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## Europeanisation of collective bargaining: An overview on trade union initiatives for a transnational coordination of collective bargaining policy

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# WSI

## **Europeanisation of Collective Bargaining**

**An Overview on Trade Union Initiatives  
for a Transnational Coordination  
of Collective Bargaining Policy**

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**WSI Discussion Paper No. 101**

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# Europeanisation of Collective Bargaining –

## An Overview on Trade Union Initiatives for a Transnational Coordination of Collective Bargaining Policy

Thorsten Schulten

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## **1. The "coordination approach" as an alternative path towards a Europeanisation of collective bargaining**

Until recently both academic and political discussions on a "Europeanisation of collective bargaining" have focused almost exclusively on the issue of "European social dialogue". Initiated by the Val Duchesse process in the mid-1980s, and further reinforced by the Social Protocol of the Maastricht Treaty in the early 1990s, the emergence of more systematic and institutionalised relations between trade unions and employers' associations at European level became widely regarded as an embryonic form of a supranational European collective bargaining system.

The association between European social dialogue and collective bargaining, however, is in many respects misleading (Keller 2001: 123-284). First of all, there is clear empirical evidence that the topics dealt with in European social dialogue are very much different from the topics dealt with in regular collective bargaining at national level. While the European Social Dialogue covers mainly less conflictual 'soft issues' in the area of social policy or minimum labour standards, the 'hard issues' covering the core of the distributional conflict (such as pay and working time) remain almost exclusively for national collective bargaining. Moreover, wages and salaries have explicitly been excluded from the coverage of the EU Social Protocol which, in the meantime, has become a regular part of the Amsterdam Treaty (Articles 136-139). The same holds true for strikes, lock-outs or the rights of association, so that the EU is still lacking the fundamental legal prerequisites for a European collective bargaining system.

The narrow scope of the content of European social dialogue and its limited legal competence reflect the fact that trade unions and employers' associations have fundamentally different interests regarding European social regulation. While trade unions usually seek supranational protection against competitive deregulation of social and labour standards, for the employers European market integration is an opportunity to bypass national social regulation and to take advantage of increased national regime competition (Streeck 1999). In fact, there is a far-reaching consensus among industrial relations researchers that without political initiatives for social regulation coming from the European Commission the employers would have only little interest in concluding so-called "European social partners' agreements".

Hence, in its current state the European social dialogue does not represent an emerging European collective bargaining system but might be better characterised as a new form of "symbolic Euro-Corporatism" (Bieling and Schulten 2001) which has, at least for the European trade unions, rather ambiguous effects. On the one hand EU institutions strengthen the role and capacity of trade union organisations at European level and formally involve them in various areas of EU policy making. In exchange for such an involvement, however, the European trade unions are expected to support those integration projects, which further undermine social regulation in Europe (Martin and Ross 1999). At the same time, European trade unions continue to lack autonomous power to counteract the market-dominated form of integration.

As core EU projects such as the European Single Market or the European Monetary Union emphasise the dominance of a "negative", market-creating rather than market-regulating mode of integration, they have had an important influence on the developments in collective bargaining at national level. Since the 1980s Europe has been faced with a fundamental U-turn in collective bargaining, which can be described as a transition from a *productivity-oriented* to a *competition-oriented collective bargaining policy* (Schulten 2001a, 2002). While wages and other labour costs have become increasingly subordinated under the aim of improving national competitiveness, Europe has seen convergence towards a policy of (nearly) permanent wage restraint with wage increases continuously lagging behind productivity growth. As a result, during the last two decades the wage share in national income has more or less steadily declined in almost all EU countries leading to a significant redistribution of income from labour to capital.

Under the conditions of the European Monetary Union (EMU) the threat of further national wage dumping is even expected to increase, since labour costs are now seen as the main adjustment mechanism for reacting to economic shocks or imbalances in economic developments (Traxler 1999). Moreover, European institutions have started actively to propagate a competition-oriented collective bargaining policy. Since the mid-1990s, for example, the European Council has adopted each year so called "Broad Economic Guidelines" drafted by the Commission which have invariably called for wage increases below productivity growth and greater geographical and occupational pay differentiation. Similar demands are regularly issued by the European Central Bank (ECB),

with the implicit threat that any deviation from restraint wage policy will be punished by restrictive monetary measures.

Against that background European trade unions are faced with a fundamental dilemma: On the one hand European economic integration is more and more undermining the basic function of collective bargaining which is to take wages and working conditions out of competition. On the other hand the emergence of a supranational European collective bargaining system seems not to be very likely in the foreseeable future. Since European social dialogue is "one of the more fatuous of recent rhetorical devices within the European Union ... (which) effect in the real world is imperceptible", according to Hyman (2001: 174) "the task of European trade unions today may be encapsulated in the slogan: *develop the internal social dialogue!*"

Indeed, since the late-1990s European trade unions have started to develop a new approach which might demonstrate an alternative path towards a Europeanisation of collective bargaining through a strengthening of cross-border trade union cooperation in bargaining policy. The so-called European trade union "coordination approach" no longer aims supranational collective bargaining at European level, but instead assumes the continued existence of different national bargaining systems which should, however, be interconnected so as to limit national competition on wages and labour costs developments. Attempts for such a European coordination of trade unions' collective bargaining policy can basically be found at three levels (see also Dufresne 2002b):

1. at *interregional level* covering only a limited number of European countries
2. at *sectoral level* coordinated by the European Industry Federations (EIFs)
3. at *cross-sectoral level* coordinated by the European Trade Union Confederation (ETUC)

## **2. Trade union coordination at interregional level**

### *2.1 The "Doorn Initiative"*

One of the first and most prominent initiatives for a cross-border trade union coordination of collective bargaining policy was the so-called "Doorn Initiative" established by the trade unions from the BeNeLux countries and Germany (Kreimer-de Fries 1999). The

group takes its name from the Dutch town of Doorn where in 1998 trade union representatives from the four countries involved adopted a joint declaration in which they obliged themselves to a close coordination of bargaining policies.

The Doorn Initiative involves all major trade union confederations from Belgium, Germany, Luxembourg and the Netherlands as well as the major affiliated industry federations in these countries. Once a year it holds a two-day meeting with top-level representatives of the union involved to evaluate the last bargaining rounds and to discuss future bargaining policy. In between these annual meetings a small "coordinating group of experts" composed of one or two representatives from each country meets every two or three months to guarantee a regular exchange of information and to prepare the annual meetings. In addition to that, the expert group uses a special emailing list for a quick and permanent spread of information. Finally, more recently the Doorn Initiative also held some joint workshops to organise more in-depth discussions on special bargaining topics.

**Table 1. Participating trade union confederations within the Doorn Initiative**

Belgium	Fédération Générale du Travail de Belgique/Algemeen Belgisch Vakverbond Confédération des Syndicats Chrétiens/Algemeen Christelijk Vakverbond	FGTB/ABVV CSC/ACV
Germany	Deutscher Gewerkschaftsbund	DGB
Luxembourg	Confédération Générale du Travail du Luxembourg Lëtzebuerger Chrëschtliche Gewerkschafts-Bond	CGT-L LCGB
Netherlands	Federatie Nederlandse Vakbeweging Christelijk Nationaal Vakverbond Middelbaar en Hoger Personeel	FNV CNV MHP

Source: Doorn Initiative (1998)

The initiative for a particular cooperation between the BeNeLux and German trade unions came originally from the Belgian trade unions which have a special interest in these contacts because since the mid-1990s they had been confronted with a "statutory wage norm" according to which collectively agreed wage increases had to be limited to the expected average wage increases in Belgium's major trading partners France, Germany and the Netherlands (Oste et. al. 2001). In 1997, the Belgian unions invited their Dutch

and German sister organisations to a first joint seminar which decided to organise regular meetings for an exchange of information on collective bargaining issues. One year later, in 1998, the unions met again (now with the additional participation of the Luxembourg trade unions) and adopted the so-called "Doorn Declaration" which determined the aims and principles for a cross border coordination of trade union bargaining policies.

Having recognised the negative distributional trends with falling wage shares in most European countries, the very general aim of the Doorn Initiative has been to "change that trend" and to prevent further downward competition on wages and other labour issues under the special conditions of EMU. In order to fulfil that goal, the unions agreed on three principles which can be seen as the core of the Doorn Declaration (Doorn Initiative 1998):

- a) "the participating trade unions aim to achieve collective bargaining settlements that correspond to the sum total of the evolution of prices and the increase in labour productivity;
- b) the participating trade unions aim to achieve both the strengthening of mass purchasing power and employment-creating measures (e.g. shorter work times)";
- c) the participating organisations will regularly inform and consult each other on developments in bargaining policy".

With the first principle in particular, it was the first time that unions from different European countries had determined a joint cross-border bargaining guideline for their national bargaining policy. What was later called the "Doorn formula" has become a major reference point for the regular evaluation of the annual collective bargaining rounds in the countries involved (Janssen 2001).

While the original focus of the Doorn Initiatives was very much on wage policy, even then the Doorn Declaration claimed a much broader agenda for a coordinated collective bargaining policy including working time reduction and flexibility, safeguarding and creation of employment, vocational and further training, etc. It even called for joint trade union activities regarding more political demands such as a European harmonisation of tax policies in a more distributionally fair direction, the development of a more employment-oriented economic policy or the maintenance and further consolidation of social security (Doorn Initiative 1998).

Since its establishment the number of topics the Doorn Initiative has dealt with have widened continuously whereby non-wages issues have gained increased importance



(Schulten 2000). At the last annual meeting in September 2001, for example, it was decided that all unions involved should put the issue of lifelong learning on their national bargaining agenda in 2002 (Doorn Initiative 2001). At the next annual meeting the unions will discuss whether they would be able to organise a joint cross-border collective bargaining campaign on a certain issue.

Although the experiences within the Doorn Initiative have been widely discussed among European trade unions, it has remained unique and found no successors in other European regions so far. Even the Nordic Council of Trade Unions, which has a far longer tradition of cross-border trade union cooperation, has dealt with bargaining issues, but has shown no attempts for a real coordination of bargaining policy (Skulason and Jääskeläinen 2000). The uniqueness of the Doorn Initiative may also be the reason why in the meantime, the European Trade Union Confederation (ETUC) has also started an initiative for a European coordination at confederational level (see below). Moreover, the Doorn Initiative itself has been an important stimulus on activities within the ETUC and may also continue to play the role of a pioneer in cross-border coordination of trade union collective bargaining policy.

## *2.2 The IG Metal initiative for cross-border collective bargaining networks*

Within the framework of the European Metalworkers' Federation's (EMF) policy towards a European coordination of collective bargaining in metalworking (see below), the German Metalworkers' Union IG Metall launched an initiative for cross-border collective bargaining networks at interregional level in 1997 (Gollbach and Schulten 2000; Schulten 2001b). According to the IG Metall initiative each individual IG Metall district organisation should develop a solid network of collective bargaining cooperation with the metalworkers' unions of neighbouring countries. The February 1999 "European policy demands" of IG Metall even went one step further, stating that in future "each district shall develop collective bargaining relations with the unions of neighbouring countries which range from mutual participation in each others' collective bargaining to *joint planning*" (IG Metall 1999: 8, authors' italics). In the meantime all IG Metall districts have started to create cross-border collective bargaining networks (see Table 2).

**Table 2. Cross-border collective bargaining networks of IG Metall districts**

<b>IG Metall district</b>	<b>Partner unions</b>
Berlin/Brandenburg-Saxony	NSZZ Solidarnosc (Poland)
Düsseldorf (North Rhine-Westphalia)	FNV Bondgenoten (Netherlands) CNV Bedrijven Bond (Netherlands) CCMB (Belgium) CMB (Belgium)
Hamburg (Coastal District)	CO-Industrie (Denmark) Svenska Metall (Sweden)
Munich (Bavaria)	GMBE (Austria) SKEI (Slovenia) KOWO (Slovak Republic) KOWO (Czech Republic) VASAS (Hungary)
Stuttgart (Baden-Württemberg)	SMUV (Switzerland)
Frankfurt (Hesse, Rhineland-Palatinate, Saarland)	CFGT (France) CGT (France) FO (France)
Hanover (Lower Saxony, Saxony-Anhalt)	AEEU (United Kingdom)

Source: Schulten (2001b)

Although these networks still vary a lot with regards to their concrete form, scope and intensity of cooperation, the issues which have been established so far include

- a mutual exchange of trade union observers during collective bargaining rounds including mutual participation in trade union collective bargaining committees; negotiations with the employers and industrial action;
- the development of a common day-to-day information system on collective bargaining issues;
- common training seminars on the system of collective bargaining and trade unions collective bargaining policy;
- common working groups on different collective bargaining issues
- mutual recognition trade union membership.

In its work programme for the period 1999-2003 the EMF declared that it aims to extend such interregional cross-border collective bargaining networks to cover the whole of Europe. Despite the regional networks initiated by IG Metall, however, there currently exists only one further network which is the one between the Nordic metalworkers' unions (Schulten 2001b).

### *2.3 Interregional collective bargaining networks in other sectors*

Besides European metalworking, in the meantime, interregional collective bargaining networks also exist in other sectors like construction or chemical industry. In May 1999, for example, the Austrian, German and Swiss construction workers' unions signed a cooperation agreement on collective bargaining policy which includes an ambitious catalogue of ten objectives (Gottschalk and Laux 2000: 57-58):

1. a quick and up-to-date exchange of information on collective bargaining by using modern communication technologies;
2. the creation of a collective bargaining data base as a long-term goal;
3. two meetings per year for the coordination of trade union negotiators;
4. the elaboration of comparative studies on agreements in construction within the countries involved;
5. an elaboration of cross-border aims for a coordinated collective bargaining policy including the creation of a list of "best practices"
6. consultations in the run-up to collective bargaining rounds regarding possible cross-border solidarity actions;
7. the establishment of short-term ad-hoc meetings on current bargaining issues;
8. trade union training seminars on collective bargaining systems in the respective countries;
9. joint representation of union members working as foreign workers in the countries involved;
10. joint meetings of trade unions and employers' associations to start a joint "social dialogue" within the countries involved.

In the meantime, the German construction workers' union IG Bauen-Agrar-Umwelt has signed similar cooperation agreements with the sister unions of most of the other neighbouring countries (Laux 2000). An interregional network of construction workers' union also exists between the Nordic states under the roof of the Nordic Building and Woodworkers Federation (NBTF) which focus on cross border posted workers and commuters (Lubanski 2000). Against the background of the merger of the two pharmaceuticals giants Hoechst and Rhône-Poulenc towards Aventis the German chemical workers' union IG Bergbau Chemie Energie (IG BCE) and its French sister union Fédération Chimie-Énergie-CFDT (FCE-CFDT) signed a cooperation agreement which also included the aim to coordinate collective bargaining policy.

The establishment of interregional collective bargaining networks creates an opportunity to incorporate a "European dimension" into everyday national collective bargaining and to strengthen the idea of European coordination at lower trade union levels. As more than the existing examples in metalworking and construction are discussed within the

European unions, they might inspire similar initiatives also in other sectors. For the moment, however, it is remarkable that most of the existing interregional cooperation networks have been centred around Germany, whereby German trade unions have often taken a leading role in establishing cross-border trade union cooperation.

### 3. Trade union coordination at sectoral level

#### 3.1 *The 'coordination approach' of the European Metalworkers' Federation*

So far, the most advanced approach towards a European coordination of collective bargaining in terms of content and institutional practices has been developed by the European Metalworkers' Federation (EMF) (for the following see: Schulten 2001b). The core of EMF's strategy contains two elements. The *first* is a joint commitment to European guidelines for national collective bargaining which should prevent downward competition. The *second* is the political determination of "EMF minimum standards" which all EMF affiliates should feel obliged to bargain for.

The first element was laid down in an EMF resolution entitled "Collective bargaining with the Euro" which was adopted at an EMF Collective Bargaining Conference in December 1998 (EMF 2001: 336):

"The key point of reference and criterion for trade union wage policy in all countries must be to offset the rate of inflation and to ensure that workers' incomes retain a balanced participation in productivity gains. The commitment to safeguard purchasing power and to reach a balanced participation in productivity gains is the new European coordination rule for coordinated collective bargaining in the metal sector all over Europe. Only once this objective has been achieved throughout Europe in accordance with the relevant applicable conditions can wage dumping be eliminated and the continued redistribution of income to the detriment of workers be stopped".

The heart of this "*new European coordination rule*" is the demand for a return to productivity-oriented collective bargaining with the leeway for income distribution provided by price rises and productivity growth left to the national metalworkers' unions (ibid.):

"The unions keep their full autonomy and take full responsibility in respect of how they use this distribution space for the improvement of wages and measures geared towards fostering employment such as reduction of working time and training, for a new organisation of work or special benefits, as for example early retirement measures or equal treatment rules. This is their choice and their responsibility - facing actual needs".

The IG Metall information bulletin "direkt" called the EMF coordination rule a "magna charter against wage dumping" (direkt No. 1/1999: 3), since it defines a common framework for a non-competitive collective bargaining policy while at the same time it allows the national metalworkers unions to follow their own political bargaining priorities.

Despite the elaboration of a European coordination rule for the regular bargaining rounds at national level, the political determination of European minimum standards has become a second pillar of the EMF's collective bargaining policy. While the former primarily aims at the prevention of mutual undercutting in collective bargaining, the latter is seen as an important instrument for a "steady, gradual increase in pay and working conditions in the European metalworking industry to the level of those in advanced industrialised countries" (EMF quoted from Schulten 2001b: 307). So far there are two issues in particular where the EMF has succeeded in defining its own political minimum standard: working time and vocational training.

Regarding the *first* issue, in July 1998 the EMF adopted a "Charter on Working Time" which contains the following specific demands:

- a confirmation of the policy of 35 working hours per week with wage compensation;
- the refusal to accept any demands for a general extension of contractual working time;
- the introduction of a European minimum standard of 1,750 hours maximum of normal contractual working time; and
- a restriction to 100 hours, calculated at an annual level, of the number of hours of overtime that can be compensated by money alone.

In defining the maximum annual working time of 1,750 hours, the EMF is by no means using the countries with the longest working times as a reference point. According to the findings of a survey on working time carried out by the EMF amongst its affiliates, in 1997 around half of all countries were still above the EMF minimum standard, so that a serious implementation of the EMF Charter would require numerous bargaining initiatives to reduce working time.

The *second* issue, which more recently was at the centre of EMF's debates on European minimum standards, was training. On the basis of a comprehensive evaluation on vocational training and collective bargaining in the European metal industry the EMF elaborated a European "Charter on Training" aiming to secure that every employee should have the right to appropriate vocational training. According to the EMF the fol-

lowing minimum standards should be guaranteed by collective agreements all over Europe (Schulten 2001b: 310-311):

- each company should make an annual plan for training for every worker, including timing, elements of quality and a minimum number of days for the scheduled training;
- all employees should have a right to a minimum of five days vocational training per year;
- local trade union representatives at company level should participate in discussions about and decisions on training activities and programmes.
- employees and their representatives should be given continuous information on companies' future needs for skilled and trained workers;
- vocational training must be cost free for the employee;
- every employee should have access to vocational training during normal working hours.

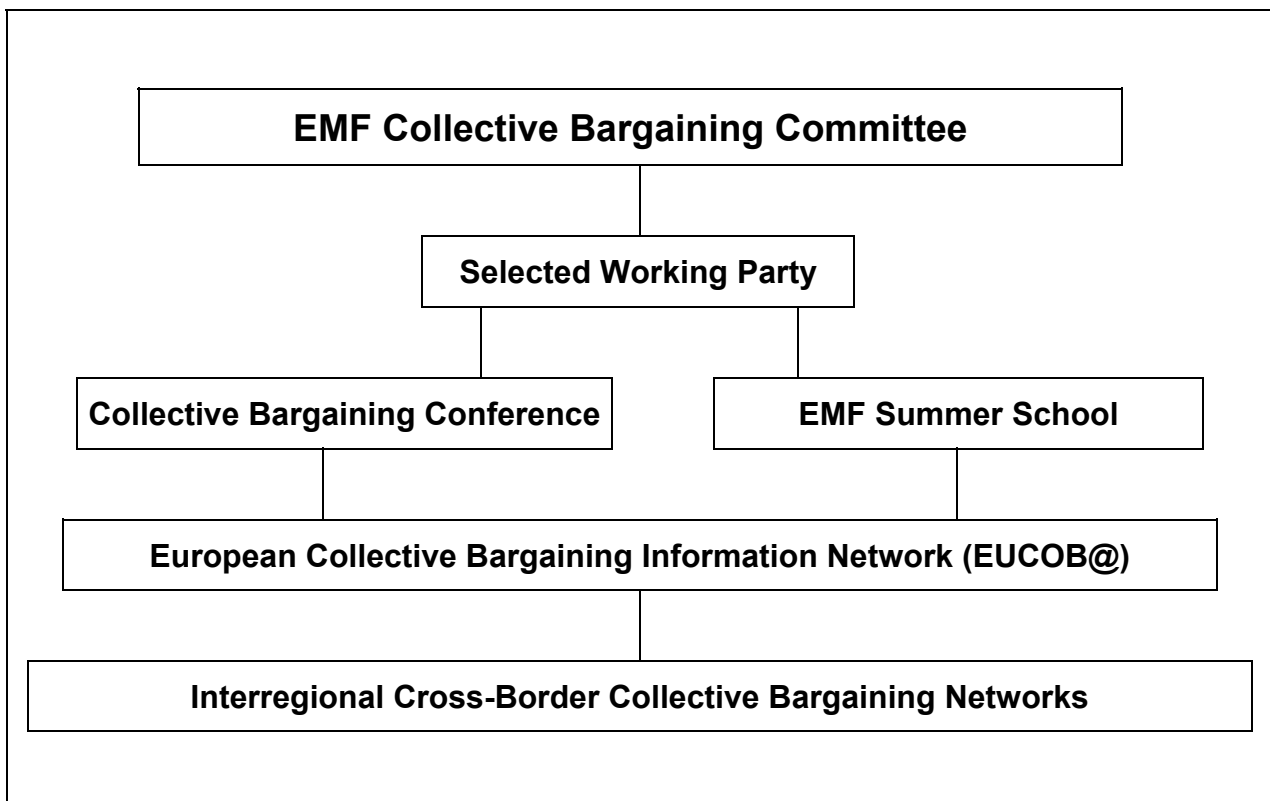
Irrespective of the concrete issue, the logic behind the EMF concept on European minimum standards always follows the same strategy. First, the European metalworker's unions have to elaborate a common political position on what they see as an appropriate minimum standard to be fulfilled all over Europe. Thereby, the EMF neither follows the lowest existing standards nor does it simply take the European average but it tries to combine a politically defined minimum with a more far-reaching goal in order to make sure that the concept is not only about the low-developed countries catching-up. In the area of working time the EMF therefore combined its demand for a European maximum annual working time with the more far-reaching goal of the 35-hour week. In the area of training it set up demands which require improvements in almost all existing national agreements. In the future the EMF planned to extend this approach to a wide range of issues such as minimum wages, qualification and work organisation, working time flexibility, atypical work and individual employment contracts etc.

To sum up, the EMF "coordination approach" depends first of all on the ability of its affiliates to define autonomously common bargaining positions and objectives and to set up a common agenda for coordinated collective bargaining. In addition to that, however, the EMF also needs suitable instruments and institutions which enable the EMF affiliated unions to co-operate and to put the European coordination of collective bargaining into practice. Indeed, in recent years the development of a joint collective bargaining policy within the EMF has been accompanied by a remarkable process of institution-building at European level (see: Figure 1).

The politically most important institution is the EMF "Collective Bargaining Committee" (CBC) which dates back to the early 1970s. Since then collective bargaining experts

from all EMF affiliated trade unions normally meet twice a year. For a long time, however, the CBC was little more than a forum in which the individual unions could report the results of their national collective bargaining. From the mid-1990s, however, the function and method of operation of the CBC began to change, so that the simple exchange of information became more and more replaced by debates over common collective bargaining objectives.

**Figure 1: EMF institutions in the area of collective bargaining**



Source: Schulten (2001a)

The changed operation of the CBC was linked to institutional innovations within the EMF. The most important was the creation of a "Select Working Party" (SWP) of the CBC, which has since taken over the preparation of CBC's meetings and, at the instruction of the CBC, develops and formulates concrete proposals for joint positions. In principle every EMF member organisation has the right to participate in the SWP, but in practice its current 14 or so members come from the most politically active affiliates. In the meantime, the Select Working Party has evolved into the most influential collective bargaining policy institution in the EMF. It has the widest network of contacts, meets the

most frequently of all EMF institutions dealing with collective bargaining policy, and also generates by far the most substantive initiatives. All important recent EMF collective bargaining policy documents have first been drafted and discussed in the SWP. The group performs an important dual function: on the one hand, it plays the role of "the collective bargaining policy pioneer", promoting policy development in both the EMF and the national affiliates, while on the other hand it functions as a policy "clearing house" where the feasibility of controversial initiatives is first evaluated.

Another important institutional innovation was the EMF Collective Bargaining Conference. Four major EMF Collective Bargaining Conferences have taken place thus far, in 1993, 1996, 1998 and 2001 each yielding important innovations in collective bargaining strategy. The EMF summer school, held annually since 1997, has provided another important forum where work on developing collective bargaining positions and strategies can be carried out in a relatively informal atmosphere. The EMF summer school has also contributed to strengthening personal links between representatives of EMF affiliates. In addition to that, the establishment of cross-border collective bargaining networks has contributed to widening the scope of European coordination to regional trade union negotiators (see above).

A crucial institutional requirement for the European coordination of collective bargaining was finally met with the setting up of the European Collective Bargaining Information Network (EUCOB@) in November 1999. EUCOB@ consists of a network of "responsible correspondents" from each EMF affiliate trade union which have committed themselves to submitting regular reports on recently concluded collective agreements and ongoing bargaining situations. The exchange of information within EUCOB@ is organised via email and coordinated by a special project manager who sits at the EMF Secretariat in Brussels. For the future it is also planned to provide some of EUCOB@ information on an EMF web page.

EUCOB@ has basically two central aims: First of all, it should provide an up-to-date, continuous and systematic reporting system on current developments in collective bargaining. Using modern communication technology it should give the EMF affiliates quick and easy opportunities for a permanent exchange of information. Secondly, EUCOB@ should prepare the existing data and information in order to produce specific analysis



and overviews regarding the needs of the EMF and its affiliates. So far, EUCOB@ has produced two annual reports on collective bargaining in the European metal industry 1999/2000 and 2000/2001 as well as some more specific issue-related analysis, as for example an overview on vocational training and collective bargaining. The annual EUCOB@ reports also provides the data which enable the EMF to evaluate the results of collective bargaining in European metalworking in the light of the EMF coordination rule.

At its recent collective bargaining conference in June 2001 the EMF presented a "report on the European coordination rule" which drew up a first evaluation of the practical impact of EMF policy on national collective bargaining (Broughton and Schulten 2001). On the basis of EUCOB@ data the report came to the result that in each year there was always a significant number of countries which did not match the requirements of the EMF coordination rule. Moreover, the EMF openly conceded that the European coordination rule has not played a major role in national bargaining so far. Nevertheless, the EMF took a relatively positive view on the political impact of the European coordination rule, since it helped to strengthen cross-border union cooperation and was successful in establishing an awareness and "a moral claim" of a "shared responsibility" that "no negotiations are a national issue alone, but that all have implications beyond national borders" (EMF quoted from Broughton and Schulten 2001). To strengthening the relevance of the EMF coordination rule the affiliates have been called to make more explicit reference to EMF policy in national bargaining. Furthermore the EMF's CBC should start to discuss more the affiliated unions' claims, rather than only the results of national bargaining and in the event of national affiliates not reaching the goals of the European coordination rule, there should be an open discussion on the reasons.

### *3.2 Sectoral coordination by other European Industry Federations*

Until the late 1990s for many European Industry Federations (EIFs) collective bargaining was not really an area of policy making so that a majority of the EIFs had not even a collective bargaining committee or another comparable institution (Mermet and Hoffmann 2001: 50). In the meantime, however, the example of the EMF's coordination approach had inspired many other EIFs to follow a similar strategy (Dufresne 2002a, Le Queux and Fajertag 2001, Mermet 2001, see also table 3). Many of the EIFs as, for ex-

ample, in textile, food, graphics or public service sector have also adopted European coordination rules which follow more or less the EMF concept aiming at a collective bargaining policy which is able to make use of the distributive margin composed by the sum of inflation and productivity growth. They also set up new committees or working groups on collective bargaining policy, encouraged studies on the different national collective bargaining systems in the respective sectors and started to introduce new reporting or monitoring systems in order to evaluate national bargaining developments in the light of the European coordination rules.

As many EIFs have seen a process of mergers in recent years, some of the currently existing 11 EIFs have even set up collective bargaining structures in more than one sector. The most prominent example for this is *UNI-Europa* which is now the largest EIF covering employees in various sectoral divisions such as commerce, electricity, finance, graphical, ICT etc. Following a policy paper on "*The Euro and UNI-Europa Collective Bargaining Strategy*" adopted by the UNI-Europa executive board in 2000, every sectoral division should determine its own structures and objectives for a European coordination of trade union collective bargaining policy in order to reflect the specific needs of the particular sector (Mermet 2001). So far, namely the graphical division and the finance division have started some activities in order to coordinate their bargaining policy.

The *UNI-Europa Graphical* (UNI-EG) followed very much the European Metalworkers' approach and adopted a coordination guideline according to which wage increases plus newly concluded cost effective qualitative aspects should at least be equal to inflation plus productivity growth. The graphics division also called for a maximum standard working time of 1,750 hours and a maximum amount of 100 hours paid overtime per year. In future UNI-EG plans to develop its own political references standard in the fields of vocational training, equality regarding race, disability and gender as well as health, safety and working environment. A survey on national bargaining developments and results in the graphical sector are regularly presented at an annual European collective bargaining conferences. The annual conferences are prepared by a collective bargaining committee which also aims a more permanent exchange of information.

The *UNI-Europe division in the finance sector* has set up Collective Bargaining Network involving representatives of national trade unions as well as members of European

Works Councils in the finance sector. The network started as a project and is expected to create a permanent structure within UNI- Europe Finance after an initial period of four years. So far, the network has defined three main objectives:

1. The improvement of communication and interaction between trade union officials and members of European Works Councils in the finance sector by setting up a web-site.
2. The development of a permanent method of co-ordination and information exchange with respect to collective bargaining in the finance sector.
3. The development of a mid-term policy with respect to the content of the collective bargaining.

In the meantime, a project web-site has been set up as a main tool for network participants to collect and exchange information. Both the EWC and trade union members are expected to publish and upload information and documents on an on-going basis. In addition to that the network has decided to make special surveys in areas such as restructuring or mergers & acquisitions of finance companies. Furthermore, it is planned to introduce a regular annual 'benchmarking panel' on pay and working time involving 2000 employees in each country. The Collective Bargaining Network meets twice a year to coordinate its activities and to train its members to use the web-based data basis.

The *European Federation of Public Service Unions* (EPSU) adopted a declaration of principles regarding collective bargaining in public services in 2000. Thereby EPSU took over mainly the EMF coordination rule while it emphasised that wage increase should be related to average *national* productivity growth in order to guarantee a parallel development of wages in private and public sectors. Furthermore, EPSU has called for joint initiatives to promote equal pay between women and men and for the introduction of joint campaigns on "qualitative aspects" of bargaining policy. For example, EPSU has initiated various activities on working time policy in order to promote joint objectives such as the reduction of working time towards a 35-hour week (with at least partial wage compensation), the promotion of part-time work with equal work standards or the introduction of life-long learning arrangements including sabbaticals etc. While EPSU has held a collective bargaining conferences only for the whole public sector so far, in 2002 it also plans to organise bargaining conferences for its subdivisions such as local and regional government, public utilities or health and social services in order to develop more specific demands for the various sub sectors.

**Table 3. Collective bargaining policy of European Industry Federations\***

<b>European Industry Federation</b>	<b>Coordination rule (inflation + productivity)</b>	<b>Activities on non-wage issues</b>	<b>Data base/ monitoring system</b>	<b>Collective Bargaining Committee/Working Group</b>
European Metalworkers' Federation (EMF)	X	X	X	X
Union Network Europe (UNI-Europa)				
UNI-Europa Graphical (UNI-EG)	X	X	X	X
UNI-Europa Finance		X		X
European Trade Union Federation – Textiles Clothing and Leather (ETUF-TLC)	X	X	X	X
European Mine, Chemical and Energy Workers' Federation (EMCEF)	X	X	X	X
European Federation of Public Service Unions (EPSU)	X	X		X
European Federation of Food, Agriculture and Tourism Trade Unions (EFFAR)	X			X
European Federation of Building and Woodworkers (EFBWW)	X	X		X
European Federation of Journalists (EFJ)		X	X	X
European Transport Workers' Federation (ETF)		X		
European Trade Union Committee for Education (ETUCE)				
European Entertainment Alliance (EEA)				

\* In the beginning of 2002

Sources: Own composition using information provided by Dufresne (2002a), Mermet (2001), Mermet and Hoffmann (2001) and Schulten (2001b).

The *European Federation of Journalists* (EFJ) established an EFJ Collective Bargaining Expert Group in 2000, which carried out a comparative survey on working time in journalism as a first project. On the basis of this survey the EFJ proposed a joint campaign of its affiliates for a limitation of overtime, better possibilities for part-time work and the inclusion of freelancers into existing collective agreements. The EFJ has also encouraged comparative surveys on collective agreements regarding pay, working time, equal opportunities, social protection, training and further training; pension schemes, etc., in order to identify 'best practices'.

The *European Mine, Chemical and Energy Workers' Federation* (EMCEF) held a Collective Bargaining Conference in 1999 where it adopted common objectives for collective bargaining policy including the safeguarding of workers' purchasing power, the convergence of working time with a European corridor, the limitation of overtime and sector-based control of variable pay schemes introduced by multinationals in the chemical industry (Le Queux and Fajertag 2001: 129). Currently the EMCEF is planning the introduction of an electronic collective bargaining data base and information exchange system.

Finally, a European coordination of collective bargaining policy was a particularly urgent task for the *European Federation of Building and Woodworkers* (EFBWW), since the construction sector is one of the few sectors which is already affected by a real European labour market. Consequently, the first objective for the EFBWW has been to guarantee the principle of "equal wage for equal value of work at the same locality" (Laux 2000: 16) in order to avoid wage dumping by foreign construction companies which often hired migrant workers using the lower wage rates of their home countries. The EFBWW also basically followed the EMF approach and called for a European coordination of collective bargaining in order to ensure a more fair distribution of income and a European-wide reduction of annual working time and overtime. In the view of the EFBWW, however, European coordination needs to follow more a "bottom-up" than a "top-down" strategy (Dufresne 2002a). Therefore, the establishment of cross border collective bargaining networks at interregional level has a certain priority within the EFBWW policy (see above). Since the social problems created by a European labour market in construction cannot be handled by the unions alone, the EFBWW has also always pushed very much for European social legislation as, in particular, for the adoption of the EU posted workers directive. A much stronger political emphasis on European social regulation can also be found in other sectors which have partly emerged a European labour market as, for example, in the transports sector whereby the *European Transport Workers' Federation* (ETF) is campaigning for statutory social minimum standards at European level.

#### **4. Cross-sectoral coordination by the European Trade Union Confederation (ETUC)**

In the 1990s the focus of ETUC's policy was very much on the development of European social dialogue while collective bargaining policy played almost no role. Consequently, the ETUC had also no particular collective bargaining committee or working group but had left this area to the formal responsibility of the ETUC "industrial relations committee" which in practice, however, dealt almost exclusively with matters of European social dialogue. The situation changed only in the late 1990s as a result of two developments. The first was that the debates within ETUC became increasingly influenced by other European trade union organisations as in particular the EMF and the Doorn Initiative which put the issue of collective bargaining at the centre of their political agenda. The second was that after the introduction of the European Monetary Union in 1999 European macroeconomic policy – and among this European wage policy – became more and more debated within the EU institutions and put pressure on the ETUC to define its own position. The latter gained particular importance with the introduction of the European "Macroeconomic Dialogue" between the Council of Ministers, the European Commission, the European Central Bank and the European employers and trade union organisations in June 1999.

At its 9<sup>th</sup> statutory congress in summer 1999 the ETUC adopted a resolution which identifies a European coordinated collective bargaining policy as one of the four major pillars (together with European social regulation, European social dialogue and European works councils) of an emerging "European system of industrial relations" (ETUC 1999). A coordinated bargaining strategy should follow the idea of a "European solidaristic pay policy" (ibid.) which should be able to

- guarantee workers a fair share of income;
- counter the danger of social dumping;
- counter the growing income inequality in some countries;
- contribute to a reduction in disparities in living conditions; and
- contribute to an effective implementation of the principle of equal treatment of the sexes.

As far as the particular role of the ETUC is concerned the resolution stated that "the European Industry Federations have the primary responsibility for coordination in the field of collective bargaining at European level" while the ETUC should support the EIFs

activities and should "guarantee the overall coherence of the demands of the European trade union movement" (ibid.). As a practical result the Congress decided to establish a new a ETUC Collective Bargaining Committee which is composed by representatives from the national ETUC affiliates as well as by representatives from the EIFs.

In December 2000 the ETUC Executive Committee adopted a "European guideline" for the coordination of collective bargaining which contains a "recommendation" for national collective bargaining policy. The basic aim of that guideline is to ensure that (ETUC 2000):

- "nominal wage increases should at least exceed inflation, whilst maximising the proportion of productivity allocated to the rise in gross wages in order to secure a better balance between profits and wages;
- any remaining part of productivity increases should be used for other elements in the collective bargaining agenda, such as qualitative aspects of work where these are quantifiable and calculable in terms of cost; and
- public and private sector pay should increase in parallel."

According to the ETUC this guideline should help to support three objectives, namely (ibid.):

- "to have a general indication on wage bargaining which comes from trade unions at the European level in order to respond to the existing guidelines coming from the Commission (Broad Economic Policy Guidelines) and the ECB, and in order to influence the Macroeconomic Dialogue;
- to avoid social and wage dumping and wage divergence in Europe, as this could lead to a deterioration of the social climate and could delay the social convergence of the Member States;
- to coordinate wage claims in Europe, particularly in the Single Currency area where pay is now easily comparable and also to encourage an upward convergence of living standards in Europe."

The ETUC guideline on collective bargaining follows mainly similar rules adopted before by the Doorn Initiative or various EIFs and focuses very much on annual wage increases which should be in line with national distributive margins. The use of such a "wage formula" would allow the union to take wages out of competition at European level, since wage increase would have no – neither positive nor negative – effects on national competitiveness. The ETUC guideline also set up a clear benchmark for the comparative evaluation of collective bargaining results in Europe. With scientific support of the European Trade Union Institute (ETUI), since 2000 the ETUC has elaborated an "annual

collective bargaining report" which contrasts national developments in collective bargaining with the ETUC coordination guideline (for the latest report see: Mermet 2001).

While the use of the ETUC guideline could help the European trade unions to avoid further wage dumping, it is, however, a rather defensive concept, since it would basically defend the status quo of current distributional patterns, both between capital and labour and between the different national, regional, occupational, gender etc. groups of employees. In the meantime, the ETUC has therefore widened its coordination approach to the issue of wage inequality. In a more recent resolution from December 2001 the ETUC asked its national affiliates to (ETUC 2001):

- "adopt in 2002 a multi-annual work programme setting out key objectives for collective bargaining initiatives aimed at reducing the pay gap between women and men, with a timetable for their implementation and evaluation; and
- include a quantifiable objective regarding a reduction, in stages, in the number of low paid workers (i.e., those with 60 percent or less of the median salary)."

All in all, with the ETUC European guideline for wage increases and its attempts for a coordinated policy to reduce gender pay differentials and the number of low paid workers the contours of a more comprehensive concept for a "European solidaristic wage policy" became visible (Schulten 2002). The implementation of such a concept, however, is still faced by various problems and structural resistance.

## **5. The "coordination approach" – problems of implementation and prospects for the future**

In recent years the European coordination of collective bargaining has become an important new field of policy making within the European trade unions. They were able to define a set of common positions and guidelines for national collective bargaining and to create numerous new institutions and procedures for cross border cooperation. Since most of these initiatives are still in a very initial stage, it is probably much too early for an overall assessment of the coordination approach. There also exists only a very few studies on the actual impact of European coordination on current collective bargaining at national or lower level so far (Schulten 2001b). In addition to that, some of the European trade unions have presented some first self-evaluations on the experiences they have



made so far (see for the Doorn Initiative: Janssen 2001; for the EMF: Broughton and Schulten 2001; for the ETUC: Mermet 2001).

Taking into account that the attempts for a European coordination of collective bargaining policy are still very much at the beginning, one can nevertheless identify some structural difficulties and contradictions which hamper or might even prevent effective European coordination (Keller 2001: 279-282; Schulten 2001b: 320-329). The core problem of all trade union initiatives for European coordination is the fact that they are based on a purely "voluntaristic" approach. The European trade unions organisations have neither legal nor political power to engage its affiliated unions in a certain political behaviour, it is widely dependent on their voluntary self-obligation to jointly formulated positions. From a legal perspective the European coordination rules are for the time being little more than "declarations of good-will" which might produce some moral and political pressure on those affiliates which do not fulfil its requirements but provides no effective sanctions to prevent them from further offending against it. Since the political authority of the European trade union organisations against their national affiliates is still rather weak in general, this holds the more true for the national unions' core business of collective bargaining policy. The "voluntaristic" nature of the coordination approach, however, faces the European unions with a structural dilemma: If only a single national affiliate opts out from the joint European coordination, it automatically increases the competitive pressure on all other national affiliates and sooner or later may provoke similar responses elsewhere.

Moreover, there exist various obstacles to the implementation of the coordination approach at national level. It is not only the question whether the national trade unions have the political power to reach collective agreements which fulfil the requirements of the European coordination rules. Beside that there is the fundamental problem that the institutional logic of the national collective bargaining system often does not fit in with the institutional logic of the European coordination approach. The decision taken within the ETUC that European coordination should first of all be organised by the EIFs reflects the fact that the sector is still the most important bargaining level in many European countries. In countries with more decentralised collective bargaining systems, however, the implementation of a European coordination rule seems to be rather difficult as long as

there are no mechanisms for national coordination in the respective sectors. This problem is, of course, most evident in the case of the United Kingdom where there is mainly enterprise-level collective bargaining. From a British perspective it might be much more obvious to have European coordination of collective bargaining at enterprise-level using, for example, the European Works Councils (Marginson 2001).

There might also be a strong contradiction between European coordination and national coordination if the latter supports the concept of a competition-oriented collective bargaining policy. In the 1990s many European countries saw the emergence of a new form of national "competitive corporatism" which aims to subordinate collective bargaining under the goal of improving national competitiveness and therewith contradicts fundamentally the "competition-limiting" logic of the European coordination approach (Schulten 2002). The concept of the Belgian wage norm, for example, has been described as "clearly in contradiction with European solidarity" since it "explicitly links future wage developments to pay movements in Belgium's three reference states with the explicit goal of remaining competitive" (Oste et. al. 2001: 91). In Germany the recommendation on collective bargaining policy of the national "Alliance for Jobs" had a strong influence on the outcome of the 2000 and 2001 bargaining rounds which clearly failed to meet the requirements of European trade union coordination rules (Schulten 2001c).

Considering the "voluntaristic" nature of the coordination approach as well as its various political and institutional problems of implementation, the prospects for European trade union coordination of collective bargaining policy seem not to be very promising. A more pessimistic view might also be supported by the fact that the European coordination initiatives have had almost no real influence on actual bargaining so far (Schulten 2001b), while the results of the recent bargaining rounds in Europe showed that most national trade unions continued to fail the requirements of their own European coordination rules (Carley 2002, Mermet 2001, Schulten 2001c).

Taking into account that the trade union attempts for European coordination of collective bargaining are still very much at the beginning, an overall pessimistic assessment, however, might be too early. The fact that the coordination approach has to be implemented without any support from EU institutions as well as against the resistance of the European employers' organisations might also be a chance, since it forces the European

unions to strengthen their own autonomous political structures. Whether the current union initiatives will lead to more binding and effective coordination depends primarily on the unions' ability to further develop *institutional* procedures enabling a further intensification of transnational trade union cooperation on collective bargaining. Thereby the European trade unions might learn from the so-called "open method of coordination" which has been established as a new form of governance in many EU policy fields, among them most prominently in employment policy (De la Porte et. al. 2001). A transfer of this approach to the field of collective bargaining would mean that, for example,

- the European trade union organisations would have to fix certain guidelines, combined with specific time tables for achieving the goals they set in short, medium and long terms;
- the national affiliates would have to translate these guidelines into national and regional policies by setting specific targets, adopting measures and determining national action plans;
- the European trade union organisations would have to identify certain bargaining areas and issues for social benchmarking and comparison of best practices;
- the European trade union organisations would have to organise a permanent monitoring and evaluation of the national bargaining policies and results.

For the European trade union organisations the use of this "open method of coordination" would have the advantage that they could push for a certain direction in trade unions' collective bargaining policy while accepting the diversity and to certain degree autonomy of national bargaining. Instruments such as systematic monitoring or benchmarking would thereby provide at least some "soft" sanctions to strengthening the binding character of European coordination rules. A further development of the coordination approach, however, would require an extension of the political capacities at European level in order to realise systematic monitoring activities. In addition to that, the European unions have to extend their cross border cooperation networks in order to make sure that the European coordination approach is not limited to a few "European experts" within the national unions but could guarantee a broad involvement of the actual trade union negotiators at the various levels.

Moreover, the development of new forms of European trade union cooperation has to be accompanied by a broad and open debate on the *political content* of European coordination. Otherwise there might be a danger that the coordination approach becomes a rather bureaucratic project whereby the debates focus very much on statistical and methodological difficulties on how to evaluate the various "coordination formulas" but not on their political and social meanings (Schulten 2001b: 323-326). In order to give European coordination of collective bargaining the notion of a more popular political idea, the European unions have to further develop their rather defensive concepts of avoiding wage and social dumping towards a more offensive agenda of a European solidaristic collective bargaining policy (Schulten 2002). A more offensive and politicised strategy would finally require an embedding of the coordination approach in the context of a broader trade union concept for a European economic policy which sharply criticises the still dominant neoliberal approach to European integration in favour of a more social Europe.

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