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Grünell, M.

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→ The Netherlands: The representativeness study of trade unions and employer associations in the Horeca sector

The Horeca sector is a small, dynamic sector of the Dutch economy, employing around 4% of all employees. Nearly 90% of companies are small and employ fewer than 10 employees. The employers are mainly organised in the Royal Dutch Horeca, while the employees are mainly organised in the Horeca union of FNV. The economic crisis has had a major impact on the sector's employment. The collective labour agreement, which is extended to the whole sector, comes close to legal minimum standards.

Sectoral properties

Economic background

The Horeca sector is a small, dynamic sector of the Dutch economy, employing around 4% of employees. The sector deals mainly with the domestic market, so the crisis is being felt over a longer period. Nearly 90% of companies are small and employ fewer than 10 employees. The collective labour agreement, which is extended to the whole sector, comes close to legal minimum standards. The employers are mainly organised in the Royal Dutch Horeca ([KHN](#)), while the employees are mainly organised in the Horeca union of [FNV](#). The main union is [CNV Vakmensen](#), with De Unie-Federation of Managerial and Staff Unions ([De Unie-MHP](#)) also playing a role in the sector.

Development of employment

Table 1: Sectoral properties

	1999	2009
Number of companies in the sector	38,905	38,515
Source of company data	please describe	please describe
	2000	
Aggregate employment	0	0
Male employment	0	0
Female employment	0	0
Share of sectoral employment in %	0	0
Source of employment figures	please describe	please describe
Comment	if employment is taken from another source than the one provided, please provide your reasons, referring to meta-data.	
	1999	
Aggregate employees	235,400	309,000
Male employees	109,700	147,700
Female employees	125,700	161,300

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- [Netherlands: country profile](#)

Share of sectoral employees in %	0	0
Comment	Central Bureau for Statistics/Statline	

2. The sector's trade unions and employer associations

This section includes the following trade unions and employer associations:

(i) trade unions which are party to sector-related collective bargaining (In line with the conceptual remarks outlined in the background information included in the accompanying excel spreadsheet, we understand sector-related collective bargaining as any kind of collective bargaining within the sector, i.e. single-employer bargaining as well as multi-employer bargaining. For the definition of single- and multi-employer bargaining, see 4.2)

(ii) trade unions which are a **sector-related** member of the sector-related European Union Federation (i.e. **EFFAT – European Federation of Food, Agriculture and Tourism Trade Unions**)

(iii) employer associations which are a party to sector-related collective bargaining

(iv) employer associations (business associations) which are a member of the sector-related European Employer/Business Federation (i.e. **Hotrec – Hotels, Restaurants and Cafés in Europe**)

2a Overview of the Industrial relations landscape in the sector

Please include a brief overview of the IR landscape in the sector (3-5 sentences) – summarising the most important features of industrial relations structures in the sector (based on the fact sheets – but without going into detail.)

Please also report here, whether the crisis had an impact on the sector's relevant social partner organisations (e.g. mergers, emergence of new interest organisations, impact on membership structure, important social partner activities/achievements in the sector during the crisis etc.).

The Horeca Union of the Dutch Federation of Unions, the FNV, says the economic crisis had a major impact on the sector; putting downward pressure on collective negotiating, and making the collective agreement a crisis agreement. In 2011 the sector began to recover. A main driver of change might be the shortage of personnel in the near future.

The employer organisation Royal Dutch Horeca (KHN), also stresses that the economic crisis had a major impact on the sector, which has lost 30,000 jobs since 2009. Many labour contracts were not renewed and few companies implemented the terms of the temporary short-time working Act. The economic shrinkage meant companies (and consumers) had less to spend, so companies invested less, as fewer customers implied the need for fewer employees. The downward pressure on collective bargaining results therefore has to be seen as part of a chain of negative developments that hit the sector. Results are still disappointing. While those sectors which can export, are recovering, sectors such as the Horeca, relying on the domestic market, are still vulnerable.

The main drivers for change will be that the shortage of personnel will soon have an impact, and the economic position of employers. This issue is, in the long run, of greater importance than the economic crisis.

2b Data on the trade unions

Table 2: Union Fact sheet: Federation of the Dutch Labour Movement (FNV)

Affiliation to multinational organisations	Please give full names (when listing the org. for the first time) and abbreviations.
Affiliation to European-level organisations	EFFAT
Affiliation to national-level organisations	Federatie Nederlandse Vakbeweging (via FNV Bondgenoten)
Engagement in sector-related collective bargaining	yes
Type of membership	voluntary
Consultation in sector-related matters	yes
Union's domain with regard to sector	congruence

Domain overlap with other unions in sector	yes		
Domain overlaps occur with the following unions in the sector	CNVvakmensen, De Unie		
	2010		
'Active' union members total (in employment)	460,000		
Union members (incl. non-employed), total	460,000		
	2010		
'Active' union members in the sector (in employment)	22,000		
Union members in the sector, total (incl. non-employed)	22,000		
Female membership as a % of total members	47%		
Source of sectoral membership figures	administrative		
Union density - active members	Rough estimate - in case no 'exact' figures are available		
Sectoral density - active members	7.0%		
Sectoral domain density - active members	7.0%		
Union density - total members	n.g.		
Sectoral density - total members	7.0%		
Sectoral domain density – total members	7.0%		
Description of union's domain with regard to sector	The domain is the sector.		

Table 3: Union Fact sheet: The National Federation of Christian Trade Unions (CNV Vakmensen)

Affiliation to multinational organisations	Please give full names (when listing the org. for the first time) and abbreviations.		
Affiliation to European-level organisations	EFFAT		
Affiliation to national-level organisations	Christelijk Nationaal Vakverbond (CNV)		
Engagement in sector-related collective bargaining	yes		
Type of membership	voluntary		
Consultation in sector-related matters	yes		
Union's domain with regard to sector	overlap		
Domain overlap with other unions in sector	yes		
Domain overlaps occur with the following unions in the sector	Horeca union FNV, De Unie		
	2010		
'Active' union members total (in employment)	140,000		

Union members (incl. non-employed), total	140,000		
	2010		
'Active' union members in the sector (in employment)	2,000		
Union members in the sector, total (incl. non-employed)	2,000		
Female membership as a % of total members	45%		
Source of sectoral membership figures	administrative		
Union density - active members	1.0%		
Sectoral density - active members	1.0%		
Sectoral domain density - active members	high: 76%–90%		
Union density - total members	1.0%		
Sectoral density - total members	1.0%		
Sectoral domain density - total members	n.g.		
Description of union's domain with regard to sector	commercial (market) activities.		
Representation of other groups than employees in the sector	no		

Table 4: Union Fact sheet: De Unie - Federation of Managerial and Staff Unions (De Unie-MHP)

Affiliation to multinational organisations	Please give full names (when listing the org. for the first time) and abbreviations.		
Affiliation to European-level organisations	ETUC		
Affiliation to national-level organisations	Centrale voor middelbaar en Hoger personeel (CMHP)		
Engagement in sector-related collective bargaining	yes		
Type of membership	voluntary		
Consultation in sector-related matters	yes		
Union's domain with regard to sector	sectional overlap		
Domain overlap with other unions in sector	yes		
Domain overlaps occur with the following unions in the sector	Horeca union FNV, CNVvakmensen		
	2010		
'Active' union members total (in employment)	64,500		
Union members (incl. non-employed), total	64,500		
	2010		
'Active' union members in the sector (in employment)	350		

Union members in the sector, total (incl. non-employed)	350		
Female membership as a % of total members	50%		
Source of sectoral membership figures	administrative		
Union density - active members	1.0%		
Sectoral density - active members	1.0%		
Sectoral domain density - active members	0.0%		
Union density - total members	1.0%		
Sectoral density - total members	1.0%		
Sectoral domain density - total members	n.g.		
Description of union's domain with regard to sector	De Unie-MHP has 350 Horeca members, with 64,500 in all other commercial market activities		
Representation of other groups than employees in the sector	The union represents the interests of middle and higher employees, but its membership is open to all employees.		

2c Data on the employer associations

Table 5: Employers' organisation: Royal Dutch Horeca (KHN)

Affiliation to multinational organisations	Ihra		
Affiliation to European-level organisations	Hotrec		
Affiliation to national-level organisations	VNO-NCW		
Engagement in sectoral-related collective bargaining	yes		
Consultation in sector-related matters	yes		
Type of membership	voluntary		
Organisation's domain with regard to sector	congruence		
Domain overlap with other organisations in sector	no		
Domain overlaps occur with the following organisations	n.g.		
	2010		
Number of member companies, total	15,800		
Number of employees in member companies, total	344,250		
	2010		
Number of member companies in sector	15,800		
Number of employees in member companies in sector	344,250		
Source of membership figures	administrative		

Domain density - companies	Rough estimate:		
Sectoral density - companies	52.0%		
Sectoral domain density - companies	Rough estimate:		
Domain density - employees	Rough estimate:		
Sectoral density - employees	72.5%		
Sectoral domain density - employees	Rough estimate:		
Description of organisation's domain with regard to sector	domain is sector		
Representation of particular subgroups of enterprises	Please describe.		

3. Inter-associational relationships

3a Inter-union relationships

3a.1 Please list all trade unions covered by this study whose domains overlap.

FNV Horeca, CNV Vakmensen, and De Unie-MHP. De Unie, with around 350 members, has, officially, a role in signing the collective agreement, but this is effectively symbolic.

3a.2 Do rivalries and competition exist among the trade unions, concerning the right to conclude collective agreements and to be consulted in public policy formulation and implementation?

FNV Horeca and CNV Vakmensen have a professional relationship, knowing that FNV Horeca union is the by far the larger of the two.

3a.3 If yes, are certain trade unions excluded from these rights?

No.

3b Inter-employer association relationships

3b.1 Please list all employer associations covered by this study whose domains overlap.

There is only one organisation, the Royal Dutch Horeca (KHN).

3b.2 Do rivalries and competition exist among the employer associations, concerning the right to conclude collective agreements and to be consulted in public policy formulation and implementation?

Not applicable.

3b.3 If yes, are certain employer associations excluded from these rights?

Not applicable.

3b.4 Are there large companies or employer associations which refuse to recognise the trade unions and refuse to enter collective bargaining?

No.

4. The system of collective bargaining

4.1. Estimate the sector's rate of collective bargaining coverage (i.e. the ratio of the number of employees covered by any kind of collective agreement to the total number of employees in the sector).

The coverage is 100%.

4.2. Estimate the relative importance of multi-employer agreements and of single-employer agreements as a percentage of the total number of employees covered. (Multi-employer bargaining is defined as being conducted by an employer

association on behalf of the employer side. In the case of single-employer bargaining, it is the company or its subunit(s) which is the party to the agreement. This includes the cases where two or more companies jointly negotiate an agreement.)

The multi-employer agreement is extended to the whole sector. There are no single-employer agreements.

4.2.1. Is there a practice of extending multi-employer agreements to employers who are not affiliated to the signatory employer associations?

Yes.

4.2.2. If there is a practice of extending collective agreements, is this practice pervasive or rather limited and exceptional?

Pervasive.

4.3. List all sector-related multi-employer wage agreements* valid in 2009 (or most recent data), including for each agreement information on the signatory parties and the purview of the agreement in terms of branches, types of employees and territory covered.

4.4. List the sector's four most important collective agreements (single-employer or multi-employer agreements) valid in 2009 (or most recent data), including for each agreement information on the signatory parties and the purview of the agreement in terms of branches, types of employees and territory covered. Importance is measured in terms of employees covered.

Table 6: Four most important agreements in terms of employees covered

Bargaining parties	Purview of the agreements			
	2010–2011	Sectoral	Type of employees	Territorial
Royal Dutch Horeca Entrepreneurs (KHN) Unions FNV Bondgenoten, CNV Vakmensen, De Unie	yes	all	no	

5. Formulation and implementation of sector-specific public policies

5.1. Are the sector's employer associations and trade unions usually consulted by the authorities in sector-specific matters? If yes, which associations?

Yes, there is consultation by the authorities, but it is exceptional. The social partners confer in the Commodity Board, the *Landelijke Bedrijfscommissie Horeca* (LBH). This bi-partite committee is settled in the collective agreement. In the LBH the social partners confer on a regular basis.

5.2. Do tripartite bodies dealing with sector-specific issues exist? If yes, please indicate their domain of activity (for instance, health and safety, equal opportunities, labour market, social security and pensions etc.), their origin (agreement/statutory) and the interest organisations having representatives in them:

6. Statutory regulations of representativeness

6a Statutory regulations of representativeness for trade unions 6.1. In the case of the trade unions, do statutory regulations exist which establish criteria of representativeness which a union must meet, so as to be entitled to conclude collective agreements? If yes, please briefly illustrate these rules and list the organisations which meet them.

There are no statutory regulations with regard to representativeness.

6.2. In the case of the unions, do statutory regulations exist which establish criteria of representativeness which a union must meet, so as to be entitled to be consulted in matters of public policy and to participate in tripartite bodies? If yes, please briefly illustrate these rules and list the organisations which meet them.

There are rules on representativeness with regard to participation in the tripartite [Social and](#)

Economic Council (SER) and in the bipartite **Labour Foundation** (STAR). Three union federations are represented in these bodies:

- Federations of Dutch Trade Unions (FNV);
- Christian Trade Union Federation (CNV);
- Federation of Managerial and Staff Unions (MHP).

6.3. Are elections for a certain representational body (e.g. works councils) established as criteria for union representativeness? If yes, please report the most recent electoral outcome for the sector.

No.

6b Statutory regulations of representativeness for employer organisations
6.4. Same question for employer associations as 6.1.

There are no statutory regulations with regard to representativeness.

6.5. Same question for employer associations as 6.2.

There are rules on representativeness with regard to participation in the tripartite Social and Economic Council (SER) and in the bipartite Labour Foundation (STAR). As a result, in these bodies Three employer associations are represented on these bodies:

- VNO-NCW;
- the employer association for SME's ([MKB-Nederland](#));
- the organisation for the agricultural sector ([LTO-Nederland](#)).

6.6. Are elections for a certain representational body established as criteria for the representativeness of employer associations? If yes, please report the most recent outcome for the sector.

No.

7. Commentary

The representativeness of the social partners is not an issue in the Horeca sector. The employers are organised in the Royal Dutch Horeca, while the employees are mainly organised in the Horeca union of FNV. Next to the FNV, CNV Vakmensen has a role and to some extent De Unie-MHP as well. The collective labour agreement, which is extended to the whole sector, comes close to legal minimum standards.

The Horeca sector is a small, dynamic sector of the Dutch economy, employing around 4% of employees. With the sector relying mainly on the domestic market the crisis is being felt over a longer period. Since 2009 the sector has lost 30,000 jobs. It is a vulnerable sector. Nearly 90% of companies are small and employ fewer than 10 employees.

The sector has a bad image. Many young employees don't seem very enthusiastic about staying long-term in the sector. The social partners are co-operating to try to improve working conditions and to raise awareness of career opportunities. The expected shortage of personnel might give an impetus to change.

Marianne Grünell, University of Amsterdam, HIS

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