

ARITAKE-WILD

Integrated Programme of the European Social Dialogue

Annex to Final Report

*“Social Partners’ Participation in the European Social Dialogue:
What are the Social Partners’ needs?”*

Social Dialogue Mini Cases

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ARITAKE-WILD
2009



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Social Dialogue Mini Cases

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Foreword


During the social dialogue capacity building project a number of the participating countries provided examples of the practical strategies they had used to improve bipartite social dialogue. As an expert team we were often impressed by the innovative ways the social partners had managed to work together to put their action plans into place and to make real improvements in social partner relations and the effectiveness of their work together. These were not activities undertaken simply to follow up on agreed action plans in order to demonstrate a capacity for joint activity. They were concrete projects that supported the achievement of joint organisational goals for both trade unions and employers. Often, organisations with scarce resources found ways to raise external funding to support their activities.

During and after the final conference, employers' organisation and trade union staff from throughout the EU commented on the ideas and suggested that a way should be found to capture them as "thought starters" for use in their own organisations. We decided that a sample of ideas should be written up as cases examples and used at the closing seminar of the project. We are now happy to reproduce the cases in this Annex to the project's final synthesis report.

These are not isolated examples and many more could have been reported. We selected the cases in this appendix to represent the broad range of activities undertaken across a range of countries and circumstances. We would like to thank the individuals that took the time to be interviewed, to provide information on their activities and for agreeing to their publication.

As is normal, the views expressed here are those of the author only, and any errors or omissions are entirely my responsibility

Alan Wild
Project Expert Coordinator
January 2010

<p>Mini case: Croatia</p>	
<p align="center">A joint approach to educating and training workers in the construction industry</p>	
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Case summary</p>	<p>When the Croatian economy was faced with a labour market shortage of construction workers with adequate basic education and vocational skills, the social partners decided to take a proactive approach to resolving the problem. They collaborated with public authorities and educational establishments that specialised in construction work to design, implement and enforce a programme to train existing and new workers in the industry.</p> <p>The project also dealt with issues of social inclusion by its express aim of targeting workers with some construction experience, but who had not reached an appropriate standard of basic education through the regular schooling system. In this context the initiative used both non-formal and formal methods of learning in order to meet the particular needs of the participants. It was backed up by government regulation defining minimum requirements for workforce qualification in all but the smallest construction projects.</p> <p>The first experimental cycle of the project ended in the spring of 2008 in the construction school in Cakovac, a region well-known for its construction firms and workers. To date, three groups of workers from firms in Sisak, Varazdin and Cakovac regions have successfully graduated from the programme.</p> <p>There are plans to scale up the initiative in other areas of need.</p>

Croatia: “A joint approach to educating and training workers in the construction industry”

Background

In spite of prevalent unemployment in other sectors of the economy, the Croatian shipbuilding and construction industries have regularly needed to attract workers from other countries to fill vacant jobs. Faced with a labour market shortage of construction workers with adequate basic education and vocational skills, the Croatian social partners decided to take a proactive approach to resolving the problem.

In addressing the issue, the social partners decided to take a proactive approach to resolving the problem and collaborated with educational establishments that specialised in construction work. Together they designed and implemented a programme to train existing and new construction workers to a level where formally recognised certificates could be attained.

The partners in this project are;

- ✧ For HUP – the Association of Construction Employers and Partners (UPGH);
- ✧ For the Confederation of Independent Croatian Unions (SSSH) – the Construction Workers Union of Croatia and the Independent Union of Croatian Construction Workers.

The impact of the programme has been reinforced by the acceptance of the qualification attained as satisfying the legal regulations that link certified skills acquisition to the issue of “consent to commence building” permits. These requirements specify the proportion of “qualified workers” needed for all construction projects on sites greater than 400 square metres.

The target audience for the programme is construction workers with current or prior relevant industry experience, but without adequate qualifications in key aspects of the construction trade.

In addition to meeting the qualification needs of the construction labour market, the launch of the project was designed to address a number of important and related issues for the industry and the country:

- ✧ Tackling local and migrant grey market work in the industry;
- ✧ Dealing with the negative impact of construction workers employed without adequate accident and insurance cover;
- ✧ Improving industry safety standards;
- ✧ Increasing the currently low levels of participation in the overall process of lifelong learning in Croatia;
- ✧ Improving the poor image of the construction sector as an employer whilst, at the same time, recognising the efforts of those who worked in the sector for years.

From a European point of view, the objectives of the project are directly in line with a number of European policy priorities:

- ✧ Meeting the Lisbon agenda goals;
- ✧ Improving social inclusion and labour market mobility;
- ✧ Increasing the role of the social partners in labour market development;
- ✧ An increased focus on lifelong learning – including recognition of the positive impact of combining formal and non-formal methods of learning.
- ✧ Adapting the national qualification framework in line with European reference levels;

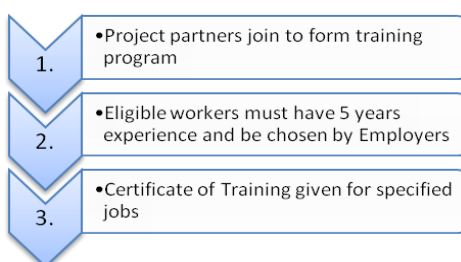
The Partnership

The Croatian Association of Employers, their Construction Association Branch; the Construction Workers Union of Croatia and the Independent Union of Croatian Construction Workers signed an “*Agreement on Trade Training of Construction Workers*” on 19 November 2007. The agreement lays out the principles underpinning the regulation of the training of construction workers with industry experience but without formal vocational training in construction trade occupations.

The goals of the project are supported by the Ministry for Environmental Protection, Civil Planning, and Construction which accepts the Certificate of Training resulting from the project as an adequate substitute for the current certificate obtained from standard formal training in the construction trades. Other key government departments and agencies have approved the goals and intentions of the project and are kept informed of achievements and developments.

The Training Programme

The following simple illustration outlines the overall project plan:



The design emphasis of the training is placed on providing a high standard of vocational training for participants who often have inadequate basic education. In achieving this it relies on a combination of non-formal and formal methods of learning. Eligible course participants must be adults with a minimum of five years experience in the construction industry. Workers qualified in other trades, such as mechanics or chefs, are admitted with just three years construction sector experience.

After reviewing a range of potential providers of adult education, the project partners decided to focus only on training providers with a proven reputation of quality delivery in the industry. Consequently,

existing vocational schools that focus on construction work were required to modify their training approach to suit a different kind of target participant.

The programme designers prepared a series of detailed tutor and participant manuals in the following areas:

- ✧ Mathematics for the construction trade;
- ✧ Health and Safety at work;
- ✧ Working with designs, plans and blueprints;
- ✧ Civil construction;
- ✧ The organisation of a building project;
- ✧ Technical skills involved in bricklaying, cement mixing and other cement and concrete work.

A participant manual is available on CD and every attendee is provided with one to act as reference material for the programme.

The Employers' Association funded the creation of the manuals through member fees and they own the copyright to the materials. Candidates for the Certificate of Training are nominated by construction firms. The selected schools organize lectures, tests and the final exam. The representatives of employers and unions join the schools to present the Certificate of training.

Overcoming Challenges

As in any major project, the construction training initiative has faced a number of challenges including:

- ✧ Balancing the demands of the labour market with the capacity of the project partners to deliver;
- ✧ Gaining acceptance of participants for the importance of and need for lifelong learning;
- ✧ Meeting the needs of fast-growing small and medium sized companies and engaging them in the process of lifelong learning;
- ✧ Gaining recognition for combining informal and non-formal education processes.

Results:

The project is still in the implementation phase and its roll out is being scaled up. Consequently the full impact of the project is yet to be assessed. Unfortunately, the recent economic crisis has impacted negatively on the construction industry and the demand for workers in it.

The first experimental cycle finished in the spring of 2008 in the construction school in Cakovac – a region well-known for its construction firms and workers. To date three groups of workers from firms in Sisak, Varazdin and Cakovac regions have graduated successfully from the project.

Lessons Learned

The Croatian social partners listed the following as lessons learned from the project to date:

- ✧ Employers and unions often share the same interests ... and can achieve better results by working together;
- ✧ The social partners should be proactive and engage the state in their agenda rather than await state action or blame it for inaction;
- ✧ It is not difficult to raise interest in lifelong learning ... providing workers genuinely believe that improving their theoretical knowledge helps them secure jobs and perform better in them;
- ✧ Similar programmes are needed for other building professions such as floorers;
- ✧ The costs associated with delivering a high quality and major project are high and can place significant financial strain on the partner organisations.

Contributors:

- Ana Milicevic (SSSH / UATUC)
- Udruga Graditeljstva (UPGH)
- Jelena Katic (HUP)

<p>Mini case: The Czech Republic</p>	
<p align="center">“Implementing European level Framework Agreements”</p>	
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Case summary</p>	<p>Since the Czech Republic joined the EU in 2004, the social partners have undertaken a number of initiatives to further develop bipartite social dialogue. As a part of this process they have worked on the national implementation of European level framework agreements on Telework, Harassment and Violence at Work and Work Related Stress.</p> <p>The Czech social partners faced two important issues. First, the level of collective bargaining at around 30% combined with a focus of bargaining at the enterprise level made implementation through collective agreement difficult. Second, whilst issues of stress and violence are important issues, the general awareness of them amongst Czech employers and workers was low. The incidence of teleworking in the country was also very low.</p> <p>Accordingly the social partners adopted three strands of activity. They prepared information and training programmes to raise awareness of the issues; sought jointly to persuade the government to produce appropriate amendments to the labour code; and encouraged the bargaining partners at the enterprise level to take account of the agreements in their own bargaining processes.</p>

The Czech Republic: “Implementing European level Framework Agreements”

Background

Since the Czech Republic joined EU in 2004, the trade union confederation ČMKOS and the employers SP CR have undertaken a number of initiatives to further develop the effectiveness of bipartite social dialogue at the national level. They have established their own joint work programme; sought to identify areas where they can work together to mutual benefit; and worked to improve their influence on the system of tripartite concertation with government.

As a part of this process the Czech national social partners have worked on the implementation of the three autonomous European level framework agreements. These are the “Framework Agreement on Telework” of 16 February 2002; the “Framework Agreement on Work-related Stress” of 8 October 2004 and the “Framework Agreement on Harassment and Violence” of 26 April 2007.

Unlike the earlier framework agreements on Fixed-term work (1999), Part-time work (1997) and Parental leave (1996), the newer agreements were not to be implemented by means of converting them into European Directives, but by independent action of the national social partners. This has raised interesting issues in many EU countries, and the approach of the Czech Republic national social partners is described below.

The Czech context

The Czech social partners faced a number of issues. The first relate to the country’s systems of regulation and collective bargaining;

- ✧ As is the case in a number of Central and Eastern European countries, the Czech tradition is that most labour standards are stipulated by law in a comprehensive labour code rather than by national agreements;
- ✧ The fact that collective bargaining in the Czech Republic is predominantly at the enterprise level and has a penetration of around 30% makes implementation of European level agreements by bilateral national agreement of the social partners difficult.

The second relate to the nature of the subjects covered by the framework agreements;

- ✧ It was estimated in 2003 in the Czech Republic that just 2.25% of the workforce undertook some form of telework. Nonetheless the social partners believed that a more positive approach to telework would assist the labour market priorities of integrating vulnerable groups into the workforce and enhancing workforce mobility.
- ✧ With regard to the issue of work related stress, in theory, Czech law already covers it by requiring all employers to create safe working conditions; to adopt measures for risk prevention; to identify dangerous factors and find their causes; and to adopt measures to eliminate them (law 262/0226 Coll Art. 102). The problem is that whilst stress at work is felt to be a widespread phenomenon there is little awareness of its practical impact and how to tackle it amongst either employers or workers;
- ✧ Similarly, the general awareness of the issues of harassment and violence at work is currently low in the Czech Republic.

A 3-strand approach to effective implementation

Faced with these issues, and with the will to see the agreements making a genuine difference in the workplace, SP CR and ČMKOS adopted a broad three-strand approach to implementation of the framework agreements.

Implementation through the labour code – the social partners entered negotiations to discuss how they could work with government to implement the agreement through the labour code. For example in the case of telework they persuaded the government to introduce a clause in the law stipulating that the conditions applying to employees that do not work at the employer's premises should enjoy all the rights and duties, with certain specific exceptions, that apply to enterprise based workers.

Reinforcement through collective bargaining - the social partners considered the way in which the contents of the framework agreements might be included in local collective bargaining agreements. In the case of the agreement on harassment and violence at work ČMKOS adopted a recommendation to take the agreement into account during collective bargaining at the branch level. Where it was possible, enterprise based trade unions were advised to apply the framework agreement articles to company conditions. In turn SP CR worked with the trade unions in hospitality and tourism and the hospitals sectors to give effect to the agreement through the evaluation and elimination of areas of potential risk. To support this, agreed translations of the 3 European level agreements into Czech were jointly produced.

Information, education and training initiatives – were particularly significant in addressing the issues covered in the three agreements. The social partners engaged individually and together in the dissemination of agreements and the production of materials to promote awareness of them among their respective members. Use has been made of new and existing publications, periodicals and websites to promote the agreements and analyses of their content and implications.

In the case of work related stress, the national social partners view that stress is a growing phenomenon in the Czech labour market. ČMKOS was a central partner in a “Leonardo” project whose objective was to produce a manual on stress. The manual contained the Czech translation of the agreement and its content was shared with SPCR. In a similar manner to the approach taken to harassment and violence, SP CR is focussing its awareness campaigns on identified risk areas including retailers, hospitals and the service sector.

The initiatives described above have had two important effects. First, it is suggested by the social partners that the effect of a wide dissemination of well-designed materials has led to a broader public debate on issues that had previously tended to fall below the radar of most employers, workers and the general public. Second, working on these issues together has helped improve the overall effectiveness of bipartite social dialogue in the Czech Republic.

Contributors: Hana Malkova, (ČMKOS) and Vladimira Drbalova (SP CR)

Mini case: Hungary	
“Joint study visits to improve sectoral social dialogue”	
Case summary	<p>In order to develop the capacity of sectoral social partners and of the social dialogue itself, study visits to European level social dialogue meetings have been arranged. Since 2005 study visit initiatives have included participants from the chemical, mining, electrical equipment and machine tool industries and in public services, postal services, air transport, municipal service providers and water supply.</p> <p>The two or three-day-study visits facilitate the regular and personal contact between the Hungarian social partners and their EU counterparts and have provided a useful opportunity for the participants to learn from activities at the European level.</p> <p>The study visit programme recognises the continuing weakness of Hungarian social dialogue at the sectoral level, but have inspired local initiatives and influenced the national and sectoral social dialogue practices</p>

Hungary: “Joint study visits to improve sectoral social dialogue”

Background

In 2004 the Hungarian social partners agreed to establish sectoral social dialogue committees (SDCs) along the lines of those that exist at the European level. From the outset, the Hungarian government viewed the initiative positively and provided substantial support for the development of sectoral social dialogue. The government has funded secretarial support to the joint bodies and also provided additional financial assistance. The study visits reflect just one aspect of the government’s funding support.

The current project followed a previous initiative launched in June 2002, and ending in December 2003, with the financial support of the EU's PHARE programme. This earlier initiative sought to create an institutional structure for sectoral social dialogue in Hungary – an element virtually absent from the country's previous industrial relations system.

In 2001, just 6% of Hungarian employees were covered by voluntary sectoral collective agreements, and extension procedures (applying sectoral agreements to employers and employees not belonging to signatory organisations) increased coverage by only a further 2.1%. According to the PHARE project analysis, the contents of Hungarian sectoral agreements were poor and the guarantees of implementation doubtful. Previous national governments had established various sectoral consultation fora, which formally work with the sectoral Ministries, but neither employers nor trade unions had been satisfied with the contents and results of these arrangements.

The PHARE project included support from a Danish expert team and aimed to establish bipartite sector committees in 18 industries to provide appropriate fora for consultation on sectoral policies, facilitate collective bargaining and prepare the Hungarian social partners to play an effective role in the EU-level sectoral social dialogue.

Following the PHARE programme, and in 2004, a total of 36 bipartite sectoral social dialogue committees were established in Hungary. These comprise the 26 social dialogue committees set up for the different sectors, such as mining, food processing, construction, telecommunications and gas, along with the 10 sectoral social dialogue committees representing subsectors within a committee, such as sugar refineries, confectionery production, meat processing and bakeries within the food industry.

The social partners have been free to define the scope of the committees and may deviate from the strict definitions of the Statistical Classification of Economic Activities in the European Community (*Nomenclature statistique des activités économiques dans la Communauté européenne*, NACE). Consequently, sectoral social dialogue committees have been established in industries such as private security – one of the fastest growing industries in recent decades – and in sheltered workplaces.

The sectoral social dialogue committees' main activities include:

- ✧ Social partner consultation on government bills and other policy papers;
- ✧ Developing social partner initiatives;
- ✧ Issuing recommendations; and
- ✧ Participating in the EU-level social dialogue.

The study visit programme

Starting in 2005, the Hungarian social partners have organised study visits to the Brussels based institutions of social dialogue. These visits have included representatives from industries and sectors including chemicals, mining, electrical equipment, light machinery, postal services, air transport, municipal service providers and water supply.

The 2 or 3 day study visits are said to provide a very useful opportunity for the participants to get a fuller picture of the European level social dialogue and to use this knowledge and experience to improve sectoral dialogue in Hungary. The visits have facilitated regular and personal contacts between the Hungarian social partners and their EU level counterparts.

The typical visit schedule summarised below is taken from the visit undertaken earlier in 2009 involving representatives from the chemical industry:

Time	Presentation
9.15-10.30	How national confederations establish and manage their representative offices in Brussels including their internal structure and the roles undertaken. The visit includes a case example of the German chemicals trade union experience.
10.45-12.00	General presentation by ETUC (the European Trade Union Confederation) including their structure, function and role in the European level social dialogue
14.00-15.15	An introduction to CEFIC (the European Chemical Industry Council) – including a review of current European activity related to the chemical industry
15.30 – 17.00	An introduction to ECEG (the European Chemical Employers Group) including a review of social dialogue from the employers' point of view.

According to László Neumann, of the Hungarian Institute for Political Science, in a 2008 report (www.eurofound.europa.eu/eiro/2008/10/articles/hu0810039i.htm), more than 1,000 employer and trade union members of the sectoral social dialogue in Hungary have benefited from around 280 visits (see table below).

Undoubtedly, the establishment of the sectoral social dialogue committees represents one of the most important initiatives of the decade in terms of reshaping Hungary's industrial relations system. In recent years, sectoral activities, both within the country and at EU level, have been strengthened to a degree which had not been previously envisaged. This project has been a part of this strengthening process.

2005		2006		2007	
No. of visits	No. of participants	No. of visits	No. of participants	No. of visits	No. of participants
103	530	71	257	106	304

Nonetheless, despite the allocation of resources to promote sectoral social dialogue in Hungary and the high number of sectoral social dialogue committees created, commentators suggest that the committees have yet to exploit their full potential. Performance varies widely sector by sector, with those with a long history of working together remaining strongest. The study visits have identified the ongoing weaknesses of sectoral social dialogue in Hungary, but have inspired local initiatives and influenced the national and sectoral social dialogue practices.

Contributor: Adrienn Lotos (MGYOSZ)

<p>Mini case: Latvia</p>	
<p align="center">Dealing with the financial crisis through effective enterprise level social dialogue - “Rīgas Piena Kombināts”</p>	
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Case summary</p>	<p>The Latvian social partners, LDDK for the employers and LBAS for the trade unions decided to showcase a positive experience in which a history of successful social dialogue at the enterprise level has provided an environment where a company has been able respond quickly effectively to the challenges of the financial crisis.</p> <p>Rīgas Piena Kombināts (RPK) is a milk processing company heavily reliant for sales on export volumes and this has led to it being hit badly by the current financial crisis. RPK has a history of constructive social dialogue and a strong system of collective bargaining. The relationships established through a long experience of dialogue and bargaining has enabled the company and trade union to reach agreement on cost cutting measures necessary to secure the organisation’s future.</p> <p>The case study shows how strong relationships based on mutual respect and trust help companies find ways through even the most difficult of economic times.</p>

Latvia: Dealing with the financial crisis through effective enterprise level social dialogue - “Rīgas Piena Kombināts”

Background

Latvia is a country which can be characterised as not having widespread positive experiences of social dialogue or collective bargaining at the enterprise level. For this reason the Employers Confederation of Latvia (LDDK) and the Free Trade Union Confederation of Latvia (LBAS) decided to showcase how a strong system of social dialogue built up in a company in favourable economic conditions has helped the company restructure in today’s crisis. An interesting dimension of the case is the way in which the company and trade union has managed to reach a collective agreement that is flexible enough to take into account individual employee views and circumstances.

Rīgas Piena Kombināts (RPK) company profile



Rīgas Piena Kombināts (RPK) was founded in 1927 and is today the largest milk-processing enterprise in Latvia and one of the leading enterprises in this industry in the Baltic States. RPK produces traditional butter and cheese, milk, kefir, sour cream, ice-cream. At the same time, the company works actively with Latvian scientists to produce a range of high-quality and healthy products.

RPK produces around 100 types of dairy products, including ionized milk, curdled milk, ryazhenka, yoghurt, curds, sweet and sour cream, cottage cheese, processed cheese, cottage cheese dessert and ice-cream. In 1990 a new Finnish-designed whole-milk factory was commissioned. The ice-cream factory of Rīgas piena kombināts JSC is recognised as one of the leading enterprises of its kind in Latvia.

Today RPK has similar problems to many other enterprises in Latvia. As a major export company it faces a crisis based on a combination of milk over-production in the world and the negative affects on demand caused by the recent decrease in purchasing power.

A history of social partnership in RPK

The trade union organisation in RPK has negotiated a collective bargaining agreement covering all workers in the company. In addition, and in cooperation with the local trade union, the company has worked hard to maintain a safe, healthy and positive environment for its workers.

The collective bargaining agreement guarantees all workers basic rights such as regular wage payments, proper observation of the taxation system and social guarantees. Beyond this, after one year of service in the enterprise a worker receives free health insurance. The payment system negotiated for RPK workers comprises a basic wage plus a variable bonus payment. The bonus is paid to every worker and varies according to the financial circumstances of the company.

Employee relations in the company are regarded as well managed, stable and are recognised as having contributed to the past success of the company.

Dealing with the financial crisis

At the outset of the financial crisis, RPK launched a series of cost cutting measures based on imposing strict economies in all parts of the business. A number of measures were taken in cooperation with the trade union to ensure that workers understood the nature of the problems being faced; that all workers' questions were answered; and that they were invited to submit their own ideas on how and where cost improvements could be made with a minimum effect on working conditions. RPK workers were responsive and a number of good ideas were implemented.

Unfortunately, and as circumstances deteriorated further, these measures proved insufficient to secure the company's future. RPK was forced to cut the number of workers employed and agreements were also reached to cut the payroll costs associated with those remaining.

In managing the payroll cost reductions, every department and production unit was given an offer consisting of three options:


- ✧ A cut in salaries;
- ✧ A reduced working week; or
- ✧ Taking unpaid leave.

In each department or unit, the expressed interests of every worker were taken into account to find the best solution.

This action has stabilized the company for the immediate future and a new and more robust system has been established to ensure that every worker continues to be well informed regarding the future prospects for the company.

The national and local social partners emphasise that this case study shows how strong relationships based on mutual respect and trust can help companies find ways through even the most difficult of economic times.

Contributor: Adriana Abeltina (LBAS)

<p>Mini case: Lithuania</p>	
<p>Making use of new tools to support social dialogue development – the EU Social Partners’ training and mentoring programmes</p>	
<p>Case summary</p>	<p>Rasita Martišienė from the LPSK trade union confederation in Lithuania participated in the training and mentoring programme designed and managed by ETUC.</p> <p>Rasita explains; <i>“I had been very interested in the course for trade union leaders that ETUI organises every year, but it was simply too expensive for our organisation ... when I saw the invitation to take part in the training and mentoring programme I thought it offered a really good opportunity for me to know more about international trade unionism as I was already working as coordinator of international affairs in my organisation”.</i></p> <p>She describes the programme as being intensely practical, saying; <i>“... it helped me better understand the structure of European union institutions and to distribute the information our Confederation gets from these institutions to relevant people in my trade union. It also helps our trade union to find and delegate suitable people with the right professional knowledge to be able to work effectively in ETUC working groups and EU structures.”</i></p>

Lithuania: Making use of new tools to support social dialogue development – the EU Social Partners’ training and mentoring programmes

Background

After the first three national seminars on capacity building that the European social partners held in early 2004, it had already become clear that several issues being described as constraints to the effective participation in the EU social dialogue of national social partners from the then new Member States were common to all countries. One of these, identified by both employers and trade unions, was a mismatch between those staff with strong language skills in English or French and those with a sound understanding of the European social dialogue process and technical mastery of the subjects under discussion. Put simply the staff with good and relevant language skills tended not to be technical experts, and subject experts tended to have language limitations.

Another commonly identified concern, the shortage of financial resources, meant that it was difficult for social partners to invest in training staff or to address the skills shortage through recruitment.

To begin to tackle these issues, European level social partners developed “fast-track” training and mentoring programmes designed to bring trade union and employers’ organisation staff with good language skills up to speed with the practical workings of the European social dialogue process and useful technical skills to make an impact at the European level.

The programmes offered by the employers’ and trade unions are run independently and vary in structure. They do however serve the same purpose. National employers’ and trade unions’ organisations in the 2004 and 2007 entry states could send staff with good language skills to participate in European level meetings which are combined with either a formal training event (in the case of ETUC) or bespoke orientation or mentoring support (in the case of CEEP, UEAPME and BUSINESSEUROPE) with costs covered by the European Social Partners from the training and mentoring project supported financially by the European Commission.

The ETUC programme

The description of the ETUC programme open to the staff of members of ETUC can be found on the website: www.resourcecentre.etuc.org:

ETUC Training & Mentoring programme
<p>To provide capacity-building opportunities within the framework of the European social dialogue, the ETUC Resource Centre organises tailored training and mentoring seminars for national trade unions based in the EU and candidate countries.</p> <p>How are they set-up? The training and mentoring seminars usually take place in Brussels within a 3 day time-frame. The participants are split into 2 groups of around 20 people, respecting a regional balance between the EU15, the 12 new Member States and the candidate countries (Turkey and Croatia). The working language of the seminars is English.</p> <p>During the seminar, participants are able to take part in one or more of the following activities:</p> <ul style="list-style-type: none"> ✧ Observation of a social dialogue activity (i.e. Social Dialogue Committee); ✧ Observation of a EU institution activity relating to employment and social issues (i.e. EP Employment Committee hearings, EESC meetings, etc.); ✧ Meetings with stakeholders from the European scene such as the ETUC and its European Industry Federations, the ETUI, the European Commission, the European Parliament; ✧ Training workshops on the European cross-industry and sectoral social dialogue. <p>Who can apply? Trade unionists from the EU Member States and the candidate countries, with a working knowledge of English, who would like to learn more about the European social dialogue and further develop their negotiation skills.</p> <p>When will the next round take place? Sessions of the Training and Mentoring programme take place twice a year at the ETUC premises. ETUC member organisations will receive the invitation letter in due course.</p> <p>Where to find more information on past Training & Mentoring sessions? You can find more details about the participants and content of sessions undertaken since 2006 at: http://resourcecentre.etuc.org/Training-and-Mentoring-programme-21.html</p>

The Employers' programme

The description of the employers' programme open to the staff of members of BUSINESSEUROPE, CEEP UEAPME can be found on the website www.erc-online.eu;

EMPLOYERS' MENTORING PROGRAMME			
<p>WHAT IS IT? This programme funds observation places for experts to EU social dialogue meetings in Brussels.</p>			
<p>WHAT DOES IT COVER? Reimbursement of experts' travel and accommodation costs (within budget limits)</p>			
<p>WHO CAN APPLY? Experts from employers' organisations affiliated to BUSINESSEUROPE, UEAPME, and CEEP in:</p>			
<ul style="list-style-type: none"> ✧ Bulgaria ✧ Croatia ✧ Cyprus ✧ The Czech Republic 	<ul style="list-style-type: none"> ✧ Estonia ✧ Hungary ✧ Latvia 	<ul style="list-style-type: none"> ✧ Lithuania ✧ Malta ✧ Poland 	<ul style="list-style-type: none"> ✧ Romania ✧ Slovakia ✧ Slovenia ✧ Turkey
<p>HOW DOES IT WORK? Organisations wishing to benefit from the programme should contact Matthew Higham of BUSINESSEUROPE (m.higham@businessseurope.eu) to check eligibility of beneficiaries, meetings, and of costs that can be reimbursed. Face-to-face training can also be organised on demand.</p>			

Rasita Martišienė's experience

Rasita described her experience of training and mentoring as follows;

"I would like to start by saying, that the ETUC training and mentoring programme was a very useful learning experience for me as trade unionist, as person working in a trade union office and as a young trade union leader.

I had been very interested in the courses for trade union leaders that the European Trade Union Institute (ETUI) organises every year, but it was simply too expensive for our organisation. When I saw the invitation to take part in the new training and mentoring programme I thought it offered a really good opportunity for me to know more about international trade unionism as I was working as coordinator of international affairs."

Rasita went on to describe the themes of the programmes and the people she shared the experience with;

“On the programme with me were participants from different European countries - most of them from new EU member states. The overall themes of European social dialogue history and structures and work programmes; EU institutions; and personal development planning were both practical and useful for me in my role. The content of the programme was presented by trade union experts with practical knowledge and experience.”

So what impressed Rasita most?

“For me, the most impressive part of the programme was the visit to European Parliament, meeting with the representatives of committees and the possibility to observe one of the social dialogue committee meetings. During this practical part of the programme we got the impression how the European social dialogue really works in practice”.

When asked who she thought the programme would benefit most, Rasita had some very clear ideas:

“First of all - all trade union leaders in countries joining the EU countries ... but it would benefit every trade unionist working in a national trade union confederation. It is particularly suited to young trade union members like me.

In reality, most of the trade unions in the new EU countries have problems with the quantity and quality of human resources. We have many trade unionists, who know their work very well, but they don't speak foreign languages. This makes it difficult for them to actively participate in international events and to network effectively. On the other hand we have young trade unionists that speak foreign languages well, but do not have enough experience in the trade unions sphere. For me, as young trade unionist the ETUC training and mentoring programme was very useful in improving my knowledge to fill this gap.

Rasita explained exactly how the programme had helped her improve her performance in her job:

“Speaking about my impression as participant, I want to say that participation in the training and mentoring programme improved my professional knowledge in a number of practical areas. “It improved my knowledge of European decision making procedures and it became much easier to link theory to practice in my work:

- ✧ *Understanding the structure of the European union institutions better meant that I could distribute the information our confederation gets from them to the most relevant people in my trade union;*
- ✧ *The training content enriched my ability to understand and interpret complex legal documents;*
- ✧ *It also helped me to better understand the importance of social dialogue in trade union activities; the role of social partners and gave me a way to spread this information to our members during the training we do at home;*
- ✧ *I got more information about the ETUC committees and working groups – this helps our trade union to find and delegate suitable persons with relevant professional knowledge to various ETUC working groups and EU structures. It also encouraged me to take part in few ETUC committees as the representative of trade unions from Lithuania;*
- ✧ *The programme offers a practical example of how trade unions should work together, how they should collaborate and negotiate. It has helped to improve the collaboration between three national trade union confederations in Lithuania.*
- ✧ *Finally, it helped to find new contacts with trade unionists from other EU countries.*

In closing Rasita explained that the programme had offered more than just work related training, saying;

“I got a lot from this programme as trade unionist, but also as person:

- ✧ *I improved ability to work effectively with people of different backgrounds;*
- ✧ *To analyse complex subjects and situations;*
- ✧ *It increased my self-motivation and my desire to learn more*

One final comment ...

“I hope that ETUC will continue its training programmes and will create new initiatives that are similarly beneficial to all its members.”

Contributor: Rasita Martišiene (LPSK/ LTUC)

Mini case: Poland			
Reaching a framework agreement on “anti-crisis actions”			
Case summary	<p>At the end of 2008 the Polish social partner members of the Tripartite Commission for Social and Economic Affairs agreed to launch an autonomous negotiation to produce a framework agreement on “anti-crisis actions”. Discussions focused on a combination of short and longer term measures to address the immediate consequences of the crisis on employment, workers and enterprises and to help strengthen the long-term potential of Polish economy.</p> <p>The negotiations covered four areas: labour law; social policies; the use of European Structural Fund (ESF) money; and supporting investment. On 13 March 2009 an agreement was signed. The Parties to the agreement were three trade union confederations and four employers’ organisations - the Polish Confederation of Private Employers Lewiatan and NSZZ Solidarność and OPZZ together with BCC, ICPP, ZRP and FZZ.</p>		

Poland: Reaching a framework agreement on “anti-crisis actions”

Background

At the end of 2008 the Polish social partner members of the Tripartite Commission for Social and Economic Affairs agreed to launch an autonomous negotiation to produce a framework agreement on “anti-crisis actions”. The Polish social partners had become frustrated by what they saw as a lack of effective government action to deal with the effects of growing global financial crisis on the economy.

During 2008, the National Commission of NSZZ "Solidarność" had already suggested that the basis for government action should be:

- ✧ The protection of jobs;
- ✧ More support for the poorest and most vulnerable workers;
- ✧ Maintaining purchasing power to support internal demand;
- ✧ Additional practical actions based on a dialogue between the social partners.

The trade union had also launched a campaign "*Solidarity against the crisis*" with the aim of assuring the best possible protection for workers in the economic slowdown by reducing the risk of unemployment and remuneration loss. The campaign also encouraged workers to join the union and to work toward greater employment security through practical engagement in discussions at the workplace.

Before the end of the year, the Polish social partner members of the Tripartite Commission for Social and Economic Affairs agreed to launch autonomous negotiations on a framework agreement on “anti-crisis actions”. The discussions focused on a combination of short and longer term measures to address both the immediate consequences of the crisis on employment, workers, and enterprises, and to help strengthen the long-term potential of the Polish economy.

The Anti-crisis Actions Framework Agreement

Negotiations on the agreement focused on four major areas:

- ✧ Labour law;
- ✧ Social policies;
- ✧ The use of European Social Fund (ESF) money; and
- ✧ Supporting investment.

On 13 March 2009 the anti-crisis action agreement was signed. The Parties to the agreement were 3 trade union confederations and 4 employers' organisations including the Polish Confederation of Private Employers Lewiatan; NSZZ Solidarność and OPZZ together with BCC, ICPP, ZRP and FZZ.

The Parties focused heavily on the employment relationship, and decided to recommend the following solutions to the government:

- ✧ A 12-month reference period in the calculation of working time to be introduced in collective agreements or in agreements between companies and trade unions or the representatives of the employees in companies where there are no trade unions;
- ✧ Subsidies from the state budget for training courses in order to support the use of short time working by providing professional training in which the employee would be obliged to participate;
- ✧ The adoption of more flexible arrangements for the calculation of working time;
- ✧ Using flexible working time as a vehicle to support the fulfilment of family and professional obligations;
- ✧ Stabilisation of the employment relationship by restricting the use of fixed term contracts;
- ✧ The provision of state subsidies for continued employment guarantees over a specified time period;
- ✧ In the event of a worsening of the economic climate in the company, the introduction of the following measures is suggested:
 - A temporary restriction of working time - 50% funded by the state;
 - Lay off provisions (or mandatory vacations) payable at 35% of normal holiday leave balanced by a special allowance paid by the state.

The social partners suggested that the right to any subsidised employment provisions should be limited to companies which met the following financial stability criteria prior to the crisis;

- i) Provision of up to date and accurate accounts;
- ii) Demonstration of a decrease in sales or orders amounting to more than 30% (a reduction of the criterion to 20% is being discussed);
- iii) Proof that the decrease in sales or orders is directly connected with the crisis;
- iv) Presentation of a business plan to demonstrate that the company situation will improve as the economy improves;
- v) Submission of a statement that the company is not in arrears with public law liabilities;
- vi) On 30 June 2008, the company met three of the following four following conditions:
 - The company had an operating profit;
 - The company had adequate short term financial liquidity;
 - The company had adequate longer term financial liquidity (specific measures are given for both short and long term liquidity);
 - The share of debt liabilities on the balance sheet was not higher than 70% (specific definitions are given).

Currently, the social partners are working with government to finalise the practical arrangements for implementing the agreement and on the proposals for any new legislation required to support it.

Commenting on the agreement, the The Polish social partners emphasise that the current economic situation requires that the setting of labour market policy must be based on practical policies and arrangements that reflect genuine trust and cooperation between the social partners.

Contributors:

Piotr Ostrowski – OPZZ

Malgorzata Rusewicz (PKPP Lewiatan)

Mini case: Slovenia		
“For better mobility” – a joint project to improve geographical & occupational mobility.		
Case summary	<p>The Slovenian social partners are working together with government departments, private employment agencies, a Non-Governmental Organisation and the European Commission on a joint project to improve job-to-job and geographical mobility of workers.</p> <p>The end point of the project is a national action plan designed both to overcome existing barriers to mobility and to create a more positive attitude amongst Slovenian workers toward job transitions.</p> <p>The project mirrors the European level focus on employability and provides a very practical example of work designed to make the employability concept work in specific national circumstances. It also provides a practical platform on which to further build social dialogue in the country.</p>	

Slovenia: “For better mobility” – a joint project to improve geographical & occupational mobility

Background



For better mobility

The Slovenian social partners are working together with government departments, a private employment agency, a non-governmental organisation (NGO) and the European Commission to improve job-to-job and geographical mobility of workers.

The end point of the joint European Commission and Slovenian government funded project is an action plan designed both to overcome existing barriers to mobility and to create a more positive attitude amongst workers toward job transitions.

The Project

In April 2008 the project “For better mobility” was launched. The project has the following twin objectives:

- ✧ To develop innovative measures and policy actions to improve the geographical and job-to-job mobility of workers “within” and “to” Slovenia and remove remaining barriers to mobility;
- ✧ To encourage Slovenian companies and workers to practice greater occupational and geographical mobility

For better mobility involves a variety of social partners, public administration, private enterprises and NGOs comprising;

- ✧ The Association of Free Trade Unions of Slovenia – ZSSS;
- ✧ The Chamber of Commerce and Industry of Slovenia - Institute for Business Education and Training CPU;

- ✧ The Ministry of Labour, Family and Social Affairs – MDDSZ;
- ✧ The Employment Service of Slovenia – ZZRS;
- ✧ The European Job Mobility Portal – EURES;
- ✧ The private employment agency ADECCO;
- ✧ Zavod META – the Institute for Development of Family and Female Entrepreneurship;

The project outline identifies three priority themes and actions for improving worker mobility;

1. *Cooperation for better mobility*: Investigating the obstacles and barriers to mobility in Slovenia; developing measures and policy actions to overcome identified obstacles; and the development and implementation of a national action plan;
2. *Providing information and training to companies for better mobility*.
Specific information and training initiatives will be developed on the following topics:
 - ✧ Information on the employment of foreign workers in order to open up more workplaces to workers from other EU countries;
 - ✧ Practical information and advice on the employment of seasonal and temporary workers;
 - ✧ Information on the recognition of international qualifications where these are regulated for particular occupations;
 - ✧ Information on taxation of non resident foreign workers;
 - ✧ Advice on how to improve geographical and occupational mobility of workers within a company.
3. *Information and awareness raising activities*:
These will include a brochure to inform companies on key issues relating to worker mobility; website services on mobility; public awareness activities relating to publicity of the project; and a specific event to present the results of the workshops for better mobility and the overall project outcomes and results.

During the conduct of the project over the period from April 2008 to September 2009, the project partners are scheduled to meet in a number of workshops to discuss the barriers and obstacles to mobility; to develop an action plan to overcome the identified obstacles; and to design measures to promote better mobility and assure their implementation.

[Towards a national plan for better mobility](#)

The overall national action plan for better mobility prepared during the project will be presented at a final conference in September 2009.

Indications from the project to date are that the plan will include;

- ✧ Actions to simplify procedures - especially in occupations where there are regulated qualifications;
- ✧ The better regulation of mobility through collective agreements;
- ✧ A range of positive measures, instruments and tools to promote mobility.

The Slovenian social partners believe that it will not only be companies and domestic and foreign workers that benefit from the action plan. The social partners themselves will gain new knowledge and experience on a key labour market issue, and also have an important opportunity to further develop cooperative relationships which will serve them well into the future.

Contributors:

- Grit Ackerman (ZDS)
- Janja Meglic (OZS)

<p>Mini case: Turkey</p>	
<p>Establishing local information and consultation councils in municipalities</p>	
<p>Case summary</p>	<p>Through a European funded project undertaken over the period November 2006 to September 2007 the trade union HAK-IS and the management of the Konya municipality established arrangements for the establishment of an information and consultation council in line with the principles of the 2002 European Directive not yet implemented in Turkey.</p> <p>The agreement reached in September 2007 and signed by the General President of HAK-IS and the mayor of Konya metropolitan district established the Konya Social Dialog Platform. The agreement also had the objective of establishment a general model for the establishment and functioning of enterprise level works councils in Turkey.</p> <p>The agreement sets out detailed arrangements for setting up works councils, their terms of reference and operating procedures in enterprises with more than 30 workers. Whilst the agreement is based on the 2002 EU Directive it differs from it in some important ways.</p>

Turkey: “Establishing local information and consultation councils in municipalities”

Background

Using European Union funding, the Turkish trade union confederation HAK-IS initiated a joint project with the management of the Konya metropolitan municipality to research European best practice in the establishment and running of enterprise level works councils, to train key individual in the operation of works councils and to develop a model works council structure for implementation in Konya. On the basis of an agreement signed between the HAK-IS trade union confederation and the Mayor of Konya Metropolitan Municipality, the representatives of workers and employers who participated in the project now form the nucleus of the “Konya Social Dialog Platform”. They have begun to establish prototype workplace information and consultative councils in the Konya Metropolitan Municipality.

The constitution of the model works council relies heavily on the content of European Directive 2002/14/EC on the information and consultation of employees which had not been implemented in Turkey. Whilst only referring to management and workers in the Konya municipality, it specifically aims to establish a model for the establishment of further similar bodies in other organisations.

The project

In developing the works council agreement, the project involved an initial joint group of 18 people from the Konya Metropolitan Municipality, the Konya Provincial Organisation of HIZMET IS, HAK-IS and representatives from three district municipalities within the metropolitan municipality. The group researched and benchmarked examples of workplace information and consultation councils in the European Union to improve their understanding of their operation and establish the basis for an agreement that would work in the local context. The project was then expanded to a further 165 leaders of the metropolitan municipality, districts and trade unions.

The agreement

On 20th September 2007 in Ankara an agreement was signed titled “Agreement for the development of an original model for an information and consultative council between HAK-IS confederation and Konya metropolitan municipality”. An appendix to the agreement lays out detailed arrangements for the establishment and working practices of information and consultative councils. The stated aims of the agreement taken from the official English translation are;

- “To provide well and balanced working conditions, to increase the peace and safety of

employees and competitiveness of enterprises mutually by establishing continuous and institutional dialogue between employer and employees in the enterprise, knowledge flow and communication”; and

- “To develop an exclusive and legal model for placing “Information and Consultative Councils” into its legal place in our country under the Council Directive dated 11 March 2002 [...] which do not have legal ground in our country.”

The five page agreement containing the operating procedures for information and consultative councils sets out the following major commitments;

- To set up a council in workplaces with more than 30 people at the written request of 10% of the workforce;
- The council should be joint body made up of equal numbers of management and workers representatives based on enterprise size. Enterprises with 30 to 50 workers would have a four person council comprising two managers and two representatives. A sliding scale increases this to twelve members in enterprises with more than 500 workers. It is noted that the numbers can be increased by agreement in establishments employing more than 1,000 workers;
- Where there is a trade union at the workplace, the representatives are to be designated by the union or unions based on their relative membership strength. Where there is no trade union, members are to be selected by secret ballot;
- Chairmanship of the council rotates annually between the management and employee leaders who have the responsibility for the establishment of a secretariat to assist in the administration of the councils business;
- The council meets at least four times per year;
- The council’s duties are described as; “... to conduct negotiations focused on compromise and resolution related to information and consultative rights for employees being employed in the enterprises and defined in EU Directive No. 2002/14. The Council carries out works for the issues not sourcing from a Collective Bargaining Agreement and wages.”
- The specific scope of council discussions is laid out in detail and includes (taken from the official English translation);
 - Financial and management issues; Company’s progression (effectiveness, quality, performance);
 - Employment levels and conditions;
 - Discipline issues;
 - Health at work and safety, workplace environment;
 - Structural change of the company;
 - Regulations significant in terms of workers and employers;
 - Issues appropriate to cooperation related to the workplace;
 - Legal status change in the company;
 - Expansion, contraction or destroy (sic) in company equipment;
 - Presentation of new technologies;
 - Change in personnel structure;
 - Programming of overtime exceeding working hours;
 - Dismissals and vocational training;
 - Nomination for member of workplace and safety committee;
 - Struggle against sex, religion and language and race discrimination;
 - Regulations and measures for handicapped;
 - Monetary issues significant in terms of workers and working conditions;
 - Work rules, work time and payment procedures;
 - Follow up tools (technical issues); Issues related to health at work and safety;
 - Training programmes; and
 - Social activities;
- Final provisions refer to the protection of employee representatives from discrimination or victimisation and confirm that the business of the council shall be conducted in working time.

Comment

It is interesting to note that whilst the agreement is based on terms of the European Directive it differs from it in a number of ways. It is also notable that the agreement does not follow the specific pattern

of any one of Europe's various national models of information and consultation.

The agreement provides for the establishment of councils in enterprises with 30 workers rather than the 50 contained in the Directive. The list of issues to be considered by the council is considerably longer and broader than the more limited list of items in the Directive. Where the agreement is less detailed than the European Directive is in the precise definitions of both information and consultation and specific provisions for dealing with circumstances where major decisions are contemplated.

Contributor: Sahin Serim (HAK-IS)