Public Sector Industrial Relations in the Netherlands: framework, principles, players and representativity

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1 INTRODUCTION

In the Netherlands, the representativeness of social partner organisations is high on the agenda, both in politics and in industrial relations. The debate is especially relevant in the market sector where trade union membership is in decline, the representation of business organisations is changing, and employers and employees add individual elements to the collective regulation of labour (see for an overview Van der Meer et al, forthcoming). In the public sector, with its legal responsibility for preparing and executing public policy, such developments are less clear; the government directly influences the terms and conditions of the employment relationship, trade union membership is on average at a higher level than in the market sector and the differentation of regulation is of more recent date (Bach *et al*, London 1999).

This report aims to assess the institutional framework of industrial relations and the state of representativeness of social partner organisations in the public sector in the Netherlands. The paper is based on written and oral sources. It is part of a series of AIAS-reports for the European Commission on the representativeness of the national affiliates of European social interest organisations in economic sectors of the European Union In the fourteen other EU-member states, similar efforts have been initiated by research institutes. Most of these reports can be downloaded from the website of the *Institut des Sciences du Travail* of the Catholic University in Louvain-la-Neuve in Belgium. The paper is also part of a PhD-project in progress, conducted by the principle author of this paper, to unveil '*the meaning of representativeness in collective bargaining*.' 'Meaning' in this context is to be understood as the perspective of representativeness de jure and representativeness de facto. The project will be carried out in the Netherlands, comparing the private and the public sector in this respect. The issue will be viewed on EU-level as well.

The key question of this research report is: how is the representativeness of social partner organisations in the Dutch public sector defined? An answer may rise out of related questions, such as: how has the issue developed with the introduction of the so-called 'sectormodel' that was introduced in 1993? What has been legally established about representativeness? Does the position of the trade union confederations correspond with their member density? And to what extent is the actual situation founded on, or reflected in the legal basis for representativeness?

Hereto, the second section of this paper outlines the system of collective bargaining in the Dutch public sector. Next, in section three, the focus of attention will shift to the players participating in the process of collective bargaining and the rules of 'the game'. The issue of representativeness is highlighted in section four. Finally in section five some conclusions will be drawn.

2 FRAMEWORK, EMPLOYERS AND EMPLOYEES

The public sector in the Netherlands encloses the activities, organisations, institutions and services for which the State or its representatives can be identified as employer and which structure, goals and operations are being established by public authorities and supported by public finance, correspond with the sectors of the public sector. Wage setting in the public sector used to be a unilateral responsibility of the government until 1993. In that year the public sector was subdivided into 8 sectors, in which altogether more than 784.000 people are employed. The subdivision is based on multiple criteria: first on basis of a criterion that corresponds with the territorial devolution in the Dutch State system with regard to the sectors State, Provinces, Local Authorities and District Waterboards. Secondly, eight parts of the public sector are established according to a functional criterion: Education, Defence, Police and the Judiciary. Out of the sector Education emerged the sector Academic Hospitals in 1996 and subsequently the sectors University Education, Higher Vocational Education and Research Institutes, adding up to twelve sectors in 1999 (Annex 2, Table 4).

In addition, there is a large number of service-providers that are financed by supplements of the State or from social security premiums. The organisations work for the public interest, but their activities are not labelled as public activities *pur sang*. Generally, private corporate bodies execute these activities. This cluster of organisations is known as 'contributed and subsidised' Semi-Public Sector (G&G sector) and includes a large scale of bodies. The activities range from public health to musical orchestras. The G&G sector is also marked as non-profit sector, because the organisations do not aim at profit (Plessen, 1996).

Private education is not seen to be a part of the semi-public sector. Private and public education is equally treated and this group of private organisations differs profoundly from the units in the G&G-sector. This equalisation of organisations finds a basis in the Constitution and else on the fact that the development of the legal position of employees in private and public education institutes corresponds closely to the legal position of the public sector employees (Plessen, 1996). In the context of this report, private education will be acknowledged as an integral part of the sector Education.

The majority of the organisations in the G&G Sector originates from what is called 'private initiative'. Many foundations and associations, with activities in the field of health care and welfare were mostly ideological, privately financed entities. The Dutch State has consciously decided not to integrate these organisations in the network of the public service. It offered the employees a status of 'semi-public employee'. The entities are legally autonomous, notwithstanding the fact that they are fully or partially financed by the State. This construction for the Dutch context probably finds an explanation in the desire in Christian-political circles for 'sovereignty within the private domain' and the Roman-catholic principle of 'subsidiarity': in case society provides a service, the State does not need to offer a similar provision (Plessen, 1996). On balance, the employees working in the semi-public sector are not employed by the State, although they are paid from collective resources (van Peijpe, 1998; Plessen, 1996).

The legal autonomy of the organisations in the semi-public sector leaves the State no space to play a role as employer. The independent status also limits the State influence on organisation, goals and the mode of operation of the semi-public sector. This scope of this report is therefore limited to the context of the collective labour negotiations in the twelve sectors of the 'branch' Public Sector.

Since the late 1980s, the industrial relations in the Dutch private sector have served as a benchmark, as a point of reference for the development of the framework of industrial relations in the public sector. This process of 'normalising', i.e. inducing elements of the industrial relations of the private sector in the framework of the public sector, is founded principally on the motive to improve the labour market and to modernise the labour relations in the public sector.

The difference between the legal position of public sector employees and private sector workers is threefold. The first difference concerns the appointment of employees and their legal protection, also known as 'the individual public sector employee status'. The second difference refers to the settlement of the terms and conditions of employment under public law. And finally, the framework of collective bargaining is different from the private sector. The difference concerns the rules for reaching collective labour agreements, as the freedom of contract applied in the private sector rules out imperative negotiations between the social partners. These three elements, together referred to as 'the public sector employee status' (in short: the status) are used to indicate the different legal position of the public sector and private sector employees. The essence does not relate to the specific terms and conditions of employment, but to structures and legal frameworks (Moll 2001; Van Peijpe; 1998; Wilke, 1996).

The fact that public sector employers are also public service providers, makes them differ from employers in the private sector. This specific characteristic reflects in the relation with their employees as well. International treaties, European guidelines, the constitution and national acts have (evidently) to be taken in account by the public employers. These imperatives also have a bearing on the employer's relation with their employees. Furthermore, the employers are accountable to parliament for their policy. On balance, the public sector employer is confronted with a number of dilemmas unknown to the employers in the private sector. This fact poses a natural limit on the process of 'normalising' labour relations in the public sector. No matter how the relation between public employer and public employee will develop: the position of employers in the public and in the private sector will never correspond fully.

The 'status-discussion' is underway for almost half a century (Kranenburg, 1958; De Jong, Niessen, 1982). In 1997, the government considered a general abolition of the 'status' by no means a solution for the problems on the labour market. The 'status' was no longer considered to hamper the functioning of the labour market. However, the government did not rule out that social partners in individual sectors would decide to abandon the status partially (Moll, 2001).

The Dutch parliament requested the government to investigate the conditions under which the abolition of the status could take place. Eventually the Council for Public Sector Labour Relations (ROP) issued a report about this matter. Public sector' employers associations and trade unions were united in their opinion that the moment for abolition of the status was too early. Additionally, the social partners expressed their preference for a gradual process of normalising industrial relations in the public sector (ROP, 1998). A probably more fruitful discussion about the status leads along the path of individual judgement of each part of the legal position on its merit (Niessen, 1982; van Peijpe, 1998; ROP, 1999). Taking in account the consequences of normalising for the unilateral labour relation, resignation, judicial protection, limitation of constitutional rights, social security and participation individually for public sector employees will do probably more justice to the specific position of the public employee in separate sectors.

There are noticeable differences between the position of public sector employee and the worker in the private sector. The most important differences *de jure* and *de facto* in this respect are listed below.

- *Appointment*. The formal side refers to the appointment: a unilateral legal act that results in the employment of the public employee. This differs from the appointment of an employee in the private sector: a private legal act, which is based on a bilateral labour agreement. The legal difference, however, has no practical meaning. It is undisputed that the appointment only comes into effect if the public employee involved agrees on the terms of the appointment (van Peijpe, 1998).

- *Resignation*. In case of resignation, the employer in the public sector has to make a choice from a limitative number of prescribed legal grounds. This is unlike the situation in the private sector. This seems a significant limitation of the freedom of the employer in the public sector. However, one can hardly think of situations in which it is not possible to justify the resignation of a public employee on one of the legal grounds. The ground for resignation can hardly be a problem, as long as the public service employer is prepared to unveil the genuine motives for this act (van Peijpe, 1998).

- *Legal protection*. The unilateral legal appointment in the public service implies that the interpretation and application of his legal position is not covered by civil law. Subsequently, a conflict about the rights and obligations will not be taken to a civil court. The individual protection of public employees is put in hands of the administrative court. The administrative judge has been granted powers for a more active role, which might serve as an advantage. However, a public sector employee is only able to file a complain in case of a decision (or refusal of a decision) of his employer. Another difference is the rather complex matter of powers in administrative law. This does not occur in civil labour law.

- *Constitutional rights*. Since 1988 the Public Servants Act includes a provision concerning this matter. What the freedom of expression, association and demonstration concerns: the proper fulfilment of the function and the functioning of the public services are taken into account. According to the Public Employees Act (art. 125a AW), the public employee should refrain from exercising this constitutional right, if satisfactory performance as an employee is not guaranteed.
  The freedom of expression can be at stake when a public employer assumes too easily a lack of reliability of certain public employees in case of a vacant position, or in case of resignation (art. 125c AW). The possibilities for selection and resignation are limited in case of unreliability for the employment of classified functions. Classified functions are positions that enable the public employee to damage the interests of the state (van Peijpe, 1998).

- *Social security*. Both the General Old Age Pensions Act (AOW) and General Relatives Act (ANW) don not distuingish between public sector or private sector employee. This is also the case for the National Assistance Act (ABW). The employee insurance Disablement Benefits Act (WAO) is also in force for the public sector since 1998. The Unemployment Benefits Act (WW) and the Sickness Benefits Act (ZW) have been applied on public service employees more recently, in 2001. However, differences with the public sector remain, as social partners agree in collective labour agreements on supplements on the legal allowances. In the private sector this is already the case for a longer period of time, so one would assume a similar position for public employees in this matter.

- *Direct participation*. The first Works Council Act (WOR) originates from 1950, and has been applied in the private sector since. The actual WOR differs considerably from its blueprint some fourty years earlier. With the introduction of the Act in 1993 in the public sector, the government considered very carefully not to create an arrangement for direct participation for the public sector, which would be more or less similar to the WOR. It avoided the existence of two provisions, one for the private sector and one for the public sector, which might in time lead to unjustifiable dissimilarities with the private sector. The government aimed at a private sector-modelled form of direct participation. This implies that direct participation in the public sector has to resemble direct participation in the private sector as much as possible, until the special position of the State as employer urges the legislator to make exceptions. Only where it proves to be necessary for the incorporation of the direct participation in the public sector, the WOR has been amended (Sprengers, 1998).

On balance, the difference between the private and the public sector with regard to statutory workers participation has decreased significantly.

3 PRINCIPLES AND PLAYERS

3.1 PRINCIPLES

Though the differences between the public sector and the private sector are less profound than they used to be, the procedures for determining the collective terms and conditions of employment deviate sharply. This concerns the issues at stake and the rules for consultation negotiation.

- ***Issues*** Rules have been made to establish the subjects of negotiations at central level and sectoral level between the public sector employers and the public employee trade union confederations. As a point of reference 'all subjects of general importance for the legal position of public employees', are subjected to negotiations between the social partners (Van Peijpe, 1998).
- ***Consultation and negotiation*** Only until recently, it was common to speak of 'collective consultation', rather than 'collective bargaining' in the public sector. Though collective bargaining is more in line with recent developments, as negotiations tend to resemble those in the private sector, the phrase 'consultation' refers more genuinely to the legal framework for the regulations of the terms and conditions of employment. Both phrases will be used alternately in a same meaning.

The most important elements of this legal framework are: (*a*) the power of the State to determine unilaterally the terms and conditions of employment, (*b*) the obligation to consult extensively with the representative organisations of the public employees, *(c*) the collective and individual consequences of agreements, (*d*) the extension of collective agreements and (*e*) the settlement of disputes (Van Peijpe, 1998).

- *(a) Unilateral determination.* The power of the State to fix the terms and conditions of employment for the public employees has been restricted with the introduction of the 'requirement of agreement' in 1988. In 1993 it was laid down in the General Public Employee Regulation (ARAR)[1] Formally, unilateral determination is still the case. The state not only has the power to issue rules; the State is even obliged to do so on basis of the Public Employees Act. This Act also indicates which subjects are to be laid down in rules.
- *(b) Requirement of agreement*. The 'requirement of agreement' is the core-feature of the framework and refers to the amendments in the individual legal position of public sector employees. The requirement is a compulsory issue for all the sectors in the public service and is laid down in a sector agreement, protocol or act. Social partners meet in the sector committee. In this sector body the sectoremployer and the representatives of the public sector employees (appointed by the four public sector employee trade union confederations, i.e. the ACOP, CCOOP, AC and CMHF) negotiate on the terms and conditions of employment.
  The 'requirement of agreement' consists roughly of the elements 'agreement' and 'majority'. Exceptions to the rule have to be borne in mind as well. What 'agreement' concerns: a regulation, which amends the individual position of the public employees

[1] Art. 105 ARAR

involved, can only be determined if the Minister has reached agreement with the Sector Committee. In this context 'majority' refers to the majority of the public employee trade union confederations in agreement with the Minister. In theory, the minister might come to an agreement with the two smallest public employee trade union confederations. If the votes are equally divided, the Minister decides.
Acts that apply to all persons or relate to all employees, that are not covered by the requirement of agreement, are excluded from this principle. Equally excluded are the regulations for public employees with a similar content as new laws for the employees in the private sector. Existing labour legislation can be applied on public employees if, on balance, their legal position is not affected. Evidently, the requirement of agreement does not cover legal amendments that result form international treaties.

- *(c) Collective and individual consequences of agreement*. Out of the public employee law rises a rather static image of their regulation of the terms and conditions of employment. It remains unchanged as long as no amendments have been induced. Contrary, the collective labour agreement is always a temporary provision, which usually has duration between one and two years. After the collective labour agreement has expired, the employers involved are free to determine the terms and conditions of employment they desire: existing labour contracts can be amended with the consent of the individual employee. Social partners in the public sector negotiation bodies have the ability to erase this difference, if they agree to limit the duration of the negotiation results.
  A word about the individual consequences of an agreement: a binding regulation for all public employees involved, may come into effect if agreement has been reached with a majority of the public employee trade union confederations. A collective labour agreement only binds those employees, which are a member of a union that has signed the agreement (that is: before the extension of collective agreements). Agreement with the Sector committee implies that the negotiated result (a regulation) can be established. In case of a lack of agreement, the regulation at stake will not come into effect. There is no road in between. In particular, there is no provision for the sectoremployer to reach an agreement with only one of the public employee trade union confederations, in case an agreement with the other confederations does not seem in reach. This marks a contrast with the private sector, were it is possible to conclude an agreement with a single union. The unions (and their members) not party to the agreement, are not bound.

- *(d) Extension of collective agreements*. it might occur that a public body or entity does not comply to the sectoral agreement on the terms and conditions of employment and consequently does not incorporate them into the legal body at local level. To avoid this, use is being made of a provision in the Public Employee Act (art. 126 AW), that provides for supervision of the State on the regulations of collective labour body of the Local Authorities. The application aims to have a similar effect as the extension of collective agreements in the private sector, but does not constitute a general measure for the entire sector. In fact, it is an incidental correction of an individual employer that does not comply with the negotiated result on sectoral level. This instrument is qualified as the *quasi-extension of collective agreements* (van Peijpe, 1998).

- *(e) Settlement of disputes*. Unlike the private sector, an official Advisory and Arbitration Committee (AAC) has been established for the public sector in 1984, which consists of 10 expert members who mediate on request (its decisions are not binding, but command considerable authority). Since 1986, the Local Advisory and Arbitration Committee (LAAC) operates in a similar way for the local authorities. The provinces and the district waterboards have joined in the LAAC-provision, which was laid down in rules by the Union of Local Authorities.

The regulation for the settlement of disputes attributes two powers to the AAC: a power to issue an advice, which is not legally binding for the parties, and a power to arbitrate, leading to a binding decision. The AAC has been scarcely involved in cases of arbitration. The Committee is competent in disputes that rise out of matters, which are subject to consultation between the social partners. The appearance of the AAC is generally seen as successful. To a large extent the advises of the Committee have been observed. A courtruling made clear that labour action by air traffic controllers was unlawful 'because prior to the collective action, not all possibilities had been exhausted'. According to some, this ruling not only made collective action for public employees more complex, but incorporated the AAC-procedure into the right to strike as well (Akkermans, 1984; van Peijpe, 1998).

- *(f) Right to strike: collective action.* Closely related to the issue of consulation and negotiation is the right to collective action in the public sector. The 1970s saw a starting point for the development of the collective right to strike in the Netherlands. A court acknowledged the principle of the right to strike. Later, in 1986 the Supreme Court (HR) established the collective right to strike. The Supreme Court based its ruling on a provision in the European Social Charter (art. 6, sub 4) where the collective right to strike for employers and employees was acknowledged. The Netherlands, which ratified the treaty in 1980, made a temporary reservation, which excluded the public employees from the effect of this provision. The legislator would issue a statutory solution for this issue. The reservation, then, could be repealed, and the public employees would be able to appeal directly to this fundamental right (Van Peijpe, 1998).
  In 1991, the government decided that public employees and the employees in the private sector would be granted an equal collective right to strike. Exceptions would be made for military personnel and part of the civil personnel employed by the Ministry of Defence. If the reservation of the European Social Charter (art. 6, sub 4) will be repealed, the collective right to strike for public employees will be acknowledged by the legislator (van Peijpe, 1998). So far (December 2002) this has not been the case. The collective right to strike is, on balance, acknowledged in jurisprudence and a statutory provision does not seem likely.
- *(g) Admittance.* A vital element in the process of collective bargaining is the representation of the public sector employees at the negotiating table. All employees in the public sector have the option to adhere through membership to one of the public employee trade union confederations. No barriers exist in this respect.

3.2 PLAYERS

The actual framework of collective bargaining in the public sector is legally founded on the Sector Protocol of 1993. Parties to the Protocol were the Minister for the Interior, the Interprovincial Consultative body (IPO), the Union of Local Authorities (VNG) and the Union of District Waterboards (UvW) on the side of the employers, and the four public employee trade union confederations i.e. the General Confederation of Public Sector Personnel (ACOP), the Christian Confederation of Educational and Public Sector Personnel (CCOOP), the Centre of Public Sector Employees (AC) and the Confederation of Managerial and Professional Personnel employed in the Public Sector, Education, Companies and Institutions (CMHF).

The ACOP is the public branch of the Dutch Trade Union Federation (FNV), while the CCOOP is the public division of the Christian Trade Union Federation (CNV). The CMHF, as

a confederation, is incorporated in the Federation of Managerial and Professional Staff Unions (MHP). The AC, however, is not part of an overarching federative trade union structure.

The parties to the Sector Protocol have co-founded the Council for Public Sector Labour Relations (ROP). The ROP has a task in coordinating the policy for the terms and conditions of employment and in advising the sectors and the central government. The ROP-Council in its task and composition resembles the bi-partite Labour Foundation (STAR) in the private sector. The position of the ROP was consolidated in the ROP-agreement, which was signed by the above-mentioned parties in 1997. The public employers and the public employee trade union confederations made agreements by protocol about the issues that are subject to negotiations on central and sectoral level. In the ROP, at central level, social partners nowadays negotiate about pension. Subjects like for instance statutory social security and labour market policy are decided on at decentral level in each of the eight sectors (currently twelve sectors) (Van Peijpe, 1998).

In anticipation on the implementation of the sector model, the public sector employers organised themselves in 1992 in an association, the League of Public Sector Employers (VSO), where they coordinate their positions for the settlement of terms and conditions of employment. As a result of the process of decentralisation in 1999 in the sector Education, the number of organised employers has risen to twelve.

The public employee trade union confederations united in the Cooperating Public Employee trade Union Confederations (SCO), with a similar aim (for an overview, see Annex 2, table 1).

In 1994, the Minister for the Interior and the social partners founded the Centre for Public Sector Labour Relations (CAOP). The CAOP offers a range of services to its founders. The services rendered, include offering 'neutral' ground for negotiations, independent reporting of meetings, advice and arbitration in labour conflicts in the public sector and scientific research on public sector labour relation issues (CAOP Foundation Act). Offering this rare mix of services, makes CAOP a relatively unique organisation in the Netherlands, and perhaps even in Europe.

At decentral level, collective bargaining takes place in twelve sectors. The sectors not only differ in size, but in degree of unity as well. This fact has evidently consequences for the co-ordination of the labour policy in the Public Sector. In the Sectors State, Defence and the Judiciary a single minister is responsible for settling the terms and conditions of employment. In the sectors Education, University Education, Higher Education, Research Institutes, Police, Provinces, Local Authorities and District Waterboards a multitude of actors perform a role as employer.

The setting of the negotiations in each individual sector is listed in short below. The sector Local Authorities is viewed in more detail.

- *State*. The Minister for the Interior and the four public employee trade union confederations negotiate in the Sector Committee State (SOR) about the terms and conditions of employment in this sector. The ARAR sets rules for the negotiation process and the issues for bargaining (van Peijpe, 1998).
- *Provinces*. On basis of the Sector Protocol for the Sectoral Consultative Body on terms and conditions of employment for the Provinces (SPA), the Interprovincial Employers League (IWV), a body of the IPO engages in negotiations with the public employee trade union confederations ACOP, CCOOP and CMHF. The consultation deals about subjects that can be labelled as sectoral issues. Additionally, parties may agree on other subjects, which are centrally decided on to be sectoral issues. Apart from this, parties have the

ability to agree on other issues on which they decide sectoral agreements should be made. The sectoral agreements are binding for the provinces and have to be laid down in regulations by the provincial authorities (Sprengers, 1998).

- *District Waterboards*. The negotiations in the sector District Waterboards are guided by the Protocol for the national settlement of terms and conditions of employment of the District Waterboards 1998 (LAWA Protocol). The Union of District Waterboards (UvW) and three public employee trade union confederations ACOP, CCOOP and CMHF take part in the bargaining process. The meet at the National Consultative Body on terms and conditions of employment for the District Waterboards (LAWA). Negotiations take place about the sectoral issues mentioned in the protocol. The sectoral agreement is binding for the members of the UvW, which include all district waterboards of the country. There is consensus to deal with as much issues of terms and conditions of employment on sectoral level as possible. Because of the relatively small size of the sector, the district waterboards aim at uniformity in their terms and conditions of employment (Sprengers, 1998).
- *Local Authorities*. The Union of Local Authorities (VNG*)* aims at concluding agreements with the public sector employee trade union confederations on the terms of employment for personnel employed in the sector. Furthermore this employers' association supports her members collectively and individually in their administrative tasks. The VNG is open to membership for municipalities and Regional Cooperations (Statuten VNG). Though membership is not compulsory, all municipalities have joined the VNG, acting exclusively on behalf of her 504 members (2001). A mounting pressure from the government to allocate local administrative and financial resources more efficiently, have led a number of municipalities to engage in intermunicipal or regional cooperation. In a most extensive sense, cooperation takes the form of municipal fusion. The ongoing process of Municipal Regrouping (Gemeentelijke Herindeling) resulted -and will result- in a diminishing number of municipalities. In 2001 a number of 52 municipalities were subject to the process of regrouping, which will eventually lead to 20 'new' municipalities (VNG/CvA).

Social partner organisations of the sector local authorities meet in the National Consultative Body for Employment and Conditions in Local Authorities (LOGA). Here the Board of Labour Affairs (CVA/VNG*)* negotiates with three public sector employee trade union confederations: the ACOP, the CCOOP and the CMHF*).* The rules for the bargaining process have been laid down in 1993 in the Protocol for the settlement of the terms and conditions of employment of the local authorities (LOGA). The consultation on the level of the local authorities is threefold:

- The first level refers to the Collective arrangement for the terms and conditions of employment *(*CAR). This arrangement comprises of the main issues for the local level and is binding for all local authorities. The CAR-agreement is subject of negotiation at sectoral level in the LOGA. Bargaining issues in the CAR involve (amongst others) both procedural and material issues, such as the function and salary structure, the annual wage increase, flexible pension, working hours, sectoral social security arrangements, leave and training facilities.Detailed implementation of what has been agreed on in the CAR-agreement, takes place at local level in the Local Consultative Body (GO). Social partner organisations wishing to participate, other than ACOP, CCOOP and CMHF have to be representative. The decision to allow new parties to participate in the negotiations at GO-level, is a local prerogative (CAR/UWO).

- At the second level, the Execution Agreement (UWO) comprises of a detailed implementation of CAR-issues. Local authorities have an option to take part in the UWO-agreement. If they choose to do so, the LOGA substitutes the local consultative body (GO) as a platform for negotiations.
- On local level -the third level- the negotiations take place in the local consultative body (GO) about terms and conditions of employment, of which parties in the LOGA have decided, that for reason of their local character, are not binding for all local authorities.

An exception has been made for 'the four big municipalities', Amsterdam, Rotterdam, Utrecht and The Hague. These cities are bound by the sectoral agreement only with regard to the subjects, which have been transferred from the central to the sectoral level. The collective labour agreement is in principal binding for all municipalities, which results (therefore) in full coverage of the agreement. However, the 'four big municipalities' have the power to negotiate independently on local level about some issues. In general all municipalities have the ability to negotiate on local level about the implementation of the agreement reached at sectoral level.

If the municipalities opt for adherence to the execution agreement (UWO), they deny themselves the possibility to negotiate the implementation of sectoral agreements on local level in the local consultative body GO. In recent years, a growing number of municipalities have been opting for the execution agreement UWO. This arrangement is gaining significance as a service of the VNG-employers section for its members, as currently 325 municipalities (64%) participate in the UWO-agreement. The administrative workload of local negotiating for municipal authorities is most clearly the motive for this trend (VNG/CVA).

The local consultative body (GO), as an exclusive platform for negotiations on local level, became subject of discussion with the introduction of the Works Council Act (WOR). The Act has been in force for the public sector since 1995. The Act, instituting the works council (also) on municipal level unmistakably challenges the position of the local consultative body (GO). Various models have been developed to demarcate the relation between these two fora. A solution probably will not be found in the substitution of the local consultative body GO by the works council, but more likely in a division of powers between the public sector employee trade union confederations and the works council (Sprengers, 1998).

On balance, the outcome of negotiations on local level may result in minor deviations from the agreement on sectoral level, and in less than minor differences in the implementation of the sectorally negotiated results (Sprengers, 1998; VNG/CvA). Both the increasing significance of the UWO-agreement and the introduction of the work council on municipal level put mounting pressure on the position of the GO-body as an exclusive platform for negotiations on local level.

EDUCATION

The largest public sector by far, Education, consists of seven subsectors, i.e. Primary Education (PO), Secondary Education (VO), the sector Occupational Education and Adult Education (BVE), University Education (WO), Higher Vocational Education (HBO), Research Institutes (OI) and the Academic Hospitals (AZ).

Consultation in these subsectors takes place between the Minister of Education, the employers in the subsector and the public employee trade union associations. However, the situation differs from subsector to subsector.

What concerns consultation between the Minister and the employers: in the Employers Administrative Consultative Body (BWO) deliberation takes place between the Minister of Education and the employers of the sectors Primary Education, Secondary Education and the sector Occupational Education and Adult Education. Consultation takes place on basis of the Protocol Employers Consultative Body PO, VO and BVE.

In the Consultative Body Higher Education and Scientific Research (WBHW) the Minister of Education meets the employers of the sectors WO, HBO, OI en AZ. The terms for consultation are laid down in the Protocol for the Consultative Body Higher Education and Scientific Research (Protocol WBHW). However, the deliberation in consultative bodies between the Minister and employers (BWO and WBHW) are merely of a coordinative character, and therefore cannot be seen as negotiations *pur sang.*

In the Sector Committee Education (SCOW) consultation takes place between the Minister of Education and the public employee trade union associations about the protocol-subjects and non-protocol subjects for the sectors PO. Consultation also takes place about the non-protocol subjects for the sectors VO and BVE. 'Protocol' in this context refers to the Sector Protocol 1993. Bargaining in the SCOW-committee is based on a decree.

In the subsectors WO, HBO, OI and AZ, negotiations on the terms and conditions of employment take place fully on decentral level. The Minister of Education concluded agreements in 1998 and 1999 with the associations of employers involved and the public employee trade union associations. The convenants enable the employers to perform more as 'employer' in the negotiations for the terms of employment.

In these subsectors the Association of Dutch Universities (VSNU), the Council for Higher Vocational Education (HBO-Raad), the Employers Association of Research Institutes (WVOI) and the Associations of Academic Hospitals (VAZ) act in their role as employer, and the public employee trade union confederations ACOP, CCOOP, AC and CMHF as their counterparts. Social partners in the subsector Academic Hospitals meet in the National Consultative Body Academic Hospitals (LOAZ). The issues which are subject to negotiation in the subsectors are those which are not exclusively reserved for consultation in the ROP-council (Source: CAOP).

DEFENCE

For the sector Defence consultation for the terms and conditions of employment takes place in the Sectoral Consultative Body Defence (SOD) between the Minister of Defence and the public employee trade unions confederations ACOP, CCOOP, AC and CMHF. The issues are decided both for the military and civil employees working in the sector. Negotiation takes place on basis of a sectoral regulation, the Decree Organised Consultation Sector Defence and the issues of bargaining are similar to the protocol issues. On the level of the armed forces consultation takes place in Special Committees for the Ministery, the Army, the Navy, the Airforce and the Defence Interservice Commando. In the Special Committees (three committees for military personnel issues and five committees for civil personnel issues) both the Commander of the individual military force and the Secretary General of the Ministry of Defence negotiate with the public employee trade unions confederations. Consultation takes place about the execution and implementation of the issues, which were decided on at central level for the military and civil workforce (Source: CAOP).

POLICE

Consultation on the terms and conditions of employment for the sector Police takes place in the Committee for Consultation in Police and Public Employee Issues (CGOP). In the CGOP

social partners discuss issues that are of general importance for the legal position of the public employees (legal position, general rules for the police, personnel policy). The consultation procedure is not based on protocol, but on a sectoral regulation. Police corps have their Regional Committee for Consultation in Police and Public Employee Issues (RCGOP). Consultation on this level takes place between the Corps Authority and a representation of the public employee trade unions confederations. Issues that have been decided for on central level cannot be subjects of discussion on regional level (Sprengers, 1998).

JUDICIARY

In the sector Judiciary, the Minster of Justice and a single public employee trade union confederation, the CMHF, negotiated on the terms and conditions of employment for the judicial public employees. Negotiations take place in the Sector Committee Judiciary (SORM). The issues for collective bargaining are laid down in the Judicial Public Employees Act and correspond to the protocol.

4 REPRESENTATIVENESS

4.1 REPRESENTATIVENESS DE JURE

The position of the representatives, acting on behalf of the employees in the sector State, was arranged prior to the subdivision in 1993. This provision has been in force ever since. Unlike negotiations that take place in the private sector, rules have been issued about representativeness of the organisations that are allowed to take part in the collective bargaining.

The Public Servants Act (AW) attributes to the government the power to issue rules regarding 'the manner in which consultation has to take place with the appropriate unions[2]. Another legal source, the General Public Servant Regulation establishes the position of the four public sector employee trade union confederations ACOP, CCOOP, AC and CMHF[3]. They appoint the representatives (i.e. affiliated unions), which negotiate on their behalf in the sector committee. Furthermore, the legislator permits the government to admit 'other confederations which on account of the number of public sector employees they represent, can be judged as representative, as long as their admittance does not interfere with the public interest'. Finally, the government has the ability to withdraw or to suspend the admittance in case the criteria of representativeness are no longer met, or in the public interest[4].

The legislator clearly legitimises the position of the four confederations as accepted partners. Their representativeness has not been put to the test. Other confederations, though, will have to prove their representativeness before they will be admitted. Both legal sources provide no further details on what conditions have to be met in order to participate in collective bargaining. Reversibly, apart from the reference to the 'lack of representativeness' and the 'public interest', the exact circumstances under which suspension or withdrawal might occur are not clarified.

On balance, the legal framework does not reach beyond the attribution of power to admit, to suspend or to withdraw the admittance of 'appropriate unions'. What concerns admittance: it is assumed, though, that an organisation will succeed in admittance by proving to have as many members as the smallest confederation already accepted as partner in negotiations. Equally, the distribution among the different categories of public sector empoloyees is considered to be another criterion for the establishment of 'representativeness'. A refusal to be admitted will quite likely be witnessed as an arbitrary act and therefore be considered unlawful. This will clearly not to be the case when it concerns a banned organisation. As stated, withdrawal or suspension might occur in the public interest (van Peijpe, 1998).

The legal framework has not been applied: since 1993, no new participants have requested to be admitted, and no existing partners have been excluded with reference to what has been legally issued.

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2 Art. 125 AW.

3 Art. 105 ARAR.

4 Art. 106, sub 2 AW.

4.2 REPRESENTATIVENESS DE FACTO

Next, the actual situation regarding representativeness will be illustrated with data on union density (Annex 2).In January 2000, more than half of the members of the CCOOP-confederation were employed in the sector Education. This is also the case for the CMHF. The AC, however, has a relatively low share in the sector Education, but the majority of their members are employed in the sector Defence. The ACOP is well represented in both the sectors Education and Local Authorities. Though a great deal of members of the public sector employee trade union confederations are employed in the sector Education, this sector does not have the highest degree of union membership. Approximately 44,6 % of the employees is member of a public sector trade union. In the sector Judiciary union membership rates 89,2%. Union density in the sectors Police and Defence is high: more than 75% of the population has adhered to a union. In contrast, the public employees in the sectors Provinces, Local Authorities and District Waterboards are less organised. On average, 48,9% of the public sector employees has a union membership (Annex 2, Table 5).

Over the period 1990-1997 the overall union membership amongst public sector employees has increased gradually. This trend is witnessed in most sectors. However, the period 1997-1999 indicates a reversed trend. In the year 2000 union membership of almost all sector has augmented sligthly. After a period of mounting membership (1993-1997), the sector Defence has shown a significant sharp decrease in union membership of approximately 10% over the period 1998-2000. One explanation might be the increase of Defence personnel with a labour contract of limited duration; a group, which might be less inclined to union membership (Annex 2, Table 6).

In 1998 the NOVON, an AC-union, terminated its membership of the AC and transferred to the ACOP. This shift resulted in relative low figures concerning union membership in the sectors Provinces (5,8%), Local Authorities (2,5%) and District Waterboards (0,2%) since. As a result of this development, and under some pressure of the other partners, the AC no longer joins in the negotiations in these sectors anymore. The AC did not file for legal revision of her position; it was on balance a ‘voluntary withdrawal’. In updated versions of the protocols in the sectors Provinces, Local Authorities and District Waterboards, the AC is not involved as participant. Conversely, the AC has the largest share in the sector Defence (39,1%) (Annex 2, Table 7).

The relatively modest membership rates of the CMHF (Provinces: 1,2%, Local Authorities: 1,8%, District Waterboards: 0,9%) might raise questions in the future about its representativeness in these sectors. Bearing in mind its even lower density rates than the AC in these sectors, one wonders about its position as a credible representative organisation. At the same time this situation shines a feeble light on the motives for the exclusion of the AC, as mentioned. Distribution of density and acceptation may be two additional motives for these facts. Figures (Annex 2, Table 8) show that CMHF has a relatively more even distribution of members over the sectors than the AC.

Until recently, the NvvR, a CMHF-affiliated union, claimed an exclusive position in the sector Judiciary, being the sole partner for consultation on the terms and condition of employment. As stated, this position was legally enforced. Apart from the magistrates and related legal staff, which are predominantly CMHF-members, administrative personnel and facility services employees are also employed in this sector. This group of public sector employees, to a great extent affiliated with ABVAKABO (a public sector ACOP-union), is administratively considered to be part of the sector State. The CMHF-share in union membership (100%) has to be put into this perspective. However, the presence of ACOP-affiliated members (probably a multitude of CMHF-members[5]) put mounting pressure on both

[5] According to ACOP officials. No accurate data available presently.

the employer and the CMHF to accept ABVAKABO as a negotiating partner. Consultations with both parties brought the minister of Justice to amend the Judicial Public Employee Act in this respect (Moll, 2001a), resulting in the termination of the CMHF's monopoly on collective bargaining in this sector.

5 CONCLUSION

This report has discussed the development of public sector industrial relations since the introduction of the sector model in 1993. About the institutional framework in brief: the reform of the public sector in 1993 resulted anno 2001 in the establishment of twelve sectors, which were founded either on the criteria of devolution or function. In the first case, more actors perform as employer, in the second case a single actor is responsible. The employees are represented by four public sector employee trade union confederations ACOP, AC, CCOOP and CMHF. In order to coordinate their interests on central level, both employers and confederations joined hands (in VSO for public sector employers and SCO for public sector trade unions). Both founded the ROP-council as a bi-partite platform for negotiations. On sector level, affiliated unions of the confederations negotiate with the employers on the terms and condition of employment.

Key characteristic in this context is the detailed procedure for collective bargaining, which obliges the public sector employer to come to terms with the trade union confederations about labour issues. This provision has to be understood in the light of the power to decide unilaterally. Just because the government, in its role as employer, has the ability to arrange for the terms and conditions single-handedly, some reinforcement of the position of the trade union confederations as negotiating partner seems indispensable. Even more so, because the collective right to strike for public sector employees suffers considerably more constraints than the similar right for private sector employees.

Some authors (van Peijpe, Stekelenburg) value the 'requirement of agreement' as a compensatory provision' in order to balance the powers in collective bargaining more evenly. Though it does not stand up to the power of the employer to make unilateral decisions, the condition of agreement leads to a result backed by a majority of the partners, which in most cases implies a majority of the confederations present at the negotiating table.

As previously mentioned, the legally enforced position of the partners in collective bargaining was established in the sector State, prior to the implementation of the sectormodel. The confederations, which were partners in collective bargaining then, were acknowledged as representative. The legal provision served as a blueprint in deciding which participants should be admitted to collective bargaining on the sector level. No clear criteria for admittance in numbers or even distribution of union-membership have been issued so far. Next, the provisions do not specify 'lack of representativeness' or 'public interest' as legal grounds for suspension or withdrawal.

The AC-case is the only example of an admitted confederation, which had to give up its position as a representative organisation. But this exclusion was not legally enforced. As mentioned previously: the AC-confederation gave up its position 'voluntarily', under mounting pressure of the other partners. Conversely, no other confederations have been 'knocking at the door' since 1993.

This leads to the first preliminary conclusion that the legal framework for representativeness has not been developing over the past years. It does not provide for clear indicators to establish legitimacy and the admittance of new participants, which makes it therefore incomplete. The implementation of the sectormodel left the positions of the participants unchanged. The legal framework (with its lacunas) has not been put to the test, as the single case of exclusion bears no legal marks, and admittance of new partners has not occurred.

The actual situation, however, shows that the position of social partners is somewhat different from what was the startingpoint in 1993. That is, in some sectors. All trade union confederations kept their seats at the negotiating tables in the sectors State, Education, Defence and Police. The position of the negotiating partners in these sectors seems undisputed.In the sectors Provinces, Local Authorities and District Waterboards, however, the AC-confederation lost its position due to a sudden shift in membership. The density was experienced by the other social partners as sub-critical and not to be left without consequences. Apparently the AC gave up its seats. The exclusion was not challenged, and the AC did not bring the matter to an administrative court.

The exclusion of the AC-confederation raises questions about the motives for exclusion, bearing in mind the density rates of the CMHF-confederation in these sectors, which are even lower (Annex 2, Table 8). At first, this fact seems rather arbitrary. But on second instance, it reflects the relative value of density as an indicator for the position at stake. A more even distribution of membership might add up to the relative position as well. Finally, the picture that emerges out of interviews, is that in the respective sectors the CMHF as negotiation partner is accepted to a greater extent than the AC. This matter is subject of further research.

Until recently the CMHF claimed the position of exclusive negotiating partner in the sector Judiciary. In the past years the ACOP-confederation, having considerable membership under administrative employees working in the judiciary and (probably) outnumbering the CMHF-share easily, has been requesting persistently to be admitted. Consultations with both parties brought the Minister of Justice to amend the Judicial Public Employee Act in this respect (Moll, 2001a), resulting in the termination of the CMHF's monopoly on collective bargaining in this sector. The relative stronger position of the ACOP will most likely result in a place at the negotiating table. As figures show (Annex 2, Table 7), the ACOP has considerable membership in all sectors and, on balance, the largest share in public sector union membership. The ACOP has been accepted in all other sectors as a partner in collective bargaining.

The second preliminary conclusion is that de facto representativeness is not entirely based on density rates. In addition, the evenness of distribution and the degree of acceptance play an important role as well. Clearly the representativeness de facto of negotiating partners in the public sector corresponds only partially with an incomplete framework for representatives de jure. In four sectors (Provinces, Local Authorities, District Waterboards and Judiciary), the representativeness of social partner organisations is not clearly established and being to a certain extent even arbitrary, as the density rates alone are apparently not a clear reflection of their respective position in collective bargaining. This consequently reflects on the 'requirement of agreement'. To what extent does the 'compensatory function' stand, if 'the confederations which on account of the number of public sector employees they represent, can be judged as representative', are unable to refer to clear indicators to back their position? Out of this perspective of representativeness emerges a somewhat 'blurred' image.

An explanation for the state of representativeness in the Dutch public sector may be twofold. In the development towards 'new' industrial relations, priority was given to the implementation of 'the sectormodel. Partners, which had been in consultation in the old structure, accepted each other. An indication for this explanation rises out of an evaluation of the sectormodel three years ago (ROP, 1999). Social partners agreed then that this issue was one of the subjects to attend to more carefully in the near future.

The second explanation is of a more global kind. None of the partners expressed so far an urge to settle the issue in public sector context. This attitude probably not only reflects the typical relation of the social partners in the Netherlands, but also the Dutch ambivalent

attitude towards legislation in general. The Dutch solution was the following: the legislator set a global legal framework, providing for a legal minimum, leaving social partners room to develop the issue at stake. As long as both employers and confederations agree implicitly on the matter, the legislator will abstain from action. Only in case a problem occurs, partners will see to the matter and engage in a dialogue. If judged necessary, the legislator will take part in these consultations.

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ANNEX 1 PLAYERS

Table 1 Central level

Central Level	*Employer(s)*	*Forum*	*Employees*
	League of Public Sector Employers (VSO)	Council for Public Sector Labour Relations (ROP)	Cooperating Public Employee Trade Union Confederations (SCO)

Source: Raad voor het Overheidsperoneelsbeleid, 1999.

Table 2 Sector level (territorial)

Sectoral Level	*Employer(s)*	*Forum*	*Employees*
State	Minister for the Interior	Sector Committee State (SOR)	• General Confederation of Public Sector Personnel (ACOP), • Christian Confederation of Educational and Public Sector Personnel (CCOOP), • Centre of Public Sector Employees (AC), • Confederation of Managerial and Professional Personnel employed in the Public Sector, Education, Companies and Institutions (CMHF)
Provinces	Interprovincial Employers League (IWV)	Sectoral Consultative Body for the terms and conditions of employment for the provinces (SPA)	• General Union of Public Employees/Catholic Union of Public Sector Employees/Dutch Independent Union for the Public- and Non-profit Sector (ABVAKABO/FNV/NOVON), • Christian Confederation of Educational and Public Sector Personnel (CCOOP), • Confederation of Managerial and Professional Personnel employed in the Public Sector, Education, Companies and Institutions (CMHF)
Local Authorities	Board of labour Affairs (CvA)	National Consulatative Body for the terms and conditions in Local Authorities (LOGA)	• General Union of Public Employees/Catholic Union of Public Sector Employees/Dutch Independent Union for the Public- and Non-profit Sector (ABVAKABO/FNV/NOVON), • Christian Confederation of Educational and Public Sector Personnel (CCOOP), • Confederation of Managerial and Professional Personnel employed in the Public Sector, Education, Companies and Institutions (CMHF)
District Waterboards	Union of district Waterboards (UvW)	National Consultative Body for the terms and conditions of employment for the District Waterboards (LAWA)	• General Union of Public Employees/Catholic Union of Public Sector Employees/Dutch Independent Union for the Public- and Non-profit Sector (ABVAKABO/FNV/NOVON), • Christian Confederation of Educational and Public Sector Personnel (CCOOP), • Confederation of Managerial and Professional Personnel employed in the Public Sector, Education, Companies and Institutions (CMHF)

Source: Raad voor het Overheidsperoneelsbeleid, 1999.

Table 3 Sectoral level (functional)

Sectoral Level	*Employer(s)*	*Forum*	*Employees*
Education	Minister of Education	Sector Committee Education (SCOW)	• General Confederation of Public Sector Personnel (ACOP), • Christian Confederation of Educational and Public Sector Personnel (CCOOP), • Centre of Public Sector Employees (AC), • Confederation of Managerial and Professional Personnel employed in the Public Sector, Education, Companies and Institutions (CMHF)
University Education	Association of Dutch Universities (VSNU)		• General Confederation of Public Sector Personnel (ACOP), • Christian Confederation of Educational and Public Sector Personnel (CCOOP), • Centre of Public Sector Employees (AC), • Confederation of Managerial and Professional Personnel employed in the Public Sector, Education, Companies and Institutions (CMHF)
Higher Vocational Education	Council for Higher Vocational Education (HBO-Raad)		• General Confederation of Public Sector Personnel (ACOP), • Christian Confederation of Educational and Public Sector Personnel (CCOOP), • Centre of Public Sector Employees (AC), • Confederation of Managerial and Professional Personnel employed in the Public Sector, Education, Companies and Institutions (CMHF)
Research Institutes	Employers Association of Research Institutes (WVOI)		• General Confederation of Public Sector Personnel (ACOP), • Christian Confederation of Educational and Public Sector Personnel (CCOOP), • Centre of Public Sector Employees (AC), • Confederation of Managerial and • Professional Personnel employed in the Public Sector, Education, Companies and
Academic Hospitals	Association of Academic Hospitals (VAZ)	National Consultative Body Academic Hospitals (VAZ)	• General Confederation of Public Sector Personnel (ACOP), • Christian Confederation of Educational and Public Sector Personnel (CCOOP), • Centre of Public Sector Employees (AC), • Confederation of Managerial and Professional Personnel employed in the Public Sector, Education, Companies and Institutions (CMHF)
Defence	Minister of Defence	Sector Committee Defence (SOD)	• General Confederation of Public Sector Personnel (ACOP), • Christian Confederation of Educational and Public Sector Personnel (CCOOP), • Centre of Public Sector Employees (AC), • Confederation of Managerial and Professional Personnel employed in the Public Sector, Education, Companies and Institutions (CMHF)
Police	Minister for the Interior	Joint Consultative Body Police (GOP)	• Dutch Police Union (NPB), • General Christian Police Union (ACP) • General Christian Polie Association (ANPV) , • Association of Managerial and Professional Police Employees (VMHP)
Judiciary	Minister of Justice	Sector Committee Judiciary (SORM)	• Confederation of Managerial and Professional Personnel employed in the Public Sector

Source: Raad voor het Overheidsperoneelsbeleid, 1999.

ANNEX 2 REPRESENTATIVITY

Table 4 Division of employment in the public sector

Sector	Employees
State	106.656
Provinces	12.801
Local Authorities	175.192
District Waterboards	8.734
Education[6]	339.225
Defence	76.886
Police	45.220
Judiciary	2.179
Total	784.975

Source: Ministerie van Binnenlandse Zaken, 1997

Table 5 Union density of public employees, January 2000 (% of sectoral employment)

Sector/Confederation	CCOOP	ACOP	AC	CMHF	Total
State	7,8	19,6	11,2	4,7	43,3
Provinces	6,6	37,9	2,8	0,6	47,9
Local Authorities	6,7	34,4	1,1	0,8	43,1
District Waterboards	10,6	29,4	0,1	0,4	40,5
Education	14,3	23,9	1,8	4,7	44,6
Defence	15,8	28,2	30,1	2,8	76.8
Police	31,2	38,4	4,0	1,7	75,4
Judiciary	0	0	0	89,2	89,2
Total Public Sector	12,6	27,1	5,7	3,6	48,9

Source: Ministerie van Binnenlandse Zaken en Koninkrijksrelaties, 2000b

Table 6 Union density of public sector employees 1994-2000 (% of sector employment)

Sector/year	1994	1995	1996	1997	1998	1999	2000
State	46.4	47,8	47,9	44,6	41,8	39,7	43,3
Provinces	51,5	49,1	48,7	49,0	46,7	46,7	47,9
Local Authorities	46,2	45,4	46,7	44,8	44,1	43,8	43,1
District Waterboards	37,2	37,7	38,0	38,1	38,9	39,9	40,5
Education	45,6	46,7	47,5	46,3	42,9	44,5	44,6
Defence	68,0	82,3	85,9	98,8	88,7	77,4	76,8
Police	79,0	74,0	72,9	72,6	73,7	73,5	75,4
Judiciary	81,1	87,1	88,7	unknown	unknown	unknown	89,2
Total Public Sector	50,3	51,5	52,6	52,6	49,2	48,6	48,9

Source: Ministerie van Binnenlandse Zaken en Koninkrijksrelaties, 2000

[6] Data on the sectors University Education, Higher Vocational Education, Research Institutes and Academic Hospitals not available and not taken into consideration.

Table 7 Share in public sector employee union membership, January 2000 (% of sector union membership)

Sector/Confederation	CCOOP	ACOP	AC	CMHF	Total
State	18,0	45,2	25,8	10,8	100
Provinces	13,7	79,1	5,8	1,2	100
Local Authorities	15,5	79,8	2,5	1,8	100
District Waterboards	26,1	72,5	0,2	0,9	100
Education	32,0	53,5	4,0	10,5	100
Defence	20,5	36,7	39,1	3,6	100
Police	41,3	50,9	5,3	2,2	100
Judiciary	0	0	0	100	100
Total Public Sector	25,7	55,4	11,6	7,3	100

Source: Ministerie van Binnenlandse Zaken en Koninkrijksrelaties, 2000, conversion Moll

Table 8 Number of union members employed, January 2000 (public sector trade union confederation)

Sector/Confederation	CCOOP	ACOP	AC	CMHF	Total
State	9.013	22.676	12.927	5.433	50.049
Provinces	830	4.743	356	71	6.000
Local Authorities	12.378	63.239	2004	1.502	79.123
District Waterboards	944	2.612	6	34	3596
Education	53.039	88.692	6.534	17.296	165.561
Defence	11.995	21.378	22.834	2.104	58.311
Police	14.513	17.897	1.876	793	35.079
Judiciary	0	0	0	2.130	2.130
Total Public Sector	102.712	221.237	46.538	29.363	399.850

Source: Ministerie van Binnenlandse Zaken en Koninkrijksrelaties, 2000b

LIST OF ABBREVIATIONS

English	Dutch	Abbreviation
Advisory and Arbitration Committee	Advies- en Arbitrage Commissie	AAC
General Union of Public Employees/Catholic Union of Public Sector Employees	Algemen Bond van Ambtenaren/Katholieke Bond van Overheidspersoneel	ABVA/KABO
National Assistance Act	Algemene Bijstandswet	ABW
Centre of Public Sector Employees	Ambtenarencentrum	AC
General Confederation of Public Sector Personnel	Algemene Centrale voor Overheidspersoneel	ACOP
General Christian Police Union	Algemeen Christelijke Politiebond	ACP
Genral Dutch Police Association	Algemene Nederlandse Politie Vereniging	ANPV
General Relatives Act	Algemene Nabestaandenwet	ANW
General Old Age Pensions Act	Algemene Ouderdomswet	AOW
General Public Employee Regulation	Algemeen Rijksambtenaren Reglement	ARAR
Public Servants Act	Ambtenarenwet	AW
Academic Hospitals	Academische Ziekenhuizen	AZ
Occupational Education and Adult Education	Beroepsonderwijs- en Volwasseneneducatie	BVE
Employers Administrative Consultative Body	Bestuurlijk Werkgevers Overleg	BWO
Centre for Public Sector Labour Relations	Centrum Arbeidsverhoudingen	CAOP
Collective arrangement for the terms and conditions of employment	Collectieve Arbeidsvoorwaarden Regeling	CAR
Christian Confederation of Educational and Public Sector Personnel	Christelijke Centrale voor Overheids- en Onderwijzend Personeel	CCOOP
Committee for Consultation in Police and Public Employee Issues	Commissie voor Georganiseerd Overleg in Politie- en Ambtenarenzaken	CGOP
Confederation of Managerial and Professional Personnel employed in the Public Sector, Education, Companies and Institutions	Centrale van Middelbare en Hogere Functionarissen bij Overheid, Onderwijs, Bedrijven en Instellingen	CMHF
Christian Trade Union Federation	Christelijk Nationaal Vakverbond	CNV
Christian Trade Union Federation Public Affairs	Christelijk Nationaal Vakverbond Publieke Zaak	CNV Publieke Zaak
Board of Labour Affairs	College van Arbeidszaken	CVA
Dutch Trade Union Federation	Federatie Nederlandse Vakbeweging	FNV
Semi-Public Sector	Gepremieerde en Gesubsidieerde Sector	G&G-sector
Local Consultative Body	Georganiseerd Overleg	GO
Higher Vocational Education	Hoger Beroepsonderwijs	HBO
Supreme Court	Hoge Raad	HR
Interprovincial Consultative Body	Interprovinciaal Orgaan	IPO
Interprovincial Employers League	Interprovinciaal Werkgeversverband	IWV
Local Advisory and Arbitration Committee	Lokale Advies- en Arbitrage Commissie	LAAC
National Consultative Body for the terms and conditions of employment for the District Waterboards	Landelijk Arbeidsvoorwaardenoverleg Waterschappen	LAWA
National Consultative Body Academic Hospitals	Landelijk Overleg Academische Ziekenhuizen	LOAZ
National Consultative Body for terms and conditions of employment in Local Authorities	Landelijk Overleg Gemeentelijke Arbeidsvoorwaarden	LOGA
Federation of Managerial and Professional Staff Unions	Vakcentrale voor Middelbaar en Hoger Personeel	MHP
Dutch Independent Union for the Public- and Non-profit Sector	Nederlandse Onafhankelijke Vakbond voor de Overheids- en Non-profitsector	NOVON
Dutch Police Union	Nederlandse Politiebond	NPB
Research Institutes	Onderzoeksinstellingen	OI

Primary Education	Primair Onderwijs	PO
Regional Committee for Consultation in Police and Public Employee Issues	Commissie voor Georganiseerd Overleg in Politie- en Ambtenarenzaken	RCGOP
Council for Public Sector Relations	Raad voor het Overheidspersoneelsbeleid	ROP
Cooperating Public Employee trade Union Confederations	Samenwerkende Centrales van Overheidspersoneel	SCO
Sector Committee Education	Sectorcommissie Onderwijs en Wetenschappen	SCOW
Sectoral Consultative Body Defence	Sectoroverleg Defensie	SOD
Sector Committee State	Sectoroverleg Rijkspersoneel	SOR
Sector Committee Judiciary	Sectorcommissie Rechterlijke Macht	SORM
Sectoral Consultative Body for the terms and conditions of employment for the Provinces	Sectoroverleg Provinciale Arbeidsvoorwaarden	SPA
Labour Foundation	Stichting van de Arbeid	STAR
Union of District Waterboards	Unie van Waterschappen,	UvW
Execution Agreement	Uitvoeringsovereenkomst	UWO
Associations of Academic Hospitals	Vereniging Academische Ziekenhuizen	VAZ
Association of Managerial and Professional Police Employees	Vereniging van Middelbare en Hogere Politieambtenaren	VMHP
Union of Local Authorities	Vereniging van Nederlandse Gemeenten	VNG
Secondary Education	Voortgezet Onderwijs	VO
Association of Dutch Universities	Verenigde Samenwerkende Nederlandse Universiteiten	VSNU
League of Public Sector Employers	Verbond Sectorwerkgevers Overheid	VSO
Disablement Benefits Act	Wet op de Arbeidsongeschiktheids-verzekering,	WAO
Consultative Body Higher Education and Scientific Research	Werkgevers Beraad Hoger Onderwijs en Wetenschappelijk Onderzoek	WBHW
University Education	Wetenschappelijk Onderwijs	WO
Works Council Act	Wet op de Ondernemingsraden	WOR
Employers Association of Research Institutes	Werkgeversvereniging Onderzoeksinstellingen	WVOI
Unemployment Benefits Act	Werkloosheidswet	WW
Sickness Benefits Act	Ziektewet	ZW