



Joint Project of the European Social Partner Organisations

**Social Partners' Participation in the European
Social Dialogue: What are the Social Partners' Needs?**

Interim report

**«A review of activities and conclusions from the
project to date as they relate to the phase involving
Bulgaria, Croatia, Romania and Turkey»**

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Project of the European Social Partners with the financial support of the European Commission

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1. Project overview

In their overall joint work programmes 2003 - 2005 and 2006 - 2008, the European social partners (BUSINESSEUROPE, UEAPME, CEEP and ETUC) agreed to take specific actions designed to improve the capacity of New Member States in Central and Eastern Europe (CEECs) and Candidate Countries to participate effectively in the European Social Dialogue. To this end, the European social partner organisations launched a major initiative over a series of phases to help social partner organisations in the CEECs and candidate countries to identify what they need to do at the national level in order to strengthen their capacity to act as social partners mandated to represent the views of their members in the European social dialogue.

The key phases of the project can be summarised as follows:

PROJECT PHASE	DESCRIPTION	PARTICIPATING COUNTRIES
PHASE ONE (DEC 2003 – APR 2005)	<p>Phase one of the overall project involved the design and organisation of two-day seminars in each of eight CEECs.</p> <p>During the course of each seminar, representatives of the national social partner organisations were invited to identify what they needed to do at the national level in order to strengthen their capacity to represent the views of their members in the European social dialogue. On the basis of the identified priorities, the social partners individually and jointly developed specific and time-bound action plans.</p>	<p>The five participants in the initial pilot project were the Czech Republic, Hungary, Lithuania, Poland and Slovakia;</p> <p>Following the success of the pilot, a second project was undertaken covering Estonia, Latvia and Slovenia.</p>
PHASE TWO (MAY 2005 – APR 2006)	<p>A series of follow-up seminars was undertaken in each of the eight participating countries. The objectives of the follow-up, or “phase two”, seminars were to:</p> <ul style="list-style-type: none">◇ Review progress on the implementation of the action plans developed during phase one of the project;◇ Identify and discuss any problems that had been encountered and propose ways to resolve them;◇ Identify future “individual organisation” and “joint” priority actions for the national social partners.	<p>The Czech Republic; Estonia; Hungary; Latvia; Lithuania; Poland; Slovakia; and Slovenia.</p>

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<p>PHASE THREE</p> <p>(JAN – DEC 2007)</p>	<p>A further series of “two day seminars” was undertaken in the two newest Member States and two candidate countries.</p>	<p>Bulgaria; Croatia; Romania; and Turkey</p>
<p>PHASE FOUR</p> <p>(2008/ 2009)</p>	<p>“One-day review” seminars remain to be held in the four “phase three” countries.</p>	

Three review meetings have been held to discuss the findings of the project involving the eight countries that participated in the first phase of the project. The purpose of this paper is to build on this series of reviews by describing the outcomes of the third phase of the project involving Bulgaria, Croatia, Romania and Turkey, and relating them to the outcomes of the earlier and similar meetings that took place in the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia. In order to do this, the paper considers the discussions that took place and the action plans developed by the national social partners in all twelve participating countries. The report is comparative in nature and does not examine the detailed outcomes of each seminar.

For those interested in a particular country or countries, individual and detailed reports of each of the national seminars held to date have been prepared and can be found on the web sites of the trade union and employer resource centres (resourcecentre.etuc.org and www.erc-online.eu). Synthesis reports have also been prepared which describe phases one and two of the project and these are available at the same locations. This report served as a basis for discussion in the conference held in Brussels on 23 and 24 January 2008. The minutes of this event are attached as appendix one.

Finally, much of the paper is descriptive in nature, but where interpretations are made, views expressed or conclusions drawn are those of the author and not of the European social partners, the national social partner organisations or the European Commission. Any errors or omissions are also the sole responsibility of the author.

2. Methodology

The “two day” or initial national seminars (phases one and three)

The two day events were designed to identify the organisational and individual characteristics that would enable the national social partners to participate effectively in the European social dialogue. The objectives for the national social partners during the two-day events were;

- ◇ To identify the characteristics of organisations and individuals that would contribute most effectively to the European social dialogue;
- ◇ To develop individual social partner organisation and joint action plans to prepare for their full participation in the European social dialogue process after accession on 1st May 2004, 1st January 2007 or, in the cases of Croatia and Turkey, at a future date.

Each of the seminars was attended by representatives of national employers' organisations and trade unions; representatives from the European social partners BUSINESSEUROPE, UEAPME, CEEP and ETUC and experts.

The seminar methodology was designed to assure the maximum participation of the national trade unions and employers with “added value” input from the participants from the European social partner organisations and the experts. The majority of the time in each national seminar was devoted to discussion in small working groups, regular plenary feedback forums and consensus building sessions. To further facilitate the generation, development and ownership of ideas and strategies, the working groups were conducted in the national language with “whispering” interpretation available to the European social partner participants and experts to enable them to follow the discussion and to intervene where appropriate.

Additionally, and in order to maximise bipartite discussion, agreement and action planning, where discussions took place in working groups, three groups were used: One contained exclusively trade union representatives; a second contained exclusively employers' organisation representatives; and a third group of “joint” or “mixed” composition. The outputs of all three groups were presented and discussed in plenary in order to develop overall consensus on priorities and actions. It should be noted that in a small minority of cases, the national social partners did not form a joint group either for reason of imbalance in seminar attendance or unwillingness on the part of the social partners to do so.

Day one of the seminar was devoted to identifying the most important characteristics, actions and behaviours that would lead to a successful entry into the European social dialogue for the national social partners. Through successive combinations of working groups, feedback forums, expert input and consensus building sessions, the participants were encouraged to develop a short list of the most important issues that they believed would have to be addressed.

Day two was devoted to the development of individual social partner and joint action plans for each priority issue designed to speed their transition and maximise the effectiveness of their participation in the European social dialogue.

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The outline format of the national seminars as it was used during the four meetings in 2007 is:

Phase one and three outline seminar agenda		
Session one	“Explaining the European Social Dialogue”.	<i>European social partner input - plenary</i>
Session two	“Building successful organisations and individuals to contribute to the European Social Dialogue”.	<i>Working groups</i>
Session three	Working group feedback: “Building successful organisations and individuals to contribute to the European Social Dialogue”.	<i>Plenary presentations</i>
Session four	“Successful social partners and successful meetings” – presentation of research findings.	<i>Expert input – plenary</i>
Session five	“The characteristics, actions and behaviours that contribute to successful engagement in social partnership”.	<i>Consensus building session – plenary.</i>
Session six	Presentation: “The tools that have been developed to help you”.	<i>European social partner input – plenary</i>
Session seven	“Actions that need to be taken to strengthen social dialogue process in Croatia with a view to actively contribute to the European level Social Dialogue”.	<i>Working groups</i>
Session eight	Working group feedback: “Actions that need to be taken to strengthen social dialogue process in Croatia with a view to actively contribute to the European level Social Dialogue”.	<i>Plenary presentations</i>
Session nine	Discussion and agreement on priority actions to promote social dialogue.	<i>Consensus building session – plenary.</i>

Each of the seminars was chaired and facilitated by the independent expert selected by the European social partners to design and manage the seminars, Alan Wild of Aritake-Wild. A report was prepared and translated after each national seminar for the use of the seminar participants. Each report provides an overview of the twelve working sessions, and concludes with the agreed action plan that was the outcome of the final working session.

During the course of the project, the European social partner and expert inputs titled “Explaining the European Social Dialogue” and “Successful social partners and successful meetings – presentation of research findings” were re-worked to incorporate the findings of the project to date and to improve them on the basis of experience. Session six, “The tools that have been developed to help you”, was developed specifically for the later stages of the project based upon the capacity building work undertaken by the European level social partners as a result of the project. The three presentations are appended to this report and section four of the paper describes the capacity building initiatives undertaken during the project by the European social partners.

The “one day review” seminars

The phase two seminar methodology already used in the CEEC eight and planned for 2008/2009 in Bulgaria, Croatia, Romania and Turkey built upon that used successfully during the “two-day”

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national seminars. The shorter, one-day, meeting format was designed with the objective of assuring maximum participation of trade union and employer representatives. The contribution of the participants from the European social partner organisations and the experts was designed to promote focussed debate; to facilitate problem identification and resolution; and encourage action to address the problems identified.

The working sessions making up the review seminar can be summarised as follows;

Phase two seminar outline agenda		
Session one	“Implementation of the phase one action plans.”	Presentations by the national social partners.
Session two	“The current European social dialogue agenda and likely priorities for the future.”	Presentation by the European social partner organisations.
Session three	“Adapting and improving action plans in the light of experience and changing priorities.”	Working group discussions and feedback followed by review in plenary session.
Session four	“Actions to assist new member states social partner organisations already undertaken by the European social partners.”	Presentation by the European social partner organisations.
Session five	“Discussion of priority needs and issues.”	Concluding plenary session discussion.

Finally, the total schedule of meetings was as follows;

Country	First seminar	Review seminar
Slovakia	29 & 30 Jan 2004	1 Feb 2006
Lithuania	17 & 18 Feb 2004	25 May 2005
The Czech Republic	9 & 10 March 2004	21 Jun 2005
Hungary	15 & 16 June 2004	4 Oct 2005
Poland	20 & 21 June 2004	15 Nov 2005
Slovenia	24 & 25 Jan 2005	15 Feb 2006
Estonia	7 & 8 Feb 2005	29 Mar 2006
Latvia	10 & 11 Mar 2005	26 Apr 2006
Turkey	22 & 23 Feb 2007	To be held
Bulgaria	28 & 29 Mar 2007	To be held
Romania	26 & 27 Sept 2007	To be held
Croatia	1 & 2 Oct 2007	To be held

Review meetings for the various phases of the project were held on 24th and 25th June 2004, 26th April 2005 and 27th June 2006.

3. A summary of phase three national seminar outcomes - Turkey, Bulgaria, Romania and Croatia.

Turkey

The Turkish national seminar was held in Istanbul on 22nd and 23rd February 2007. The seminar was unusual in that the future participation of the national social partners in the European social dialogue is less definitively scheduled than in other countries. Inevitably the discussions were less focussed on specific preparation for participation in the European social dialogue and related more to the perceived strengths and weaknesses of social dialogue in the country.

Throughout the Turkish seminar four important issues permeated the discussion;

- ◇ The Turkish trade unions believed that current laws relating to trade union membership involving certification of membership by a “notaire” undermined their ability to develop a broad membership base. They felt strongly that existing laws may not be in compliance with ILO Conventions 87 and 98 on Freedom of Association and the Promotion of Collective Bargaining;
- ◇ The trade unions believed that employers outside a number of traditionally well organised sectors, and in international companies in general, were unwilling to embrace trade union recognition and social dialogue at the enterprise, regional and sectoral levels. This argument was disputed by the employers’ organisation participants in the seminar;
- ◇ Both employers and trade unions believed that social dialogue in the country is, as yet, an immature concept. To a significant extent employee relations were described as being based around relatively narrow “win/lose” parameters and a challenge for the social partners was to “move beyond their history”;
- ◇ For both employers’ organisations and trade unions, there was a need to further develop inter-organisational communication and cooperation within and between the two sides. Unusually, in the report back from the Turkish joint working group, each organisation participating in the group gave its own feedback on the discussion that had taken place.

By the end of the first day of the seminar, the employers and trade unions had agreed on three areas where they believed positive work could be undertaken. Consequently the second day of the seminar was spent working on the following issues;

- i) Building on the strengths of existing social dialogue practices and institutions;
- ii) How to make best use of the funds that would become available to them as a candidate country;
- iii) The development and use of the talents of young Turkish people.

All participants felt strongly that building on existing strengths was the most appropriate strategy. In particular it would be important to identify joint projects where it might be possible to work together toward “win/win” solutions. In this context the following areas for further action were identified;

- ◇ The development of joint approaches to applications for future project funding was a popular idea;

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- ◇ The employers' organisations suggested that national discussions might be held on a framework for bringing more women and young people into the formal labour market;
- ◇ The joint working group suggested that the social partners could work together to improve their influence on Government and on an initiative to educate young Turkish people on the benefits of social dialogue.

At the organisational level, two action areas were suggested;

- ◇ To improve inter-organisational communication and cooperation within the trade union and employer organisations;
- ◇ To develop plans and actions to improve the professional capacities of trade union and employers' organisation staff. For the trade unions, language training was felt to be particularly important.

The full report of the Turkish seminar is available through the employer and trade union resource centres hosted by BUSINESSEUROPE and ETUC respectively.

Bulgaria

The Bulgarian seminar was held in Sofia on 28th and 29th March 2007. In wide ranging open discussions on the first day of the seminar a number of important themes were discussed;

- ◇ The national social partners believed that the Government did not do enough to promote social dialogue and respect for existing employment laws and collective agreements;
- ◇ The effectiveness of social dialogue was inhibited by a number of issues including organisational pluralism; a mismatch between the structures of employers' organisations and trade unions; and the effects of recent restructuring on trade union membership and influence in important sectors;
- ◇ The notion of "positive partnership" between the social partners remains an immature concept, with much current employee relations activity being based around a culture of conflict rather than dialogue;
- ◇ Social partner organisations lack the financial and professional capacities to be as effective as they will need to be to be influential at the European level;
- ◇ A more effective structure for bipartite social dialogue at the national level needs to be established.

By the end of the first day, the trade union and employers' groups had decided to work on three themes;

- i) Building material and human capacities in their organisations;
- ii) Improving the effectiveness of social partner organisations at all levels;
- iii) Building a culture of genuine social dialogue.

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The joint group had agreed to focus its activities on developing an outline constitution for a new bipartite National Consultative Committee.

The Bulgarian trade unions agreed that they needed to work on four areas;

- ◇ Building organisational and individual capacities and skills for international social dialogue;
- ◇ Better dissemination of knowledge and information on European social dialogue related matters;
- ◇ Finding new sources of funding for social dialogue related initiatives;
- ◇ Putting pressure on Government to enforce existing employment laws.

The Bulgarian employers established four areas for action;

- ◇ Increasing employers' organisation membership through the provision of more and better services;
- ◇ Training for those engaged in representation at the European level;
- ◇ Better information flows within employers' organisations and with members;
- ◇ Improved consultation and coordination between employers' organisations.

As a result of their work, the joint group presented to the plenary an outline constitution for a new National Consultative Committee for improved bipartite social dialogue. The focus of the work of the committee would initially be the implementation of European level agreements and the development of joint opinions where these were required. Accordingly, formal membership would be limited to those organisations that are members of the European level social partner organisations and important gaps in membership would be filled by using co-opted experts from other organisations.

The full report of the Bulgarian seminar is available through the employer and trade union resource centres hosted by **BUSINESSEUROPE** and **ETUC** respectively.

Romania

The Romanian seminar was held in Bucharest on 26th and 27th September 2007. During discussions on the first day to identify and agree on areas to focus upon for maximum improvement in effectiveness, the Romanian trade unions and employers explained that they wished to work in two "side" groups only, with any joint discussions being held in the plenary group. It emerged during the day that one of the most important issues facing the Romanian social partners is organisational plurality and this inhibited their ability to work in smaller groups that might not fully involve every organisation.

As a result of the working group activity, the Romanian social partners identified a number of important issues;

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- ◇ Government was felt not to support social dialogue adequately; not be open to the views of the social partners on important issues nor effectively assure the application of laws currently in force;
- ◇ There are felt to be simply “too many” social partner organisations in the country to facilitate effective social dialogue and the development of a single “national view” for either side. Moreover, the structures of employers’ organisations and trade unions do not fit comfortably together at levels lower than the national level;
- ◇ More “trust and respect” between social partner organisations will be needed if a genuine culture of positive dialogue is to emerge in Romania;
- ◇ Trade union and employers’ organisations lack the personal and professional competencies to work effectively at the European level.

At the end of the first day, the Romanian social partners agreed to continue to work in two “side based” working groups on three issues;

- i) Managing organisational pluralism more effectively;
- ii) Improving bipartite social dialogue;
- iii) Building the skill base of those representing the national social partners at the European level.

By the end of the second day, both working groups had agreed on similar plans for improvement that can be presented under three broad headings;

- ◇ *Restructuring for improved effectiveness* – both the trade union and employers’ organisation participants felt that both sides need to restructure either formally or informally to reduce fragmentation and to assure a better “fit” between the social partners for dialogue at all levels;
- ◇ *Fostering a partnership culture* – both sides agreed that concrete steps needed to be taken to improve relationships such that genuine partnership could emerge. Common projects could be identified where win/win” solutions were possible and better bipartite cooperation could improve the influence of the social partners with government;
- ◇ *Capacity building for European engagement* – trade unions and employers felt the need to invest further in building the skills and qualifications of those representing their organisations in Europe.

The full report of the Romanian seminar is available through the employer and trade union resource centres hosted by BUSINESSEUROPE and ETUC respectively.

Croatia

The Croatian seminar was held in Zagreb on 1st and 2nd October 2007. The general discussion on key issues that took place on the first day of the seminar raised very similar issues to those emerging in the other three “phase three” countries;

- ◇ Croatian laws on trade union registration were viewed by the participants as promoting and inappropriate degree of fragmentation of employee representation that made effective dialogue difficult;

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- ◇ Government was felt not to promote social dialogue sufficiently nor take social partner views seriously enough;
- ◇ Pre-requisites for improvement in the quality and effectiveness of social dialogue were better planning and cooperation by the national level social partners; closer linkage between national and European priorities; increased material resources and better skilled staff.

At the end of the first day, the social partners had agreed to focus their discussions the following day on four practical issues;

- i) Improving the influence of the social partners on public policy;
- ii) Making bipartite social dialogue more effective through the establishment of clear priorities, better organisation and more cooperative behaviours;
- iii) Addressing the issue of fragmentation of representation; and
- iv) Improving the level of awareness of European issues and priorities amongst members.

During the working group activities, the joint group recommended that the social partners concentrate on building from existing strengths rather than making wholesale changes to what were essentially adequate social dialogue systems and structures. Within this overall framework, the trade union and employers' organisation groups identified very similar priorities;

- ◇ Better organising disciplines would improve the current process of dialogue. This would require an agreement on immediate and longer term priorities; the establishment of a clear schedule for discussions; and the creation of a less adversarial atmosphere based on greater trust and respect;
- ◇ The social partners should focus their public policy efforts on finding a solution with Government to the legal problems at the source of fragmentation of employee representation and to assuring the more effective application of existing employment laws;
- ◇ Putting more effort into the communication of "Europe" and European issues with members and the Croatian public.

The full report of the Croatian seminar is available through the employer and trade union resource centres hosted by BUSINESSSEUROPE and ETUC respectively.

Common issues and areas for action

From the summaries above, it can be seen that the main issues raised by the social partners in the four countries are quite similar. At every seminar, the social partners raised the issues of

- ◇ The role of government – typically failure to support social dialogue; ineffective application of current labour laws; and legal issues inhibiting effective social dialogue;
- ◇ Organisational pluralism and ineffective systems for inter-organisational cooperation;
- ◇ Immature systems for social dialogue characterised by a predominance of conflict base relationships (except Croatia) and poor planning for cooperation (Croatia);

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- ◇ The need to make bipartite social dialogue more effective;
- ◇ Increasing financial and professional capacities.

In three countries (all except Turkey), the social partners explained that the effectiveness of social dialogue was hampered by inadequate financial resources and the quality and quantity of professional staff available to them.

When areas for action are compared, the following illustration shows the action areas listed in order of consistency between countries;

Area for action	Countries promoting action in the area
Improving the capacity of staff	Bulgaria, Croatia, Romania and Turkey
Improving relationship between the social partners by developing joint approaches to future initiatives based on win/win solutions	Bulgaria, Croatia, Romania and Turkey
Improving cooperation between employers' organisations and between trade union organisations	Bulgaria, Croatia, Romania and Turkey
Working together to improve influence on government	Bulgaria, Croatia and Turkey
Finding new funding sources for social dialogue development	Turkey and Bulgaria
Better dissemination of social dialogue related information to members and the general public	Bulgaria and Croatia.

Whilst the countries involved in this phase of the project are at different stages of social partner maturity and at different stages of integration into the European Union, the similarity of social dialogue related issues and proposed areas for action were generally more similar than those seen in the "CEEC eight". In "the eight", and in 2004/2005, the gap between "best and worst in class" was greater. This subject is reviewed in more detail in section five of the paper below.

4. Capacity building tools and support developed by the European level social partner organisations.

The underpinning philosophy of the project as a whole was to provide a mechanism to help the national social partners in the participating countries identify key problems and develop and implement their own specific action plans to resolve them. The role of the European social partners and experts was to add value to nationally oriented discussions rather than to be directive or promote the adoption of externally generated models or ideas. However, as early as the first seminar held in Slovakia in February 2004, it became clear that the national social partners would benefit considerably from focussed and practical initiatives taken at the European level to address common problems.

Whilst the vast majority of actions aimed at improving national effectiveness in the European social dialogue were best developed and implemented locally, it became clear that work on four commonly identified problems could be greatly facilitated by initiatives at the European level. The four action areas fall under the following headings;

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- ◇ *Securing additional resources* - assistance in the identification of funding sources to improve the effectiveness of social dialogue and help in making appropriate submissions;
- ◇ *Organisational and individual capacity auditing* - the provision of tools to facilitate the analysis of organisation and staff competence for successful engagement in the European social dialogue;
- ◇ *Training and development* - providing opportunities for staff in participating organisations to benefit from experiential participation in European level meetings; attend training programmes; adopt mentors; and undertake language training;
- ◇ *Improving communication* - provision of a “one stop shop” for information relevant specifically to the social partners on social dialogue issues and the facility to get important documents translated for national use.

The range of assistance currently available has been developed over the four year duration of the project to date and has evolved as needs have changed or become better identified. Efforts were taken to avoid taking responsibility for the generation and delivery of initiatives away from the national level and only to undertake facilitating initiatives to address common problems that could be more effectively provided at the European level. As an example, the translation fund was launched as one way to help tackle the commonly identified problem of communicating European issues more effectively, and following the discovery that the national implementation of a European level agreement was being handicapped in one country by the fact that both social partners had produced their own, and different, translations of the original agreement.

The trade union and employer social partners each have their own range of services within the four action areas above reflecting the specific needs of their constituents. For example, ETUC focus more heavily on the enhancement of language and technical social dialogue skills through formal training programmes. For the employers, language is generally perceived to be less of a problem and they have addressed personal capacity building through experiential visits and mentoring rather than formal programmes.

At the centre of each of the approaches are web based trade union and employer “resource centres” that are hosted through the main sites of ETUC and BUSINESSEUROPE respectively and can be accessed directly from each of the European social partner sites. Starting from fairly rudimentary beginnings in 2005, the sites have developed into important resource bases that have proved useful to audiences outside the New Member States and Candidate countries. For those interested, the most comprehensive picture of the services on offer today is available directly on the sites (<http://resourcecentre.etuc.org/> and www.erc-online.eu). For the purposes of this paper a brief description of the reason for the provision of services and the nature of their evolution will enable readers from all EU Member States unfamiliar with the services to identify resources that might be helpful to them. Members of the “EU15” have for example made use of the capacity auditing tool.

Securing additional resources

All national social partners identified the need to secure additional resources specifically associated with European issues generally and capacity building for social dialogue specifically as constraints. A number of national social partners that had attempted to locate external sources of funding had found it difficult to identify appropriate budget lines; to develop satisfactory project proposals; or to monitor and report effectively.

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The initial solution to this was to arrange Brussels based joint workshops identifying the main budget lines, application protocols and monitoring and reporting requirements. Over time the initial “one size fits all” service has evolved into a more tailored source of individual advice and support to organisations making specific budget requests.

Organisational capacity auditing

The identification of the specific competencies required for successful participation in international social partner meetings; the assessment of overall organisational capacity for success; and the identification of skill deficits and the means of addressing them for individuals were identified as important needs early in the project and continue to be highlighted in the action plans of virtually every social partner organisation.

The European social partners commissioned the development of a specific tool that identified the most important personal and technical competencies; provided a basis for organisation and individual evaluation against the required competencies; and offered a simple process for the development of organisational and personal development plans including ideas for development on a low or zero budget. The competence framework has also been used as a tool for the assessment of internal and external candidates for new posts with European social dialogue responsibilities.

Training and development

The key staff skills problem faced by most organisations was their difficulty in finding appropriate technical *and* language capacities in the same individual. Those with the most appropriate country based technical skills for international discussions and negotiations lacked knowledge of other European systems, and most importantly the language skills that would enable them to work on complex non-mother-tongue documents and to engage in informal discussions outside of the meetings where translation was provided. In general terms, whilst younger staff members had good language skills, they were weaker on the technical aspects of the job requirements.

This skill mismatch was addressed in different ways by the employers and trade unions. The trade union participants in the project have stressed language problems more than their employer counterparts. Consequently, ETUC has invested heavily in the provision of English language training for technical specialists and formal technical training for younger staff with an existing good knowledge of English. For employers, the mismatch has been addressed by providing “shadow” funded places at key meetings and personal briefing/mentoring programmes for those needing to further develop their technical skills. At the same time, this has enabled more experienced technicians to benefit from the presence at international meetings of a national colleague with better language skills.

Improving communication

Initiatives to improve communication have focussed on two areas. The expressed need for a “one stop shop” for social dialogue related information and useful links to other sites has led to the development of the current employer and trade union resource centre sites as they exist today.

The second important service is the facility for the funding of translation of important European texts into the national languages of CEEC Member States. In order to benefit from the translation service, the national social partners must make a joint request for a particular text. In a small

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way, this requirement encourages the social partners to work together on the identification of needs and priorities.

5. A comparative review of seminars held in Bulgaria, Croatia, Romania and Turkey with those held in the “CEEC eight”.

Comparing the general results from the earlier phase of the project involving the “CEEC eight” and the later phase involving Bulgaria, Croatia, Romania and Turkey involves some risks;

- ◇ The seminar dates differ significantly between the two groups (2004 and 2007), and the later countries may have learned from the experiences of the earlier countries;
- ◇ Pre-accession engagement with the countries may have differed;
- ◇ There is a wide spread of social partner maturity in each group – for example between the Czech Republic and Lithuania in “the eight” and Croatia and Turkey in “the four”;
- ◇ There is some “maturity overlap” between the groups – for example Croatia might be considered more “mature” in social dialogue terms than, for example Latvia.

Those points being noted, there were however certain notable differences between the issues raised in the two groups and the action plans adopted. It is these similarities and differences that this section of the report seeks to explore.

A summary of the issues raised by the “CEEC eight” countries of the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia are compared with Bulgaria, Croatia, Romania and Turkey in the following table in order of importance for each group;

Most common CEEC eight issues	Most common issues in Bulgaria, Croatia, Romania and Turkey
◇ Dealing with social partner pluralism, primarily by assuring better coordination among trade unions or employers and reporting to members;	◇ The role of government – typically failure to support social dialogue; the application of current labour laws; and legal issues inhibiting effective social dialogue;
◇ Establishing a regular national level bipartite dialogue between the social partners;	◇ Organisational pluralism and ineffective systems for inter-organisational cooperation;
◇ Securing more financial and material resources;	◇ Immature systems for social dialogue characterised by a predominance of conflict base relationships and poor planning for cooperation;
◇ Improving the quantity and quality of human resources;	◇ The need to make bipartite social dialogue more effective; and
◇ The role of Government;	◇ Increasing financial and professional capacities.
◇ Moving from conflict based relationships and building greater “trust and respect” between the social partners;	
◇ Introducing or increasing joint work or projects between the social partners;	
◇ Matching the European and national social dialogue agendas and identifying priority issues early; and	

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| ◇ Developing cooperative approaches with national social partner organisations in other member states. | |
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On the surface, the main issues raised are common to both groups;

- ◇ The role of government;
- ◇ Social partner plurality and inter and intra organisational coordination and cooperation;
- ◇ Financial and professional capacity building;
- ◇ Making bipartite social dialogue more effective;
- ◇ Shifting the nature of social partner relationships further along the conflict to cooperation and partnership spectrum.

It is notable however that the relative importance of issues varies.

Organisational concerns with respect to financial and professional capacity building were almost identical between “the eight” and “the four”. For all countries the main issues involved are essentially similar in nature.

Financial capacities - the social partners in the participating countries have had to cope, in a relatively short time-span, with the transition to a market economy and the restructuring activities that accompanied this; the national implementation of the European acquis; and at the same time become operational in dealing with the new issues on the European level agenda. In the context of the resources available to them, the workload they continue to face is quite extraordinary.

With very few exceptions, the employers’ organisations and trade unions spoke of financial and material resource shortfalls. Trade unions often reported falling membership and declining revenues. A number of employers’ organisations described the difficulties they had experienced since their creation of getting sufficient companies to see the benefit of membership. In Romania, the negative effect of massive economic restructuring on trade union membership was mentioned specifically. Both parties described considerable internal difficulties associated with shifting already scarce resources from the local or national to the international level.

Human Resource capacities - although many organisations mentioned the pure shortage of numbers of people available to them, the overriding human resource issue they identified was that of combining language capabilities with technical competence. Typically, the best language skills the social partners employed were possessed by those with the least knowledge or experience in relevant technical issues or in labour related negotiations. The existence of multiple representative organisations tended to exacerbate the issue as already scarce human resources duplicate work on the same priority issues and invest heavily in cross organisational debate and coordination.

This mismatch of language and technical skills was a theme that ran through each of the national action plans. The social partner plans focused on two areas. First, the conduct of audits or “mapping” of available language and technical capabilities in order to better use existing resources and to prioritise hiring, training and development activities. Second, to provide fast

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track learning opportunities for younger people, including intensive training workshops, work experience placements and funded “observation” places at social dialogue meetings.

When the other main issues listed above are considered, there were clear differences between “the eight” and “the four” in both priority and emphasis. These issues are reviewed in more detail below.

The role of government

In most of the “CEEC eight” countries the government was reported to be, at best, lukewarm to the encouragement and fostering of bipartite dialogue. More typically, tripartite concertation was seen to be either a “box ticking” exercise rather than genuine consultation, or government was felt to use the system to play the sides against each other.

Whilst it was observed that governments tended to resort to legislative solutions to employment policy issues, issues of representivity, conflict based dialogue and a lack of maturity of the social dialogue system meant the trade unions and employers also framed responses to employment policy issues in terms of legislation-based solutions. This tendency leaves little space for the development on meaningful dialogue on important issues.

In a number of countries, it was suggested that the outcomes of the seminar might have been improved by the attendance of government participants in order to encourage an understanding of the problems discussed and buy-in to solutions.

For Bulgaria, Croatia, Romania and Turkey the problems encountered under the heading “role of Government” were of a different order. The perceived lack of demonstrated support for social dialogue and ineffective social partner concertation were common to most countries. In the later phase countries however two other issues were frequently raised. First, Government was criticised for failing to assure the consistent and effective implementation current labour laws. Second, Government was accused of failing to address legal issues that inhibit social partner effectiveness. In Turkey the legal and administrative deterrents to trade union membership were at the top of the agenda. In Croatia, laws on social partner representivity were said to promote organisation fragmentation. The role the government could play in promoting dialogue through the legal extension of collective agreements was also discussed.

Social partner plurality and inter and intra organisational coordination and cooperation

In most of the “CEEC eight” countries one or both of the social partner organisations have multiple national confederations. In some cases one or more national representative organisations are not members of ETUC or of BUSINESS EUROPE, CEEP or UEAPME.

Without exception, every trade union and employer action plan spoke of improving inter and intra organisational coordination and reporting. The issues discussed were the need to identify a common list of priorities; agreeing common mandates for European level discussions and negotiations; establishing regular and reliable information flows; and sharing resources to reflect agreed priorities rather than duplicating activities on only the most important item or items on the agenda.

Whilst for most of the “CEEC eight” the practical issues of assuring better cooperation, coordination and reporting were stressed (Hungary and Slovakia being exceptions), for the countries in the more recent phase of the project, relationships between multiple peak trade union organisations and multiple employers’ organisations were more adversarial in nature. In some cases this was associated with organisations competing for the same membership base and in

others there were disagreements between employers' organisations representing different categories of organisation – for example between those representing small and micro enterprises and those representing medium to large companies.

Making bipartite social dialogue more effective

Establishing a more effective and ongoing formal or informal dialogue between the social partners at the national level was a stated priority for all participants in both phases.

In the “CEEC eight”, given the existence of tripartite dialogue in some form or other in every country, the national social partners often felt little “demand-side pull” either from members or Government for an additional national and bipartite social dialogue. They often struggled to see bipartism and tripartism as complementary processes; they could not see an independent agenda for bipartite dialogue, particularly when the legislative role of the state left little flexibility for independent operation; they saw difficulties in resourcing bipartite dialogue, given that the state supported the administrative arrangements for the tripartite version; and they could not see beyond a tripartite dialogue that was often adversarial in nature with both sides either playing, or being played by, the Government.

By the end of the initial “two day” seminars in 2005 and 2006, every country in “the eight” had concluded that not only was an autonomous system of bipartite social dialogue necessary to link effectively with the European level equivalent, but that effective bipartite dialogue could increase the influence of the social partners in the existing tripartite system. A number of practical problems were however identified that stood in the way of getting a national bipartite dialogue to work. The problems of coordination and financial and material resources are described above, but another fundamental issue raised was the need to improve relationships between the social partners.

It is interesting to note that during the seminars in 2004, a questioning of the need for a bipartite dialogue alongside the pre-existing tripartite concertation mechanism was more prevalent than it was in the similar seminars conducted three years later in Bulgaria, Croatia, Romania and Turkey. By this time the New Member States and Candidate Countries already more readily understood and accepted the distinct role of bipartite dialogue. Their issues were more associated with coordination, financial and human resources, improving relationships between the social partners and matching employers' organisation and trade union structures particularly at the sectoral and regional levels.

Shifting the nature of social partner relationships further along the conflict to cooperation and partnership spectrum

The national social partners in all countries identified a number of issues that almost inevitably arise in less mature systems of social dialogue. It should be recalled that as the “CEEC eight” and Bulgaria, Croatia and Romania were emerging from a centrally controlled economic system, social partnership at the European level had already been embraced institutionally in the European political process and national systems of social partnership in some countries had more than 40 years of history.

All participating countries talked of the need for improving trust and respect in social dialogue as a prerequisite for social partner effectiveness. Two issues are however worthy of comment as they related to the difference between “the eight” and “the four”. First, relationship issues in “the four” were at the more extreme end of the effectiveness inhibiting spectrum and perhaps closer to those reported in 2004/5 in Latvia, Estonia and Lithuania. Second, and more positively, the

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approach to action planning adopted by the social partners in “the four” showed a more creative and positive approach than had been seen to date. They suggested actions to deliberately speed up the maturing process by identifying joint projects where “win/win” solutions are possible; matching busy national agendas with European priorities; and seeking to learn from others.

However, leaving behind the mindset that because the social partners cannot agree on everything, they cannot agree on anything will not be easy. This is particularly the case where relatively young organisations are also struggling with a controversial national employment agenda.

6. Some final comments

With some exceptions, the social partners in both groups are still predominantly working on the three basic “structural” building blocks for effective participation in the European social dialogue; that is, inter and intra organisational coordination; the establishment of effective bipartite dialogue; and securing an adequate quantity and quality of financial and material resources. Without coordination, it is difficult to agree priorities, mandates and approaches, and to assure the national application of European level decisions. Without effective dialogue, the social partners are unable to develop the “joint reporting” on issues that is often needed and have to rely on Government to assure effective implementation of European level agreements. Their failure to resolve these issues may at some point threaten the ability of the European social partners to do business in the independent manner they do today. Without adequate resources it is impossible to make an impact.

The resolution of structural problems is at the forefront of current activity, but it must go hand in hand with work on relationships. The essential underpinning elements of cooperation, trust and respect that sit at the heart of effective bipartite dialogue can only be built over time. Indeed, where the relationship-based inhibitors are chronic, no amount of work on other issues will make the sides effective. In certain countries, in the current absence of a more effective bipartite dialogue, neither money nor more and better people will not resolve the current problems. These problems are generally more acute in “the four” than “the eight”.

More positively, through the project, the social partners have identified practical steps that will enable them to build a more positive atmosphere. These include the setting of joint priorities; agreeing on the matching European and national priorities; undertaking joint externally funded projects; and learning from others.

A final synthesis report with a comparative overview of the activities carried out in the framework of the project “*Social Partners’ Participation in the European Social Dialogue: ..What are the Social Partners’ Needs?*” and concluding remarks will be issued after the termination of phase four (late 2009).

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