

# ***Supporting better implementation of EU social partners' autonomous framework agreements and strengthening capacities of social partner organisations***

*Country reports, findings and recommendations*

December 2020

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Commissioned by the cross-sectoral European social partners ETUC, BusinessEurope, CEEP, SMEunited



*This document reflects the points of view of its authors.*

*It lays no claim to reflect the individual or collective opinions of the European social partners at whose request it has been drawn up, the national social partners which have participated in this project, or the European Commission, which has given this project its financial backing.*

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# Introduction

The project was a follow-up project of a previous one titled “Promoting Social Dialogue and Better Implementation of EU Social Partners” Autonomous Framework Agreements in Selected Countries” that was done in 2016.

It was carried out in a similar way as the previous project but of course with the aim of analysing possible developments in the functioning of the Social Dialogue (SD) in the chosen countries. The criteria for the selection of the countries were a) the general situation of the SD in each country, b) the particular difficulties with the SD among the Social Partners (SP) and the SP and the Government, and c) the lack of functioning industrial relations.

Nine countries were selected for this project: Bulgaria, Croatia, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and Slovakia. Seven of the nine countries were also covered in the previous project and Latvia and Poland are covered here for the first time.

There were two main differences between the two projects. The 2016 project was focused on the implementation of the Autonomous Framework Agreements (AFAs). While this project shared that goal it has also a second aim: to propose solutions for strengthening the capacities of the National Social Partners (NSPs).

The second difference was in the methodology: all the nine countries were supposed to be visited by two experts, and, in each country, representatives of the Government and / or public services more related with SD and the European Social Fund (ESF) would be invited to discuss the objectives of the project, in a meeting with the employers (EMP), the Trade Unions (TU) and the two experts.

The sudden onset of the Covid 19 pandemic in March 2020 had an important impact on the project, not only imposing alterations to its timetable and methodology as only the three Baltic countries – Estonia, Latvia and Lithuania – were physically visited. Following a suspension of country visits between the end of March and September due to the pandemic, a decision was taken to replace the physical visits to the remaining six countries by digital meetings. The pandemic also led to new priorities in the agendas of the SP and of the members of Government and public servants, making the organisation of the meetings, and, in particular, the involvement of public representatives, more difficult.

Despite the challenges posed by the pandemic, with the precious collaboration of the NSP in the selected countries, it was possible to cover eight of the nine countries in question (three physically visited and five with digital meetings), the exception being Croatia where an agreement between the Croatian NSP on a date to do the digital meetings could not be reached in time.

The information and the knowledge acquired with the digital meetings is of course less rich than with the physical meetings but it was the best that could be done under the circumstances. However the idea to run the Zoom-meetings in the same way as the usual order on the European level (firstly separate internal meetings of the SP, followed by a bilateral meeting of the SP and finally a joint with representatives of the Government / public services) proved to be the most efficient way for a fruitful and productive exchange of views and possible joint activities.

A final word is due to thank for the collaboration we received from the promoters of the project (BusinessEurope, CEEP, SMEunited, ETUC), from ETUC's technical services that assured that everything went well during our digital meetings, the interpreters that were always flexible in terms of the timetables of the meetings, every participant in our meetings and, last, but not the least, the members of the NSP that have helped us the most in planning and organizing the meetings.

To all of you a big THANK YOU!

Antonio Alfaiate

Peter Scherrer

# Country Reports

## Estonia

The information collected was obtained from the written answer to a questionnaire provided by The Estonian Employer's Confederation, from a telephone call on the 22 January 2020 with both Mr. Arto Aas and Ms. Eve Paarendson (respectively, Managing Director, and, Director of International Relations of The Estonian Employer's Confederation) and from the meetings during the visit to Tallinn, on the 9 March 2020.<sup>1</sup>

The information from the Trade Union Confederation EAKL was sent before in written and during a meeting in the Trade Union (President Peep Peterson and staff members) premises on 9 March 2020.

### 1. Questions relating to the national dimension of social dialogue (SD)

The most important and more visible matter discussed by the social partners in Estonia has been the minimum wage. Although it seems that there is a good relationship between employers and trade unions, and that the collective bargaining framework is considered satisfactory in Estonia, the collective sectorial bargaining coverage is one of the lowest in the EU but among the Baltic states it has the highest coverage. There is some visible progress as for example, in the retail industry talks started in April. The main reasons for that could be the view of the employers that in general (we) prefer to have social dialogue and bargaining at company level rather than sectorial level, as it gives maximum flexibility for companies, particularly if there is a rapid change of environment" as well as the low coverage of the social partners, in particular of the trade unions.

For the trade unions the question of the "Minimum Wage" is a central issue too. After the Financial Crisis 2009 the flexibilisation of the labour market led to slightly lower sectoral collective agreement coverage. The collective agreement on road maintenance was not renewed. EAKL is supporting the efforts the Government is undertaking to revive the Social Dialogue (important of course is to keep the existing budget position in the National annual budget).

### 2. Questions relating to EU and national dimensions of social dialogue

#### 2.1. The European Social Dialogue Autonomous Framework Agreements (AFAs)

According to the employers only two of the five AFAs are well implemented in Estonia : "Telework" and "Active Ageing and an Inter-Generational Approach". They are not working on, or planning to work on in the near future, the implementation of any of the other 3 AFAs, mainly because their main weakness is very small staff" (they have only one person dealing with social affairs) and also because they don't consider them as a priority (their main priority is the building of a general capacity to effectively involve in policy making that is relevant to economic development - work force, education, business

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<sup>1</sup> The Estonian Association of Small and Medium Sized Enterprises – EVEA, member of SMEUnited, didn't answered our emails and so was not present at the meetings. Anyhow, the other social partners presented sustained, as they did in 2016, that EVEA is not a "social partner".

climate, innovation, resources, etc). The employers also consider that there is very little that the AFAs can do without political will.

The trade unions see a clear need to work further on all the AFAs at a pace of two per year. This year the new “Digitalisation” AFA is most urgent for the trade unions. It also might influence positively the “Telework” AFA. At the same time the trade unions want to see progress in a tripartite Social Dialogue in the areas of Life-Long Learning (LLL), Gender Pay Gap and Health and Safety. In the sectoral Social Dialogue there was a discussion about the “four working days week” but since the Corona Crisis it is not a priority anymore. In general the Trade Unions advocate for more “Autonomy of the Social Partners

## 2.2. Involvement in policy discussions at European level

They try to be involved in the main policy discussions at European level, but their participation is affected by the small staff of the confederation.

The EAKL is an active member of the European SD and regularly takes part in the respective meetings. In particular they have an interest in being involved in the European Semester process, the new budget line for the European Social Fund. For this, the active support and role of the Estonian Government is essential.

## 3. Comparing the present situation with the one on the previous report from 2016

The implementation of the AFA agreed in 2017, “Active Ageing and an Inter-Generational Approach”, is a good sign, and maybe the proof that the national implementation of the AFAs is easier when the matters they cover are considered as a priority from all the NSPs. For the trade unions massive improvement of the SD has been made since 2018. The “Telework” AFA was implemented during the last four years and a very visible sign for this improvement was the restoration of regular tripartite meeting with the Prime Minister.

The trade unions see a clear sign of willingness in the present Government to improve the SD in Estonia. A precondition for this would be a proper reform of the “old fashioned” labour law. In particular, encouragement and assistance is needed for collective bargaining. The trade unions try actively to increase their membership and for this they are supported by the Baltic Organising Academy (BOA).

## 4. Conclusions and Recommendations

The main problem of the Estonian Employer’s Confederation seems to remain its small dimension, especially in terms of skilled staff. As a direct consequence they try to give priority to national issues and they can’t follow as much as they should the European issues. Similar to the employers’ association the EAKL faces the problem of being under-staffed and insufficiently financed. The increase of membership and extension into more economic sectors is therefore of major importance.

So, capacity building is crucial for both social partners, and should also help them in increasing representativeness. So far they have mainly used an isolated approach in trying to address the financing of its capacity needs.

We think that, in the present European context, it would make sense to try to design a common approach of the Social Partners on capacity building and present it to the Government

for financing, having also in mind the positive reception for it shown by the representative of the Government at the meeting on 9 March 2020.

The increase of the bilateral SD among the NSPs in Estonia around matters of common interest, like, for instance, education, innovation, digitalisation and youth employment, could be an important step for the growth of confidence among them and a first step for further initiatives.

We also note the continuing validity of the recommendation made in the 2016 report to support the launch, for the Estonian social partners, of specific fact finding seminar(s) providing expertise (i.e. on negotiation practices), transferable practices, and “twinning” with other NSP of EU member states, to be financed by specific EU funding.



## Latvia

The information collected was obtained from:

- the written answer to the questionnaire provided from Employer's Confederation of Latvia (LDDK);
- LBAS written reply to the Survey on capacity building needs for social partners in targeted countries;
- LBAS presentation on social dialogue in Latvia at the CB4CB – Capacity Building for Collective Bargaining (Brussels Workshop, Friday 15 November 2019);
- the document of the LDDK "Recent Developments: Social Dialogue and Collective Bargaining" (09.10.2019);
- the document of LDDK and "Free Trade Union Confederation of Latvia" (LBAS) "Latvia: Investment Priorities of National Social Partners" (for ESF+ funding after 2020);
- a telephone call on the 30.01.2020 with Mrs. Inese Stepina (Deputy Director General for International and EU Affairs and Project Management Adviser on EU and International Affairs at LDDK);
- the joint NSP project "Support for Longer Working Life" (2017-2022);
- LBAS and LDDK joint national reports on the implementation of the Active Ageing and an Intergenerational Approach Agreement in Latvia 2020
- the meetings during the visit to Riga, on the 10.03.2020 and notes sent by LBAS after the meeting<sup>2</sup>

### 1. Questions relating to the national dimension of social dialogue

The benefits of a functioning and comprehensive Social Dialogue for the NSP as well as society need to be actively promoted. There are conditions and options (i.e. sectoral) for the improvement of bilateral social dialogue, that so far has been limited because, frequently, the NSP preferred to negotiate separately with the Government.

The ESF funded projects "Development of social dialogue in the development of a better regulatory framework for business support", implemented by LDDK, and "Development of the bilateral social dialogue of the Latvian Free Trade Union (LBAS) in the development of a better legal framework for the development of the business environment", implemented by LBAS, have been very useful. The fact that, recently, LDDK and LBAS were able to produce a joint document on "Investment Priorities of National Social Partners" (for ESF+ funding after 2020) is a very good sign in the right direction.

### 2. Questions relating to EU and national dimensions of social dialogue.

#### 2.1. The European Social Dialogue Autonomous Framework Agreements (AFAs)

LDDK together with LBAS have been regularly producing joint reports to European Social partners on implementation of AFAs. Latvian social partners are working jointly on the im-

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<sup>2</sup> The Latvijas Biznesa Savienība – Business Union of Latvia, member of SMEunited, didn't answer our emails and so was not present at the meetings. The position of the NSPs is that they are not recognized as a "social partner", having in mind that the status of national social partners is defined in the legislation/regulation and is based also on mutual recognition among the social partners and the government.

plementation and in majority of cases with the help of ESF funding which definitely strengthens Latvian social partners abilities in this respect. For LBAS the implementation of the AFAs would be one important contribution to the establishment of better functioning cross-sector but also sectoral SD in Latvia. The joint NSP project “Support for Longer Working Life” is focussed on employees 50+ and the European AFA “Active ageing and intergenerational approach” is naturally an ideal pretext for the work in this labour market policy area.

## 2.2. Involvement in policy discussions at European level

LDDK has been participating in policy discussions at European level, but not as much as they would like because of the lack of human and financial resources.

LBAS is in close cooperation with the European umbrella organisation (ETUC). Whenever possible, targeted meetings dealing with specific policy issues, take place in Latvia. A well established cooperation exists within the Baltic Trade Union Network. Partly the sector trade unions have working relations with its respective European umbrella organisations.

## 3. Comparing the present situation with the one on the previous report from 2016

Since Latvia was not one of the countries covered by the 2016 report, we can't compare in this case.

## 4. Conclusions and Recommendations

LDDK is well aware of the importance and benefits of social dialogue but they need capacity building, mainly as:

- a) financial resources for hiring relevant expertise on permanent or long term basis (human/financial resources);
- b) information and awareness related raising support (technical/financial) to organise events, debates, information dissemination activities;
- c) training on how the employers organizations work should be organized around the identified priorities;
- d) international experience on the best practice of the work of employers' organizations in Europe.

For LBAS and its members the same priorities and challenges apply to a large extent. An increased willingness and readiness of the employers organisations to change and improve the SD through more bilateral agreements and the serious implementation of the AFAs would help to improve the situation in general. A modified legal framework for the promotion of the sectoral SD and the political support for the improvement of the collective bargaining is what LBAS is asking for.

The social partners (LDDK un LBAS) have produced in early 2019 a joint document “Investment Priorities of National Social Partners” (for ESF+ funding after 2020) and officially have submitted it to the national authorities in September 2019. Unfortunately, so far, there has not been any further concrete steps from the national government to plan actions in this regard together with social partners.

The representatives of the Government<sup>3</sup> at the meeting on 10 March 2020 conveyed the impression that the Latvian Government is willing to support capacity building of the NSPs, but they were very clear in saying that targets should be established in order that the efficiency of the measures can be monitored. A budget of four million Euro has been planned by the Government to be spent both on non-governmental organisations and on the SD in Latvia over the coming seven years (there was a proposal from the national social partners to distinguish activity/budgetary headings for non-governmental organisations and for social partner organizations, and to allocate 2 million 000 EUR over the 7 year period for social partner organisations only<sup>4</sup>). This budget was at the time of discussion not ratified by the Latvian Parliament. Therefore, currently, it's not sure that the national social partner investment priorities and capacity needs are expected to be met in an appropriate manner and in accordance with recommendations issued to Latvia within the EU semester process of 2019 and 2020. NSPs should have a positive discrimination relatively to NGOs, which, however, according to the information of the NSP is not followed in practice, for instance within discussions on the recovery and resilience plan

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<sup>3</sup> It is worth mentioning that representatives of three Ministries (Finance, Welfare and Education) and two representatives of the state chancellery attended actively the meeting.

<sup>4</sup> During the meeting we got the feeling that there was an agreement among the Government, trade union and employers representatives that, because of its different nature, NSPs should have a positive discrimination relatively to NGOs.

## Lithuania

The information collected was obtained from the written answer to the questionnaire provided from The Lithuanian Confederation of Industrialists - LPK, from telephone calls on the 24.01.2020 with Mr. Ricardas Startatavicius, Executive Director of LPK and on the 30.01.2020 with Mr. Gintaras Morkis, Deputy Executive Director of LPK, and, from the meetings during the visit to Vilnius, on the 12.03.2020 (please find attached the list of participants in those meetings).

The three trade union umbrella organisations LDF, LPSK and LPSS sent their respective answers to the questionnaire well in time as detailed information before the visit (12.03.20) took place. Several individual information exchanges took place before the planned meeting in Vilnius.

Because of the implications of the sudden raising of the Covid19 Virus, the representatives of the Lithuanian Government announced at the very last minute that they could not attend the meeting as previously planned.

### 1. Questions relating to the national dimension of social dialogue

The social dialogue is mainly tripartite. The Tripartite Council examines and consults on a number of economic and social issues (e.g. the newly adopted Labour Code, which articles are of major complaints from employers and trade unions, etc.), the most visible one being the minimum wage, which is discussed once or twice a year.

So far no agreement in between the NSPs – members of the Tripartite Council on the national level – has been achieved. The main reason seems to be due to the fact that, historically, the NSPs are used to accept governmental regulations rather than negotiate bilateral agreements. So, their activity has been mainly to lobby ministries rather than bilateral discussions between the NSPs.

The main problems seem to be the fragmentation of both employer's and trade unions organizations (in the Tripartite Council there are 6 employers' organisations and 3 trade union organisations), associated to this is understaffing (LPK doesn't not have a single person fully dedicated to social affairs), as well as a fragile trust between the NSPs, which leads to a low level of bipartite social dialogue. In particular in the private sector of the Lithuanian economy the SD is underdeveloped.

It seems that there is also too much Governmental regulation which doesn't help, because it doesn't leave much space for the bilateral SD.

### 2. Questions relating to EU and national dimensions of social dialogue.

#### 2.1.The European Social Dialogue Autonomous Framework Agreements (AFAs)

So far the employers organisations, LPK and ALCCIC (Association of Lithuanian Chambers of Commerce, Industry and Crafts) didn't participate in the preparation and discussion of the AFAs at European level, because of its limited human resources, and so they have a very limited knowledge of them and they, as well as their members, doesn't consider them as a priority. From the 5 AFAs signed until now, only the 2002 AFA on "Telework" was transposed in Lithuania and that was achieved by means of national legislation rather than by agreements between the NSPs. Presently there are no signs of interest on the implementation of any of the other 4 AFAs in the near future, although the employers had expressed their

interest in learning more about the implementation of the AFA's in other EU countries (how they were adopted and how it works on the enterprise level) in order to use their experience in implementing those agreements in Lithuania. All three trade union centers want to use the European AFAs as a base for implementation of such a policy on national and sectoral level. The employers don't exclude the possibility of a joint discussion of the AFA's with the trade unions, but no initiative was shown yet.

## 2.2. Involvement in policy discussions at European level

The employers try to be involved as much as they can in the main policy discussions at European level, but their participation on social issues is limited because lack of in-house expertise and of financial resources.

For the trade unions organisation the participation in European structures is essential but for the same reasons as for the employers often difficult, though they do take part frequently at the European level and organise information exchange in Vilnius.

## 3. Comparing the present situation with the one on the previous report from 2016

The situation seems to be quite similar to the one four years ago.

## 4. Conclusions and Recommendations

Since fragmentation of the NSPs organisations seems to be one of the major problems for a functioning SD, it would make a lot of sense to try to promote some mergers, although we don't ignore the difficulty of such a process. Some efforts have been made already among the trade union centers. The employers are aware of the problem and are making efforts to overcome the fragmentation of their organisations.

Since capacity building is a priority for all the NSPs, it seemed that they realized that their chances for obtaining financing for it will be bigger if they could present to the Government a joint approach (the trade unions raise the issue of the "minimum rule", because it can be a big problem in the financing of capacity building projects). There was also an agreement that, because of its different nature, NSPs should have a positive discrimination relatively to NGOs. If the NSPs can agree in a joint approach, as referred above, this could be also an important step to allow further initiatives of bilateral social dialogue.

The trade unions hold the view that in particular in the private sector of the economy legislative preconditions have to be established. For them the quite frequently setting-up of so called Yellow Unions is a hinderance for the development of a functioning SD. A reformed labour code is of urgent need in the view of the trade union organisations.

We also think that it would be useful to organise specific fact finding seminar(s) providing expertise, transferable practices, and "twinning" with other members, to be financed by specific EU funding. As the meeting 12.03.2020 in Vilnius was a day before the "Covid19 measures" took place and the Government representatives couldn't attend the foreseen tri-lateral part we did have an extended and fruitful exchange between the NSP organisations. The positive momentum was a useful base for further development and therefore we hope that envisaged projects will not be the "political victims" of the Corona Crisis.

### ZOOM - Meeting with Social Partners in Slovakia, 12. October 2020

#### Participants:

##### Trade Unions

Miroslav Hajnoš, Int. Secretary of KOZ

Marta Hašková, Social-Economic expert in KOZ

##### Employers

Martin Hostak, Secretary of National Union of Employers, RUZ

Katarina , Admin. secretary in RUZ

##### Project Experts

Antonio Alfaiate, Expert for European Employers Associations

Peter Scherrer, Expert for Trade Unions

A possible third meeting at the same day with the participation of a Government representative was not foreseen since the trade unions and the New Labour Ministry currently have a difficult relation. After the General Election on February 29, 2020 a Government has been created and since the 21st of March the New Labour Minister Milan Krajniak, who is member of the populist party “Sme-rodina“ (we are one family), is in office. Several positions and people in the new Ministry have been changed and so far a “structured working relation” between the trade unions and the Labour Ministry does not exist.

The meeting started at 10.00 o'clock and the two experts introduced the motivation for the project as the work has been done so far in the framework of the project.

The representative of the employers association RUZ asked about the nature of Autonomous Framework Agreements (AFA) since he was not familiar with it. In particular the question of “commitment to implementation” was subject of the discussion. He wanted to do more analysis of the various AFAs.

With regards to the issue of “strengthening capacities” the Slovakian employers made clear that most important is the support of administrative work and possibly financial contribution for organizational infrastructure. It would be welcomed if the respective European umbrella organisations would support the financial help for the Slovakian Social Partner (SP) organisations. The experts advised the SP to ask jointly for this support because it would, of course increase the chances that support will be given.

The existing SD project in Slovakia (supported by ESF) is in the view of the RUZ representative not flexible enough to support the needs of the organisations.

*The following is a statement from KOZ sent in for the discussion in the SD Committee subgroup meeting on 26. November 2020 concerning the state of affairs:*

#### **1. Questions relating to the national dimension of social dialogue**

*The social dialogue on national level in Slovakia is operating as a tripartite body – the Economic and Social Council which is consultative body of government.*

*The social dialogue on national level was interrupted in August 2020 and since then the tripartite dialogue is not ongoing at all. The reason of dialogue suspension was a conflict with the minister of labour that is why trade unions left the tripartite meeting.*

*Only two tripartite meetings took place over the 2020. Moreover, the Ministry of labour introduced a new law diminishing trade unions power and setting up new rules of representativeness in the tripartite body.*

*Cooperation between Trade unions and the new government is almost non-existent. Trade unions are not invited to negotiate legislative changes, to discuss reform proposals or to create public policies.*

*Bipartite dialogue between trade unions and employers' unions mostly operates at sectoral level, through collective bargaining. In many sectors, trade unions are lacking social partners on the employer side for sectoral collective bargaining. Every year, employers willingness to being bound by a sectoral collective agreement decreases. Employers clearly prefer to move negotiations to the company level, which provides them with more flexibility.*

*Most trade unions have to deal with insufficient human and material resources due to the declining membership base. This problem has been exacerbated during the 2020 pandemic. The priority for trade unions is therefore to increase the membership base and build capacity. In last 10 years trade unions as well as employer's associations have been facing a significant fragmentation.*

*KOZ SR currently uses ESF funds within a project "Support to social dialogue structures".*

## **2. Questions relating to EU and national dimension of social dialogue**

*Dialogue between trade unions and employers' associations on European social dialogue topics, including the implementation of the AFA's, is not taking place at all. Employers association didn't actively participate in preparation processes therefore their knowledge on this topic is insufficient to set up AFA's and their implementation as a priority.*

## Hungary

### ZOOM - Meeting with Social Partners in Hungary, 21. October 2020

#### Trade Unions

László Kordás, Károly György - MASZSZ

Czuglerné Ivány, Judit – MOSZ

Lajos Mayer - SZEZ/FERPA

Melinda Mészáros, Hangonyi Adrienn - LIGA

Erika Koller, Géza Agg SZEZ

Laci Kuti, Peter Dorogi, Szabó Gábor - ESZT

#### Employers

Adrienn Bálint Employers organisation - MGYOSZ Project experts

Mr. Dániel Bugár. Foreign Affair Advisor from IPOSZ

#### Project Experts

Antonio Alfaiate, Expert for Employers Associations

Peter Scherrer, Expert for Trade Unions

The meeting was planned in the usual format, first a separate - internal meeting of the Social Partner (SP) organisations, followed by a bilateral meeting of the SP and at finally a tripartite meeting which would have included the representatives of the Hungarian Government. Unfortunately the Hungarian SP did not succeed in their efforts to get a representative of the Hungarian Government to join the meeting although they tried till the very last day before the meeting. The reason for the absence was that the Government needed more time to check our request.

The joint meeting with the Adrienn Bálint, Director for social affairs at MGYOSZ-BusinessHungary and all of the trade union representatives started at 11.00 o'clock.

After a short introduction by the two experts a discussion around the implementation of the AA on "Active Ageing", "Telework" and "Digitalisation" was initiated by the trade unions.

Regarding the modification of telework rules, MGYOSZ said that some limited negotiations took place in the tripartite council, but consultations stopped in the last 3 months. The proposal stuck in the machinery of the Government, and everybody is suffering from the lack of information on this issue, while the new regulation is very much expected by employees and companies. In the view of the SP, this is just an example that SD is not timely and not meaningful today in Hungary.

The situation in the view of the employers' representative was described as extremely difficult. The tripartite Council was changed in a way that agreements between the SPs are now only recommendations and consequently must get the support of the Government. There is the lack of legal background – no collective bargaining rules on a national level, in particular not for the extension of SPs agreement for the whole country. This type of law existed before 2010.

The COVID crisis caused modification of the Labour Code. The Government changed the labour law without consulting the SPs. In the view of the Government (and stated in its report of the EMCO review last year) the SP are too weak to handle the situation. Therefore, what



is needed is solid support from EU Resources so the SPs can hire experts to have appropriate negotiations about the implementation of the various Autonomous Frame Agreements (AFAs). For many issues covered by the AFAs a legal background (i.e. health and safety rules for telework) is needed, but currently does not exist. And the progress from the Government side is extremely slow.

The representative of MGYOSZ noted that, as soon as the negotiations on the minimum wage are over, they intend to contact the TUs to see if it is possible to reach an agreement for the implementation of the AFA on “Active Ageing”.

An additional challenge created by the COVID-19 pandemic is the loss of more than 10.000 jobs among the 50-55 years old workers alone. To get transitional employment for these workers is very difficult because a legal structure for restructuring of companies is missing in the view of the trade unions.

Another important point is the lack of sectoral collective bargaining agreements. Support for the strengthening of sectoral collective bargaining structure was asked for by the European umbrella organisations.

In the view of the employers the fact that there is a considerable number of TUs sometimes makes, it more difficult to reach agreements between the SPs.

The development of a functioning and effective SD in Hungary also needs a cultural change. The behaviour of many employers has (in the view of the trade unions) to be changed and naturally the Government has to set good examples. But as one can see in the case of the demand for telework in the Foreign Ministry. Still people are getting fired without warning. The last ten years have been a period of neglect and ignorance of the Government towards the SP.

With regards to a law regulating “Telework / office at home” the Government has made promises but does not deliver. The Government is simply not delivering and it is “like running in circles”. There is no sign that the National Government is going to support the improvement of the SD on any level. Money which was dedicated to support the SP work on e.g. education, is now dedicated to an unknown “research institute”.

As a general line one can say both the employers association MYGOZ and the four trade union confederations hold the opinion that the Government protracts solutions of the very difficult legal framework concerning the use of digital technologies which consequently leads to change of working and living conditions. There is no sign of willingness from the Government to initiate a serious dialogue with the SP. The Government also does not involve the SPs in the context of the European Semester.

Taking into account what was said above, a solid support from EU resources is needed in order that the SPs can hire experts to have appropriate negotiations about the implementation of the various AFAs. For many issues covered by the AFAs a legal background (i.e. health and safety rules for telework) is needed but currently not existing, and the progress from the Government side is extremely slow.

Experts are needed to make the SPs stronger, because their capacity is limited to deal with every issue which arises in their daily work. Thus, they can't deal with European issues as much as they would like to do. It can't be said that financial support will make the SD stronger in Hungary, but it would make the organisations stronger, and that is essential when it comes to recruit/retain members. But the recent state of social dialogue depends more on the lack

of Government's commitment. This influences the implementation of the EU SP AFAs as well. It is important to highlight, that the SPs were much more successful in this type of implementation before 2010, since they had a good tripartite structure, which enabled them to deal with European affairs in a timely manner, including the EU SPs activities.

## Romania

### ZOOM - Meeting with Social Partners in Romania, 4. November 2020

#### Trade Unions

Marin Adrian  
Mirela Caravan  
Corneliu Constantioaia  
Mihaela Maria Darle  
Petru Sorin Dandea  
Bogdan Hossu  
Minel Ivascu  
Crist. Mihai  
Eva (guest)

#### Employers

Eduard Floria (Concordia)  
Adelina Dabu (Concordia)  
Alin Stoica (Concordia)  
Radu Burnete (Concordia)

#### Government Representative

Mrs. Claudia Butuza, Director of Social Dialogue dept.

#### Project Experts

Antonio Alfaiate, Expert for Employers Associations  
Peter Scherrer, Expert for Trade Unions

#### Interpreter, technical support

Vlad Ferariu  
Eva Laszlo-Herbert  
Niklas Franke ETUC

The meeting was planned in the usual format, first a separate internal meeting of the Social Partner (SP) organisations, followed by a bilateral meeting of the SP and finally a tripartite meeting with representatives of the Romanian Government and / or of the public services related with Social Dialogue.

#### Employers and Trade Unions Joint Meeting

The joint meeting with all of the national social partners and project experts started at 11.00 o'clock.

After a short introduction by the two experts a discussion around the implementation of the AFAs was initiated by the trade unions.

The Trade Unions informed that in order to implement the AFAs they have proposed to Concordia to organise a meeting with all the Employers Organisations and all the Trade Union Organisations to discuss the issue. Although Concordia had agreed with that meeting they have not done it yet because of lack of human resources.

Concordia and other employers organisations in the region have an ongoing project about the AFA on Active Ageing. Considering the Covid situation, the SPs feel that they should give priority to the AFA on Digitalisation, but to start with it **they need a consolidated translation in their own language**. Concordia has agreed with that priority and promised to supply such a translation or to look into the use of the translation fund that is managed by the European social partners. Concordia and some TUs in the region applied for financing of a project for the implementation of this AFA, but they don't know yet if they will get the financing.

The Trade Unions mentioned that, in Romania, so far, there is only one sectoral collective agreement (in the banking and assurance sector) and another partial sectoral collective agreement (because it only covers the public part of it) in the health sector. They hope that if the project of the new law on social dialogue, now under discussion, is approved, the chances of reaching more collective agreements will improve.

Concordia is not too happy with the proposal in question, because negotiation becomes compulsory at multiple levels, but expressed their will to improve the Social Dialogue with the Trade Unions in various areas and to try to find common ground for agreements. Both SP were very clear that NGOs should not be involved in the SD. At this point, the question of representativeness and the way to define it in a possible new SD regulation/organisation, was subject of discussion and will play a key role in the further development of the SD structure.

*In a note sent after this meeting*, CNIPMMR, the employer organisation representing small and medium enterprises, stated that regarding the draft law on social dialogue and sectoral collective agreements, it should respect the principle according to which the contract produces effects only towards the signatory parties and not erga omnes. At the same time, in the legislative process and in consultations with the social partners, they also defend that the protection of the specific interests of SMEs must be taken into account.

The Trade Unions mentioned also that there is the need for a methodology to reach agreement to establish the minimum wage, and that it's essential that the Government will respect the agreements signed by the Social Partners. For the Trade Unions the efforts of the EU Commission to establish a framework on minimum wages is of major interest because the Romanian Government would have to act on this with national legislation.

Concordia is interested in increasing the Social Dialogue with the Trade Unions, but for that they know that some problems must be overcome, namely, the current lack of trust between the SPs in Romania and to the need to increase their capacity in terms of acquiring expertise in all the areas where an employer organisation must intervene. In that context they would like to know, for instance, the best practices in terms of the services provided to their members (and how they are provided) of the employers organisations in the European Union.

Concordia also thinks that in order to build trust among the SPs in Romania, the European umbrella organisations (BusinessEurope, CEEP, SMEunited and ETUC) could play an important role as "neutral facilitators" on the negotiations among them on the implementation of the AFAs at national level.

In terms of Capacity Building, projects such as this one would be a good opportunity for improvement, but more needs to be done, especially in the context of the growing complexity in labour relations due to new technologies and new forms of work. Concordia considers

that their priority is to increase its skills in order that they can have internal experts as well as be able to hire external experts whenever would be appropriate to address these topics.

Currently, the employers in Romania are in a vicious spiral – the landscape is very fragmented, with 6-7 representative employers, and the limited resources are fragmented as well. That makes it difficult to provide timely and quality input for the various social partners consultations that are organised most of the time on very short notice. In the absence of a quality response, the authorities tend to limit consultations even further and this is how the social dialogue is weakened. Also, the employers mentioned they have insufficient resources to maintain permanent contact with the unions and to engage in EU & international affairs (including from their position as member of BusinessEurope, IOE and BIAC).

Given the limited experience and tradition of the SD in Romania, a better understanding of other countries models, both in terms of institutional set-up and work flows, and relations with the trade unions and collective bargaining is needed.

Both employers and trade unions understand that their chance of being financed for capacity building are greater if they apply with joint projects, and so they have expressed interest in doing so.

#### Meeting with the Representative of the Government / Public Administration

The meeting started at 15.00 o'clock

##### Representative Romanian Labour Ministry

Mrs. Claudia Butuza, Director of Social Dialogue dept.

After of short briefing on the discussions had so far, Mrs. Butuza gave the view of the Government in several areas, namely:

- a) The need of a better coordination between the Social Dialogue at National and at European level (for example, the sectors defined by the Romanian Government are different of those defined at European level);
  - b) The law approved by the government in 2018 on Telework, supported by Concordia;
  - c) The European directive on Working Time was transposed to law in Romania;
- and last, but not the least,
- d) The Government remains open to finance projects for Capacity Building of the SPs, namely projects for training needs, increasing skills, research.

Concordia stated that they were happy with the intention of the Government to reshape the Sectoral Committees, but they consider that in order to do it the Government needs to change the legal framework. Concordia defended that instead of dealing in an isolated way with the Government, the SPs should try, whenever possible, to approach it together after reaching common positions.

The Trade Unions stressed that a new framework to develop SD is needed and that the SPs must be respected by the Government (a case of the actual disrespect is the establishment

by the Government of the minimum wage without giving the possibility for the SPs to previously reach an agreement). The Trade Unions also stressed the need for an involvement of the SP in the process of the development of Country Specific Recommendations.

The Trade Unions and Concordia also asked the Government to change the way they invite them for the meetings in the Economic and Social Council, i.e. to avoid very short notice not giving them enough time to prepare themselves for the agenda, and to start sending the documents digitalized rather than scanned. They said that, in the present circumstances, the meeting with the Government are more meetings for information instead of true meetings for consultation.

Mrs. Butuza mentioned that in August a tripartite working group was created, including the SPs, to establish the minimum wage, which had its last meeting the day before this meeting.

## Poland

### Zoom - Meeting with Social Partners in Poland, 9 November 2020

#### Trade Unions

Barbara Surdykowska (NSZZ Solidarnosc)  
Sławomir Adamczyk (NSZZ Solidarnosc)  
Wojtek Ilnicki (NSZZ Solidarnosc)  
Goma Renata (OPZZ)  
Paweł Smigielski (OPZZ)

#### Employers

Marzena Chmielewska (Lewiatan)  
Andrzej Rudka (Lewiatan)  
Robert Lisicki (Lewiatan)  
Katarzyna Siemienkiewicz (Pracodawcy RP)  
Norbert Pruszanowski (ZRP)  
Bogumiła Frackowiak (ZRP)  
Kamila Sotomska (ZPP)

#### Project Experts

Antonio Alfaia, Expert for Employers Associations  
Peter Scherrer, Expert for Trade Unions

#### Interpreter/Technical Support

Sergiusz Buschke  
Katarzyna Krajewska  
Lionel Fallon (ETUC)

The meeting was planned in the usual format, first a separate - internal meeting of the Social Partner (SP) organisations, followed by a bilateral meeting of the SP and finally a tripartite meeting with representatives of the Polish Government and / or of the public services more related with Social Dialogue.

#### Employers and Trade Unions Joint Meeting

The joint meeting with all of the trade union and employers representatives and both experts started at 11.00 o'clock.

After a short introduction by the two experts a discussion around the implementation of the AFAs was initiated by the trade unions.

The Trade Unions considered that there are positive and negative aspects in the implementation of the AFAs: the positive aspect being the existence of a special European Social Dialogue dedicated group within the Rada Dialogu Społecznego (Social Dialogue Council) (and the social partners agreed on a translation of the AFA on Digitalisation”), the negative aspects being that the representative of employers in the work of the group on H&S (“psycho-social risks”) did not take part in the work. *On a note sent by Lewiatan following the*

*meeting* they informed that they also considered as positive the creation of the above group and that they have been participating actively in its works.

The TUs also referred that in the case of “Harassment and Violence at Work”, employers didn’t accept a binding agreement but only a non-binding declaration. There was a general criticism that employers don’t want to conclude binding agreements. For Lewiatan this does not necessarily mean that they do not want to commit themselves to binding agreements because of their sheer rejection of them. In their opinion the present circumstances (economic crisis, deepened by Covid-19 situation plus general instability of business regulations in Poland what has been a permanent feature over the last few years) do not allow entrepreneurs to make such binding commitments. This could be simply very risky for continuity of their businesses.

In the note sent after the meeting, Lewiatan informed that they had an active role in the implementation of some of the AFAs, for example the telework agreement, and that on active ageing they were a primary driving force – preparing the solutions/proposals and leading in distribution of the necessary information. In Lewiatan’s opinion is a lack of proper capacity that prevents employers’ organizations from entering such agreements and often even going into negotiations on them or implementation of European level agreements (AFAs).

NSZZ Solidarnosc considers that the Social Dialogue in Poland is also negatively affected by the high fragmentation of employers’ organizations (some of them not very familiar with European affairs) making agreements more difficult to reach.

Concerning capacity building of the SPs, the letter that the Polish Minister of Development Funds and Regional Policy has sent, last February, to the European Commissioner for Jobs and Social rights, was positively mentioned, but the vague answer from the Commissioner was considered a disappointment. In their view more “pressure” should be made near the European Commission so that in the following financial perspective of the EU, 2021-2027, it will be possible to continue the support for building the potential of the social partners and for strengthening social dialogue.

The SP noted that short term financial support to individual projects cannot contribute to a consistent increase of capacity building, and so, they fully agree that in the new ESF programming period 2021- 2027:

- capacity building of the SP should be considered a priority, and, as a consequence, a clear legal framework to support their long term financing shall be established
- another important point was made with regards to the support of the SP at all levels. The regional level is of particular importance for the crafts associations.

The TU considered, also, that in order to have a real impact on capacity building of the SP, the financing should not only be long term financing but, also, direct financing from the ESF to the SP. The trade unions raised the question whether it would be possible to change the rules for the ESF funds at this very particular political moment/Situation.

Lewiatan also supported the view that direct financing should be radically increased or even become a dominant form of channeling EU money to social partners, in order to prevent politicization of funds distribution. They also think that financing could be project oriented and that its implementation usually is more effective when there is the participation of a few social partners, be it from the same side of the social dialogue (2 or more trade unions or



employers' organizations) as well as partners from the 'opposite' sides of the dialogue. This would also contribute to lowering the level of politicization of money distribution and contribute well to mutual assistance in capacity building.

In Lewiatan's view, though problem of politicization does not fully omit regional/ local level of social partners' activities, it is definitely lesser there and chances for successful cooperation of social partners for achieving common goals at that level are much higher. Therefore, such opportunities should be included in funding earmarked for social partners in the new financial perspective.

#### Meeting with the Representative of the Government / Public Administration And SP

##### Representatives of MFiPR

Ryszard Jagiello

Malgorzata Dabrowska

Joanna Fedorczyk

Maria Niewiadomska

This meeting started at 13.30 local time.

After a short briefing, by the experts and some representatives of the EMP and of the TU, about the discussions had so far, Mr. Jagiello referred that in the current programming period (2014-2020) the main instrument for strengthening the SD was the actions financed from the ESF under Thematic Objective 11 – “Enhancing Institutional Capacity of Public Authorities and Stakeholders and Efficient Public Administration”.

Having in mind the missing equivalent of TO 11 in the specific objectives of the European Social Fund Plus, the Polish Minister sent the aforementioned letter last February stressing that it's now of key importance to be able to continue the support for building the potential of the SP and for strengthening SD in the following financial perspectives of the EU. Although the answer was vague (the Commission said that the SP could continue to be financed through projects and for the implementation of the different social policies), he thinks there is still room to manoeuvre” to change that. That's why a working group was created in his Ministry, where the SP are represented, with the objective of making concrete proposals for the future negotiations with the European Commission.

A representative of ZRP asked if the Covid situation could affect negatively the amount of financial resources to be allocated to the SP. Mr. Jagiello doesn't think so and even admitted the opposite, that under the Recovery Plan it could be possible to increase the financial resources of the ESF for the SP, although he was not sure that this would be the best way to do it.

The TU asked if there will be the possibility of financial support for the bilateral SD, namely for collective bargaining, having in mind that, in the past, the financial support was mainly channelled for the tripartite dialogue. Another point the TUs wanted to stress is, that in the future a “long term approach” for capacity building should be undertaken. In particular H&S issues, like work related psycho - social threats need a long term strategy because of the need for well trained experts and qualified advisors. Mr. Jagiello mentioned that the financial support to the SP has been for their involvement in the preparation of legislation, giving the SP the freedom to choose the nature of their projects to apply for that support. He encour-

aged the SP to present their ideas and proposals on how the bilateral SD should be supported, stressing that one pre-condition for them to be approved would be that they should be joint (EMP+TU) proposals.

## Bulgaria

### Meeting with Social Partners in Bulgaria, 12. November 2020

#### Trade Unions and Employers

See full list at the end

#### Government representatives

Mr. N. Salchev, Social Dialogue dept. Labour Ministry

Mrs. Natalia Efremova, Head of ESF dept. in the MLSP

#### Project Experts

Antonio Alfaiate, Expert for Employers Associations

Peter Scherrer, Expert for Trade Unions

#### Interpreter, technical support

Petya

Histryan

Lionel Fallon, ETUC

The meeting was planned in the usual format, first a separate - internal meeting of the Social Partner (SP) organisations, followed by a bilateral meeting of the SP and finally a tripartite meeting with representatives of the Bulgarian Government and / or of the public services related with Social Dialogue.

#### Employers and Trade Unions Joint Meeting

The joint meeting started at 12.00 o'clock local time

After a short introduction by the two experts a discussion around the implementation of the AFAs was initiated by the trade unions.

The trade unions suggested that with regards to the implementation of AFAs the SP should concentrate on three agreements: Active ageing, digitalisation and stress/harassment at workplace. They asked for a pragmatic approach such a draft proposal which was developed approx. six years ago as a basis for an agreement on work related stress and harassment at the workplace and also using ILO conventions for this. For the trade unions the very urgent need in the current Covid-19 crisis for using the agreement on digitalisation is more than obvious. To make the best use of the agreement external expertise and advice in the use of digital tools is needed.

For the employers there are several ways to implement the AFAs, the right one for each depending on the content and nature of it. For example "telework" was implemented by a national agreement between social partners and then on their initiative the Government turned it into law. For other AFAs, implementation through projects is being seen as a better tool to implement to agreements and to reach the workers and companies. The employers mentioned as a good example the common project of BIA and CITUB (BICA is associated partner), financed by the ESF, for implementation of the AFA on "Active Aging and Inter-Generational Approach", that started on October 2019 and has a duration of 26 months. They consider this project very important for Bulgaria, having in mind the average age of the

workforce in the country. The project was built entirely on the basis of the Framework agreement on active aging. It was envisaged to end with concluding a national bipartite agreement between Social partners, in order to achieve sustainability of the results. However, when assessing the project proposal the evaluation commission cut of the expenses for this activity, as BIA had already taken a commitment to implement the agreement, being a member of BusinessEurope.

BIA remembered that NSPs need external financing for a correct implementation of the AFAs, because that implies not only the existence of experts in the matters covered by them in the NSPs but also their capacity to reach all their members in order to promote the contents of the AFAs.

BIA and CITUB had also submitted, for financial support, a 2 year project for the implementation of the AFA on “Digitalisation”. Should the project be approved, social partners will start an information campaign among their members. However, if the project proposal is rejected, another approach will be considered. Employers have prepared an unofficial translation of the agreement.

The trade union representatives criticized the Government for getting support from European funds while being unwilling to support the work of the SP with this money. They see a right to get funding because they provide solutions. In particular in the field of digital education and qualification the SP can (and do already) develop curricula and teaching methods.

For the employers the sustainability of any funding but in particular by ESF is essential. The good cooperation between the SP in the framework of the ESF on the implementation-project was addressed too. Social partners are facing legal issues with the Commission, concerning state aid and also *de minimis* rules. It is very difficult to prove the activities they implement are not of economic nature and also that when talking about *capacity building*, a clear distinction should be made between social partners and other NGO's. However, when planning the new operational program, the managing authority accepted some of the proposals of the Social partners for including funds both for capacity building and joint actions (incl. for implementation of AFA). In terms of the financing of the SP capacity building the employers defend that:

- an appropriate amount of ESF resources should be allocated for that purpose, under a separate budget line, that should be available for application by the SP throughout the whole programming period of the ESF (2021-2027), according to their needs;
- another budget line should be created for the financing of smaller joint initiatives by the SP;
- the members of the EMP organizations, including the regional associations, should also have the possibility to apply for financing of capacity building ;
- the State Aid Rules, namely *de minimis rules*, should not be applied to the financing of the SP, having in consideration that they must perform non-profitable specific activities established by law.

#### Meeting with the Representative of the Government / Public Administration

The meeting started at 15.00 o'clock local time

After a short introduction by the two experts the trade unions opened the discussion with their view that they expect from the Governmental institutions to actively support the imple-

mentation of the AFAs. Most urgent in the view of the SP are the AFAs dealing with digitalisation/active ageing and work related stress and harassment at the workplace. What is needed is that the implementation is accompanied by a legislative process and a reliable and sustainable funding of establishing good practices of the agreements. For achieving of good practices the use of external advisers is essential. In addition, all efforts by Government are expected to be made to increase the representativeness and the building of capacities of the SP organisation. .

The employers reminded the Government representative on the good example of telework in 2008. But nowadays solid funding for joint SP projects for the new challenges in the field of e.g. the newly concluded AFAs is expected from the Government. They consider that the launch of joint projects by the SP, like the one now running on “Active Aging and an Inter-Generational Approach” is a good tool for the implementation of the AFAs.

Mrs. Efremova made clear that they are planning now for a long period of support, for the coming programme period. Some projects might be supported partly and some to the full extent. But it is important to clarify how the Government can help. What can that mean in very practical terms? Mr. Salchev of the Labour Ministry made the audience aware of the fact that the labour code is under discussion (social partners actively included in the process) and in the legislation process. Therefore changes can be introduced which will foster the progress in the SD.

Both, the speakers of the trade unions and employers made clear that the amount channelled in the past for Social Policies, not only for the SP but also for NGOs, is completely insufficient. A strong point was that SP must be treated differently from NGOs! They also defended that the State Aid Rules should not be applied to the financing of the SPs.

For the trade unions it is important to be able to work on the SD at any level, which means company, local and regional, sectoral and National level. Trade unions are asking for the setting up of dedicated working groups and that these working groups will be provided with clearly targeted funds.

Mrs. Efremova made clear that to make exemption to State aid is a very difficult task. The rules are pretty tight and in particular the rules of the European Commission are somewhat rigid. With regards to structural funds she confirmed that the new programmes are under discussion with the commission and she expects a fruitful and productive discussion.

## Participant list

### Country visit

**for discussion of the national implementation of the European Social dialogue autonomous instruments and the capacity building of the national social partners**

**12 November 2020, 09:00 – 15: 30**

**1000 Sofia, Bulgaria (via ZOOM)**

Nº	Organisation	Names	Position
EMPLOYERS			
1.	BusinessEurope, CEEP , SMEunited	António Alfaiate	Expert, appointed by BusinessEurope, CEEP , SMEunited
2.	Bulgarian Industrial Association – union of the Bulgarian business (BIA)	Mariya Mincheva	Vice-president, Industrial relations, representative in SDC
3.	Bulgarian Industrial Association – union of the Bulgarian business (BIA)	Silviya Todorova	Director on Economic and Financial Affairs, Permanent Delegate to BusinessEurope
4.	Bulgarian Industrial Association – union of the Bulgarian business (BIA)	Stanislav Popdonchev	Vice-president , Project and economic activities
5.	Bulgarian Industrial Association – union of the Bulgarian business (BIA)	Svetlana Doncheva	Head of Project management department
6.	Bulgarian Industrial Association – union of the Bulgarian business (BIA)	Jasmina Saraivanova	Expert, Industrial relations
7.	Bulgarian Industrial Capital Association (BICA)	Rossitsa Steliyanova	Director, Programmes and projects
8.	Made in Bulgaria	Hristiyan Hristov	Chief expert, coordination of branch organisations
TRADE UNIONS			
1.	ETUC	Peter Scherrer	Expert, appointed by ETUC
2.	Confederation of independent trade unions in Bulgaria (CITUB)	Chavdar Hristov	Vice-president of CITUB
3.	Confederation of independent trade unions in Bulgaria (CITUB)	Nikolay Nedev	National Secretary, Collective bargaining
4.	Confederation of independent trade unions in Bulgaria (CITUB)	Velichka Mikova	National Secretary, Legal protection
5.	Confederation of independent trade unions in Bulgaria (CITUB)	Asiya Goneva	National Secretary, Social protection
6.	Confederation of independent trade unions in Bulgaria (CITUB)	Yuliya Simeonova	National Secretary, Projects and training

7.	Confederation of labour Podkrepa	Neli Hristova	Confederative Secretary
8.	Confederation of labour Podkrepa	Veselin Mitov	International Secretary
GOVERNMENT			
1.	Ministry of labour and social affairs	Nenko Salchev by 30 <sup>th</sup> October	Social dialogue, Minsrty of Labour
2.	Ministry of labour and social affairs	Natalia Efremova	head of ESF authority

## Findings and recommendations

Our remarks and recommendations are based on the visits in the three Baltic states and the five "Zoom-meetings" we had. It is regrettable that a meeting with the Croatian SP and with the Government representatives did not materialize. Unfortunately the Government / public authorities representatives in the case of Slovakia and Hungary did not react or were unwilling to join the discussion. In Lithuania the Government representatives had to cancel their participation in the very last minute because it was the day (12 March 2020) before the Covid-19 pandemic measures were introduced.

Below we list remarks with regards to the state of affairs of the work on the Autonomous Agreements and the efforts to strengthening the Capacities of the SP und consequently the SD in the countries.

### A) On the Autonomous Framework Agreements (AFAs)

- In the majority of the nine countries the level of implementation of the AFAs is rather low. This is due to the fact that sometimes both SP but more often the EMP consider the AFAs implementation not as a priority, relative to other national issues;
- the lack of skilled human resources in the organisation emerges as an underlying factor adding to the difficulties of implementation;
- in some cases even the most important pre-condition for the implementation of the AFAs, an agreed translation of the AFAs native language does not exist;
- some of the representatives of the EMP are not always familiar with the content of the AFAs, which is further hampered by the lack of capacity to take part in the negotiation of the agreements;
- in comparison with the situation four years ago, it seems that, in general, the situation has not improved significantly;
- the Covid 19 pandemic is adding to problems of implementation/

### Recommendations:

The European umbrella organisations must understand the reasons for the lack of implementation of the AFAs and try to help the NSPs on that matter, namely by:

- promoting ways to finance the translation of the AFAs in the local languages;
- spreading best transferable practices;
- promoting a bigger involvement of the NSP during the process of negotiation of the AFAs at European level;
- maintaining a periodic monitoring of the implementation of the AFAs at European and National level;
- providing experts assistance by engage member organisations who have successful experiences with the respective implementation.



## B) On the NSP Organizations (EMP and TU)

- In some countries, political changes took place not so long ago, therefore a culture of SD has not yet developed. In particular the EMP organisations are relatively young, small, and lacking financial and technical capacity;
- in some countries there is a high fragmentation of EMP / TU organisations, creating problems of representativeness and making it more difficult to reach agreements;

### Recommendations:

- Promotion of a better coordination and cooperation between the NSP organisations
- capacity building with external financial support (see D).

## C) On the National Social Dialogue (NSD)

- In some countries the main problem for SD is the political behaviour of the Government. It does not recognise what role the SP should play either socially or economically, by e.g. not even listening to their opinion and not involving them in the European Semester. This creates enormous problems for the SPs, putting them in a “vicious circle”: creating a lack of awareness of their role in the country, leading to great difficulties in keeping their members and in attracting new ones, resulting in a lack of financial and human resources. The political behaviour of these Governments is an obstacle for a pluralistic participation in society;
- in the majority of the countries the SD is mainly tripartite, because there is no legal framework to promote bilateral SD.

### Recommendations:

- The European Union (Commission) must act more effectively towards the Governments that obstruct or that have an apathetic attitude towards SD, by creating conditions for the development of SD in those countries;
- the European Social Partners should help their members to get out of the above mentioned “vicious circle”, promoting their capacity building in the long term. Helping them to increase their awareness in the society, as well as, promoting the added value of bipartite SD through dissemination of best practices.

## D) Capacity Building of the SP

- For the vast majority of the EMP and TU organisations in the countries covered there is great need of capacity building, mainly for the reasons mentioned in the previous points;
- an appropriate amount of ESF resources should be allocated for capacity building of the SP, under a separate budget line, that should be available for application by the SP

throughout the whole programming period of the ESF (2021-2027), according to their needs;

- another budget line should be created for the financing of smaller joint initiatives by the SP;
- the State Aid Rules, namely de minimis rules, should not apply to the financing of the SP, keeping in mind that they must perform non-profitable specific activities established by law.