

Industrial relations

Exploring the connections between EU- and national-level social dialogue



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Country codes: EU Member States

AT	Austria	FI	Finland	NL	Netherlands
BE	Belgium	FR	France	PL	Poland
BG	Bulgaria	HR	Croatia	PT	Portugal
CY	Cyprus	HU	Hungary	RO	Romania
CZ	Czech Republic	IE	Ireland	SE	Sweden
DE	Germany	IT	Italy	SI	Slovenia
DK	Denmark	LU	Luxembourg	SK	Slovakia
EE	Estonia	LT	Lithuania	UK	United Kingdom
EL	Greece	LV	Latvia		
ES	Spain	MT	Malta		

Executive summary

Introduction

The study looks at the articulation and complex multi-level links between European and national levels of social dialogue. It examines the factors that both facilitate and hinder the successful engagement of national social partners and their ability to promote their interests effectively.

The study explores the horizontal cross-industry articulation of social dialogue at EU level, as well as the vertical articulation of sectoral social dialogue in seven individual sectors: construction, tanning and leather, chemicals, food and drink, local and regional government, railways, and commerce. These sectors were chosen as they reflect a varied range of sectors: those exposed to EU regulation, those exposed to competition, those undergoing high levels of restructuring, and those with different social dialogue structures and traditions.

Policy context

European social dialogue is embedded within the governance of the European Union. It encompasses the range of discussions, consultations, negotiations and joint actions involving organisations representing the two sides of industry (employers and workers) at European level. There are three social dialogue processes at European level: tripartite concertation (including the Tripartite Social Summit), social dialogue at cross-industry level and social dialogue at sectoral level.

While there is no agreed definition of articulation, it may be described as the establishment of cohesive vertical and horizontal interrelationships between bipartite and tripartite players involved both in EU-level social dialogue and the industrial relations systems of Member States. Hence, the articulation of European social dialogue attempts to ensure effective coordination and synergies between its various levels. Articulation is related to the European social model, which aims to guarantee the multi-level governance of employment within the EU, including the interdependency between European, national and local levels.

Key findings

Although focusing on a limited number of European sectoral social dialogue committees and just 11 Member States, the study sheds light on the linkages between the cross-sectoral and sectoral social dialogue at European and national level, as well as diverse approaches to articulation.

Links between EU- and national-levels of social dialogue

- From the European perspective of horizontal and vertical articulation, the study reveals that there are significant differences between trade unions and employer organisations. While the ETUC and sectoral trade union organisations are composed of national affiliates that are also cross-industry or sector-related trade union federations, the national rank and file of European employer organisations are much more diverse, also as regards different types of affiliates and the type of membership. This diversity reflects socioeconomic realities, the representation of a given sector across the 28 Member States, industrial relations systems and the structure of membership of the European social partners.
- The links between EU- and national-level social partner organisations can be regarded as a key dimension of European social dialogue, contributing to the functioning and quality of social dialogue at cross-industry and sector level.
- Strong and effective vertical articulation, both from top-down and bottom-up perspectives, necessitates well-functioning social dialogue at national level. This is currently not the case in some EU countries and the situation has been getting worse since 2008 rather than better.
- In a bid to improve the flow of information, exchange of experiences and communication, the European social partners have recently developed their own initiatives to improve horizontal coordination and cooperation with sector-related social partners.

Factors facilitating and hindering engagement and articulation

- The study shows that the factors influencing articulation are very complex and related to both organisation-specific aspects (motivation, expectations about engaging in social dialogue, capacities, expertise, etc.), as well as structural framework conditions at national level (role of social dialogue and collective bargaining, industrial relations framework, relationship between the social partners, etc.).
- The size and internal diversity of a sector has an impact on the framework conditions for articulation (for example, tanning and leather is a small sector with just around 40,000 employees in the EU while commerce is a large sector with over 30 million employees). Differences in the number of trade union and employer organisations, their representativeness and organisational strength were also identified as contributing factors.
- The quality of national social dialogue and the relationship between trade unions and employer organisations at cross-industry sector level are key drivers that can either facilitate or hinder the articulation of interests and engagement. Well-functioning social dialogue at national level and cooperative relationships favour the active engagement of national social partners at EU level.
- The findings pointed to huge gaps as regards resources and capacities. Generally, social partners in Member States with well-established and well-functioning social dialogue reported much better working conditions and more resources than social partners in countries where such framework conditions are not in place.

Policy pointers

- Integrating social partners from countries with underdeveloped structures and practices of bilateral social dialogue at sectoral level into European-level social dialogue is a key challenge. In addition to measures that target the social partners themselves (training seminars, capacity building, knowledge transfer and strengthening expertise on EU topics and policies), a longer-term perspective that also fosters institution-building within sectoral social dialogue should be developed.
- In order to engage the interest of national employer and trade union organisations and build their trust, EU-level social partners and their national affiliates need to identify topics of joint interest and concern.
- As trusted personal relationships are crucial for effective social dialogue, the opportunities for both employers and trade unions to meet could be enhanced, at both national and EU level – particularly in countries where there is hesitancy about engaging in the process.
- While national industrial relations systems, resources and capacities are very important, they are not the only factors having a positive or negative impact on engagement and articulation. It is worth exploring new forms of knowledge transfer, resources provision or engagement with EU- and national-level social partners.
- The role of the Commission as a ‘facilitator’ of social dialogue should be reconsidered in light of today’s challenges and it has been pointed out that the Commission might be more pro-active in promoting social dialogue, notably through its social dialogue website.
- While the Commission, as well as other EU institutions and Eurofound, have a role to play in the promotion of social dialogue, it is crucial to respect the autonomy of the social partners.
- EU institutions should take into account the multiple challenges to social dialogue at national and/or sectoral level. Recent initiatives such as the European Pillar of Social Rights and the revised 2018 Employment Guidelines could contribute to strengthening social dialogue and the relationship between the social partners and governments at national level.

Introduction

Background and context of the study

In 2015, at the same time as the EU institutions celebrated the 30th anniversary of European social dialogue (based on recognising the historic 1985 Council Meeting in Val Duchesse as its official birth), they underlined the need to ‘relaunch’ social dialogue going forward. According to EU Commission President Juncker and high-level representatives of the EU-level cross-sectoral social partner organisations meeting at a conference in Brussels on 5 March, the need for such a relaunch was based on different factors linked to challenges within and outside the scope of tripartite, as well as bipartite, social dialogue at cross-sectoral and sectoral level. The aims behind this so-called ‘new start for social dialogue’ were to attain: 1) a more substantial involvement of the social partners in the European Semester; 2) a greater emphasis on the capacity-building of national social partners; 3) a strengthened involvement of social partners in EU policy- and law-making; and 4) a clearer link between social partner agreements and the better regulation agenda. It should be noted that social dialogue is also one of the 20 key principles of the Pillar of Social Rights that was proclaimed in November 2017 in order to build a more inclusive and fairer European Union.¹ The Pillar specifically stipulates that ‘Support for increased capacity of social partners to promote social dialogue shall be encouraged’ (Principle 8).

In June 2016, the Presidency of the Council of the EU, the European Commission and the main EU-level social partners agreed on a set of actions falling under the responsibility of each respective actor and touching on the four priorities of the ‘new start’. These included a number of efforts to improve the functioning of social dialogue and its impact on policies at European and national level (Presidency of the Council of the EU et al, 2016 and European Commission, 2016). Aimed at improving the quality of social dialogue processes and the implementation of outcomes, the so-called quadripartite statement highlighted the need to increase the capacity of national social partners, promote the outcomes of EU-level social dialogue (namely, autonomous framework agreements) more effectively, and improve the coverage and representativeness of social partners in some Member States. With these aims in mind, it seemed clear that the link between European and national levels of social dialogue would play a crucial role in improving quality and effectiveness.

Although ‘articulation’ was not specifically mentioned in the 2015 and 2016 statements, it was mentioned quite extensively in earlier reports on the state of European social dialogue. In a 2012 report, the Commission wrote:

(...) it will be necessary to clarify the ‘rights and obligations’ associated with each tool of the dialogue from the point of view of its implementation, monitoring and evaluation. (...) A high quality social dialogue will also happen through greater synergies between its various levels — cross-industry, sectoral, business; these levels need to be articulated and coordinated better. There is still a need for further joint capacity building across a range of Member States.

(European Commission, 2012, p. 34)

A 2007 Eurofound report also discussed the importance of enhancing the articulation between European and national levels of social dialogue:

The future of all forms of social dialogue at EU level is above all dependent on the social partners’ capacity to increase the articulation between their EU level organisations and their rank-and-file at the national, local and company levels.

(Eurofound, 2007, p. 77)

While numerous research studies have been carried out on the challenges (for example, the inadequate implementation of European social dialogue outcomes) and diagnostics (problematic links between European and national social dialogue levels) relating to social dialogue, very few have examined the impact of ‘articulation’. In fact, several key questions related to this subject remain to be explored, as documented here.

- How important are the bottom-up (awareness and involvement of national social partners) and top-down (filtering down information and capacity-building activities) processes of articulation for the effective functioning of EU-level social dialogue?
- Which inherent, structural and external factors of social dialogue at EU and national level contribute to strong and efficient articulation, and which factors are weakening it?
- Is ‘articulation’ a suitable concept through which to analyse social dialogue processes and outcomes in a multi-level environment or are there other important influencing concepts?

1 https://ec.europa.eu/commission/sites/beta-political/files/social-summit-european-pillar-social-rights-booklet_en.pdf

Objectives and scope of this study

This study aims to contribute to a better understanding of articulation in the context of European social dialogue. Based on qualitative research, it addresses the following research objectives:

- to review the functioning of existing links between the cross-sector and sectoral social dialogue at EU and national level
- to understand the diverse approaches to the articulation of social dialogue and the implications for functionality at EU and national level
- to analyse the quality of the flow of information (top-down and bottom-up) and degree of cooperation between EU- and national-level social dialogue
- to identify the main obstacles to effective and well-functioning social dialogue at EU and national level
- to discuss how mutual learning and capacity building could help to overcome these obstacles, and could steer action taken to improve the articulation and effectiveness of social dialogue between EU and national levels

As regards the scope of this study, it should be underlined that the main focus is on the bipartite dimension. While the tripartite dimension of social dialogue and the role of governments at national level as well as the EU Commission, the Parliament and the Council are acknowledged throughout the study – and European and national institutional framework conditions have been taken into account (see, for example, the first section in Chapter 2 ‘Cross-industry social dialogue: institutional framework and outcomes’ for the EU level) – tripartite processes and practices at EU and national level, as well as their linkage in terms of articulation, have not been analysed as such.

Key terms

European social dialogue is embedded within the governance of the European Union. Article 151 TFEU recognises the promotion of dialogue between management and labour as a common objective of the EU and Member States, and article 152 TFEU recognises and promotes the role of social partners at the level of the Union, taking into account the diversity of national systems.

European social dialogue refers to discussions, consultations, negotiations and joint actions involving organisations representing the two sides of industry (employers and workers) at the European level.

Currently, there are three social dialogue processes at European level: tripartite concertation (including the Tripartite Social Summit), social dialogue at cross-industry level and social dialogue at sectoral level.

Social dialogue is used according to Eurofound’s European Industrial Relations Dictionary to describe both ‘the institutionalised consultation procedure involving the European social partners’ and, ‘the processes between social partners at various levels of industrial relations’.

There is no acknowledged definition of **articulation**. In sociology and industrial relations research, the concept has been explored to analyse the fixation ability of meaning, interest and identities (Laclau and Mouffe, 2001) and understand the organisational coordination within associations (Crouch, 1993). For the purpose of this study – and with a view to the multi-level system of European social dialogue – articulation is defined as the establishment of cohesive interrelationships both vertically (between European, national, sectoral and company levels) and horizontally (between different countries and/or sectors and/or subsidiaries of the same multinational). It therefore relies very much on the capacity to coordinate and integrate different interests, strategies and normative orientations.

Methodology

This study is based on a threefold methodological approach. First, a comprehensive review of literature and previous research on European social dialogue at cross-industry and sectoral level was conducted. This focused on research results concerning the links between European- and national-level social dialogue, influencing factors and framework conditions (European and national) that have an impact on the functioning, efficiency and outcomes of social dialogue.

A second step consisted of carrying out a dozen stakeholder interviews, mainly with representatives of high-ranking EU-level social partner organisations and Commission staff. The main purpose was to discuss the findings of the research and literature review, and learn about the practices, procedures, strategies and challenges associated with European social dialogue, its effectiveness, outcomes and influencing factors.

Another purpose of the interviews was to identify those economic sectors and European sectoral social dialogue committees that would merit being studied for the third stage of the research (developing 10 social dialogue case studies at sector and cross-sector level). A set of general selection criteria (e.g. private or public sector, industry or services, large or small sector) also informed the case study selection.

The following table provides an overview of the case studies, which include three cross-industry and seven sectoral ones.

Table 1: Overview of case studies

Sector	Articulation dimension	European social partners	Analysis of national social dialogue
Cross-industry social dialogue	Horizontal	European Trade Union Confederation (ETUC) and European Trade Union Federations (ETUFs), BusinessEurope, European Association of Craft, Small and Medium-sized Enterprises (UEAPME), European Centre of Employers and Enterprises providing Public Services (CEEP), sectoral employer organisations	----
Cross-industry social dialogue	Vertical	ETUC, BusinessEurope	Denmark, Germany, Spain**
Cross-industry social dialogue	Vertical	ETUC, BusinessEurope	Hungary, Poland, Slovenia
Chemicals	Vertical	IndustriAll, European Chemical Employers Group (ECEG)	Belgium**, Bulgaria**, Germany
Commerce	Vertical	UNI Europa, EuroCommerce	Spain*, Norway
Construction	Vertical	European Federation of Building and Woodworkers (EFBWW), European Construction Industry Federation (FIEC), European Builders Confederation (EBC)	Denmark*, Germany, Romania**, Slovenia
Food and drink	Vertical	European Federation of Food, Agriculture and Tourism Trade Unions (EFFAT), FoodDrinkEurope	Slovenia, the United Kingdom (UK)
Local and regional government	Vertical	European Federation of Public Service Unions (EPSU), Council of European Municipalities and Regions (CEMR)	Denmark, Hungary, UK
Railways	Vertical	European Transport Workers' Federation (ETF), Community of European Railway and Infrastructure Companies (CER), European Rail Infrastructure Managers (EIM)	Bulgaria*, France, Germany, Slovakia**, Slovenia
Tanning and leather	Vertical	IndustriAll, Confederation of National Associations of Tanners and Dressers of the European Community (COTANCE)	Italy, Romania

Notes: * only trade union representative(s) interviewed; ** only employer representative(s) interviewed

The main sources of information for the case studies were an analysis of any outcomes, publications and further material related to the respective social dialogue, as well as the interviews with social partner representatives. Each case study is based on interviews in at least two countries. In terms of the development of the case studies, the following remarks merit attention.

- Relevant countries and interview partners were identified on the basis of suggestions from European social partners.
- Overall, most interviews were carried out as initially planned and there were very few cases where replies were not received.

- Generally, it was easier to schedule and conduct interviews with employer organisations at national level than with trade unions. This difference is probably related to several factors, including language skills, capacity and relevance of social dialogue from the perspective of the respective national social partner.

In total, this research study is based on more than 80 interviews conducted between summer 2017 and spring 2018. Most of the interviews with EU-level organisations were conducted on a face-to-face basis, whereas most of the national-level interviews were carried out by phone.

Report structure

This report summarises the key findings of the research. Its structure reflects the main methodological steps described above.

Chapter 1 provides an overview of the major findings of the literature and research review in terms of articulation (both horizontal and vertical) and the multi-level system of European social dialogue.

Chapter 2 summarises the findings of the three case studies that address different aspects of cross-industry social dialogue including horizontal articulation between cross-industry and sectoral social dialogue at EU level and vertical articulation in the context of cross-industry social dialogue.

Chapter 3 provides an overview of the sectoral case study analysis and examines in detail the 10 sectoral case studies, giving key results for each.

Chapter 4 draws a number of general conclusions from the research. It links back to the key research objectives, but also looks at future policies and practices that may positively influence articulation in the context of cross-industry and sectoral social dialogue.

1 Articulation and the multi-level system of European social dialogue: Literature review

When examining the European dimension of industrial relations, Marginson and Sisson (2006) refer to a multi-level system of different actors in diverse spaces and times. The term ‘multi-level system’ is used to shed light on the complexity of the relations from the local to European level within the European zone. This is because the distance and differences between national, sectoral and local contexts arguably make EU-level social partner representation (e.g. trade unions or employer associations) particularly difficult. In turn, this limits the effective development of EU-level social dialogue.

Marginson and Keune (2011) also refer to the concept of a ‘multi-level system’ when discussing European social dialogue. Specifically, they mention the introduction of a ‘multi-level perspective to European social dialogue’, which includes the notions of ‘autonomy’ and ‘dependency’ among different actors at different levels. The authors accurately stress the significance of hierarchy and power when it comes to developing a European multi-level framework of industrial relations. This is also in line with existing industrial and employment research, which focuses on the importance of studying the relationships (or ‘articulation’) between bipartite/tripartite players involved in the industrial relations systems of Member States, as well as the emerging EU-level system.²

As mentioned above, ‘articulation’ is defined as the establishment of cohesive vertical and horizontal interrelationships. These vertical and horizontal dimensions of articulation are considered to be key features of European social dialogue. In addition, articulation reinforces a key aspect of the European social model, which aims to guarantee the governance of employment within the EU. The original objective of the ‘social dimension’ in Europe was to counter the risk of a ‘race to the bottom’ in terms of wages and working conditions as a result of European economic integration. Therefore, the increasing competition, capital concentration and mobility aspects

characterising the emergence of the European zone created a need for social dialogue structures at EU-level, as ‘soft’ governance measures to address the problems of vertical and horizontal coordination in the increasingly complex European space (Pulignano, 2013).

Previous studies have explored the limitations of existing EU structures for social dialogue, particularly at sectoral-level. However, few have assessed the effects that these limitations have on social partners at different levels and in different contexts. At the same time, researchers have stressed that the relationships between the European and the national (sectoral) level cannot be seen merely as a ‘top-down’ process, but also as a ‘bottom-up’ or at least as ‘bi-directional’ (Marginson and Sisson, 2006). Therefore, the analysis requires **horizontal** coordination between the European social partners (and with European institutions), as well as **vertical** coordination with the national member organisations and industrial relations systems.

In these interactions, players have their own interests and act according to these (see Eurofound, 2016a for an overview of the different interests of tripartite actors in terms of the key dimensions of industrial relations). What is at stake is not only the content of European social dialogue, but European social dialogue itself: bipartite partners also exchange on their own interaction process, the rules that regulate the exchange, and their respective roles. In other words, it is not only the content of a work programme or a joint text that is at stake, but how dialogue in the committee functions or should function.

Therefore, European social dialogue constitutes a specific ‘system of action’ that has to take into account the complexities of multi-level governance, which includes the interdependency between European, national and local levels. Within this complex network of actors, bipartite and tripartite relations (that might be institutionalised, formal or informal, or ad-hoc), the articulation of interests is a key component.

² For more information, see research into the transnational coordination of collective bargaining and systems of union representation and workers’ voice, for example Martinez Lucio and Weston (2000), Stirling and Fitzgerald (2001), Schulten (2003), Waddington (2000, 2011) and Pulignano (2016).

Horizontal dimension of articulation

As regards the horizontal dimension of articulation within European social dialogue at sectoral level, previous research has highlighted the diversity of sectoral employer organisations. Within the 43 European sectoral social dialogue committees that are currently in existence, there are 64 employer organisations that are very heterogeneous and often organised by sub-sector. Their members can be national employers' federations or individual companies (Kerckhofs and Sanz, 2016). By contrast, there are only 12 European industry federations on the union side, all affiliated with the European Trade Union Confederation (ETUC).

Vertical dimension of articulation

The vertical dimension of articulation in the context of European social dialogue is even more complex. The reasons for this include the diversity of socioeconomic realities that a given sector represents across the 28 Member States, the variation in their industrial relations systems, and the structure of the membership of the European social partners. This has a significant impact on both bottom-up and top-down articulation patterns and processes.

The first difficulty is common to European employers' and union federations: a given sector does not necessarily cover the same reality in different Member States.³ Even more fundamentally, European federations represent national member organisations that act in highly diverse national contexts (e.g. union density ranges from around 5–80%, with bargaining coverage from around 10–100%). Furthermore, a collective agreement has a very different legal status in the various Member States and not all national industrial relations structures include strong sectoral organisations and bargaining structures, particularly in new Member States (see, for example, Eurofound, 2015a).

The issue of representativeness is also crucial, as well as complex. In 1993, the Commission identified three criteria that could be used to determine whether a particular organisation might be able to participate in social dialogue.⁴ As suggested by previous research, even if actors in sectoral social dialogue committees formally meet these criteria, their membership is

extremely diverse, especially on the employers' side, with a high degree of fragmentation among national member organisations in many sectors. Similar patterns emerge in terms of cross-sectoral social dialogue (Dufresne et al, 2006; Eurofound, 2014b).

Additionally, not all national affiliates of EU-level social partner organisations are ready to shift powers to the European social partners. This leads to a type of 'subsidiarity' when European sectoral social dialogue committees have to set their agenda, as is also the case for cross-industry social dialogue (Guerre, 2005; Perin and Leonard, 2011; Keller and Weber, 2011). Therefore, if the potential to produce binding norms exists, its translation into practice not only depends on the relationships between unions and employers in the European committees, but also on intra-organisational negotiations and the varying degrees of involvement of national players.

Implications for social regulation capacity and European social dialogue

In assessing the performance of European social dialogue, it should be noted that the different interests of stakeholders (e.g. EU institutions, EU trade unions, EU employer organisations and single multinational companies) coexist (see Eurofound, 2016a, p. 37). However, from the perspective of industrial relations, a key performance indicator should be whether or not European social dialogue constitutes an arena that is capable of regulating employment and social conditions. To understand the system's capabilities, the horizontal and vertical dimensions must be considered together. European social dialogue has the capacity to produce binding norms and there has been a growing institutionalisation over the last few decades. It gives committees the formal capacity to negotiate joint texts that can take the form of agreements, but they rarely do so.

Horizontally, different notions of 'dialogue' (as well as the necessary support from the Commission) result in a limited capacity to produce legally binding bipartite regulation. The activities of committees vary significantly from one sector to another (see Degryse, 2015), and this can be related to each sector's structural and economic characteristics – and to the influence of EU policies.

³ In fact, as highlighted in numerous Eurofound representativeness studies, patterns of 'sector-relatedness' are not congruent in most instances. For an overview, see Kerckhofs and Sanz, 2016.

⁴ An organisation 'should be cross-industry or relate to specific sectors or categories and be organised at European level; should consist of organisations that are an integral and recognised part of Member States' social partner structures, and have the capacity to negotiate agreements; should be representative of all Member States, as far as possible; and should have adequate structures in order to ensure effective participation in the consultation process'.

This recalls two broad sets of debates that have been discussed in literature. Firstly, the difficulty of defining what a ‘sector’ is (Rodríguez Fernández, 2000). A particular domain obtains the legal position of ‘sector’ in collective bargaining structures after negotiations and agreement between social partners (Jobert, 2005), who pursue definitions that better suit their own organisational structures and aggregation of professional interests (Saglio, 1991). However, to what extent these structures are able to capture the changes resulting from company fragmentation, global value chains and the creation of new ‘horizontal’ sectors (e.g. digital platforms, IT, agency work) is still doubtful.

Secondly, at EU level, the process often starts with a top-down definition of sectors, without any formal demarcation criteria (Keller and Weber, 2011). In practice, sectoral social dialogue committees are based on the Statistical Classification of Economic Activities in the European Community (NACE Rev.2), which should reflect economic reality and produce cross-national comparable data on market activities in Europe. However, sometimes this classification risks putting employers and trade unions into frameworks that do not necessarily correspond to national organisations and traditions, making it difficult for them to build and defend strong positions at European sectoral level. Therefore, the relationships between European employer and union federations may be influenced by the existence of common challenges that both sides have to face at EU level, leading to some convergence of interests. In these challenges, the potential of a European policy to affect the sector can drive stakeholders’ commitment to taking joint action, but not necessarily reaching a joint agreement.

While this can explain the capacity of European actors to act jointly to try to influence EU decision-making, the impact of the normative capacity of European social dialogue and European sectoral social dialogue committees is less clear. In this respect, relationships with national members, in terms of representativeness and mandate, are crucial.

Relationships with national members will also be influenced by the fact that such organisations have to face supranational challenges that are beyond their scope of action, leading them to concede a mandate to their European counterparts. This was the case, for instance, with the REACH legislation in the chemical industry or the Crystalline Silica Agreement, signed by sectoral social partners in 14 different sectors.

In terms of vertical coordination with national member organisations, the difficulties are threefold. First, the issue of representation needs to be considered. At EU level, the Commission defines certain criteria that European sectoral social partners must meet in order to participate in social dialogue (i.e. ‘relate to specific sectors or categories and be organised at European level’, ‘consist of organisations that are an integral and recognised part of national social partner structures’, and ‘have the capacity to negotiate agreements’) (European Commission, 1998, Article 1). However, this does not mean that European employer and union organisations cover a coherent membership; the diversity of national situations is an obvious obstacle, as is the fragmentation of membership (Even, 2008; Bercusson, 2009).

Second, the Commission in principle tries to ensure that EU sectoral organisations consist of national members that are involved in national collective bargaining – but in practice make compromises (see also Eurofound 2014a) – and this therefore directly affects their goals, mandates and approach to social dialogue, and ultimately European sectoral social dialogue outcomes.⁵ This is particularly relevant in cases where sector-relatedness does not match NACE codes.

Third, the criterion of ‘sector-relatedness’ implies that sectors are ‘specific’, without clarifying how ‘specificity’ should be measured.

European sectoral social dialogue also faces a special challenge because, as noted above, active sectoral collective bargaining does not exist in all Member States, while national member organisations are often unwilling to give a mandate to their European counterparts. In contrast, cross-sectoral social dialogue faces the challenge that agreements at EU level are mandated by, and negotiated on behalf of, cross-sectoral affiliates, while they have to be implemented by sectoral social partners’ organisations (Marginson and Keune, 2011).

Therefore, European social dialogue at cross-sectoral and sectoral level can be described as an arena where articulation has to balance the different qualities of institutional frameworks, normative orientations and actual capacities. While European social dialogue has an established institutional framework that gives the social partners the right to set and implement binding norms as regulatory bodies, this contrasts with limited effective normative capacities as not all social partners are willing to go beyond ‘dialogue’. This also stems from the fact that vertical articulation within European social dialogue faces a double restriction.

⁵ As highlighted by the EU Commission, these difficulties also arise due to reasons that are out of the scope of its influence, namely the wish to involve countries (in particular central and eastern European countries), where traditions and practices of sectoral collective bargaining are weak or do not exist. Furthermore, and as a result of the autonomous nature of European sectoral social dialogue, social partners without a mandate for collective bargaining can be included in the EU-level social dialogue in the case of a joint request.

First, given the absence of a vertical hierarchy and the strictly voluntary character of vertical top-down articulation, each European social dialogue action at EU level has to be mandated by national members. Second,

the implementation of outcomes is influenced by very diverse industrial relations systems and levels of social partners' capacities – as well as varying degrees of willingness.

2 European cross-industry social dialogue: Horizontal and vertical articulation

Cross-industry social dialogue: institutional framework and outcomes

Institutional framework

The EU-level institutional framework of bipartite and tripartite social dialogue has been evolving since the 1960s. While consultation with the social partners did take place in the 1960s and 1970s, it was only from 1985 – following an initiative from then Commission President Jacques Delors – that a bipartite social dialogue between cross-industry trade unions and employer organisations was initiated at EU level. European social dialogue was designed as both a top-down and a bottom-up process in which the Commission and the European cross-industry social partners agreed on a possible approach to ensuring that the EU integration process would provide benefits for both workers and employers. Tripartite and bipartite social dialogue was then developed as a way of ensuring that the single market would have a ‘social dimension’.

Since then, cross-industry social dialogue has evolved in three main stages. Between 1985 and 1991, bipartite social partner activities mainly resulted in the adoption of non-binding joint opinions, resolutions and declarations. The signing of an agreement on 31 October 1991⁶ between the social partners was annexed to the Maastricht Treaty in 1993. The main points of the agreement were to introduce an obligation for the Commission to consult the European social partners before putting forward social policy proposals, and to give social partners the right to negotiate an agreement to replace a Commission proposal.

Following this, several agreements were negotiated by the European social partners on parental leave (1995), part-time work (1997) and fixed-term contracts (1999). These agreements were implemented by means of Council Directives and transposed into national legislation in Member States.

Following the Laeken European Summit in 2001, European social dialogue became increasingly independent and autonomous. A major outcome of this was the chance to conduct negotiations on a new type of agreement that was implemented independently from the Commission.

This historical evolution has led to two major forms of cross-industry social dialogue at EU level, two of which involve the cross-industry social partners:

- **tripartite social dialogue** between cross-industry social partners at EU level and EU institutions, including the Tripartite Social Summit (established in 2003)
- **cross-industry European social dialogue** between EU-level trade unions and employer organisations⁷

In June 2016, the Commission, the Dutch Presidency of the Council of the European Union, and the cross-industry European social partners signed a quadripartite statement on ‘a new start for social dialogue’ (Presidency of the Council of the EU et al, 2016). The co-signatories welcomed the fundamental role of European social dialogue in EU employment and social policymaking. The statement emphasised the need to strengthen the capacity of social partner organisations in order to strengthen the involvement of social partners in EU policy and law making. It is too early, however, to assess whether or not this initiative will also have a real impact on the practices and outcomes of cross-industry social dialogue and hence could constitute a fourth historic stage of cross-industry social dialogue.

The European social partners are also involved in the European Semester process, which helps to improve ownership and implementation of European Semester-related policy reforms at national level. Improvements have been made in recent years to increase the involvement of European and national social partners in the yearly interaction between the Commission and European Council’s relevant bodies, with respect to the

⁶ The agreement was between the ETUC, the Union of Industrial and Employers’ Confederations of Europe (UNICE) and CEEP, and signed on 31 October 1991 in Brussels.

⁷ These are the three general cross-industry organisations (BusinessEurope, CEEP and the ETUC) and three cross-industry organisations representing certain categories of workers or undertakings (Eurocadres, UEAPME and CEC European Managers). Furthermore, there is one ‘specific organisation’, the European Association of Chambers of Commerce and Industry, (EUROCHAMBRES).

preparation of country reports and country-specific recommendations. While this has proved successful in some Member States, there is still room for further involvement in others according to a recent Eurofound study (Eurofound, 2018).

Outcomes

The cross-industry partners' autonomous dialogue takes a number of forms:

- drawing up autonomous work programmes (the programme covering 2015-2017 was the fifth such multi-annual programme (ETUC et al, 2015))
- exchanging views in a bipartite setting on topical issues that may lead to identifying themes for joint initiatives, notably in the context of the European Semester
- discussing the employment and social implications of EU policies and strategies
- supporting the implementation of joint transnational projects
- promoting exchange of practices and mutual learning between social partner organisations
- holding joint seminars and conferences
- following up the implementation of earlier agreements and frameworks of actions at national level

Between 1985 and 1995, around 20 joint opinions, declarations, guidelines and recommendations were agreed. Certainly, a major shift took place after the 1991 social partners' agreement and the provision of the Maastricht Treaty's social protocol in 1993, which led to the first agreements that were negotiated by the social partners in 1995, 1997 and 1999.

This resulted in three agreements negotiated by the social partners that were implemented by Council Directive. The first one was the 1995 Agreement on parental leave (revised in 2009), followed in 1997 by the Agreement on part-time work and in 1999 the Agreement on fixed-term work.

Since then, five further autonomous agreements have been negotiated and implemented according to the 'voluntary route'. These include framework agreements on telework (2002), work-related stress (2004), harassment and violence at work (2007), inclusive labour markets (2010) and, most recently, active ageing and an inter-generational approach (2017).

From 2008 to 2017, there were 30 joint texts agreed by the cross-industry social partners at EU level. Most of them were either joint declarations or opinions on issues such as social dialogue, European economic governance, industrial policy, digitalisation, apprenticeships and youth employment, or refugees. Also, quite a high proportion of them were follow-up reports on the implementation of autonomous framework agreements or frameworks of actions.

Apart from the two autonomous framework agreements mentioned above on inclusive labour markets and active ageing, there was also a framework of actions signed by the cross-industry social partners on youth employment in 2013.

Although no new agreements implemented by Council Directive have been negotiated since 1999, it should be mentioned that the agreement on parental leave (1995) was renegotiated and revised in 2009.

Horizontal articulation in the context of EU-level cross-sectoral social dialogue

EU-level actors and processes

In terms of EU-level actors, the case study research⁸ focused on the four cross-industry organisations: ETUC, BusinessEurope, CEEP and UEAPME.⁹

The **ETUC**, established in 1973, currently comprises 89 national trade union confederations in 39 countries (including all Member States), as well as 10 European trade union federations.¹⁰ It represents workers in different industrial sectors, ranging from agriculture to public services and the police. The main decision-making and operational institutions of the ETUC are the congress, the executive committee, the steering committee and the secretariat.

The ETUC congress determines the organisation's general policy. It takes place every four years and is attended by delegates from national confederations and European trade union federations. It elects the members of the executive committee, the president, the general secretary, the two deputy general secretaries and the four confederal secretaries.

The executive committee is made up of representatives of the ETUC's member organisations, proportional to their membership. It meets four times a year and can

8 The case study is based on interviews with representatives of the following social partner organisations: ETUC, IndustriAll, UNI Europa and EPSU on the trade union side and BusinessEurope, UEAPME, CEEP and CER on the employers' side.

9 The more comprehensive case study report on cross-industry social dialogue also includes brief profiles of further social partner organisations involved in cross-industry social dialogue: Eurocadres, CEC and EUROCHAMBRES. However, no interviews have been carried out with these organisations.

10 The 10 European trade unions include: the European Arts and Entertainment Alliance (EAEA), the European Confederation of Police (EUROCCOP), EFBWW, EFFAT, the European Federation of Journalists (EFJ), IndustriAll, EPSU, the European Trade Union Committee for Education (ETUCE) and UNI Europa.

adopt joint positions and agree on actions in support of its demands. The executive committee also has the power to decide on the mandate and composition of the delegations that negotiate with the European employer organisations. The steering committee decides on measures to implement the policies adopted by the executive committee. It meets at least eight times a year.

The secretariat runs the day-to-day activities of the ETUC, takes care of relations with member organisations, plans and recommends trade union action, and is responsible for the internal functioning of the ETUC. The secretariat is composed of the general secretary, two deputy general secretaries and four confederal secretaries, all of them elected by the ETUC congress. The secretariat has a total number of staff (including administrative staff) of around 60.

Thematic work is carried out in standing committees that are established by the executive committee. The executive committee also specifies the composition, tasks and modes of operation of such committees. All ETUC-affiliated organisations have access to these committees, which meet, in principle, at least once a year. Currently there are around 20 different committees. The secretariat also runs ad-hoc groups on social dialogue when required, such as in the case of negotiations. These are composed of secretariat staff, as well as representatives of EU affiliates.

BusinessEurope organises national cross-industry employer confederations and represents companies of all sizes. Members include both employer and business associations. Currently BusinessEurope has 39 member organisations in 34 European countries, including all Member States apart from Romania. The structure of the organisation includes seven main policy committees (including the social affairs committee) and about 60 working groups with a total staff of almost 50 under the direction of a director general and the leadership of the BusinessEurope president.

In the context of the overall strategy of the organisation, which is set out by its council of presidents and implemented under the leadership of the executive committee, the social affairs committee oversees BusinessEurope's work in the fields of employment and social affairs. It is the body responsible for adopting the positions prepared by the working groups and it follows the progress made in Member States in terms of the implementation of labour market reforms. It also devises actions and oversees negotiations in the context of European social dialogue.

As with the other policy committees, the social affairs committee is composed of experts nominated by member federations. It debates proposed EU legislation and develops a consensus of member organisations in view of the impact these proposals may have on

enterprises. The committees are supported by eight working groups, composed of BusinessEurope staff and national member delegates. In the domain of social affairs, eight working groups have been established (industrial relations, social protection, employment, health and safety, education and training, corporate social responsibility, migration and mobility, and equal opportunities).

CEEP represents employer organisations and single enterprises in the area of 'services of general interest'. Member organisations come from a broad variety of sectors within this area including central and local administrations, healthcare, education, housing, waste management, energy, transport, water, environment and communication.

CEEP has affiliated organisations at national as well as European level. At national level, CEEP sections are present in 17 European countries. Each section has nominated a president and a correspondent that come either from national employer organisations in the field of services of general interest or from single enterprises. The structure of national affiliates is therefore quite diverse.

CEEP currently also has three sectoral member organisations. These are EU-level employer organisations in the field of broadcasting (European Broadcasting Union, EBU), hospitals and healthcare (European Hospital and Healthcare Employers Association, HOSPEEM) and education (European Federation of Education Employers, EFEE). It should be noted that all three organisations are also involved in the sectoral social dialogue committees covering the respective sectors. The CEEP secretariat has a staff of eight.

UEAPME organises national, cross-sectoral organisations representing craft activities and/or SME businesses in the different sectors of the economy within the EU. UEAPME incorporates a total of 67 member organisations from 34 countries, which consist of national cross-sectoral SME federations, around 20 European branch federations in different sectors, and six other associate members without voting rights at UEAPME meetings.

The main decision-making and operational institutions of UEAPME are the board of directors and the secretariat, which has a staff of around 20. A key decision-making and policy institution of UEAPME are committees composed of experts nominated by the member associations that discuss European SME policy and direct the lobbying work of the secretariat. Committees exchange information on challenges and problems entrepreneurs and craftsmen are facing on the ground in different countries, debate proposed EU legislation, and develop consensual opinions on such proposals.

Drivers of articulation and engagement

The interviews with representatives of the cross-industry social partner organisations show that there is a clear, direct link between the motivation to engage in European social dialogue and shared interests/objectives, and the added value of expected outcomes and results for all involved.

As stressed by both the ETUC and the three cross-industry employer organisations, European social dialogue is at the heart of EU governance. It is a vehicle of EU social policymaking and is a fundamental part of the European social model. All organisations highlighted the unique position of social partners as compared to other topic- or group-specific 'stakeholder groups'. As the ETUC representative puts it, if social partners are able to regulate issues, it is better to rely on this than on the Commission. However, as regards different types of outcomes and the motivation to engage in European social dialogue, trade unions and employer organisations expressed quite different views.

The ETUC favours concrete outcomes that are implemented in a binding manner by legal acts or similar regulations as they have the clearest direct impact at national level. This was also highlighted in the latest resolution of the ETUC executive committee on the future of social dialogue in December 2016 (ETUC, 2016).

According to the ETUC, as well as the three sectoral trade union organisations interviewed in the context of this case study, there has been a longer trend within cross-sectoral social dialogue that has weakened its role in consulting and negotiating binding agreements that are implemented by a Council Directive. According to the interview partners, this trend partly results from changes in the political attitude within the Commission that as a result has weakened the 'shadow of the law' function of cross-sectoral social dialogue, though of course the initiative to enter into negotiations entirely depends on the social partners. Here, the ETUC also noted changes in the political orientation of the employer organisations as a further factor of hindering the negotiation of binding agreements.

By contrast, BusinessEurope stated that there is no specific strategy or priority as regards outcomes and instruments of implementation. The regulatory capacity very much depends on the specific topic and the needs at national level. An agreement implemented by Council Directive is the strongest tool, but may not be appropriate for all topics. Therefore, other types of social dialogue outcomes such as autonomous frameworks, frameworks of actions or various declarations or statements aimed at bringing a common message from social partners to EU institutions are

often more appropriate ways of reaching shared economic and social objectives, taking into account the EU policymaking context.

Furthermore, BusinessEurope argued for a certain degree of autonomy for social partners as regards national implementation. EU agreements might not require new implementation measures in countries where there are already sufficient arrangements in place to fulfil the commitments of the agreement. A national collective agreement might be the appropriate tool for implementing an agreement in some countries, while in others the best instrument might be guidelines or a series of awareness workshops.

This point was also stressed by UEAPME in relation to micro, small and medium-sized enterprises. From the point of view of UEAPME affiliates, EU regulations still do not sufficiently take into account the impact of regulations on SMEs (despite the 'SME first' policy and SME impact assessments required in the context of legislative initiatives). Here, UEAPME particularly referred to various Commission initiatives under the umbrella of the European Pillar of Social Rights (e.g. the proposal for a Written Statement Directive or the proposal for a Directive on Work-Life Balance for Parents and Carers). According to UEAPME, the reality of small business is too often left aside and EU policies are geared much more towards large companies rather than the small business sector.

While CEEP also shared the view that European social dialogue should be flexible and targeted in relation to different types of outcome, organisation representatives stressed that consultation and negotiations should be regarded as the 'hard core' of cross-industry social dialogue. Negotiations and agreements with concrete results on issues of joint concern should be regarded as added value for the national and European affiliates of organisations involved in cross-industry social dialogue. Furthermore, the interview with CEEP also showed that when it comes to issues such as the impact of fiscal austerity and services of public interest, public investments or public sector reforms, the interests of employers and trade unions are often closer aligned than in, for example, the private business sector.

Factors facilitating and hindering horizontal articulation

With regard to horizontal articulation and links between cross-industry social partner organisations and European sectoral social partner organisations, a number of fundamental differences emerge when considering the organisational set-ups and procedures in place at the ETUC, BusinessEurope, UEAPME and CEEP.

The ETUC is the only cross-industry social partner organisation that also incorporates sectoral member organisations into its constitutional structure and decision-making, i.e. the 10 European Trade Union Federations (ETUFs). These are not only members of the ETUC decision-making bodies (congress, executive and steering committee), but are also directly involved at working level, i.e. the policy committees. The presence of sectoral interests and representation in key structures and bodies is certainly a strong facilitating factor for horizontal articulation, continuous exchange of information and engagement in both directions at horizontal level. Beyond that, it should be noted that the ETUFs also allow close links between cross-industry social dialogue and the sectoral social dialogue committees. EU-level ETUC affiliates are involved in all sectoral social dialogue committees, apart from the one on professional football (at least directly).¹¹

On the employers' side, the situation is quite different and tasks are divided between inter-professional employer organisations (which focus on cross-sectoral issues) and sectoral organisations (which focus on sector-specific issues). BusinessEurope has no EU-level sectoral affiliates and so horizontal links with sectoral employer organisations at EU level have to be organised outside its statutory bodies and procedures.

However, in terms of horizontal articulation and coordination, the following practices and activities have been highlighted in the context of this study. During the 1990s, BusinessEurope established the European Employers Network (EEN) as a liaison forum between cross-industry and sectoral employer organisations at EU level. There are three meetings per year where organisations exchange information on specific issues, as well as on developments in cross-industry and sector-related social dialogue. Networking and exchange within the EEN is particularly appealing in fields where activities are carried out by both cross-industry and sector-level employer organisations. Recent examples include topics such as apprenticeships/dual learning and digitalisation. Also, the recent framework agreement on active ageing is based on the joint interests of cross-industry and sectoral employer organisations. However, it should be noted that the EEN covers only around 30 social dialogue sectors in the private sector and hence not all that are involved in European sectoral social dialogue.

Over the last few years, sectoral employer organisations have been regularly invited to attend meetings of BusinessEurope's social affairs committee, as well as working groups on relevant issues and themes. This not only facilitates the exchange of information, but also

enables BusinessEurope to take the opinions and positions of sectoral employer organisations into account. The flow of information and communication, according to BusinessEurope, goes both ways and allows for opinions on EU-level policies or developments to be shared at an early stage.

Finally, BusinessEurope cooperates with sectoral employer organisations in the context of public hearings and consultations with EU institutions. A recent example relates to the topic of apprenticeships, where BusinessEurope involved EU-level sectoral employer organisations in hearings organised by the Commission. This is particularly significant because sectoral organisations are not involved in the advisory committee on vocational training (ACVT).

According to BusinessEurope, one challenge facing horizontal articulation is the huge number of EU-level sectoral employer organisations. In contrast to the trade union side, there are more than 60 sectoral employer organisations directly involved in sectoral social dialogue committees and so it is much more difficult to organise a continuous and structured exchange of information.

Social partners' efforts to improve horizontal articulation

Both the ETUC and BusinessEurope have initiated activities to strengthen horizontal articulation and links with sectoral social partner organisations, with the ETUC focusing on improving the outcomes of cross-sectoral dialogue and Business Europe on improving links.

In its Congress Action Plan 2015–2019, the ETUC committed itself to developing a strategy and coordinated actions to secure progress in social dialogue at inter-professional and sectoral levels throughout the public and private sectors, in order to define binding and eligible instruments.

Following discussions on the future of social dialogue in the social dialogue committee, the ETUC held a workshop with member organisations in December 2016 in Bratislava on future priorities and actions in the context of European social dialogue. On this basis, the resolution of the ETUC executive committee of December 2016 includes a number of concrete actions and priorities in order to improve the quality and outcomes of European social dialogue, including the organisation of an annual social dialogue workshop to facilitate exchanges with national affiliates and ETUFs (for further details see ETUC, 2016). A joint workshop with European sectoral trade union organisations that

¹¹ The employee side of the sectoral social dialogue committee is represented by the International Organisation of Professional Football Players' Associations (FIFPro) that is affiliated to UNI Global and not UNI Europa.

focused on the 2018–2020 work programme of the European social partners was organised in spring 2017.

BusinessEurope has launched its own initiatives to strengthen the links with sectoral employer organisations at EU level. These include a pilot project that involves a small group of European sectoral organisations and is looking to improve BusinessEurope's coordination of European sectoral employer organisations. Building on the functioning of the EEN, this reinforced coordination aims to support better information exchange and joint initiatives between BusinessEurope and European sectoral employer organisations in order to assert common interests with regard to EU social policymaking.

Vertical articulation between European and national levels of social dialogue

Vertical articulation was analysed in two case studies. The first focused on the links between European- and national-level social dialogue and was based on interviews with representatives of the following social partner organisations.

- **Trade union organisations:** ETUC, the Danish Confederation of Trade Unions (LO) and the German Trade Union Confederation (DGB).
- **Employer organisations:** BusinessEurope, the Confederation of German Employers' Associations (BDA), the German Confederation of Skilled Crafts (ZDH), the Confederation of Danish Employers (DA) and the Spanish Confederation of Employers' Organisations (CEOE).

The second case study focused on countries that joined the EU in 2004 and 2007.

- **Trade unions organisations:** NSZZ Solidarność (Poland), the Democratic Confederation of Free Trade Unions (LIGA, Hungary), the National Federation of Workers' Councils (MOSZ, Hungary) and the Association of Free Trade Unions of Slovenia (ZSSS).
- **Cross-sectoral employer organisations:** Lewiatan (Poland), the Confederation of Hungarian Employers and Industrialists (MGYOSZ) and the Association of Employers of Slovenia (ZDS).

EU-level actors and processes

Within their democratic decision-making processes and bodies, all cross-industry social partner organisations at EU level have established forums for articulation between the European- and national-level social partners. This includes mandating procedures.

Within BusinessEurope, the main bodies and forums relating to European social dialogue are the social affairs committee and the working groups that consist of national affiliate experts. BusinessEurope's mandate to negotiate agreements based on Article 155 of the EU Treaty within European social dialogue is decided by the council of presidents. A negotiating team is entrusted with carrying out the negotiations and this team can comprise a representative from each affected federation. The team reports to the social affairs committee, which designates the employers' chief negotiator. The decision on the outcome of the negotiations is also taken by the council of presidents. A consensus of all members whose countries are affected by the agreement in question is required for approval of an agreement negotiated with trade unions at EU level.

Within UEAPME, the key forum for exchange and vertical communication is the social affairs committee. The mandate for European social dialogue is approved by the general assembly, which is the competent decision-making body and decides on these matters with a simple majority. According to UEAPME, there is a continuous exchange with national members. This is crucial and important to achieve ownership and receive a mandate for European social dialogue negotiations. However, the UEAPME representative also stated that it is becoming increasingly difficult to identify topics that are of interest to all national members.

CEEP has established a working structure that consists of three thematic boards (public services, sustainability and social affairs) involving both national CEEP sections and EU-level sectoral affiliated organisations. The social affairs board is run by a chair and includes three vice-chairs and one rapporteur. It receives technical support from the CEEP general secretariat and works in a plenary composition and through four task forces (on education and training, health and safety, macro-economic, and social protection).

When it comes to the negotiation of social dialogue agreements by the European cross-sectoral social partners, the CEEP delegation is made up of members of the social affairs board. The social affairs board is also in charge of drafting all CEEP's answers to consultations launched by the Commission.

The ETUC has a clear mandate from its national affiliates to conduct negotiations in the context of European social dialogue because decisions are taken at the level of the ETUC executive committee. Apart from the ETUC executive committee, the key bodies for vertical articulation as regards European social dialogue are the ETUC steering committee and the working groups.

National social partners' perceptions of European social dialogue

The two case studies on vertical articulation between the European and national levels of social dialogue – one focusing on the older Member States and the other on countries that joined the EU in the past decade – illustrate that the motivation to engage in European social dialogue is clearly shaped by national industrial relations. Motivation, engagement strategies, assessments and expectations regarding the outcomes of EU-level social dialogue are very much driven by experiences at home, namely the functioning and character of national-level social dialogue.

Social dialogue in older EU Member States

The cross-industry trade union confederations in Germany and Denmark differ greatly as regards motivations to engage in EU-level social dialogue. Also, expectations as regards outcomes and potential added value are quite different, mirroring the different organisational, political and cultural orientations of national-level industrial relations and social dialogue.

According to the representative of the the German trade union confederation DGB, the added value of EU-level social dialogue from the perspective of German trade unions is currently rather limited. This mainly stems from the 'soft' outcomes that have dominated EU-level social dialogue for a long time. For trade unions in Germany, framework agreements, guidelines and other purely voluntary texts are not very helpful as they lack any element that would foster implementation. Furthermore, the DGB representative noted that the issues addressed by EU-level social dialogue from the German perspective are often less relevant as national practice is well established. This, for example, relates to the recent example of the framework agreement on active ageing – this issue has already been addressed quite intensively in Germany by social partners at cross-industry and sector level, as well as by public policies.

However, this rather sobering assessment does not mean that DGB has reduced its engagement in EU-level social dialogue or its general activities at EU level. The opposite is actually true: DGB runs its own Brussels office with a staff of two advisors and one assistant, and the organisation has also reorganised its work as regards EU affairs.¹² The result has been the increased involvement of not only the international department, but also thematic DGB experts in activities in Brussels. Reporting back and forth between Berlin and Brussels has also intensified.

DGB also recognised the added value of European social dialogue for social partner organisations in countries where such dialogue and organisations are still weak and capacity building needs to be supported.

Although DGB's overall assessment was echoed by the representative of the Danish trade union confederation LO, there were also marked differences. From the perspective of LO, social dialogue with employers has a certain value already, irrespective of the achieved outcomes. LO stressed the need to be actively engaged in EU-level social dialogue by participating in negotiation groups and involving national trade union experts in committees or working group structures.

According to LO, a key challenge for EU-level social dialogue relates to capacity building. The idea of autonomous social dialogue, as well as its underlying values and characteristics (e.g. trust, joint ownership and commitment), needs to be developed or strengthened in those Member States where it is not working well. Social partner organisations in those countries should take the lead in this.

The assessments made by the Danish cross-sectoral employer organisation DA about the autonomous nature and added value of EU-level social dialogue were very similar to those of its trade union counterpart. The DA representative stressed the need for social partners to engage in their own social dialogue activities and function as a strong voice vis-à-vis the Commission and other institutions. By acting in such a way, European social dialogue mirrors the situation in Denmark, according to DA, where the historic agreement between employers and trade unions of 1899 laid the groundwork for social dialogue to act independently of the government, including in the regulation of the labour market.

DA stressed that European social dialogue needs to be regarded as a key element of the European social model, as well as a key element of strong and autonomous social partners that act independently of the Commission. In order to keep EU-level social dialogue alive and strengthen its capacity to shape European as well as national-level social affairs, DA said that it is important to constantly engage in consultation and negotiation, as well as building trust and mutual understanding. EU-level social partners and their national affiliates therefore need to identify topics of joint interest and concern, even if this proves to be increasingly difficult.

¹² In order to account for the increased influence of EU legislation and regulation on national affairs, DGB abolished the previously existing separate department on European affairs. European policy is now integrated in all policy departments at headquarter level.

The Spanish employer organisation CEOE, as well as the three German employer organisations involved in European cross-industry social dialogue (BDA, ZDH and VKA), stressed the notion of autonomous social dialogue at EU level as an effective tool to influence legislative initiatives. They saw it as a form of more appropriate regulation in fields where social partners could do better in terms of regulation, rule setting and developing level playing fields.

Furthermore, the German and Spanish employer organisations justified their substantial engagement at EU level by the need to influentially represent national business interests and lobby against excessive and over-ambitious EU regulation in the field of employment and social affairs.

It should be noted that the employer organisations interviewed in all three countries gave quite critical assessments of current ETUC policies, as well as the orientations of their national cross-industry trade union confederations (i.e. favouring binding agreements with a strong obligatory element as regards implementation).

However, it is also important to highlight that employee representatives in all three countries stressed that – irrespective of conflict and interpretations of economic, social and labour market challenges – social dialogue has strong roots in their respective national contexts.

As noted by the CEOE representative, and irrespective of all differences in the interpretation of national economic and social policies:

In Spain, we have a long and consolidated tradition of social dialogue, both at bipartite and tripartite level, and with clear structures and procedures. Spanish social dialogue is based on trust and mutual respect.

(Interview with CEOE representative)

Social dialogue in newer EU Member States

The perceptions of national-level social partners in Hungary, Poland and Slovenia differ from those of their counterparts in Denmark, Germany and Spain. In particular, the trade unions of the newer Member States have greater scepticism regarding the impact and added value of European social dialogue on national-level policies and economic as well as social affairs, including social dialogue itself. This partly results from higher expectations as regards the regulatory capacity of European social dialogue in

contrast to national level. As the representative of the Hungarian trade union confederation LIGA commented:

[European social dialogue] is a great tool to influence decision-making at EU level and the procedures are working quite well. European social dialogue, however, has somewhat limited influence on national social dialogue since the consulting of national social partners – if it happens at all – in most of the cases is only formal. There is only limited manoeuvring space for real social dialogue at national level.¹³

(Interview with LIGA representative)

While this assessment was also made by Hungarian cross-industry trade union confederation MOSZ, the representative of the Hungarian employer organisation MGYOSZ highlighted the problem that since the abolishment of the tripartite National Reconciliation Council (OÉT) in 2010, no legal forum exists for the proper implementation of European social dialogue outcomes. Furthermore, according to MGYOSZ, there is no culture of cross-industry collective bargaining nor bipartite dialogue in Hungary.

The deep structural difference between social dialogue cultures at EU and national level was also highlighted by the representative of the Slovenian trade union organisation ZSSS. According to the interviewee, European social dialogue differs from the Slovenian experience in its quality and negotiation capacity. It has a larger degree of trust and less ideological differences between trade union and employer organisations, as well as in regard to the articulation and professionalisation of practices. Commenting on the actors involved in European social dialogue, he stated that:

The people involved have political and professional experience and knowledge. It is clear that the negotiating parties have a deep understanding of the subject matter. This is not the case in Slovenia.

(Interview with ZSSS representative)

Given this lack of social dialogue structures and practices at national level, the motivation for social partners in the newer Member States to become involved mainly lies in the role of European social dialogue in shaping and influencing policies and decision-making at EU level.

¹³ Excerpt from a written response to the study.

This added value of European social dialogue was also highlighted by the representative of the Polish employer organisation Lewiatan, as well as the interviewee from the Slovenian employer organisation ZDS. In a written statement for this study, the ZDS spokesperson stated:

I believe that European social dialogue is of the utmost importance. It is the only direct channel of communication with the European Commission and other social partners on a European level. We find that sharing good practices and transferring them to the domestic environment are the added value of European social dialogue.

(Interview with ZDS representative)

In contrast to the overall positive assessments made by employer organisations in Hungary, Poland and Slovenia, the trade union representatives in these countries were more critical of European social dialogue. According to the interviewees, European social dialogue is a remote activity that is far away from the working lives of people in their country.

According to the representatives of the Hungarian and Polish interview partners, the outcomes of EU-level social dialogue are often too vague and have no real link to the daily work of national-level trade union organisations. Results and outcomes would be easier to integrate into national practice if they were legally binding as social partners are not consulted seriously at national level and there is a tradition of social partner agreements at cross-industry level having a real impact on the ground. Bipartite autonomous agreements at EU level are therefore regarded as problematic as there is a lack of weighty social partners at national level and the density of both sides is low.

The representative of NSZZ Solidarność, who has been personally involved in the negotiation of several agreements between the cross-industry social partners at EU level, voiced doubts that soft outcomes of European social dialogue such as autonomous framework agreements have any real impact in the country. Rather there might be the risk that the low general enthusiasm of the Polish social partners will become even weaker.

At the same time, trade unions in Hungary stressed the added value of the tripartite dimension of European social dialogue as a model for their country. Against the background of national setbacks in terms of consultation with social partners and respect for social dialogue in Hungary, EU-level social dialogue serves as an example that social dialogue works, and can have a positive impact on industrial relations and social conditions. Here, interview partners also referred to the Social Summit for Fair Jobs and Growth, Gothenburg and the joint statement of the social partners (ETUC et al, 2017).

In contrast to the employer organisations, trade unions in the three central and eastern European countries were also franker in relation to differing levels of interest within EU-level social partner organisations. One example they provided was how it was difficult to find a joint position on the issue of posting workers in response to the March 2016 Commission proposal to revise the Directive on the basis of equal remuneration for equal work at the same place. Interviewees referred to a conflict of interest between trade unions in the major receiving countries in northern and western Europe, and union organisations in the sending countries such as Poland and Slovenia. As the representative of ZSSS said, 'It is obvious that we have different mindsets or political orientations, even if we are under the ETUC umbrella as trade unions.'

Factors facilitating and hindering vertical articulation

There are two dimensions of vertical articulation. The first relates to organisational settings both within European social dialogue structures and EU-level organisations. The second is the actual involvement and engagement of national-level social partners in these structures and processes (e.g. participation in meetings and decision-making bodies, involvement in negotiation teams).

In terms of the first dimension, both the EU-level and national-level social partners stated that there are sufficient provisions to facilitate and foster the involvement of national affiliates and member organisations, and the articulation of interests from a bottom-up perspective. Key institutions mentioned were the democratic decision-making structures and operational practices in place within the ETUC and BusinessEurope, as well as the social dialogue committee, its sub-committees or ad-hoc working groups in the context of negotiations.

The partners added that while the structures of articulation are established and efficient, they are not satisfied with the quality of the articulation. There are huge differences between national social partners as regards actual involvement and participation. With certain countries in mind, all organisations see the need to improve vertical links because firm and consistent articulation links with member organisations are also important for giving EU-level social partners a strong mandate.

All interviewees stressed that institutional and national factors are a key influence. For employers to become involved in European social dialogue, BusinessEurope believes that it is not only about capacities in terms of personnel resources or money; it is also about national social dialogue and collective bargaining frameworks.

According to the BusinessEurope representative:

Without sufficient capacity in national social partner organisations, and if national structures and frameworks of social dialogue and collective bargaining are not in place, the best framework agreement might be useless because it cannot be implemented.

(Interview with BusinessEurope representative)

UEAPME felt that the 2008 crisis, as well as legal reforms, has had very negative effects on the articulation capacities of some SME organisations in the EU. For example, in the Czech Republic, the Baltic states and Slovakia, SME organisations were hit very hard by the economic crisis and are struggling. Also, in Slovenia, the SME organisation/chamber is struggling for survival after obligatory membership was abolished.

For the trade unions, national settings play a big role in the involvement and process of social dialogue. The ETUC noted that in some countries, such as Romania and Bulgaria, framework conditions are extremely weak and have worsened since 2008. In countries such as Hungary there is no tripartite social dialogue and the ETUC characterised the consultation of social partners there as 'a farce'. The ETUC felt that capacity building will be a key to improving the effectiveness of social dialogue.

Interview partners at national level highlighted similar influencing factors in relation to articulation, but also highlighted further aspects. One of these aspects was the similarity between national- and EU-level social dialogue in terms of reliable and stable structure, mutual trust and joint commitment towards the added value of social dialogue. This was illustrated by both social partners in Denmark, but was also stressed by CEOE in Spain.

This similarity is certainly a facilitating factor that explains the strong role Danish social partners play in the field of EU-level social dialogue. It also suggests that the Danish social partners have built the strongest capacities at EU level in terms of office presence and information for national members about EU affairs.¹⁴

The facilitating factor of engagement has been described as much weaker in regards to the two other western European countries analysed in the case studies. Both employer organisations and trade unions stressed that there are important differences between EU-level and national-level social dialogue.

Employer organisations CEOE, BDA and ZDH highlighted the need for national employer organisations to be present and represent the interests of national business at EU level. In order to influence EU policies and regulation in social and employment affairs, they also see the need to be involved, provide support (via membership fees, personal experts, etc.) and shape the policies of BusinessEurope and European social dialogue. All have their own office spaces in Brussels and are among the most active members within BusinessEurope (CEOE and BDA) and UEAPME (ZDH). They also are actively involved in working group structures, negotiation teams and other operational bodies through experts.

While the Spanish and German trade unions also have their own office spaces in Brussels, and are well-positioned in ETUC's decision-making bodies, their actual engagement with European social dialogue differs. The involvement of DGB is much less articulated than, for example, the Danish LO, when it comes to working structures (e.g. participation in working groups, committees and negotiating bodies). The main reason for this is the dissatisfaction of German trade unions with the outcomes of European social dialogue in terms of the topics addressed, and particularly in relation to the voluntary nature of implementation instruments (e.g. frameworks of action, orientations, guidelines, recommendations). According to the DGB representative, it is extremely difficult to implement such outcomes in a way that makes a real impact on the ground. While DGB is a keen supporter of European social dialogue, the dissatisfaction with its current state results in a rather low articulation profile in terms of agenda setting, or participation in projects and negotiation teams.

Social partner organisations in the three central and eastern Member States gave quite similar assessments to those of their sister organisations in western Europe on the subject of the factors facilitating and hindering vertical articulation. However, a number of further hindrances were highlighted by both trade unions and employer organisations.

Employer organisations mentioned that the main facilitating factor of articulation at EU level was the need to be present in European policy decision-making via European social dialogue. In terms of the bilateral nature of social dialogue, employer organisations such as Lewiatan in Poland or ZDS in Slovenia stressed the

¹⁴ For example, Danish cross-industry trade unions LO, the Confederation of Professionals in Denmark (FTF) and Akademikerne run an office in Brussels that is also the home of the trade unions' news portal, Fagligt.EU, which provides relevant EU news on labour market affairs to Danish readers.

lack of similarities between EU-level and national-level social dialogue, and hindering factors of the national industrial relations system. The following factors were highlighted.

- National-level social dialogue is less structured and binding (e.g. no multi-annual work programmes, lack of joint understanding, national governments having a less supportive role).
- Employer organisations are diverse and there is a lack of sector-level social dialogue.
- Topics addressed by EU-level social dialogue are comparatively less prominently discussed according to interview partners in the respective countries (e.g. telework, demographic change, work-life balance).

These differences between EU-level and national-level social dialogue were also clearly emphasised by the representatives of the trade union organisations in all three countries.

Furthermore, trade unions pointed out key factors hindering articulation and effectiveness in relation to national industrial relations.

- There is a lack of enthusiasm and commitment from national employer organisations with regard to EU-level social dialogue.
- National employer organisations have a weak mandate to enter into negotiations with trade unions at cross-sectoral level – both with a view to European social dialogue as well as within the national context.
- There are issues related to the representativeness of employer organisations.
- Social dialogue lacks political support from national governments.

Both trade unions as well as employer organisations in Hungary, Poland and Slovenia also referred to language as still being a major hindering factor. Though interpretation is provided at European social dialogue committee meetings, greater involvement in negotiation teams, working groups or via written communication requires either English language skills or a translator. Here, both union and employer organisations face a lack of capacity.

In addition, particularly when it comes to having a presence in working groups or topic-specific committees, social partner organisations from central and eastern European countries often lack the full-time personnel needed in order to provide a larger input. In contrast to the trade unions and employer organisations in western European countries, the respective secretariats at national level in central and eastern Europe have a smaller number of staff and most relevant experts lack the necessary language skills or capacity.

The trade unions and employer organisations also stated that political framework conditions at EU level have quite a strong impact on articulation. As shown above, a key motivation for European and national social partners to engage in European social dialogue is the potential to influence and shape policies in employment-related fields. Despite this, a number of interviewees from both trade union and employer organisations highlighted the increasing lack of meaningful information from the Commission and fewer consultations with social partners as hindering factors:

In our experience, the European Commission's respect for the European social partners has diminished. We are increasingly getting the impression that the Commission sees the social partners only as compliant accomplices in the implementation of its social agenda, and that the autonomy of the social partners is becoming less and less respected. It seems that the Commission is hardly interested in a genuinely constructive and respectful dialogue on joint or autonomous social partnership shaping new social policy fields of action.

(Joint statement from BDA, ZDH and VKA in the context of this study)

Social partners' efforts to improve vertical articulation

In order to strengthen articulation and involvement, the EU-level social partners have initiated a number of joint and unilateral activities in recent years. However, most of the activities focus on improving outcomes and/or capacity at national level rather than addressing articulation processes and practices.

In the context of the 2015–2017 work programme of European social partners, a sub-group was established in the social dialogue committee to support the implementation of social dialogue outcomes at national level. This initiative, which was also supported by a joint research study (Itschert and Alfaiate, 2016), was highlighted by BusinessEurope as a new approach to learning more about the factors hindering not only implementation, but also vertical articulation.

Social partners at EU level also highlighted that new capacity-building initiatives were developed and implemented during 2017 and 2018. Also in 2017 and 2018, the cross-industry social partners started a project in the context of the 2016–2018 Integrated Project of the European Social Dialogue on making use of the European Social Fund (ESF) programme in order to facilitate capacity building at national level. ESF-funded capacity-building activities for social partners already exist in a number of western Member States (e.g. Germany), where social partners carry out joint projects on issues of common concern such as reducing long-term unemployment and improving the working conditions of older workers.

The ETUC, in response to the growing dissatisfaction of some national member organisations with the outcomes of European social dialogue, has intensified collaboration activities with these organisations. In December 2016 for example, a workshop was held in Bratislava on future priorities and actions in the context of social dialogue at EU level.

The ETUC has also intensified the involvement of national affiliates (along with the European sector-related trade unions) in a discussion about the 2018–2020 work programme with BusinessEurope, CEEP and UEAPME. In spring 2017, a one and a half day workshop was organised in order to discuss the character and content of the next work programme. According to the ETUC representative, the main objective was to arrive at a short, concrete and precise work programme, while maintaining the ability to jointly address issues that may not be addressed directly in the work programme text. Issues which have been provisionally identified are digitalisation, skills and qualifications, working time, and restructuring.

In the medium-term, the training and skills development activities that social partners run for and with national affiliates are also an important way of improving articulation. For example, the ETUC organises its ‘European Social Dialogue Academy’ twice a year to train young trade union representatives from national affiliates.

Recommendations for improving articulation

Interview partners at both European and national level made a number of recommendations that directly, but much more indirectly, favoured improved vertical articulation in the context of European and national levels of social dialogue.

A key recommendation from both employers and trade unions was to strengthen the relevance of European social dialogue for national-level affiliates, as well as national-level social dialogue. This requires relevant topics to be identified and addressed by European social dialogue. Given the great diversity of economic, social and employment challenges within the EU, this is an extremely difficult task but one that needs to be addressed continuously according to both employer and trade union organisations. Both the ETUC and BusinessEurope have adopted new activities to strengthen bottom-up communication and consultation processes when it comes to making choices in relation to the topics addressed.

A further recommendation related to the implementation of the outcomes of European social dialogue: only results that have a real impact for national social partners at national level will also encourage them to engage with the negotiation process. While there are differences between trade

unions and employer organisations regarding the instruments – binding versus voluntary routes – both sides agree that implementation has to be improved in order to avoid European social dialogue becoming purely arbitrary. In this context, the ETUC and all the national trade union organisations interviewed for this case study stressed that the implementation of social dialogue outcomes should be supported more strongly by national governments, in particular in those countries where no tradition of cross-industry or sector-level collective bargaining exists. Furthermore, they also stressed the need for the Commission and the European Council to put more pressure on national governments that only support social dialogue half-heartedly or even disregard social partner organisations. Trade unions in central and eastern Europe also suggested strengthening the implementation of autonomous framework agreements, for example by using the ‘threat’ of legal implementation if the ‘voluntary route’ doesn’t work.

In terms of articulation, employer organisations at EU and national level suggested improvements should be fostered by capacity building, social partners and the active promotion of social dialogue by EU projects on the ground. The need to strengthen the visibility and presence of European social dialogue was stressed by employer organisations in Slovenia and Spain, who mentioned the need to increase good practice exchanges, mutual learning and joint project activities at Member State level. This would create concrete chances for national social partners to participate in EU-level social dialogue activities.

The trade unions and employer organisations at EU and national level (in particular in Germany, Poland, Hungary and Slovenia) also felt that the Commission could help to improve the vertical articulation of social dialogue by taking a firmer and more supportive role.

- The tendency to treat social partners as one ‘stakeholder group’ amongst others should be reversed, and information and consultation on relevant topics should be timely and meaningful.
- It was also suggested that the Commission could encourage and put greater pressure on national governments to support social dialogue and to consult national social partners on specific topics (e.g. the implementation of key principles of the European Pillar of Social Rights).
- In order to illustrate the real impact of EU-level social dialogue for national social partners, the rule to consult social partners in the European Semester should be more systematically implemented throughout Europe.

3 Vertical articulation in the context of European sectoral social dialogue: Case studies

This chapter examines the vertical articulation of social dialogue in the case of sectoral dialogue in seven sectors: construction, tanning and leather, chemicals, food and drink, local and regional government, railways, and commerce. These sectors were chosen as they reflect a varied range of sectors, including those exposed to EU regulation, those exposed to competition, those undergoing high levels of restructuring, and those with different social dialogue traditions and histories.

The cornerstone of the dialogue includes regular meetings of the sectoral social dialogue committees (financed by the European Commission) – three a year – and liaison forum meetings. The outputs of the sectoral social dialogue are listed on the Commission’s sectoral social dialogue online database – part of the sectoral social dialogue website.¹⁵ The Commission also co-finances a number of social dialogue projects in a range of sectors.

The overall aims of this chapter are to examine the workings of social dialogue in these sectors, analyse what works well and why, and try to understand the main challenges and how they can be overcome.

Construction sector

Profile of the sector

The construction sector – which encompasses the construction of buildings, civil engineering and specialised construction activities such as plumbing, plastering or painting – is important for the European and global economy. According to the Commission, it provides 18 million direct jobs, mainly in micro-companies and SMEs, and accounts for about 10% of the EU’s GDP.

The sector’s business structure is highly fragmented, with a large number of micro-companies, SMEs and self-employed people. However, there are also some large, multinational companies, most of them based in western European countries.

As a highly pro-cyclical sector, the construction sector was particularly hard hit by the economic recession in 2008, although the drop in employment differed significantly between countries (Spain, Ireland and Greece were most negatively affected, while there was much less of an impact in Poland and Germany) and not all construction subsectors were equally affected.

Since construction is a labour-intensive sector, the goal of minimising labour costs may lead employers to operate with fake self-employed workers to save on direct pay and social security contributions. These sectoral challenges have been addressed frequently over the years in joint statements from the EU-level social partners in the construction sector (for example EFBWW/FIEC 2010 and 2015).

¹⁵ <http://ec.europa.eu/social/main.jsp?catId=480&langId=en>

Table 2: Profile of the construction sector

NACE Rev.2 demarcation	<ul style="list-style-type: none"> ○ 41: Construction of buildings ○ 42: Civil engineering ○ 43: Specialised construction activities
Employment	<ul style="list-style-type: none"> ○ > 18 million
Business structure	<ul style="list-style-type: none"> ○ Mainly SME-dominated ○ Few very large multinational companies, most of them in western European countries
Business challenges	<ul style="list-style-type: none"> ○ Low attractiveness of the sector ○ Unfair competition ○ Lack of skilled workers
Social and employment challenges	<ul style="list-style-type: none"> ○ High share of self-employment ○ Low pay and irregular work ○ Job insecurity and social security challenges ○ Health and safety challenges
Impact of EU regulation	<ul style="list-style-type: none"> ○ Generally low, but increasing in the context of the liberalisation of cross-border service provision (i.e. posting of workers, trans-border services)

Source: Authors, based on various sources including a Eurofound representativeness study on the sector and interviews carried out in the context of this study (Eurofound, 2015b).

Actors and processes at EU and national level

EU-level actors and processes

The European Federation of Building and Woodworkers (EFBWW) is a European federation for the construction industry, the building materials industry, the wood and furniture industry, and the forestry industry. EFBWW has 76 affiliated unions in 34 countries, including all Member States. EFBWW is also a member of the ETUC.

Formed in 1905, FIEC is another European federation for the construction industry. It represents companies of all sizes that carry out building and civil engineering activities via its 29 national member federations in 26 countries (23 Member States, 2 European Free Trade Association countries and Turkey). In the interview carried out for this study, the FIEC representative stressed the fact that in order to ensure a balanced representation of companies of all size groups, FIEC explicitly decided not to include single, large companies as members.

It should be noted that since 2007, builders' confederation EBC has held observer status in the social dialogue committee for the construction sector. EBC has affiliates in 13 Member States, all of the representing SME and construction-related craft trade organisations. EBC is also a sectoral European member organisation of UEAPME.

Sectoral social dialogue in the construction sector has been under development since the early 1990s and informal joint activities have been in place since 1992 (European Commission 2010, p. 8). Following the 1998 Decision of the European Council on the establishment of sectoral committees, informal social dialogue was

formalised in 1999 as one of the first sectoral committees.

As regards social dialogue and related processes at EU level, both FIEC and EFBWW stressed the specific nature of industrial relations in the construction sector. Against the background of important sectoral features, social partner organisations have a long tradition of social dialogue and collective bargaining at sectoral level. Due to their specific role, social partners in most countries play a role in regulating social and working conditions that goes beyond core aspects such as wage-setting or working time to also include joint paritarian funds that are managed by trade unions and employer organisations. These funds exist in fields such as health and safety, holiday payments or vocational training.

National-level actors and processes

In the context of this study, national social partners in four countries were interviewed: Denmark, Germany, Slovenia and Romania.

Due to major differences between countries, the four national cases differ significantly, thereby reflecting industrial relations. However, in comparison to other economic sectors, the construction sector is characterised by a strong tradition of social dialogue between unions and employer organisations at national level.

In Denmark, social partners have been helping to regulate the rights and obligations for companies and workers for over 100 years. Social dialogue is firmly embedded and plays an important role in the regulation of the labour market. This is also illustrated by various joint funds and institutions that are overseen by social partners in the sector.

In Germany, the construction sector is characterised by robust social partner organisations that have established paritarian funds (such as two social funds under the umbrella of SOKA-BAU) or are extremely involved in the administration and governance of occupational accident insurance at sector level (BG BAU). Both funds were established more than 50 years ago by social partners in the construction industry. As highlighted by the representative of the trade union IG Bauen-Agrar-Umwelt (IG BAU), social dialogue forms an integrative part of the economic and social model in the construction sector.

In Slovenia, the trade union and the employer organisation are engaged in both social dialogue and collective bargaining. However, interview partners also noted that the 2015 collective agreement has not been extended to all construction companies and their workers because the employer organisation does not reach the threshold for representativeness. According to the interviewed stakeholders, employers not affiliated with the construction sector employer organisation and not covered by the collective agreement usually offer lower tenders and win contracts, including in the context of public tendering processes. Against this, both the union and employer organisation would be in favour of certain minimum employment and working standards in the construction sector, including the establishing of a parity social fund.

The representative of the Romanian Association of Construction Entrepreneurs (ARACO) stressed the positive role of bipartite and tripartite social dialogue and cooperation as regards social security and combatting unfair competition in the construction sector in Romania. In contrast to Denmark and Germany, however, social dialogue in Romania depends much more on the political orientation of the government. For example, the establishment of a paritarian fund in 1998 was based on a legal act, rather than a collective agreement. This dependence on the government leaves social dialogue vulnerable to political change, as evidenced recently when the government proposed to weaken the paritarian fund financing.

Outcomes and good practice examples

According to the social partners, social dialogue in the construction sector is based around two specific problems: health and safety (issues include regulations for work at heights, work-related stress, working with dangerous substances such as asbestos and silica dust) and above all, to establish a level playing field for all and standard social working conditions, particularly regarding the transnational mobility of workers. Other important questions are the attractiveness of the sector for young people and skilled workers, the problem of bogus self-employment and public tendering.

Since 2008, there have been more than 20 specific outcomes from the construction sector's social dialogue committee. Most outcomes are joint positions, declarations or memorandums of understanding addressing sector-specific topics and challenges such as health and safety, paritarian funds, third country contractors or fake self-employment. A number of joint declarations or positions address EU-level regulation and legislative initiatives, namely the Posting of Workers Directive, the social service e-card, the proposal for a single-member private limited liability company, public procurement regulation and intra-corporate transfer of workers.

European social dialogue in the construction sector has been described by representatives of EFBWW and FIEC as quite specific when compared to other sectors. Both organisations stressed that there is a core set of joint concerns that 'drive' their social dialogue (as highlighted above), including the joint interest in fostering a EU-level playing field for fair competition. There is also intensive cooperation between the two federations, with joint monthly meetings.

Specific outcomes that were highlighted as good practices include a wide range of projects financially supported by the Commission and practical guidance that has had national-level impact on, for example, health and safety (asbestos guidelines, earth-moving machines, etc.).

Vertical links and articulation at EU and national level

Top-down links and articulation

EFBWW and FIEC have both established a secretariat structure that is comparatively competent in terms of dealing with sectoral social dialogue. The EFBWW secretariat employs 10 staff (one president, one general secretary, two political secretaries, two policy advisors and four assistants/office manager) and has two standing committees (one for the building industry and one for the woodworking and forestry industries). The standing committees meet at least once a year and are responsible for studying specific questions that arise in their sectors at community level, as well as submitting proposals to the executive committee. The safety and health coordination group assists and advises the standing committees on safety and health issues. The European Works Council steering committee prepares and coordinates European Works Council work. EFBWW activities are based on decisions taken and an action programme adopted at the general assembly, which is held every four years. The action programme outlines the federation's main activities and tasks. In a nutshell, EFBWW deals with social dialogue, labour market policy, health and safety issues, workers' representation in multinational companies, terms of employment and social policy.

The FIEC secretariat has a staff of eight that include the director general, directors for economic and legal affairs, social affairs and technical affairs, as well as four assistants. FIEC's internal working structure is based on three committees, each under the responsibility of a vice-president: the economic and legal commission, the social commission (which deals with training and education, the free movement of workers and services, and health and safety matters) and the technical commission (which deals with standards, energy and the environment, as well as research and development and innovation). The FIEC vice-president 'SME' ensures the respect of specific SME interests in all work undertaken by the various FIEC committees and groups.

Based on this structure, the EU-level social partners are able to carry out joint projects, and draft joint positions and declarations. The flow of information is regarded as efficient and comprehensive by national-level social partners. This also includes the exchange of good practices and joint initiatives amongst national members.

It should be noted here that the Danish and German social partners, both of the social partners in Slovenia and the employer organisation in Romania all assessed the top-down processes of articulation with their European counterparts as effective and beneficial. Trade unions receive regular information from EFBWW, are asked for their opinions and are invited to take part in different committees. The trade union representative from Slovenia also mentioned that despite it being a small country, Slovenia is visited nearly every year by the EFBWW secretary general. The employer organisation in this country recognised the value of the top-down processes of articulation because whenever it needed information or to consult with FIEC, it got an immediate response.

Bottom-up links and articulation

The social partners in Denmark and Germany stressed the increasing need for the construction sector to have a strong presence within the European political system and EU policy debates, particularly in relation to topics such as the posting of workers or cross-border service delivery. As stressed by the general secretary of Danish BAT Kartellet, 'Because two thirds of decisions affecting the construction sector are driven by EU-level actors, social partners have to be equally present in Copenhagen and in Brussels/Strasbourg.'

In both countries, social partners are very involved in their respective EU-level organisations and therefore play quite a big role in shaping European social dialogue. They highlighted the following as the added value of social dialogue: capacity building; supporting more favourable social dialogue and collective bargaining framework conditions in central and eastern European countries; and promoting the exchange of experiences, innovations and good practices across

borders, in particular through joint projects and activities. Sectoral social dialogue was also highlighted as the only forum for the anticipation of structural changes and related challenges, for example regarding digitalisation, demographic change, anticipation of skills and other technological developments.

Social partners in Slovenia and Romania – both trade union and employer organisations – said that the added value of European social dialogue was that it was an instrument to lobby for and foster a level playing field as regards working and employment conditions. The Slovenian employer organisation noted that it has been actively involved in meetings, conferences and committees on health and safety, and has disseminated the outcomes of EU-level activities among employers and employees.

Both the Slovenian trade union and the employer organisation highlighted the added value of binding agreements as a potential outcome of European social dialogue. They identified the lack of a level playing field in relation to working conditions, health and safety, and minimum wage standards as a big challenge for all construction companies that 'play according to the legal rules'.

This point was echoed by the president of ARACO who noted that in recent years, the competition from companies that undermine minimum working conditions has increased and that calls for stricter regulations. Apart from this, ARACO believes that the articulation and engagement of national social partners is driven by further factors, namely:

- integrating large western European construction players more effectively into the Romanian system of industrial relations and social dialogue
- developing answers to increasing skills shortages caused by a lack of highly qualified construction workers and high levels of emigration (particularly of younger workers) from Romania to western European countries
- supporting national social dialogue by integrating Romanian social partners in joint European projects
- promoting joint paritarian funds and institutions via EU-level social partners

Factors facilitating and hindering articulation and engagement

Denmark's BAT Kartellet highlighted a number of aspects that are regarded as crucial facilitating factors for effective articulation and engagement of national member organisations in EU-level social dialogue. Here, the concrete added value of EU-level social dialogue for national-level social partners was highlighted as important. This means that the topics addressed by social dialogue should be highly relevant for national member organisations and there should be a sense of joint ownership.

From the Danish perspective, the key facilitating factors for articulation were said to be mutual trust, a strong commitment and good relationships between trade unions and employer organisations at national level. The BAT Kartellet representative felt it was essential that national organisations participating in EU-level social dialogue had a strong mandate from their national rank and file. Apart from that, sufficient capacities and resources were a precondition for engagement and articulation, which is certainly not the case in all Member States.

In slight contrast to this assessment, German trade union IG BAU expressed the view that the framework conditions of social dialogue at EU level are not ideal. The social partners would like to have more meetings that are financed (currently three a year). The sector has three working groups and these do meet more frequently than once a year, but in practice this means that only one meeting per working group is funded by the Commission. IG BAU would also like the Commission to act more forcefully on joint initiatives of the EU-level social partners. Examples in this context are various initiatives to strengthen a level playing field and combat social dumping by letterbox companies or the circumventing of posted workers' provisions. This has had, in the union's view, a very negative effect on the perception by national member organisations in EU countries as regards the added-value of EU social dialogue. However, the Commission points out that it has acted in a range of areas, such as the revision of the Posting of Workers Directive and the issuing of a proposal for establishing a European Labour Authority, and drawn up following consultations with EFBWW. The social partners are also active participants in the European Platform tackling undeclared work.

Two key factors hindering engagement and articulation in Slovenia are resources and capacity. The trade union of construction workers has just two full-time staff at the secretariat (the general secretary and an administrative support employee), while the Chamber of Construction and Building Materials Industry of Slovenia indicates a staff number of only 2.75. The time these staff members can devote to European social dialogue is also limited, with the general secretary of the trade union stating that he spends no more than 5% of his average working time on such activities.

There are also financial restrictions. According to the trade union organisation, EFBWW was able to cover certain travel costs in the past, but this support is no longer available. Due to all of these resource- and capacity-related limitations, the Slovenian social

partners find it difficult to engage sufficiently – a feeling that was supported by the Slovenian and Romanian employer organisations.

All social partners interviewed for this case study stressed that improving the framework conditions for national- and EU-level social dialogue was essential in order to strengthen articulation. The Slovenian and Romanian social partners highlighted the need to build up their respective capacities and develop national political framework conditions in the construction sector that would favour social dialogue, collective bargaining and organisation. So far, in too many countries, social dialogue just exists on paper.

The Slovenian and Romanian social partners further described the role that the Commission could play in this context, for example by encouraging national governments to more actively support the establishment of paritarian funds. Whereas the Slovenian and German social partners argued for the Commission to take a more active and supportive role, the Danish BAT Kartellet felt that social partners themselves should be more active and avoid becoming too dependent on support provided by the Commission. The Danish trade union organisation also argued that in order to strengthen the capacities of trade unions at EU level, national affiliates – if they were able – should provide more personnel and financial resources for their EU-level organisations.

It should also be noted that the Commission has cofinanced a recently launched project in this sector, focusing on central and eastern European countries, aimed at bolstering industrial relations in the construction sector, at all levels. The EFBWW and FIEC, together with AEIP (the European Association of Paritarian Institutions of social protection), signed a long-term cooperation agreement, in which they undertook to strengthen, reinforce and promote industrial relations in the construction industry at all levels. One specific element of the cooperation agreement is that the partners will make better use of the existing EU budget lines related to 'Industrial relations and social dialogue', in particular as regards initiatives targeting central and eastern European countries.

Summary

The following table highlights the key findings in relation to vertical links and articulation in the context of social dialogue in the construction sector, including recommendations on how to improve vertical articulation.

Table 3: Summary of results – Construction sector

Engagement and motivation of actors	<ul style="list-style-type: none"> • Social partners at EU and national level are highly motivated to engage in social dialogue. • Sectoral challenges (health and safety, unfair competition practices, etc.) provide a platform for joint interests and social dialogue topics that are relevant for both unions and employers. • EU-level policies and legislative initiatives reinforce strong engagement and motivation.
Effectiveness of top-down and bottom-up articulation processes	<ul style="list-style-type: none"> • Well-established bipartite dialogue at EU level, personal continuity and close relationships between EU- and national-level organisations contribute to the effectiveness of top-down and bottom-up articulation processes (flow of information, communication, etc.).
Factors facilitating articulation	<ul style="list-style-type: none"> • Relationships between secretariats at EU level are trust-based and there are regular meetings between the two boards. • Contact between secretariats at EU level and national affiliates is frequent and continuous. • There is a tradition of social dialogue at national level, particularly in Slovenia and Romania.
Factors hindering articulation	<ul style="list-style-type: none"> • Disappointment of the social partners regarding the reduced number of meetings financed by the Commission. • Dissatisfaction of the social partners with the results of the consultations with the Commission. • Competition is based on wages and working conditions at national level and collective bargaining coverage and social dialogue is eroding (Slovenia and Romania). • Shortcomings in the capacity of national social partners and resources dedicated at national level to EU social dialogue, especially as regards central and eastern European countries – and their under-representation in committee meetings.
Recommendations for improving articulation and links between levels	<ul style="list-style-type: none"> • National trade unions should strengthen their EU-level organisations (BAT Kartellet). • Working conditions should be regulated more strictly in order to establish a level playing field (Slovenia and Romania). • There should be sustainable capacity-building in terms of personnel and financial resources (Slovenia and Romania), also independently of the support provided by the Commission.

Source: *Authors.*

Tanning and leather sector

Profile of the sector

The tanning and leather sector is the smallest of the sectors represented in the case studies, with only about 40,000 workers in about 3,300 companies (mostly SMEs and family-owned) in the EU. Business activities are very unevenly distributed and highly concentrated in a few EU countries. Italy has one of the largest shares of the tanning sector in Europe, with 65% of the total turnover (percentage on value of production), 78% of the companies (mostly SMEs) and 52% of the workforce.

Production and turnover in the EU tanning industry increased from 1970 to 2000 and reached an all-time peak in 2000–2001. However, since then the sector has experienced a gradual and continuous decline, with the only exceptions being in 2006 and 2007. Several factors can explain this downward trend. The first is the unfair competition exerted by many trading partners with regard to the access to leather and raw material markets. As stated by the representative of the European employer organisation COTANCE:

Regarding trade, we have been fighting for a long time now – with the trade unions – against export restrictions in third countries. Almost 60% of the global availability of raw materials is under export restrictions for us, but people from third countries can come to Europe and buy whatever they want. This is

creating a lot of problems for us and the industry overall. It is basically shrinking the market and creating unfair competition.

(Interview with COTANCE representative)

Actors and processes at EU and national level

EU-level actors and processes

The membership domain of IndustriAll European Trade Union (IndustriAll), a federation of independent and democratic trade unions representing manual and non-manual workers in the metal, chemical, energy, mining, textile, clothing and footwear sectors, is multi-sectoral. Affiliated with the ETUC, IndustriAll represents 194 national organisations and more than seven million workers from 39 European countries across different sectors, including all EU Member States. The federation records 36 direct affiliates (88% of the unions identified in the study) in 19 Member States. Almost all affiliates are engaged in sector-related collective bargaining and IndustriAll Europe is involved in 11 sectoral social dialogue committees: metal industries, steel, shipbuilding, chemical industry, paper, gas (on hold), electricity (with EPSU), extractive industries, textile and garment, footwear, and leather and tanning. Finally, IndustriAll Europe has recently launched a proposal for a social dialogue committee in the aerospace industry.

Table 4: Profile of the tanning and leather sector

NACE Rev.2 demarcation	<ul style="list-style-type: none"> 15.11: Tanning and dressing of leather; dressing and dyeing of fur
Employment	<ul style="list-style-type: none"> Around 40,000, nearly 70% in Italy
Business structure	<ul style="list-style-type: none"> SME-dominated High concentration of business activities in Italy
Business challenges	<ul style="list-style-type: none"> Shrinking market Export restrictions Overall unfair global competition rules
Social and employment challenges	<ul style="list-style-type: none"> Attractiveness of the sector Lack of skilled workers Poor working conditions and low pay in many jobs
Impact of EU regulation	<ul style="list-style-type: none"> Low – a more forceful EU policy in favour of the sector is needed

Source: Authors, based on various sources including Eurofound representativeness study on the sector and interviews carried out in the context of this study.

COTANCE represents the tanning and leather sector. The organisation counts 12 direct and 2 indirect associational members (together representing 67% of the employer organisations in the sector) in 14 Member States. COTANCE is involved in two sectoral social dialogue committees: tanning and leather, and footwear.

European sectoral social dialogue was created in 2001. However, the first informal working groups were established much earlier, in 1999. There are also initiatives regarding the organisation of European sectoral social dialogue along the supply chain with sectoral social dialogue committee meetings bringing together employer and trade union representatives in the tanning and leather, textile and clothing sectors. These initiatives are particularly welcomed by the trade unions and they meet the interests of employers and the Commission by increasing flexibility and reducing costs.

It should be noted that sectoral social dialogue does not cover fur.

National-level actors and processes

In the context of this study, national social partners in Italy and Romania were interviewed.

Social dialogue in Italy is mainly geared towards collective bargaining and the renewal of collective agreements between employers and trade unions at the national (sectoral) level. National collective agreements are the most important tool for regulating employer–employee relationships and they apply regardless of whether the enterprise is a member of the employer organisations that have signed the agreement or not.

Regional and company bargaining are also performed jointly. At regional level, the national collective agreement applies but where no company bargaining

exists, negotiations frequently occur at individual level in matters such as salary, type of work and overtime. This is particularly frequent in micro-enterprises.

Collective bargaining is carried out on a joint basis between the confederal sectoral trade unions (Filcem, Femca and Uiltec) during the preparation of the trade union platform for national collective agreements. Coverage of bargaining is high. The multi-employer agreement covers about 90% of the workers in the sector. At the beginning of 2017, the collective agreement was renewed and both trade unions and employers agreed on a package of measures to boost the competitiveness of the sector.

In contrast to Italy, social dialogue in Romania has been facing several challenges that have affected the tanning and leather industry quite sharply, according to the trade unions. Collective bargaining coverage declined sharply in the years following the economic crisis and is now mostly left at company level, as trade unions do not meet the criteria for representativeness according to the recent legislation. The Social Dialogue Law, which entered into force at the end of 2015, stipulates that a collective agreement at company level can also be signed by the representative trade union federation in cases where the trade union is not representative. Although expectations were high, this law has not resulted in higher collective bargaining coverage.

Outcomes and good practice examples

European social dialogue in the tanning and leather sector has resulted in six texts since 2008, all of them joint opinions (letters, statements, declarations or manifestos). These joint texts address the unfair global trade regime and call for the Commission to take a more pro-active role of in global trade negotiations (see for example COTANCE and IndustriAll, 2015).

According to the EU-level social partners, as well as the national affiliates in Italy and Romania, these outcomes should be regarded as the major added value of European social dialogue in the sector (e.g. shedding a light on specific sectoral problems and challenges, and lobbying for a better industry representation by EU institutions in global trade regimes and value chains).

The Italian Tanners' Association (UNIC) considers European sectoral social dialogue to be a helpful way of promoting initiatives, such as those aimed at increasing skills and competencies through training in the sector, and in which IndustriAll Europe is also actively involved. These initiatives aim to reinforce the national (and European) competitiveness of the industry.

Vertical links and articulation at EU and national level

Top-down links and articulation

COTANCE and IndustriAll develop frequent recommendations for the national partners, which the partners then try to adopt. In particular, both interviewed national partners shed light on the common aims of EU- and national-level social dialogue. More precisely, UNIC indicated that European social dialogue has a relevant role to play in pointing to the priorities in the sector. The association argued that:

At the end of the day, despite the differences we may have with the trade unions at national level, at European level we are all aiming to discuss and set up policies that have only one goal: improving the competitiveness of the sector. This is something that we, as employers representing the companies' interests, and trade unions, representing the interests of the workers, have as a common goal when we operate at European level.

(Interview with UNIC representative)

Both national social partners felt that exchanging views and good practices, which can only be done at EU level, was essential to improving the economic and social conditions of the sector. In addition, UNIC stated the particular relevance of European social dialogue, which can help to improve the climate for national industrial relations.

In Romania, both the employer organisation and the trade union recognised the value of top-down processes. In particular, the trade union evaluated all activities and recommendations sent from IndustriAll and tried to integrate them into their agenda. Similarly, COTANCE went to the employer organisation with their initiative and they spent a lot of effort seeking a joint solution or opinion.

Bottom-up links and articulation

The Italian employers and trade unions organisations both highlighted how they provided feedback to their representative organisations at EU level. Accordingly, UNIC defined itself as playing an 'active part in the European social dialogue process'.

In particular, the employers side at national level shed light on the need for constant interaction between EU representative organisations and EU institutions (particularly the Commission) for lobbying and policymaking. They also emphasised the need to use the EU level as a place where different national organisations can exchange information and good practices. The European sectoral social dialogue committee may therefore become a sort of cross-national platform that can deliver new ideas on how to improve the competitiveness of the sector.

Both trade unions and employer organisations in Italy recognised the value of being engaged in European sectoral social dialogue. They felt that this engagement helped the national social partners to know and appreciate one another, making it a catalyst for establishing good social relationships at national level too. This may be particularly relevant within those industrial relations contexts where social relationships have been traditionally – particularly in the past – difficult, such as in Italy. In so doing, participating in European sectoral social dialogue can help smooth conflicting attitudes and behaviours, and therefore help a constructive, participatory social climate to develop between employers and trade unions at the national level.

On the other hand, it was also argued that by detaching from the specific 'features' of the national context, social dialogue could foster conversations about specific issues with employers that it would be much more difficult to do through normal bargaining processes at the national level. As an Italian trade unionist argued: 'The projects we have been working on together at European level have given us the chance to get to know each other and talk about issues that it probably would have been difficult to agree on at national level.'

The Romanian trade union mentioned that it appreciated the support provided by IndustriAll in critical situations. A recent example was the conflict with the Romanian government regarding social security contributions and the government initiative to switch all payments to employees. The trade union asked for IndustriAll's help and the federation sent a letter of support requesting that the Romanian government and parliament not undertake such unfair measures for employees.

Similarly, the employer organisation had previously approached COTANCE for help and usually received a quick response.

On the other hand, the Romanian employer organisation revealed that its 18 members were not really active in this field. Their involvement heavily depended on the topic and if it was interesting for them. If they had a problem, they would ask for help, but they rarely took the initiative to bring topics to Brussels. They were mostly positioned nationally as they had a lot of problems to solve, such as training, developing occupational standards, aligning with European legislation, etc. The usual procedure was that the employer organisation would disseminate all important information by email, phone or at direct meetings. It is worth noting that according to the employer organisation, each document needs to be translated.

Factors facilitating and hindering engagement and articulation

For both the employer organisations and trade unions in Italy and Romania, the main obstacles to engagement and articulation were language barriers, financial capacity and resources (e.g. timing regarding meetings and the frequency of meetings). The employer organisation stressed the problem of (non-) collaboration and a lack of social dialogue with trade unions, particularly in Romania. Moreover, the relationship with the government was considered to be problematic in Romania as they had experienced difficulties contacting the government and ministries, which made it nearly impossible to have a discussion about policies and put measures into practice.

On the other hand, employers in Italy indicated that bringing messages from EU level down to national level can be problematic, particularly when the local level consists mostly of SMEs, whose economic reality may not exactly fit the conceptual discussion of topics – rather than distinctive practices – that are developed at EU level. UNIC shared how it tried to play a strong role in engaging with SMEs and continuously informing them about the importance of participating in EU social dialogue.

The experience of the Italian employer organisation contrasted with the Italian trade unions in the tanning and leather sector, who admitted to some difficulties with actively and continuously engaging in European sectoral social dialogue due to a lack of resources (e.g. availability of time).

Romanian trade unions reported that employer organisations were reluctant to take part in social dialogue saying that, for example, ‘in the last sectoral committee only trade unions representatives

participated.’ Though they regard European social dialogue as a useful tool, it is not effective from the Romanian perspective because of the lack of support from employer organisations. As noted by the trade union interviewee: ‘Employers refuse to have dialogue either at the national level or at the European level.’ They are therefore left to take part in dialogue at local levels with companies that own the factories in Romania.

Trade unions had also faced similar problems with multinationals. Despite help from IndustriAll Europe, they often found that multinationals refused to start a conversation with them.

The sectoral employer organisation reported quite a different view. The organisation appreciated the added value of European sectoral social dialogue mainly through projects about environmental law, and social and working conditions. The European sectoral social dialogue topics were mostly relevant for them and there was a willingness to be more active at EU level, but they faced two major obstacles: finance and language barriers. According to the employer organisation, national social dialogue is non-existent mainly due to a lack of representative workers’ organisations at sectoral level. Consequently, the wages and working conditions are determined by the management of each company.

Interestingly, the Romanian employer organisations reported positive experiences of social dialogue and cooperation with the national trade union through joint European projects. One recent collaboration project was ‘Leather is my job’, which aimed to raise awareness of the sector and attract the younger generation. They are also currently collaborating on a project about working conditions including health and safety, which aims to provide companies with the tools they need to identify critical working conditions, and enhance training and education in the sector.

It should also be noted that both the employer organisation and trade union organisation regarded the lack of support from social partners and social dialogue alike to be a key obstacle. Such support requires a lot of time and effort which results – among other things – in lower activity and engagement at EU level.

Summary

The following table highlights the key findings in relation to vertical links and articulation in the context of social dialogue in the tanning and leather sector, including recommendations about how to improve vertical articulation.

Table 5: Summary of results – Tanning and leather sector

Engagement and motivation of actors	<ul style="list-style-type: none"> EU-level social partners are firmly committed to social dialogue based on joint challenges the sector is facing.
Effectiveness of top-down and bottom-up articulation processes	<ul style="list-style-type: none"> Coordination across levels is still somewhat problematic. There is better coordination among unions than among employer organisations.
Factors facilitating articulation	<ul style="list-style-type: none"> Italian employer organisations are using newsletters and campaigns to encourage companies to participate in European social dialogue. Mandatory participation in social dialogue committee meetings for each organisation ensures participation in European sectoral social dialogue. Greater exchange of good practices, especially with well-organised associations.
Factors hindering articulation	<ul style="list-style-type: none"> The need to prioritise national issues in the light of scarce resources – risks moving attention away from the EU level, particularly for trade unions. Language barriers and lack of expertise (particularly on the part of trade unions). Representative mandates, particularly for employer organisations, structurally hinder legitimacy by the organisations representing the interests of their affiliates. Participating in only one bipartite committee is limiting the active participation of trade unions. Education and training is needed to support the development of professional standards.
Recommendations for improving articulation and links between levels	<ul style="list-style-type: none"> European social dialogue should be used to exchange practices and information across sectors, with priority given to close sectors such as fashion (e.g. value chain). The resources for social dialogue (including financial and training for professional development) should be strengthened at both European and national level. Topics and needs should be harmonised between EU and national levels, helping to overcome the risk that European sectoral social dialogue is jeopardised by national-based priorities.

Source: *Authors.*

Chemical sector

Profile of the sector

The EU chemical industry sector directly employs over 3.3 million people (about 1% of the EU workforce) in about 94,000 companies. The sector is diverse, comprising three distinctive branches of chemicals and chemical products, pharmaceutical production, and rubber and plastic products. One of the biggest and

most competitive in the EU, the sector includes a number of large global players alongside thousands of SMEs.

Although the sector has lost its leading role worldwide, it remains important for the European economy's export position and greatly depends on its integration in global value chains and markets. Challenges include slow demand growth in Europe, higher production costs and a highly regulated environment.

Table 6: Profile of the chemical sector

NACE Rev.2 demarcation	<ul style="list-style-type: none"> 20: Manufacture of chemicals and chemical products 21: Manufacture of basic pharmaceutical products and pharmaceutical preparation 22: Manufacture of rubber and plastic products
Employment	<ul style="list-style-type: none"> > 3 million
Business structure	<ul style="list-style-type: none"> Mixed in terms of size groups Very large, multinational companies
Business challenges	<ul style="list-style-type: none"> Slow demand growth in Europe Difficult to retain competitiveness despite a highly regulated environment in Europe as compared to other world regions
Social and employment challenges	<ul style="list-style-type: none"> Employment security in a highly regulated environment Demographic change Skills development and lifelong learning Impact of digitalisation on work and employment
Impact of EU regulation	<ul style="list-style-type: none"> High (particularly in terms of reach, environment and energy efficiency)

Source: *Authors, based on various sources including Eurofound representativeness study on the sector and interviews carried out in the context of this study.*

Actors and processes at EU and national level

EU-level actors and processes

IndustriAll Europe, which succeeded the European Mine, Chemical and Energy Workers' Federation in 2010, and ECEG are the two sectoral social dialogue committee actors for the chemical sector.

Within its organisation, IndustriAll deals with the chemical industry in two (out of a total of ten) sectoral committees: one for chemical and basic materials and the other one for pharmaceuticals. IndustriAll sectoral committees consist of representatives of the secretariat and national affiliates. The main aims are to follow up on the specific economic, financial and social issues pertaining to a sector, to discuss sector-related issues, to respond to EU initiatives which have a bearing on the specific sector and to provide necessary input for the sectoral social dialogue. Sectoral committees meet at least once a year. Apart from that, there might be further meetings in the context of own projects, ad-hoc working groups, other IndustriAll activities or joint projects with the sectoral social partner organisation. The IndustriAll executive committee has the power to define and adjust the list of sectoral activities and to establish ad-hoc sectoral working groups or activities.

According to the 2014 Eurofound representativeness study on the chemicals sector, IndustriAll organises 43 national affiliated trade union organisations related to the sector, covering all EU Member States, except for Cyprus, Estonia, Greece, Latvia and Slovenia (Eurofound, 2014a). All IndustriAll affiliates in the chemical sector are engaged in collective bargaining.

ECEG represents the chemicals, pharmaceuticals, rubber and plastics industries in Europe. A relatively young organisation, ECEG was established by 11 founding national employer organisations in 2002 for the purpose of engaging in social affairs at EU level.

The ECEG secretariat is a lean organisation, consisting only of two full-time executives: the director general and a policy executive. ECEG has established a working structure consisting of three working groups (on health and safety and demographic change; on competitiveness, employment and industrial policy; and on education and lifelong learning). There is also a steering committee, chaired by the managing director of a national affiliate (from Italy), that consists of five members and the ECEG board, bringing together representatives of all national affiliates.

ECEG organises national chemical sector employer federations in 19 European countries. According to a Eurofound representativeness study on the sector (Eurofound, 2014b), all but one national affiliates of ECEG are involved in sectoral collective bargaining.

Based on informal bilateral dialogue that dates back to the 1990s, the social partners signed a joint agreement in 2002 pledging to initiate voluntary permanent dialogue; the European sectoral social dialogue committee for the sector was established formally in 2004. A clear objective of formalising social dialogue was to influence EU policies and foster greater involvement from the industry and its employees in European policies (ECEG and EMCEF, 2004).

The sectoral social dialogue committee for the chemical, pharmaceutical, rubber and plastic sectors organises one plenary meeting and two (previously three) working group meetings per year.

National-level actors and processes

In the context of this case study and following recommendations from the secretariats of the EU-level social partners, national social partners in Belgium, Bulgaria (ECEG affiliate), Germany and Poland (IndustriAll affiliate) were contacted for interviews. Due to extensive workloads at national level, it was not possible to conduct interviews with trade union representatives in Belgium and Poland, but organisations stressed that this should not be regarded as a lack of interest and engagement in social dialogue.

Starting with Belgium and Germany, it should be noted that the two employer organisations Essenscia and the German Federation of Chemical Employers' Associations (BAVC) are founding organisations of ECEG and play an important role in it. The current president and chairman of the working group on education and lifelong learning are representatives of Essenscia, and the chairman of the competitiveness, employment and industrial policy working group is from BAVC.

The representatives of the Belgian and German employer organisations highlighted the strong role of social dialogue in their countries. This implies not only high collective bargaining coverage rates, but also other forms of social dialogue, such as bipartite institutions or joint committees in Belgium, or a number of joint social partner initiatives and practices in the German chemical industry. As regards Germany, the chemical sector is regarded as a particularly cooperative example of sectoral social dialogue and social partnership.

This was also confirmed by the representative of the German sectoral trade union organisation IG BCE, who noted that the trade union is actively involved not only in European sectoral social dialogue but also – within the IndustriAll structure – in social dialogue at a global level through the ILO's Global Dialogue Forum, which involves the IndustriAll Global Union and the International Chemical Employers' Labour Relations Committee (LRC). Furthermore, the IG BCE is actively involved in the IndustriAll Europe committee on the chemical industry.

In contrast to Belgium and Germany, there are no collective agreements at sector level in the Bulgarian chemical industry. According to the Bulgarian Chamber of the Chemical Industry (BCCI), this reflects the overwhelmingly company-based system of collective bargaining in the country. BCCI has 45 member companies that represent more than 75% of the country's chemical production output.

It should be noted that all three employer organisations are not only members of ECEG, but also involved in the European Chemical Industry Council (CEFIC).

Outcomes and good practice examples

The Commission's social dialogue texts database lists 22 joint texts that have been agreed jointly by IndustriAll Europe and ECEG since 2008. Most of them are joint opinions and declarations (16) that have addressed issues such as the impact of Brexit (2017), sector-specific EU regulation and policies (review of the Carcinogen and Mutagen Directive, OSH Directives, EU energy and climate policies, REACH Directive, energy efficiency policy or emission trading, etc.), and general issues of interest for the sector (e.g. Brexit, pensions, responsible care, managing structural change, digitalisation).

Apart from joint opinions and declarations, the social partners in the chemical industry negotiated a European framework agreement in 2011 on 'Competence profiles for process operators and first line supervisors in the chemical industry' and, in 2017, a 'Framework of action on sustainable employment and career development'. Both of these were highlighted by IndustriAll Europe and ECEG as examples of positive outcomes at national level, in particular in countries where trade unions and employer organisations in the sector are not actively involved in sectoral VET policies and practices as regards further training and qualification.

The EU-level social partners also highlighted the 'European chemical social partners' roadmap 2015–2020', a project co-funded by the European Union, as a positive example of joint activities. The document defines a vision for 2020 for a responsible, sustainable, competitive and innovative European chemical industry.

Bulgarian employer organisation BCCI highlighted the added value of European sectoral social dialogue as follows: the possibility of direct involvement in consultation and exchange at EU-level on regulatory initiatives and the implementation of EU Directives.

This added value was also highlighted by the Belgian and German employer organisations. They stressed the impact on mutual understanding, exchange and

fostering the European dimension of employment and social-related policies, including social dialogue processes and practices. Essenscia also highlighted an added value of EU-level dialogue as compared to national-level dialogue: European sectoral social dialogue is regarded as a forum to discuss longer-term issues related to competitiveness, structural change, sustainability or employment.

The IG BCE representative strongly affirmed the positive effect and added value of European social dialogue, in particular for social partners in countries where social dialogue is not functioning well and/or collective bargaining has no tradition at sector level. While topics addressed by European sectoral social dialogue from the German perspective are already well-established and addressed, the situation in many other countries – particularly in central and eastern Europe – is totally different. Therefore, for the German trade unions the added value of European social dialogue mostly relates to shaping European regulatory framework conditions, lobbying for good working conditions, and strengthening social dialogue and social partner organisations in those countries where structures and processes are currently rather weak.

Vertical links and articulation at EU and national level

Top-down links and articulation

According to the EU-level social partners, top-down articulation processes are not functioning in an optimal way. There is a core of countries that are strongly engaged in European social dialogue, as well as in organisational decision-making and thematic working structures within the two organisations, whereas other countries are much less involved or even not represented within the EU-level organisation.

Due to the voluntary character of the outcomes achieved in European social dialogue, the participation and engagement of national affiliates in joint projects and the implementation of recommendations or framework of actions differs significantly.

As regards the implementation of the framework agreement on 'competence profiles for process operators and first line supervisors in the chemical industry' and the 'Framework of action on sustainable employment and career development', it was also stressed by the representatives of IndustriAll Europe, ECEG and the social partner organisations in Belgium and Germany that implementation differs not only because of resources or capacities. In countries such as Belgium and Germany, practices as addressed by the two outcomes already exist in most companies and therefore provide no concrete added value for national member organisations.

This contrasts to the situation in central and eastern European countries. For example, the BCCI representative highlighted the added value of the agreement on competence profiles that had a real impact on the ground in Bulgaria. The Bulgarian social partners developed their own national project to define more than 20 competence profiles in different chemical professions, which will be implemented in the national VET system.

As regards the efficiency of top-down information and communication, the Bulgarian employer organisation also stated that the dissemination of information via electronic communication channels is regarded as totally sufficient. Furthermore, EU-level social partners regularly visit the countries and take part in meetings in the context of social dialogue issues.

As a positive example of strengthening the top-down links, as well as articulation in both directions, the representatives of the German trade union highlighted annual conferences that are organised by the EU-level social partners on a regular basis. Financed through projects, these events not only involve the usual representatives that deal with EU issues, but also representatives from companies (i.e. management representatives, works councils and/or company-level trade union representatives). This has proved to be an efficient instrument through which to discuss European issues, as well as engage in European sectoral social dialogue.

Bottom-up links and articulation

As mentioned above, social partners in Belgium and Germany are very present – at least via their EU-level sector organisation – in the decision-making processes, working structures and expert structures of sectoral social dialogue in the chemical industry.

The employer organisation in Bulgaria also reported being heavily involved in working groups and plenary meetings of the European sectoral social dialogue committee. Beyond that, BCCI has been involved in different joint EU projects with the social partners and is a member of the ECEG steering group and ECEG board. Furthermore, BCCI stressed that it has been actively engaged in the design, negotiation and implementation of the Framework agreement on competence profiles in the chemical industry sector.

Efficient bottom-up links to EU-level organisations, as well as sectoral social dialogue committee activities, were reported by all interviewed organisations. However, both IndustriAll Europe and ECEG stated that countries such as Belgium, Germany, Bulgaria (ECEG affiliate) and Poland (IndustriAll affiliate) are positive examples. There are also countries where neither top-down nor bottom-up articulation functions sufficiently for various reasons (language skills, personnel resources, weakness or conflict-ridden relationships between social partners at national level, lack of interest in topics, etc.).

Factors facilitating and hindering articulation and engagement

According to all interviewees at EU and national level, a key factor facilitating articulation and strong links between European- and national-level social dialogue is the expectation of concrete and positive impacts for the social partner organisations involved. Interview partners highlighted a number of different outputs and results of the European sectoral social dialogue that, at least for some social partners, were linked to such added value. In some countries, the framework agreement and the more recent framework of actions positively influenced top-down and bottom-up communication, involvement and engagement. According to the EU-level organisations, joint social dialogue projects and activities at national level (workshops, conferences, etc.) also had a positive influence in countries where sectoral social partners lack capacity or where social dialogue is not functioning well at sectoral level. Joint projects on relevant topics could also strengthen the links between sectoral social partners and companies, as well as company-based workers representations and unions.

According to German trade union IG BCE, another strong facilitating factor is the existence of a core group of national social partners that work well together at EU level. Based on mutual trust, commitment and good personal relationships, such a group exists within the sectoral social dialogue and is greatly appreciated by the social partner organisations involved. The IC BCE interviewee stated that the existence of a core team of actors that also communicate with each other outside of formal meetings is important for the effective functioning of the social dialogue committee as a whole.

In terms of hindering factors, BCCI – probably reflecting the situation of other employer organisations and trade unions in central and eastern European countries – referred to limited resources, both regarding the income gathered from membership fees, as well as a lack of experts and staff (the organisation only has three permanent and three part-time staff).

A different hindering factor was highlighted by the German employer organisation BAVC. A key motivation for the organisation to engage in sectoral social dialogue is the opportunity to influence EU-level legislative or other initiatives that affect economic, employment and social affairs in the sector. The BAVC representative stressed the view that both the framework conditions for consultation with sectoral social partners as well as the capacity to take on board the views of the sectoral social partners have been negatively impacted by deadlines for consultation procedures that are considered to be too short.

Table 7: Summary of results – Chemical sector

Engagement and motivation of actors	<ul style="list-style-type: none"> EU-level social partners are strongly committed to addressing the joint challenges the sector is facing. There are some gaps in engagement and motivation at national level, perhaps due to lack of capacities.
Effectiveness of top-down and bottom-up articulation processes	<ul style="list-style-type: none"> The bottom-up process is influenced by significant differences between countries in terms of capacities and expertise.
Factors facilitating articulation	<ul style="list-style-type: none"> National-level social dialogue has resulted in positive experiences. Capacities and resources are adequate in many countries. Social dialogue has had a concrete impact on national business conditions. Social dialogue has had a concrete impact on EU-level regulation and policies that are relevant for the sector.
Factors hindering articulation	<ul style="list-style-type: none"> Limited resources and expertise in many countries, notably in central and eastern Europe. Dissatisfaction of the social partners regarding consultation with the Commission on employment and social matters. Reduction in the number of European sectoral social dialogue working group meetings per year (from three to two).
Recommendations for improving articulation and links between levels	<ul style="list-style-type: none"> Central and eastern European country social partners should be encouraged to have a greater involvement in and/or lead joint projects (e.g. by simplifying the funding rules of European social dialogue budget lines). The coordination and integration of social partners at national level by EU-level organisations should be strengthened, including team building and organisational development measures. The Commission (as a whole and not only DG Employment, Social Affairs and Inclusion) should show greater appreciation and regard for all joint activities and outcomes of sectoral social dialogue. Social partners should have greater involvement in consultations with the Commission.

Source: *Authors.*

The IG BCE representative noted that the factors hindering greater engagement and articulation are not limited to financial or personnel resources, but also capacities in a wider sense – expertise, communication competencies and a sense of belonging to a European team.

Summary

The above table highlights the key findings in relation to vertical links and articulation in the context of social dialogue in the chemical sector, including recommendations about how to improve vertical articulation.

Food and drink sector

Profile of the sector

In Europe, the food and drinks industry employs around 4.2 million people and includes over 300,000 businesses. According to the EU-level social partners, the sector is being challenged by customer concerns about prices, food safety and health, as well as low levels of labour productivity, reflecting insufficient research and innovation development.

A major challenge for the sector is the need to increase the attractiveness of the European agro-food industry. This will require the development of a new skills and qualifications framework.

Other challenges and pressures affecting the sector relate to globalisation. Increased international trade and cross-border mobility of capital investment have resulted in substantial changes in markets and trading patterns. At the same time, the liberalisation of trade, with emerging economies gaining prosperity, has provided new market opportunities and new sources of competition.

Actors and processes at EU and national level

EU-level actors and processes

EFFAT is the European federation for trade unions in the food, agriculture and tourism sectors. It is a member of the ETUC and the European regional organisation of the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF). As a European federation, EFFAT represents 120 national trade unions from 35 European countries, covering a large variety of sectors. These include the food and drink industry, but also sectors that have established their own sectoral social dialogue committees such as agriculture, contract catering, hotels and restaurants.

Business interest in the food and drink sector is represented by FoodDrinkEurope. The organisation was formed in the 1980s under the name of the Confederation of Food and Drink Industries of the EEC before becoming known as FoodDrinkEurope in 2011.

Table 8: Profile of the food and drink sector

NACE Rev.2 demarcation	<ul style="list-style-type: none"> ○ 10: Manufacture of food products ○ 11: Manufacture of beverages
Employment	<ul style="list-style-type: none"> ○ > 4 million
Business structure	<ul style="list-style-type: none"> ○ Mainly SME-dominated ○ Few, but very large, multinational companies
Business challenges	<ul style="list-style-type: none"> ○ Image of the sector ○ Environmental and ethical issues and demands
Social and employment challenges	<ul style="list-style-type: none"> ○ Significant restructuring ○ Loss of employment in sub-sectors ○ Attractiveness of the sector for younger workers ○ Skills development in the light of new technologies ○ Erosion of social dialogue and collective bargaining structures
Impact of EU regulation	<ul style="list-style-type: none"> ○ High (food safety, hygiene, health and safety, trade policies)

Source: Authors, based on various sources including Eurofound representativeness study on the sector and interviews carried out in the context of this study.

The organisation comprises not only national federations in 21 Member States, Norway and Turkey, but also 27 European sectoral employer confederations that represent sub-sectors of the food and drink industry, and around 20 multinational companies.

The social dialogue committee in the food and drink sector was only formed in 2013. It is regarded by social partners as an important forum, although the interviews in the context of this study revealed quite different approaches to, and motivations for, sectoral social dialogue at EU level. While EFFAT, for example, stressed the potential added value of dealing with social dumping, FoodDrinkEurope felt that European social dialogue should not interfere in national-level affairs. Nevertheless, there is a joint working party within which topics of joint interest are discussed.

National-level actors and processes

In the context of this study, interviews with social partners in three countries were carried out: Denmark, the UK (trade union only) and Slovenia (trade union only).

These three countries reflect quite different social dialogue and collective bargaining traditions, practices and structures, and the organisational strength of social partners at sectoral level also varies. While autonomous social dialogue has a long tradition in Denmark and collective bargaining reaches a high coverage rate of workers, the situation is quite different in Slovenia and the UK. In Slovenia, there is a collective agreement at sector level in the food and drink industry, but wage bargaining only takes place at company level in the UK. Beyond that, social dialogue between employers and unions in the sector does not really exist.

The trade unions operating in the UK food and drink sector are trade union GMB, the Union of Shop, Distributive and Allied Workers (Usdaw), the Bakers' Union and Unite. GMB is currently re-engaging with EFFAT and is reviewing the extent to which it participates in social dialogue.

The UK trade union representative interviewed for this study noted that bilateral dialogue with employers is not meaningful to them – the information that the trade unions receive tends to be from the EU-level employers, rather than the national employers: 'There is a vacuum in the UK; there is no interaction with employers and ad-hoc participation of employers in European social dialogue for the sector.'

Similarly, the representative of the Slovenian Agriculture and Food Industry Trade Union (KŽI) stated that social dialogue in Slovenia is challenging due to the difficult relationship between unions and employer organisations. There is also no meaningful culture of dialogue, but a formalistic approach instead.

Outcomes and good practice examples

Since 2013, the social partners in the food and drink industry have concluded a number of joint statements, opinions and positions on sector-related issues. These include reforms to the EU agricultural policy, climate change and industrial policy.

They have also published a good practice guide on education, training, lifelong learning and HR practices regarding older workers; issued a joint pledge relating to apprenticeships; and, more recently, started to address the issue of digitalisation and its impact on the food and drink sector in the context of a two-year project funded by the European Commission.

According to the representative of FoodDrinkEurope, EU-level social dialogue is a win-win situation for both social partners as it enables them to explore joint interests with EU institutions, and promote sectoral interests and the image of the sector at EU level. Besides that, FoodDrinkEurope believes that European social dialogue can have an impact on the regulatory environment and can therefore improve business conditions and the competitiveness of the industry.

In terms of the impact of European social dialogue at national level, the assessment of FoodDrinkEurope is more modest and rather indirect effects have been noted. Joint projects can stimulate and foster practices at national level, as can the exchange of best practices and innovative tools. However, FoodDrinkEurope also stressed the voluntary nature of adopting ideas, participating in joint projects or engaging in social dialogue at EU or national level.

The general secretary of EFFAT expressed a more detailed and slightly different assessment of the potential and actual outcomes of sectoral social dialogue. According to him, sectoral social dialogue at EU level potentially has several dimensions as regards outcomes. He noted the importance of the sharing of information and good practices that link to joint projects and activities carried out within the sectoral social dialogue committee (e.g. on qualifications and lifelong learning or increasing the attractiveness of the sector for young people). The key challenge of this type of outcome is implementation, which entails convincing national social partners to put joint recommendations into practice at sector and company level.

However, the main expectation of EFFAT is to promote common European social standards that, for example, avoid and abolish social dumping. In order to achieve such an effect, agreements between the EU-level social partners need to be implemented by legislative or other measures (collective agreements) that are binding for all companies in the sector. This so far has not been achieved in the food and drink sector.

Finally, EFFAT highlighted the important role of European social dialogue as an instrument to influence EU-level policies. Here, joint statements from the social partners as part of consultation procedures are much more forceful than unilateral positions alone.

Vertical links and articulation at EU and national level

Top-down links and articulation

Both EFFAT and FoodDrinkEurope said that top-down links, communication channels and information flows are well-established in both organisations. There is a continuous flow of information about developments at EU level and social dialogue activities, and both organisations are convinced that national members are sufficiently informed about any relevant issues.

Both organisations also highlighted that it is essential to consult national affiliates on planned social dialogue activities, for example joint texts or project ideas. FoodDrinkEurope stressed that the EU-level organisation relies on the expertise of national member organisations and national experts in order to shape its responses in the context of legislative consultations or other initiatives at EU level.

EFFAT also reported that, in recent years, the organisation has developed a number of activities that provide specific support for national members in countries where social dialogue is under-developed or faces restrictions due to political structures or lack of capacity.

Referring to countries in south-eastern Europe (Croatia, the former Yugoslav Republic of Macedonia, Montenegro and Serbia), EFFAT highlighted that it had established a south-eastern trade union council within the organisation, which brings together affiliates from all those countries. EFFAT reported that this platform is working quite well and it is recognised as one of the best regional structures within the organisation. There are two meetings per year and they address both European- and national-level issues, including social dialogue and relationships with employer organisations.

FoodDrinkEurope also highlighted that it is necessary to differentiate between issues that are important for all national affiliates (e.g. related to EU legislation) and issues that some national affiliates might not be familiar with. The topic of apprenticeships was given as an example, as this is an unfamiliar concept in some Member States. Here, activities in the context of EU-level social dialogue clearly have a top-down dimension (i.e. promoting the concept and raising awareness about the positive impact of dual training).

Bottom-up links and articulation

Both EFFAT and FoodDrinkEurope stressed that national affiliates have plenty of opportunities to become involved in EU-level decision-making, working group structures within EU organisations and sectoral social dialogue committee structures. However, both organisations also noted that it is rare for national affiliates to suggest ideas and propose topics to be addressed in the context of EU-level social dialogue. According to EFFAT, it is much more common for the European secretariat to suggest items that are then commented upon by national affiliates (with some being more active than others). FoodDrinkEurope highlighted that national members tend to focus on their national issues as a priority. For them it is essential that there are European umbrella organisations that take care, inform them about relevant developments at EU level and consult them before making proposals or suggesting initiatives at EU level.

To encourage a more active approach among national affiliates, EFFAT suggested that there need to be more incentives for them to see that European social dialogue can play an important role in the European legislation. EFFAT firmly believes that if the Commission took the consultation processes more seriously, European social dialogue would be more attractive, relevant and representative for national organisations on both sides. It would motivate them to attend meetings and it would strengthen their role.

The assessments and experiences of the two EU-level social partners were confirmed by interviews with trade unions in Denmark, the UK and Slovenia. All organisations noted that there were plenty of opportunities to become involved and voice their own interests, both within their EU-level organisations as well as with a view to social dialogue. For example, the Danish trade union representative highlighted that the decision to address the issue of Brexit has been a strong issue of interest among Danish social partners.

However, national social partners also commented that there is a difference between EU-level and national-level social dialogue, with issues at EU level being discussed and addressed from a much more general perspective and often in a quite abstract way. While it might not be very helpful in terms of addressing problems and challenges in individual countries, national social partners admitted that this results from the fact that activities at EU level need to be relevant not only for one country, but for the whole of the EU.

Factors facilitating and hindering articulation and engagement

The interviews in the context of this case study – as well as the problems encountered while attempting to conduct interviews with employer organisations – clearly show that the factors facilitating and hindering articulation and engagement are quite different for employer organisations and trade unions. While trade unions assert that the outcomes of social dialogue should be more solid and that more binding results would increase engagement and articulation, employer organisations have been much more reluctant to commit to such conclusions.

However, there are a number of joint assessments that should be highlighted here. Both employer organisation and trade union interviewees pointed out that national social partners tend to discuss their interests much more intensively when social dialogue is working well in the national context. Denmark is a strong example of this correlation. At the same time, in many countries – perhaps in the majority of countries – social dialogue in the food and drink sector is not functioning well and therefore articulation is hindered or only one-sided. A good example is Slovenia, where the trade union is involved quite actively but lacks a social dialogue partner at both European and national level.

Given these factors, EFFAT and FoodDrinkEurope suggested that the Commission should play a more visible role in order to make significant improvements to the functioning of European social dialogue. Suggestions that were made in the interviews included:

- Supporting greater coordination between social partner organisations at sectoral level by establishing an EU-level secretariat for social dialogue that is funded and administered by the Commission in cooperation with the EU-level social partners (EFFAT).
- Facilitating and encouraging the horizontal exchange and coordination of sectoral social dialogue committees by the Commission, including exchange on topics, activities and practices in the different social dialogue areas (FoodDrinkEurope). The Commission currently operates the Liaison Forum and a range of other initiatives, such as the newsletter, which aim to encourage this.
- Promoting the added value of social dialogue much more intensively at national level, supporting capacity-building and ensuring that the consultation processes at EU level are carried out efficiently. As the EU-level social partner organisations are consulted by the Commission under Article 154 of the Treaty, the social partners at EU level also need to think about how to ensure that their national members are fully informed and can feed in their views.

Summary

The following table highlights the key findings in relation to vertical links and articulation in the context of social dialogue in the food and drink sector, including recommendations about how to improve vertical articulation.

Table 9: Summary of results – Food and drink sector

Engagement and motivation of actors	<ul style="list-style-type: none"> EU-level social partners are strongly committed to social dialogue, but are also aware of the limited impact of EU level social dialogue outcomes at a national level.
Effectiveness of top-down and bottom-up articulation processes	<ul style="list-style-type: none"> Procedures and processes considered to be sufficient. The lack of expertise (unions) and interest (employers) is having a negative impact on bottom-up processes. There are significant differences between countries in terms of capacities and expertise.
Factors facilitating articulation	<ul style="list-style-type: none"> National-level social dialogue is strong. There are sufficient capacities and resources to engage in sectoral social dialogue. Social dialogue can have an impact on EU-level regulations and policies.
Factors hindering articulation	<ul style="list-style-type: none"> It is difficult to identify and address topics through European sectoral social dialogue that are of interest to all organisations. Limited resources and expertise hinder engagement and articulation in many countries, notably in central and eastern Europe. Social partners are disappointed by the perceived lack of consultation by the Commission on legislative matters and other initiatives.
Recommendations for improving articulation and links between levels	<ul style="list-style-type: none"> Both unions and employers believe that the Commission should take on a stronger role by consulting with social partners and coordinating sectoral social dialogue committees. The Commission as a whole (not just DG Employment, Social Affairs and Inclusion) should show a greater appreciation for all joint activities and outcomes of sectoral social dialogue. In relevant countries, there is a need for social partners to build their capacities and to put structures in place for social dialogue.

Source: *Authors.*

Local and regional government sector

Profile of the sector

Eurofound (2015c) defines the local and regional government sector in quite broad terms in order to embrace the variety of activities performed in different Member States by local and regional governments, and

to provide an accurate account of the specificities of all national arrangements. In many countries, besides the administrative and regulatory activities that are typical of political authorities at all levels, local and regional governments can be responsible for providing other services covering areas such as public order and fire-fighting, human health, residential care, social work, education and culture.

Table 10: Profile of the local and regional government sector

NACE Rev.2 demarcation	<ul style="list-style-type: none"> 84.11, 84.12, 84.13, 84.24, 84.25: Administrative tasks 85: Education (certain countries only) 86: Human health activities (certain countries only) 87: Residential care activities (under the responsibility of local and regional governments) 88: Social work activities without accommodation (under the responsibility of local and regional governments) 91: Libraries, archives, museums and other cultural activities (certain countries only)
Employment	<ul style="list-style-type: none"> No figures available due to diversity of the sector
Business structure	<ul style="list-style-type: none"> Very diverse Large public providers Private providers of all sizes
Business challenges	<ul style="list-style-type: none"> Dealing with organisational restructuring Privatisation of some services and outsourcing
Social and employment challenges	<ul style="list-style-type: none"> Impact on the terms and conditions of privatisation and outsourcing Impact of austerity policies on employee numbers
Impact of EU regulation	<ul style="list-style-type: none"> Less direct exposure to EU regulation than other sectors

Source: *Authors, based on various sources including Eurofound representativeness study on the sector and interviews carried out in the context of this study.*

Eurofound uses the European industrial activity classification NACE Rev.2, which includes public administration (administrative tasks) and human health and social work activities. In addition, in certain countries, the local and regional government sector is also responsible for education and health, which come under NACE codes 85 (education) and 86 (human health activities). These sectors have their own social dialogue committees, (the one for education being established in 2010, and the one for hospitals in 2006), but it is important to underline that the local and regional government sector can have, in some Member States, a key role in providing these services. A similar situation applies to NACE code 91 (libraries, archives, museums and other cultural activities), which are often covered by other administrative actors too, notably central government.

Actors and processes at EU and national level

EU-level actors and processes

The Commission established a sectoral social dialogue committee for local and regional governments in 2004. The Council of European Municipalities and Regions (CCRE-CEMR) on the employer side, and the European Federation of Public Service Unions (EPSU) on the employee side, participate in the sector's European social dialogue.

The dialogue in this sector covers the following activities: local and regional public services (local administrators, firefighters, waste workers, community liaison personnel, etc.).

The Commission estimates that over 17 million people work in public services in the EU (Eurostat, Labour Force Survey 2014 data). The social dialogue committee represents around 150,000 local and regional authorities. It promotes quality public services, based on values of social and environmental responsibility and accountability.

The committee is also a forum for exchanging information on labour market issues, responding to consultations and other initiatives by the European Commission, Parliament and Council, and influencing legislation and policy in the fields of employment, training, social protection, labour law, and health and safety.

The main challenges for this sector include: promoting social dialogue; exchanging information on labour market issues and sharing best practice; monitoring technological developments and their impact; climate change, energy transition, migration and their impact; recruiting young workers and retaining older workers; and lifelong learning.

CEMR and EPSU adopted a new work programme for 2018–2019 in November 2017, focusing on economic governance, well-being at work and gender equality.

National-level actors and processes

There are at least two features that must be taken into consideration when looking at industrial relations in the local and regional government sector. One is the exclusion of associational and bargaining rights in certain countries, which can cover the whole sector, or only some of its sections, in terms of activities or occupations. The other is that even if collective bargaining exists, it may take place at different levels and usually either at central government level (for instance, covering the whole public sector) or at single administration level.

Eurofound (2015c) found that collective bargaining is a significant source of regulation of terms of employment in 17 countries and it is prevalent at central or sectoral levels (14 cases). Single-employer bargaining is present in three cases: the Czech Republic, Estonia and Latvia. Coverage rates are usually high and often close to 100%. An exception is Latvia, where only around one quarter of all the sectoral employees are covered by collective bargaining. Here, only single-employer agreements are present, which may help explain the lower coverage rate. In two other cases, Malta and the UK, despite the presence of multi-employer bargaining, the coverage rate is around 70%.

It must be noted that where collective bargaining is excluded, talks and consultations with the trade unions do usually take place with a wide variation in the scope of issues addressed and in the nature of the outcomes of such talks, from informal consultations to written 'protocols'. These sorts of talks and consultations, for instance, are held in Austria, Belgium, France, Germany and Spain. The limitation of associational rights is very rare and only applies in certain circumstances to the very top officials, as in the case of Romania.

A second important feature is the involvement of central governments in the definition of employment and working conditions in local and regional governments. In fact, in a number of cases, employment and working conditions for the local and regional government sector are defined through talks and agreements that cover the entire public sector. Central government is the main player in the regulation of terms of employment in local and regional governments in Austria, Cyprus, France, Greece, Ireland, Portugal, Romania, Slovakia and Slovenia. In certain cases, the association of local and regional governments is involved in the negotiations, as in Slovakia and Slovenia, or, possibly with only a consultative role, as in Greece. In two cases, Hungary and Latvia, central consultations take place within the national tripartite consultation bodies: the National Public Service Interest Reconciliation Council (OKÉT) in Hungary, for the overall public sector; and the National Tripartite Cooperation Council (NTCC) in Latvia.

In two cases, representation of local and regional governments as employers is delegated by law to a state agency. This happens in Italy, with the bargaining agency Aran, which has an encompassing representative role for the whole public sector, including local and regional government, and in Ireland, where the Local Government Management Agency (LGMA) is a state agency of the Department of Environment, Community and Local Government which represents the local and regional government sector in central negotiations.

Mandatory associational representation (as opposed to legal representation through state agencies as in Italy and Ireland) can be found in Hungary, where BÖSZ represents the 23 local authorities of Budapest; and in Greece, where the Association of Greek Regions (ENPE) and the Central Union of Municipalities of Greece (KEDE) are the associations of the regional and the municipal authorities respectively. In these two countries, mandatory associations do not have a strong role in negotiations over the employment conditions in the local and regional government sector. Conversely, the mandatory Local Councils' Association (LCA) in Malta negotiates the sectoral collective agreements.

Outcomes and good practice examples

Social dialogue in the local and regional government sector has produced a range of joint texts over the past decade. They cover issues such as gender equality (2017 guidelines on drawing up gender equality action plans), well-being at work (joint text on a framework for well-being in 2016) and anti-discrimination (joint guidelines agreed in 2016). Other issues addressed include the opportunities and challenges posed by digitalisation (joint declaration in 2015), youth employment (joint statement in 2013) and a joint response on the necessity of a new EU occupational safety and health policy framework (2013).

In 2011 and 2012, the social partners in this sector focused on socially responsible restructuring (2012 joint response to the Commission's Green Paper on restructuring) and public procurement (joint statement in 2011 on the European Commission guide on socially responsible public procurement), in addition to agreeing joint texts on the impact of the crisis, directed at the European Council (joint message on the impact of the economic crisis in 2009 and joint statement in 2010).

Vertical links and articulation

Top-down links and articulation

National tradition is a key factor affecting top-down articulation. For example, in Denmark, agreements at EU level can be implemented quite easily, due to the presence of collective bargaining structures. The trade union representative explained that 'there is a high level of trust between the social partners in Denmark, which cannot be built up overnight.'

The national employer representative in Denmark gave the example of the agreement on active ageing at cross-sector level. In many countries, there was already a collective agreement on this subject, so they negotiated a framework agreement with best practice examples and tools. This gave freedom to the national partners to choose the best tools for them.

In the UK, the trade union interviewee noted that topics for discussion sometimes come from the secretariat in Brussels, which may suggest a priority to members. An example of this is a project proposal to the Commission in response to a call for research on the European Semester (this project proposal has been approved by the Commission and the first seminar took place in Namur on 23 February 2018). This is not usual territory for local government, but the secretariat convinced the members how important it is to be involved in the European Semester, in the drafting of the country reports and recommendations.

Guidelines on gender equality

The 2007 guidelines on gender equality were finalised and renewed in November 2017 by the European sectoral social dialogue committee on local and regional government (CEMR/EPSU, 2017). Implementation depends on each Member State and it has not been implemented in Denmark yet, for a range of reasons. Firstly, it has not been a priority on the employer side, but gender equality is also already present in collective agreements and legislation in Denmark.

The UK is also seen as often ahead of the curve on many issues. It has a highly evolved system of dealing with employment matters, compared to many other countries. The employer representative in the UK felt the UK has an example to contribute rather than a deficit to fill in terms of the issues that are discussed in European social dialogue.

During the negotiations for the 2010 guidelines, there was a lot of discussion in the social dialogue committee and the Nordic female employers in particular had significant input into the text. While the trade union and employer sides were equally involved in drawing up the text, the trade unions saw an imbalance in terms of engagement from all countries.

In the UK, the agreement went out through the trade union's women's network, to regional officials and to local and regional government branches throughout the country. It references the relevant pieces of legislation in different countries. There is, however, no formal evaluation of the implementation of the 2007 guidelines.

One factor potentially hindering the effectiveness of the top-down process is the fact that the Commission presence at social dialogue meetings is not necessarily a specialist one, so the discussion and explanation of an issue is not always as technical as it could be. It should be noted, however, that social dialogue meetings are bipartite and the role of the Commission is as a facilitator, even though the Commission tries to ensure that the social partners have access to information and developments at EU level that are of interest to their sector.

Bottom-up links and articulation

There is a general view that there is an openness at EU level to take on board what national organisations think are priorities; however, many organisations in Member States do not take the initiative. EPSU feels that more input is needed from colleagues from central and eastern European countries, who tend to be quite passive in meetings. On the employer side, CEMR lobbies the Commission and uses information from its members.

At national level, in Denmark, articulation tends to be quite good in the local government sector, but it could be improved, in the view of employers. Bottom-up articulation tends to stem from social dialogue meetings and participation in Commission hearings.

In general, in Denmark, the social partners feel that they are always listened to by their government, with meetings before and after European Council meetings. There is also a tradition of implementation by collective agreement in Denmark. However, the union view was that there should be more say by Member States in terms of what goes on at EU level, although it is also up to the social partners to step up to make the social dialogue more effective.

National trade unions can be very active and very well resourced, compared with employers, and more motivated to be engaged in social dialogue. There are also greater expectations. In the UK, this was illustrated by a social dialogue launch event with the social partners:

When we formally launched the education sector social dialogue, we bought some sandwiches for a lunch, from the local delicatessen. The trade unions hosted a reception in the evening, with a live band, oyster bar and champagne reception.

(Employer representative, UK)

There was also a feeling, certainly from employers in the UK, that there is a varying degree of engagement, depending on the nature of the subject matter. Employers tend to be more interested in maximum flexibility and therefore want to resist nailing things down in any great detail.

The social partners in the UK also sometimes struggle to communicate the relevance of the EU to their national members. From a trade union point of view, many of the issues that matter most to UK trade unions, such as procurement guidelines, came onto the agenda relatively recently (March 2018).

In the UK, it tends to be the international officers of trade unions who attend, and they tend to know very little about what the big issues are on the ground in their country. They should ideally talk to their national representatives and gather information from them before the meetings.

However, the trade union view from the UK was that issues that people bring to their representative are raised in European social dialogue meetings, so the bottom-up flow does work, although it can be hard. Overall, it is difficult to get UK trade union representatives to understand the relevance of European social dialogue.

The UK employer view was that articulation is reliant on individuals having the inclination and willingness to be proactive, rather than structural. This is a reflection of the relationship between UK- and EU-level social dialogue. When social dialogue in the UK was more active, under a different government, issues were placed on the EU agenda more often.

In Hungary, the Trade Union of Hungarian Civil Servants and Public Employees (MKKSZ) noted that Hungarian social dialogue in the public sector is practically limited to information only and that European sectoral social dialogue has no significant effect on national Hungarian social dialogue. Hungarian practice is influenced by the national government alone, which the trade unions feel is a consequence of the government believing that it can represent both employers and unions. The unions are unhappy with this lack of influence. Similar observations are also noted from the employer side. The national sectoral social dialogue is practically non-existent, according to the Hungarian National Association of Local Authorities (TÖOSZ), which means that it is difficult for it to articulate its ideas and interests. TÖOSZ is aware of the benefits of European sectoral social dialogue, and believes that continuous consultations and negotiations with European social partners may improve regulation.

Factors facilitating and hindering engagement and articulation

There are a range of challenges and hindering factors in relation to the social dialogue, and the view was generally a common one across trade unions and employers.

Language: For many people, their mother tongue is never provided during social dialogue activities and as a lot of the representatives are middle-aged, they tend to lack the necessary English competencies. The Commission will provide five or six languages, but only

one will be eastern European, which does not help many of the representatives from central or eastern European countries. Portugal and Greece also often get left off the language list and language becomes particularly problematic in the working groups. There also needs to be French translations of documents. Overall, however, younger people coming through are more likely to speak English, so things are likely to improve in the future.

Resources: The amount of time that the representatives of central and eastern European countries can devote to European issues may be quite limited compared to other Member States.

Expectations: Varying expectations due to different cultural and industrial relations backgrounds can also be a hinderance. There are great differences, for example, between the social dialogue and industrial relations traditions in Denmark and the UK. In some countries, there is no collective bargaining and so they would find it difficult to implement agreements.

Mandates: Some national representatives will not have a mandate, as this is already regulated in their country, or because a subject is not regulated by the social partners in their country.

Attendance and engagement: Attendance can be low at some meetings, and therefore it is important to engage in capacity building. It is also important to ensure that those who are at the meetings participate fully. There is generally a mix of people at the meetings, ranging from elected councillors to people who are more junior

members of their organisations, but who are actually the experts in a particular matter, so it can be difficult to find the right level of engagement.

Frequency of meetings: There there are only three meetings a year (it used to be four). This means that it is difficult to build trust, particularly if not everyone attends. In Hungary, the greatest hindering factor is national circumstance, as noted both by the employer and the trade union interviewees.

Summary

The overall assessment of the articulation of social dialogue in this sector between the EU and national levels tended to be positive from both sides. The social partners at EU level also tended to be involved in some capacity in the cross-sector dialogue as part of a sectoral delegation. From the trade union side, there was a view that cross-sector dialogue can be quite a long process and relatively thin in terms of content, with some discrepancy between the amount of time spent on negotiations and the final outcome. The view from the employer side was that, in addition to discussing a particular topic, it was also important just to meet and exchange information, and to interact with the Commission and trade unions. There is also an east-west divide (as in most sectors). The eastern states still look with some suspicion at the practice of social dialogue, due to a lack of tradition in these countries. The remaining challenges for this sector include dealing with outsourcing, privatisation and austerity, and building capacity in some countries, including those in central and eastern Europe.

Table 11: Summary of results – Local and regional government sector

Engagement and motivation of actors	<ul style="list-style-type: none"> EU-level social partners show good commitment and engagement based on joint challenges the sector is facing (impacts of austerity, restructuring, public procurement issues, etc.).
Effectiveness of top-down and bottom-up articulation processes	<ul style="list-style-type: none"> Effectiveness varies according to Member State, influenced by factors such as national traditions and governments in place.
Factors facilitating articulation	<ul style="list-style-type: none"> Social dialogue is well established and there is a willingness to cooperate, good working relationships and good levels of trust. There is a healthy impetus for dialogue and willingness to share good practice. The awareness that texts need to be flexible enough to be implemented meaningfully in different Member States. Social partners are very willing to engage and work together to improve the efficiency of social dialogue, looking at issues such as timely flows of information, improved communication between meetings, ensuring that all participants have a mandate to discuss and negotiate, and open discussion and communication about national differences that may affect participation in the dialogue and the implementation of its results.
Factors hindering articulation	<ul style="list-style-type: none"> Diversity of the national members involved, their expectations, their experiences and their capacity to act in their own countries. Further challenges in terms of attendance and participation in meetings, exacerbated in some cases by the lack of language capacity and reluctance to participate actively.
Recommendations for improving articulation and links between levels	<ul style="list-style-type: none"> Improving the information flow between meetings would make the meetings more meaningful for participants. Distribution of documents before meetings would help to ensure that everyone could actively contribute to meetings. Capacity-building needs to continue, particularly in the central and eastern European countries.

Source: Authors.

Rail sector

Profile of the sector

The rail sector has undergone high levels of restructuring over the past 20 years, due to the Commission's policy of liberalisation and deregulation. This means that in many countries, the landscape has changed significantly, from a sector dominated by state monopoly to a competitive sector with a range of private operators. The UK is an example of a country that has a privatised rail sector, while many other Member States still operate in the context of a dominant state rail provider. There is also a marked difference between rail freight transport and passenger transport, with the former liberalised before the latter.

Since 1991, EU rail legislation has encouraged competitiveness and market opening. Directive 91/440/EC focused on breaking down rail networks' vertical integration by establishing distinct organisation entities for train service operations and infrastructure management. The main goal was to boost market competition.

Once most Member States had separated their track managers and service operators at the accounting level, two key directives promoting market liberalisation focused on licensing and infrastructure allocation. Directive 95/18/EC specified a universal licensing process for new railway undertaking, while Directive 95/19/EC provided the framework for fair allocation and infrastructure capacity charging for railway undertakings. Since 2001, the Commission has adopted four Railway Packages, all aimed at regulating the increasingly liberalised rail sector in Member States. The fourth such Package was agreed on April 2016.

Actors and processes at EU and national level

EU-level actors and processes

The European sectoral social dialogue committee for railways was created in 1999, although a previous European joint committee was established in 1972. The social partners on the European sectoral social dialogue committee for railways are the ETF on the employees' side, and CER and EIM on the employers' side.

Eurofound (2017a) notes that many EU countries do not have a sector-level employer organisation. Some employer organisations are not specific to the rail sector as they cover state-owned railway companies and broader segments of the public sector. In other countries, employer organisations only represent the private operators, which represent a low proportion of employment in the sector.

Trade unions in the sector are organised in a very fragmented way, but they record a very high density. In terms of collective bargaining, single-employer bargaining prevails in many countries, with agreements concluded by trade unions and companies without the involvement of employer organisations. Overall, the rail sector has a high proportion of coverage by collective agreements due to the large share of employment in the sector accounted for by the companies.

National-level actors and processes

In the context of this case study, social partner organisations from a total of five countries were interviewed. Interviews with trade unions and employer organisations were carried out in France, Germany and Slovenia, whereas in Bulgaria only the trade union organisation and in Slovakia only employer organisations were interviewed.

Table 12: Profile of the rail sector

NACE Rev.2 demarcation	<ul style="list-style-type: none"> ○ 49.1: Rail passenger transport ○ 49.2: Rail freight transport ○ 52.21: Railroad infrastructure
Employment	○ Around 900,000 in railways and railroad infrastructure
Business structure	○ Dual structure of large incumbent operators and new private companies
Business challenges	○ Coping with the implementation of EU regulation in terms of liberalisation
Social and employment challenges	○ Liberalisation and privatisation of the sector has had an impact on employee representation and in terms and conditions for the workforce
Impact of EU regulation	○ High, through a succession of rail regulation packages

Source: Authors, based on various sources including Eurofound representativeness study on the sector and interviews carried out in the context of this study.

In France, the sector level tends not to be the most important level of bargaining, reflecting national social dialogue traditions. Collective bargaining and social dialogue tends to take place at company level. The French National Railway Company (SNCF) is the main organisation operating in the sector, and although the sector has been undergoing liberalisation and privatisation, SNCF still accounts for around 70% of freight traffic.

In Germany, the Railway and Transport Workers Union EVG, a member union of the DGB confederation, is affiliated with the ETF as well as the International Trade Workers' Federation (ITF). EVG is the youngest of the trade unions affiliated with DGB, having been established in 2010 following a merger, and has around 108,000 active trade union members in railways and road transport. The union represents the social and employment interests of workers in railways, as well as other transport sectors at national, European and international level. A key activity in this context is the negotiation of collective agreements at various level on wages and working conditions.

AGV MOVE is the main sectoral employer organisation and social partner in the rail and mobility sectors, including railway infrastructure and other supporting services sectors. The organisation was established in 2002 out of the Deutsche Bahn AG Group. AGV MOVE represents the employment, social and economic interests of more than 50 member companies at national, European and international level, and is integrated in the committees of the German peak-level employer organisation BDA and the Association of German Transport Companies (VDV), as well as CER at EU level. AGV MOVE's main activities relate to the development and negotiation of collective agreements with EVG and other trade unions, providing legal and other expertise for member organisations, providing training measures, and representing the interest of the sector in national and international policy and institutions.

In Bulgaria, the Federation of Transport Trade Unions (FTTUB) is a sectoral, national representative organisation, affiliated with the Confederation of Independent Trade Unions of Bulgaria (CITUB) at the national level, and the ETF and ITF at EU and international level. It represents more than 10,500 workers from all transport sectors and also rail and road constructors, telecommunications, hospital transport, fisheries and tourism. It has 103 trade union members. FTTUB is very involved in the ETF – the president of FTTUB is also vice president of the ETF and the ITF.

Outcomes and good practice examples

Social dialogue in the rail sector is highly organised and responds to EU regulatory initiatives. Most recently, in addition to the fourth railway package, one area of focus has been women's employment in the sector, based on a 2012 agreement, Women in Rail. This agreement has been evaluated on an annual basis. The agreement addresses the issue of how to attract more women into the rail sector. Ideas for action came from a range of different companies, and was the result of action in this area taken by a number of rail companies, such as SNCF in France and Deutsche Bahn (DB) in Germany. The outcomes of this EU project then formed the basis of social dialogue negotiations and agreements in France, which is a good example of top-down articulation. Similarly, in Bulgaria, the social partners have been inspired by the equality and prevention of violence agreements negotiated at EU level in the sector, and have subsequently concluded their own agreements on issues such as equal opportunities and prevention of violence.

Other topics addressed by the social dialogue in this sector include psychosocial risks, protection of staff in competitive tendering situations, and employability in the face of demographic change. The social partners in this sector also negotiated two binding agreements, one on working conditions of mobile workers engaged in interoperable cross-border services, and the other on the license for European locomotive drivers.

Vertical links and articulation

Top-down links and articulation

The rail sector is very exposed to EU policy and so social dialogue tends to focus on issues linked to EU regulation, although there has also been a strong focus on women in rail in recent years. In terms of the effectiveness of implementation of outcomes, there are some ad-hoc activities to monitor the state of implementation of specific texts. One example is for the joint text on the integration of women in the rail sector, which involves a very structured exercise where data is collected to monitor the progress of women in companies. The social partners are also currently running a project on reviewing the binding agreement on working conditions for mobile workers in the rail sector.

In terms of being easiest to monitor, there are binding agreements that have to be implemented by national legislative acts or similar binding regulations. These are easier to evaluate and they have concrete results in terms of national provisions. However, the existence of national provisions does not mean that provisions are implemented at the level of companies. The EVG trade union in Germany stressed the need to monitor and analyse challenges with regard to implementing key

provisions of the 2004 agreement on working conditions of cross-border rail mobile workers. Particular challenges that have emerged in terms of applying the agreement include the efficiency of checks and controls, and companies making use of legal loopholes.

As noted by the French and German employer organisations, it should not be assumed that these are the only meaningful outcomes of social dialogue. Sometimes a binding agreement is not the right tool and there are other types of joint texts and outcomes that are valid and valuable as joint commitments. One example of this is the Women in Rail agreement, which led the French members to conclude an agreement at company level in France. The same happened in Germany, showing that it is possible for the EU level to influence and inspire what goes on at national level.

In terms of the flows of information between levels, CER experts prepare documents from the national to the EU level. This tends to work smoothly, as long as there is a clear link between national and the EU level. The rail sector is incredibly diverse, so the precise workings depend on the company.

EU policy has a large influence in this sector. Over the past 20 years, the legislative framework within which the rail sector operates has changed radically, making it a very challenging sector in which to work. CER members are interested in how to meet the challenges of EU reforms and how this can be achieved with the unions. They work with the HR director group, which is very active in this area.

Bottom-up links and articulation

Different countries have different levels of national involvement in social dialogue. According to the ETF and CER, this results from factors such as capacities, language issues and financial resources. Sometimes, there is also a lack of interest on the part of national social partners.

According to a representative from AGV MOVE, it would be too easy to explain the differences in engagement in terms of a split between older and newer Member States. In fact, there are countries such as the Czech Republic or Bulgaria that are quite heavily involved while there are also significant differences between western Member States as regards engagement and involvement. In general, AGV MOVE felt that the participation rate of national social partners in European sectoral social dialogue plenary meetings has increased in recent years.

As noted by the ETF representative, EU work depends very much on the commitment of the individuals sent and the importance the union gives to the work. The representative noted that there is a tendency for unions to send a person who has been involved at national level, but might not be involved in EU-level work. It can

therefore be difficult to get the national members to see the value of EU-level work.

Germany and France give high importance to European social dialogue and EU-level work, while trade unions in other countries can be less interested and sometimes do not see it as relevant. In central and eastern European countries, when unions tend to be weak at national level, there is an expectation that dialogue can solve their problems (western unions do not tend to have this expectation). If the outcomes were more binding, this would contribute much more to central and eastern European countries, but the majority are non-binding texts.

FTTUB in Bulgaria has taken part in many joint projects with European social partners, and been part of negotiation teams for joint agreements, joint recommendations and joint opinions. It therefore plays a substantial role in setting and implementing the European sectoral social dialogue agenda and outcomes. At national level, for Bulgarian trade unions, the added value of European social dialogue is the outcomes it produces. European sectoral social dialogue also gives the social partners in Bulgaria an opportunity to level working conditions, transport service quality, gender equality and many other fields through the exchange of good practices.

In France, the view from SNCF was that the relevance of European social dialogue depends very much on the topic. Equality and women in the rail sector has universal appeal and so is deemed to be relevant. In this case, the social partners at national level have taken up the topic and conducted their own negotiations about it.

It also depends on the trade unions themselves. For example, the topic of violence from third parties was a topic that trade unions at national level were particularly interested in and what started at national level went on to be discussed at EU level as well. One difficulty is that, depending on the country, the agreements negotiated at EU level have varying levels of relevance. For example, in France, any agreement on training is not likely to have much of an impact, as there is a well-established social dialogue and provisions on training in France. By contrast, the same EU-level agreement would have much more of an impact on countries that have different national provisions in place. Another example of this is the Directive on qualifications for drivers, which has less of an impact in France than in other countries for similar reasons.

German workers' union EVG largely shared SNCF's opinion. From its perspective, the strongest impact certainly results from outcomes that are binding for all Member States, and directly influence working and employment conditions. Therefore, the German trade union has been very much engaged in the development

and negotiation process that led to the 2004 agreement, as well as lobbying for the railway sector at EU level, either jointly with the EU-level employers or within the ETF. For EVG, the sectoral social dialogue is an important instrument that gives the union a voice in European debates about regulation and rule-setting that is particularly relevant in the rail sector. A further added value from the national perspective is the possibility to highlight problems in the field of regulation and working conditions as well as ‘bad practices’ with the Commission. Finally, European social dialogue is a tool to share information and exchange ideas with railway trade unions in other countries, making it a source of mutual learning and understanding. Here, joint projects and activities are an important instrument.

Factors facilitating and hindering engagement and articulation

In terms of facilitating factors, the most important one is the potential for European sectoral social dialogue to have an impact on working and employment conditions in the rail sector. A concrete example of this is the 2004 agreement, along with joint positions, recommendations or declarations that have helped to shape EU legislation and policies relevant to the sector.

The EVG representative noted that the involvement of senior management in unions, companies and employer organisations has a strong impact on the outcomes of negotiations and, in particular, on their implementation and the commitment of the parties involved.

Facilitating factors that are less general but may be very appealing for some organisations are the actual topics addressed by joint projects, such as the activities to support women in the rail sector. Joint projects have also been highlighted as an important activity that contributes to a better understanding of each other, mutual learning processes and trust-building.

In relation to hindering factors, many interviewees highlighted language as a big obstacle, especially for the central and eastern European countries. German, French, English, Spanish and Italian are common within European social dialogue, but other languages are not. While this is changing, progress has been slow.

Language was also highlighted by EVG as an important hindering factor, not only in plenary committee meetings but also negotiation teams or thematic working groups. In Bulgaria, the language barrier is a particular challenge, although the union expressed gratitude for the financial resources provided by the

Commission, which allow them to be actively involved. A further challenge is that Bulgarian employers rarely take part in European sectoral social dialogue.

A lack of meetings was highlighted as an issue by CER, which likes one plenary, one steering group and two working groups a year. At present there are only three meetings a year in total.

Furthermore, German employer organisation AGV MOVE was critical of the role of the Commission as regards the visibility of European sectoral social dialogue and its outcomes. The organisation felt that social partners play an important role in promoting Europe at company and national level, and this role should receive greater recognition from the Commission.

EVG stressed that there are also factors hindering engagement and articulation that are related to other framework conditions of European sectoral social dialogue. For example, restrictions on the number of participants per country makes it particularly difficult for smaller organisations (that cannot cover the costs) to send more than one participant to meetings in Brussels.

EVG also highlighted a further and more qualitative hindering factor related to the role of the Commission. The union spoke of the Commission being too focused on Article 155 agreements and not appreciating how much work is required for social partners to produce a joint recommendation on a specific legal initiative. For the national social partners, such experiences often result in them questioning the added value of engaging in EU-level debates and negotiations with employers. For them it is often easier to find an answer at home, by means of an agreement with the respective employer organisation. EVG therefore stated that strengthening the links between European- and national-level social dialogue would, first and foremost, require a greater commitment from the Commission in relation to the added-value of all forms of sectoral social dialogue. This would also have a positive impact on the national perceptions of European social dialogue, although there has also been a strong focus on women in rail in recent years.

Summary

The following table highlights the key findings in relation to vertical links and articulation in the context of social dialogue in the rail sector, including recommendations about how to improve vertical articulation.

Table 13: Summary of results – Rail sector

Engagement and motivation of actors	<ul style="list-style-type: none"> Overall, social partners are strongly committed and engaged with European social dialogue. There is good coordination when dealing with EU regulatory issues.
Effectiveness of top-down and bottom-up articulation processes	<ul style="list-style-type: none"> The rail sector includes one of the best sectoral examples of top-down and bottom-up articulation: the Women in Rail agreement, which was inspired by national-level activities and led to related activities in France, Germany and Bulgaria.
Factors facilitating articulation	<ul style="list-style-type: none"> The fact that this sector is very exposed to EU regulation and the social partners can contribute significantly through dialogue. Two binding agreements linked to EU regulation have been negotiated. Involvement of senior figures in social dialogue. The topics chosen, such as women in rail, are highly relevant and interesting for the social partners on both sides.
Factors hindering articulation	<ul style="list-style-type: none"> Language barriers. Low participation levels in meetings and restrictions on the number of participants in meetings. Issues around the visibility and relevance of European sectoral social dialogue in some countries, as well as the perception that the Commission is focused on Article 155 agreements.
Recommendations for improving articulation and links between levels	<ul style="list-style-type: none"> The good experiences in France, Germany and Bulgaria should be promoted and built upon in order to widen perceptions of social dialogue and its relevance in Member States. Ensuring that the appropriate participants attend meetings – in terms of mandates and interests – should be a priority, which is challenging in a sector that is so diverse. Social partners should work with the Commission to ensure the relevance of the dialogue and its outcomes, not just in terms of binding agreements, but its outputs as a whole.

Source: *Authors.*

Commerce sector

Profile of the sector

The European commerce sector, which covers wholesale trade and retail, is a large sector with over 30 million people (Eurostat data, 2014). It has expanded significantly over the past 20 years and is an important entry into work for young people and other groups that have been temporarily out of the labour market. While the overall sector is characterised by a large number of SMEs, larger companies such as retail chains dominate the market.

Increased competition, regulatory changes (e.g. opening hours), new technologies and new business models have changed the sector considerably. This has also had a strong impact on employment and working conditions (e.g. an increase in the number of part-time workers, most of them female). Previous and ongoing changes have also generated new demands for higher-skilled workers, as well as those with specialised skills (e.g. ICT).

Table 14: Profile of the commerce sector

NACE Rev.2 demarcation	<ul style="list-style-type: none"> 45: Wholesale and retail trade and repair of motor vehicles and motorcycles 46: Wholesale trade, except of motor vehicles and motorcycles 47: Retail trade, except of motor vehicles and motorcycles
Employment	<ul style="list-style-type: none"> Around 30 million employees
Business structure	<ul style="list-style-type: none"> Mainly SME-dominated, but large companies and multinationals dominate the market and are trendsetters
Business challenges	<ul style="list-style-type: none"> Increased competition and restructuring Pressure on traditional business models Rapid technological change
Social and employment challenges	<ul style="list-style-type: none"> High share of part-time employment and very flexible contracts High share of female workers Increasing requirements for better skilled and specialised workers
Impact of EU regulation	<ul style="list-style-type: none"> High (e.g. regulation on labelling and product information)

Source: *Authors, based on various sources including Eurofound representativeness study on the sector and interviews carried out in the context of this study.*

Actors and processes at EU and national level

EU-level actors and processes

The two social partners involved in the European sectoral social dialogue committee in the commerce sector are UNI Europa and EuroCommerce.

UNI Europa represents workers mainly in private services in a large variety of sectors, including commerce; banking insurance and central banks; gaming; graphical and packaging; hair and beauty; information and communication technology services; media, entertainment and arts; postal services and logistics; private care and social insurance; industrial cleaning and private security; professional sport and leisure; and professionals/managers and temporary agency workers. UNI Europa has more than 270 national trade union affiliates in 50 countries, including all EU countries, and is a member of the ETUC. Around 60 UNI Europa national affiliates from 35 countries are related to the commerce sector.

Apart from sectoral social dialogue in the commerce sector, UNI Europa is involved in nine other sectoral social dialogue committees that are coordinated by staff from the UNI Europa secretariat in Brussels. The secretariat employs a staff of around 20 full-time experts and employees.

EuroCommerce, through its affiliates, represents an estimated six million companies in the field of retail, wholesale and other trading areas. EuroCommerce members include national commerce employer federations in 31 countries, employer federations representing specific sectors of commerce, and nearly 30 corporate members, which are large retail and wholesale companies. The main role of the organisation is to represent the commerce sector at EU level; advocate for EU legislation and policies that are in line with a competitive, sustainable and fair commerce business in Europe; and raise awareness about the role of commerce in the European economy and labour market.

UNI Europa and EuroCommerce have been engaged in effective bilateral social dialogue for more than 30 years. The Commission officially recognised their achievement in 1990 and, three years later, the sectoral social partners officially recognised each other as social partners within the meaning of Articles 3 and 4 of the Agreement on Social Policy. In November 1998, following the Commission Decision to formalising European sectoral social dialogue, the social partners agreed to establish a committee.

National-level actors and processes

In the context of this study, national social partners in Norway and Spain were interviewed. It should be noted that interviews with an employer organisation (the Enterprise Federation of Norway, VIRKE) and trade

union (the Norwegian Union of Employees in Commerce and Offices, HK) were only possible in Norway. In Spain, only the Trade Union Confederation of Workers' Commissions (CCOO) was available for an interview. Furthermore, it was not possible to carry out an interview with the banking and commerce section of the Polish trade union federation NSZZ Solidarność.

In Spain, the service/commerce branches of both CCOO and the General Workers' Union of Spain (UGT) are involved in the well-established structures of bipartite and tripartite social dialogue and collective bargaining that are deeply embedded in the Spanish industrial relations system. However, as representatives of CCOO indicated in the context of the interview carried out in this study, social dialogue and collective bargaining in the commerce sector faces a number of challenges and problems, which are mainly resulting from the rather fragmented landscape of employer organisations. This is also reflected in the currently missing links between national- and EU-level social dialogue: the national employer organisation that concludes collective agreements with the Spanish trade unions is not the same as those employer organisations that take part in European sectoral social dialogue. This, according to the interviewees, complicates things both at EU and national level.

By contrast, the situation in Norway is quite different and less problematic. The HK and VIRKE interviewees said that social dialogue between their organisations is well developed and reflects the overall strong role of social dialogue and collective bargaining in Norway, which is similar to the other Nordic countries. The main motivation for the Norwegian social partners to get involved in joint social dialogue is the increasing relevance of EU legislation on the commerce sector's framework conditions and regulation in the country, as well as the strong role of multinational European or global companies.

Outcomes and good practice examples

Sectoral social dialogue in the commerce sector has produced more than 30 different outcomes since 1998, including codes of conduct, guidelines and tools, policy recommendations and joint opinions. It has not resulted in any agreements implemented by Council Decisions or autonomous agreements or frameworks of action so far. The most numerous outcomes are joint texts, opinions and declarations on EU legislative initiatives and policies, challenges the sector is facing or other topics of joint interest. Based on joint projects, the sectoral social partners have issued guidelines and tools on age diversity management and third-party violence.

The sectoral social partners are also currently carrying out a joint project to improve health and safety at work and analysing the labour market by gathering data and information on the market, the changing forms of employment and the main work arrangements.

EuroCommerce highlighted the added value of sectoral social dialogue as a means of constructive, constant and trustful exchange with trade unions at EU level. Moreover, sectoral social dialogue provides further opportunities to exchange ideas with EU institutions and, in particular, the Commission, and raise awareness about sectoral specificities and challenges. Finally, the sectoral social dialogue committee also supports physical meetings and exchanges between social partners in Brussels by providing additional financial support.

In a recent policy brief, EuroCommerce highlighted four key principles/messages that motivated the organisation to engage in social dialogue with UNI Europa.

Consensus orientation: sectoral social dialogue cannot resolve contentious issues, but can build trust and understanding, as well as deliver joint initiatives on specific problems.

Voluntary nature of cooperation: this is an essential principle according to EuroCommerce. It is also stressed that European social dialogue does not lend itself to binding agreements.

Autonomy and self-governing of the social partners: this is also essential and has to be respected by national governments, as well as the Commission.

Objectives: social partners work together to promote jobs and careers in the sector, which is undergoing major change, not least in the face of developments in the digital economy.

As regards objectives, the responsible UNI Europa representative for the commerce sector highlighted that sectoral social dialogue's main added value is to represent the sector in dialogue with EU institutions and in the context of legislative or policy initiatives.

A further added value highlighted by UNI Europa and the Spanish trade union is the chance to exchange views and information about sectoral social issues between social partners at EU level, as well as across different Member States and candidate countries. Furthermore, social dialogue contributes to good and trustful relationships with employer organisations at EU level. Last but not least, social dialogue at EU level is a means to develop joint guidelines and tools that can serve as good practices for national social partners.

Vertical links and articulation

Top-down links and articulation

As highlighted in the interview with the EuroCommerce representative, top-down articulation processes seem to be more important than bottom-up processes for the employer side. According to the interviewee, this reflects the expectation of most national affiliates to gather information on business-relevant developments, regulation or EU reform initiatives, and inform affiliates

in their respective home countries. The focus on information-gathering also works in the opposite way. Sometimes EuroCommerce national affiliates make suggestions on topics that should be put on the agenda of EU-level meetings, both in the context of sectoral social dialogue meetings as well as in EuroCommerce meetings.

According to the UNI Europa interviewee, the flow of information works well in both directions but implementing the outcomes of EU-level social dialogue is more difficult (e.g. applying good practices, codes of conduct or recommendations for national members). There are two key problems according to the interviewee. Firstly, all outcomes of European sectoral social dialogue are voluntary and secondly, the implementation of outcomes can only be done jointly and in many Member States, trade unions lack an employer counterpart. The normal procedure would be that UNI Europa national affiliates inform their members about results and outcomes of EU-level social dialogue, but no follow-up or implementation is happening in some Member States because there is no dialogue partner.

However, there are also positive examples of those countries where social dialogue functions well at national level and both national social partners are actively engaged in European social dialogue. A good practice example highlighted by UNI Europa is in Spain. In 2012, the national social partners signed a joint agreement that was extended in 2017 and now covers around 70-75% of all workers in the commerce sector (BOE, 2012). The agreement referred to European sectoral social dialogue for the first time and committed the signatory parties to respecting norms and guidelines agreed between the social partners at EU level.

Bottom-up links and articulation

The EU-level social partners reported significant differences between countries as regards bottom-up articulation in the context of social dialogue in the commerce sector. Active contributions, inquiries, suggestions on topics to be addressed and ideas for possible project activities are brought forward by a relatively few number of national affiliates. Others, for many reasons, focus more on benefiting from the top-down flow of information.

There are different reasons for this imbalance according to the EU-level and national-level interview partners. UNI Europa noted that bottom-up processes function quite well when it comes to gathering information on good practices. However, there is a general lack of the bottom-up flow of information, communication and articulation in central and eastern Europe, as well as in countries that were particularly affected by the 2008 and euro crises (e.g. the Baltic states and Ireland). There is a huge difference as regards the articulation of national trade unions between countries where national social dialogue functions well (here the Nordic countries

and Italy were highlighted) and the majority of Member States where national sectoral social dialogue problems prevail.

On the employer side, further reasons for weak engagement and articulation from national affiliates were highlighted. The EuroCommerce and Norwegian employer organisation representatives felt that the more concrete and relevant a topic is, the greater is the articulation in return. A recent example is the issue of digitalisation and its impact on the commerce business. EuroCommerce had received numerous inquiries from national members, as well as suggestions on topics to be addressed, including a strong interest in the exchange of practices and information.

However, according to EuroCommerce, national employer federations are more likely to articulate their specific interests in the context of European social dialogue as compared to corporate members. EuroCommerce tries to stimulate more input about corporate practices and experiences, and to overcome a rather passive approach to engaging in European social dialogue.

Factors facilitating and hindering engagement and articulation

Previous chapters have shown that employer and trade union organisations feel the most important facilitating factor of engagement and articulation was the effectiveness of social dialogue at sectoral level in the home country. Existing social partner organisations at sectoral level, formal or informal bilateral social dialogue and consultation practices are a key factor contributing to both bottom-up and top-down articulation, and the implementation of social dialogue outcomes at EU level.

Both the trade union and employer organisation interview partners for the commerce sector stressed that such positive national framework conditions exist only in a minority of countries; in most of them commerce sector social dialogue is problematic and it seems to have become more so in recent years. UNI Europa referred to the case of Greece or Portugal, where social dialogue has decreased because of the 2008 crisis, recent labour market reforms or trade unions experiencing a drastic reduction in their financial means and resources, which prevents them from actively participating in social dialogue. Such material restrictions and limited language capacities were also reported by CCOO in Spain as the main reasons for not being able to engage more actively in European social dialogue.

Though the representative of EuroCommerce was much more cautious as regards linking the efficiency and quality of European sectoral social dialogue articulation to national-level framework conditions, the lack of social dialogue structures at national level in the commerce sector was also mentioned as a key

challenge (that needs to be addressed, according to the interviewee, by targeted capacity-building activities).

In addition to these factors, most interviewees felt that the Commission could take a much more pro-active role in supporting EU-level social dialogue at sectoral level and help to stimulate more robust articulation among national-level social partners. The Spanish trade unions suggested that the non-financial support provided by the Commission could be enhanced and that this has in fact decreased over time. Whereas social dialogue might be supported as a key element of the European social model by DG Employment, Social Affairs and Inclusion, its role and consultation with social partners is largely neglected by other relevant DGs.

All interview partners believed that the Commission's social dialogue web page was insufficient (too complicated, not user-friendly, minimalistic, lacking regular and timely updating, missing translations of important documents in all EU languages, etc.). They thought that the Commission should promote European social dialogue more seriously and not simply pay lip-service to the concept.

The EU-level social partners also raised concerns about the Commission not taking the joint positions and texts from the social partners seriously enough:

All outcomes on a voluntary basis have limited effectiveness. Nevertheless, policy orientation and joint opinions are important for sector policies and social cohesion in the industry. EU institutions should take them into account.

(Representative from UNI Europa)

According to EuroCommerce, the Commission should focus much less on quantitative outcomes (number of texts, type of outcomes, etc.) and more on the quality of European sectoral social dialogue activities (which is more difficult to measure).

In particular, as regards central and eastern European countries, EuroCommerce also strongly recommended that more capacity-building activities need to be carried out by European institutions in order to develop and promote functioning social dialogue structures at sectoral level.

Reflecting on past capacity-building activities in this region, UNI Europa's suggestions were more rigorous. According to the interviewee, EU funding of company-based, regional or other projects and programmes at national level should require the involvement of social partners (through consultation, participation, etc.).

Summary

The following table highlights the key findings in relation to vertical links and articulation in the context of social dialogue in the commerce sector, including recommendations about how to improve vertical articulation.

Table 15: Summary of results – Commerce sector

Engagement and motivation of actors	<ul style="list-style-type: none"> ◦ Sectoral social dialogue at EU level is based on a long history and trust-based relationship between EU-level social partners; at the same time, both organisations have to coordinate and handle a very diverse, large and rapidly-changing sector.
Effectiveness of top-down and bottom-up articulation processes	<ul style="list-style-type: none"> ◦ There are significant gaps between countries in terms of the top-down and bottom-up articulation processes, largely based on the functioning and framework conditions of national-level social dialogue. ◦ The capacity of trade unions to engage with social dialogue has deteriorated in countries that were particularly affected by the 2008 economic crisis.
Factors facilitating articulation	<ul style="list-style-type: none"> ◦ Strong and impactful social dialogue at national level. ◦ Sufficient capacities and resources. ◦ Concrete results are being achieved through binding instruments (trade unions). ◦ Relevant topics are being addressed (employer organisations).
Factors hindering articulation	<ul style="list-style-type: none"> ◦ Limited resources and expertise in many countries, particularly in central and eastern Europe. ◦ The lack of promotion and support provided by the Commission.
Recommendations for improving articulation and links between levels	<ul style="list-style-type: none"> ◦ The Commission (as a whole, not only DG Employment, Social Affairs and Inclusion) should increase its appreciation of joint activities and the outcomes of sectoral social dialogue. ◦ The procedures for consulting social partners on sector-relevant legislative and policy initiatives should be more robust and formalised. ◦ Capacity-building for social partners and social dialogue structures at sectoral level should be strengthened in central and eastern European countries, and in those countries where it has worsened during the last decade.

Source: *Authors.*

4 | Conclusions

This study shows that the links between EU- and national-level social dialogue (including the links between EU- and national-level social partner organisations) must be regarded as a key dimension of European social dialogue. Articulation in this context refers to information, communication, expression of interests and objectives, involvement in decision-making, and engagement and participation in a broader sense. Articulation has a horizontal as well as vertical dimension: both relate to the need and capacity to coordinate and integrate different organisational interests, normative orientations and objectives. Articulation has a top-down (aiming at awareness-building and implementation of European social dialogue outcomes at national and company level) as well as a bottom-up dimension (engagement, involvement and participation of national actors, etc.) that closely correlate in terms of efficiency and quality.

Over the following pages, conclusions will be drawn regarding social dialogue and a number of key messages (rather than policy recommendations) proposed for EU- and national-level institutions, as well as social partners. These are related to the key objectives of this study and summarise results as regards the following aspects.

- Differences and similarities in terms of articulation between EU and national levels of social dialogue that emerged from the 10 case studies.
- Reflections on results and conclusions in terms of factors facilitating or hindering articulation and engagement from top-down and bottom-up perspectives.
- Overall conclusions regarding the role and impact of articulation on the quality and efficiency of European social dialogue, and reflections on how to strengthen horizontal and vertical articulation in the context of European social dialogue.
- Practical messages, in particular for European stakeholders, that could contribute to better horizontal and vertical articulation and – in correlation with external framework conditions – the strengthening of European- and national-level social dialogue.

Articulation between EU and national levels of social dialogue: Differences and similarities

Although only covering a small number of European sectoral social dialogue committees (cross-industry and 7 out of a total 43) and shedding light on national levels of industrial relations and social dialogue in a limited number of countries (apart from the EU level), the study shows that there are a variety of organisational principles concerning national affiliates, as well as significant differences in terms of quantitative aspects.

From the European (i.e. top-down) perspective of horizontal and vertical articulation, the study revealed that there are significant differences between trade unions and employer organisations. Whereas the ETUC and sectoral trade union organisations are composed of national affiliates that are also cross-industry or sector-related trade union federations, the national rank and file of European employer organisations are much more diverse, also as regards different types of affiliates (national employer organisations, EU-level sectoral federations, corporate members or associated members) and the type of membership (direct, associated, with voting rights or without, etc.). For horizontal articulation, the differences between the ETUC (the EU-level sectoral trade union confederations are direct members) and BusinessEurope (not all sectoral employer organisations are affiliates) are also quite striking.

These differences have an impact on articulation, specifically the coordination and integration of different organisational interests. The looser the links, the greater the need to develop specific structures and procedures to engage and involve national and European partner organisations. One finding of this study was that the framework conditions for horizontal and vertical coordination and integration are better for trade unions than for employer organisations at EU level. However, this does not mean that simple conclusions can be arrived at regarding the quality and effectiveness of coordination and integration.

The study also found that the size and internal diversity of a sector has an impact on framework conditions for articulation (e.g. tanning and leather with approximately 40,000 employees or commerce with more than 30 million; or sectors with high internal diversity such as food and drink or chemicals). Differences in the number of trade union and employer organisations, their representativeness and organisational strength were also identified as contributing factors. These findings echo the differences

highlighted in previous research (for example Bechter et al, 2012), as well as Eurofound representativeness studies.

Bearing in mind the limitations described above regarding the number of national social dialogue sectors covered by this study, several other differences were identified. These have an impact on articulation as well as the requirements and challenges of coordination and the integration of organisational interests. The study showed that factors influencing articulation were very complex and related to both organisation-specific aspects (motivation, expectations to engage in social dialogue, capacities, expertise etc.) as well as structural framework conditions at national level (role of social dialogue and collective bargaining, industrial relations framework, relationship between social partners, etc.). The next section presents the results regarding these framework conditions and how they impact on articulation.

Factors facilitating and hindering articulation and engagement

Top-down perspective: Capacity of EU-level social partners to integrate and coordinate different organisational interests

Previous research on European social dialogue has, perhaps, focused too much on the success or failure of social dialogue at EU level to implement outcomes that are more or less binding. The interviews carried out in the context of this study clearly show that topic-related outcomes that are to be implemented at national level and have a concrete impact on national-level business, employment and working conditions are only one motivation of EU-level social partners (though, in general, more important for trade unions than employer organisations).

There were at least two further important dimensions highlighted by EU-level social partners. First, the tripartite dimension of EU-level legislative initiative and policy (i.e. the aim of influencing and co-shaping policies and regulation in fields that directly or indirectly have an impact on the respective sector or topic). In this context, timely information and consultation processes with EU institutions and, in particular, the Commission was highlighted as important. This tripartite dimension has also become increasingly important for EU-level social partners in the context of more recent initiatives to strengthen social partner involvement in the European Semester and also in the context of the European Pillar of Social Rights. Secondly, there is a dimension of EU-level social dialogue that aims to strengthen and develop social dialogue. This relates to the objective and need to build, maintain and deepen trusting relationships between trade unions and employer organisations at EU level, to strengthen horizontal cooperation between EU-level

social partner organisations and to promote such developments at national level too.

With regard to these three dimensions of European social dialogue, the study found that the simple dualism that is often stressed – trade unions are more in favour of binding/legislative outcomes while employer organisations are against – does not reflect current realities, in particular when sectoral social dialogues are taken into account. There are sectors (for example construction, tanning and leather, and chemicals) where both trade unions and employer organisations stressed the added value of European social dialogue, although no legally binding agreements have been made for implementation by Council Directive or partner activities (autonomous framework agreements).

An important conclusion of the study relates to the capacity of EU-level social partners to coordinate and integrate different interests of national- and EU-level affiliates, and to implement other tasks in the context of social dialogue and top-down articulation. In order to be effective as regards to addressing the bilateral and trilateral dimensions of European social dialogue, the study found significant differences and also some similarities in regard to framework conditions, challenges and practices of coordination and the integration of different interests.

Social partners at EU and national level across the different sectors and countries noted that top-down flows of information and communication worked well and there were – more or less – sufficient structures and procedures in place at EU level to involve national or European affiliates in decision-making processes, thematic working groups or consultation procedures. However, these assessments only related to procedural practices and structures and not to the resources required for meaningful and efficient top-down articulation. The study found that in some large sectors (e.g. the chemical industry), there were few personnel resources available at EU level to organise top-down articulation processes for both horizontal and vertical articulation. These restrictions were found both on the trade union and employer sides, and were reported across all sectors. This means that while EU secretariats may be able to carry out basic tasks such as informing national affiliates and exchanging information with the social partners or the Commission, there is limited time remaining for meaningful and effective top-down articulation (i.e. the coordination and integration of different organisational interests).

Against an increase in duties and tasks, trade union interviewees in particular (and employment organisations to a certain degree) stressed that current resources and capacities are far from adequate, and there is the need to equip the secretariats of EU-level social partners more thoroughly.

A clear finding of the study was that, in terms of cross-industry and most sectoral social partner organisations, personnel capacities at EU level were insufficient to organise and implement meaningful articulation processes. This situation was particularly true in large and diverse sectors such as food and drink, chemicals, commerce, local and regional government, and tanning and leather.

The limited capacities of organisations should also be considered a key hindrance for vertical and horizontal articulation.

The study confirmed the findings of previous research that focused on the differences in expectations and motivations between trade unions and employer organisations when it came to engaging in social dialogue. However, these differences are more striking when it comes to the links between European- and national-level social partners and social dialogue, as will be described below.

A further conclusion relates to the dualism of ‘hard’ versus ‘soft’ outcomes, and the impact on top-down articulation. It is important to note that there have not been any agreements reached at EU level and implemented by Council Directive in any of the sectors covered by this study within the last decade, apart from the revised Parental Leave Directive 2009. On the basis of the interviews carried out in the context of this study at EU and national level, we found no evidence that there would be any significant difference between ‘hard’ and ‘soft’ outcomes when it comes to top-down articulation. Of course, follow-up measures and activities carried out at EU level with a view to implementation at national level are much more intensive and systematic than softer outcomes. However, in terms of involving national-level affiliates in working groups or decision-making procedures, the study found no significant differences. What became evident, however, was that engagement was driven by the relevance of topics and other factors for national social partners. Conclusions with regard to this bottom-up dimension are summarised in the following section.

Bottom-up perspective: Factors facilitating or hindering the engagement of national social partners and the articulation of interests

The research and interviews conducted as part of this study clearly illustrate that the quality of national social dialogue, and the relationship between trade unions and employer organisations at cross-industry sector level, are key drivers that either facilitate or hinder the articulation of interests and engagement.

In particular, interviews with social partners in different sectors but from the same countries or regions (Nordic, southern Europe, central and eastern Europe, etc.)

showed that well-functioning social dialogue at national level and cooperative relationships favour the active engagement of national social partners at EU level. Similarly there are certain requirements for articulation and engagement that go beyond financial means and language competencies, but also relate to thematic expertise, knowledge about EU policies and structures and ‘soft’ skills (e.g. working in multinational teams or communication and presentation skills).

The interviews carried out with national social partners revealed that there are huge gaps between countries as regards resources and capacities. Generally, social partners in countries with well-established and good functioning social dialogue reported much better working conditions and more resources than social partners in those countries where such framework conditions are not in place. These gaps in organisational facilities also explain why the ‘usual’ core countries are normally the most active participants in sectoral social dialogue meetings, working groups or within EU-level bodies, and articulate their interests most vociferously.

The study also found that insufficient resources and capacities could be counterbalanced by other factors, in particular the pro-active promotion of involvement and engagement by the EU-level social partners. Those interview partners that were involved in EU-level social dialogue at cross-industry or sectoral level were also quite active in their EU-level organisations (as board members or through other functions) and regularly participated in different working structures or other functions. However, more than 14 years after the eastern enlargement of the EU it was striking that the social partners in only a few sectors (usually trade unions) indicated that they have ‘active members’ in central and eastern European countries.

While national industrial relations systems, resources and capacities are very important, they were not found to be the only factors having a positive or negative impact on engagement and articulation. As described in the earlier chapters on cross-industry and sectoral social dialogue, interview partners across countries and sectors emphasised that the relevance of topics addressed by European social dialogue was very important. If a topic was not relevant either because other – national – issues were more pressing or urgent (as reported by many interview partners in central and eastern Europe) or because a topic had already been sufficiently addressed by national-level social dialogue (as reported by interview partners in the Nordic or western European countries), national social partners were less willing to actively engage. Therefore, the art of ‘identifying relevant topics’ that are of interest to both employer and trade union organisations, as well as from the perspective of most EU countries, was described by many interview partners as a key challenge of social dialogue at EU level.

A further factor relates to the ability of European social dialogue to influence EU policies and legislative initiatives, i.e. the trilateral and consultation-related dimensions. As shown in the analysis of cross-industry and sector-related social dialogue, social partners (both trade unions and employer organisations) felt EU institutions and the Commission in particular did not fully appreciate social dialogue. Many interview partners indicated that there is a gap between formal narrative and appraisal and practice when it comes to consultation processes, delivering information or taking the joint positions, recommendations or texts from social partners into account. Many interview partners from the trade union side were also disappointed that the 2012 agreement of the social partners on occupational health and safety in the hairdressing sector has not been given legal underpinning by the Commission and this could have negative consequences among the social partners in terms of motivation to engage more actively and to invest more time and resources in European affairs.

Many interview partners would like to see more promotion of social dialogue through the Commission's website on social dialogue. However, the Commission is mindful of the fact that the autonomy of the social partners needs to be respected.

Other obstacles to articulation and engagement in social dialogue, according to the social partners, include the reduction in the number of plenary or working group meetings of social dialogue committees that receive financial support. The social partners would also like to see more promotion of the full range of social dialogue outcomes such as joint texts and recommendations.

Key messages for strengthening articulation within European social dialogue

Based on the research results, it is important to highlight some key messages as regards the strengthening of horizontal and vertical articulation in the context of European social dialogue.

Horizontal articulation: the study shows that the European social partners have recently developed their own initiatives to improve coordination and cooperation with sector-related social partners. In this way, they have already acknowledged that there is a need to improve the flow of information, exchange of experiences and communication, in particular when it comes to addressing topics or exchanging good practices.

Vertical articulation: the study found that both challenges and framework conditions are more complex and difficult than with horizontal articulation. With regard to gaps in active participation and articulation, the practices and procedures of European social dialogue seem to reflect the situation of the EU of the 1990s much more than the reality of the EU28. The most important challenge – that so far has not been sufficiently resolved – is how to integrate social partners from countries where there is no tradition of bilateral social dialogue at sectoral level into EU-level social dialogue. Apart from measures that target mainly social partners themselves (training seminars, capacity-building, knowledge transfer and building up expertise on EU topics and policies), there is a need to develop a longer-term perspective that also fosters institution-building within sectoral social dialogue.

A key finding of the study was that strong and well-functioning vertical articulation, both from the top-down and bottom-up perspectives, requires well-functioning social dialogue at national level. This is currently not the case in many EU countries and the situation has been getting worse rather than better since 2008. At the same time, it is not possible for national-level dialogue improvements to be brought about by social partners alone. EU institutions – not only the Commission but also the Council – need to take into account the manifold challenges social dialogue at national and/or sectoral level are facing. There is the need to influence external structural and political framework conditions at national level, and strengthen social dialogue and meaningful consultation with social partners by governments at national level. More recent initiatives such as the European Pillar of Social Rights or the revised 2018 European Semester: Employment guidelines (European Commission, 2017) are promising steps, but they need to be followed up.

In terms of national-level social dialogue, interview partners from both employer organisations and trade unions highlighted how important trusted personal relationships are for effective social dialogue. Based on this, interview partners suggested that opportunities to meet need to be increased significantly, at both EU and national level, in particular in those countries that are reluctant to engage in social dialogue. Here, interview partners also felt that the Commission could play a greater role, as well as other EU institutions or agencies such as Eurofound. It was suggested that new formats of knowledge transfer, resources provision or engagement with EU- and national-level social partners should be developed in order to provide impetus to the 'new start for social dialogue'.

To sum up, the study shows that the links between European and national levels of social dialogue are an important factor that contributes to the functioning and quality of social dialogue at cross-industry and sector level. Social partners at EU level are aware of this and are also engaged in measures and activities to improve, strengthen and increase the sustainability of this link. However, research has shown that there are also structural framework conditions and external factors that impact on articulation at EU and national level – and these cannot be influenced and changed by social partners themselves (e.g. reforms or political practices

that weaken social dialogue and industrial relations). The role of the Commission as a ‘facilitator’ of social dialogue should therefore be reconsidered in light of today’s challenges. The social partners would like the role of the Commission to be more geared towards promoting social dialogue. While it is a moot point as to how far this is feasible, the current study and the case studies have shown that the social partners at EU and national level have many practical ideas and suggestions to offer on what such a redefined role could mean in practice.

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Annexes

Annex 1: Social partner organisations interviewed as part of the research

Sector	Country	Organisation	Type
Cross-sectoral social dialogue	EU level	ETUC	Trade union (TU)
	EU level	BusinessEurope	Employer organisation (EO)
	EU level	CEEP	EO
	EU level	UEAPME	EO
	Germany	BDA	EO
	Germany	ZDH	EO
	Germany	KAV Bayern	EO
	Germany	DGB	TU
	Denmark	DA	EO
	Denmark	LO	TU
	Spain	CEOE	EO
	Poland	Lewiathan	EO
	Poland	NSZZ Solidarność	TU
	Hungary	LIGA	TU
	Hungary	MOSZ	TU
	Hungary	MGYOSZ	EO
	Slovenia	ZDS	EO
	Slovenia	ZSSS	TU
Tanning and leather	EU level	IndustriAll	TU
	EU level	COTANCE	EO
	Italy	UNIC	EO
	Italy	FEMCA CISL	TU
	Italy	CGIL Veneto	TU
	Romania	Uniconf	TU
	Romania	Romanian Leather and Fur Producers Association (APPBR)	EO
Chemical industry	EU level	IndustriAll	TU
	EU level	ECEG	EO
	Belgium	Essenscia	EO
	Germany	BAVC	EO
	Germany	IG BCE	TU
	Bulgaria	BCCI	EO
Local and regional government	EU level	CEMR	EO
	EU level	EPSU	TU
	Denmark	Danish Regions	EO
	Denmark	HK Kommunal	TU
	UK	Hillingdon Council	EO
	UK	Unison	TU
	Hungary	TÖOSZ	EO
	Hungary	MKKSZ	TU

Sector	Country	Organisation	Type
Railways	EU level	CER	EO
	EU level	ETF	TU
	France	General Confederation of Labour (CGT)	TU
	France	FGTE-CFDT	TU
	France	SNCF	EO
	Germany	AG MOVE	EO
	Germany	Deutsche Bahn	EO
	Germany	EVG	TU
	Bulgaria	FTTUB	TU
	Slovenia	Slovenian Railways	TU
	Slovenia	Slovenian Railways	EO
	Slovakia	ZSSK Slovakrail	EO
Food and drink industry	EU level	EFFAT	TU
	EU level	EFFAT	TU
	EU level	FoodDrinkEurope	EO
	Denmark	NNF	TU
	Denmark	DI Fødevarer	EO
	Slovenia	KŽI	TU
	Slovenia	Chamber of Commerce and Industry of Slovenia (GZS)	EO
Construction	EU level	EFBWW	TU
	EU level	FIEC	EO
	Denmark	Dansk Byggeri	EO
	Denmark	BAT Kartellet	TU
	Germany	German Construction Industry Federation (HDB)	EO
	Germany	IG BAU	TU
	Slovenia	Chamber of Construction and Building Materials Industry of Slovenia (CCBMIS)	EO
	Slovenia	Sinidikat ZSSS	TU
	Romania	FGS	TU
	Romania	ARACO	EO
Commerce Sector	EU level	UNI Europa	TU
	EU level	EuroCommerce	EO
	Spain	CCOO	TU
	Norway	VIRKE	EO
	Norway	HK	TU
Other sectors	EU level	UNI Europa	TU
	EU level	IndustriAll	TU
	EU level	Ceemet	EO
	EU level	PostEurope	EO
	Germany	Deutsche Post DHL	EO

Annex 2: List of organisation acronyms in the study

Abbreviation/ acronym	Full name (native language)	Full name (EN)
APPBR	Asociația Producătorilor de Piele și Blana din România	Romanian Leather and Fur Producers Association
ARACO	Asociația Română a Antreprenorilor de Construcții	Romanian Association of Construction Entrepreneurs
BAVC	Bundesarbeitgeberverband Chemie	German Federation of Chemical Employers' Associations
BCCI	БЪЛГАРСКА КАМАРА НА ХИМИЧЕСКАТА ПРОМИШЛЕННОСТ	Bulgarian Chamber of the Chemical Industry
BDA	Bundesvereinigung der Deutschen Arbeitgeberverbände	Confederation of German Employers' Associations
CCBMIS	Zbornica gradbeništva in industrije gradbenega materiala (ZGIGM)	Chamber of Construction and Building Materials Industry of Slovenia
CCOO	Comisiones Obreras	Trade Union Confederation of Workers' Commissions
CEEP	Centre européen des employeurs et entreprises fournissant des services publics	European Centre of Employers and Enterprises providing Public Services
CEFIC	Conseil Européen des Fédérations de l'Industrie Chimique	European Chemical Industry Council
CEMR	N/A	Council of European Municipalities and Regions
CEOE	Confederación Española de Organizaciones Empresariales	Spanish Confederation of Employers' Organisations
CER	N/A	Community of European Railway and Infrastructure Companies
CGT	Confédération Générale du Travail	General Confederation of Labour
CITUB	Конфедерацията на независимите синдикати в България (КНСБ)	Confederation of Independent Trade Unions of Bulgaria
COTANCE	N/A	Confederation of National Associations of Tanners and Dressers of the European Community
DA	Dansk Arbejdsgiverforening	Confederation of Danish Employers
DGB	Deutscher Gewerkschaftsbund	German Trade Union Confederation
EAEA	N/A	European Arts and Entertainment Alliance
EBC	N/A	European Builders Confederation
EBU	N/A	European Broadcasting Union
ECEG	N/A	European Chemical Employers Group
EFBWW	N/A	European Federation of Building and Woodworkers
EFEE	N/A	European Federation of Education Employers
EFFAT	N/A	European Federation of Food, Agriculture and Tourism Trade Unions
EFJ	N/A	European Federation of Journalists
EIM	N/A	European Rail Infrastructure Managers
EMCEF	N/A	European Mine, Chemical and Energy Workers Federation
ENPE	Η Ένωση Περιφερειών Ελλάδας (ΕΝ.Π.Ε)	Association of Greek Regions
EPSU	N/A	European Federation of Public Service Unions / European Public Services Union
ESF	N/A	European Social Fund
ETF	N/A	European Transport Workers' Federation
ETUC	N/A	European Trade Union Confederation
ETUCE	N/A	European Trade Union Committee for Education
ETUFs	N/A	European Trade Union Federations
EUROCHAMBRES	N/A	European Association of Chambers of Commerce and Industry
EUROCOP	N/A	European Confederation of Police
EVG	Eisenbahn- und Verkehrsgewerkschaft	Railway and Transport Workers Union
FIEC	Fédération de l'Industrie Européenne de la Construction	European Construction Industry Federation

Abbreviation/ acronym	Full name (native language)	Full name (EN)
FTF	Funktionærernes og Tjenstemændenes Fællesråd	Confederation of Professionals in Denmark
FTTUB	Съюз на Транспортните Синдикати в България (STSB)	Federation of Transport Trade Unions of Bulgaria
GZS	Gospodarska zbornica Slovenije	Chamber of Commerce and Industry of Slovenia
HDB	Hauptverband Deutsche Bauindustrie	German Construction Industry Federation
HK	Handel og Kontor i Norge	Norwegian Union of Employees in Commerce and Offices
HOSPEEM	N/A	European Hospital and Healthcare Employers Association
IG BAU	IG Bauen-Agrar-Umwelt	IG Bauen-Agrar-Umwelt
ILO	N/A	International Labour Organization
ITF	N/A	International Trade Workers' Federation
IUF	N/A	International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations
KEDE	Κεντρική Ένωση Δήμων Ελλάδος (ΚΕΔΕ)	Central Union of Municipalities of Greece
KŽI	Sindikat kmetijstva in živilske industrije Slovenije	Slovenian Agriculture and Food Industry Trade Union
LCA	N/A	Local Councils' Association
LGMA	N/A	Local Government Management Agency
LIGA	Független Szakszervezetek Demokratikus Ligája	Democratic Confederation of Free Trade Unions
LO	Landsorganisationen i Danmark	Danish Confederation of Trade Unions
LRC	N/A	International Chemical Employers' Labour Relations Committee
MGYOSZ	Munkaadók és Gyáriparosok Országos Szövetsége	Confederation of Hungarian Employers and Industrialists
MKKSZ	Magyar Köztisztviselők, Közalkalmazottak és Közszolgálati Dolgozók Szakszervezete	Trade Union of Hungarian Civil Servants and Public Employees
MOSZ	Munkástanácsok Országos Szövetsége	National Federation of Workers' Councils
NACE	Nomenclature statistique des activités économiques dans la Communauté européenne	Statistical Classification of Economic Activities in the European Community
NTCC	N/A	National Tripartite Cooperation Council
OKÉT	Országos Közszolgálati Érdekegyeztető Tanács	National Public Service Interest Reconciliation Council
SNCF	Société nationale des chemins de fer français	French National Railway Corporation
TÖOSZ	A Települési Önkormányzatok Országos Szövetsége	The Hungarian National Association of Local Authorities
UEAPME	Union Européenne de l'Artisanat et des Petites et Moyennes Entreprises	European Association of Craft, Small and Medium-sized Enterprises
UGT	Unión General de Trabajadores	General Workers' Union of Spain
UNIC	Unione Nazionale Industria Conciaria	Italian Tanners' Association
UNICE	N/A	Union of Industrial and Employers' Confederations of Europe
Usdaw	N/A	The Union of Shop, Distributive and Allied Workers
VDV	Verband Deutscher Verkehrsunternehmen	The Association of German Transport Companies
VET	N/A	Vocational education and training
VIRKE	N/A	Enterprise Federation of Norway
ZDH	Zentralverband des Deutschen Handwerks	German Confederation of Skilled Crafts
ZDS	Združenje Delodajalcev Slovenije	Association of Employers of Slovenia
ZSSS	Zveza svobodnih sindikatov Slovenije	Association of Free Trade Unions of Slovenia

The study looks at the articulation and the complex multi-level links between European and national levels of social dialogue. It examines the factors that facilitate as well as those that hinder the successful engagement of national social partners and their ability to promote their own interests effectively. It highlights the need to overcome some gaps in coordination, resources and capacities, particularly in those countries with underdeveloped structures of bilateral social dialogue at sectoral level linking to European-level social dialogue. The findings show that what is needed is a longer-term perspective on the multi-level governance of employment within the EU, one that would foster institution-building within sectoral social dialogue. Based on case studies and interviews with trade unions and employer organisations, the study illustrates that well-functioning national social dialogue is a key driver of positive and effective cooperation between all levels.

The European Foundation for the Improvement of Living and Working Conditions (Eurofound) is a tripartite European Union Agency, whose role is to provide knowledge in the area of social, employment and work-related policies. Eurofound was established in 1975 by Council Regulation (EEC) No. 1365/75, to contribute to the planning and design of better living and working conditions in Europe.