

TRANSNATIONAL WORKSHOP • JULY, 6TH 2016, MADRID

Facing a new wave of decentralization of the collective bargaining in Europe

Last 6 July, it was held in Madrid the transnational workshop «Facing a new wave of decentralization of collective bargaining in Europe. Trends challenges and trade union strategies», organized by the Fundación 1º de Mayo in coordination with the Spanish trade union CCOO.

This seminar, which was attended by 36 people coming from the Union side, University and Public Administration, is the first event of the research project DECOBA. This is a project funded by the European Commission, whose overall objective is the analysis of the processes of decentralization of collective bargaining in Europe at this stage of crisis.

The seven partners involved in the project are: Fondazione Di Vittorio (coordinator, Italy); Fundación 1º de Mayo (Spain); IRES (France); University of Leuven (Belgium); Hans Bockler Foundation (Germany); University of Rome La Sapienza (Italy); and the European Trade Union Confederation. They also participate, as associated partners, the trade unions CCOO (Spain) and CGIL (Italy); and the University of Milan (Italy) as external expert.

The opening of the seminar was conducted by **Fernando Rocha (Fundación 1º de Mayo)** who remarked that, while the decentralization of collective

bargaining is certainly not a new phenomenon, it has taken on a new intensity in the context of the current crisis as a result of the reforms of the national labour laws promoted by the Community institutions under the New European Economic Governance (NEEG).

Salvo Leonardi (Fondazione Di Vittorio) described the general characteristics of the project highlighting the plurality of the research team, which combines the academic and scientific rigor with the perspectives of the trade unions. As for the contents of this action, it will develop a comparative research on five countries (Italy, Spain, France, Belgium and Germany), addressing issues such as: (a) the scope, development and effects of the legal reforms of the national collective bargaining systems adopted in recent years; (b) the role of the social partners and the social dialogue; (c) the strategies developed by the trade unions to face the challenges of the decentralization of collective bar-





gaining in two specific sectors (metal industry and trade); and (d) the debate on the development of labour relations in a possible stage of «post-austerity».

The first thematic session featured a presentation by **Sem Vandekerckhove (University of Leuven)**, on the impact of the new European Economic Governance on wage bargaining. His intervention was structured around three issues: (a) a critique of the prevalent view on wages dynamics in Europe, and its implications for the EU policy; (b) the analysis of the main effects of the wage policies implemented under the NEEG, such as the strengthening the decentralization of collective bargaining, the devaluation of real wages and the growing poverty, inequality and deflation; and (c) the developing of proposals for an alternative wage strategy, aimed to favour a model of inclusive economic growth.

The second session focused on the development of the processes of decentralization of collective bargaining in the Member States of the European Union (EU). **Roberto Pedersini (University of Milan)** conducted a comprehensive analysis of the evolution of this phenomenon between 2000 and 2014. Taking into account a number of indicators, such as the union density and the collective bargaining coverage, he highlighted the different models and trends registered in the EU Member States in this period. Finally, they were remarked some current challenges such as: (a) the supra-state intervention in industrial relations promoted by the EU institutions; (b) the weakening of the actors of the industrial relations (unions and employers); (c) the ambivalent role of the social partners in the development of the NEEG; and (d) the debate launched by the European Commission on the "European Pillar of Social Rights".

Udo Rehfeldt (IRES) addressed the specific situation of France. From a brief overview of historical character, it was an-

alyzed the evolution of the system of collective bargaining since the 80s. Then, it was considered the recent reform of the labour law proposed by the Hollande government. This is a controversial reform, unilaterally adopted without prior consultation with the social partners, and whose main objective is to reverse the hierarchy of norms articulation of collective bargaining in certain areas (starting first by working time). It is a reform that has led to a strong opposition from most unions, as well as a remarkable social response.

The third session was based on a presentation by **Juan B. Vivero (University of Salamanca)**, who analyzed the effects of the labor law reform approved in 2012 by the Spanish government on the new company collective agreements. His intervention emphasized three elements: (a) the effect intended by the reform of 2012 through the establishment of the applicative priority enterprise agreement, which is none other than fostering company collective agreements with poorer working conditions than those established in higher level agreements; (b) the real effect so far achieved. This can be summed up in a small increase of enterprise agreements, mostly for SMEs, whose contents are mainly aimed to establish wage reductions; and (c) the development of some conventional practices at company level that may be considered illegal, and in fact have been considered as so by the courts.

The fourth session consisted of a panel discussion focused on the topic of trade union strategies regarding the decentralization of collective bargaining in two sectors: the metal industry and trade:

Roberta Turi (FIOM-CGIL, Italy) presented the situation of collective bargaining in the industrial sector in Italy and the strategies developed by the FIOM. In her speech, she placed special emphasis on the impact of «national collective agreement» signed by the FIAT company, which implies a clear de-



terioration of contents both working conditions and labor relations.

Alvaro Garrido (Industry-CCOO, Spain) addressed the development of collective bargaining in the sectors of metal in Spain, analyzing the main strategies developed by trade unions against the labor reform of 2012, among which highlighted two: (a) the signing of the first national level collective agreement of the Metal Sector, which coexists with a number of provincial agreements and it is aimed to homogenize some of the working conditions for the whole state; and (b) the agreement signed in the specific branch of telephony installers and networks, extending its scope to contractors and their personnel, subcontractors and their staff, and self-employed workers.

Chris Van Droogenbroeck (ACV-CSC, Belgium) presented the peculiarities of collective bargaining in Belgium, and the specific problems relating to industrial relations in the trade sector.

Domingo Alonso (CCOO-Services, Spain) analyzed the characteristics of collective bargaining in the trade sector, focusing on aspects such as: the strong level of dispersion, with a high number of agreements both sectoral and company level; and the difficulties in developing the industrial relations, given the remarkable diversity and fragmentation of the sector. In this sense, the union strategies target among other objectives to: the reduction of bargaining units; the unification of working conditions in companies where different collective agreements; and negotiating agreements with a territorial scope higher than the province level, in order to prevent the risk of lost of their ultraactivity.

The seminar ended with a presentation by **Kristian Bongelli (European Trade Union Confederation)**, focused on the

compared analysis of the country recommendations made by the European Commission on collective wage bargaining. From a critical view of the approach of the EC to date, it was said that there are some light signs of change in the current stage (although there are still cause for concern). Then, it was done an in-deep analysis of the recommendations for 2016 in the 5 countries involved into the project DECOBA. Finally, there was a review of the current strategies and actions promoted by the ETUC in areas such as: social dialogue; the coordination of collective bargaining; the implication of trade unions in the European Semester; and the development of some campaigns on topics such as pay rise and the recognition of union rights as human rights. ♦