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TRADE UNIONS IN EUROPE: CHALLENGES AND RESPONSES

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Abstract

Trade unions are collective organisations with the purpose of defending and advancing the interests of workers. But which workers are represented, how their interests are conceived and what methods are adopted to pursue these objectives are issues which show great variation both within and between countries. These differences in turn affect how they address questions relating to labour migration. In this chapter we explore the different models of European trade unionism and their contrasting approaches to issues of recruitment and representation.

Keywords

Trade unions, Europe, varieties of capitalism, recruitment, representation, collective bargaining

Introduction

Trade unions are collective organisations with the purpose of defending and advancing the interests of workers. But which workers are represented, how their interests are conceived and what methods are adopted to pursue these objectives are issues which show great variation both within and between countries. These differences in turn affect how they address questions relating to labour migration.

The nature, structure, ideologies and power resources of unions are ‘internal’ factors that partially determine the nature of their response to the increase in workers of ethnic minority and immigrant origin. The growing heterogeneity of the labour force brought about by immigration, and the interests and concerns of migrant workers, constitute an additional challenge to unions in an already difficult time. Later chapters will consider the specific national circumstances of trade unions and their policies and actions around migrant workers; our aim in this chapter is to set the general scene of the nature and characteristics of European unions, and how their varying ideologies and structures influence the decisions taken with regard to migrant and ethnic minority workers. We focus on their main characteristics and power resources; the challenges they face; and their responses to those challenges, all with the aim of clarifying the internal factors that influence their responses to the challenge of immigration. In this we draw on an earlier study of trade unions in Western Europe (Gumbrell-McCormick and Hyman 2013) and on a more extensive comparison of union responses to current challenges (Bernaciak et al. 2014).

Typologies of European Trade Unions

Trade unions have been described as ‘intermediary organizations’ (Müller-Jentsch 1985), since their main task as collective actors is to deploy workers’ collective resources to influence those who exert power over them. This means that it is impossible to understand

unions in isolation. They are embedded in four main types of relationship. First, with their own members and constituents, giving rise to issues of democracy and accountability. Second, with employers, raising issues of recognition, and of the distribution but also production of profit. Third, with governments, involving issues of the economic and juridical framework of industrial relations, the representative status of unions in policy-making – what Ewing (2005) terms their ‘public administration function’ – and the ‘social wage’ constituted by public welfare provision. Fourth, with ‘civil society’ (or ‘public opinion’), which has become increasingly important as unions’ intrinsic resources diminish and they seek external legitimacy and alliances with other non-governmental organizations (NGOs). We may note that the first relationship generates a ‘logic of membership’, which implies responsiveness to members’ expectations; the second and third, a ‘logic of influence’, whereby action is adapted to the expectations of unions’ interlocutors in order to deliver results (Schmitter and Streeck 1981); the fourth however transcends this division.

Individual countries (or groups of countries) possess distinctive configurations of institutions which establish the terrain of trade union organization and action (Meardi 2011: 339). As Hoffmann and Hoffmann insist (2009: 389), the impact on unions of similar external challenges is very different, ‘depending on their own organisational structures and political culture and on the particular variety of capitalism and welfare state model in which they are embedded’. While it is simplistic and open to contention, it is still possible to identify several groupings of European trade unions, based largely on the varieties of capitalism literature, beginning with Hall and Soskice (2001), who in their pioneering exposition of the thesis, drew a dichotomy between ‘liberal’ and ‘coordinated’ market economies (LMEs and CMEs). Subsequent studies (Amable 2003; Hancké et al. 2007; Schmidt 2002) have criticized this binary schema and developed more elaborate classifications, taking into account in particular the role of the state in managing the economy and structuring the labour market.

An analogous debate has followed the effort of Esping-Andersen (1990) to outline ‘three worlds’ of welfare provision: a privatized ‘liberal’ model, an egalitarian ‘social-democratic’ model and a state-led but inegalitarian ‘social insurance’ model. Based on these theories, we identify five types of social regime in Europe: the Nordic model, with social-democratic traditions, exceptionally high union density and elaborate egalitarian welfare regimes; the ‘Rhineland’ or ‘Central’ model of Germany, Austria, Belgium and the Netherlands, with institutionalized ‘social partnership’; the ‘Mediterranean model’ of France, Italy, and other southern European countries, with a history of strong communist parties linked to adversarial and weakly institutionalized industrial relations; the LMEs of Britain and Ireland; and Central and Eastern Europe (CEE), where the types of industrial relations institutions long established in the west have developed to only a limited degree. The first four groupings are widely adopted as broad classifications of industrial relations regimes in western Europe (Ebbinghaus and Visser 1999; Visser 2009). Unions in each of these groups have responded in distinctive ways to the challenge of immigration, as will be seen in the following chapters.

Hyman (2001) has suggested a typology of European trade unions, according to their relative orientation to market, class and society. Market-oriented unions are primarily concerned with collective bargaining on behalf of their existing membership and – except perhaps rhetorically – have only limited social and political objectives beyond this. Class-oriented unions (notably within the communist tradition) seek to represent workers beyond their own membership, and often pursue radical transformatory projects. Society-oriented unions (in particular those with catholic origins) define themselves as advancing the interests of citizens in general, and favour consensual solutions to differences. These are ‘ideal types’, and in reality all unions display elements of all three models, but the balance can differ substantially across and within countries. These differences help shape responses to immigration, as Connolly et al. (2014) have clearly shown.

Power resources

The type and degree of power resources available to individual unions and union movements greatly influence their orientation and ability to work effectively on the issue of migration. From the extensive literature on trade union power resources it is possible to identify four widely recognised forms. The first is *structural* (Silver 2003: 13-6; Wright 2000: 962), deriving from the location of those workers organized in a specific union. They may possess scarce skills or competences, making them valuable to the employer and difficult to replace, giving the union 'marketplace bargaining power'; or they may occupy a strategic position within the production process, such that disruptive action will impose serious costs on the employer, creating 'workplace bargaining power'.

The second type of power is *associational*: the simple fact of having members provides a union with resources, not least financial. However, association and organization are not synonyms: the former may merely involve passive membership of a union by individuals primarily concerned to obtain personal benefits or protections, without necessarily entailing any interrelationship amongst them. It may thus reflect what Offe and Wiesenthal (1985) term 'willingness to pay', without a 'willingness to act'.

Hence we must distinguish a third category, which is *organizational* power. This distinction underlies many of the debates about union revitalization, which insist that membership recruitment alone does not equate to organization: 'Unity is strength' has long been a trade union motto: but membership itself does not guarantee unity. As Lévesque and Murray insist (2003: 16), organizational power requires effective processes of internal democracy, together with 'a culture favouring discussion between rank and file and officials and educational work to ensure that policies are well understood and reflect the conditions experienced on the ground'. Thus effective organisational power depends on internal trade union democracy.

A fourth type of power is *institutional*. Associational and organizational strength may be bolstered by legislative supports, the powers of statutory works councils, the administration of social welfare or a status in structures of tripartite peak-level consultation. These institutional supports may well be a product of the prior acquisition of other power resources, but may then provide a substitute if structural, associational and organizational power resources dwindle (Dörre et al. 2009: 37-9; Frege and Kelly 2003: 8). Institutional power may prove precarious in the long run but in the meantime may induce complacency within unions which face serious threats to their continuing effectiveness (Hassel 2007). Unions may face a choice between defending their institutional status or recovering their representational capacity by more innovative policy initiatives, including campaigns to organise and represent migrant workers (Dufour and Hege 2011).

A corollary of the weakening of what are traditionally recognised as key supports for trade unionism is the need for complementary power resources which are not necessarily new but which have been insufficiently appreciated in the past (Lévesque and Murray 2003). The first may be described as *moral* – or in more contemporary vocabulary, *discursive* or *communicative* (Munck 2000; Urban 2012; Webster et al. 2008), involving a conception of social and societal change and a vocabulary which makes this conception persuasive. Unions need to act as a 'sword of justice', to demonstrate that a better society is their mission and identity and to convince that this is a possible and desirable goal. A good example of this was the Dutch confederation FNV's justification of its strong support to migrant workers in the dispute involving cleaners at Schiphol airport (Gumbrell-McCormick and Hyman 2013: 33-34).

Another power resource may be termed *collaborative* (or *coalitional*). If unions have a declining capacity to achieve their goals through their own resources, they need allies. This requires cooperative relationships with other groups, movements and organizations which have goals and interests in common but also differ from unions in their structure, constituency and agenda. Achieving synergies is a necessary but difficult task, as we discuss in a later chapter.

A final type of resource may be termed *strategic* or *logistical*. If resources are scarce, they must be deployed smartly. There is a distinction to be made between resources and resourcefulness (Ganz 2000): if unions can make more effective use of limited

resources than seemingly stronger adversaries, they may still prevail. All these forms of power resource play a role in the decisions of unions whether or not, and to what extent and with what resources, to recruit and represent the interests of migrant workers. The choices unions must make are made all the more difficult by the hard times they now confront in their external (as well as internal) environment.

Trade Union Challenges and Responses

Across Europe, trade unions face hard times. Their status in the west as respected pillars of a 'social model' has been undermined by globalisation and neoliberalism. In the east, they have never possessed this status. For several decades, there has been a decline in the large-scale manufacturing industries in which unions formerly had a major stronghold. Increasingly, their main strength has been in public services, but these have been threatened by budgetary pressures and the drive to privatisation, and more recently by austerity and budget cuts. These trends took an extreme form in most CEE countries, with the abrupt creation of a market economy. Moreover, in both west and east there has been a rapid growth in diverse forms of 'atypical' employment, with increasing labour market insecurity and rising unemployment. Young workers are particularly severely affected by labour market insecurity.

Associated with all these challenges is the process of 'globalisation', which weakens trade union capacity to regulate work and employment within the national boundaries in which they are embedded. There has been a political drift to the right and a decline in electoral support for social-democratic parties – which often appear unable or unwilling to contest the neoliberal agenda, particularly in CEE where interwar traditions of social democracy were suppressed by the previous regime. Immigration has been one of the most important aspects of globalisation, and has itself been a factor in the changes in the political attitudes and the labour market conditions of many European countries.

Bearing in mind our earlier discussion of trade union power resources, we turn now to from general external challenges to the specific threats to those resources: the decline in membership, problems with structure and internal democracy, the decline in institutional supports (including legislation and collective bargaining), and the loss of political influence and legitimacy, along with some of the most significant responses from trade unions. Some of these have more direct relevance to the nature of their policies and practices around migrant workers than others: we therefore concentrate mainly on the issues of membership and representation; union democracy and decision-making; collective bargaining and political influence and legitimacy.

Membership and Representation

One of the most important challenges to trade unions is the decline in membership and representativity. There has been a loss of membership density (the proportion of employed workers who are union members) over the last three decades. As Table 1 indicates, this varies radically, from under 8% in France and Estonia to (until recently) over 80% in Sweden. Membership in some countries has fallen drastically and almost continuously for three decades; in others the decline began later and has been less severe. The composition of union membership often reflects the structure of the labour force several decades ago, concentrated among male manufacturing workers and public employment, with weak representation in the expanding private services sector. Density is far below average for younger age groups.

[Table 1 about here]

But it is important not to overstate the importance of membership: this varies between the country groupings established above. Despite extremely low membership, French unions possess considerable mobilising capacity. In many countries, unions benefit from institutional supports which have traditionally reduced the need to recruit members. For example, in the Nordic countries, their role in administering public unemployment insurance (often referred to as the 'Ghent' system – add reference) made it unnecessary for unions to recruit actively; but these systems have now been weakened. Multi-employer bargaining, and legal provisions for the extension of agreements to all firms in a sector, have in many countries ensured comprehensive coverage of collective agreements irrespective of membership levels, as Table 1 shows. But if union membership declines, these bargaining institutions can lose their efficacy; the content of sectoral agreements is being hollowed out as decision-making shifts towards the individual company. Recognition as 'social partners' is another institutional support; but here too, membership decline often reduces political influence and social legitimacy. Since the collapse of the former regimes, unions in CEE have generally lacked the institutional supports common in the west and are particularly dependent on their own resources; but these resources are meagre. Unions lack public legitimacy and a committed membership, hence are unable to demonstrate a capacity as defenders of workers' rights.

We now turn to trade union responses to the challenge of loss of membership density and the associated problem of representation. This is one of the most significant areas where trade unions have concentrated their efforts with regard to migrant workers. Unions in Europe have responded to this challenge to different degrees and in a variety of ways. Some have remained complacent but most now take seriously the challenges of recruitment, representation and mobilisation. In some, but by no means all countries, the 'organising model', initially proposed in the USA, has been embraced. However, what this means is often unclear, ambiguous and contested. Is 'organising' simply a toolkit which can be applied selectively, or does it require an integrated approach with a radical rethinking of broader trade union objectives and ways of operating?

Unions in Britain and Ireland have been particularly receptive to the American 'organising model', because they lack most of the institutional supports common in continental Europe and must recruit and negotiate company by company. In 1998 the British TUC opened its Organising Academy, consciously imitating American practice. To a lesser extent, similar challenges have also stimulated attention to 'organising' in the main German unions. Organising has represented a major challenge for CEE unions. Between 1990 and 2008, unions lost two-thirds of their members, more than twice the decline over the same period in the west. Most state-owned companies – traditional union strongholds – were closed or downsized, while greenfield sites and new small and medium enterprises were virtually union-free. Unions faced a double task: to strengthen their membership base, especially in relation to non-traditional groups of workers, but also to ensure that the interests of newly recruited members are adequately represented within the organisations.

The growing numbers of workers on precarious contracts (disproportionately composed of women, migrants and ethnic minorities and young people) are in all countries far less unionised than the rest of the workforce. Union responses have taken many forms, involving organising and recruitment, revisions to internal structures and new industrial, political and societal policies and actions. But do unions wish to represent precarious workers? They naturally oppose the deterioration in job security, pay rates and terms and conditions of employment that has accompanied precarious work, and have opposed initiatives by employers or governments to expand temporary and agency work and contracting-out. However, opposition to precarious work has also meant, in practice if not by design, that many unions have excluded precarious workers, for example by limiting membership to those working over a specific number of hours or with a particular contract of employment. Conversely, some unions have tacitly accepted the outsourcing of risk as a means of enhancing the security of their core members, creating a conflict of interests between 'protected' and precarious groups.

Even when not formally excluding such workers, in the past few unions actively recruited them because of the difficulty and expense, while failing to address their specific concerns in their services, collective bargaining and proposals for legislation. However, most unions have come to understand that the increase in atypical work undermines their power resources and weakens their capacity to act, and organising precarious workers has therefore become a priority for many unions and confederations. In France, for example, the CGT has a dedicated youth organisation; the CFDT has devoted resources to recruiting trainees and students, and in call centres and temporary work agencies where many young workers are employed. Both confederations dedicate resources to campaigns among agency workers and those with other precarious forms of employment, but with few sustained gains in membership.

In both Spain and Portugal, where over one worker in five, and the majority of younger workers, are on precarious contracts, the main unions have established special departments for young workers and immigrants, as well as for women. In Italy, all three major confederations have created separate unions for temporary workers. Together they claim a membership of some 120,000 – a small proportion of the total precarious workforce, but more impressive than parallel efforts in other countries. In some ways, organising atypical workers into entirely separate unions is structurally easier than accommodating them within existing union bodies. However, this may also be seen as a means of marginalising such workers, rather than mainstreaming their organisation within the core sectoral union structures. It also raises acutely the problem of cross-subsidising their recruitment and representation, which almost inevitably involves more resource costs per member than for ‘typical’ workers.

Both Britain and Ireland opened their labour markets to CEE workers with EU enlargement in 2004, whereas all other ‘old’ member states except Sweden imposed transitional restrictions; both experienced a substantial wave of immigration, primarily from Poland. Migrants are often employed as agency workers under far inferior conditions to those of native-born workers, posing a threat to established standards; and in both countries, unionisation rates are far lower. As a result of such challenges, unions have moved towards an ‘organising culture’, particularly aimed at young, migrant and precarious workers. In the British case it is important to differentiate between ethnic minority workers, most of whom are UK-born or settled residents and have long had representative mechanisms in most unions, and migrant workers, some of whom are from ethnic minorities (and often undocumented) but many of whom are from other EU countries, particularly Poland, in many cases sent by foreign agencies. Some unions have used language training as a recruitment mechanism, and several have appointed officials fluent in the languages of migrant workers, although this can be very resource-intensive.

In the Nordic countries, it is common for unions to provide information to young people in schools and colleges and to recruit student members at nominal subscriptions or without charge. Nordic trade unions have been particularly active in responding to the risk of ‘wage dumping’ by migrants from the new member states, particularly in the construction sector: in the absence of statutory minimum wage mechanisms, the Laval and Viking judgments of the ECJ threatened union capacity to maintain an acceptable wage floor. The construction union in Norway, for example, has undertaken systematic work to disseminate information in their own languages to workers from Poland and the Baltic states, providing language courses and achieving some success in recruitment.

Union efforts face the familiar dilemma that workers with the greatest need for collective representation and solidarity are often hardest to organise. In part this reflects a vicious circle: in countries where unions must win representative status workplace by workplace, most workers will only join a union if it shows its effectiveness by gaining recognition and negotiating improvements; hence membership remains low and the employer can refuse bargaining rights.

Even precarious workers have on occasion undertaken successful collective action of a traditional kind. Notably, contract cleaners on the Dutch railways and at Schiphol airport, most of them immigrants, undertook an extensive strike which won improved pay and

conditions. This struggle, and a similar campaign for a living wage for cleaners in London, profited from coalitions between trade unions and community and religious groups. Similar successful strikes have been undertaken by mainly young, ethnic minority workers in Parisian fast-food outlets. What is clear from these cases, however, is that success depends on long and careful preparation in order to build collective identity and collective confidence, and not all unions have the resources or commitment to make such an investment.

In CEE, the intensity of membership and representation problems has varied. In Slovenia, given relatively high density and extensive collective bargaining coverage, unions could rely on their institutional position within the political and economic system, using workplace negotiations and social partnership deals not so much to cater to the interests of non-traditional workers or to attract them to the unions, but rather to limit the extent of atypical employment. At the same time, they tried to make sure that wages and working conditions of precarious workers were in line with labour legislation and collective agreements.

By contrast, the weaker Baltic unions have been well aware of the need to broaden their membership base, but the acute lack of resources prevented them from launching large-scale organising campaigns. During the economic crisis, unions in all three countries staged anti-austerity protests and tried to protect jobs and working conditions of precarious workers, but could not reverse the falling unionisation trend. No major organising drives have so far taken place in Bulgaria and Romania, either. In the pre-crisis period, three out of five Romanian confederations undertook some attempts to bring vulnerable workers from the shadow economy back to legal employment, whether the latter was based on an atypical or standard employment contract.

Unions in the Visegrád countries (Poland, Czech Republic, Slovakia and Hungary) have a weaker institutional position than in Slovenia, but possess more resources than in the Baltic states and South-East Europe. This both requires and enables them to adopt a more proactive approach, with (at least partial) openness to a broader set of societal interests. Polish trade unions have been particularly active: *Solidarność* launched a major organising drive targeting security guards, and also recorded membership gains in the automotive industry and the retail sector, after a successful campaign for shop closures during public holidays. Polish unions have also highlighted the problem of precarious employment: the label 'junk contracts' was picked up by mainstream unions and entered public discourse.

Union Democracy

The degree of internal democracy within trade unions is a major factor both in their power resources and in the nature of their decision-making. Most trade unions insist that they are democratic organisations; but how democracy is understood varies greatly. The relative powers of national officers, executive committees and conferences, the degree to which middle-range officials are elected from below or appointed from above and the balance of authority between confederations and their affiliated unions all differ between and within countries. Cross-national differences reflect diverse understandings of the meaning of union democracy, but also relatively contingent decisions made a century or more ago: for example, unions subject to state repression often adopted highly centralised, almost military methods. Unions in some countries (such as Germany) have a high ratio of paid officials to members; others depend heavily on 'lay' activists (as in Britain and France). In most unions, organisational structures exist at workplace level, but patterns of authority between such structures and the national, regional or local union are complex and shifting; an added complexity in many countries is the relationship between workplace union representation and works councils.

All trade union movements tend to embrace a two-way conception of democratic policy-making. In one direction, members at the grassroots level meet to discuss policy questions, not least in respect of collective bargaining, elect their own local officers and also choose representatives to participate in higher-level structures (district, regional and

ultimately national). There is also a general principle that top officials are either directly elected or else are chosen by a representative conference or congress. In some countries, there is a strong tradition of election of lower-level paid officials as well. In the other direction, the democratic credentials of top leaders and executive committees give them the authority to prescribe a policy framework for the lower levels of the union.

The nature and degree of union democracy have a direct influence on the development of union attitudes and policy toward migrant workers: Once they have been recruited and brought into the union, migrants have to be able to exercise their democratic influence within the union and work with others to develop appropriate policies and actions to support fellow migrants. If the union is dominated by a white male elite, and lacks debate, this influence will not be effective in changing the union culture from below. And our studies have shown that changing the culture around race and ethnicity is not something that can be imposed from above.

Union Structures

In all European countries, most (though usually not all) trade unions of any significance are affiliated to peak confederations. Only Austria, Britain, Ireland and Latvia have just one central body. Austria is exceptional in that there exist only seven trade unions, all affiliated to the ÖGB. In Ireland, very few unions, all small, are outside the ICTU. In Britain, the TUC contains only a minority of registered unions but almost 90% of total membership; the only substantial unions outside its ranks are specialist bodies in the health service. Though post-war German trade unionism was remodelled along similar lines to its Austrian counterpart, the DGB has always faced rivals.

Elsewhere there is greater diversity. In the Nordic countries, there are separate confederations for manual, routine white-collar and professional employees. In Greece, the main organisational division is between GSEE in the private sector and ADEDY in the public, though internally both confederations have complex and fragmented structures.

In other countries, the primary basis of division is ideological: or at least, competing confederations derive from *past* ideological identities which may have lost much of their force over time. This is most obvious in the Netherlands, where the socialist and catholic movements merged over three decades ago. In Belgium too, old ideological conflicts have become muted. Switzerland has two rival confederations, derived from socialist and christian ideological traditions, though the distinction in part overlaps with the manual/white-collar divide. In Italy the clear political differences which caused the split into today's three main confederations have also become diluted, and a joint platform is often possible. There is also competition from numerous smaller organisations, some associated with right-wing political currents, others protagonists of militant sectionalism, particularly in the public sector. The pattern in Spain is similar, though in Portugal the division between the two main confederations remains sharper. The most complex picture is in France: the five confederations traditionally regarded as 'representative' face competition from a number of more recent rivals, including the radical leftist SUD. Unified action, whether in collective bargaining with employers or in political mobilisation, is rarely achieved and is usually fragile. Whether new rules on representativeness will simply this extreme fragmentation despite very low membership is as yet uncertain.

In some countries, individual unions are autonomous and merely delegate to the confederation certain functions which they feel cannot be undertaken separately, or at least only at greater cost, such as political lobbying and public campaigning. The British TUC is an obvious example. In Germany a similar relationship now exists, and debates about the future role of the confederation have shown clear tensions between larger affiliates, which would prefer to provide the bulk of services 'in-house', and smaller unions which lack the resources to do so.

At the other extreme, unions may be subsidiaries of the central confederation, to which they pay their subscriptions and which then distributes resources to its individual

(usually sectoral) affiliates. While many countries once approximated to this model, in general there has been a gradual loss of central authority. In Austria, in theory member unions are sub-units of the ÖGB itself, which exercises control over their finances and functions. In practice, they possess far greater autonomy; but the confederation still has a significant say in collective bargaining strategies, as well as deriving considerable authority from its role in 'social partnership'. LO confederations in the Nordic countries once had stronger control over affiliates than today, when collective bargaining is more decentralised.

The countries with ideologically divided movements traditionally had strong confederal authority. This was particularly true of communist trade unionism, but today most former communist confederations are themselves ideologically divided. In most Southern countries, it is normal for confederations to determine the subscription levels and the proportion of income to be allocated to the sectoral organisations, though in some cases the latter may choose to set additional fees to supplement their own funds. An important question, which links closely to the degree of autonomy in collective bargaining, is the payment of strike benefits. For example, in the Netherlands the FNV defines overall collective bargaining targets and provides the bulk of funding for strikes by its affiliates if their demands are within specified limits; otherwise they have to use their own resources. In the Nordic countries, similar provisions apply.

In CEE countries, the old division between reformed 'official' organisations and their counterparts created in opposition to the former system still holds strong. Also, in many countries plant-level union activists do not want to grant additional competences and resources to their colleagues at sectoral and confederal levels, which precludes union centralisation.

The Visegrád countries offer a very heterogeneous picture. In Czechia and Slovakia, ČMKOS and KOZ SR, the successors of the reformed Czechoslovak ČSKOS, are dominant. Polish trade unionism, by contrast, was long marked by sharp political conflicts between NSZZ *Solidarność* – the challenger to the former regime – and the 'reformed' OPZZ. In 2002, a third large confederation emerged, *Forum ZZ*. In Hungary the split between former 'official' unions and those emerging from the democratic opposition has also been very pronounced. Inter-union competition and conflicting political allegiances have precluded strategic cooperation among confederations, discouraging each from joining protests called by their rivals.

The structure of the Baltic trade unions is diverse. In Latvia, LBAS is the only national confederation, and all significant unions are affiliated. Estonian unions are divided along occupational lines between EAKL, which covers mainly manual workers, and TALO, which is mainly white-collar. There are three Lithuanian confederations, based on ideological differences, though they now largely cooperate.

In Slovenia, trade unionism was initially divided between the 'successor' ZSSS and the 'new' KNSS, and other rival organisations have since emerged. In Bulgaria, the division between 'old' KNSB and 'new' *Podkrepa* is still present, but the two confederations usually take similar positions and initiate joint protest actions. Romania has a more fragmented structure, with five umbrella organisations reflecting different ideological roots but usually able to cooperate.

The varying forms of union structure, like the degree of union democracy, have a profound influence on the nature of union decision-making, and have an impact on the nature and form of support to migrant workers. It is interesting to note that the unions in ideologically divided union movements, such as those in Italy and France, have shown an earlier and stronger interest in representing and recruiting migrant workers than many others. Whether this is a causal relationship is difficult to say, but it is plausible that these unions have retained a higher degree of ideological purpose, often linked to moral power resources, that has led them to regard the representation of these workers as a moral or ideological imperative.

Collective Bargaining

Despite declining union membership, in most countries collective bargaining remains institutionally robust. As Table 1 shows, regulation by collective agreements before the crisis was comprehensive: apart from Britain, Ireland and most CEE countries, where only a minority of the workforce was covered, the rate exceeded 80% except in Germany. Quantity is not however the same as quality; and an increasing dilemma for unions is whether to accept a dilution of the content of agreements, and perhaps also a reduction in their scope, as the price of sustaining a bargaining relationship.

There has been a widespread shift in bargaining from the sectoral (or cross-sectoral) level, where unions benefit from economies of scale in the negotiating process and the outcomes are more transparent, to company level. This requires competent negotiators in each bargaining unit, and it is far harder to ensure that prescribed standards are maintained. Bargaining at company or workplace level has always occurred, but normally to supplement the terms of multi-employer agreements. In many countries, lower-level agreements could not undercut those at higher levels. But decentralisation has weakened the regulatory compass of multi-employer agreements (for example, determining only minimum pay rates; and many countries have seen moves to allow company-level derogation from the terms of multi-employer agreements, particularly since the crisis. Decentralisation creates particular problems where unions have low membership density and little integration between national and workplace structures. Even in countries with stronger institutions, such as Germany, decentralisation has brought a growing low-wage sector with a precarious workforce, weak unionisation and often without either collective bargaining coverage or works councils.

Though all Europe was affected by the global economic crisis, the impact varied considerably across countries. Ireland – with its housing bubble and deregulated financial sector – was the first victim; the cost of rescuing failed banks more than doubled government debt between 2008 and 2010. A bail-out from the ‘Troika’ of the EU, European Central Bank (ECB) and International Monetary Fund required a drastic austerity package which prolonged the recession and caused increasingly high levels of unemployment. In both Spain and Italy, threats to eurozone membership brought direct intervention by the ECB, leading first to radical cuts in public expenditure and public employment and then to more systematic changes in the industrial relations regime. Greece and Portugal suffered even more brutal intervention by the ‘Troika’, with demands for the decentralisation of collective bargaining, reductions in minimum wages and the removal or restriction of provisions for extension of agreements. However, drastic austerity programmes, imposed externally or by the ideological decisions of national governments (as in the UK), have been far from universal.

With often depleted resources as a result of a long-term loss of membership, unions at national level were not well placed to respond to the crisis: ‘generally they have been in disarray when confronted by a historical process in which they no longer feel involved’ (Dufresne and Pernot 2013: 14). Even radical actions, whether company-level conflicts or national general strikes – most notably in Greece and Spain – have often been defensive in objectives. This does not mean, however, that such actions have been unsuccessful, even though Deppe (2013: 10) refers to the ‘impotence’ of mass protests. As Hamann et al. have shown (2013), general strikes have tended to force concessions from governments, for whom they also often have adverse electoral consequences. However, much of their data derive from the period before the crisis; as suggested above, governments seeking to impress international creditors may welcome confrontation with trade unions as a demonstration of fiscal rectitude. Conversely, efforts to seek consensual solutions through social dialogue have confronted an intensified opposition of class interests (who will pay for the crisis?) and diminished space for positive-sum outcomes.

Though the collective bargaining environment in all countries has placed unions on the defensive, there are signs of innovative responses. We provide some illustrative examples of particular relevance to migrant workers. With the advance of mass manufacturing in the twentieth century, unions in most countries attempted to standardise

conditions in order prevent employers from discriminating between workers. Yet workers' preferences may vary, in part because of the diversity of their individual circumstances. One means of adapting to such diversity is the pursuit of more flexible forms of regulation, particularly in respect of the organisation of working time. A pioneer in this process has been the Netherlands, where in 1993 a peak-level policy document recommended more flexible agreements, particularly in respect of performance-related pay. This was followed by the growth of 'à la carte' or 'cafeteria' collective agreements, allowing for instance a choice between increased pay or reduced working time. There have been similar developments in Denmark, with collective agreements providing 'free-choice accounts' which can be used for extra holidays, as pension savings or taken as increased pay. As a result, in these and other cases, many migrant workers were able to plan time off for religious observance or for longer visits to relatives in their native countries.

Innovations in collective bargaining strategy are often designed to foster capacity-building at workplace level. An example is the campaign entitled *Besser statt billiger* (better rather than cheaper), launched by *IG Metall* in 2004, against the background of widespread employer demands for cost-cutting reductions on employment levels and adverse changes in work arrangements. In association with the campaign for 'good work', the union aimed to move beyond a defensive and reactive response by developing alternative proposals for product innovation and new production methods, formulating arguments and analyses which could help mobilise members behind their workplace negotiators. Such proactive policies have helped unions to counteract pressure from employers for further deteriorations in terms and conditions of work. In general, innovative approaches to collective bargaining have revitalised an often ossified part of trade union work and allowed migrant workers to become more involved in this 'core' area of work for the union, more able to assure the inclusion of their interests in collective bargaining demands.

Political Influence and legitimacy

Finally, we look at the political role and influence of trade unions, which has eroded in most European countries in recent years, but to varying degrees. This has had a significant impact on the nature of their political links and orientation (and so influencing their stand on migrant workers) as well as their ability to defend the interests of these and other workers. In many cases, the very legitimacy of trade unionism is under threat from neo-liberal and far-right governments, the latter of which also have the most anti-immigrant policies. The political orientation and influence of trade unions varies, but their origin is intrinsically linked to the origin of mass political parties, typically of the left. In many European countries, trade unionism was an offshoot of an emergent working-class movement in which political radicalism shaped union identity and action: the task was to challenge capitalism, not to seek modest reforms within it. Where more moderate, social- or christian-democratic trade unionism prevailed, a focus was still on societal change. Ideologies inherited from the formative period of trade unions have proved persistent. This has been most evident in the re-orientation of (former) communist unions in southern Europe: the increased priority assigned to collective bargaining has often provoked substantial resistance from 'traditionalists'.

In Europe as a whole, economic crisis made the state a key interlocutor, even for unions which traditionally drew a line between 'economic' and 'political' action. Financial assistance to struggling employers, special subsidies to maintain income in cases of short-time working and extensions to active labour market policies – all widespread trade union demands – required engagement in the political arena. Conversely, government attempts to tackle budget deficits through attacks on public sector jobs, pay and pensions, and more general assaults on the welfare state, have forced even reluctant unions in sharp political conflicts.

Historically, unions in most of Europe emerged with a close and often subordinate relationship to political parties; but over time, the links have generally been weakened, or

abandoned altogether (though formal separation may still permit close informal interlinkages).

Three key developments have affected all European countries though to differing degrees. The first is cultural and ideological. Secularisation has undermined the identities of formerly christian-democratic unionism: the only significant exceptions are the Belgian ACV/CSC, the much smaller Dutch CNV, and *Travail Suisse*. An analogous process occurred in countries with mass communist parties and satellite trade unions. The CEE countries are clearly a special case, which we discuss below; in the southern countries where communist parties once dominated the left, there has been a drastic decline. Social democracy has proved electorally more robust, but in most countries is far weaker than a few decades ago. Indeed in a post-Keynesian world, there is no clear consensus on what social democracy stands for.

The second key development is structural. Traditionally, both unions and left-oriented parties found their core support among manual workers in cohesive industrial communities. The decline of old industries, the growth in white-collar and professional occupations and, more generally, rising educational levels have posed challenges for both unions and parties. Social-democratic parties have in turn tended to take their dwindling working-class base for granted while targeting the 'median voter', resulting in policy convergence with their opponents to the right.

The third key change is the advance of neoliberalism. The pursuit of international competitiveness, efforts to contain public finances, loss of faith in Keynesianism and conversion to 'lean government' have become as much the hallmarks of centre-left as right-wing governments. Neoliberal restructuring places inevitable pressures on the party-union nexus: electoral expediency, or simply the limited room for manoeuvre in the management of national economies within global economic disorder, places social-democratic parties on a collision course with union movements whose own commitments include the defence of workers' incomes and the social achievements of past decades. Little is left of a social-democratic 'project' to inspire either parties or unions and to bind them together.

The picture in CEE is evidently distinctive. Under the previous regime, unions did not act as autonomous organisations but were dominated by communist parties. By and large, their role was to discipline workers at state-owned enterprises and familiarise them with party decisions and policy plans; they also performed certain social functions. After the system collapsed, links between political groupings and organised labour emerged, but involving much less mutual loyalty than in the west. Political parties, which in most CEE countries were stronger than their union partners, would default on their promises and pursue policies that went against workers' interests. All in all, party-union links forged in the transition period have weakened labour rather than boosting employee rights (Avdagic 2004).

The weakening of trade unions' influence over their traditional 'fraternal' parties can be interpreted as part of a more general decline of their own representativeness and mobilising capacity. Unions have lost elements of their former structural and organisational power; while the diminished effectiveness of long-established political channels can be regarded as one index of the erosion of their institutional power. In many countries, this has encouraged a search for new alliances and coalition-building.

Such a strategy can increase access to new constituencies: this is particularly important for efforts to recruit previously unorganised (or weakly organised) groups of workers. Coalitions may also be a source of added legitimacy for union campaigns: working with community or religious organisations may help unions recruit ethnic minority members and migrants, and a common campaign with relevant NGOs may strengthen union claims to represent a broad public interest. Finally, alliances can strengthen unions' mobilisation capacity, particularly when working with NGOs that possess a vibrant activist base.

Relations with external organisations and groups often involve tensions. Union officials often stress that their organisations possess a substantial paying membership and established procedures of internal democracy, unlike many other 'civil society organisations'. Conversely, some NGOs regard unions as part of the establishment, reluctant to engage in

radical action which might threaten their institutional status. Certainly, most unions are very hesitant in associating with groups engaged in extra-legal (even if non-violent) direct action, partly because their own material resources might be exposed to sanctions, but more fundamentally because their own ideology and identity are often centred around their role as 'social partners'. Frictions can also arise from jurisdictional conflicts: for example, do unions or women's groups have the primary right to represent the distinctive interests of women workers?

There is a long history of unions seeking allies in organising consumer boycotts of employers with which they are in dispute; such collaboration has become a vital element in the defence of public services in the face of privatisation and budget cuts. A notable example is the initiative of the British TUC, together with a number of its public sector affiliates, which in 2010 funded the launch of a web-based campaign bringing together trade unions and a range of national and local groups and social media campaigners to develop anti-cuts activities.

Another focus concerns issues of equality and identity, which have become part of the union agenda in most countries. In general, unions have been relatively late to embrace the rights of women, LGBT workers, migrants and ethnic minorities, and workers with disabilities; in all these cases, advocacy groups and organisations pre-existed trade union engagement. Moreover, in many cases those campaigning *within* trade unions for the rights of such groups are also active as part of external collectivities, hence bridging the different components of emergent alliances. Particularly in the case of representation of the interests of minority ethnic workers, collaboration with other groups fighting discrimination may lead directly to broader anti-racist and anti-fascist campaigns.

Conclusion: Regaining the Initiative?

There is a paradox at the heart of trade unionism: at one and the same time, unions are social movements with the goal of social betterment, but also often conservative bureaucracies which opponents can depict as defending vested interests. Unions require stable organisation if they are to be effective, and established procedures if they are to be democratic; and they cannot ignore the core membership who pay their contributions. But they also need moral power resources: they are not mere insurance companies, and can survive only if they express a social ideal and a social mission. Managing this paradox demands great strategic imagination.

The development of moral power resources requires a set of values. Any live and democratic movement will contain areas of debate and division over their precise content. The different ideological traditions discussed earlier have embodied very different conceptions of a better socio-economic order and the means to attain this.

This links closely to another issue: how do unions 'frame' their case? Everyone possesses a world-view, however inchoate, a set of beliefs and assumptions which make sense of a complex social environment and act as selective filters for what is heard. Today, such world-views are predominantly shaped by the 'common sense' of neoliberalism: the notion that acquisitiveness is an unquestionable virtue, that money is the measure of all things, that 'free' markets are unquestionably efficient and virtuous. To get their message across, unions must undermine these dominant frames by identifying popular beliefs which can be aligned to the movement's own objectives. So, for example, the central purpose of trade union action can be presented as the pursuit of social justice, the struggle for economic and industrial democracy, the defence of humanity and autonomy against precariousness and stress at work, the search for opportunities for self-development in employment. All share a master narrative: trade unions are collective means for workers to defend their human rights against the dehumanising imperatives of profit. Framed in these terms, union policies and actions can resonate with deeply held, if often subsidiary elements in people's everyday understanding of economy and society.

What general conclusions can we draw? First and foremost, there are no 'quick fixes' through which unions can regain the initiative: revitalisation requires strategy, not just tactics. So, for example, the 'organising model' which unions in many countries claim to have embraced is not just a set of techniques. A serious 'turn to organising' means rethinking the aims and objectives of trade unionism, the constituencies that unions attempt to represent, the forms of action which they adopt and the nature of their internal democratic processes. Or to take a very different example, union mergers can fail when they are perceived as an organisational short cut without adequate attention to the need, and the opportunity, to redesign trade unionism along innovative lines and to embrace the interests and aspirations of a wider constituency.

On the issue of migrant workers, we can now see the complexity of the internal as well as external structures and circumstances that frame unions' ability to decide what attitude to take toward these workers, and then how best to represent them. Unions have moved from resistance to inclusion, and sometimes back again, not only as a result of their own members' attitudes but also in relation to the power resources at their disposal and the actions and attitudes of external bodies such as employers, political parties and governments. In many cases, as we have seen, the need for union revitalisation has led to a focus on organising and representing migrant workers, but these are much more advanced in some countries and union movements than in others. Later chapters will go into further detail on many of these countries, but we have found that it is largely unions that have a higher degree of ideological identity, greater internal democracy, and more robust power resources (but not too robust, as this can lead in the opposite direction – toward atrophy) have been most receptive to the inclusion and representation of migrants and ethnic minority workers.

One reason for the relative infrequency of strategic innovation is that this raises difficult 'political' questions. Trade unions possess strong organisational inertia, because strategic change threatens established internal power relationships, while any reallocation of resources to reflect new priorities creates losers as well as winners. There are usually many veto points which can block contentious change.

Strategic innovation cannot simply be a matter of blueprints designed at head office level. They must be translated into action, which means engaging the 'willingness to act' of grassroots members and representatives. Effective innovation is most likely where unions maintain a permanent and active internal dialogue, cultivate the 'social capital' of their members, and use their mechanisms of internal education to develop and replenish 'organic intellectuals' who can provide a reflective bridge between leadership and rank and file. Many unions seem to have lost a belief in their own capacity to achieve a better economy and a better society. What is needed is a new, imaginative counter-offensive. Unions have to believe, and demonstrate, that a better future is possible.

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Table 1. Trade Union Density and Collective Bargaining Coverage

	Union Density				Bargaining Coverage			
	1980	1990	2000	2014 ^a	1980	1990	2000	2014 ^a
FI	69	73	75	69	77	81	86	93
DK	79	75	74	67	72	69	80	84
SE	78	82	80	67	85	88	91	89
BE	54	54	49	55	97	96	96	96
NO	58	59	54	52	70	70	72	67
IT	48	39	35	37	85	83	80	80
IE	64	57	40	34	64	60	55	41
AT	57	47	37	27	95	99	99	98
UK	51	39	30	26	70	54	36	30
SI		69	42	21	100	100	65	
EL		39	34	22		65	65	42
RO	100	80	40	20				35
BG	98	81	28	18			40	29
DE	35	31	25	18	78	72	64	58
NL	35	24	23	18	79	82	86	85
PT	55	28	22	19	70	99	92	73
ES	19	13	17	17	76	82	83	78
CH	28	28	23	16	48	44	42	49
CZ			27	13			41	47
SK			32	13			51	25
LV			26	13			18	15
PL	65	37	17	13			25	15
HU	94	83	22	11			47	23
LT			17	9			15	10
FR	18	10	8	8	85	92	95	98
EE		94	15	7			29	23

^a For some countries, 2013

Source: ICTWSS database, based on national sources (Visser 2015)