

Integrated Project of the European Social Partner Organisations

“Social partners’ participation in the
European social dialogue

... what are the social partner’s needs? ”

Report of the Turkish National Seminar

Hotel LaresPark, Istanbul
Turkey

22nd & 23rd February 2007

Prepared by ARITAKE-WILD
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As a part of the European Social Partners work programme 2006 – 2008, the first in a series of seminars designed to enable the national social partner organisations in candidate countries (Croatia and Turkey) and New Member States (Bulgaria and Romania) to improve their capacity for current or future involvement in the European social dialogue was held in Istanbul, Turkey on 22nd and 23rd February 2007. The programme builds on similar work undertaken in the eight Central and Eastern European countries which became members of the EU in 2004, as a part of the social partners work programme 2003 – 2005¹.

The objectives for the Turkish social partners during the two-day event were:

- To identify the organisational characteristics that will enable the Turkish social partners to contribute most effectively to the European social dialogue;
- To develop individual social partner organisation and joint priorities for action that will contribute to their future effectiveness as participants in the European social dialogue process.

The seminar was attended by representatives of Turkish employers' organisations and trade unions; representatives from the European social partners BUSINESSEUROPE, UEAPME, CEEP and ETUC; and experts. The full attendance list for the seminar is attached to this report as appendix one.

The seminar methodology was designed to assure maximum participation of the Turkish trade unions and employers with "added value" input from the participants from the European social partner organisations and the experts. Most of the event involved discussions in small working groups with regular plenary feedback forums and consensus building sessions. To further facilitate the generation and development of ideas and strategies, the working groups were conducted in the Turkish language with "non-

¹ During the European social partner work programme 2003 – 2005, initial and follow-up seminars were held in the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia between January 2005 and May 2006. Reports of the 16 national seminars and synthesis reports from the two sub projects can be found on the websites of the European social partner organizations ETUC and BUSINESSEUROPE.

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intrusive" interpretation available to the European social partner participants and experts. Full simultaneous interpretation was provided in the plenary sessions.

In order to maximise bipartite discussion, agreement and the development of action priorities, where discussions took place in working groups, three groups were used: one contained exclusively trade union representatives; the second contained exclusively employers' organisation representatives and the third group was of "mixed" composition. The outputs of all three groups were presented and discussed in plenary.

Day one of the seminar was devoted to understanding the European social dialogue; identifying current strengths and weaknesses of the Turkish social partners; and establishing priority areas for action that will lead to strengthening Turkish social dialogue. Through successive combinations of working groups, feedback forums, expert input and consensus building sessions, the participants were encouraged to develop a short list of key issues that they believed would have to be addressed. Day two used essentially the same working processes and was devoted to discussing in detail how the priority issues identified might best be taken forward.

This report follows the format of the seminar agenda, providing an overview report of each of the nine working sessions that made up the seminar. The detailed agenda for the meeting is included as appendix two, but the nine working sessions making up the seminar can be summarised as follows:

	Outline session content	Nature of the session
Session one	"Introduction & explaining the European Social Dialogue".	Expert input - plenary
Session two	"Building successful organisations to contribute to the European Social Dialogue".	Working groups
Session three	Working group feedback: "Building successful organisations to contribute to the European Social Dialogue".	Plenary presentations
Session four	"Successful social partners and successful meetings" – presentation of research findings.	Expert input – plenary
Session five	"The characteristics, actions and behaviours that contribute to successful engagement in social partnership".	Consensus building session – plenary.
Session six	Presentation: "The tools that have been developed to help you".	Expert input – plenary
Session seven	"Actions that need to be taken to promote	Working groups

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	effectiveness in the European level Social Dialogue”.	
Session eight	Working group feedback: “Actions that need to be taken to promote effectiveness in the European level Social Dialogue”.	Plenary presentations
Session nine	Discussion and agreement on priority actions to promote social dialogue.	Consensus building session – plenary.

DAY ONE (22nd February)

Session one (Expert input) - “Explaining the European Social Dialogue”

The evolution, participant profiles, working rules, practices and priorities of the European social dialogue were summarised in formal presentations given by Liliane Volozinskis of UEAPME, Juliane Bir (ETUC) and Valeria Ronzitti (CEEP). Their presentation is attached to this report as appendix three.

Following this intervention, the presenters and Thérèse de Liedekerke (BUSINESSEUROPE) responded to questions from the Turkish participants relating to the challenges of the lack of social partner representivity and the reasons for the choices made between “social partner agreement” or “European Directive” approaches to giving effect to European level social partner negotiated decisions. Ms Volozinskis indicated that the choice of the instruments depends on the issue and that European Social Partners are still open to negotiate agreements which can lead to directives. Ms de Liedekerke restated that the choice depended on the issue and whether the agreement was aimed at creating new legally enforceable rights or a method to manage employer – employee relations at the company level (e.g. how to deal with situations where employees work at a distance in the case of telework or how to deal with problems of work-related stress). Juliane Bir (ETUC) agreed with what Ms Liedekerke said. However, she clarified that for the ETUC, the autonomous social dialogue should not imply that there is no further room for the presentation of EU directives by the European Commission. For trade unions there should be complementarity between the different instruments.

Session two (Working group activity) - “Building successful organisations and individuals for European Social Dialogue”

The national representatives were divided into three working groups: A “trade union group”; an “employers’ organisation group” and a “joint group” of trade union and employers’ organisation participants. The representatives from BUSINESSEUROPE, UEAPME and CEEP joined the employers’ organisation group; a representative from the ETUC together with one expert joined the trade union group; the second representative

from ETUC together with a representative of BUSINESSEUROPE and one expert, joined the “joint group”. A chairperson/rapporteur was selected by each group from amongst the national participants.

The working groups were given 90 minutes to consider the following questions:

- *Trade union and employers' organisation groups*
What do we need to do to build successful social dialogue partner organisations at the national level that are capable of contributing effectively to the European Social Dialogue?
- *Joint group*
What are the actions and behaviours that will make our meetings together as successful as possible?

Session three (Working group feedback) - “Building successful organisations for European Social Dialogue”

The report back from the three groups can be summarised as follows:

Employers' Organisation Group

- Turkish members of BUSINESSEUROPE, UEAPME and CEEP (TİSK, TÜSİAD, TESK and TKİB) should work to improve communication between themselves on the results of the European level social dialogue;
- Translation of the instruments of the EU social dialogue should be a result of the joint efforts of the Turkish employers' organisations;
- TİSK will circulate its “EU Acquis on Social Policy and Employment and Turkey” report prepared by its EU Acquis Analysis Working Group to TÜSİAD, TESK and TKİB;
- The number of joint projects carried out by the social partners jointly (both amongst employers organisations and jointly with trade unions) should be increased in order to contribute to the further development of a culture of working together.

Trade Union Group

- Stressed that there are both positive and negative aspects of the social dialogue in Turkey;
- Effective social dialogue takes place between equal partners. The trade unions in Turkey are currently not seen as equal partners;
- Turkish labour law relating to trade union membership is a major obstacle to effective unionisation of the working population. The European Union should put pressure on the Turkish government to change this;
- There is a positive side to social dialogue in Turkey – for example the existence of the Economic and Social Committee and collective bargaining in certain industries;
- Trade unions need to show a more positive image;
- Turkish trade unions should be put in condition to assure representation on the European Works Councils of international companies with Turkish subsidiaries;
- There is a need to strengthen the international solidarity and the cooperation with ETUC.

Joint Group

(Separate feedback was given by the participating organisations)

HAKIS

- Social dialogue is particularly weak in Turkey, especially at the sector and enterprise levels.

DISK

- A strong culture, infrastructure and institutions to support social dialogue exist in Turkey. Major obstacles to realising its potential include laws on trade union membership and employer resistance to trade union presence at the workplace;
- Communication between the social partners should be strengthened and organised to take place on a regular basis.

TISK

- There are already strong cultural, institutional and legal infrastructure mechanisms to support social dialogue in Turkey;
- There are good examples of strong cooperation between the social partners e.g. joint cooperation in the metalworking industry on professional training, safety and health and healthcare;
- It would be desirable if the social partners were involved more in social dialogue and social policy related discussions at the European level.

TURK-IS

- Barriers in Turkish legislation hinder the development of trade unions;
- As a result of the past and the present experiences, people are afraid to join trade unions. Laws on job security and protection of trade union members in the workplace are needed;
- It should be recognised that trade union activity is a sign of democracy and can contribute to the stability of enterprises.

The presentation of the joint group led to a further discussion on the following questions:

- The status of Turkish laws on trade union membership in the context of International Labour Organization Conventions 87 and 98 (largely around “the notaire issue”);

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- The need to move “beyond history” by developing a win/win agenda for the social partners based on current strengths to underpin the development of more effective social dialogue;
- On one hand, there are positive experiences of collective bargaining developed in some sectors (such as metalworking, textile, cement, glass, chemical, leather industries, etc.). On the other there is need to further strengthen efforts in other sectors (food, shoes, etc.) where trade unions are almost absent.

Session four (Expert input) - “Successful social partners and successful meetings” – presentation of research findings

One of the seminar experts (Alan Wild) presented the findings from a series of research projects conducted during the European social partners work programme 2003 - 2005.

The purpose of this session was to allow the participants to review their own discussions and presentations from sessions two and three (above) in the context of the knowledge and experience of individuals from different countries that had participated in the European Social Dialogue over a number of years.

The presentation described the findings from the following initiatives:

- An analysis of the discussion and conclusions of the 16 seminars conducted in the CEEC New Member States;
- The research findings that were used as the basis for the competency evaluation tool now available to the social partner organisations through the ETUC and BUSINESSEUROPE websites (see later). This involved participants in the European social dialogue from the European social partners in each of the (then) 25 EU Member States;
- Specific research into individual and organisation “success competencies” undertaken in the “EU15” social partner organisations.

The full presentation is attached to this report as appendix four.

Session five (Consensus building session) - The characteristics, actions and behaviours that contribute to successful engagement in social partnership – general discussion

The chair suggested that earlier discussions had focussed on the weaknesses of Turkish social dialogue and the legal obstacles to its further development. The latter problem was not within the remit of the seminar and was unlikely to be resolved around this table. He encouraged the participants to consider using the current strengths of social dialogue in Turkey and the opportunities that exist to make it more effective as the basis for further discussion and debate.

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Using a "tour de table" type process, the seminar participants identified a number of strengths and opportunities to be built on and/or exploited to improve social dialogue in Turkey. The points raised can be summarised as follows;

- The basic national institutions for social dialogue already exist. Work needs to be done to make them more effective;
- There are good personal relationships between the social partners. It is possible to have constructive discussions and to tackle controversial issues;
- Social dialogue is taken seriously by those that participate in it. There is continuity of participation and effective networking outside formal meetings;

- There are close working relationships between technical specialists - even where there are policy level disputes;
- Turkey is a candidate country to the European Union. As a consequence of this, European funds will become available for social issues and for social dialogue improvement. There is an opportunity for the social partners to work together to make best use of the newly available resources;
- A joint proposal how to change the Economic and Social Committee structure has already been prepared by the social partners;
- Formal and effective institutions of mediation exist that might be used to support the social dialogue process;
- People involved in the social dialogue process in Turkey have sound capacities and competences and can positively contribute to its development.
- The big potential of Turkish "young brains" should be fully recognised and exploited;.
- The format of this meeting should be replicated at national level

Following the national participant "tour de table", the experts were asked to give their views on what they considered to be the most important priorities for the Turkey social partners. The comments made by the European level social partners can be summarised as follows:

- To be strong, effective and make their voice heard in the EU social dialogue, social partner organisations need to be well organised. They need to ensure

that members are aware of issues; involve them in making inputs to positions; and engage them in implementation of decisions;

- The European level social partners have launched a variety of training and development initiatives to improve the effectiveness of individuals and organisations. Both employers and trade unions have programmes designed to increase the understanding of, and the involvement in, the European social dialogue. ETUC provides language training linked to the vocabulary and working processes of the social dialogue. Recently the social partners have jointly launched a translation fund to finance the production of jointly agreed translations of EU social dialogue texts;
- Effective social dialogue is born out of a good level of understanding between trade unions and employers' organisations. Essential components are good faith, respect and trust. The social partners must not allow areas of disagreement to get in the way of working on issues on which progress can be made. Even small steps forward are valuable;
- Inclusive processes have to be built to develop a single, cohesive national position on issues. This in turn maximises representativeness and "voice" at the EU level;
- For the Turkish social partners it will be important to concentrate on how the functioning of present structures can be improved.

At the close of the day, consensus was reached on the priority issues that should be focussed on in day two of the seminar. The issues were:

- Building on the strengths of existing practices and institutions;
- Making the best use of the funds that will become available as a result of Turkey's status as a candidate country;
- The development and use of the talents of young Turkish people.

DAY TWO (23rd February)

Session six (Expert input) - *"The tools that have been developed to help you"* - expert presentation

Cinzia Sechi (ETUC) and Matthew Higham (BUSINESSEUROPE) presented the actions undertaken by the European level social partners with the support of the European Commission that can help Turkish social partners to develop a more effective social dialogue. These include;

- Workshops and assistance on how to identify budget lines and apply for funding for social dialogue related initiatives;
- A competency evaluation tool that can be used as an audit model to evaluate a trade union or employers' organisation staff and organisational competencies and to develop cost effective action plans;
- Both trade unions and employers have set up web based resource centres to provide information and assistance to their respective members;
- Funds have been made available to reimburse the travel and accommodation costs of national social partner representatives at meetings and events to add to their skills and experience. This is provided through training programmes and mentoring schemes;
- Most recently a translation fund has been established to facilitate the production of joint translations of European social dialogue agreements.

The full presentation is attached to this report as appendix five.

Session seven (Working groups) - "Actions that need to be taken to promote effectiveness in the European level Social Dialogue".

Three working groups – again one trade union group, one employers' group and one joint group – were given one and a half hours to develop responses to the following questions which were based on the agreed priorities for action developed at the end of the previous day;

1. *What are the existing institutions at the national, industry and enterprise levels that we can build on to develop the social dialogue in Turkey? How can we do this?*
2. *As a candidate country, EU funds will become available to Turkey to improve functioning of labour markets. What can the social partners do to assure that these resources are accessed to the maximum extent and used in the manner that supports development of the social dialogue?*
3. *What can we do to develop and exploit the talents of Turkey's young people in a manner that promotes and supports the development of social dialogue?*

For each group, a working group chairperson/rapporteur was appointed and the experts were divided amongst the groups in a similar manner to session three above.

Session eight (Working group feedback) - “Actions that need to be taken to promote effectiveness in the European level Social Dialogue”.

The feedback from the three groups can be summarised as follows;

Trade Union Group

Building on the strengths of existing practices and institutions;

- Social dialogue processes currently functioning at the national, industry and enterprise levels can be further developed.

Making the best use of EU funds;

- Make more use of the expertise and support of the European level social partners;
- Promote cooperation between different trade unions in Turkey to work out common positions, and ensure better, more productive relations so the trade union position can be heard as a single voice.

Development and exploitation of the talents of young Turkish people;

- Provide language training for current technical specialists and make appropriate foreign language skills a required criteria for the recruitment of a new staff.

Employers' Organisation Group

Building on the strengths of existing practices and institutions;

- Existing mechanisms for social dialogue at all levels can be built on. Examples exist at the enterprise, industry and national level;
- It is possible to further develop autonomous bipartite social dialogue by undertaking more joint projects.

Making the best use of EU funds

- Trade unions and employers organisations should develop an agreed approach to the establishment of funding objectives in order to increase their influence on Government fund allocation decisions;
- The capacity of employers' organisations to manage and monitor externally funded projects needs to be further developed.

Development and exploitation of the talents of Turkish people:

- Turkish social partners at the national level could establish a framework

agreement on the subject of bringing more women and young people into the labour market.

Joint Group

Building on the strengths of existing practices and institutions:

- Existing bi- and tripartite institutions (33 were identified) need to be made more effective and have a more autonomous structure;
- Social dialogue should be promoted at the enterprise level;
- The capacity of social partners to influence the Government should be strengthened.

Making the best use of EU funds

- Joint projects should be promoted in order to further develop a culture of working positively together;
- The capacity of the social partners to manage externally funded projects should be improved. This is particularly true given what was described as "the excessive degree of EU bureaucracy" that has to be worked with.

Development and exploitation of the talents of young Turkish people;

- Education initiatives for young people not only support the development of a better workforce, but also support the creation of a workforce more likely to embrace social dialogue;
- Ongoing learning programmes for adults should be organised by universities and trade unions to keep older workers in touch with the evolving needs of the labour market.

Although a degree of consensus emerged from the working groups on major issues, the final session again ended with a largely circular discussion on the status of Turkish labour laws relating to freedom of association compared with international labour standards; a strongly refuted claim that Turkish employers were unwilling to embrace trade union organisation and effective social dialogue; and a plea to move forward on specific issues rather than focus on historical and legal arguments.

Session nine (Consensus building session) - Discussion and agreement on priority actions to promote social dialogue

Despite the debate that concluded the previous session, the participants were reminded of the consensus reached in some areas on the agenda of the seminar. These can be summarized as:

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- The need to build on current social dialogue structures and practices;
- Developing plans and put in place the capacities to undertake more joint social partner initiatives;
- An offer to discuss a framework for bringing more women and young people into the labour market.

The seminar was concluded with a final round of comments by the EU level social partner representatives that can be summarised as follows:

- The animated discussions that had taken place throughout the seminar demonstrated a high level of capacity and openness to discussion and debate amongst the social partners. These are important pre-requisites for effective social dialogue;
- It is clear that existing structures should be improved and probably streamlined;
- The offer of assistance in moving forward from the respective European level social partner organisations was emphasised;
- The seminar had also proved a unique opportunity for the EU social partners to learn about the social dialogue in Turkey; to understand the key issues facing local social partners; and to identify a shared agenda between the EU level social partners and Turkish national social partners. Examples include undeclared work, lifelong learning and vocational training;
- More intensive networking among and between the national social partners is necessary to develop national trade union and employers' agendas and to work together on issues that can be moved forward without letting those that cannot be resolved in the short term to get in the way;
- There is no ideal model of social dialogue that can either be imposed on national social partners from outside or imported by them as an "off the shelf" package. Ways have to be found that reflect the national context through which the national social partners can engage their members in the development of mandates; negotiate on their behalf and assure their commitment to the fulfilment of obligations entered into.

The meeting ended with the general agreement that there are issues of common interest that can be worked on and developed further.

Thanks were offered to all those involved in the preparation and conduct of the seminar.

List of Appendices

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Appendix three	Presentation “Explaining the European Social Dialogue”
Appendix four	Presentation “Successful social partners and successful meetings learning from experience”
Appendix five	Presentation “The tools that have been developed to help you”.