect, protection related to privacy and surveillance, health and safety, prevention of isolation and ensuring work-life balance in telework arrangements.

The paper is based on national contributed elaborated by the Eurofound Network of Correspondents on the basis of a standardised national questionnaire.

KEYWORDS Telework; pandemic; statutory legislation; social dialogue; collective bargaining

Algorithmic management

With or Without Algorithms: Managing Self-Employed in the Platform Economy

Christian HALDRUP, *University of Copenhagen*

Anna ILSØE, *University of Copenhagen*

Trine Pernille LARSEN, *University of Copenhagen*

Algorithms for profiling and automated decisions in the workplace: are current transparency measures enough?

Anna GINÈS I FABRELLAS, *Esade Law School*

The subjectivity of artificial intelligence as an employer

Krzysztof STEFANSKI, *University of Lodz*

Contextual factors associated to the incidence of HR analytics

Amaya ERRO-GARCÉS, *Universidad Pública de Navarra*

With or Without Algorithms: Managing Self-Employed in the Platform Economy

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ABSTRACT

Digital labour platforms, such as Wolt and Uber, and their extensive reliance on solo self-employed have attracted much public attention (Bögenhold et al., 2017; Vallas & Schor, 2020). Recent research has centered on working conditions for self-employed platform workers, and how platforms use algorithmic management to control worker behavior (Frenken & Fuenfschilling, 2021; Steinberger, 2018). These studies often argue that labor platforms abrogate traditional management practices such as bureaucratic control measures that presuppose physical presence from managers (Prassl, 2018; Edwards, 1979). Other research suggests that labour platforms also incorporate traditional HRM practices in their business models despite the lack of formal employer-employee relations (Duggan et al., 2020; Meijerink & Keegan, 2019). However, less researched is how the management of self-employed workers on platforms genuinely unfolds in practice.

In this paper, we address this research gap by exploring how labour platforms combine algorithmic and traditional management, when they manage their workers (Galière, 2020; Wood, 2021). Empirically, we draw on longitudinal in-depth case studies of three distinct labour platforms (Wolt, Hilfr, Voocali) operating in Denmark (George & Bennett, 2005). The three platforms represent case variations with regards to their business model, types of services (gig/freelance work) and working arrangements (covered/not covered by collective agreements), besides operating in distinct sectors (food delivery/transportation, cleaning and interpretation) (Flyvbjerg, 2006). A total of 12 interviews with different platform managers have been conducted between 2018 and 2021 and triangulated with desk research of platform webpages, along with other relevant policy documents.

Analytically, we seek inspiration from the literature on algorithmic management, which we approach in accordance with Kornberger et al. (2017) as an “evaluative infrastructure” and combine with managerial prerogatives from the labour law literature to develop an analytical framework of platform management (Kellogg et al., 2020; Kristiansen, 2020). Our analytical framework includes three categories of management; 1) hire and fire, 2) direct and organize and 3) control and evaluate. We utilize this framework to analyse the managerial practices on our three case platforms and distinguish between aspects managed by platform managers and by algorithms in the triangular infrastructure of the platforms.

Our findings indicate that labour platforms use a blend of traditional and algorithmic management practices as a way to stabilize (part of) their workforce. Traditional management is dominant concerning the hiring and firing of workers, whereas algorithmic management plays a larger role when it comes to direct and organize as well as control and evaluate workers. However, we also identify that certain management practices de facto are delegated to workers or customers in all three cases. This delegation makes the platforms unable to control for instance health and safety measures at work as well as job satisfaction among workers. Platform

managers are – over time - faced with a number of managerial dilemmas between increasing traditional management to solve such issues or keep their hands off to ensure sufficient flexibility for all involved. We end the paper by discussing the implications of our findings in light of EU's recent proposed directive on platform work (EC 2021).

KEYWORDS Digital Labour Platforms; Remote HRM; Algorithmic Management; Self-employment

Algorithms for profiling and automated decisions in the workplace: are current transparency measures enough?

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ABSTRACT

The use of algorithms and artificial intelligent software to adopt automated decisions in the workplace, such as hiring, job assignment, retribution or firing decisions, is a reality that comes with a high risk of breach of workers fundamental rights, as alerted the European Parliament in its resolution of March 14, 2017. Algorithmic discrimination (Surya Deva, 2020; Tolga Bolukbasi et al., 2016), increase in employers' control and unprecedented invasions of privacy (Valerio de Stefano, 2020, 14; Jeremias Adams-Prassl, 2020, 5) and breaches of personal data protection regulation (Sandra Wachter and Brent Mittelstadt, 2019) are real threats of algorithmic management.

The current EU regulation introduces transparency measures as legal measures to address these potential threats to workers fundamental rights. In this sense, according to article 14 GDPR, workers subject to profiling or solely automated decisions have the right to be informed regarding the existence of automated decision-making processes, the logic involved in the process and the consequences for individuals. According to Article 29 Working Party -current European Data Protection Board- (2017, 16-17), this right to information includes the right to obtain clear and simple information regarding the existence of an automated decision process and information regarding the functioning of such process. Furthermore, article 6 of the Proposal for a Directive on improving working conditions in platform work introduces transparency requirements on and use of automated monitoring and decision-making systems.

These transparency measures are necessary to address the legal challenges posed by algorithmic management, including algorithmic discrimination, invasions of privacy and breaches of personal data regulation. Indeed, access to information regarding the use of algorithms for profiling or automated decisions in the workplace and the logic involved can contribute to analyze the legality of an employer practice or decision.

Nevertheless, on the one hand, article 14 GDPR that only focusses on solely automated decisions, excluding semi-automated decisions that, although also rely on the participation of a human-being, also pose threats to workers fundamental rights. Furthermore, the right to information is limited to the logic involved in the decision-making, in the sense of information regarding the variables or metrics used by the algorithm, not including information regarding the inferences or correlations made by the algorithms nor the general effect or impact of the decision. On the other hand, article 6 of the Proposal for a Directive on improving working conditions in platform work, although completer and more detailed, is limited to work carried out through digital labour platforms.

The limited scope of current transparency measures endorses requests for further transparency that can tackle the new legal challenges posed by algorithmic management, such as semi-automated decisions, biases in black box algorithms or protection towards inferred personal data. In this sense, the paper advocates in favor of introduced further transparency measures, such as extending the right to information to all forms of profiling and automated-decisions in the workplace, algorithmic audits and worker collective rights.

KEYWORDS Algorithms; automated decisions; profiling; transparency; algorithmic discrimination

The subjectivity of artificial intelligence as an employer

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ABSTRACT

The development of artificial intelligence (AI) and large-scale application of algorithmic management has led to significant changes in the work environment. These primarily concern the ways in which work is provided and the conditions under which it is carried out, but they should be viewed much more broadly. Already today, most of the employer's tasks in relation to individual employment relationships can be performed by AI. In the near future, this trend will become even more noticeable.

At the initial stage, before the employment relationship is established, the most fundamental task of the employer is certainly the recruitment process, which is largely performed by algorithms. Applicant Tracking Systems allow the recruitment process to be automated and largely relieve the employer. These systems are capable of designing the entire process of sourcing personnel, conducting comprehensive communication with candidates, constructing and analysing recruitment forms, and conducting interviews using bots.

In terms of work organisation, algorithms can select employees for appropriate tasks or arrange them into teams that will cooperate optimally. Furthermore, AI can assign work to be performed by employees (e.g. specific transportation requests to couriers) and determine the manner in which the work is to be carried out (e.g. the route to be taken, the location of goods in the warehouse). It is extremely important that AI performs tasks related to the supervision of the employee's work performance. Such control can assume different forms - from simple counting of mouse clicks, checking the driving behaviour of drivers using GPS devices, to far more complex ones such as analysing text documents prepared by the employee or checking an employee's facial expression in the course of work (e.g. smiling when serving a customer).

AI is also used at the stage related to the termination of the employment relationship. This is particularly evident in the case of redundancies, where AI algorithms are used to select employees for dismissal by analysing their performance, commitment, competence or suitability for further activities. By quickly analysing large amounts of data, AI can accomplish this more effectively than a human.

Since AI manages workers and has de facto control over them in the work process it seems worthwhile to start a discussion on the subjectivity of AI as an employer. This discussion should take into account the employer model adopted in each country (management or ownership). It should also be considered whether individual decisions are made automatically without human involvement or whether AI is merely a tool that allows the situation to be assessed and possibly suggests the most appropriate solution, but the decisions are made by humans.

Endowing AI with some kind of subjectivity is inescapable and the earlier we start to think about it, the more ideas are possible. The process of changing the law does not have to be very fast, but should accompany technological and social change. But legal science should work on proposals as soon as possible, and not fall into ideological boost or simply guarding tradition.

KEYWORDS Artificial intelligence; employer; subjectivity; employment relationship

Contextual factors associated to the incidence of HR analytics

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ABSTRACT

Objective

HR analytics is receiving widespread attention both by academia and practitioners. The main feature of HR analytics is the use of data analysis to make more rational and effective decisions about employees (Margherita, 2022). This research attempts to provide evidence on contextual factors associated to the use of HR analytics by firms. More specifically, we focus on two internal (HRM and IT and analytics technologies in the company) and one external factor (generalized trust).

The approach to HRM is expected to have a strong influence on the benefits of using HR analytics. To capture this effect, we use the differentiation between calculative and collaborative HRM (Gooderham et al., 1999). The calculative approach emphasizes the need to measure performance to achieve efficiency, so HR analytics can help in the achievement of this goal. The collaborative approach sees employees as committed participants in the company; in this case, HR analytics can be interpreted by employees as a control device and, therefore, lead to undesired consequences.

HR analytics cannot be adequately implemented without data supported by digital communications (Shet et al., 2021). As Kim et al. (2021) argue, the adoption of IT based on new data processing capabilities has made possible to improve the efficiency and effectiveness of people management. Therefore, we expect the incidence of IT and the use data analytics for other purposes will favour the incidence of HR analytics.

Generalized trust refers to beliefs that people have about how other people in society will act towards them (Leenher et al., 2021). This variable can have an influence on how the employer believes employees will behave. In a low trust country, employers will perceive there is a high risk that workers will not provide effort unless they are closely supervised. HR analytics improves the measurement of performance, so it is expected to be more frequently implemented in low generalized trust countries.

Method

Data come from the European Company Survey 2019 conducted by the European Foundation for the Improvement of Working and Living Conditions and Cedefop. Dataset includes information about 22,050 establishments across Europe.

Empirical analysis is based on the use of data analytics to monitor employee performance as dependent variable. Since this variable is binary, probit models have been estimated. In addition to the independent variables, estimations include control variables for industry, establishment size, whether the establishment is part of a multi-site company and is a subsidiary or headquarters, age of the company and country where the establishment is located.

Results and Conclusion

Our findings show that HR analytics is more likely to be used when both collaborative and calculative HRM practices are implemented. As regards technology, HR analytics is more widely adopted in establishments where robots and data analytics to improve production and service processes are used. However, no effect is found for the use of computers in the workplace. Finally, the diffusion of HR analytics is greater in countries where generalized trust in society is lower.

KEYWORDS HR analytics; calculative practices; collaborative practices; trust; ICT

Membership and renewal of trade unions

Union Finances: The Dark horse within European trade unions' means of actions

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Beyond Density: Improving Labor Unions' Representativeness through Gender Quotas

Raquel REGO, *Instituto de Ciências Sociais, Universidade de Lisboa*

Trade union membership among labour migrants: the case of Norway

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Collectivising services: trade union renewal at the crossroads

Andrea BELLINI, *Sapienza University of Rome*

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Union Finances: The Dark horse within European trade unions' means of actions

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ABSTRACT

Trade unions' declining union densities have been subject to much research, not least in relation to European trade unions various revitalization strategies where union membership often is considered an important proxy for union powers (Schnabel et al. 2013; Marginson, 2015; Traxler, 1995). Less researched is the linkages between declining union membership and trade unions' finances and thus implicitly how union finances contribute to European unions' means of actions (Behrens, 2016; Bourguignon and Yon, 2018). The way unions are financed and their dependence on membership fees may affect their bargaining powers and thus their means of actions.

This paper offers a fresh perspective into European trade unions' means of actions by exploring the potential linkages between unions' recent membership trends and their finances. Our focal point is how unions are financed and supported in the British, Danish and French metal sector in the light of their recent membership trends, where we also consider how this may influence their means of actions in terms of collective bargaining results, usage of industrial actions etc.

Empirically, we draw on interviews with trade union representatives and national industrial relations experts in Denmark, France and the UK as well as union documents, position papers, annual auditing reports and statistical material. The three countries represent distinctive IR-models with very different characteristic in terms of union density and collective bargaining coverage, although the European metal sector is characterised by relatively stronger collective bargaining institutions than other sectors in Denmark, France and the UK (Marginson and Dølvik, 2020).

Analytically, we seek inspiration from power resource theory and the growing body of IR-literature on trade unions' means of actions. We argue that union finances are an important, but often overlooked proxy in much power resource theory and IR-literature regarding trade unions' means of action. In fact, we find that European trade unions are financed and supported in different ways, where wide cross-country and intra-sector variations exist as to individual union's reliance on union membership fees vis a vis other income sources. Therefore, the recent membership loss experienced by many unions has only in some instances impacted unions' overall finances negatively. Thus, declining union densities and subsequently lower levels of income from membership fees may not necessarily jeopardise trade union's means of actions to deliver viable bargaining results, notably when their alternative sources of income are extensive.

However, this raises a number of other important issues that may question trade union's independence and genuine interest representation of workers, especially if an imbalance exists between their income from membership fees and alternative income sources like state support, employer co-financed means or capital investment returns. Therefore, the ways unions are financed and supported play a key role when examining the sustainability of European IR-

models, even if it at first may not affect unions' ability to strengthen their powers vis a vis employers and the political system.

KEYWORDS Union finance, European trade unions, Means of Action, Membership

Beyond Density: Improving Labor Unions' Representativeness through Gender Quotas

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ABSTRACT

Labor unions' legitimacy is rooted in membership, since unions result from the organization of workers who found they were stronger through a collective voice. Accordingly, union representativeness has been assessed primarily through 'density' – the ratio of union members to the total workforce. We argue that density is crucial but insufficient. First, unions external legitimacy is important and based on their action beyond their members; second, there is a growing heterogeneity of the workforce while a need of unions to give voice to all workers. Inspired by the multifaceted concept of 'political representation', we suggest a fairer approach focused on the composition of unions' boards, whenever unions act on behalf of the total workforce. This approach is applicable to the European social dialogue through gender quotas on union boards. It is likely to contribute to unions' revitalization, while enhancing equality in the labor market, thus, fostering the quality of democratic institutions.

KEYWORDS Labor unions; gender quotas; interests representation; Europe

Trade union membership among labour migrants: the case of Norway

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ABSTRACT

Objective

In this paper we discuss if and when labour migrants to Norway join trade unions. International research show that migrant workers or non-nationals have a significantly lower union density rate compared with workers without a migrant background (Visser 2019; Kjellberg & Nergaard 2022). Lower union density among migrant workers might be explained by lower interest in joining a union. However, previous studies show that the differences in union density between national and foreign-born workers are strongly modified when controlling for number of years in Norway (Nergaard et al. 2015). Structural explanations will also influence the probability of if an employee end up as a union member. A question is therefore under which circumstances unions are able to recruit migrant workers: for instance, do migrant workers join unions if and when they start working in a sector or at a workplace where the majority of their co-workers are members? In this paper we focus on labour migrants. This group is of special interest due to the high number of labour migration to Norway over the last 15-20 years. Many labour migrants have a short-time focus on their stay, which may influence their interest in joining a union. At the other side, the aim of this group is work, and joining a union may be part of a strategy to secure good wage and working conditions.

We discuss the following questions:

To what degree do labour migrants join unions?

Is the tendency to join unions partly explained by the labour market history of this type of workers?

To what degree are differences in tendency to join unions between labour migrants and other workers modified by characteristics of their present work-place and labour market history?

How strong is effect on tendency to join unions by years in Norway?

Method

Union density will be analyzed by the use of register data where we also have information on first year in Norway for immigrants, reason for immigration, union density at workplace and sector level and whether the work-place is covered by a collective agreement. We will also be able to establish indicators for labour market history, for instance whether a migrant worker started working at a workplace with strong or weak union presence.

Results and conclusions

We find that differences in union density partly – but not fully – can be explained by the fact that labour migrants often work in sectors with low union density/presence. When controlling for number of years in Norway as well as type of workplace, the differences in tendency to join unions are reduced significantly. We also find differences between different types of labour migrants (by country/region).

KEYWORDS Union density; labour migrants

Collectivising services: trade union renewal at the crossroads

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ABSTRACT

The discourse on trade union renewal has been at the centre of the debate for many years. In truth, it is still a current topic. In its latest report, the International Labour Organization (ILO) has highlighted the risks for the future of trade unions. Indeed, the continuing decline of employment in stronghold sectors, the rise of atypical and informal work, and the progress of digitalisation are threatening the ability of trade unions to fulfil their historical role. In this context, the dualisation between unionised and non-unionised sectors and the marginalisation of trade unions are plausible scenarios with potentially severe implications in terms of increasing inequalities. Trade union renewal depends on developing strategies to expand union representation beyond the current membership base.

Among these strategies, the literature has focused on "organising" while paying little attention to "servicing". The latter goes beyond the supply of individual goods for union members. Instead, it is a strategic approach to bring unorganised workers closer to trade unions – particularly people excluded from any protection, identified as "vulnerable" (i.e., self-employed workers without personnel, platform workers, atypical workers, and unemployed persons). Unlike organising, in which strengthening union membership is pursued by building communities of worker-activists, the rationale of servicing is to increase the perceived usefulness of joining a union.

The BreakBack Project has intervened in this debate by looking at servicing as a set of conscious and deliberate strategies through which trade unions attempt to reach individuals (and groups) out of their influence and increase their members. Specifically, it had a twofold objective. Firstly, it aimed to detect the presence of concrete practices of service supply as translations of strategic choices aimed at renewing union action. For this purpose, it collected, analysed, and classified relevant practices – namely, union services – in five countries (i.e., Belgium, Denmark, Italy, Lithuania, and Spain). Secondly, it intended to understand the effects of these practices in strengthening union membership. In other words, the project was meant to evaluate whether the supply of services leads to an increase in union membership and the growth of the workers' involvement in union activities.

This paper proposal addresses the above issues by framing the project findings into a mixed theoretical framework, combining strategic choice, collective action, and mobilisation theories to break the conceptual dualism between organising and servicing. Trade unions in European countries resort to relatively broad "repertoires of practices" to enhance union membership and participation. Such practices are translations of different strategic options, which do not fall precisely into the categories of organising and servicing but give rise to hybrid forms of action. Among them, "strategic servicing" relies on what we call "collectivising services", that is, "individual services for collective purposes". Here, the collectivising function of union services is first and foremost an internal process by which trade unions construct a collective as a union category. This result is subordinate to creating a community of "service users" as a necessary but insufficient condition for developing collective identity and mobilisation.

KEYWORDS Trade union renewal; Collective action; Strategic choice; Servicing; Work identity

Labor market regulations

Labour Market Regulations and Productivity

Eva UDDEN SONNEGÅRD, *The Ratio Institute*

The Role of Labour Inspectorate in the Enforcement of Labour Regulation: The case of Greece

Achilleas ANAGNOSTOPOULOS, *University of Thessaly*

Labour Market Regulations and Productivity

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ABSTRACT

Objective

The design of Employment Protection Legislation (EPL) is a key factor in determining the functioning and flexibility of the labour market. In the wake of the pandemic and the rapid transformation of economies due to i.e., digitalisation, it will be more important than ever to remove impediments on labour and product markets. Multifactor productivity growth (such as work organisation, technical achievements etc.) has slowed markedly in many countries after the financial crisis. International studies show that the design of EPL is one important factor for productivity growth (OECD 2013). The paper summarizes this work.

Method

The regulatory framework for employment protection differs in countries. Nordic countries have found it beneficial to let social partners negotiate regulation in collective agreements governing various forms of fixed-term employment as well as conditions for termination of employment of open-ended contracts. In many other countries, employment protection is regulated by law without the possibility of deviation through collective agreements. These different conditions make it difficult to compare employment protection between countries. Never-the-less OECD has, since the mid-1980s, constructed indicators of employment protection. An updated and improved version was published in 2020 which will be presented in the paper. Most of the EU-countries have a fairly strict employment protection for regular workers. Countries with a strict regulation of regular contracts also has a strict regulation of fixed-term contracts with a couple of exceptions (Sweden and the Netherlands). In spite of the difficulties in measuring employment regulations the OECD-indexes are helpful for policymakers, where countries can learn from each other how to improve the functioning of the labour markets.

Results from studied papers

The paper will then discuss different factors affecting multifactor productivity, which has been weak during the past decade in most countries. In particular, results from EPL-studies will be presented. Such studies are Autor et al (2007), Bassanini et al (2009), Scarpetta et al (2002) and Bjuggren (2018). The studies show that growth in multifactor productivity is higher if employment protection is less strict. This is especially true in industries where the need for adjustments of the workforce is great, such as in the ICT sector. Also in the manufacturing industry, the positive effect of less strict employment protection is great since the sector is cyclically sensitive. Companies need to be able to quickly adjust their production to changing demand conditions and structural changes.

A summarizing conclusion

Today's developments in an increasingly globalised world and the achievements of digitalisation in more and more areas mean that the need for change for companies is pronounced; perhaps even more so than during previous structural transformations. Also, the labour market is not homogeneous in the same way as before. Migrants with skills other than those that many countries traditionally demand mean that other types of companies need to emerge. Employment protection can have an inhibiting effect on the growth of new companies, but can also, if properly designed, contribute to more people getting jobs and that economic growth and thus prosperity increases.

KEYWORDS Employment protection, multifactor productivity, labour market flexibility

The Role of Labour Inspectorate in the Enforcement of Labour Regulation: The case of Greece

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ABSTRACT

Objective:

The enforcement of labour standards has emerged as a policy challenge in liberal market economies and elsewhere. This paper focuses on the changing nature of state enforcement of employment regulation in the context of Greece, an economy which affected hardly by the aftermath of the financial crisis (2007/8). The search for a solution to sluggish economic performance and persistently high unemployment has led the Greek government to implement labour market reforms, during the last decade, many of which have involved a weakening of employment protection legislation (EPL) and looser constraints on the use of flexible forms of employment. Thus, the increase of labour flexibility and informality and a greater degree of fragmentation of the Greek labour market led to an environment in which access for inspectors to enforce labour regulation is more difficult. Our attempt is to explore whether the Labour Inspectorate may enforce labour regulations trying to overcome the old fashioned bureaucratic barriers as well as the new challenges of flexible and informal employment and adjust to the new “deregulated” labour market environment.

Method:

We used a qualitative approach through semi-structured interviews with labour inspectorates from five regional offices in central Greece. Moreover, we also conducted representatives/experts from labour unions, employers and employer’s associations. Our goal is to investigate participants’ views, during the last decade, on (a) the degree of employment protection on the Greek labour market (b) the external and internal dimension of enforcement labour regulation (c) whether enforcement in different typed firms (small versus large size, family versus non-family) creates inequalities (d) whether flexible employment creates more “enforcement” barriers in order to secure compliance.

Results:

Preliminary findings from our participants’ interviews provide a more detailed and precise picture of the actual level of employment protection before the crisis. All experts agreed that reforms boost the Greek labour market liberalisation. Moreover, external enforcement dimension is high and influenced by the government; on the other hand internal enforcement D=dimension is stable and objective: depends on the (a) local authority (b) Labour Inspector (c) offence. In addition, the Labour Inspectorate act more as inspectorial than advisory organisation (even though the law encourages both functions)

Conclusions:

Our findings can be used for recommendation policies of labour inspectorate in Greece and other European countries but also for comparative analysis with other countries. Moreover, our study provides some findings that are important for the literature on labour market regulation. The future of labour enforcement therefore needs to be studied with a greater sensitivity to the complex nature and multi-level structures of the state. The changing economic climate alongside a context of financial austerity within the state impacts more broadly than simply reducing resources and thus capacity.

KEYWORDS labour regulation; enforcement; labour inspectorate

Regulating dualized labor markets

New Regulation in the German Meat Industry: Towards better Working Conditions and a new Labour Relations?

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Polarisation driven by widening firm gaps and outsourcing

Wouter ZWYSEN, *ETUI*

Variegated de-marketization': manifestations and dynamics of extra-neoliberal politics and practices

Karen JAEHRLING, *University of Duisburg-Essen*

New Regulation in the German Meat Industry: Towards better Working Conditions and a new Labour Relations?

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ABSTRACT

The German meat industry has been a prime example for the erosion of the traditional German model of labour relations with strong workplace representation and sectoral collective bargaining. Since the 1990s, the German meat industry established a business model based on low-cost mass production which led to an expansion of markets and a successful transformation from a domestic to a largely export-oriented industry. The new business model depended heavily on the exploitation of migrant workers mainly from Central and Eastern Europe.

Although migrant workers were mainly working in the core of slaughtering and meat processing, they were not hired by the meat companies but by special subcontractors which provided to highly precarious working conditions including very low pay, extensive working hours and a rather unhealthy work environment. Simultaneously, labour relations institutions has largely been eroded: While sectoral bargaining had almost disappeared, only a few company agreements remained. The vast majority of workers were not covered by any collective agreement. The same holds true for workplace representation.

In spring 2020, repeated outbreaks of COVID-19 in meat plants led the German government to introduce a new legal frame so-called “Arbeitsschutzkontrollgesetz” which might mark a turning point in the development of labour relations in the sector. Beyond the legal measures for the enforcement of better working conditions for meat workers like enhanced requirements for labour inspections or electronic surveillance of working time the new act introduced a ban of subcontracting and temporary agency work in meat production. From beginning of 2021 all migrant workers must be hired by the actual meat companies.

This paper focuses on the impact of the new legal framework on working conditions and labour relations in the German meat industry. Hereby we will draw on a couple of semi-structured interviews with works councillor from different meat production plants supplemented by other empirical material such as media reports, evaluations of special advisory centres for migrant workers and direct participation in union activities.

Our paper will cover mainly two points: First, we discuss to what extend new labour market regulation already led to an improvement of working conditions of former contract workers. So far, the picture seems to be rather ambiguous: While there are some improvements regarding pay and working time, we also found that the former subcontractors are fully integrated into the meat companies. The former exploitative treatment of migrant worker often remains the same.

Secondly, we examine to what extend the new labour market regulation might promote a new labour relations regime in the sector. The legal ban on subcontracting in the meat industry create new opportunities to strengthen workers power through a re-organisation of labour relations in the sector. In spring 2021, as a first step the Food, Beverages and Catering Union NGG organized, with the active involvement of some groups of migrant workers and support of several civil society organisations, industrial actions in a couple of plants and were able to negotiate a first sectoral agreement on a minimum wage for the entire meat industry. Sector-wide

negotiations on other basic working conditions will follow. Moreover, the union follows a strategic approach which aim a more fundamental re-organisation of the sector with sector-wide collective bargaining, new workplace representations and a rebuilding of its organisational strength especially among migrant workers.

KEYWORDS Meat Industry; new labour market regulation; migrant workers; ban on subcontracting; collective bargaining

Polarisation driven by widening firm gaps and outsourcing

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ABSTRACT

The labour market position of the lower educated is increasingly under pressure in Western countries. Their bargaining position declines under the twin pressures of globalisation and technological change, which reduces demand for lower-skilled, often routine, labour and increases the demand for higher-skilled workers.

One of the main ways in which inequality increases between workers, under pressure of these macro-economic changes as well as institutional factors, is through a widening of the wage and conditions at different firms. Partly this is driven by sorting, indicating a growing bifurcation on the labour market with lower-skilled workers increasingly kept out of the better positions, who along with better pay also offer better and more stable conditions.

Domestic outsourcing - where non-core jobs are contracted out to other firms – is one of the key drivers of this sorting and can strengthen this polarisation.

This paper sets out to study the relative position of lower-educated workers in European labour market from early 2000s onwards, and map the extent to which their position has been affected by macro-economic conditions, helped along by widening differences between firms. It especially addresses two main questions:

- How has the labour market position of lower-skilled workers, in terms of employment opportunities, wages, and job quality, changed over time under pressure of globalisation and technological change?
- What is the role of outsourcing and segregation between firms in driving this difference between workers?

We use two main micro-data sources: the EU LFS from 2000 onwards to estimate trends in labour market outcomes of lower-educated workers and identify trends in outsourcing; and the EU SES 2002-2018 to study wage inequality within and between firms linking it to the trends in outsourcing. External data on institutions and macro-economic changes is linked at country sector, and year level.

Preliminary results show a steady increase in the share of workers working in the business services sector and for temporary work agencies – approximating outsourcing. This is especially increasing for the lower educated. I also find that workers who move to the business service sector earn less and are more likely to work part-time than their counterparts who did not move but staid in the same industry; and that workers who work for a temporary work agency earn less and work more on non-standard contracts than those who work in the same industry.

Using data from the SES I find that the contribution of sorting into firms in the educational wage gap increased from 34% to 41% from 2002 to 2018, with the importance of working in the business sector increasing over time. This indicates that firm segregation and outsourcing as a component of it have grown sizeably over time and contribute to the worse labour market position of lower educated workers.

KEYWORDS Outsourcing; wages; wage inequality; firms

“Variegated de-marketization”: manifestations and dynamics of extra-neoliberal politics and practices

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ABSTRACT

Borrowing from the concept of ‘variegated neoliberalization’ (Brenner et al. 2010), the paper proposes a research perspective examining processes of a ‘variegated de-marketization’. This perspective puts a focus on the inconsistent and uneven, ‘actually existing’ regulative and practical experiments occurring in the shadow of ‘deep neoliberalization’ (Brenner et al. 2010), yet informed by alternative, extra-neoliberal concepts. The usefulness of this perspective is elaborated using the example of policies and practices geared towards ‘socially responsible public procurement’, thus efforts to turn governments and other public purchasing bodies into a ‘model buyer’ that promotes decent working conditions in contracted firms.

The analysis at both the European and national level (Germany) shows how simultaneous marketization and de-marketization processes have shaped these attempts. Legal reforms in public procurement policies and ‘judicial Europeanization’ since the 1990s have constitutionalized competition principles, spelled out ever more detailed commandments and prohibitions for the design of tendering procedures with a view to protect competition, and set up new control mechanisms to watch over the enforcement of these rule. This procurement-specific version of a ‘neoliberal bureaucratization’ (Hibou 2015) poses serious obstacles to more recent legal reforms and innovative administrative practices geared towards ‘buying social’.

Still, these efforts have accumulated up to a point where they can hardly be dismissed as some minor correction of neoliberal hegemony. The variegations of de-marketization result from a re-politicization of decision making across sites, even in settings prone to ‘quiet politics’ (Culpepper 2011), such as European-level case law. They are both stimulated by mobilization from ‘below’ (e.g. trade unions) and by semi-autonomous dynamics within the political system. Against contributions that underscore the elective affinity between ‘post-politics’ and neoliberal hegemony, the paper thus argues for a more nuanced understanding of the role of politics in ‘late-neoliberal’ capitalist democracies.

KEYWORDS (de-)marketization; politicization; public procurement; judicial Europeanization

Collective responses of platform workers

How to (re)cover remote and platform workers? An empirical analysis and policy implication

Valentina FRANCA, *University of Ljubljana*

Working Conditions of Platform Workers and Their Protest Waves in Turkey

Sevda KÖSE, *Kocaeli University*

Platform workers in the US and the EU: employees or independent contractors?

Isabel DA COSTA, *CNRS, IDHES, ENS Paris-Saclay*

Precarity and fraud after the ‘Rider Law’: exploring the circumvention of labour law by digital platforms

Pablo SANZ DE MIGUEL, *Notus-ASR*

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How to (re)cover remote and platform workers? An empirical analysis and policy implication

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ABSTRACT

From a research perspective, it is particularly interesting to examine the simultaneous growth and development of both remote work and platform work. Since it is expected that these two forms of work will not only be maintained but also further developed in the labour market, it is more than necessary to study them. For both employees and employers, there are several legal and economic challenges that need to be addressed. In this paper, we focus in particular on four aspects of remote and platform work that deviate from standard employment practices: legal regulation, remuneration of work, taxation of work, and ensuring health and safety. As other researchers have also noted, a multidisciplinary perspective on platform work is needed. The same applies to remote work, as it is not only a fact of regulation, but has various implications for work organization and company performance.

Remote home, similar to other countries, took place overnight in Slovenia although it was not a mandatory requirement. The possibility of working remotely had been regulated by law since 1961, but was not widely used until after the virus spread. Although the solution of working remotely seems attractive for working during a pandemic, it has also raised many issues related to health and safety, workload, remuneration, work–life balance and gender equality. Similarly, platform work in Slovenia was very limited before the pandemic, there being only a few deliverers in the country (in the capital city). With the closure of the society, the delivery of food, drinks and other goods spread to all major cities in Slovenia. The work is mainly performed by students and self-employed people, some of whom have chosen this form of work as their main activity, while others use it as an additional way of earning money. Platform work as a form of work is not specifically regulated by law in Slovenia. As these workers are not employed by the platform, the minimum labour law rights, such as minimum wage, does not apply to them. On the other hand, they do have some employment protection. If all the elements of an employment relationship are present, an employment contract must be concluded. This is a case that has not yet arisen in practice for platform work, although the case law is rich in similar cases.

In addition to the analysis of legal regulation, data were collected in Slovenia through 1) in-depth interviews with companies offering platform work, 2) focus groups with key stakeholders (trade unions, employers' associations, Ministry of Labour, tax authorities, labour inspectorate and the like) and 3) questionnaires among employers.

The contribution of the paper will be a multilevel analysis of the recent phenomena of massive remote work and platform work. This will enable us to develop substantive ground premises and guidelines which will, in particular, form the basis for the formulation of appropriate policies and possible changes to legislation.

KEYWORDS Remote work; platform work; employment protection; flexicurity

Working Conditions of Platform Workers and Their Protest Waves in Turkey

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ABSTRACT

Objective

Technological developments have brought crucial changes in terms of industrial relations. It can be mentioned positive and negative impacts. One of the worst impacts of technological developments on industrial relations exists via the platform economy. Platform work has become increasingly widespread in recent years, is one of the new ways of working in the digitalization process. Many different terms can be used to describe activities that are mediated through platforms, such as gig work, on-demand work, platform work, digital labour, digital (gig) economy, crowd sourcing, piecework, and collaborative consumption (Aloisi, 2015; Heeks, 2017).

It is aimed to examine the working conditions of platform economy workers and investigated protest cases from Turkey in this study. These workers suffer from the erosion of fundamental labour rights, the loss of social protections and difficulties in exercising collective action. Unionization of platform workers is highly difficult (Graham, Woodcook 2018).

Method

Uncertainty of platform workers' status and lack of representation by the trade unions is a crucial problem for platform workers. Labour relations can be discussed out of the traditional labour relationship. Workers can be seen as self-employed in this model and could not be mentioned traditional employee-employer relationship. Hepsiburada, Trendyol, Yemeksepeti, Çiceksepeti and so on are platform economy examples in Turkey. The courier workers, who work for these platform economy companies, protest to live decent work conditions nowadays in Turkey. In the new model, couriers become self-employed, and they do not under the protection of labour law (Çelik, 2022, Kızak, 2021).

When couriers are employed under labour law, employers have to make investments within the framework of protective norms of the labour law. This new form of employment stands out as a new aspect of precariousness and job insecurity. Examining these courier workers' protests in Turkey is so crucial. Recent courier workers' protests in Turkey can be seen as a negative result of the platform economy and dramatic increases in inflation in Turkey. Many employers raise wages below the inflation level. This attitude, which is especially common in e-commerce companies, angered the workers.

Conclusion

Platform work is blurring the boundaries between traditional employment status, and particularly between employees and self-employed workers, and therefore it is not always easy to determine the status of a worker (Eurofound 2018). Platform workers should be represented by trade unions. It might be necessary for national legislation to clarify definitions for platform workers and strengthen enforcement to avoid misclassifications. The workers do not know how they respond to the threat of the platform economy and work system. Generally, there is weak trade union representation of platform workers. Additionally, although some judicial decisions in some countries like Sweden, allow self-employed persons to join trade unions or to organize professional unions, in others, the self-employed are excluded from the right to collective bargaining. And exploitation and precariousness of these workers are the main problems after the industrial revolution era.

KEYWORDS Platform workers; precariousness; The courier workers

Platform workers in the US and the EU: employees or independent contractors?

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ABSTRACT

In the technologically advanced societies of the 21st century precarious forms of work are increasingly replacing traditional employment relations, posing organizational, social, and legal challenges. The recent increase in telework due to the pandemic led to a further increase in all types of platform work which has become a major issue and yet, in many countries, is still lacking clear rules and regulations.

My communication proposers to show how the evolution of the digital economy challenges collective bargaining institutions and actors by comparing developments in the United States and the European Union regarding the legal status and right to organize of platform workers.

In the US and the EU the gig economy and platform work generally refer to forms of employment relations characterized by non-permanent or short-term contracts with few benefits, such as contingent work, self-employment, temporary agencies, and app based platform work. However not all workers in the gig economy are underpaid drivers or food delivery riders, controlled through app-based companies. According to certain estimates, professional workers also account for a sizable share of the contingent workforce in the US and the EU. Many of these professionals are highly skilled and educated, and sometimes have comfortable incomes, but are (by choice or not) in non-permanent employment relations lacking job security and its fringe benefits and protections. Furthermore, in the US since many of these workers are considered as self-employed and not as employees, it is almost impossible for them to join labor unions and organize collective actions to improve their conditions.

Nevertheless, in California the AB5 Bill (California Assembly Bill 5), enacted in September 2019, was viewed as having the potential to reshape the gig economy by forcing app-based companies to treat independent contractors as "employees" with the attached rights and labor protections, such as job benefits and pay guarantees, which do not apply to independent contractors. After analyzing the context leading to this legislation as well as its implications and effects, I will compare these developments to the currently proposed EU Directive on improving working conditions in platform work which would grant legal employment status to platform workers.

In both cases my communication will outline the organizing drives and lobbying efforts behind the evolution of these legal definitions that categorize platform workers either as independent contractors or as employees and also the challenges and implications of these regulations for the participation and collective representation of platform workers.

My conclusion will focus on the strategy of the different actors involved and the factors leading to the emergence of these industrial relations arrangements stemming from the evolution of digitalization.

KEYWORDS Platform workers; Comparative industrial relations; Labour unions; Digital economy

Precarity and fraud after the ‘Rider Law’: exploring the circumvention of labour law by digital platforms

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ABSTRACT

Spain is the first EU Member State to adopt legislation that recognizes delivery riders as employees. The ‘Rider Law’ is the result of a social partner agreement reached in May 2021, which unified legal positions by recognising the rider’s employment status as an employee (see Section 4.2.2). The ‘Rider Law’ has established ‘presumption of employment’ in the field of digital delivery platforms; that is, the responsibility for demonstrating that platform riders meet the criteria for being classified as self-employed lies with the platform company.

While this legislation may have contributed to partly mitigate the problem of bogus self-employment, there is evidence that digital labour platforms in the food-deliver sector are still evading different aspects of labour law. On the one hand, recent research has showed that food-delivery platforms are subcontracting delivery services to intermediary companies which take the responsibility for hiring riders as employees. Through this system, platform workers are deprived from the full exercise of fundamental rights at work such as trade union representation or collective bargaining (Todolí-Signes, 2021; Esteve-Segarra y Todolí, 2021). On the other hand, digital labour platform workers in the food-delivery sector are particularly exposed to experience breaches of rights regarding different labour law provisions such as work-time regulation (unpaid hours, overtime, etc.) information and consultation rights or Occupational Health and Safety legislation (Pulignano, et al., 2021; Howson et al., 2021).

This contribution explores, first, how digital platforms are circumventing labour law since the approval of the ‘Rider Law’. Second, it analyses the impact of those practices in riders’ working and living conditions. The results to be presented are based on desk research and fieldwork consisting of semi-structured interviews conducted with trade unionist, labour inspectorates and food-delivery couriers, ‘riders’, in several Spanish cities during 2022.

KEYWORDS digital platform, irregular employment, rider law, precarity

COVID-19 effects on labor market

Digitalization in Norwegian retail – towards a more divided workforce?

Kristin ALSOS, *FAFO*

Sissel C. TRYGSTAD, *FAFO*

Do workers speak up when job insecure? Examining workers' response to precarity during the COVID-19 pandemic

Hye Jin RHO, *Michigan State University*

Christian Lyhne IBSEN, *University of Copenhagen*

Reactions to the Covid-19 Pandemic in the German Auto and IT-services Sectors

Christina TEIPEN, *HWR Berlin (Berlin School of Economics and Law)*

Distributional conflicts between public employees – The Danish nurses' strike during the pandemic in 2021

Laust HØGEDAHL, *Aalborg Universitet*

Digitalization in Norwegian retail – towards a more divided workforce?

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ABSTRACT

Norway, together with the other Nordics countries are at the forefront when it comes to the spread and use of digital technology and digital competence in the population (EU Digital Economy and Society Index (DESI), 2019). There has also been a steady growth when it comes to the share of employees who make use of new technological and digital tools at work (LFS). Retail is a labour intensive low-wage sector with many young employees and high turn-over rates. The potential of productivity growth following from digitalization of retail is great, and the growth has proven faster here than in the rest of the economy (Steen et al. 2019).

According to Christensen et al. (2020) the development has an impact on issues like worker perceptions of job demands, autonomy, empowerment, trust and security “but how remains an open question” (Christensen et al. 2020, p.8). One outcome might be dualization of the workforce, both between companies and within companies, where workers can be divided into “insiders” or “outsiders” (Emmenegger, 2012). We define the insiders as workers with varied jobs and career opportunities, while outsiders is characterized monotonous and standardized jobs, with few options when it comes to career development.

Findings

The lockdowns following the Covid-19 pandemic have speeded up this transformation, and can be regarded as a critical juncture when it comes to the pace of digitalization in part of retail. While grocery stores could remain open, specialist trade had to close due to infection control measures. Serving customers online became a strategy to maintain sales numbers, and administrative staff and customer service had to work from home. In one of the companies, lockdown has led to upgrading of part of the workforce, where elected employee representatives seem to have played an important role. At the same time, e-commerce has led to increase in monotonous jobs. In the other company, the pandemic have speeded up digitalization processes, but with little consequences for the employees. One important explanation is that high level of skills of shop assistants is part of the branding.

Methodology

In this paper we use two case studies in specialist retail companies to study how this transition has affected work and work organization. Both companies have several stores in Norway, and one is a multinational company. In each company we have undertaken qualitative semi-structured interviews with 6-8 employees, including management at different level and employee representatives.

Contribution to knowledge

The aim of this paper is to get a better understanding of how digitalization affects work and organization of work in retail. We will do so through the following research questions:

Has the digitalization of work due to Covid-19 brought forward new forms of work organization? Do we see signs of job destruction, job change, job shift and / or job creating? (Degryse 2016; Pedersen et al. 2018).

¿Can we observe a dualization in the work organisation, where the jobs are divided into insider and outsider jobs?

KEYWORDS Digitalization; COVID-19; retail; upgrading; polarization

Do workers speak up when job insecure? Examining workers' response to precarity during the COVID-19 pandemic

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CHRISTIAN LYHNE IBSEN

University of Copenhagen

ABSTRACT The COVID-19 pandemic inflicted unprecedented economic insecurity upon workers, causing millions to lose their jobs and instilling fear among countless others that their employment could be at risk. At the same time, many workers sought safety and security through voice, raising concerns in their workplaces and participating in collective action. While studies have shown that workers tend to speak up in the presence of receptive management or unions, it is unclear under which conditions this occurs for workers who perceive employment precarity differently.

Drawing from representative survey data conducted in Illinois and Michigan in July 2020, we find that job insecurity overall is not significantly associated with voice. Moreover, we show that insecurity moderates the likelihood of speaking up in the presence of receptive management and unions: insecure workers were less likely to speak up than their secure counterparts. We also find that nonstandard workers were more likely to report job insecurity than standard workers, and that those nonstandard workers who perceived job insecurity were less likely to engage in voice than those who do not. Overall, this study broadens our understanding of employment precarity during the pandemic, showing the conditions under which workers did or did not respond to job insecurity with voice.

KEYWORDS Job insecurity; voice; unions; nonstandard work; COVID-19

Reactions to the Covid-19 Pandemic in the German Auto and IT-services Sectors

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ABSTRACT

The purpose of this presentation is to analyze the variegated sectoral impacts of the pandemic on employment and labour relations in Germany. We have chosen the automotive and the IT services industries as our case studies assuming that both industries were impacted considerably, but differently. While the automotive industry has been affected from the outset by production stoppages and supply chain disruptions, the IT services industry was expected to experience an increase in demand. In addition, both industries differ with regard to labour relations and the role of unions. Therefore, this paper aims to address the following research questions:

What are/were the effects of the Covid-19 pandemic on employment in the German automotive and IT services industries?

What were the reactions of different actors (federal and regional governments, OEMs and suppliers) to the pandemic-related impacts in both industries with a particular focus on the role of trade unions and work councils?

The impacts of the Covid-19 pandemic in the automotive and IT services industries unfolded against the background of longer-term technological changes, with the trend towards increasing digitalization and the transition to electric vehicles. Therefore, developments in both industries did not represent a sudden rupture with the pre-existing situation. However, the pandemic acted as 'catalyst' for the dynamics that have been taking place, speeding up the pace of change. This also concerns the partial blurring of boundaries between the IT and automotive industries, as IT software and services become increasingly important and integrated in the automotive industry.

It will be concluded for the automotive industry in Germany that the Covid-19 crisis management and structural changes have been taking place simultaneously. The Covid-19 pandemic coincides with the beginning of a decade of transformation and accelerates the transformation. This is further reinforced through political programs such as the EU reconstruction fund concessions. Employees in the automotive industry had more concerns about employment losses due to technological change, digitalization, globalization, and political regulation (climate targets). Once again cooperative crisis management between collective actor constellations in companies, both at national and regional level, could be witnessed in the automotive sector. In contrast, most IT services firms were able to continue operations by switching to remote working and without relying on public assistance. In many cases, experiences with and company regulations for working from home had already existed before the pandemic, which facilitated a rather smooth transition. Last but not least, IT service companies in particular, which experienced during the pandemic that their employees can theoretically work from anywhere without any problems, will use this as an incentive for further offshoring. Overall, it will become apparent that organizational power resources were key in cushioning negative consequences of the crisis for employees– with variations in execution and succession with the automobile, IT and call center industry.

KEYWORDS Trade union involvement; Germany; auto sector; IT services; Covid-19

Distributional conflicts between public employees – The Danish nurses’ strike during the pandemic in 2021

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ABSTRACT

The public labour markets in Europe have become the hot bed for industrial conflicts. This trend was also evident during the Covid-19 pandemic. In this paper we show how internal distributional conflicts among public sector employees can be an important factor in explaining industrial conflict with point of departure in the Danish case. We show how especially nurses, kindergarten teachers and social and health assistants have revolted in relation to their relative wage levels. The result has been several strikes during the collective bargaining rounds in the public sector. The nurses conducted two strikes in the 1990s and in 2008 the nurses, the kindergarten teachers and the health and social assistants went on strike with the purpose of a pay raise, higher than the one the other professionals in the public sector have obtained during the collective bargaining round. This was in fact an intra-sectoral struggle over distribution of public sector wages. Most recently nurses went on strike in 2021 during the pandemic. The strike was in many ways both unexpected and unintended.

The paper concludes that the nurses’ wage- and strike strategy was unsuccessful in terms of the immediate outcome. First because of the existence of the so called ‘regulation mechanism’, balancing the public sectors wage increases with wage increases in the private sector. If public unions carry out a strike with the purpose of change their relative wage position, this regulation mechanism will correct the wage increases for all public employees have to ‘pay back’ their wages increases, so the public wages increases will be in line with the wage increases in the private sector. Second, because all the other unions protested and objected the nurses claim for a higher wage increase than the increase, that their members had accepted. Normally, all unions in both the private and the public sector are strong opponents to the ideas, that the Parliament and the government should regulate wages and work conditions.

The Danish labour Market Model is a ‘Bargaining Model.’ But we show, that because the regulation mechanism causes a constant wage hierarchy over time, especially the nurses’ union claim, that only with the help of the government and parliament, they can change their position in the wage hierarchy. The nurses’ strike was ended by a government intervention, stopping the strike and setting a commission, with the purpose of investigating the wage structure in the public sector over time, comparing education and wage levels and the professionals relative position in the public wage hierarchy. The paper ends with a discussion of how internal distributional conflicts can help explain the rise in public sector strike activities.

KEYWORDS Strike; industrial conflict; Covid-19; nurses

New technologies and industrial relations

How does digitalisation affect industrial relations, and vice-versa, in the Italian & Spanish retail sector?

Arianna MARCOLIN, *Università Cattolica del Sacro Cuore Milano*

Stefano GASPARRI, *University of the West of England*

Collective bargaining and digitalisation – crisis or revitalisation of trade unions?

Nele DITTMAR, *TU Berlin*

Digitalization and work organization in Italian banks: the role of collective bargaining

Francesco SEGHEZZI, *Università di Modena e Reggio Emilia*

The Future of Labor Unions in the Age of Automation and at the Dawn of AI

Gadi NISSIM, *Ruppin Academic Center*

How does digitalisation affect industrial relations, and vice-versa, in the Italian & Spanish retail sector?

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ABSTRACT

In the last decades, the relevance of trade unions and collective bargaining has diminished in most advanced economies, to the point that scholars have long debated their degree of resilience, if not renewal, in light of emerging challenges (Perez, 2004; Baccaro and Howell, 2017; Meardi, 2018). A key issue regards digitalisation, which might put industrial relations actors at a crossroads (Frey and Osborne, 2017; Pfeiffer, 2017). On one hand, digitalisation can lead to a 'low road', enhancing employers' ability to control their workforce in a unilateral manner, eventually subject to market-regulation (Gill and Meyer, 2008). On the other hand, digitalisation could also be interpreted towards the 'high road', improving working conditions as well as business productivity (Arntz et al, 2017). Interestingly, such issue has rarely been considered in relation to the retail sector, an essential industry where skills, conditions and pay are relatively lower than in other sectors (Carrè and Tilly, 2017; Fullin et al, 2018). This research aims to partly fill this gap by adopting an actor-centred neo-institutionalist perspective and comparing recent industrial relations developments in the retail sector in Italy and Spain.

Specifically, the analysis investigates whether, to what extent and how industrial relations institutions, particularly collective bargaining, might protect workers from risks associated with digitalisation such as excessive work flexibility, high levels of monitoring, and skills mismatch. Two types of data have been collected to answer this question. First, semi-structured interviews with representatives of trade unions and employers' organisations in retail have been conducted to understand their approach to digitalisation. Second, the research uses content analysis to examine how digitalisation has been framed within the collective agreements signed over the last decade at the sector level and in strategically selected retailing companies.

Findings demonstrate that, either in Italy and Spain, both trade unions and employers consider digitalisation as a potential disruptor of existing industrial relations dynamics but, eventually, they draw different expectations. The former explores how to link digitalisation with an increased leverage at the bargaining table, beginning with areas such as training, workers' involvement in the decisional process and equal taxation between brick-and-mortar companies and digital platforms. The latter instead focus on the provision of training for workers, monitoring, and how to exploit the investments on innovation. At the same time, the two countries display some differences, affected by their organisation, their ideological stance, and the power resources: in Italy, where industrial relations display voluntaristic traits, social actors have been minimally involved in the policymaking on digitalisation, but have been proactive at the sector and company bargaining dynamics, integrating key issues; in Spain, where industrial relations are relatively more state-led and formally institutionalised, social actors have mostly contributed to high-level discussions about selected issues related to digitalisation through social dialogue, aiming to influence policymaking. Overall, albeit it is too early to tell whether the two countries are going towards the high or low road of digitalised industrial relations, this work identifies contrasting trends and highlight the institutional factors and strategies that can make the difference.

KEYWORDS Retail Sector; Digitalization; Collective Bargaining; Trade unions; Italy; Spain

Collective bargaining and digitalisation – crisis or revitalisation of trade unions?

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ABSTRACT

Objective

Although in the mid-2000s a “comeback” of (German) trade unions could be observed (Schmalz/Dörre 2014), the long-term trend of membership losses and erosion of power resources has not stopped. Moreover, the current “digitalisation” of the working world could further this development: e.g., automation might mean membership losses in former strongholds of unionism; and new forms of remote work pose challenges to interest aggregation and employee representation.

In this paper I want to ask how these developments can be shaped by collective bargaining, and if collective agreements on digitalisation might even hold potentials for a revitalization of trade unions.

While there is already rather extensive research on digitalisation and industrial relations at the workplace level as well as a growing body of literature on employee interest representation in the evolving platform economy, surprisingly little attention is paid to the question of how the challenges of digitalisation are addressed by sectoral collective bargaining in existing industries – the “core business” of trade unions in many European countries. This paper means to start filling this gap.

Theoretically, I draw on the strategic unionism-literature and a field-theoretical approach to industrial relations (see Pernicka et al. 2021). From this perspective, trade unions are capable of strategic action, but at the same time, their strategies cannot be understood without considering the structural and institutional environment in which they are embedded.

Method

Based on an analysis of documents (collective agreements, position papers of trade unions and employers’ associations) and – at this stage of the ongoing research – 25 interviews with representatives of trade unions of the German Trade Union Confederation and their bargaining partners on the employers’ side, I show how the challenges posed by digitalisation are addressed in collective bargaining in Germany.

Results

Despite the little attention that research has paid to sectoral collective bargaining on digitalisation, my research shows that various aspects of it are addressed in collective agreements in many different sectors. There are some comprehensive collective agreements on digitalisation, regulating different aspects of it. Others only address select aspects, e.g. mobile working, qualification or employment security. Moreover, some of them contain regulations like a “digital access right” for trade unions to reach out to employees in a digital workplace or procedures to ensure participation of employees and their representatives in digitalisation processes.

Conclusions

Thus, drawing on the example of Germany, the research shows that the challenges of digitalisation are addressed by collective bargaining and that the agreements contain some elements that might foster a revitalisation of trade unions.

KEYWORDS Collective bargaining; digitalization; revitalisation

Digitalization and work organization in Italian banks: the role of collective bargaining

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ABSTRACT

Objective

In the last years several impacts took place in the organization of banking sector especially pushed also by institutional context (Kornelakis et al., 2021; Kirov, Thill, 2018; Regini et al., 1999). One specific case is the role of MiFID II directive (Comana et al, 2019) on the adoption of new technologies, work organization models and implementing of reskilling processes. The article looks at the Italian context after the introduction of the directive together with the turbulent environment (Butera, 1974) by the economic, socio-cultural and technological point of view of the years after the recession. And in particular focuses on the role of industrial relations, through collective agreements at national and especially at firm level helped the governance of this challenges in the sector. In order to do this the paper wants to analyze this phenomenon starting from a deepening of impacts of MiFID II on work organization and through a focus on the actual scenario of industrial relations in the sector in Italy before showing two different case studies, Unicredit and Banca Etica, through which analyze how social partners through collective agreements acted after MiFID II.

Method

The research started with an analysis of literature about digitalization and bank sector followed by a documental analysis especially starting from MiFID II directive and relative documents. The documental analysis is completed by the focus on collective agreements of the sector at national level in order to set the scenario through which develop the case studies. These case studies are based on a documental analysis on several firm-level collective agreement between 2014 and 2020 together with ten in-depth interviews with trade unionist at national, local and firm level.

Results and conclusions

The research shows how the institutional context that characterizes industrial relations in the banking sector in Italy was essential in calming the effects of the transformation, in particular by favoring company level bargaining as a way to govern it. This is due both to the presence of institutionalized places for common discussion and for the promotion of participative schemes, but also because of the role of bilateral institutions that, also thanks to the resources present in the sector, financed the support for the negative externalities of processes of corporate transformation and restructuring. The analysis of the case studies shows how the promotion of firm level agreements, as a tool for governing the impacts of the digital transition on organizational processes, has made it possible to adopt different solutions according to specific contexts. This limiting the risk of adopting a single approach at the sectoral level that could have resulted in the advantage of some organizational structures and a disadvantage to others.

KEYWORDS Digitalization; banks; collective bargaining; MiFID II

The Future of Labor Unions in the Age of Automation and at the Dawn of AI

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ABSTRACT

The lecture addresses the role of trade unions in a future economy that relies on automation and Artificial Intelligence (AI). The research methodologies are intuitive logic, a branch of scenario planning, and a rigorous literature review of the contextual environment in times of disruption and change.

AI and robotics are getting autonomous and self-learning with human-like capabilities. The literature suggests two scenarios on digitalization and its implications on human work: 1) The empowerment thesis predicts that automated machines and AI will coexist with human labor and enable workers to improve their performance. According to this thesis, after a period of frictional unemployment – that will necessitate retraining and up-training of many workers - the digital revolution will eventually bring new, better jobs. 2) The substitution thesis predicts that automation and AI might entail the mass replacement of human workers and cause structural-technological unemployment.

Labor unions have been the leading institutions safeguarding employees' rights and representing their voice. Hence, one may expect the scholarly literature to discuss the role of unions in the face of the coming revolution, particularly in the context of the threat of mass unemployment. The current research concentrates on the ways unions respond to challenges that arise with the move to working from home through digital devices, insecurity and abuse that digital platforms inflict on workers, et cetera. Most researchers embrace versions of the empowerment scenario and contend that unions should fight against the abuse of the new technology for exploiting workers and fight for a smoother transition into a prosperous digital economy that offers good jobs.

On the other hand, in the lecture, we ask what unions' role should be if the second scenario – the substitution thesis – materializes. This situation might be more challenging for trade unions: Reduced demand for workers means employers have a better bargaining position against workers and unions. Fewer workers are also fewer union members, therefore less associational and economic power.

We propose that unions will design new strategies for two sequential phases. During the first transition phase from human labor to an automated-autonomous production, trade unions should develop research capacities that will enable their deep understanding of the digital turn to anticipate coming trends and consider options in real-time. They may well bargain for fair retirement compensations and retraining in case of inevitable termination of jobs or fight for preserving human work and improving employment conditions where feasible. As production and services rely on robots and AI in the second phase, unions should reinvent themselves. They would better transform from organizations that primarily organize and represent employees to those that advocate for the social rights of all laypeople. They can organize people who currently work or looking for work, indirectly employed, quasi-freelancers who work for digital platforms, and others. Trade unions can lobby for economic security for all citizens by endorsing Universal Basic Income, providing free Human Resources services (training, job-assigning, and more), and endorsing new concepts of health, safety, and privacy in the digital environment, et cetera.

KEYWORDS Automation; Artificial Intelligence; Trade Unions; Future Scenarios

Green transition and labor market policies

From just transition to the `eco-social state`

Béla GALGÓCZI, *European Trade union Institute (ETUI)*

The Scandinavian labour market model and the green shift

Alexander Sønderland SKJØNBERG, *BI Norwegian Business School*

Workers' Voice and Security in a Just Transition: Rolls Royce and Redundancies in Inchinnan, Scotland

Ewan MACKENZIE, *Newcastle University*

From just transition to the “eco-social state”

BELA GALGÓCZI

European Trade Union Institute (ETUI)

ABSTRACT

Addressing climate emergency has become a number one policy priority. This needs a fundamental revision of the prevailing production and consumption model with profound effects on the world of work. Reaching zero carbon will only be menagable if the costs and risks of the transition are balanced. The paper takes an attempt to deconstruct the concept of ‘just transition’ by discussing the underlying interpretations of inequality and justice in context of the climate crisis and link them to the concept of the ‘eco-social state’. This paper will demonstrate that given the complexity of inequalities in the climate-environment-social nexus, fragmented just transition policies focusing on one dimension of inequality will not deliver results to claim ‘just transition for all’. By reframing the sustainability trilemma for the case of the climate emergency and deconstructing the concept of just transition based on relevant literature and selected case studies some of the inherent contradictions of the concept will be highlighted. The paper will argue that for a comprehensive just transition for all policy framework the role of the state needs to be rethought.

The theoretical analysis is based on a review of the relevant literature in an attempt to connect two main streams of academic debate, one dealing with the concept of just transition from a political economy perspective and one dealing with trade unions as actors from an environmental labour studies perspective and integrate them under a broader concept of the ‘eco-social state’.

Different strategic approaches to just transition will be shown through empirical evidence from two sectors of the European economy that make up more than a third of European carbon emissions: energy generation and the automobile industry. Both sectors have well-paid unionised jobs but differ greatly in their economic weight and future perspectives. The section draws on literature and a documentary review (European Commission, European Union (EU) Joint Research Centre, and international consultancy firms) in its introductory part and is based on country and sector studies conducted in projects at the European Trade Union Institute. National case studies drawn on National Energy and Climate Plans and government documents. Sectoral studies in the automobile industry and at the energy multinational, Enel, were conducted by national and industry-level experts, including plant level surveys and first-hand accounts by practitioners.

After framing the main challenges, section 1 will provide an overview of the concept of just transition as it has evolved during the last four decades by putting different interpretations of environmental justice, climate justice and energy justice into the centre. Section 2 will look at the role of trade unions in just transition at different levels and will argue why in spite of the diversity of their views and attitudes trade unions can play an eminent role in making just transition a success. Section 3 will examine the role of actors in the light of case studies from two key sectors, the energy and the automobile sector in different countries. Section 4 will conclude by raising the case for an ‘eco-social state’.

KEYWORDS Climate change; just transition; eco-social state; works councils

The Scandinavian labour market model and the green shift

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ABSTRACT

The Scandinavian labour market model is, with respect to the different aspects of these models in Norway, Sweden and Denmark, characterized by the strong role the social partners have in organizing and regulating the labour market and hence important parts of the economy and society. The tripartite cooperation is strong, and the social partners' societal involvement goes beyond the labour market.

The premise for my paper is that the social partners, representing labour and capital, also have a responsibility to play a role in the transition to a low carbon economy – the green shift. The purpose of my paper is twofold. Firstly, the paper investigates elements of the Scandinavian labour market model that makes it suitable for implementation of environmental and climate measures. A key question is how to ensure legitimacy among workers and employers. Secondly, the paper discusses the legal issues that may arise by implementing environmental provisions in collective agreements. The paper uses the Norwegian labour market model as main example, aspects of the Swedish and Danish models are however included in the discussion.

First, I examine the key aspects of the labour market model, including the different institutional solutions for central and local cooperation between the social partners (and the state). A conclusion is that collective agreements can function as effective instruments for implementing environmental measures within the framework of the Scandinavian labour market model. Several reasons are pinpointed. The union density and collective agreement coverage are high. A collective agreement is given legal effects not only to the contracting parties, but also to the members of the organizations, and the collective agreement has an additional “normative effect” on non-members and members in other trade unions working under the collective agreement with the same employer. The tripartite model, where the social partners and the state have agreed upon important societal reforms, is a key to ensure legitimacy. Collective bargaining and negotiations on different levels (centrally, by industry, locally) are also important to secure a just transition and legitimacy.

The second objective of the paper has a labour-law perspective as a starting point. From this perspective, the conclusion is that the regulatory autonomy of the social partners is far reaching. The principle of “tariffautonomie” is strong in all the three countries, and the freedom for the social partners to regulate themselves is an essential part of the freedom to organize. There are few restrictions in labour law when it comes to implementation of climate and environmental measures in collective agreements. It is more a question about the legal effects of the specific provision. The paper also discusses whether such provisions are comprised by the Albany-exemption, and hence not open to review under EU/EEA competition law. The conclusion is that some provisions on climate and environmental measures may fall outside the exemption, but that provisions related to typically working condition will pass the test.

KEYWORDS Collective bargaining; environmental provisions; legitimacy; labour law; EU-law

Workers' Voice and Security in a Just Transition: Rolls Royce and Redundancies in Inchinnan, Scotland

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ABSTRACT

Objective:

This paper examines the experiences, perspectives, and employment destinations of highly skilled aerospace engineers who were subject to redundancy in 2020-21. The focus is upon economic security and workers' voice, positioning these as vital aspects of a Just Transition. The project explored worker perspectives on the redundancy process, the trade union, working culture, change and loss, and possibilities for a just transition to low carbon employment.

Method:

The paper draws on research into the closure of the Rolls Royce Maintenance, Repair and Overhaul (MR&O) facility at Inchinnan, Scotland in late 2020, during which around 700 jobs were lost. The research team worked with trade union officials to distribute a survey that was answered by 172 members subject to the severance process. Subsequently, 41 in-depth follow up interviews were undertaken with survey respondents, relevant union officials, and former trade union activists. The research team explored how the concept of a Just Transition (Just Transitions Commission, 2021) aligned with the experiences of these workers: as those displaced by a shift out of high carbon industry. We also explored deskilling, labour market failure, and the resulting loss of intergenerational knowledge and skills.

Results and Conclusions:

Our findings draw attention to the barriers workers faced in attempting to transfer to the renewables sector due to a lack of available opportunities, and despite undertaking appropriate training. International supply chains in renewable energy are typically dominated by state-sponsored manufacturers: an important factor in this case and in understanding the global dynamics of employment in a just transition more generally (Gibbs, 2021). The majority of workers who lost their jobs were also unable to find alternative employment that matched, or enhanced, their engineering skills.

The study also reveals how employment for these highly skilled engineers had provided a meaningful sense of voice, security, and community. The loss of intergenerational knowledge and skills arising from the closure was experienced as a profound and irreplaceable loss, both practically and psychologically. This points to the deeper and longer-term effects of industrial change on individuals, occupations and communities. We highlight the importance of understanding the social experience of industrial change, and deindustrialisation (Strangleman, 2016), as principal and historically sensitive considerations in a Just Transition. The paper argues that by including workers and communities in debates about their future, where their economic security might be protected, a transition to low carbon employment can be less harmful.

References

- Gibbs, E. (2021b) Scotland's Faltering Green Industrial Revolution, *The Political Quarterly*, 92(1).
Just Transition Commission (2021) Just Transition Commission: A National Mission for a fairer, greener Scotland. Edinburgh: Government, S. [Online]. Available at: <https://www.gov.scot/publications/transition-commission-national-mission-fairer-greener-scotland/>
Strangleman, T. (2017) Deindustrialisation and the Historical Sociological Imagination: Making Sense of Work and Industrial Change, *Sociology*, 51(2), 446-482

KEYWORDS Just transition; redundancy; collective bargaining

Social dialogue and the governance of industrial relations

Social partners' involvement in dual VET governance: Greece, Poland, Portugal and Spain in comparison

Pablo SANZ DE MIGUEL, *Notus-ASR*

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The Legitimacy of Free Collective Bargaining in Germany

Hagen LESCH, *German Economic Institute (Institut der deutschen Wirtschaft)*

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Transformations and the Changes in Corporatist Industry Policy in the German Chemical Industry

Thomas HAIPETER, *University of Duisburg-Essen*

Social partners' involvement in dual VET governance: Greece, Poland, Portugal and Spain in comparison

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ABSTRACT

Objective

This paper, which is based on the EU funded project INVOLVE (VS/2020/0145), is aimed at analysing and comparing the degree of social partners' integration and participation in the governance of dual VET systems in Greece, Poland, Portugal and Spain. These four countries are currently implementing different VET programmes which can be classified as dual VET or apprenticeship schemes based on international criteria (e.g., Cedefop European database on apprenticeship schemes) and national definitions.

Compared to the countries where dual VET systems have been historically developed (Austria, Germany or Denmark), countries analysed represent models of VET governance where social partners play a less institutionalised role in policy making at different levels, as reflected in influential typologies (Cedefop, 2013; Bussemeyer and Trampusch, 2012). Withing a policy context where Greece, Poland, Portugal and Spain are attempting to strength, reinforce or improve dual VET systems, it is worth to analyse whether they are also developing more collective responses to VET. In doing this, the paper contributes to existing debates on the change and continuity of institutional differences between and withing "skill regimes varieties" (Vossiek, 2018; Emmenegger and Seitzl, 2020)

Analytical approach and method

The paper draws on previous research which has analysed social partners integration in collective skill formation regimes on three main levels (Emmenegger and Seitzl, 2020), namely: political-strategic, where the political decisions on the system's long-term development are taken; technical-strategic, concerned with system's long-term developments but involve technical specialists, and corresponds to the evaluation mechanisms of the system and to the definition and updating of vocational qualifications; and technical-operational, which refers to the policy implementation on the ground (delivering education and training and evaluating students' training outcomes).

The research has relied on desk-research and fieldwork, which has consisted on semi-structured interviews conducted with state/government authorities and social partners involved at the three governance levels in the four countries.

Results

The four countries differ in the participation of social partners in their governance institutions.

At the political-strategic level, Portugal, Spain, and Greece, present a more institutionalised model of social partners participation through tripartite bodies responsible of long-term VET development policies. However, social partners regret that their involvement doesn't generally go beyond an advisory role. On the contrary, in Poland, the social partners have a more ad hoc participation in the different institutions involved on VET policies.

At the technical-strategic level, social partners in Portugal and Spain are regularly involved in the definition and updating of the National Catalogue of Qualifications though institutionalised consultation processes. In Greece, the social partners participation is less institutionalised because their non-presence in some relevant technical bodies, but they have some influence on

the evaluation of the system through tripartite national social dialogue. In Poland, the social partners are not regularly consulted by the institution that develops the Integrated Qualifications System, but they participate in advisory bodies.

At the technical-operational level, only in Poland (where some employer organisations organize journeyman and master exams) and in Portugal (where employer organisations and trade unions can be VET providers), social partners play a formal role.

KEYWORDS Dual VET; governance; trade unions; employer organisations; skill regimes

The Legitimacy of Free Collective Bargaining in Germany

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ABSTRACT

Economic policy lessons from historical debates from 1918 to the present

Since the signing of the Stinnes-Legien Agreement in 1918, the collective bargaining autonomy of Germany's employers' associations and trade unions has been the subject of continual political debate and at times its legitimacy even called into question. An ongoing review of the freedom allowed to the two sides of industry to negotiate on their own terms and the extent to which it serves its purpose can thus be seen as inherent in the system. The debate over the years has focused on whether collective bargaining autonomy creates a just balance between the interests of employees and employers, serves the common good and is compatible with the macroeconomic objectives of the national government.

The criteria for the review have varied according to the general economic situation and the political orientation of the government of the time. The present analysis of two fundamental and nine historical debates shows that state influence on collective bargaining autonomy is not without risk. It is true that adjustments to the framework conditions that ensure the functioning of free collective bargaining and regulate the cooperation between the two sides have proven helpful. Yet when the state intrudes too deeply in the competences of the bargaining parties, it fails to meet its aims. This observation needs to be given due weight in the current political debate on strengthening collective bargaining. If the government decides to enhance the effectiveness of the bargaining process, it should be done "from below", by making membership of employers' associations more attractive and thus safeguarding free collective bargaining as the collectively-exercised autonomy of private parties.

KEYWORDS Free collective Bargaining; Coverage Rate; Social Partners

Transformations and the Changes in Corporatist Industry Policy in the German Chemical Industry

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ABSTRACT

In the wake of climate change and due to a growing intensity of political regulation, many companies in Germany are facing increasing pressure to initiate a transformation towards ecological sustainable processes of production. This applies above all to the chemical industry, which belongs to the energy-intensive sectors and which is faced with ambitious energy and climate targets challenging the traditional resource intensive modes of production. At the same time, like other sectors of the manufacturing industry, the chemical industry is running through a second process of transformation in the course of digitalization. The use of modern information and communication technology is constantly advancing in industrial companies, and intelligent, digitally networked systems and production processes are increasingly being tested and implemented.

Against this background, we analysed corporate strategies, the development of labour standards and qualification measures as well as concepts and strategies of works councils and the associations of capital and labour to cope with the challenges going along with the “double transformation” on industry level. Our findings give rise to two conclusions. On the one hand, changes in the companies are visible but incremental in terms of both transformations, and works councils show some reluctance to change their modes of interest representation more fundamentally in order to cope with the new challenges.

On the other hand, the associations of both labour and capital have upgraded the action field of industrial policy by initiating a profound change in their stance towards decarbonisation. Both associations have developed new forms of rather progressive strategies characterized by a high degree of consensus and a common demand for an active state and for an economic and social sustainable transition. Our analysis is based on a research project including interviews conducted with representatives of management, works councils and associations from the organizational domain of the German chemical workers' union, the IG BCE (Mining, Chemical and Energy Industrial Union).

KEYWORDS Transformation; Associations; Industry Policy

Employment and collective action in the pandemic

The covid-19 pandemic and transformations in Danish working life

Thomas BREDGAARD, *Aalborg University*

COVID-19, Control and Resistance in Devolved Public Education Work

Isabella DABAJA, *University of Sydney*

Elderly Care Professionals During the Pandemic - A Swedish Perspective on a Legal Problem

Peter RAMSJÖ, *Uppsala University*

The covid-19 pandemic and transformations in Danish working life

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ABSTRACT

Objectives

Across Europe, the covid-19 pandemic caused major restrictions and changes in working life and social life. After more than two years, the restrictions are now gradually lifted as labour markets and working life are returning to a more “normal” situation. It is, therefore, an appropriate time to take stock and reflect on how the covid-19 pandemic transformed working life and what we can learn from the experiences.

In this article, I examine how the covid-19 pandemic transformed workplace relations for five occupational groups in three different work life situations in the Danish labour market. The first group worked in essential services outside their private home during the pandemic (nurses and employees in convenience stores). The second group worked mainly from their private homes (schoolteachers and lawyers/real estate agents and accountants). The third group were sent temporarily home from work on public wage compensation (employees in hotel and restaurants).

Methods

I report the findings from a longitudinal qualitative study of these five professions. We interviewed 100 respondents four times during the pandemic: Under the first national lockdown in spring 2020, during the first reopening of the labour market in autumn 2020, during the second lockdown in winter 2021 and during the second reopening of the labour market in autumn 2021. The empirical analysis is explorative and examines how the different phases in the pandemic changed some of the fundamental parameters of working life: work organisation, work content, work location, work-life balance, job satisfaction, and social relations in the workplace. The analysis draws on theories of organizational and institutional change and learning.

Results

There are two main results of the study. First, occupations matter. The impact of the covid-19 pandemic depends on the context of the occupational groups. There is no generalizable truth about the impact of the covid-19 pandemic. Second, although it is early to assess the long-term impact of the covid-19 pandemic on working life, the Danish case suggests that changes are incremental and gradual rather than radical and transformative.

Conclusions

The covid-19 pandemic is like a photographic developer that visualizes and reinforces some tendencies in working life that were already present but not clearly visible before the pandemic, e.g., the pros and cons of work-from-home, reflections on work-life balance and the social aspects of work. The covid-19 pandemic has so far not created a fundamentally new labour market or working life but left us with a reservoir of lived experiences of alternative ways of organizing work life that may in the long term produce more radical transformations of working life.

KEYWORDS Covid-19; working life; Denmark

COVID-19, Control and Resistance in Devolved Public Education Work

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ABSTRACT

Objectives:

How have schools and their ‘managers’ been affected by long term changes in public sector policy and the immediate crisis of the COVID-19 pandemic? This research seeks to understand the effects of the COVID-19 pandemic on control and resistance in the labour process of Australian school leaders during the ongoing devolution of public education work.

Since 2012, the New South Wales public education system — the largest such bureaucracy remaining in the southern hemisphere — has been restructuring its work to align with New Public Management ideals. Seeking claimed private-sector like efficiencies through the devolution of managerial responsibilities to local sites, an initial suite of reforms failed to produce “improved results” within the broader education system (NSW DOE, 2021, p.1). These reforms have contributed to unsustainable workloads for teachers (Gavin et al., 2021; McGrath-Champ et al., 2018) and hindered principals’ ability to lead teaching and learning (Deloitte, 2017; McGrath-Champ et al., 2017). My 2018-19 pilot study assessing the effects of the initial reforms revealed that where policy claimed to provide principals with authority, it also implemented new mechanisms of control over their work. A new reform model, the ‘School Success Model’ began ‘rolling out’ in 2021 — different in name, but similar in its goals. Concurrently, the COVID-19 pandemic led the Australian workforce into repeated lockdowns, imposing new working conditions and rapidly changing responsibilities for all involved in the delivery of education: an essential service.

Methods:

Framed by an analysis of public policy documents, media coverage, publicly available union material and a pilot study of the preceding reforms, this research conducted a labour process analysis of qualitative interviews with principals and other executive leaders from six case study schools. Noting policy rhetoric that emphasises the need for school leaders to make ‘local decisions’, this paper draws on labour process theory to argue that in practice, state control over public sector work remains critical. Its examination of managerial work itself and the management of this work is of particular importance in a context where school leaders are increasingly held accountable for local outcomes despite the persistence of centralised administration.

Results:

Analysis reveals the increased influence of political interests in the development of reforms to education work throughout the pandemic, the restricted capability of school leaders to resist the implementation of these reforms due to increases in their workload, and the ‘false concessions’ presented by the administering governmental department regarding reduced curriculum targets. This research also highlights resistance to state policy in the form of creative policy enactment, as school leaders seek to comply with government expectations while also circumventing the aspects of new reforms that they view are inhibiting the execution of their work.

Conclusions:

These findings contribute to our theoretical understanding of the labour process of school leaders — a form of ‘pseudo-manager’ that is increasingly controlled despite public rhetoric that emphasises expansion of their local autonomy — and asks questions of the impact that the pandemic has had on other forms of public sector work undergoing similar processes of neoliberal restructuring.

KEYWORDS COVID-19; Labour Process Theory; Control; Resistance; Education

Elderly Care Professionals During the Pandemic - A Swedish Perspective on a Legal Problem

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ABSTRACT

The objective of this paper is to examine the potential of law to promote Occupational Safety and Health (OSH) of public employees in health care during the Covid-19 crisis. It specifically draws on the case of Sweden in the spring of 2020, when different public bodies made overlapping and conflicting statements on requirements for Personal Protective Equipment (PPE) usage in the elder care sector in order to prevent the spread of Covid-19 (SOU 2020:80). The paper seeks to illustrate the negative OSH consequences of such overlapping and conflicting statements for elderly care professionals. It further seeks to derive those consequences from the overlap of regulations concerning PPE and the overlap of powers for public bodies. It also aims to examine if, and to what extent, Swedish law is fit to hinder said negative consequences on OSH for elderly care professionals in the light of the pandemic crisis.

Method

The paper draws on primary legal sources on equipment used by employees to prevent the spread of Covid-19 in elderly care, including national Swedish regulations on PPE (Arbetsmiljölagen, 1977:1160) and similar equipment (Socialstyrelsen, SOSFS 2008:1). It also draws on secondary material, including the report of a Swedish government-sponsored commission addressing the overlap of regulations concerning PPE for elderly care professionals during the Covid-19 crisis (SOU 2020:80), as well as legal literature on the overlapping powers of public bodies during the pandemic (e.g. Ericson and Wilske, 2020) and otherwise (Sterzel, 2003).

Results

According to Swedish law, several public bodies have overlapping powers concerning protective measures against the spread of Covid-19 in elderly care. This includes legal powers to keep checks on employers and make guidelining statements concerning PPE (Arbetsmiljölagen, 1977:1160) and similar equipment (Socialstyrelsen, SOSFS 2008:1; SOU 2020:80). Operating in this legal landscape in the spring of 2020, the public bodies in question made statements on equipment used by frontline workers at risk of covid-19 in elderly care. However, as noted above, such statements turned out to be overlapping and conflicting, seemingly causing the spread of covid-19 at the expense of OSH of employees in elderly care (SOU 2020:80)

Conclusions

The paper concludes that the public bodies in question acted within their legal powers in the spring of 2020. However, the legal powers of those public bodies overlap (SOU 2020:80). As a result, the public bodies in question have operated in legal landscape that might be described as 'fragmented' (cf. Ericson and Wilske, 2020; Sterzel 2003). The paper concludes that 'fragmented' regulation is the reason for overlapping and conflicting statements on PPE and other equipment made by public bodies in Sweden during the pandemic.

It further concludes that conflicting statements regarding PPE could possibly have been avoided, as could its OHS implications, if the legal powers of the relevant public bodies had been diminished as to not overlap in matters regarding PPE. This would require a change of regulation. However, in lack of changed regulations, Swedish law seems unfit to hinder the aforementioned consequences on OSH for elderly care professionals.

KEYWORDS OSH; PPE; fragmentation; elderly care

Gender equality - I

Reconciling work and life: Social partners' role in the transformation of the gendered welfare state
Veronika LEMEIRE, *Hasselt University*

Building Blocks for a Gender Equitable Recovery from Pandemic?
Rae COOPER, *University of Sydney*

Empowering company-level plans to contrast gender pay gap: recent trends in labour market regulation
Matteo AVOGARO, *ESADE Institute for Labour Studies - Ramon Llull University*

Reconciling work and life: Social partners' role in the transformation of the gendered welfare state

VERONIKA LEMEIRE

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ABSTRACT

Research on gender equality in employment relations has examined to what extent and how the social partners, in particular trade unions, have addressed the issue of the conflicting demands on workers by the labour market and the private sphere of the family, or work-life balance. The topic of work-life balance is particularly important for women workers because women still perform most of the unpaid care work in the private sphere, which constrains their labour market participation (Lewis et al. 2008). Extant research has mainly focused on the social partners' actions and outcomes at the enterprise or sectoral level, in particular the negotiation of work-life balance provisions (e.g. parental leave rights, working-time flexibility, part-time employment) (Gregory & Milner 2009, Milner 2022, Williamson 2012). However, in coordinated market economies, the social partners also have considerable impact in shaping work-life balance policies at the national level through policy concertation over welfare state policies. This gendered contribution of social partners to welfare state change and work-life balance at the national level has remained largely unaddressed in research.

This paper investigates the role of social partners in shaping work-life balance at the national level through their impact in welfare state reform impacting (women) workers' work-life balance over time. The paper adopts a social reproduction theory lens to investigate how Belgian social partners have reconciled production and reproduction needs in agreements and opinions related to welfare state reforms which have had a strong impact on the work-life balance of (women) workers.

Empirically, a longitudinal case study of gender equality in Belgian employment relations is conducted based on a corpus of qualitative and quantitative data in the period from 1950 to date. The qualitative data are primarily opinions and reports of Belgian social dialogue institutions. The quantitative data are primarily sex-aggregated labour market statistics (labour force, unemployment, activity rate, sectoral employment,...) and Belgian macro-economic indicators in European and international comparison. These multiple data sources are triangulated to identify the gendered motivations and considerations of the social partners with regard to particular welfare state reforms and to what extent these motivations are informed by social reproduction needs, labour force demands and macro-economic factors. In a final step, we assess the overall impact on the work-life balance of workers, and women workers more specifically and relate the findings to ideal-typical gender 'regimes' as defined in the existing literature.

Our preliminary results indicate that the social partners' opinions on the welfare state are strongly informed by macro-economic evolutions and labour force demands, and that arguments related to reproduction needs are rather marginal. In other words, welfare state reforms are partly motivated by the need to activate the female labour force, which strongly depends on measures that improve the work-life balance of women workers. The results of this paper allow to reconstruct the turning points and key factors along the various phases of the evolution of the Belgian labour market and welfare institutions from a male breadwinner model after WWII to the current one-and-a-half breadwinner model.

KEYWORDS Social partners; work-life balance; welfare state reform; coordinated market economies

Building Blocks for a Gender Equitable Recovery from Pandemic

RAE COOPER

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ABSTRACT

Objective

This objective of this paper is to analyse key challenges faced by Australian women workers through the period of the pandemic and to begin to identify building blocks that employment relations actors can put in place to address these challenges and construct a more gender equitable recovery.

Method

The paper reports on data collected in two Australian research projects where fieldwork was undertaken through the pandemic period. These are the 'designing gender equality into the future of retail work' (a mixed method project including a nationally representative survey of 1000 retail workers and interviews with key thirty industry stakeholders) and the 'what women want from work post pandemic' project, a qualitative project including seven focus groups with both 'frontline' and 'professional' Sydney-based women workers.

Results

The Covid-19 pandemic has exposed and amplified gendered inequalities in the labour market. It has widened gender gaps in earnings, savings, workforce participation and unpaid care work. Disruptions to working lives and increased reliance on unpaid care work created a perfect storm leaving women feeling 'weary and whiplashed'. Variations in the experience of frontline and professional working women during the pandemic has shaped different priorities for these groups as they look to their post pandemic future of work.

Conclusions

Women's labour force participation is an urgent priority for economic recovery globally. In order to maximise this, work and care systems need to be transformed. Attention must be paid to the gendered experience of work during the pandemic and to the distinct experiences and needs of key groups of women workers. The paper proposes some building blocks for this task proposing action that unions, policy makers and employers can take to build more equitable work after the pandemic.

KEYWORDS Gender inequalities, Retail, Australian, wage gap, workforce participation

Empowering company-level plans to contrast gender pay gap: recent trends in labour market regulation

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ABSTRACT

Equal pay for equal work is a founding principle of the EU (European Union). In this field, the increasing effort of EU institutions led to reduce gender pay gap to 13% in 2020, as reported by Eurostat. Nonetheless, actual equality is still far. Therefore, the EU Commission's Report on the evaluation of EU equal pay provisions of 2020 suggested tackling "other key drivers of the gender pay gap [...] related to the workplace", such as unpaid work, vertical and horizontal segregation and higher use of part-time work for women. Following this orientation, a widespread diffusion of company level plans tackling these issues may lead faster to equal pay.

Thus, the objective of this contribution is to analyse how national labour market regulation could foster diffusion of company level plans for gender equality, as instruments to tackle gender pay gap and its underlying causes.

This juridical study will adopt as methodologies comparative and theoretical analysis. The paper will be structured in four sections, and it will address only the private sector.

After an (i) introduction about gender pay gap in EU, including statistical data and a literature review, (ii) the second section will describe the goals of EU Gender Equality Strategy 2020-2025 in terms of equal pay, and the main instruments to reach them: the proposal for an EU Directive for equal pay and pay transparency issued by the EU Commission on 4 March 2021 (if finally adopted), and the European Semester. Section (iii) will address the central topic of the study: how national labour market regulations can help reaching EU goals for equal pay, empowering ad-hoc company-level plans for gender equality.

After having defined company-level plans – and especially gender equality plans – the contribution will focus on two of the most recent models of national labour market regulations for equal pay. Spanish Royal Decree 902/2020, which made compulsory gender equality plans for companies with more than 50 employees, specifying that they must include an audit on equal pay. And Italian Law No. 162/2021, that "nudges" employers to implement company-level strategies to reduce (also) gender pay gap, through a public certification providing advantages including tax discounts.

Finally, section (iv) will discuss the results of the study, consisting of: 1) a comparative legal analysis between the Spanish and Italian approach, defining the two diverse models to promote company level plans and their "pro-labour"/"pro-business" inclination; 2) a theoretical analysis about how (and if) the Spanish and Italian model satisfy the requirements of the EU Gender Equality Strategy and of the prospective EU Directive for equal pay and pay transparency; and 3) a more general reflection on the role reserved in this framework to workers' representatives, if adequate, strengthened or weakened. The conclusion of the study will attempt to show how national labour market regulation can empower company level plans to contrast gender pay gap, and to suggest benchmarks and guidelines in line with the most recent EU requirements, that could work as an EU-wide model.

KEYWORDS Gender pay gap; Gender equality plans; Equal pay for equal work; EU Gender Equality Strategy; National implementation

Labor market dualization

The Causes of Duality in the Labor Market

Ferran ELIAS, *Universitat de València*

Remedy or short-term fix? Immigration policy as a distinct source of skills

Chris WRIGHT, *University of Sydney*

Colm MCLAUGHLIN, *University College Dublin*

A double ethnic penalty? A study of the mobility patterns of the second-generation immigrants.

Tomas BERGLUND, *Department of Sociology and Work Science, University of Gothenburg*

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The Causes of Duality in the Labor Market

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ABSTRACT

Previous literature on the causes of duality in the labor market offers different explanations for it. On the one hand, the labor costs hypothesis considers that workers employed in short-time contracts are not productive enough to compensate for the higher non-wage labor costs of open-ended contracts. Thus, lowering these costs would increase permanent employment and decrease duality. On the other hand, the segmentation hypothesis argues that employees are divided into different segments in the labor market for many reasons other than non-wage labor costs.

In this paper, we test between these two alternative theories. We exploit a reform in 1997 that lowered payroll taxes and severance payments for some open-ended workers, especially those older than 45. Using a rich administrative dataset of social security records, we estimate the effects on employment, hiring and wages. Our results reject the labor costs hypothesis: the policy creates displacement effects around the discontinuity, but there is no evidence of real increases in open-ended employment and of reduction of duality. The reduction in non-wage labor costs is only partially transferred to workers in terms of higher wages. Finally, the policy decreased tax collection since it reduced the payroll tax rate and did not increase employment.

KEYWORDS Duality; segmentation; employment; wage; data

Remedy or short-term fix? Immigration policy as a distinct source of skills

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ABSTRACT

Immigration and training policies are generally assumed to be ‘functionally equivalent’ sources of skills. This is reflected in previous studies framing skilled immigration as either ‘complementing’ or ‘substituting’ training, industrial relations and other domestic labour market institutions. This paper questions this prevalent assumption by analysing the role of immigration policy as a distinct – rather than functionally equivalent – source of skills supply that can serve to remedy market or institutional failures. It draws upon 36 interviews with employer association and trade union representatives in the Australian construction and hospitality industries to identify how key labour market actors make sense of the function of skilled immigration policy.

The argument presented is that while immigration policy can indeed complement or substitute other labour market institutions, it can also serve to remedy the systemic failures of these institutions to supply skills in the short-term. However, overreliance on immigration without wider institutional reform can potentially further deepen the failings of the training and industrial relations systems in generating adequate skills supply in the long-term. The findings suggest the need to reconceptualise the function of immigration policy in terms of its distinct rather than equivalent functions to training, industrial relations and other domestic labour market institutions.

KEYWORDS Migrant workers; industrial relations; skills; hospitality; construction

A double ethnic penalty? A study of the mobility patterns of the second-generation immigrants

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ABSTRACT

This paper will assess mobility patterns of the so called second generation of immigrant background entering the Swedish labour market and early careers. Previous research has emphasised that immigrant populations does not compete on equal terms with the majority populations and has experiencing substantial ethnic penalties over time (Berglund et al 2022, Heath and Cheung, 2007; Carmichael & Woods, 2000; Johnson, 2010; Simpson et al 2006). Although these studies show some improvements of the second generation's positions at the labor market and their prospects for early careers, there is still considerable variation within this heterogenous population that need to be explicated.

Theoretically and empirically, the focus on the second generation is also warranted as it enables us to assess the relevance of theories of ethnic penalty in a context of a highly developed Nordic welfare state context. We analyze the extent to which disadvantages the first-generation immigrants are exposed to also are transmitted to the young of the second generation. The focus on young early careers 20-29 years of age of immigrant background is important since these individuals' transit into and establish themselves on the labour market during these years.

Consequently, potential variations in opportunities and barriers will be identified and how those different conditions impact on young second-generations future professional careers. Moreover, the current study also consider the changing labour market and welfare state context in Sweden across time, to determine of the opportunities for successful labour market careers of second-generation immigrants have improved or become more difficult.

Data for the current study is the Swedish Labour Force Study (LFS) the period 1997-2019 combined with register data (LISA). The focus will be on young adults 20-29 years of second-generation immigrants, defined as Swedish-born individuals with one or two parents born outside Sweden. Those will be compared with both first-generation immigrants as well as Swedish natives (i.e. Swedish-born with Swedish-born parents) of the same age-categories. The LFS consists of 2-years panel that we will analyze with so called sequence analysis, identifying typical mobility patterns among those young adults trying to establish themselves on the labour market.

The purpose is to study if and how these sequences differ between individuals categorized as of different origin. Moreover, by taking advantage of the registry data, we will be able to study how advantageous different trajectories are in the longer run (e.g. 5 years) after the 2-years LFS sequences end. A possible outcome variable in these later analyses is income. Lastly, the sequence analysis will be conducted at different points during the 22-years period we got data, e.g. at the millennium, the years before and after the financial crisis, and at the end of the period and just before the Covid19 crisis. In this way, we will be able also to understand how a changing institutional and economic context impact on the preconditions for successful labour market careers of second generation immigrants.

KEYWORDS Occupational mobility; immigrants; Second-generation

Minimum wages – I

Equality and Discrimination in Collective Agreements in Israel

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Labour market regulations on gender equity and gender pay gap

Sharlaine OODIT, *General Public Service Sector Bargaining Council (GPSSBC)*

Comparative study in Andalusia and Catalonia of inter-gender labour inequality through a Labour Market Gender Segmentation Index

María CASCALES MIRA, *Universidad de Sevilla / UAB*

Equality and Discrimination in Collective Agreements in Israel

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ABSTRACT

In the last few decades, scholars have questioned the ability of employee unions to promote the interests of particular groups of workers, including women, elderly workers, migrants and workers with disabilities. While several scholars have emphasized unions' discriminatory practices (especially in the past), others have emphasized practices that promoted equality, diversity, gender mainstreaming and equal wage. The current paper aims to contribute to this scholarship through a quantitative and qualitative study of all collective agreements (at the state level, sectoral level and at the firm level) signed in Israel during three non-consecutive years: 1975, 1995 and 2015. These three years represent three distinct decades: the 1970s, the 1990s and the 2010s.

The research studies the ways in which collective agreements in these three decades promoted equality practices or discriminatory practices against groups of workers. Initial findings show that while particular groups of workers – especially mothers to small children – enjoyed equality practices throughout the three studied decades, other groups of workers did not enjoy similar practices. The study also shows the stark differences among the three decades. While in the 1970s the study finds many discriminatory practices (including practices regarding unequal wage and unequal retirement age), less of such practices existed during the 1990s and none of them existed during the 2010s. Indeed, in the selected year of the 2010s, the study finds many more equality practices in collective agreements compared to such practices in collective agreements signed in the selected years of the 1970s and the 1990s. The study contributes to our historic understanding of the processes underpinning the ability of unions to promote the interests of particular groups of workers.

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KEYWORDS Equality; Discrimination; Collective Agreements

Labour market regulations on gender equity and gender pay gap

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ABSTRACT

Generally, South Africa is one of the countries with highest inequalities in the world. Gender inequality is still at its high as well. The paper first highlight the gender inequality itself before discussing the wage gap and also discuss the changes and development in the South African political landscape in promoting gender equality and reducing gender wage gap. The paper also give background to some of the foundation laws that elevated gender inequality in the country, developed during the apartheid era. The paper also attempt to give a statistical comparison of developments in gender employment equity and gives an overview of current legislation protecting women rights in the workplace.

The objective of the paper is to look the legislative framework with regard to the minimum wages in South Africa and provide an overview of the current status.

KEYWORDS Gender pay gap

Comparative study in Andalusia and Catalonia of inter-gender labour inequality through a Labour Market Gender Segmentation Index

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ABSTRACT

The labor market is a fundamental area in capitalist societies, since the position of individuals in the social structure is conditioned to a large extent by the place they occupy in the productive sphere. Likewise, access to the labor market and the conditions of participation are marked by gender identity, which is why feminist socio-economics has focused on showing the inequalities between men and women and demanding real equality.

In this line, the present work aims to analyze the inter-gender differences in the labor market in a comparative study between two territories under study: Andalusia and Catalonia.

For this purpose, a Gender Segmentation Index of the Labor Market (GSILM) has been configured, based on the measurement of the relative social status enjoyed by men and women in the labor dimension and measures structural inequality, taking into account that the status of women would be conditioned by a differential allocation of positions and working conditions in the productive sphere.

The GSILM includes two fundamental dimensions: the labor market participation of men and women, and the contractual conditions under which they participate. For its operationalization, we calculated the ratio of proportions between men and women for each indicator, which provides us with a measure of how many times the percentage of men is higher or lower than that of women in each domain. To facilitate interpretation of the data, we have calculated the neperian logarithm of the ratio of proportions for each indicator, so that the index value is zero when there is no gender inequality, greater than zero when the inequality affects women, and less than zero when the inequality affects men.

An index of "employed in occupations with female under-representation" has also been operationalized to see if gender conditions the type of occupation in which men and women are located, producing the segmentation of the Andalusian and Catalan occupational structure. Finally, the arithmetic mean of the set of indicators was calculated.

The population universe used was composed of men and women of working age living in Andalusia and Catalonia, using the database of the Active Population Survey (annual average of the 4 quarters of 2019) of the National Institute of Statistics.

As main results we highlight a lower inter-gender inequality in labor market participation and a prevalence of inequality in working conditions and occupational structure, the latter being transversal to the inter-territorial analysis.

Finally, the results of the female underrepresentation index show that women have less access to masculinized occupations, so that occupational segmentation by gender persists in both territories.

KEYWORDS

Labour market segmentation; Labour Force Survey; Index; Inter-gender labour inequality; Comparative analysis Andalusia-Catalonia.

Social partners and Transnational Action

Stitching Governance for Labour Rights: Towards Transnational Industrial Democracy?

Jimmy DONAGHEY, *University of South Australia*

Labour regulation in transnational supply and value chains: Categorizing newly emerging order formations

Patrick WITZAK, *Ruhr University Bochum*

What's NEG(X)T? Continuity and change in European Governance of Labour after the Covid-19 pandemic

Vincenzo MACCARRONE, *University College Dublin*

Roland ERNE, *University College Dublin*

Country-of-origin of parent companies on HR policies in overseas subsidiaries

Toshiko SUDA, *Aoyama Gakuin University*

Stitching Governance for Labour Rights: Towards Transnational Industrial Democracy?

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ABSTRACT

Objective:

The 2013 Rana Plaza disaster demonstrated that the prevailing model of private labour regulation through social auditing had failed to protect its alleged beneficiaries – workers at the end of corporate supply chains. The problem is that these private governance institutions show little concern with the democratic representation of those affected: workers and their representatives are often neither involved in a meaningful way, nor have been empowered by it. By its very nature, global supply chains undermine institutions of democratic labour regulation: democratic oversight and binding state regulation as well as workplace level democratic participation. Thus, the objective is to explore whether meaningful private transnational labour governance can emerge in a way that that is underpinned by the democratic representation of those affected – the workers. Thus, empirically, the question is what kind of institutions might promote more deliberative, representative and inclusive decision-making processes within private transnational, governance arrangements?

Method:

The Bangladesh ready-made garment supply chain epitomises the challenges of establishing democratic labour regulation, but it also provides important insights into how the principles of industrial democracy can be extended into global supply chains. Post Rana Plaza, Bangladesh has become an experimentation ground for a range of approaches to labour governance, in which Global Union Federations and local unions played a key role, alongside NGOs, particularly the Bangladesh Accord. The research draws on seven years of extensive empirical research conducted into the the Bangladesh Accord (Reinecke and Donaghey, 2015; Donaghey and Reinecke, 2018). In this research, we conducted over 140 interviews in Bangladesh, Europe and the United States examining the governance response to the disaster.

Results:

In our research, we highlight the importance which the development of the representation of workers interests played in the Accord. We argue that a model of “transnational industrial democracy” emerged based on both traditional principles of industrial democracy and more market oriented reliance on MNCs to act in a state like capacity. In this way, worker interests were represented not just through Bangladeshi unions and Global Union Federations but also through NGOs. In addition, the key leverage utilised was not one of threatening production but exerting pressure on MNC brand image. That said, while the Accord did prove a meaningful initiative in transnational labour governance problems did emerge for example in terms of the exclusion of important national actors in Bangladesh, including the government and the employers’ association.

Conclusions

This requires bringing the question of worker representation to the foreground. For proponents of industrial democracy, the answer is clear: It means governance of workers by workers for workers through union representation. At the transnational level, however, the issue arises as to whether and how other forms of representation have some validity, such as that provided by NGOs and labour rights campaigns, who may not be democratically elected but have the power to influence corporate actors. Ultimately, the argument presented is that what is needed is a new paradigm of global labour rights, rooted in principles of transnational industrial democracy.

KEYWORDS Unions; NGOs; Supply Chains; democracy

Labour regulation in transnational supply and value chains: Categorizing newly emerging order formations

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ABSTRACT

Since the 1980s, transnational value chains have been characterized by a contradiction: First, there has been an expansion of markets in the context of globalization. This has been accompanied by a liberalization and deregulation of newly emerging transnational supply and value chains emerging between the global North and the global South. Second, the increase of different regulations can be observed that regulate and control the working conditions in nations of the global South and can be understood as transnational order formations. This contradiction can be explained, inter alia, by the fact that a functional economic/societal pressure to legitimize the actions of multinational corporations (MNCs) constantly to customers has emerged. Likewise, those order formations are the result of a transnational negotiation of interests and can also be understood as the diffusion of global social norms and values.

However, the numerous non-binding soft law regulations were unable to create effective regulations, including codes of conduct that originated in the 1990s and 2000s as well as private certifications and labels that emerged later within the framework of voluntary control programs. Thus, the need for action in this field has been highlighted in recent years especially by massive industrial disasters in the textile and mining industry. This generated years of mobilization of various actors (trade unions, NGOs, lawyers, MNCs, governments and UN organizations) to develop and implement different regulatory orders to achieve more binding regulations in transnational supply and value chains (e.g., the Bangladesh Accord). The binary categorization used in the literature to classify such order formations in soft law and hard law does not accurately reflect the actual variance in bindingness and effectiveness. Thus, the question arises of how to adequately categorize the newly emerging order formations to understand their impact, development, and mode of operation.

Based on a case sampling focusing on recent industrial disasters that motivated a wide range of actors, four mobilizations around industrial disasters with a transnational character from the mining and textile sectors are selected to identify the emergence of different order formations. Each case is tracked and analyzed via a data triangulation of 584 international newspaper and blog articles and 18 expert interviews over several years using the method of process tracing (2012 to 2019). The present work further develops the typology categorizing transnational regulations into soft soft law, hard soft law, soft hard law and hard hard law (Cominetti and Seele 2016) drawing on pertinent legal and social science literature. Furthermore, the typology is supplemented with the type of infrastructural order formations. With this more differentiated classification system, all orders identified in the four mobilizations are categorized. The type soft hard law in combination with complementary infrastructural elements is identified as predominant – a solution regarded as appropriate by several actors due to its legally binding contractual form, flexibility and the possibility of prompt implementation in contrast to state laws (hard hard law).

KEYWORDS regulation, value chains, labour standards

What's NEG(X)T? Continuity and change in European Governance of Labour after the Covid-19 pandemic

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ABSTRACT

As social scientists know well, crises usually offer formidable opportunities to alter the status quo. After the 2008 economic and financial crisis, the EU executives put in place significant changes to the European economic governance framework, which were all integrated in a new process of coordination of the economic and social policies of EU member states: the European Semester. The resulting EU's new economic governance regime (NEG) led to an increased capacity of EU actors to intervene into key areas of national policy making that had hitherto been shielded from direct EU interventions, such as wage setting mechanisms and employment protection legislation. The trajectory of NEG labour policy prescriptions was mainly a commodifying one.

In 2020, the world was overturned by another major crisis, the outbreak of the Covid-19 pandemic. This new crisis is also triggering significant changes to the EU's economic governance framework, including the creation of a European 'recovery fund', to be financed through a joint emission of EU bonds and the temporary suspension of EU fiscal rules. Yet, a closer look at the legislation enhancing the new EU's 'Recovery and Resilience Facility' also uncovers a degree of continuity with the post-2008 EU economic governance, namely in the persistence of the idea of conditionality on EU funds and the logic of exchange between financial support and structural reforms. This paper thus analyses trends of continuity and change within the European economic governance regime over the last decade and their significance for labour politics. It does so through an analysis of the relevant EU documentation, as well as through a study of the National Recovery and Resilience Plans of four European countries: Germany, Ireland, Italy and Romania.

KEYWORDS European economic governance; labour politics

Country-of-origin of parent companies on HR policies in overseas subsidiaries

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ABSTRACT

The home country effect and host country effect influence decisions on HR policies in overseas subsidiaries. The former refers to influence by parent companies, and the latter refers to influence by local environments. An important issue is that the country of origin of the parent company affects the extent which it is able to control decisions on HR policies in overseas subsidiaries. Where parent companies' controls are strong, home country effects should be strong, and where parent companies' controls are weak, host country effects should be strong. According to existing research, context generalizability in the parent companies' home countries plays a significant role. Context generalizability indicates the extent to which the social context in the home countries can be generalized to other jurisdictions. If institutional environments are strong in the home countries, the context generalizability is weak, and vice versa.

Varieties of Capitalism Approach (Hall & Soskice, 2001), one of the theoretical frameworks of the international comparative study, considers two types of capitalism in advanced economies: LMEs (Liberal Market Economies) and CMEs (Coordinated Market Economies). Institutional environments tend to be weak in LMEs, and Anglo-Saxon countries are categorized as LMEs. Institutional environments tend to be strong in CMEs, and continental European countries and Japan are categorized as CMEs. The emerging countries such as Brazil, Russia, India and China--BRICs--have unique social environments; thus, the context generalizability of these countries tends to be weak.

Furthermore, according to Whitley (2001, 2007, 2010), the home country effect only exists in advanced countries where institutional characteristics are established in areas such as the financial system, corporate governance system and HR system. Accordingly, it is hypothesized that the home country effect on HR issues in overseas subsidiaries of multinationals in LMEs is stronger than that of overseas subsidiaries of multinationals in CMEs and in emerging countries' hypothesis are examined for issues such as "important elements of individual base-pay decisions" using data gathered through surveys of overseas subsidiaries operating in Japan. We set factors to consider: age, years of service, abilities to perform jobs, value of jobs, roles, performance and behavior (assessed by competency). The survey respondents select the most appropriate number to express their situation from 1 (not considered at all) to 6 (very important). Age and years of service are considered elements that indicate the host country effect because they are related to seniority.

The other five elements are considered as indicating the home country effect because they are job and performance related. The survey found that overseas subsidiaries whose parent companies are located in CMEs and emerging countries emphasized age and years of service more than those of LMEs, and the overseas subsidiaries whose parent companies are located in LMEs emphasized the other five elements more than those of CMEs and emerging countries. Thus, it is concluded that the hypothesis was supported.

KEYWORDS Home country effect; host country effect; context generalizability; LMEs; CMEs

New technologies, old and new collective responses

Digitization and job quality: Participative proposal for an assessment of occupational health in Industry 4.0

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Ana NEGRO, *Universidad de Valladolid*

Francisco J. TOVAR, *Universidad Complutense de Madrid*

Implications of the extension of Artificial Intelligence mechanisms for industrial democracy

Dan TOP, *Cabinet avocat Dan Top*

Competence dilemmas: Employer strategies in response to digitalization

Johan Røed STEEN, *FAFO Institute for Labour and Social Research*

Anna HEDENUS, *University of Gothenburg*

One trade union, many responses to digitalisation: the case of Fiom representatives in the automotive sector

Angelo MORO, *Université de Bourgogne, Artes 4.0*

Digitization and job quality: Participative proposal for an assessment of occupational health in Industry 4.0

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ABSTRACT

The last decade debate on the development of the Fourth Industrial Revolution and the diffusion of the new technologies of Industry 4.0 has been focused in a prevalent (in worldwide media) forecast about a future massive technological unemployment with a severe quantitative reduction in the number of jobs available for the citizenship in the near future. However, there is no statistical evidence that digital innovation is causing massive unemployment due to the spread of artificial intelligence, 'industrial internet of things', additive manufacturing (3D), virtual and augmented realities (and their 'expected' future 'metaverses').

This communication is committed to overcoming the mere prognosis of those quantitative analysis on the effects of these technologies, as they are not based on an empirical evaluation of how Industry 4.0 is actually being applied in the organization of work and companies. An alternative approach is defended to explain how working conditions are qualitatively changing with these new technologies and, therefore, the quality of work and employment of human factors who already use them or are beginning to use them. Based on the research advances of several projects in Spain (FINDeR-Futures of Work: Robotization, Digitalization and Industry 4.0; Complutense University of Madrid; FuWorkTech-Impact of digitalization on industrial relations: challenges and opportunities; Spanish Ministry of Science and Innovation; and ROVIN-Robotization and Transformations in Winery Sector; University of Valladolid), a methodological matrix is presented to evaluate empirically robotization and digitalization processes in relation to possible improvements or deterioration of job quality (and occupations) affected by Industry 4.0, tracing a possible emergence of new occupational hazards in working conditions of the affected human factors ('Workers 4.0').

Based on the assessment of those new working conditions of Industry 4.0, we offer several recommendations regarding how workers and their union representatives could participate in a 'technological negotiation' to allow them to face projects for digitalization/robotization from companies and to propose alternatives designs to improve working conditions and to keep employment. Recommendations that require unions to learn about digitization processes to guarantee their qualified participation in this negotiation: knowing (real) contents of digital technologies to be implemented; their risks and opportunities for the reskilling or deskilling of human factors that unions represent; for occupational health (physical, cognitive and psychosocial risks...); on the technological alternatives available in different sectors. To negotiate digitization processes not only as a threat, but also as an opportunity to shape a decent (digitalized) work and a sustainable occupational health.

KEYWORDS Industry 4.0; digitization; robotization; technological negotiation; Unionism 4.0

Implications of the extension of Artificial Intelligence MECHANISMS FOR industrial democracy

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ABSTRACT

This study aims to show that robots are more and more common in our lives. It is clear that robots will soon replace us in the most difficult or unpleasant jobs in this context, it is necessary that the worker be protected by legal rules from any untimely dismissals or caused by his replacement with robots. It is also necessary to negotiate between employees and employers to look at such an aspect of the increasing use of artificial intelligence and the robotization of the production process so that the human worker does not suffer and to ensure a decent living in the conditions revolutions 5.0

We are currently experiencing a new industrial revolution - the fourth, determined by the expansion of artificial intelligence, indispensable in robotics, but also in other high-tech fields, such as the Internet, wireless technologies, fifth generation (5G), 3D printing, fully autonomous vehicles etc. Thanks to artificial intelligence, human work becomes more efficient, more productive, easier.

The role of workers in many jobs has fallen sharply. The current context has greatly accelerated the digitization and introduction of Artificial Intelligence in companies, with many of them as staff, even being replaced, with jobs permanently disappearing.

The digital economy and its manifold manifestations are nonetheless challenging the capacity of collective bargaining institutions and actors to protect effectively workers. These include the extension of platforms, the use of robots and artificial intelligence tools, the increase and growing diversity in subcontracting and outsourcing practices, among others.

Robotization also has negative effects: it creates unemployment, which is obviously to the detriment of humans. It is obvious that new professions will appear, even over 100, some we can't even imagine, while others (secretary, telephone operator, parking cashier, cashier, pharmacist assistant, etc.) will disappear.

Dangerous, dirty and dull, boring, repetitive work can be drastically reduced while jobs that support creativity, flexibility will grow and improve the worker's life, not only professionally but also personally. outsourcing and outsourcing practices, among others.

KEYWORDS Artificial intelligence; robots; digital economy workers

Competence dilemmas: Employer strategies in response to digitalization

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ABSTRACT

Digitalization can augment or substitute labor and spur changes in work tasks, job profiles and skill needs. Theories of skill-biased and routine-biased technological change predict that this results in an upgrading or polarization of the occupational structure, respectively. In manufacturing, digitalization often conceptualized in terms of industry 4.0, proposed to result in a number of changes including increasingly flat, networked organizations and a need for adaptable, resourceful, resilient and interdisciplinary workers (Flores et al 2019; Hecklau et al 2017). This affects HRM strategies on staffing and competence development.

The objective of this paper is to study how digitalization and flexibilization affect organizational needs for skills and competences and strategies used to manage these needs. The study is based on interviews with managing personnel in four different manufacturing sites in Sweden and Norway, at different stages of the ongoing digital transformation of manufacturing. The analysis is centered on what the interviewees experience as important and challenging in staffing and competence supply and which strategies that are used to manage these challenges.

The paper identifies and conceptualizes a number of competence dilemmas that managers face in identifying, recruiting, training, retaining and organizing human capital and resources in the ongoing digital transformation. Making the leap to industry 4.0 requires creative and inventive employees, able to work and cooperate in smart, connected work environments. Developing such a workforce demands the identification of required competencies as well as strategies to recruit, train and retain a workforce that is flexible, adaptive and almost constantly reskilling. Available resources, time, or employees' ability and motivation may restrain such ambitions, or fundamentally new skill sets may be needed. If so, competence might be found elsewhere, e.g. through new recruitment, use of consultants or temporary workers or outsourcing of certain tasks. However, this involves trade-offs related to the need for basic training and long-term capacity building, and between retaining 'old' and attaining 'new' competence. Moreover, many organizations strive for having essential competence "in-house", while simultaneously having a large numerical flexibility in the number of employees. In short, digitalisation creates a variety of competence dilemmas that HRM strategies needs to address. The paper outlines and conceptualizes a number of competence dilemmas that employers and HR managers face in the digital transformation. Our data suggest a variation in strategies that relate to market position, current degree of technology adoption, aspirations of digital transformation and contextual factors including labour market institutions and skill formation.

In the paper, we aim to move beyond technological determinism and highlight the complexities of the linkages between digitalization and skills beyond upgrading, deskilling or polarization. Thus, we attempt to nuance employers' sense-making of, and responses to, the new skill demands posed by digitalization; drawing on a range of strategies aimed at resolving the identified competence dilemmas. We find that digitalization creates diverse new competence requirements and demand for reskilling, reorganization and upgrading of work among different categories of manufacturing workers, in some cases blurring the boundaries between work tasks performed by blue- and white-collar employees.

KEYWORDS Digitalization; skills; HRM; technological change; manufacturing

One trade union, many responses to digitalisation: the case of Fiom representatives in the automotive sector

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ABSTRACT

The Italian automotive sector has been hit by a new wave of technological and organisational innovation linked to the so-called Industry 4.0, manifested into processes of digitalisation, interconnection and collaborative automation aimed at reinforcing the lean logic of production systems. As a result, bargaining over technology has become an important and crucial area of negotiation for trade unions, after having been dismissed for a long time for historical reasons. This paper explores precisely the role played by FIOM (Italian metalworker TU part of the CGIL confederation) representatives at workplace level in managing/resisting/hindering the introduction and implementation of these technologies.

The Italian system of industrial relations has historically lacked an adequate set of regulations and bargaining concerning the introduction and implementation of technological and organisational innovations. During the 1970s, trade unions managed to partially reverse this trend, negotiating new forms of work organisation and obtaining rights to information on company plans or changes in the production process, thus making it possible to externally influence management decisions. However, the change in the balance of power between capital and labour since the 1980s has strengthened managerial prerogatives over technical and organisational issues. In the so-called post-Fordist era, lean organisational models were applied unilaterally by management and union representatives were only asked to uncritically adhere to the company's restructuring programmes. At the same time, in some sectors and in some specific local contexts, trade unions have been able to preserve and continue to assert, at least in part, some of the prerogatives won in the 1970s, especially as regards their negotiating role in work organisation.

Levering on the results of two field-work analyses conducted under a collaboration with the Sabattini Foundation and the metalworker trade union FIOM in the period 2016-2018, we are able to analyse the action and role played by FIOM representatives within a set of factories marked by processes of technological and organisational transformation, ranging from the pivotal adopters of I4.0 technologies located in one of the most technologically advanced areas of the Italian automotive sector, the Emilia-Romagna region, to the factories of the former FCA-CNH group, now Stellantis, located throughout the country. Additionally, the authors' recent involvement in the group of researchers supporting the workers of the (former) GKN factory in Florence allows us to include in the analysis a unique example of workers' ability to self-organise in the workplace and build pro-union power relations.

Our results reveal how, even within the very same trade union and the same sector of activity, the ability of union representatives to act on the introduction and implementation of new technologies and their consequences for working conditions tends to vary according to structural and contextual factors: the workplace power relations system, the degree of awareness of the techno-organisational transformations taking place, and finally the local-regional trade union tradition. We foresee three forms of actions and reactions towards/against the challenges posed by technological innovation: the emergence of forms of corporatism, resistance to digitalisation but also the possible advent of new forms of workplace industrial democracy.

KEYWORDS Industry 4.0; automotive sector; workplace democracy; industrial relations; technological innovation

Co-determinations, industry, and productivity

Mediating Technological Change: Contrasting Trade Union approaches in Norway and UK in food processing work

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Caroline LLOYD, *Cardiff University*

Deviating from sector-level norms: Empirical results from the German metal- and electrical industry

Sandra VOGEL, *German Economic Institute (IW)*

Hagen LESCH, *German Economic Institute (Institut der deutschen Wirtschaft)*

Company-based agreements on safeguarding employment in Germany during the pandemic

Toralf PUSCH, *WSI. Hans Böckler Stiftung*

Mediating Technological Change: Contrasting Trade Union approaches in Norway and UK in food processing work

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ABSTRACT

Introduction and Objectives

Recent debates around digitalisation have shifted from early concerns of cataclysmic job destruction (e.g. Frey and Osborne 2017) to how work is changing and the social shaping of technology (Neufeind et al 2018, Thompson 2020). In this regard, trade unions remain important social actors with the potential to shape technology and related work organisation. However, past research indicates that this is an area where they have often struggled. In the UK, experiments with 'new technology agreements' in the 1980s suggest unions arrived 'too late' in the decision-making process and that they lacked the technological knowledge to influence the deployment of complex IT systems (Deery 1988, Beirne and Ramsay 1992). In Scandinavia and Germany, unions fared better but even here there were concerns that there was less involvement in high-level planning decisions. Recent studies of Industry 4.0 indicate that in sectors such as automotive and engineering, unions are adapting collective agreements and works councils to influence the implementation of new technologies (Cirillo et al. 2020; Haipeter 2020). However, research is limited and tends to focus on processes, usually in a few established manufacturing sectors, rather than outcomes of such initiatives. This paper addresses these issues and contributes to discussions regarding the future of trade unions by comparing Norwegian and UK trade union approaches and interventions regarding digital technologies in the food and drink processing sector.

Research Method

Funded by the Leverhulme Trust, the study utilises a multi-level analysis of national, sectoral and workplace institutions to draw out the significance and extent of union power, resources and strategic capabilities in shaping outcomes (Lloyd and Payne 2021). This is based on twenty qualitative interviews with trade-unionists at different levels: national officers, regional officers and workplace reps in one UK union and one Norwegian union each organising in the food processing sector. It compares their approaches to digital technologies, the issues they face, the strategies they adopt and the extent to which this influences work and employment outcomes.

Findings and Conclusion

The study finds that the relative strength of unions in Norway, supported by legal rights around co-determination, extends well into aspects of technological change compared with the UK where these are lacking. This mediation is reinforced at different levels in Norway through collective agreements that affirm union involvement in technology-related decision making. Unlike UK unions, Norwegian unions were generally more supportive of technological rationalisation as a means to increase efficiency and secure better high-wage jobs. Despite these variations, unions in both countries face similar issues regarding organising migrant workers, increases in short-term contracts and corporate restructuring. The findings indicate important country differences, but also identifies and seeks to explain internal country variation between different sub-sectors, offering new insights that can inform both academic discussion and union responses.

KEYWORDS Digitalisation; Trade Unions; Norway; UK; Food Processing

Deviating from sector-level norms: Empirical results from the German metal- and electrical industry

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ABSTRACT

Policymakers are striving to strengthen collective bargaining autonomy by increasing collective bargaining coverage. Over the last decade, several proposals were discussed and implemented with a view to “strengthening the collective bargaining autonomy” in Germany. Latter is regarded as a cornerstone of the German industrial relations system; giving companies and employees the freedom to join their respective organisations (employer organisation or unions) without putting any obligation on them to do so. Amongst many scholars and politicians, a sufficient collective bargaining coverage is considered a kind of “necessary condition” for a functioning collective bargaining autonomy - collective agreements are seen as a guarantor of fair wages and social peace. As the collective bargaining coverage is shrinking, the German government is seeking measures to counteract further erosion of the collective bargaining system. However, it seems problematic that when addressing the decreasing collective bargaining coverage, it is often equated with the sectoral bargaining coverage. In fact, sectoral collective bargaining is only one way for companies to choose a collective bargaining regime that suits their needs. Up to this date, there is not much empirical evidence on the reach of different collective agreements and the cost-levels associated with these agreements. Our analysis takes first steps to fill this research gap.

In cooperation with the employer organisations of the German metal and electrical industry, we created a unique database comprising information on over 390 supplemental agreements and around 180 company-level agreements used in the industry. From 1 July 2019 to 15 January 2020, regional associations were asked to fill-in standardised questionnaires on the provisions of supplemental, company-level agreements as well as on the sector-level agreements applicable in their collective bargaining region. Companies use supplemental agreements in the industry to deviate from sector-level clauses without having to leave the sector-level agreement. Using this data, we can compare core clauses of the different agreement types. In terms of content, supplemental agreements most often included deviations from sector-level pay and working time conditions. By using supplementary agreements, companies could realise savings of 5.8 per cent on average, with the monetary deviation ranging from additional costs of 8.6 per cent to savings of 33.9 per cent. Average savings were highest for companies that included “improvement clauses” in their supplemental agreements. Latter usually stipulate that certain withhold benefits will be repaid once the economic situation of the company has improved. Comparing the cost-levels of company-level agreements with the sector-level agreement was possible for certain clauses (such as working time and pay). But calculating total savings from company-level agreements proved difficult and needs to be tackled once more in future research. Overall, our research results show that companies use instruments available to them. This internal flexibility is essential to suit companies’ heterogenous needs and keep their interest in using collective agreements alive. Nonetheless, if the exception becomes the rule and the collective bargaining coverage declines further, the state will be forced to act, and companies could be faced with new legislative measures they might not be able to influence.

KEYWORDS Collective bargaining coverage; usage of different agreement types; deviation savings; German metal industry

Company-based agreements on safeguarding employment in Germany during the pandemic

TORALF PUSCH

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ABSTRACT

This contribution shows how companies in Germany reacted to the Corona pandemic in order to secure threatened employment. Firstly, it provides current findings on the extent, contents and patterns of company alliances to secure employment and strengthen competition (BBW, synonymously also: alliances for work) during the Corona pandemic. In a second step, we compare the current findings with data from the financial crisis of 2008/09. This comparison is possible because identical questions on the topic of job security were asked in the WSI works council surveys for both points in time. The representative WSI works council survey collects data for companies with at least 20 employees and employee representation. In addition to the temporal comparison, it also allows for a comparison of companies with and without an alliance.

The BBWs, which emerged as early as the 1990s, are based on a contract between the company and the works council, in which employees make concessions on income and/or working time to secure threatened employment relationships. In return, companies refrain from dismissals for a certain period of time and give limited employment guarantees. Such agreements can be advantageous for both employees and companies. Although employees often have to accept some reduction in income, they keep their jobs, secure entitlements to company benefits, avoid the risk of eroding qualifications in the event of otherwise possible unemployment and avoid mobility costs due to job changes.

Most companies agree on complex packages of measures that may include various forms of working time changes as well as income-related elements and organisational adjustments. In order to be able to adjust labour input when demand decreases, companies rely mainly on forms of internal rather than external flexibility. Overall, the prevalence of employment protection measures was slightly higher during the 2008-09 financial crisis (58%) than during the Corona pandemic (46%). Among individual measures, working time-related measures played a more significant role during the Corona pandemic than during the financial crisis. This is especially true for the use of short-time work (72% of the companies with employment protection in the Corona pandemic, only 24% in the financial crisis). In addition, the companies used other variants of working time changes and flexibilisation. During the Corona pandemic, working hours were extended to a greater extent than during the financial crisis (32% of the companies with measures to safeguard employment, only 4% during the financial crisis). Cuts in pay and company social benefits were agreed much less frequently than changes in working hours in both crisis phases.

The planned paper will not only identify patterns of the complex of measures, but also put them in context with the agreed employment commitments.

KEYWORDS Co-determination; safeguarding jobs; company-based agreements for employment

New and old jobs for the just transition

Workers for the future: the GKN workers' struggle and the Plan towards a Public Hub for Sustainable Mobility

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Angelo MORO, *Université de Bourgogne, Artes 4.0*

Arianna TASSINARI, *Max Planck Institute for the Study of Societies - Köln*

Trade unions facing the eco-social-growth trilemma: the case of just transition in Taranto

Matteo MANDELLI, *University of Milan*

Social dialogue in transition: The case of Norwegian shipyards

Anne Mette ODEGARD, *FAFO Institute for Labour and Social research*

Workers for the future: the GKN workers' struggle and the Plan towards a Public Hub for Sustainable Mobility

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ABSTRACT

In the summer of 2021, the GKN Driveline automotive components plant, located on the outskirts of Florence, became the battleground of a heated industrial conflict, involving an entire local community and gaining national prominence and visibility. The struggle of the GKN workers has brought into focus some of the crucial issues affecting the world of work in Italy: the total absence of an industrial policy in the face of persistent economic stagnation, the risk of de-qualification and intensification of work linked to the introduction of new digital technologies, the threat of mass redundancies and restructuring, especially linked to the crisis in the automotive sector.

A mobilisation of this magnitude in the world of work has not been observed in Italy for a long time. The reasons for its success are probably to be found both in the plant's internal trade union organisation and its ability to strengthen the workers' autonomous organisational and political resources, and in the latter's ability to create and mobilise connections with the surrounding social environment and other social movements, such as student and transfeminist movements and also international climate justice networks such as Fridays for Futures and Extinction Rebellion.

This contribution aims firstly to critically examine the role of trade unions in this struggle, in order to analyse and understand workers' capacities for self-organisation. This focus on bottom-up organising, far from implying the irrelevance of trade union structures, highlights the importance of considering the full range of organisational infrastructures that interact and reinforce each other in the development of mobilisations.

Moreover, the mobilisation of the GKN Driveline workers breaks into the Italian post-pandemic scenario as a peculiar example of workers' struggle, capable of interrogating social movements both locally and nationally and, moreover, of strengthening a bridge between academia and labour, between working-class knowledge and militant research.

In close contact with the GKN Workers' Factory Collective, an interdisciplinary group of researchers, affiliated with several Italian and European universities, developed a multi-level Plan against the relocation of the factory.

In response to the structural crisis in the Italian automotive sector, the plan envisages the creation of a public hub for sustainable mobility and the transition to the production of energy from clean sources at the plant.

The plan also seeks to redefine the role of public actors in the new ownership structure, aiming to enhance and protect the plant's rich heritage of industrial relations.

The second aim of this contribution will therefore be to present and discuss this plan, which is the result of a fruitful exchange of expertise between the factory and the university, in response to the problem of the social cost of relocations and the lack of an adequate industrial policy.

KEYWORDS Workers participation; social mobilization; environmental sustainability; labour struggles; working class knowledge

Trade unions facing the eco-social-growth trilemma: the case of just transition in Taranto

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ABSTRACT

As European countries have committed to promote a socially just transition to a carbon-neutral economy by 2050, energy-intensive industries and their surrounding territories are expected to face complex and interconnected economic, social and environmental challenges, which we describe through an “eco-social-growth trilemma”. Building on environmental labour studies, this paper concentrates on trade unions and on the role that they play in addressing this trilemma. Thus, it seeks, first, to explore unions’ economic, social and environmental objectives and, second, to map and assess the solutions that they put forward to reconcile (or not reconcile) these objectives. Ultimately, the aim is to understand whether and to what extent trade unions are promoting just transition approaches.

The paper investigates the highly conflictual case of Taranto, in Apulia, Italy. This is a paradigmatic case when it comes to the eco-social-growth trilemma. The city is home to one of Europe's largest industrial sites for steel production, formerly known as ILVA. On the one hand, the economy of Taranto and its surroundings strongly relies on the steel site as a massive source of income and employment. On the other, polluting industrial fine dusts have been found to cause widespread deaths and severe illnesses in the people living near former ILVA. Therefore, a socio-ecological-economic crisis has been present for several years now in Taranto and, hence, in this context, new claims for decarbonization and just transition might encounter strong feasibility barriers.

The paper reconstructs the main timeline of the crisis in Taranto and then maps and assesses – through the lenses of the above-mentioned trilemma - the positions and proposals put forward by relevant trade unions to solve this crisis. The case is studied through qualitative methods, namely a combination of desk research – i.e. press, documentary and literature review – and field work – i.e. semi-structured interviews to trade unionists highly involved with the case. Interviewees include representatives from four unions: three sectoral federations belonging to the three largest Italian unions – the Italian Federation of Metalworkers (FIOM), the Italian Union of Metalworkers (UILM) and Italian Federation of Metal Mechanics (FIM) – and a grassroots union - *Unione Sindacale di Base* (USB).

All in all, by applying a novel analytical framework to understand trade unions’ complex positions, this paper is intended to contribute to the labour environmentalism literature, which investigates the role of social dialogue in governing transitions towards a low carbon economy. We argue that, while unions’ positions go beyond the dichotomic difference between “industrialists” and “environmentalists”, their just transition claims are still locked-in by strong structural constraints. As a result, unions do not fully embrace decarbonization, but they are rather more concerned with urgent and localized environmental challenges, and with how to address these challenges while simultaneously preserving good-quality employment in industry.

KEYWORDS Trade unions; just transition; eco-social-growth trilemma; decarbonization; Taranto

Social dialogue in transition: The case of Norwegian shipyards

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ABSTRACT

The EU enlargements altered the choices set for the shipyard employers in Northern Europe. Besides outsourcing parts of their production to countries such as Poland and Romania, they also increasingly used (external) posted and agency labour in their 'in-house' production, prompting labour market segmentation and more precarious types of contracts.

This development can be illustrated by the following snapshot: In the period from 2005 to 2012, the turnover at the Norwegian shipyards doubled (despite a dip after the financial crisis). At the same time, the number of permanent employees increased only by 23 percent, while the use of short-term personnel and subcontractors increased by 36 percent (Hervik and Oterhals, 2012).

Changes in staffing strategies not only change the terms under which workers are employed, they also inherently destabilise nationally based industrial relations' systems (Wagner 2018; Arnholtz and Andersen 2018).

Located in a high-cost country in an increasingly competitive environment, a key success-factor in the Norwegian industry has been close, local collaboration between the partners to improve productivity. It is fair to say that the survival of the shipbuilding-industry since the 1970s has been based on high-skilled workers with considerable autonomy, close collaboration between employers and employees to manage swift restructuring, and specialized production of offshore vessels for the oil-industry. As the oil economy is on its way down, due to the necessary transition towards a low carbon economy, and the supply of skilled foreign labour is decreasing, the question is what now? Stricter emission requirements will demand technological innovation, transition to more sustainable products, and, probably, more advanced skills and work organizations with functionally flexible workforces.

In our paper we will discuss a) how the changes in production and staffing strategies the last two decades have influenced the trade unions' positions, and b) altered the character of the negotiations and collaboration between the social parties at the yards. This discussion leads us to an analysis of c) how such changes might affect the direction and form of the restructuring processes required in the years to come.

The shipbuilding-industry, originally a key part of the metalworking industry, has been a core pillar of the Norwegian industrial relations system. Yet, CEE labour is not well integrated into the Norwegian IR-system, and their form of employment has apparently been of minor importance as regards unionisation. Meanwhile, the role of local shop stewards in balancing the interests of the permanent staff and contingent, CEE-labour has become more demanding. The basic dilemma has been to strike a viable balance between raising labour costs and the risk of offshoring more production (Ødegård and Andersen, 2011). Disruptive changes in the wage setting system in this industry might affect the entire model for coordination and mutual understanding between the national social partners (Dølvik, Eldring & Visser 2014; Alsos & Ødegård 2019).

Our method is case studies in yards based on qualitative interviews with central and local representatives of the trade unions and employers, safety delegates, and production and HR-managers.

KEYWORDS Immigrants; collaboration; restructuring; offshoring

SPECIAL SESSIONS

Improving the regulation of platform work (legislative initiatives, divergent case law, and collective bargaining)

Session organiser: Nuria Ramos Martin

Chair and Moderator: Frank Tros, AIAS-HSI

At the end of 2021, the European Commission has proposed a set of measures to improve the working conditions in platform work. These measures include a proposal for a Directive aiming to ensure that people working through digital labour platforms can enjoy the labour rights and social benefits they are entitled to. According to the proposed rules they will also receive additional protection as regards the use of algorithmic management. A common set of EU rules can provide increased legal certainty, stimulate fair competition and a level playing field. In this session, attention will be paid to this proposal tackling the problems of platform workers and a critical view of the current situation regarding this issue will be offered.

The participants in this proposed session have been involved in the EU funded research project NEWEFIN, dealing with new forms of employment and challenges to industrial relations. Most of the speakers in this session have also contributed as experts to the ‘Study to support the impact assessment on improving working conditions in platform work’, published by the European Commission in December 2021.

Contributions

Pros and Cons of regulating platform work at European level: an analysis of the proposal for a Directive on improving working conditions in platform

Nuria RAMOS MARTIN, AIAS-HSI, *University of Amsterdam*

Latest trends in Belgian case Law: “platform delivery riders are not employees”: the December 2021 Deliveroo case

Alexander DE BECKER, *University of Gent*

Monitoring employee's emotions through algorithms

Ana Belén MUÑOZ RUIZ, *University Carlos III-Madrid*

Pros and Cons of regulating platform work at European level

NURIA RAMOS MARTIN

University of Amsterdam

ABSTRACT

In December 2021, the European Commission has presented a proposal for a Directive on improving working conditions in platform work. This includes measures to correctly determine the employment status of people working through digital labour platforms and new rights for both workers and self-employed people regarding algorithmic management. The content of that proposal in terms of recognition of new rights and improvement of the labour and social protection of people working through platforms will be examined in this paper. Also, the possible advantages of adopting a minimum regulatory framework of platform work at supranational level, as well as the possible shortcomings of the proposal will be discussed in this paper.

KEYWORDS Platform work, new forms of employment, algorithmic management

Latest trends in Belgian case Law: “platform delivery riders are not employees”: the December 2021 Deliveroo case’

ALEXANDER DE BECKER

University of Gent

ABSTRACT

In this paper the author will examine the latest developments concerning the legal status of platform workers in Belgium. This is an interesting case due to the recent case law denying the employee status to Deliveroo riders. The potential impact of this jurisprudence will be discussed in this paper.

Monitoring employee's emotions through algorithms

ANA BELÉN MUÑOZ RUIZ

Universidad Carlos III de Madrid

ABSTRACT

Monitoring employee's emotions through algorithms. There has been such a significant transformation in biometric data that first- and second-generation data are now available. Second-generation data allows for authentication through data capture (body temperature, pupil dilation, etc.). Following this evolutionary trend, some businesses are creating systems that control the voices of their employees which, according to their emotional state (sadness, happiness, etc.), allows for a higher or lower score to be awarded.

There is currently little regulation of this technology, which involves the use of algorithms (GDPR, the proposals for an EU Directive on improving working conditions in platform work and for a regulation on Artificial Intelligence). A problem tree regarding the risks for employees posed by the use of those digital control/monitoring systems and the limits for companies to apply them at the workplace will be discussed in this paper.

KEYWORDS Monitoring; Employees; Emotions; Personal data; Algorithms.

Joint ILO - Eurofound session

Moving with the times? Emerging practices and provisions in collective bargaining

Oscar MOLINA, *Universitat Autònoma de Barcelona*

Collective bargaining in seven European countries through the pandemic

Roberto PEDERSINI, *Università degli Studi di Milano*

Moving with the times? Emerging practices and provisions in collective bargaining

RICARDO RODRIGUEZ CONTRERAS

EUROFOUND

OSCAR MOLINA

Universitat Autònoma de Barcelona

ABSTRACT

This report analyses recent developments and emerging practices in collective bargaining processes and outcomes, mainly in the private sector. The report covers collective bargaining systems in 10 EU Member States and is based on cases identified through interviews with key stakeholders and negotiating parties at national level. It analyses the effects of the COVID-19 pandemic and the subsequent economic and social crisis on collective bargaining dynamics and collective agreements. It also investigates practices and innovations that have emerged in response to structural drivers such as technological change, decarbonisation and climate-neutrality policies, and workforce ageing. It assesses the capacity of collective bargaining systems to adapt to structural changes in work, production and the labour market as well as medium-term trends.

KEYWORDS

Social dialogue; European Pillar of Social Rights; Agreements; Collective bargaining; COVID-19; Industrial relations and social dialogue; Industrial relations

Collective bargaining in seven European countries through the pandemic

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ROBERTO PEDERSINI

Università degli Studi di Milano

ABSTRACT

The paper provides an overview of government and social partner responses. In describing responses, the main goal of this paper is to identify the dimensions that can help explain the variety of responses, but also their commonalities. The paper also aims at understanding the factors that may have promoted the activation of social dialogue over economic and social policies and broaden the role of collective bargaining and industrial relations, as opposed to unilateral interventions designed by national governments. The paper lays out an analytical framework based on the COVID impact in each country, national industrial relations institutions and the nature of the government in office. In this general framework, we observe how national industrial relations institutions play a key role in explaining the responses in terms of the level and quality of social dialogue and the role of collective bargaining. Particularly important has been the role of strong sectoral collective bargaining institutions, allowing sectoral actors to negotiate specific responses considering the impact and the needs of the sector.

KEYWORDS

collective bargaining, COVID-19

Energy transition, policy innovation and territorial resilience

Chair & Organiser: María Alexia Sanz Hernández & Xaquín Pérez Sindín

Currently, 41 regions in 12 EU Member States are actively mining coal, providing jobs to about 240,000 people: about 180,000 in the mining of coal and lignite and about 60,000 in coal- and lignite-fired power plants (European Investment Bank). In a context of global warming and ecological crisis, the EU challenge is twofold. On the one hand, the transition to cleaner forms of energy is imperative to meet the EU's commitment to reduce CO2 emissions by at least 55% by 2030. On the other, the need to phase out coal in shortest time must be compatible with the future of coal dependent regions. We know from previous studies that these regions are significantly poorer than comparable regions in the same countries that did not mine coal (Espósito 2021). With people having limited opportunities to find alternative employment due to a lack of skills or a lack of alternative jobs in their regions, many share in common a long-standing economic crisis and demographic decline. Also associated with this decline is the so-called “addictive economy” syndrome. Memories from the “good times” - when jobs did not scarce and the community was socially cohesive - creates identities not easy to be dislodged (Sanz-Hernández 2020) and communities struggle to envision alternative futures (see concentration problem, Pérez-Sindín 2020, 2021). Having the Agenda for Sustainable Development in mind, and the principal of “no one will be left behind”, this special session is mainly aimed at researchers who are analyzing the roadmap of coal phase out in one or multiple regions across Europe, as well as the differentiated social and labour effects.

The objective of this special session is to generate a forum for debate around the social, economic, labour and political dynamics that are accompanying energy transition in coal dependent regions, the actors involved and their role in the decision-making process and governance. While we welcome different methodological and theoretical approaches, the session aims to promote engagement with the concept of dependency as a framework for analysis and contributes to the conference theme of “Industrial relations and the Green Transition; Towards inclusive and sustainable growth”. This includes the idea of path dependency – when decisions about the future are dependent on decisions and experiences from the past – but also interdependency (see Luhmann's social system theory), i.e. when two subsystems of the society (e.g. economy and politics) are “structurally coupled” and thus operate in accordance to each other.

Contributions

Just transition and social inclusion, a necessary binomial for vulnerable environments. A look from Aragon

María Esther LÓPEZ RODRÍGUEZ, *Universidad de Zaragoza*

Questioning the just transition in the media: delay discourses of energy transition in Aragon, Spain

María Alexia SANZ HERNÁNDEZ, *Universidad de Zaragoza*

Just transition: framing and creating legitimacy in the Asturian media

Ángel ALONSO-DOMÍNGUEZ, *Universidad de Oviedo*

Energy transition in Castilla y León. Evolution of media discourses

Rosario MARCOS-SANTIAGO, *Universidad de León*

Adelina RODRÍGUEZ PACIOS, *Universidad de León*

Actor networks in energy transition in four coal-intensive EU regions

Roberto CANTONI, *University of Sussex*

Retirement, life satisfaction and migration in a context of energy transition: lessons from As Pontes

Xaquín PÉREZ-SINDÍN, *University of Warsaw*

Just transition and social inclusion, a necessary binomial for vulnerable environments. A look from Aragon

MARÍA ESTHER LÓPEZ RODRÍGUEZ

Universidad de Zaragoza

ABSTRACT

The transition towards sustainability guided by the 2030 Agenda and the Sustainable Development Goals is marked by the challenge of configuring scenarios of sociotechnical innovation, public-private synergies and socio-political frameworks that converge with the voice and territorial vision of who are actors and affected by the changes and transitions with macro-level policy models, which have an impact on the micro-scale, on a day-to-day basis and on the future of future generations. In this context, outlining a transition process that leaves no one behind suggests thinking that the response to this challenge involves looking at change from the perspective of inclusion and with a principle of recognition and redistribution justice (Fraser, 2008) as the backbone of any initiative to revitalize changing environments.

Our reflection starts from the visualization of Objective 8 of Decent Work and Economic Growth, as a roadmap for an inclusive transition from both a gender and generation perspective and to place work as the axis of morality for fair and sustainable development for all. From this perspective, the challenge lies not only in fostering adequate socio-political frameworks for transformations, but also in bringing together the underlying energies that may emerge in the changing territories, added to the converging ones of the committed and transition sectors, such as in this case the extractive industries and those linked to energy powered by coal and derivatives.

We are going to reflect on the framework of the Just Transition of the decarbonising territories of Aragon, that of social employment policies in terms of gender and generation, from the perspective of inclusion and decent work, focusing on the following 3 Goal 8 targets

8.3 Promote development-oriented policies that support productive activities, the creation of decent jobs, entrepreneurship, creativity and innovation, and encourage the formalization and growth of micro, small and medium-sized enterprises, including through access to financial services

8.5 By 2030, achieve full and productive employment and decent work for all women and men, including youth and persons with disabilities, as well as equal pay for work of equal value

8.6 By 2020, substantially reduce the proportion of youth who are not employed and not in education or training.

KEYWORDS just transition; inclusion; decent job; social politics.

Questioning the just transition in the media: delay discourses of energy transition in Aragon, Spain

MARÍA ALEXIA SANZ HERNÁNDEZ

Universidad de Zaragoza

ABSTRACT

Discursive approaches to the analysis of energy transition policies are becoming increasingly relevant due to their ability to approach the study of changes in ideas and actors that sustainability transitions are mobilizing over time and across spaces. We show a case study in Spain because this is the country where the most progress has been made in the incorporation of political instruments for the just transition (JT) (the so-called Just Transition Contracts). Specifically, this paper is contextualized in the province of Teruel, a historically coal dependent area with a thermal power plant in Andorra, which closed in June 2020. This was the territory chosen to lead the just energy transition in Spain after the creation of the Ministry of Ecologic Transition (2018). Partly for this reason, the resistance of regional actors became especially explicit in this context, bringing together voices that have essentially called for spatial justice.

Following a systematic mapping, a media corpus integrated by 821 news items from all the newspapers of the autonomous community of Aragon has been collected with the aim of analyzing the media approach to the issue of JT in the destabilization policies of the socio-technical regime of coal, in the period 1996–2021. The argumentative discursive analysis has made it possible to identify the arguments, the actors that support and shape them, and the practices on which this discursive activity is based (Hajer, 1995).

The main topics and contributions of the actors around the coal just transition are linked to: a) contributions to the debate around the conceptualization of the concept of Just Transition (semantics), as well as the critical centrality of the notion of justice in the public arena, b) delimitation of the impacts and barriers in a TJ, and c) contribution to delay the implementation of decarbonization policies in the first place and then to accelerate the JT policy.

The discursive evolution reflects the progressive loss of legitimacy of the dominant discourse of acceptance of coal. However, in the process, discursive strategies emerge to delay or accelerate the transition. They are shared by certain groups of actors and based on legitimizing or delegitimizing arguments for the permanence of coal in the national energy mix. Here we focus our attention especially on the legitimizing arguments of coal and delayers of the transition to highlight the territorial component in the formation and change in discursive coalitions; this component eclipses the ideological one at certain moments.

It concludes by highlighting the political implications and the way in which the discourses of the different actors have mediated the design and implementation of coal elimination policies in Spain, from where a more social and innovative just transition has been pretended.

Just transition: framing and creating legitimacy in the Asturian media

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ABSTRACT

In Spain, the process of deindustrialization has followed a different pattern in each region, according to its historical configuration and industrial trajectory, but the restructuring policies that took place since the end of the 1970s had a special impact on the Cantabrian strip, since all the affected sectors were active there. Only between 1977 and 1981 was lost in these regions between 10 and 20% of industrial work. In particular, the Asturian manufacturing plants suffered in a special way the so-called “reconversión”, since it did not translate at any time into evolution or transformation of the city's industry but into a paralysis of production and closures.

These processes have resulted, even today, in the loss of millions of jobs, if not entire industrial sectors. The economic and labor scars have been profusely reflected in the regional media, but not so much those that have to do with the identity of local communities. Previous research has gathered various testimonies from people who have worked in the industrial sector and their ability to critically examine the past helps to understand the metamorphosis of Asturian industry, which has been, to a large extent, slow, tortuous and agonizing, also causing a transformation in shared values and work culture. One of the conclusions of this fieldwork is that the discourses reflect the lament of what we could call a future denied to the community.

In the case of the Just Transition, the fear of the most affected actors is that the same pattern will be repeated as in previous restructurings. Some of the consequences are already visible, but it is still too early to assess them all, as the end of coal and the accompanying socio-technical change are incomplete. However, local communities find that certain patterns are already being reproduced in the initial stages of the transition that may reissue this denial of the future to the community. The first of this patterns is the lack of attention to the discursive arguments of local actors, something that can, again, be crucial in the design of just transition policies. Because of this, the communication focuses specifically on the approach that the media have adopted to the problems of these communities, due to their responsibility in framing the Just Transition debate and creating legitimacy for the process.

From the collection of a wide documentary corpus that includes 469 news items from the Asturian regional media, through the electronic resource My News, some preliminary conclusions can be drawn from this framing. Namely: the news have an eminently economic focus, in which references to sustainability and just transition are much more limited and in which the discourses of national and international actors prevail over those of the affected local communities.

Energy transition in Castilla y León. Evolution of media discourses

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ABSTRACT

The purpose of this paper is to examine the evolution of the media discourse within a territory in relation to the decarbonisation process and energy transition in the period 2010-2020. This research focuses on the territory of Castilla y León, which used to be one of the main coal producers in Spain and was highly economically dependent on the coal mining industry and thermal power plants. The starting point was the identification of some major milestones at different levels (regulations, government decisions, closure of thermal power plants, etc.), as well as the various stakeholders, topics and discourses regarding the just transition and the decarbonisation process.

We analysed the media discourse in the news that appeared in the local, regional and national printed/digital media during the aforementioned period. The selection was made using the My News electronic resource. This procedure made it possible to identify the issues of concern for stakeholders, as well as their vision and perceptions. A total of 975 news items were analysed, and each of them was considered as a unit of analysis.

A number of key issues emerged from the analysis, including the loss of employment as a consequence of the closure of coal mines and thermal power plants, which has contributed to missed opportunities and therefore to the depopulation of territories. The just transition process has been controversial from the beginning, and has generated debate among political, trade union and civil society sectors.

There has been a change in the discourse of the stakeholders involved, marked in particular by political decisions: starting with denial and resistance to decarbonisation at the beginning of the process, going through resignation, and ending up with a discourse that aims to delegitimise coal and accelerate just transition measures.

Actor networks in energy transition in four coal-intensive EU regions

ROBERTO CANTONI

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ABSTRACT

The energy transition in Europe, and in particular the exit from coal, is at the heart of the Union's current environmental policies. This transition will not only create positive consequences in terms of mitigating climate change, but also negative employment and social consequences due to the decommissioning of coal mines and thermal power plants. Through the Cintran (Coal-intensive regions in transition) project, we have carried out a study of the transition dynamics in four European high-carbon regions, identifying the actors involved in the coal phase-out process and the coping strategies implemented to resist or adapt to the changes generated by the phase-out policies, or to transform the existing system. The identification of these strategies allows us to characterise each of the four regions according to its specificities and to understand, for example, which actors have been left out of decision-making processes, what role existing interests are playing in maintaining the fossil industry, which institutions have provided incentives for decarbonisation, and which actors are adapting by creating economic alternatives at different geographical scales. As a theoretical background to our empirical methods, based on qualitative analysis and actor network mapping procedures, we employed multi-actor perspective (Avelino and Wittmayer, 2016) and advocacy coalition theory (Sabatier, 1988).

We draw upon a broad Inventory of Coping Strategies constructed through document analysis of 500+ newspaper, grey literature and academic sources, and 12 key informant interviews targeted at our four target regions. The most significant resistance, adaptation and transformative coping strategies (e.g., protest marches, outmigration, preference shaping through rhetorical struggles in media, investment in renewables, miner early retirement plans) were assessed to determine the role of elites in shaping responses and outcomes.

Results reveal that early in transitions, elites with national and supranational reach usually resist change and try to prolong investment in fossil fuels. As transitions progress, these policy and business elites usually support strategies that perpetuate the structures associated with status quo institutional and socioeconomic conditions through adaptive strategies that replace or compensate for carbon-intensive activities with lower carbon industrial activity (e.g., renewables installations, retraining workers for other industrial sectors). However, some elite actors, mostly at supra- and subnational scales, and usually in more liberal democracies, support transformative strategies that are more disruptive, but that better address injustices associated with the transition process (e.g., the development of energy communities).

Retirement, life satisfaction and migration in a context of energy transition: lessons from As Pontes

XAQUÍN PÉREZ-SINDÍN
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ABSTRACT

Currently, 41 regions in 12 EU Member States are actively mining coal, providing jobs to about 240,000 people: about 180,000 in the mining of coal and lignite and about 60,000 in coal- and lignite-fired power plants (European Investment Bank). In a context of global warming and ecological crisis, the EU challenge is twofold. On the one hand, the transition to cleaner forms of energy is imperative to meet the EU's commitment to reduce CO₂ emissions by at least 55% by 2030. On the other, the need to phase out coal in shortest time must be compatible with the future of coal dependent regions transition. Having the Agenda for Sustainable Development in mind, and the principal of "no one will be left behind", this paper aims to reflect on the socio-psychological impacts of mine closure and, particularly, the patterns of migration and life satisfaction among early retirees in As Pontes, a coal dependent region in Galicia, Spain. After conducting self-administrated postal survey among former industrial workers, a representative sample of 327 former industrial workers was used for analysis.

The questionnaire includes Retirement Satisfaction Inventory variables (F. J. Floyd et al, 1992), behavioural (social capital related questions, medical treatment for anxiety, current municipality of residence and others) and attribute variable (birthplace and origin related questions and other socio-demographic variables). Different statistical association test according to variable nature (mainly Chi square, Cramer's V and regression coefficient) were applied in order to identify statistically significant relationships between the different variables. Semi-structure interviews and focus groups were also conducted to enrich the research process, accounting for a mixed methods approach.

After a rapid deindustrialization process and the implementation of an early retirement plan in the late 90s, 28% of the former workers left the town. Two variable exhibits the highest association. First and foremost, the length of residence: the percentage of former employees who decided to emigrate after retirement is much higher among newcomers than those living in the community for longer, confirming the observed in the literature on place attachment (Lewicka 2011). On the other hand, results show significant relationship between self-reported health status and mobility, being worse among those who decided to leave the town. This article shows the paradox that those who move to urban areas for "better life" exhibits greater problems of post-retirement social adaptation than those remaining in the "depressed" town, while contributing to better understand the relationship between place reputation and mobility.

KEYWORDS Mining regions; early retirement; satisfaction after retirement; just transition

Trade unions in the European Union

Session Organizers: Kurt Vandaele (European Trade Union Institute -ETUI), and Torsten Müller (European Trade Union Institute - ETUI)

Book launch: “Trade unions in the European Union” edited by Waddington, Jeremy; Vandaele, Kurt and Müller, Torsten

These are difficult times for unions in the EU. The neoliberal project has weakened and is continuing to weaken fundamental features of the national variants of the European social model and prevents the establishment of elements of the European social model within the new member states. A range of quantitative measures indicate the extent of the challenge faced by unions in terms of declining unionisation; a restricted capacity to mobilise industrial action; a declining wage share for labour and a decline in collective bargaining coverage coupled to its decentralisation. The increasing ‘distance’ between unions and Social Democratic and Labour Parties exacerbates the difficulties of union renewal, as legislative support is not readily forthcoming. Concurrently, climate change is a challenge that particularly affects industries where unions are still relatively strong, while the shift towards a low-carbon society promotes industries that are currently sparsely unionised. Similarly, digitalisation poses challenges for unions on a wide front, but particularly concerning the protection of employment rates and the quality of work.

This bleak situation, however, is mitigated. The banking crisis of 2008, for example, demonstrated the failure of the unregulated markets. In short, the internal contradictions of the neoliberal project are becoming increasingly evident. More recently, the Covid-19 crisis has prompted a wide range of responses many of which have involved unions in national decision-making.

Within this context it is apparent that unionists are searching for new approaches in order to adjust to changed circumstances. Internally, a wide range of recruitment and organising campaigns are underway directed towards bringing workers often outside of unions in the past into membership, horizontal forms of union democracy have been introduced to supplement traditional vertical forms, and mergers have consolidated and sometimes transformed union structure. Externally, political alliances have been sought beyond social democratic and labour parties, particularly with organisations campaigning on environmental, sustainability and equality issues.

The book “Trade unions in the European Union” consists of 27 country chapters, which map and explain developments in trade unionism in each Member State of the EU since the year 2000. Each country chapter places the developments sketched above into a national context and explains specific national peculiarities by reference to economic, social and political developments. Each country chapter and the concluding chapter emphasise the range of responses implemented by trade unionists to the challenges outlined. Each country chapter comprises nine sections which cover:

- the historical background and principle features of the system of industrial relations,
- the structure of trade unions and union democracy,
- unionisation rates,
- union resources and expenditure,
- collective bargaining and trade unions at the workplace,
- industrial conflict,
- relations with the polity,
- societal power,
- trade union policies towards the European Union.

In addition, the authors of the country chapters were asked to categorise each country by reference to Visser's (2019) four categories on the future of European trade unionism: marginalisation, dualisation, substitution and revitalisation. Analysis of the responses comprises the final section of a concluding chapter to the entire publication, which presents an overview of the state of unions in the EU in 2021, reviews the impact of the responses to the neoliberal challenge implemented by trade unionists and speculates on future developments.

The motivation of the special session is to discuss the state of trade unions in the EU based on a presentation of the key findings of the book presented by the three editors. Since the future of unions in the EU is assessed with reference to the four categories developed by Visser, the editors intend to invite Jelle Visser himself to reply to our presentation before we open the discussion to the participants of the special session. We think that the comprehensive and in-depth overview of developments in all EU countries provides a unique opportunity to discuss the challenges trade unions face in current times and their organisational and strategic responses.

Remote work and labour rights: challenges and opportunities

Session Organizer: Silvia Rainone

This special session proposal is an output of the “Future of Work” multidisciplinary working group of the European Trade Union Institute (ETUI). The objective of the working group is to engage with existing trends that are likely to have a disruptive impact on the world of work and on (the exercise of) labour rights. Remote work is one of the aspects addressed by the working group, and will also be the subject of a forthcoming ETUI handbook (*The Future of Remote Work*), which includes chapters from the proposed panellists.

In the course of the past two years, the world of work has developed a love and hate relationship with the concept of telework, and remote work more generally. Successive waves of mandatory teleworking have definitely acquainted workers and employers with a diverse and growing range of remote working practices and modalities. But as the dust of mandatory teleworking begins to settle, it is timely and appropriate to have a more sober and introspective assessment of the promises, perils, and potential of remote work in the post-pandemic world.

Starting from the assumption that a better understanding of the impact of remote work on labour standards is a necessary first step towards developing a normative and regulatory stance, the panel proposes a reflection which takes into account the multiplicity of aspects that surround and underpin this phenomenon. Remote work in fact raises very broad and highly complex questions, capable to affect existing paradigms and, thus, of creating new challenges for exercising labour rights.

It suffices to consider that remote work is strongly interconnected with digital innovation, with algorithmic control, with pervasive AI application, and with the overall “platformization” of labour. The workplace becomes digital and managerial prerogatives evolve. Employers are more and more promoting the narrative of autonomy, while using specific softwares and digital tracker to instil subtle monitoring and incentives systems. At the same time, remote work is underpinning structural changes in businesses’ productive and organizational models as well as in the geographical distribution of labour.

This session intends to both address the challenges and identify the opportunities connected with remote work. This is done through a multidisciplinary perspective, mixing contributions from researchers with different backgrounds and expertise with more concrete inputs coming directly from the industrial relation and trade union world.

Contributions

Individual and contextual variation in benefits of remote work
Wouter ZWYSEN, *ETUI*

Rethinking workers’ organization and union’s strategies
Birte DEDDEN, *UNI Europa*

Remote work and shift in global value chains
Pamela MEIL, *Institute for Social Science Research*

Rethinking workers' organization and union's strategies

BIRTE DEDDEN

UNI Europa

ABSTRACT

Remote work: a trade union challenge

Telework and remote work have been on the trade union agenda for many years. However, the topic has gotten more attention since the Covid-19 pandemic when an unprecedented number of workers started to work remotely, often intensively and for a long period of time.

While remote work has some promises, it also poses real challenges for workers, their rights at work and their representative organisations: trade unions. As many workers wish to continue (partly) to work remotely in the future, it is key to include remote work principles in collective bargaining to avoid inequality and protect workers' rights.

In 2021, UNI Global Finance and ICTS published the "Key trade union principles for ensuring workers' rights when working remotely" to address the challenges of the new work reality.

To ensure the exercise of workers' and fundamental rights in a remote work environment, we need clear rules to be defined by the social partners. These rights include the freedom of association, the right to collective bargaining, effective information and consultation of employees and digital and physical access to the workforce for trade unions.

As regards individual workers' rights, remote work should be voluntary and not lead to inequality among workers regarding employment rights, working conditions or the access to career development and training. Likewise, the right to privacy, respect for working time and the health & safety of remote workers should be ensured. For this, company level and sectoral level collective bargaining is essential.

KEYWORDS Remote work; unions; collective bargaining

Power resources in employment relations

Session Organizer: Jens Arnholtz, FAOS, University of Copenhagen

While IR scholars often focus on empirically observing new trends and enduring patterns in employment relations, their studies are often informed by tacit theoretical assumptions that determine which empirical issues gain attention. This session aims to discuss theoretical assumptions more explicitly, and it will do so by focusing on a reemergence of power resource theory in employment relations studies.

Labour and union's declining power may be one of the reasons that institutionalist and employer-centered approaches have flourished in employment relations studies and political economy more generally over the last decades. However, recent years have seen a resurgence in studies of employment relations that engage explicitly with power resource theory. Power resource theory was once a natural go-to theory for IR scholars, but it fell out of fashion for a long time. Yet, we now observe scholars reengaging with this analytical approach and its empirical focus on labour's power and the power configuration at various levels. This is done by going beyond classical measures of labour power (such as trade union density and bargaining centralization) to focus on a broader range of resources that workers may draw upon in their struggle for improving employment conditions, and how these resources are interlinked.

This revitalization of power resource theory holds great promises for exploring how labour can still be an influential actor in the structuring of labour relations – be it through local campaigns, national mobilization or even international coordination – and thereby respond to contemporary challenges in the world of work. At the same time, it is fair to say that these recent attempts at revitalizing power resource theory have suffered from a lack of clear definitions and a proliferation of concepts. Power resource theory has been used to throw analytical light on case studies, but they have not yet managed to re-develop power resource theory as a research program for the study of contemporary employment relations.

This special session aims to revitalize power resource theory as a research program for employment relations studies. It does so by bringing together papers that both engage with defining different types of power resources and papers that focus on power resources as an important explanatory concept for the study of changes in contemporary employment relations. Much insight can be gained from going back to classical works in power resource theory, but the theory also needs to be revised in light of the fundamental changes that have occurred in the world of work. The papers of this special session thus highlight and discuss the relevance of power resources theory for our understanding of contemporary labour relations.

The special session is connected to an ongoing book project tentatively entitled 'Power resource theory re-vitalized and re-conceptualized'.

Contributions

Ideational power resources in employment relations

Colm McLAUGHLIN, *University College Dublin*

Chris F. WRIGHT, *The University of Sydney*

Leveraging power resources for a decent minimum wage

Mathew JOHNSON, *The University of Manchester*

Why varieties of power resources matter

Guglielmo MEARDI, *Scuola Normale Superiore Florence*

What's in a Number? Reductionist and Holistic Approaches to Associational Power

Christian Lyhne IBSEN, *University of Copenhagen*

Power resource theory and the case of migrant workers

Stefania MARINO, *The University of Manchester*

Miguel MARTINEZ LUCIO, *The University of Manchester*

Power and interests in revitalized power resource theory

Jens ARNHOLTZ, *University of Copenhagen*

Bjarke REFSLUND, *Aalborg University*

Employment Relations as Networks. Methods and Theory

Session Organizers: Bernd Brandl & Oscar Molina

Book launch: “Employment Relations as Networks. Methods and Theory” edited by Bernd Brandl, Bengt Larsson, Alex Lehr, and Oscar Molina

Traditional approaches in the wide field of employment relations focused on a small and clearly delineated set of actors, such as trade unions and employers’ organizations, operating within the constraints given by formal, nationally confined institutions. It is becoming increasingly clear that traditional approaches are insufficiently able to account for employment relations processes and outcomes in a world wherein formal institutions are being rapidly transformed and partially dissolved, national boundaries become porous, and the sheer number of actors involved is increasing substantially. A shift in perspective is necessary, past the nationally bounded actor-institution dichotomy, towards an understanding of employment relations as fundamentally mediated by complex and emergent networks that connect a multitude of actors within and between countries.

This volume provides a seminal starting point for such a paradigm shift by applying theories and methodologies from social network analysis to the study of employment relations. It develops a theoretical toolkit of mechanisms that operate within networks and shape employment relations processes and outcomes, such as wages, labour market policies and labour conflicts. It brings together insights from various projects that investigate the structure, functioning and impact of networks in employment relations through quantitative and qualitative methods. It will be of particular interest to students and scholars of employment relations across business and management, economics, political science, and sociology disciplines, as well as those interested in social networks. Managers, trade unions, employers’ organizations and state authorities at national and international levels will find it helpful in understanding how networks shape their world.

Turning points in national labor relations: a comparative

Session Organizer: Martin Behrens & Andi Pekarek

While abstract accounts of change in industrial relations as well as in the wider political economy are widespread – take the growing literature on liberalization or dualization as just two examples – our special seminar aims to identify ‘turning points’ in the history of national industrial relations systems. By this we mean moments of significant change in the institutions, actors and processes that comprise distinctive national IR systems. Take, for example, specific collective bargaining practices, the legal regulation of the employment relationship, or institutions of worker representation. The idea behind this perspective is that we should be able to trace back in time when and how key features of IR systems were put in place. What are the forces driving change in the workings of IR systems at specific moments in time?

To identify forces and processes which are driving change in national systems of labour relations we propose four dimensions which will structure the presentation of the country cases:

The first dimension concerns the speed of change in IR systems. This dimension strongly resonates with a major current within the field of IR research. At one end of the spectrum, we find the notion of “punctuated equilibrium” to denote sudden and significant change, while at the other end of the spectrum we see incremental change. Our second dimension, the depth of change, focuses on the outcomes of change processes, identifying whether change concerns the deep structure of an IR system or is merely superficial or marginal. Our third dimension concerns the forces that initiate change: who or what are the drivers of change? Our fourth and final dimension seeks to capture how sustainable or permanent the changed / new features of IR systems are.

We intend to use this special session as the starting point for a comparative research network which aims at improving our understanding about turning points in different IR systems and the lessons they might hold for IR theory and practice.

Contributions

Turning points in comparative labour relations: The case of Germany

Martin BEHRENS, *WSI/Hans-Boeckler-Foundation*

Andreas H. PEKAREK, *The University of Melbourne*

Turning points in Romanian labour relations

Ovidiu GORAN, *Law Office Ovidiu P. Goran*

Danish industrial relations – a slow slide towards deep changes

Søren Kaj ANDERSEN, *FAOS, Employment Relations Research Center*

Driving Forces in Evolution of Employment Relations in Russia

Maria BYTCHKOVA, *London School of Economics*

IR in the Netherlands: from collaboration to conflict

Saskia BOUMANS, *AIAS-HSI, University of Amsterdam*

The United States: Disjunctures and Continuities

Alex J. COLVIN, *Cornell University*

Turning points in Spanish labour relations

Kerstin HAMANN, *University of Central Florida*

Oscar MOLINA, *Universitat Autònoma de Barcelona*

The embedding of a neoliberal paradigm: Institutional change and actor power in Australian industrial relations policy

Chris WRIGHT, *University of Sydney*

Social dialogue and welfare services in Europe: national challenges and local solutions for labour and employment relations

Session organisers: Stefano Neri (Chair), Valeria Breuker, Lisa Dorigatti, Anna Mori (University of Milan), Emmanuele Pavolini (University of Macerata)

Over the last decades in Europe, both the demand and the supply side of the care services – in particular of ECEC and LTC services - have been invested by relevant changes, including social and demographic long-term trends, financial pressures following the spread of austerity in public budgets in the aftermath of the 2008-09 economic crisis, as well as the Covid-19 health emergency. As a result, the structure of care service provision has significantly changed, triggering or strengthening trends toward privatisation and marketisation, although with relevant differences across European member states. These dynamics have overall triggered a quadrilemma for public authorities, under the pressure of four contrasting tensions relating to their capacity: to provide and finance these services, to ensure a universal coverage, to guarantee a good service quality, and to safeguard decent and protected jobs. Labour issues are particularly important, as the care sector is inherently labour-intensive, with labour costs representing both a relevant budget item and the main source of expenditure. Therefore, employment relations and working conditions have been put under considerable pressure, in order to make service provision sustainable in times of retrenchment and labour shortage. Pressure also increased and called for urgent responses after the outbreak of Covid-19 emergency, which directly involved ECEC and LTC services. From this perspective, the cross-country comparison in Europe sheds light on both common challenges and country-specific issues emerging for labour, working conditions and employment relations in these services, that local experimentations and practices of social dialogue have tried to cope.

The special session aims to provide a comparative analysis of the main issues emerging in Europe concerning labour and employment relations in the welfare services and how employment relations institutions and actors, at national and local level, have responded to the main existing issues across different institutional and regulatory contexts (Denmark, Germany, Spain, the Netherlands, Italy, Hungary and Slovakia), by looking at experimentations, i.e. practices/strategies/solutions developed by social partners to address these issues. The special session draws upon the EU project SOWELL – Social Dialogue and Welfare Services in Europe (financed by the DG Employment, Social Affairs & Inclusion).

Contributions

Welfare as labour market and labour in the welfare services in Europe: employment, jobs and industrial relations

Stefano NERI, *University of Milan*

Wage setting and workload as crucial arena for social dialogue in Germany

Karin GOTTSCHALL, *University of Bremen*

Ruth ABRAMOWSKI, *University of Bremen*

Tackling labour shortage in the care services: social dialogue and union action in Denmark

Mikkel MAILAND, *FAOS, University of Copenhagen*

Nana Wesley HANSEN, *FAOS, University of Copenhagen*

The Dutch welfare services between marketisation and social dumping

Frank TROS, *University of Amsterdam*

Social dialogue in welfare services in Spain between actors' fragmentation and a migrant workforce

Oscar MOLINA, *Universitat Autònoma de Barcelona*

Alejandro GODINO, *Universitat Autònoma de Barcelona* Joan RODRÍGUEZ-SOLER, *Universitat Autònoma de Barcelona*

Joan RODRÍGUEZ-SOLER, *Universitat Autònoma de Barcelona*

Union responses to the lack of care services: a comparison between Slovakia and Hungary

Marta KAHANCOVÁ, *CELSI*

Barbora HOLUBOVÁ *CELSI*

Pavol BORS, *CELSI*

A segmentation to recompose: union actions in the welfare services in Italy between public and private provision

Valeria BREUKER, *University of Milan*

Anna MORI, *University of Milan*

Stefano NERI, *University of Milan*

Welfare as labour market and labour in the welfare services: employment, jobs and industrial relations

STEFANO NERI

University of Milan

ABSTRACT

The paper aims at introducing the special session, highlighting the importance to study the labour market in the welfare services, as they represent a relevant part of the tertiary sector in European countries, as well as the employment relations in this field. In particular, Early Childhood Education and Care (ECEC) and Long-Term Care (LTC) services, which the contributions of the session focus on, are an increasing source of employment, given the expansion of these services in response to their increasing demand caused by long-term socio-demographic and economic changes. In addition, the pandemic has drawn attention to these sectors and to their workers, showing their importance for the society and the economy as a whole.

As is well known, ECEC and LTC are inherently labour intensive sectors, making employment regulation and working conditions very relevant to understand characteristics and evolution of these services. On one hand, labour costs constitute a relevant budget item and, often, the main source of expenditure. On the other hand, there is a clear relationship between job quality and service quality. In the context of austerity in public finance of recent decades in many European countries, marketization and privatization policies in the care sector were carried out to make service provision sustainable and also to expand it. However, this has often led to a worsening in employment regulation and working conditions to the detriment of service quality. These processes contrast with the increasing professionalization of many of these services and raise important gender issues, given the dominance of the female workforce in them.

The session's contributions, and the research project which they draw upon, investigate how employment relations institutions and social partners tackled these issues across different institutional and regulatory contexts by analysing the responses provided, at national and local level, in seven European countries (Denmark, Germany, the Netherlands, Hungary, Italy, Spain and Slovakia). With regard to this point, the paper provides a first attempt to develop a conceptual framework for interpretation of the national case studies interpretation, combining elements from different sources of literature, drawn from labour market and employment studies, welfare state studies and the sociology of professions.

KEYWORDS welfare; employment relations; labour market; Long-Term Care; Early Childhood Education and Care

Wage setting and workload as crucial arena for social dialogue in Germany

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University of Bremen

RUTH ABRAMOWSKI

University of Bremen

ABSTRACT

The national case study on Germany (which is part of the EU project SOWELL – Social Dialogue and Welfare Services in Europe) aims to provide a national and local analysis of the main issues concerning labour and employment relations in the welfare services of long-term care and early childhood education and care. The guiding question is how employment relations institutions and actors, at national and local level, have responded to the main existing controversies by looking at experimentations, i.e. practices/strategies/solutions developed by social partners to address these issues. Based on desk research, qualitative semi-structured interviews, and quantitative investigation, we found that wage setting and workload are the main issues for social dialogue in Germany.

Working conditions in long-term care deviate significantly from typical employment relations because part-time work is very widespread in this sector. Furthermore, a high workload is problematised by long-term care workers themselves and many long-term care employees are not satisfied with their income. The wage level in long-term care is very low compared to childcare and nursing occupations. Due to the challenging working conditions and lack of career opportunities, staff shortages have become a core problem in welfare services. Moreover, a fragmented employment relations system, a weak representation of employees' interests, and a low degree of their self-organisation lead to an improvised collective bargaining autonomy, a low collective bargaining coverage, and a lack of influence of collective agreements.

KEYWORDS Social dialogue, welfare services, Germany

Tackling labour shortage in the care services: social dialogue and union action in Denmark

MIKKEL MAILAND

FAOS, University of Copenhagen

NANA WESLEY HANSEN

FAOS, University of Copenhagen

ABSTRACT

As elsewhere, actors in the Danish care services struggle to uphold or improve service quality and service coverage within budget restraints while also striving to avoid lowering of wages and working conditions. In recent years, labour (and skill) shortages connected to changing demographics have been added to this quadrilemma, making the balancing act even more complicated.

Labour shortages can influence the dimensions in the quadrilemma in diverging ways. They might lead to increasing use of unskilled labour and hereby lower the level of wages and working conditions as well as service quality or service coverage. However, if access to unskilled labour is severely restricted, the labour shortages might also increase the wages of skilled labour - if wages are flexible - or lead to higher investment in qualifications, which again will increase the service quality, but put pressure on budgets. Yet a hypothesized effect of labour shortages in cases of severely restricted access to unskilled labour is work intensification, possibly spilling over to reduced service quality or service coverage.

The Government and the social partners can act unilaterally or in cooperation to address the labour shortages challenges. In this paper, we explore the role of various forms of social dialogue in two parts of care services – Long Time Care (LTC) and Early Childhood Education and Care (ECEC) – characterized by high political attention and strong roles of the social partners.

The specific aims of the article are to analyze 1) how trade unions and their municipal employer counterpart jointly have addressed the labour shortages challenges in LTC and ECEC and 2) what impact these initiatives have had on service coverage, service quality, wages and working conditions and budgets. Moreover, the article aim to 3) discuss if variation regarding problem pressure, institutional set-ups, norms, or strategies best explain the differences between the two sectors. Thus, we expects that the quadrilemma – previously found to take on different shapes depending on different national institutional care designs – are also formed by care sector specific factors.

KEYWORDS Care services, social dialogue, Denmark, labour shortages

The Dutch welfare services between marketisation and social dumping

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ABSTRACT

The provision of welfare services in the Netherlands is under increasing pressure through a combination of interrelated factors. Namely (i) expenditure constraints in financing and providing care provision, (ii) limited access for those in need of care provisions and no universal coverage, (iii) limited quality care services and (iv) labour shortages and a low quality of work for those employed in the care sectors. We see the more or less the same challenges in other European countries for public authorities, and organisations and social partners in the care sectors (see the literature in the SOWELL-project).

Within the above mentioned ‘quadrilemma’ of the four pressing factors, this paper investigates the effects on job quality and employment relations and the intermediate social partners’ responses in the context of institutional, state-led reforms in 2010s in two sectors in the Netherlands: in the sector of Early Childhood Education and Care (ECEC) and in the Long Term Care sector (LTC). ECEC is since 2015 a full privatized sector in the Netherlands, while the LTC sector has been reformed in the last 15 years towards principles of new public management, public procurement and other elements of marketisation in a public context. The privatization and marketisation in both sectors went hand-in-hand with increased competition between care providers, limited access and quality of care services, insecure flexible labour contracts, low wages, high workloads, low job autonomy as well as conflicts and fragmentation in collective bargaining and employment relations in the sectors. Although there are clear differences between the two sector as well.

The interrelated questions in this paper are:

(i) what have been the effects of the governance reforms in the care sectors regarding the labour market and quality of jobs?

(ii) what have been the responses of trade unions and employers associations on these institutional changes and do social partners have effective influence in limiting the negative effects of privatization and marketisation on labour quality?

(iii) what power resources do have employers’ associations and trade unions in the care sectors and which have been used in a more or less effective way (institutional, organizational, societal, structural: see literature on power resources: Müller, Vandaele, Waddington 2019; Schmalz, Ludwig and Webster, 2018). In this we follow a multi-level approach: from national consultations with the government in reforming and innovating care provisions, via sectoral collective bargaining in terms and conditions of employment, to locally providing care for those in needs and recruiting/employing (sufficient) professional care workers under healthy working conditions.

The authors combine mixed research methods of review of literature: academic, policy documents, agreements), statistical analyses in care provisions and labour, interviews among the main stakeholders in the ECEC and LTC sectors in the Netherlands (all done) and four thematic cases studies in the two sectors (work-in-progress).

KEYWORDS Care sectors, job quality; social dialogue; collective bargaining; power resource

Union responses to the lack of care services: a comparison between Slovakia and Hungary

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ABSTRACT

The paper contributes to understanding the strategies and practices of the trade unions and other social actors to the lack of services in early childhood education and care (ECEC) and long-term care (LTC) in Slovakia and Hungary. Despite increased demand for the care services and states' policies in this area, the unmet need for quality care services is rising, and the quality of employment is questioned in both sub-sectors.

How do the trade unions recognise the problem of the shortages in the care sector? What are their approaches and what are their possibilities to address this problem? Have the strategies and actions in Slovakia and Hungary any similarities? How are the trade unions' practices dependent on the overall social partners' resources and institutional settings?

The answers to these questions are derived based on extensive desk research, the analysis of available statistical data, and complemented by the analysis of semi-structured interviews with trade union representatives in both countries. While the trade unions in both countries are fragmented in the care sectors, this has different outcomes on representation and social bargaining. While in Slovakia, the trade unions are focusing more on the legal regulations to improve the carers' working conditions, thus stabilising and even increasing the employment in ECEC and LTC, in Hungary, the bargaining power of the trade unions is limited due to strict representation rules.

Moreover, the countries diverge also in other trends relevant to the care sectors. In Slovakia, the upcoming relatively generous investments in ECEC and LTC from EU recovery and additional funds promise to increase care services; in Hungary, the EU investment is at risk due to breaches of the rule of law.

KEYWORDS Care services, shortage, trade unions, Slovakia, Hungary

A Segmentation to recompose: union actions in the welfare services in Italy between public private provision

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ABSTRACT

In Italy, over the last decades, a twofold pressure on ECEC and LTC services (legislative constraints on personnel expenditure and staff turnover in the public sector; budgetary constraints including austerity measures and the Internal Stability Pact for local governments) has led local authorities to growingly resort to market-type mechanisms (outsourcing and accreditation practices) for the provision of these services. The marketisation process has triggered a wide array of detrimental consequences for the regulation of labour and working conditions. These include a dualization between public and private sector working conditions; an overall fragmentation of collective bargaining and proliferation of NCA, including pirate NCAs; a regime shopping between NCAs in the private sector for companies; the institutionalization of a multi-tier workforce at the workplace.

Against this backdrop, the paper aims to investigate what strategic actions the trade unions adopted to cope with these challenges. The qualitative analysis is based on 20 semi-structured interviews with key informants among the main trade unions and employers' associations.

In response to such marketisation process, Italian trade unions enacted a set of defensive actions. In fact, opening the organizational boundaries of social services to new private sector players has changed in the internal composition of bargaining tables and led to a multiplication of actors in the collective bargaining on both the union and the employer side due to the absence of selective criteria certifying representativeness. Hence, the trade unions primarily attempted to reduce fragmentation in collective bargaining by signing a unique NCA for most of the private providers or by aligning private sector NCAs to the public one. Second, they enacted strategies to contain employers' associations push for the decentralisation of the collective bargaining. Third, they attempted to bring social services back to the public provision.

KEYWORDS Welfare services, Marketization, Austerity, collective bargaining, fragmentation

Making workers' rights in GSCs a reality

Session Organiser: Janice Bellace

Prior to 1990, almost no attention had been paid to labour standards in “global supply chains” (GSCs). But in 1992, with the North American Free Trade Agreement nearing ratification (Canada, U.S. Mexico), Supporters of worker rights argued trading privileges should be linked to the observance of labour standards. But in 1996 the new World Trade Organization declined to link trading privileges with worker rights, on the grounds that worker rights were a matter for the ILO. In 1998, at a time of rising anti-globalization sentiment, the Conference of the ILO adopted a Declaration of Fundamental Principles and Rights at Work which set forth four principles and linked these to eight core conventions. This was a “Declaration” requiring all Member States to respect these principles, but it was not a convention and thus was not subject to the regular supervisory system of the ILO.

Since 1998 those seeking to have worker rights in GSCs respected have sought to find effective ways to achieve this goal. Companies adopted a corporate social responsibility posture, and many issued corporate codes of conduct which stipulated that supplier companies should observe the ILO’s four fundamental principles. These, however, were voluntary statements with no stipulated enforcement mechanism, and dependent on company-commissioned auditing efforts. Some have looked to free trade agreements and called for labour clauses which would require signatory parties to respect workers’ rights. Trade agreements are concluded between countries, and thus obligations thereunder are the responsibility of governments. The dispute resolution mechanism in trade agreements typically calls for consultations regarding the performance of these obligations with such consultation conducted government-to-government, often with no time-line stipulated, and with no resort to an adjudicatory body. Some have looked to governments to place due diligence obligations on companies with regard to labour standards and recently a few European governments have enacted such legislation.

Over the past twenty-five years, the approach taken by the U.S. and the EU has differed with regard to how complaints under trade agreements labour clauses would be handled. If a complaint could be pressed forward to arbitration, the issue remained what the complaining party had to prove, and what the remedy would be. In addition, the statement of worker rights in trade agreements often appeared to be in accord with the 1998 ILO Declaration, but on closer inspection, was not. Speakers will identify perceived weaknesses in these trade agreements and discuss developments, beginning in 2020, that signal a new attitude to such labour clauses that may make them more effective.

Specific attention will be given to the implications of the January 2021, the Report of the Panel of Experts regarding matters raised under the Trade and Sustainable Development Chapter of the EU–Korea Free Trade Agreement (FTA) (‘the Agreement’), which cast a different light on their normative implications, at least in terms of the type of legal commitments that the signatory parties undertake when they include them in FTAs. Similarly, speakers will examine the new dispute resolution procedures in the 2021 USMCA (the revised NAFTA) designed to overcome the burden of proof hurdle in U.S. trade agreements.

Due diligence legislation and clauses in trade agreements are legal means of attempting to mould the behaviour of companies, from the lead company in a GSC down to the lowest level vendor/contractor. But legislation cannot eliminate underlying competitive pressures nor increase the capacity and competence of governments to enforce regulations. One speaker will provide an analysis of challenges in protecting worker rights in GSCs under the different approaches (including the Accord in Bangladesh) and discuss whether the newer legal approaches will be more successful.

Contributions

GSCs in Latin America and Asia: the impact of labour clauses on labour rights

Mark ANNER, *Pennsylvania State University*

Mark Anner will consider experience of GSCs in Latin American and Asia and will analyze the USMCA labour clause and its impact on labour rights in Mexico.

Recent due diligence legislation in Europe

Nicolas BUENO, *UniDistance Suisse*

Nicolas Bueno will discuss recent due diligence legislation in Europe.

Tackling forced labour through trade and supply chain governance

Franz Christian EBERT, *ILO Research Department*

Franz Christian Ebert will focus on the ILO fundamental principles and how the language in labour clauses in trade agreements does not fully embrace these rights. He will also consider how international financial institutions such as the IMF impact labour standards at the domestic level.

The implications of the expert panel's report on the EU – Korea trade agreement

Tonia NOVITZ, *University of Bristol*

Tonia Novitz will focus on EU trade agreements, and in particular the implications of the expert panel's report on the EU – Korea trade agreement.

Ensuring more inclusive trade: labour standards in the global garment supply chain and the role of the EU

Samantha VELLUTI, *University of Sussex*

Public procurement and collective bargaining

Session Organisers: Thorsten Schulten and Torsten Müller

Every year, more than 250 000 public authorities in the EU spend around 14% of GDP (approx. €2 trillion per year) on the purchase of services, works and supplies. Public procurement gives the state considerable economic power to influence economic, environmental and social developments. The way in which this power is used depends on the principal orientation of public procurement policy. Public contracts can either be awarded primarily on the basis of the lowest price or be linked to compliance with certain social, environmental or other criteria.

In the light of large public debt and budget deficits the lowest price is often still the most important award criterion. If environmental and social aspects are ignored, however, this can lead to significant negative consequences and follow-up costs. This is particularly true in the area of working conditions.

If a public contract is awarded only on the basis of the lowest price, companies without a collective agreement, with poorer working conditions and lower wages usually enjoy a systematic competitive advantage. In this way, the state runs the risk of encouraging the deterioration of working conditions and the erosion of collective bargaining through competition for public tenders.

In order to create fair competition and to promote decent working conditions regulated by collective agreements, there have always been attempts to include labour or social clauses in public contracts. As early as 1949, the International Labour Organisation (ILO) adopted the Convention No. 94 on Labour Clauses in Public Contracts. Within the European Union, labour clauses have been used for a long time, in particular, in those countries which do not have a comprehensive practice of extending collective agreements (Schulten et al. 2012). In the meantime, however, the European Court of Justice (ECJ) has questioned their conformity with EU law in its so called ‘Rüffert Judgement’ from 2008 which stated that labour clauses in national public contracts might hinder foreign bidders and therefore violate the European freedom of services. In contrast to that, the new EU public procurement directives explicitly allow for the use of social criteria in public procurement (Borelli et al 2021). With the new EU procurement laws there is now again a dominant view that public contracts can include labour clauses which prescribe the same working conditions as laid down in collective agreements. This view has been endorsed by the European Commission which states in its draft directive on adequate minimum wages that “in accordance with Directive 2014/24/EU, Directive 2014/25/EU and Directive 2014/23/EU, Member States shall take appropriate measures to ensure that in the performance of public procurement or concession contracts economic operators comply with the wages set out by collective agreements for the relevant sector and geographical area” (European Commission 2020: 25).

Against this background, the European Trade Union Institute (ETUI) in cooperation with UNI-Europa has launched a research project on national experiences with the promotion of collective bargaining via public procurement. The project includes both a European overview based on a survey of national experts plus five in-depth studies on France, Germany, Spain, Slovakia/Poland and Sweden/Denmark.

The special seminar should give an insight into the interim results of the project.

References:

- Borelli, S., N. Castelli, S. Gualandi, G. A. Recchia and T. Schulten (2021): Social Clauses in the implementation of the 2014 Public Procurement Directives, Study on behalf of the European Trade Union Confederation (ETUC), Brussels, <https://t.co/azi6ToLdla>
- European Commission (2020): Proposal for a Directive Of the European Parliament and the Council on adequate minimum wages in the European Union, COM (2020) 682 final, Brussels, 28 October 2020

Schulten, T, K. Alsos, P. Burgess and K. Pedersen (2012): Pay and other Social Clauses in European Public Procurement, Study on behalf of the European Public Service Unions (EPSU), Düsseldorf, https://www.epsu.org/sites/default/files/article/files/EPSU_Report_final.pdf

Contributions

The promotion of collective bargaining through public procurement - a European overview

Torsten MÜLLER, *European Trade Union Institute (ETUI)*

Thorsten SCHULTEN, *Wirtschafts- und Sozialwissenschaftliches Institut (WSI) - Hans-Böckler-Stiftung*

Public procurement and collective bargaining: National Experiences

France: Catherine VINCENT, *IRES*

Spain: Oscar MOLINA, *Universitat Autònoma de Barcelona* **Slovakia:** Marta KAHANCOVÁ, *CELSI*

Sweden: Ann-Christine HARTZEN, *Lund University*

Germany: Thorsten SCHULTEN, *WSI*

Political Perspectives: Trade Union campaigns for a reform of the European Public Procurement Directives

Stan DE SPIEGELAERE, *UNI-Europa*

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