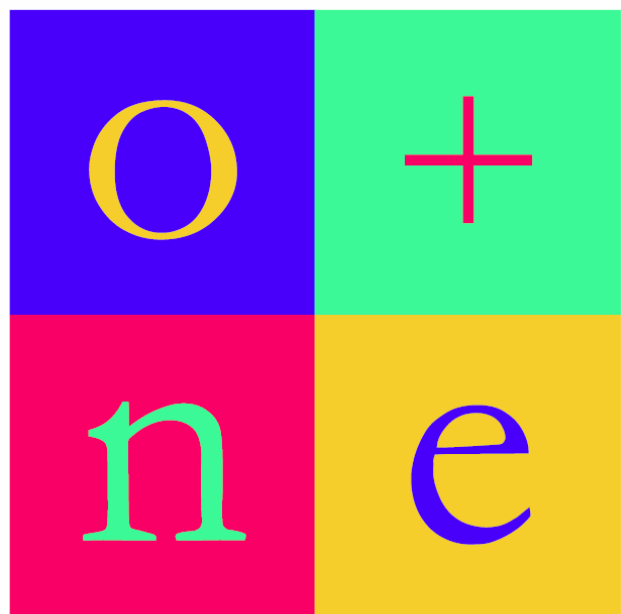


# INTRODUCTION AND THE PLAN OF THE STUDIES

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Dr. Harald KOHLER



old and new europe

new forms of work relations and work standards  
as social challenge in extended europe

# Introduction and the plan of the studies

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## I. Purpose of the Studies

The project "Old and new Europe" deals with current problems and developments of the labour relations, labour standards and Social Dialogue in the member states of the EU. Special concern is given to

- changes of employer-employee relationship on the basis of legal and tariff regulations
- new contract forms of employer-employee relationship (precarious employment)
- forms of financial minimum security (minimum wage and basic social care)
- changing employer-employee relationship will effect on training and qualification of employees.

As the purpose of the project is to exchange experiences and informations, to develop and expand transnational networking and transnational learning, some basic informations on the above mentioned topics are necessary as an input. This is the function of the Country Studies on the Social Dialogue in the EU. They should be helpful for the partners,



old + new europe

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Project Management

Berufsbildungswerk ENAIP e. V.

Stuttgart in cooperation with

Eberhard Karls Universität

Tübingen | German Partners

Associazioni Cristiane Lavoratori

Italiani [ACLI] Baden-Württemberg

Betriebsseelsorge der Diözese

Rottenburg-Stuttgart | Deutscher

Gewerkschaftsbund [DGB] Baden-

Württemberg | Evangelische

Akademie Bad Boll | Katholische

Arbeitnehmer-Bewegung [KAB]

Diözesanverband Rottenburg-

Stuttgart e. V. | Vereinigte

Dienstleistungsgewerkschaft [ver.di]

Baden - Württemberg

Transnational Partners | Acli Sede

Nazionale Roma | Acli Lombardia

Confédération Générale du Travail

[CGT] Toulouse | Confservizi

Lazio Roma | Inštitút

Zamestnanosti [IZ]

Bratislava | Odborový Svaz

Pracovníků [OSPO] Prague

Sindikát Trgovine Hrvatske [STH]

Zagreb | Unione Italiana del Lavoro

[UIL] Lazio Roma | European

Partner | European Union

Directorate General Employment,

Social Affairs and Equal

Opportunities | Industrial Relations

and Social Dialogue

the target group and should include a transfer from scientific level to a professional level within the trade unions'. Or to tell it as a multilevel policy: the studies should be useful for the European, the national, the branch and plant/work place level – with a focus on the last ones. To achieve this communicative goal the texts will be elaborated into visual and graphical language that allows to show also complex arguments step-by-step, and so facilitates mutual understanding also in a transnational context.

## **II. Analytical Background and central Definitions: Labour Relations and Social Dialogue**

Labour or sometimes also industrial relations are concerned with the interactions

- between trade unions and employee associations or on plant level
- between management and workers, particularly groups of workers represented by a union.

Why is this an important phenomenon? Labour relations are a relevant factor in analyzing "the European social model", with its inclinations to neocorporatism, social democracy, and coordinated capitalism. These factors determine how the economy and the system of labour relations in a country works and whether it will be able to adapt to change. This change can be technological, economic or political. Because of the importance national governments, but also the EU set the framework for labour relations through legislation and regulation, e.g. by minimum wages.

In the EU are different traditions of labour relations and social partnership; the Nordic countries are a good example for a combination of a strong integration of the social partners on the one hand, and full employment and high growth rates on the other hand. Here we find an intensive cooperation in questions like modernization of the work relations, further education, protection of health and safety or aging actively.

One important institutional means in Europe is the Social Dialogue; it consists of the dialogue between European organs with the European social partners and the dialogue between the social partners (with or without participation of the European Commission) understands.

Within the framework of the EC contract the social dialogue is regulated in the articles 136-140. Two most important articles are Article 138 EGV and Article 139 EGV. Article 138 EGV describes a social dialogue which is initiated by the commission. Article 139 EGV regulate the social dialogue initiated by the social partners, by which the social partners decide about the contents of their agreement. On the national level in all countries of the union is a right to freedom of assembly and wage negotiations.

Why do we need this instrument of governance and how did it develop? From the perspective of the European Commission is the argument as follows:

The social partners are trust with the realities on the job in the best way. They play a key role by the modernization of the labour organization and the achievement of more growth and employment. Their co-operation improves the Governance of more complex employment and socio-political measures. The inclusion of the social partners into arrangements of EU legislation improves the Governance. Before the EU-Commission prepares laws within socio-political range, they consult the social partners. With this the social partners will be included into arrangement of economics and socio-political measures for growth and employment in the context of the Lisbon strategy. The social dialogue led also to a number of concretely initiatives, those by the social partners themselves converted. Important recent developments include a framework of actions for the lifelong development of competencies and qualifications. The social partners have also concluded an agreement on telework, which aims to promote and protect this new form of flexible work in a balanced way. The social partners have carried out a large variety of actions at sectoral dialogue level, where there is a growing trend to negotiate joint texts directed at their members, particularly in the fields of vocational training, working time and decent working

conditions. One example is the 2002 agreement on vocational training in the agricultural sector which seeks to raise the level of qualifications of agricultural workers and to facilitate their mobility within the EU ([http://ec.europa.eu/employment\\_social/social\\_model/12\\_de.html](http://ec.europa.eu/employment_social/social_model/12_de.html); s.a. Keller 2001).

Consultation and cooperation between the social partners has a long tradition in the EU; since the 60s and 70s there are advisory committees, the standing committee on employment and the tripartite conferences on economic and social questions. In 1985, with the launch of a bipartite social dialogue on the initiative of the President of the Commission, Jacques Delors, the dialogue really began to evolve into a forum for negotiation on a European level.

### **3 phases of the social dialogue in Europe**

When we retrace the evolution of the cross-industry social dialogue in Europe since then, we can see three distinct stages:

- During **the first period** (1985-1991), the bipartite activities mainly led to the adoption of resolutions, declarations and joint opinions without any binding power.
- The signing, on 31 October 1991, of an agreement between the social partners, which was later incorporated into the Protocol on Social Policy, itself annexed to the Maastricht Treaty (1993), marked the beginning of **the second period**. The agreement was integrated into Articles 138 and 139 of the Treaty of Amsterdam, and led to the implementation of three agreements through Council directives (on parental leave in 1995, on part-time work in 1997 and on fixed-term contracts in 1999).
- The **third period** was inaugurated in December 2001, when the European interprofessional social partners presented a 'joint contribution' to the Laeken European Council. This phase is characterised by the growth in independence and autonomy of the European social dialogue. The foundations of this new era were bolstered the following year at the Social Dialogue Summit in Genval on 28 November 2002 when the social partners adopted their first joint multiannual work programme for 2003-2005. ([www.etuc.org/a/1751](http://www.etuc.org/a/1751))

These European procedures are expanded on branch and plant level in the member states – yet strongly influenced by the established system of labour or industrial relations. The report on industrial relations provides some important informations about this. A short

impression about different ways of organizing labour and collective bargaining is given by the following table.

### Trade union structure in the Member States

Country	No	Confederations	Main division between confederations	Unions in largest confederation	Main division affiliates	Remarks
CZ	3	CMKOS; ASO; KUK; CMS; KOK	Political	13	Sector/status	Christian trade union the largest
DE	1+2	DGB; CGB; DBB	Macro-sector; religious	8	Sector	CGB and DBB are only small; Ver.di & IG Metall important
FR	5+2	CGT; CFDT; CGT-FO; CFTC; CFE-CGC + UNSSA & G10-SUD	Political, religious & occupational (status)	20	Sector	5 'representative' confederations and 2 new ones pushing for national recognition
IT	3+8	CGIL; CISL; UIL and other smaller peak organisations	Political; religious	15	Sector	Autonomous unions and regional unions active
SK	1	KOZ		37	Sector	Also very small Christian trade union federation
<b>CRO</b>						

Source: European Commission, *Industrial Relations in Europe 2006*, pp. 20-21

### III. Comparative Approach and Structure of the Country Reports

The simple fact, that the labour and industrial relations are varying in the member state of the EU gives a strong plausibility for a comparison. The comparative approach broadens our understanding of labour relations, labour standards and Social Dialogue. In a text book on comparative politics (Hague/Harrop 2004, s.a. Schmid 2002) the issue is discussed as follows: The first strength of a comparative approach is straightforward: it enables us to find out more about the places we know least about. Background Information about foreign governments not only helps to interpret new developments, it also helps with practical political advice. Through comparison we also can discover our own ethnocentrism and at the same time comparison is means of overcoming it.

A second advantage of comparison is more important for science because that method improves our classifications of labour relations, politics and economy. Furthermore the comparative approach has the potential for explanations that is to formulate and test hypotheses. For example: Do more industrialized nations have more cooperation between trade unions and employers? If it proofed as correct such knowledge can be used for prediction.

#### ***The advantages of comparison***

1. Learning about other systems broadens out understanding, casting fresh light an out home nation.
2. Comparison improves out classifications of labour relations.
3. Comparison enables us to test general hypotheses
4. Comparison gives us some potential for prediction

If you compare countries or systems of labour relations must be compared against a common concept, because meaning of that concept may itself vary between countries. One response to this difficulty is to compare political activities by their underlying function

rather than their ostensible purpose. Different institutions are functionally equivalent when they fulfill the same role within a system.

Comparative studies vary between case studies, focused comparisons and statistical analysis. These techniques range from intensive scrutiny of one or a few countries (case studies and focused comparisons) to the more systematic analysis of variables drawn from a larger number of examples (statistical analysis).

### Major techniques in comparative politics

	Number of cases	Case- or variable centred?	Strategy
<b>Case studies</b>	One	Case	Intensive study of a single instance with wider significance
<b>Focused comparisons</b>	A few	Case	Intensive comparison of a few instances
<b>Statistical analysis</b>	Large or	Variable	Quantitative assessment of the impact of variables

Case studies: To conduct a case study is therefore to investigate something which has significance beyond its boundaries. For instance, lawyers study cases which are taken to define a legal principle with wide applicability. Case studies make a contribution to general knowledge of politics if 'the analysis is made within a comparative perspective which mandates that the description of the particular be cast in terms of broadly analytic constructs'. In other words, a single case can offer a detailed illustration of a theme of wider interest. There are two ways in which cases can generate wider significance. Either a case can be useful because it is representative – a typical, standard example of a wider category – or else it can be selected because it is deviant or unusual in some way, helping us to understand exceptions to the rule.

### **Case studies**

Case studies are a strategy for selecting a topic more than a technique for conducting research. In practice, they are normally multi-method, using the range of techniques in the political scientist's toolkit: reading the academic literature, examining secondary documents (for example newspapers), searching for primary material (for example unpublished reports) and ideally conducting interviews with participants and other observers. Case studies aim to provide a description which is both rounded and detailed, a goal which the anthropologist Clifford Geertz famously defined as 'thick description'.

**Focused comparisons** fall between case studies and statistical analysis. They are 'small N' studies which concentrate on the intensive comparison of an aspect of politics in a small number of countries. Focused comparisons work particularly well when a few countries are compared over time, examining how they vary in their response to common problems such as the transition to democracy. One important question is how should countries be selected for a focused comparison? The normal strategy is to select broadly similar cases, seeking to account either for a phenomenon shared among countries (e.g. the development of the welfare state within Scandinavian states) or for specific differences in otherwise similar cases (e.g. why did Britain manage a more peaceful transition to democracy than did Germany?). This latter strategy is called a 'most similar' design. In such a strategy, we seek to compare countries which are as similar as possible in, say, their history, culture and political institutions, so that we can clearly rule out such factors as explanations for the particular difference of interest. The opposite research strategy is the comparison of cases which are quite different, but produce the same phenomena (most dissimilar design).

The six countries, which are dealt in the studies and from where the partners of the whole project are coming are a combination of the two strategies

- one group of cases represents the old member states with their traditions of labour relations (Germany, France, Italy)
- the other group of cases are exemplary for recent member states and candidate states of central and South-east Europe (Czech Republic, Slovakia, Croatia), which are in a changing and rebuilding phase of labour relations.

How are the studies organized? In a first introduction some basic informations about economy, politics and geography about the country are given. These socio-economic structure data should be collected and allow a synoptic view on the different situations of the involved countries.

It could look like this:

## CZECH REPUBLIC



<b>Population</b> (CZSO, 2005)	10,2 Mio
<b>Average Total Employment</b> (CZSO, 2006)	5,08 Mio
<b>Unemployment</b> (Eurostat, 2006)	7,2%
<b>Employment Rate</b> (Eurostat, 2005)	64,8%
<b>Employment Structure</b> (Eurostat, 2004)	
- Agriculture, fishing and forestry	4,4%
- Industry	39,3%
- Services	56,3%
<b>Total Union Membership</b> (2003)	866 000
<b>Trade Union Density</b> (2003)	22%
<b>GDP</b> (Eurostat, 2006)	9700 €
<b>Rate of Inflation</b> (Eurostat, 2006)	2,5%
<b>Minimum Wage</b> (Eurostat, 2006)	261 €



Then a broad historical and actual overview on the workers' movement and workers' organisations (trade unions) is proposed. There should be some data and/or figures about membership (branches, groups) and the organizational structures of trade unions.

Specific issues of the local social dialogue and the special topics (new employer-employee relationships, financial minimum security and qualification of employees) should be described more detailed. The study should also contain materials that might also be inserted into an appendix.

A major part will be the collection of "good" practice on industrial relations and new ways of facing precarious industrial relations within the national/local labour market. The presentation of solutions by example is a well-adopted and accepted think and communication method within the proposed target communities. Indications to further literature should mostly be implemented as links to websites. This will help the user to get in short time to necessary or useful information.

At these end there are some remarks on future perspectives of the social dialogue in the country and some multi-level aspects and dynamics (if possible).

***Each expertise contains (as a schema for each)***

- a short introduction to the country
- a general description of labour relations and social dialogue
- a detailed descriptions of
  - new employer-employee relationships
  - financial minimum security as well as
  - qualification of employees
- some examples of Best Practise at branch and / or plant level
- future perspectives and multi-level dynamics.
- at last: reference of sources (books, papers and links)

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