

SOCIAL DIALOGUE AND PROTESTS:
COMPARISON OF COLLECTIVE
BARGAINING IN EUROPE

**FINAL
COMPARATIVE
REPORT**



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Executive summary

In the historical era of “polycrisis”, the trade union movement is facing new challenges and threats as profound changes in the economy and international security have taken place. In this new context, trade unions are searching for ways to remain relevant organisations of workers’ interests and strengthen their role with innovative organisational and policy strategies. The project *ImproCollBar* (Improving Collective Bargaining in European Union. Comparison of different industrial relations regimes) and this Comparative Report present the situation in eight EU member-states with different industrial relations regimes. They show diverse landscapes of social dialogue and various mechanisms for improving collective bargaining. Based on a unique protest event dataset and interviews with a diverse set of organisations, the research team identified challenges and threats, opportunities and resources available for trade unions and suggested successful mechanisms for enhancing Trade union power and collective bargaining coverage and scope. By bridging concepts and tools from industrial relations literature and social movement studies, the Final Report offers a comprehensive comparative overview of the traditions, structures, and strategies of trade union movements in the European Union.

1. Research project rationale

The *ImproCollBar* project, promoted by the Confederation of Independent Trade Unions in Bulgaria (CITUB) started on 1 August, 2022 and was focused on expanding the expertise in the field of industrial relations in 7 EU member-states (Belgium, Bulgaria, Croatia, France, Greece, Italy, Romania, and guest report on Ireland) through comparative research of the factors and mechanisms that improve the scope and coverage of collective bargaining in different industrial relations regimes in the context of the Directive 2022/2041 on adequate minimum wages in the European Union¹ and the Covid-19 pandemic.

The analysis and research on collective bargaining at the EU level was done in comparative terms by cross-case analysis of 8 EU Members States from diverse European regions in the context of the EU initiative on adequate minimum wages for all workers, in light of the Commission proposal for a Directive on Minimum Wages in 2020 which was adopted on 19 October 2022 (DIRECTIVE (EU) 2022/2041). In addition, the project aimed to contribute to and promote the exchange of information, experience and knowledge among the main actors involved in industrial relations (social partner organisations) in order to develop and reinforce better industrial relations in Europe related, in particular, to the functioning and effects of the coordination of collective bargaining across different levels and territories.

The project included various research activities, collection of large-scale data of industrial regimes and workers’ protest events, case study reports and comparative analysis, carrying out of two European events - a Round table and a Final conference. The dissemination of the results was through publications of all the research

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32022L2041>

and analysis documents – 5 Country reports, a Comparative report and a Map of successful practices of collective bargaining and project sections on the websites of the beneficiary and associated organisations. The main target groups were workers, trade unions and employers' organisations at national and EU levels and national and EU policymakers.

The project outcomes contributed to the re-thinking of the strategies of the national trade unions related to improving collective bargaining in general.

This comparative report is part of the activities of the *ImproCollBar* project, and through it, many different national practices for the introduction and implementation of the *Directive on adequate minimum wages* in each of the partner countries of the project have been highlighted.

In light of providing better working and living conditions, including through adequate minimum wages, the European Parliament and the Council adopted Directive 2022/2041 on adequate minimum wages, which was built upon the Commission's proposal on a framework for minimum wages seeking to establish a framework to improve the adequacy of minimum wages and to increase the access of workers to minimum wage protection. The Directive aims at promoting collective bargaining on wages and improving the enforcement and monitoring of the minimum wage protection established in each country.

In member states with statutory minimum wages, the Directive also aims at putting in place the conditions for statutory minimum wages to be set at adequate levels: clear and stable criteria for minimum wage setting, indicative reference values to guide the assessment of adequacy, regular and timely updates of minimum wages, and the establishment of consultative bodies to advise the competent authorities limiting to a minimum the use of minimum wage variations and deductions, ensuring the effective involvement of social partners in statutory minimum wage setting and updating.

The Directive also introduces annual reporting by Member States on its minimum wage protection data to the Commission.

In this context, collective bargaining becomes vital for implementing minimum wage protection and adequate working and living conditions. However, at the EU level, collective bargaining coverage is currently challenged and in the long term has been declining. In addition to that, collective bargaining coverage varies substantially across EU Member States as the Central and Eastern European countries are characterised by low coverage compared to the Western European countries with moderate to higher coverage. Nonetheless, the paths and mechanisms through which collective bargaining coverage increases in percentage and expands in sectors differ across cases, provoked by the different industrial relations regimes, historical traditions and political-economic structures. In this sense, the *ImproCollBar* project aimed to address the gap in the expert and research understanding and knowledge of improving collective bargaining in diverse industrial relations regimes.

1.2 Introduction to the project: partner organisations and a methodological overview

The general goal of *ImproCollbar* was to expand the expertise in the field of industrial relations in EU-member states through comparative research of the factors and mechanisms that improve the scope and coverage of collective bargaining. The project consortium formulated and dedicated their efforts to the implementation of eight specific aims:

- To study the national context, existing political and economic conditions related to social dialogue and industrial relations, the challenges, threats and opportunities faced by trade unions in expanding their power and the scope and coverage of collective agreements;
- To study the impact of the legal and institutional framework for social dialogue and collective bargaining, including evaluation of the state's incentives for the development of collective bargaining;
- To study the capacity and power of trade unions to intervene in different sectors and at different levels through a diverse set of strategies and practices, including negotiations with social partners' organisations and state institutions, coalition building with civil society organisations and social movements, mobilisations of industrial actions such as strikes, demonstrations and symbolic actions;
- To make a comparative analysis of the trends and characteristics of industrial relations regimes in the partner countries;
- Within the context of the European Directive for Minimum Wages and the Covid-19 pandemic to exchange experience, strategies and practices in improving industrial relations and specifically collective bargaining;
- To map successful practices of collective bargaining and social dialogue in the partners' countries and the path through which favourable collective agreement was reached (through negotiations, coalition building, and/or industrial actions);
- To organise discussions and exchanges between experts, policymakers, workers' and employers' representatives on the role of collective bargaining;
- To contribute to the literature on industrial relations in the EU and to promote positive outcomes of collective bargaining and the role and impact the social dialogue can play in the process of industrial relations development in the partner countries and the other EU Member States.

The Co-beneficiaries in the project are:

- Confederation of the Independent Trade Unions in Bulgaria (CITUB)
- Katholieke Universiteit LEUVEN (HIVA-KU Leuven), Belgium

- University of Pisa, Italy
- Panteion University of Social and Political Sciences, Greece
- The National Trade Union Confederation CNSLR- FRATIA, Romania

Project associated partners are:

- Confederation of Christian Trade Unions, ACV/CSC, Belgium;
- Force Ouvrière, France,
- Organisation for Workers' Initiative and Democratisation (OWID), Croatia

Research stages

Stage 1 - **desk research** included the collection of data (e.g. historical overview of trade union traditions in each country, trade union density, coverage of collective agreements, the political-economic framework and the legislative framework for carrying out trade union activity - social dialogue, collective bargaining, the right to strike/protest, the right to free association, etc.).

Stage 2 - **quantitative research**. This part of the research consisted of the complete collection, coding and analysis of all national newswire articles related to trade union and worker protests/strikes that took place in the period of January.2021 - August.2022. These were collected from different sources at national level. Also, this part included the collection of industrial relations data, which was already included in the desk research, such as trends of union density and collective bargaining coverage at the national and sectoral levels.

Stage 3 - **qualitative research**. This research phase was based on the aim of understanding the interpretation of five different categories of actors: representatives of trade unions, employers, civil society/NGOs, political parties, and state administrations.

Stage 4 - **comparative analysis of the Country reports**, including the main conclusions and remarks and a mapping of the existing 'State of Play' in the five countries.

Based on these four stages of the research, five **Country reports**, this **Comparative Report** and a **Map of Successful Collective Bargaining Practices** were developed and disseminated. **One European Round Tables** was held to discuss the European dimensions of the research and to compare the data and 'good practice' examples and a **Final International Conference** was organised to present and discuss the overall outcomes of the project, to disseminate the key findings, to encourage a broader debate on how to improve collective bargaining in Europe.

Research framework: theory and methods

Ivaylo Dinev

In the historical era of “polycrisis”, shaped by the cascading effects of the many world crises, like the Covid-19 pandemic, stagflation, volatility in global food and energy markets, climate change and armed conflicts (Lawrence et al., 2024), the trade union movement is facing new challenges and threats as profound changes in society, economy and international security have taken place. In the last decade, major socio-economic trends, such as economic fragmentation, rising inequalities (Kostov, 2023), the new phenomenon of precarisation, informalisation and digitalisation of work, along with the increased presence of anti-union populist parties, have all contributed to a weakening of trade unions in most European Union Member States, resulting in unionisation rates reaching their lowest level since 1950 (Visser, 2019).

However, this discourse of a general decline of organised labour has been challenged by a number of research works (Visser, 2019; Vandaele, 2020; Triff et al., 2023; Voncken & Otjes, 2024), which suggest that in changing circumstances, trade unions find ways to remain relevant organisations of workers’ interests and to revitalise with innovative organisational and policy strategies (Frege et al., 2004; Trif et al., 2023). The project *ImproCollBar* and this comparative report present the situation in eight case studies from different industrial relations regimes to assess what factors and mechanisms contribute to collective bargaining coverage. More specifically, we look at trade unions as dynamic collective actors capable of strategic choices in responding to new challenges and changing contexts. However, these strategies are filtered by specific structural conditions and historical traditions, which have an impact on how trade unions mobilise, and interact with other actors, and what repertoires are used.

Our research is centred around three main questions, which guided the project and this comparative report:

- RQ1: What characterises the industrial relations regimes in the selected countries?
- RQ2: What explains the collective bargaining coverage and scope?
- RQ3: How can collective bargaining coverage be improved?

In this sense, the *ImproCollBar* project and the present comparative report look at *explaining* collective bargaining coverage, which is the dependent variable. Along with union density, collective bargaining coverage is the most widely-used indicator of trade unions power in power resource theories (Regalia & Regini, 2018). Collective bargaining coverage is related to the degree of influence in a given country that trade unions have within the social dialogue and the broader economic and political context.

The theoretical framework guiding our research is built on four main concepts: collective bargaining (CB); political-economic opportunity structure (PEOS), power resource model, and relational mechanisms.

Collective bargaining refers to “all negotiations which take place between an employer, a group of employers or one or more employers’ organisations, on the one hand, and one or more workers’ organisations, on the other” (ILO Convention No. 154). The result of collective bargaining is the signed collective agreement, whose terms aim to improve working conditions. Collective bargaining coverage is calculated as the number of employees covered by collective agreements, divided by the total number of wage and salary earners. In our comparative analysis, we examined countries with different variations of CB coverage: from lower levels of coverage to higher. In this respect, the comparative research design is built with the aim of explaining collective bargaining coverage in both within-case dynamic and cross-case differences in the outcome.

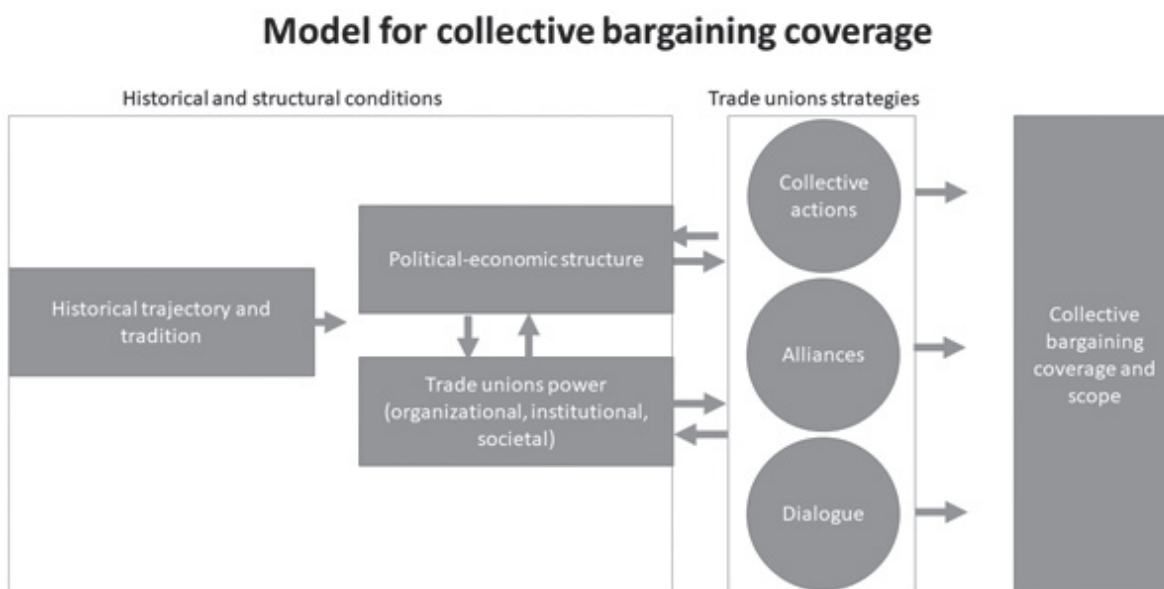
Regarding the structural and contextual factors that may influence the trade unions strategies in improving collective bargaining, we look at both social movement studies (SMS) and industrial relations research (IR). Some IR scholars tend to focus on the role of institutions in shaping labour movements and workers’ behaviour (Tapia et al., 2018). In their article, Baccaro, Hamann, and Turner (2003), show how grass-roots mobilisation and coalition building are the results of trade unions weak institutional position in the United States and the United Kingdom, while in context where trade unions have a stronger institutional position, as in Germany, Italy, and Spain, they rely mainly on the social partnership approach. As Tapia et al. (2018) noted, other scholars in the IR tradition have described how the political and economic environments, such as the rifts between the employers and the state, and rapid economic growth, were crucial structural changes, creating an opportunity for the labour movements to press their demands (ibid.).

In other cases, these two strands of literature use similar analytical tools to explain collective action, but they give different names to specific concepts or theories (Zajak et al., 2018). In social movement studies, political opportunity structure, resource mobilisation theory, economic threats, and relational mechanisms are among the key concepts in the study of social and labour movements. In industrial relations studies, the power resource approach is vital for the analysis of trade unions capacity, resources, and strategies. Following developments in both fields, the report focuses on several explanatory factors that we expect to shape the collective bargaining coverage and scope. Thus, placing collective bargaining as the dependent variable, we assume that a configuration of factors influences CB in the selected countries. Similarly to what a recent strand of the literature focusing on social movement unionism is trying to do (Pilati & Perra, 2022; Trongone, 2022; Moody, 1997), we bridge the traditional analysis in labour studies, the power resources approach, and the overarching concepts from social movement studies: the political-economic opportunity structure (PEOS) and the relational mechanisms. Figure 1 summarises the expected combination of factors and processes.

To start with, we expect the tradition of the industrial relations system and the labour movement’s historical path to impact on the place of trade unions in industrial relations, the relationship with political parties and social movements, and views on trade unions from the broader society. In some countries, trade unions historically have been part of large political movements, either on the social-democratic, socialist and communist blocks or leaning towards the conservatives and liberals. In

other cases, such as those in post-socialist Eastern Europe, trade unions have been strongly associated with the past regime. The building of the modern social dialogue system and industrial relations also differed across countries, in terms of time, when they evolved, and the role played by the trade unions.

Figure 1 Theoretical model for explaining collective bargaining



The project framework relies on the concept of industrial relations regimes (IRR) for case selection and cross-case comparison. *Industrial relations regimes* refer to the “interaction between employers, employees, and the government; and the institutions and associations through which such interactions are mediated” (Brown et al., 2018, cited in Furåker & Larsson, 2020: 8). The concept includes structural variables such as trade union density, employer membership, organisations’ power resources, the power balance between unions, employer organisations, institutions, levels of coordination or centralisation of bargaining, Social partners political influence and the role of the state (Furåker & Larsson 2020). The concept of industrial relations regimes allows us to systematically explore the various worlds of the European trade union movement and select specific cases for analysis.

Regarding the concept of *political-(economic) opportunity structure* (PEOS)¹, it helps to highlight the importance of specific structural conditions for people to mobilise and achieve their demands. In brief, the concept entails that structural aspects (state’s repression, rights for demonstrations and strikes, division within the elite etc.) may produce opportunities, challenges or threats for social movements and trade unions. In a study of the Czech Republic’s contention, Císař and Navrátil (2017) proposed “models” of capitalism as shaping the mobilisations of collective actions, organisations, tactics, frequency, repertoire, targets, and frames. According to the authors, varieties of capitalism produce varieties of protest formations (Císař & Navrátil, 2017).

¹ PEOS is a recent conceptual innovation in social movement studies that tries to connect the dominant approach – the political opportunity structure within SMS – with economic factors.

Although structural factors shape the context, actors in the field are not only recipients. In fact, the PEOS framework posits that structural dynamics become opportunities or challenges when the actors perceive them as such. For example, the rise of platform work endangers unions' presence in industries where platform work is concentrated (e.g., transportation), due to irregular contracts and the fluidity of the labour force. However, platform work can also be seen as an opportunity to apply new, innovative strategies. These may include initiatives for coalitions between informal workers' collectives and established unions, digitalisation of union activities, and the creation of web applications for union members.

Following the PEOS approach and developing it into a framework for comparative research of social dialogue and trade unions, helps in explaining collective bargaining variations. It allows us to focus on the dynamics of specific structural features and trade unions perceptions of these, such as the effects of globalisations and economic transformations, the political field, and the legal framework for social dialogue, trade unions organisations, and strikes.

Unlike the PEOS framework, the power resource model (Fichter et al., 2018) emphasises the significance of available resources and the strategic choices made by trade unions in mobilising these resources. While PEOS offers a dynamic perspective on emerging opportunities and threats, the power resource model focuses on stable, long-term factors that influence trade unions power. Following this approach, we analyse four types of resources available to trade unions: structural power (within the labour market), associational power (within the organisational landscape), institutional power (within institutions for social dialogue), and societal power (stemming from traditional ties to other social groups).

In this sense, bridging the two scholarships in one research design enables us to understand the specific political-economic opportunities and threats, and the available resources for trade unions to improve collective bargaining.

Relational mechanisms and trade union strategies

While the historical tradition and structural conditions shape the context in which trade unions operate, unions have the capacity to adapt their strategies based on openings of opportunity or available resources. Drawing from the literature, we can distinguish three broad strategies. First, dialogue with other social partners, which is investigated mainly in the industrial relations literature. Second, coalition-buildings and alliances with other social partners or social groups. This could evolve into what Sabrina Zajak (2017) terms cross-movement counter-mobilisation (CMCM), wherein social movements and trade unions cooperate in a joint campaign. Finally, trade unions may employ innovative strategies to mobilise their constituencies and engage citizens in collective actions. This topic is of interest to both social movements and labour studies traditions, as it relates to the concept of social movement unionism (Trongone, 2022). It focuses on trade unions attempts to revitalise and strengthen themselves by incorporating certain elements of social movement activities, which have, in some cases, resulted in attracting new members.

These three union strategies are filtered by the interpretations of the social dialogue and collective bargaining by the different social partners. In countries where political parties are perceived as non-reliable partners, trade unions avoid any collabo-

ration with them. The opposite may occur in cases where trade unions traditionally have strong ties to political movements and parties. Another possible collaboration is between unions and social movements. Recent scholarship on protest movements and economic protests suggests diverse patterns in Europe. Prompted by the austerity reforms at the beginning of the XXI century and triggered by the Great Recession, a new wave of economic contention evolved, which included both trade unions and social movements mobilisations (Della Porta, 2015; Andretta et al., 2016) in the forms of demonstrations and strikes (for Southern Europe, see: Portos, 2016; Carvalho, 2019; Andretta, 2018. For East-Central Europe, see Dinev, 2020; Dolenc et al., 2020). Economic contention on austerity reforms or issue-driven mobilisations on wages, working conditions and workers' rights, have often been part of a broader coalition between trade unions, social movements and civil society organisations (Della Porta, 2015). In other countries, specifically in Eastern Europe, mass protest mobilisations have not laid out the path towards coalition building in all cases, as the protest waves, led by informal protest groups and civil society organisations, focused on political claims, concerning levels of corruption and moral governments, while economic issues remained isolated from the broad political struggle.

Through extensive research, the ImproCollBar project explores the extent to which various patterns of coalition-building and alliances with social movements, political parties, or other social actors, as well as the mobilisation of industrial actions, are associated with collective bargaining coverage in selected countries. The project also investigates how unions employ different strategies to achieve their goals within the social dialogue system.

Case selection

Based on the previous literature, we choose our cases on two relevant systemic indicators, selecting (1) countries from regions with different historical and socio-political contexts that present (2) diverse industrial relations regimes. The chosen countries are identified as representing four different types of industrial relations regimes, according to a recent typology built by Furåker and Larsson (2020): the transitional/fragmented regime (Bulgaria, Croatia and Romania); the social partnership regime (Belgium), the polarised/state-centred regime (Italy, France and Greece), the liberal pluralist regime (Ireland). The four types differ along several dimensions, including union density, power of social partner organisations, bargaining style, the role of the state, and Social partners role in public policy.

In the empirical findings and comparative analysis, the focus is primarily on the core countries of the project: Belgium, Bulgaria, Greece, Italy, and Romania, where original qualitative and quantitative data have been collected and analysed. The associated partners Croatia, France, and the guest chapter on Ireland employed only the desk research method and provided a summary of the topics of collective bargaining and the labour movement.

Table 1 Case Selection and type of Industrial Relations Regimes

Cases	Type of IRR
Bulgaria, Romania and Croatia	Transitional/fragmented

Italy, France and Greece	Polarised/state-centred
Belgium	Social partnership
Ireland	Liberal pluralist

Note: adapted from Furåker and Larsson (2020).

Methods and data

The research project and the comparative analysis apply mixed-methods research design. Through the combination of qualitative and quantitative data, we aim to develop a more complete understanding of mechanisms and factors that affect collective bargaining. The core assumption of this research is that the integration of different sets of data and methods yields additional insights beyond the information provided by either the quantitative or qualitative data alone (Creswell & Creswell, 2018). By doing so, we aim to overcome the limits and biases of single-method research, which focuses either on the role of the structure or the agency. Through both types of data, we can observe the structural conditions, long-term patterns and trends, and the agents' motives, perceptions, and interpretations. Along with that, we aim to examine macro and meso-level dynamics, such as the structural context (historical, political-economic), collective actions and strategies, and the individual meaning actors give to their actions. As a form of mixed-methods research, we adhere to a design of convergence, also known as triangulation. This entails collecting both quantitative and qualitative data simultaneously. The results are presented in various sections within the empirical findings, with integration occurring during the interpretation of the data in the discussion part of the comparative analysis and each country report (for detailed country reports, see: Andretta & Imperatore, 2024; Kostov et al., 2024; Vangeel & Lenaerts, 2024; Korkontzelou & Kofti, 2024; Negoita & Panzaru, 2024). Table 2 outlines the rationale behind the mixed-methods research across different phases of the work.

Table 2 Information on methods

Phases	Methods	Research aim
Desk Research	Summary and synthesis of existing research	Explore historical and structural context
Quantitative data	Protest event analysis (PEA)	Explore labour collective actions, main organisations, alliances, repertoires, demands, outcomes
Qualitative data	Structured interviews	Views of social partners, mechanisms, strategies and tactics in collective bargaining
Practices	Mapping successful cases of collective bargaining	Mechanisms for improving collective bargaining

Desk Research

The desk research is based on the review of secondary qualitative and quantitative data and literature. It aims to offer an introduction to the historical context, an overview of the socio-economic, political and legal conditions for trade unions, social dialogue and collective bargaining, including the collection of statistical data for industrial relations regimes characteristics, such as distribution of union density, scope, frequency and measures of tripartite and bipartite collective agreements.

Protest Event Analysis (PEA)

After developing the contexts of the selected cases, we proceed to the quantitative phase of the research with an original protest event analysis dataset. This dataset illustrates the dynamics of labour unrest in the period following the COVID-19 pandemic. It encompasses various features, including the organisations involved, the nature of their claims, the targets of their actions, the repertoires of protest utilised, and the outcomes of collective actions. These actions may range from workers' strikes to demonstrations and symbolic gestures. Following the tradition of the social movement literature on protest event analysis (Andretta, 2018; Dinev, 2020), we define labour protest events as every collective action of workers, which expresses discontent and disagreement, staged by any kind of workers' organisation or group of workers, being them institutional trade unions federations/confederations, grassroots trade unions, or non-institutional, formally organised or informal workers' collectives.

In terms of data collection techniques, information is gathered from national press agencies via their search engines using specific terms. These terms include combinations such as "trade union/s" AND "protest" or "trade union protest", "worker/s" AND "protest" or "workers protest", and "strike". If the local language prefers "demonstration" to describe protest events, this term is used instead of "protest". Additionally, variations of these terms (such as "workers' protesters" or "protesting workers") are utilised as keywords to be located within the title or description of the news articles. The codebook of the protest events dataset has been organised into 31 variables. The main variables include the date of the event, number of protest participants, characteristics of the organisation, the claims made, the target, the reactions of the police, the forms of action, campaigns or single protest, and level of mobilisations.

This part of the analysis sheds light on the general dynamics and characteristics of the development of industrial relations in the five core countries. In addition, it helps in understanding trade unions strategies in the context of multiple crises, the chosen tactics, alliances and methods of collective actions. The period of PEA under examination starts in 2021, capturing the years immediately after the pandemic, and ends in August 2022, several months after the beginning of the war in Ukraine. In this sense, the dataset fills the gap in the understanding of the industrial relation regimes and trade union mobilisations in this recent period of socio-economic, healthcare, and security turbulence.

Structured interviews

Along with the collective actions of trade unions, we investigated with qualitative

techniques the information about the social dialogue system and views of various social partners in each country. The selection of respondents follows the maximum variation sampling technique described by Creswell and Poth (2018: 269-273) which entails theoretical sampling of participants based on their characteristics. Thus, we conducted structured interviews with representatives of 71 organisations from the five core countries: trade unions and confederations with and without collective agreement, employer organisations with and without collective agreements, and representatives from political parties, social movements, civil society organisations, and the state administration.

The role of structured interviews is to focus on actors' subjective understanding of collective bargaining, specifically, the way through which agreement is reached (through social dialogue, coalition building and/or collective action), how workers perceived the agreement, why they (don't) organised collective dispute or actions claiming better working conditions and salaries, improvement of human and workers' rights.

Mapping successful practices

Along with the previous data, we also analysed specific case studies of selected successful collective bargaining practices, which are published in a separate report: "Maps of Successful Collective Bargaining Practices" (Dinev et al., 2024). This work encompasses several elements, including the time frame, the organisations involved (both lead and partner organisations), the scope of the case (whether it pertains to the company level, sector/industry level, or national level), the specific issue or problem to be addressed, a description of how this was achieved, and an overview of the results and their impact.

The map consists of 26 of the most significant cases of collective agreements from the five core countries and Croatia. While the Map is published separately, its content provides additional information for the comparative analysis that enables us to explore the collective bargaining dynamics in the mentioned countries.

Literature review

Many studies of industrial relations and collective bargaining at the European or transnational level have been carried out in recent years. The Eurofound (2020) study *Industrial relations: Developments 2015-2019* offers a comparative analysis of the industrial relations system in EU-28, including the trends of the European Social dialogue and social dialogue at the national level. Special attention is paid to the challenges resulting from economic and employment crises, structural changes, and declining organisational density. The report reviews recent data from the 2019 European Company Survey, in particular on social dialogue and employee participation in companies. A more recent Eurofound (2022) report *Moving with the times: Emerging practices and provisions in collective bargaining* explores the development of collective bargaining in 10 EU Member States during the pandemic. The research is based on interviews with key stakeholders and negotiating parties at the national level and assesses the capacity of collective bargaining systems to adapt to structural changes in work, production and the labour market. In the mentioned studies by Eurofound, the multi-country trend towards decentralisation of collective bargaining has been identified. In most of the Nordic, Central and Western Europe-

an countries, decentralisation takes place in a more organised manner. However, in many Central and Eastern European countries, a drift towards a more decentralised and less tripartite or neo-corporatist pattern of industrial relations has taken place. The necessary next steps are mentioned, such as closing structural gaps, improving links between the European and national levels of industrial relations, investing in the capacity of social partners to contribute to the governance of the labour market, reinforcing workplace democracy etc.

In 2019 the European Commission initiated, together with the ILO, a project, named *Enhancing Social Partners and Social Dialogue's Roles and Capacity in the New World of Work* (Whitehead & Ghellab, 2020). This project presents comparative research on the industrial relations systems and social dialogue of most of the EU Member States as well as of countries from the Western Balkan and Turkey. The project was aimed at analysing and documenting how social partners are endeavouring to adapt to the new changes and what challenges have they been facing in this regard. The project also seeks to identify good practices of social dialogue, including collective bargaining, that are emerging in various countries, as well as the actions of public authorities, aimed at enhancing the role of social dialogue in tackling new challenges and opportunities in the new world of work, while at the same time supporting the autonomy of the social partners. The study offers examples of diverse initiatives undertaken by social partners to boost membership, particularly among groups that are traditionally challenging to organise. The decline of union density has been particularly marked among young, low-skilled workers, those on short-term contracts and migrants. The study also illustrates that national industrial relations systems (including the predominant level of collective bargaining, coordination and articulation between levels, the scope of agreements, and the respective role of the state/public authorities regulation of the labour market) affect the extent to which the collective bargaining regulates working conditions. The existence of an extension mechanism may have played a role in maintaining a high union density and high employer affiliation rates, like in Belgium. At the same time, the extension mechanism may lower Social partners willingness to engage in autonomous social dialogue at the local level and to sign collective agreements.

While the European Commission's project focused through the lenses of the new way of working and digitalisation, *ImproCollBar* aims to explore the transformation of industrial relations and collective bargaining through a broader perspective with the analysis of a diverse set of factors and mechanisms, including opportunities, challenges and threats from institutional, legal, political-economic context. In this sense, *ImproCollBar* contributes to the analytical knowledge and expertise of industrial relations by expanding the scope of the research and the variables that may have an impact on the collective bargaining coverage.

In the OECD (2019) report *Negotiating Our Way Up*, a comparative analysis of the systems of industrial relations, with a focus on the patterns and processes of collective bargaining, is provided. Special attention to the labour market trends and their impact on industrial relations and collective bargaining is paid. The report provides a detailed review of the key actors and functioning of collective bargaining institutions and workers' voice arrangements across OECD countries. It also analyses the role of collective bargaining systems for employment, job quality and labour mar-

ket inclusiveness. It notably steps into relatively uncharted territory, namely the relationship between collective bargaining, workers' voice and the non-monetary aspect of job quality, such as the quality of the working environment. Finally, the report discusses how collective bargaining can be adapted to address emerging challenges such as those related to automation, globalisation and ageing.

According to the OECD (2019) report, bargaining systems characterised by a high degree of wage coordination across bargaining units are associated with higher employment and lower unemployment for all workers, compared to fully decentralised systems. This is because coordination helps the social partners to account for the business-cycle situation and the macroeconomic effects of wage agreements on competitiveness. The study described that declining union density has been accompanied by a reduction of the share of workers covered by a collective agreement, which has shrunk to 32% in 2017 from 46% in 1985 on average in OECD countries. The decline was strongest in Central and Eastern European countries, with steep decreases also observed in the United Kingdom, and, more recently, in Greece. Coverage has been relatively stable in most continental European countries, except for Germany where it has decreased significantly since reunification in 1990. It also noted that collective bargaining coverage is high and stable only in countries where multi-employer agreements (i.e. at the sectoral or national level) are negotiated and where the share of firms that are members of an employer association is high, or where agreements are extended also to workers working in firms which are not members of a signatory employer association.

ImproCollBar builds on the OECD's report and further enriches it in the following ways. The OECD's report placed collective bargaining rather as an independent variable in their analysis to explain social inequality and how the relations between workers and employers can benefit both in the changing way of work. While this research design is contributing to the understanding of the importance of collective bargaining, in our research we supplement the expertise specifically on how to improve collective bargaining. Thus, placing collective bargaining as the dependent variable that we aim to explain.

From 2016 to 2018, a project called DECOBA, titled "Decentralisation of collective bargaining during the years of the crisis in Europe: Setups, trends, and prospects (VS/2016/0155)," was implemented by trade union research institutes, universities, and NGOs from Italy, France, Belgium, Spain, and Germany (see Leonardi & Pedersini, 2018). The project contains research on collective bargaining in Europe after the Great Recession (2008-2011), focusing on the period 2012-2017. According to the research findings, the factors that can influence horizontal coordination include the presence of an intersectoral bargaining level, the force and role of peak organisations on both sides of the industry; the practice of pattern bargaining; and legal provisions that enforce wage norms. Similarly, vertical coordination can be promoted by prerogatives and priorities established in both collective agreements (as in the opening-clause system in Germany) and legislation, which ensures that decentralised deals can only improve on conditions established at higher levels, as in the case of Belgium). Typically, legal provisions influencing the degree of horizontal coordination help to enhance it by implementing general standards in terms of wage developments or other working conditions. On the contrary, the effect on ver-

tical coordination critically depends on the content of the norms, which may support both organised and disorganised bargaining systems.

Our comparative analysis builds on this study of the ongoing shift from centrally coordinated multi-employer to decentralised collective bargaining in the selected EU Member States. The DECOBA's report, however, examined countries from Western and Southern Europe, whereas the situation in the Central-Eastern European Member States is not explored. Thus, the data collection of our project, which is based on choosing countries from different European regions with diverse historical trajectories and traditions of industrial relations, has advantages in the comparative approach. In this sense, the comparison of most different system designs in *ImproCollBar* gives us the possibility to understand how collective bargaining develops in very different settings.

Another large comparative study on collective bargaining is the ETUI report on *Collective bargaining in Europe – towards an endgame* (Müller et al., 2019). The study includes all the EU Member States and presents a comparative analysis of the collective bargaining trends in recent years. Country chapters analyse six dimensions of collective bargaining: the extent of bargaining, level of bargaining, depth of bargaining, security of bargaining, the scope of agreements and the degree of control of collective agreements. The argument that resonates throughout the publication is that collective bargaining systems are under pressure. In particular, advocates of the neoliberal policy agenda view collective bargaining and trade unions as 'rigidities' in the labour market that restrict economic growth and impair entrepreneurship. With the stated intention of achieving greater labour market flexibility, increasing rates of productivity growth and improving competitiveness neoliberal policymakers have attempted to limit the coverage and scope of collective bargaining. The outcomes of political pressure to pursue a neoliberal policy agenda vary across and within Member States. In Eastern Europe, for instance, industrial bargaining systems are experiencing fragmentation, although the extent varies among different Member States. This trend is particularly pronounced in countries under intervention from the Troika, where the coverage and scope of bargaining have been significantly restricted.

The *ImproCollBar* project builds on this Large-N analysis of collective bargaining too. However, in the ETUI study, authors explored the topic in very different timeframes: from 2000 to 2019, and mostly in the years preceding and during the Great Recession, while recent critical moments such as the pandemic and the following Ukraine crisis are missing in the analysis of how collective bargaining has changed and how it can be improved. Another point of difference is the explorative research framework in the country reports and the concluding analysis, where the emphasis is placed mainly on the analysis of the dependent variable (collective bargaining), while contextual, systemic and relational factors that challenge or improve collective bargaining were not examined in a robust way.

Research contribution

By reviewing the most relevant recent projects, reports and volumes on collective bargaining and industrial relations, we identified four research and practical contributions of this comparative report.

First, on a theoretical level, the report aims to shed light on the factors and mechanisms which lead to the improvement of the scope and coverage of collective bargaining by bridging scholarships of industrial relations studies and social movement studies. While industrial relations studies tend to focus on the institutional framework of social dialogue and collective bargaining, taking for granted the existence of trade unions and collective bargaining system, social movement studies can contribute to the explanation of the processes of workers' mobilisations, unions capacity in expanding workers' rights, mobilising workers, and improving collective bargaining. Trade unions apply a diverse set of strategies to reach their demands and these strategies, as well as their outcomes, vary across countries. Usually, collective bargaining coverage rates are explained only by legal and institutional frameworks. While industrial relations scholars often explore to what extent the negotiations of trade unions with governments and social partner organisations have an impact on collective bargaining coverage, this scholarship misses structural and relational factors that may explain the outcome. Recently, some scholars in industrial relations have drawn on social movements theories to explain the emergence and success of trade unions campaigns, but as Tapia, Elfström and Roca-Servat (2018) recently noted in a review of both strands of literature, currently these two scholarships tend to be divided. In this sense, concepts and techniques from social movement studies may fill gaps in the understanding of crucial factors and mechanisms improving industrial relations and trade unions capacity and strengths.

Second, on the quantitative data level, our findings increase the awareness of industrial relations and collective bargaining in the context of the COVID-19 pandemic and the beginning of the war against Ukraine. While some statistical data is available on the websites of the ILO, Eurofound and ETUI (i.e. main socio-economic characteristics, union density, public opinion on the world of work during Covid-19), important features of industrial relations regimes such as collective labour disputes and unformalised collective actions of workers (strikes, demonstrations, symbolic actions) are lacking data or need to be refined with robust measurement techniques, as in the case of union density, and collective agreements scope and range. ILO has a data explorer² consisting of strike activity worldwide, but for Bulgaria, Croatia and Romania no data are recorded, while for Greece, Italy, France and Belgium the latest observations are from 1998, 2009 and 2000 accordingly. Similarly, the dataset in ETUI³ on strike activity has no observations in the selected countries, except Belgium. Moreover, the unit of observation is the average days lost caused by industrial action, while more robust data can be generated through other techniques, including trade unions archives, news reports, and state institutions' archives on labour actions and disputes. At the same time, case studies and comparative research from social movement scholarship have shown average to a high levels of workers' strikes and workers' contention before and during the Great Recession in Bulgaria (Dinev, 2020), Croatia (Dolenec et al., 2020), Italy (Andretta, 2018) and Greece (Karyotis & Rüdig, 2018) relying on the analysis of news reports of protest events in the mentioned countries.

Similarly to the data on workers' mobilisations and industrial actions, available data

² See ILOSTAT, "Indicators and data tools", <https://ilostat.ilo.org/data/>

³ See ETUI, "Strike Map", <https://www.etui.org/strikes-map>

on union density rates and collective bargaining coverage has some caveats. For example, ILOSTAT has trends of these indicators only until 2016, while the data on the next period, which is the time frame of this project, are still missing. The second point is the quality of the provided data. ILOSTAT describes that the strike activities and days lost caused by industrial actions refer mainly to administrative records by state institutions, but these formalised strike activities may be misleading for the trends of contention and the patterns of workers' grievances. Also, the official numbers of collective actions exclude more in-depth, qualitative and descriptive analysis of the demands claimed by workers, their targets, repertoires of industrial actions, employers' and state reactions etc. This kind of information can be observed through other datasets, methods and techniques as mentioned above, the protest events analysis (PEA).

Third, on a qualitative data level, in addition to refining and updating the statistical data for industrial relations, this study contributes to the industrial relations literature with an examination of collective bargaining through a qualitative analysis with a specific focus on the interpretation and information given by actors involved in the social dialogue system on the mechanisms and factors improving collective bargaining. Through interviews with different actors involved in the collective bargaining process and the analysis of specific cases of successful practices of collective bargaining, this project supplements the understanding of industrial relations in the selected countries from macro- and meso-level perspectives. Whereas most industrial relations studies usually examine social dialogue through the interpretation of trade unions and employers, in our research we also conducted interviews with other actors, who are important for understanding the broad system of social dialogue, such as state administrations, social movements and civil society organisations, and political parties. In this way, we take the social dialogue and industrial relations system as a part of a more complex and dynamic system of multiple actors and interventions.

Fourth, in terms of the European and transnational dimensions of the research report, by comparing most different system designs, the findings could be used for understanding other cases from the European Union. The report provides research and analysis on the common trends of industrial relations and collective bargaining, which are important for many of the EU Member States (e.g. the decline of trade union membership and density; de-regulation; decentralisation, a trans-national extension of the industrial relations etc.) and their particular patterns in the selected Member States, which are covered by the project activities.

Findings

The overviews below summarise the main findings from eight cases. They include the project beneficiaries' countries (Belgium, Bulgaria, Greece, Italy and Romania), additional Desk Research Reports from the associated partners (France and Croatia) and a Guest Chapter on Ireland.

Belgium

Noah Vangeel, Karolien Lenaerts & Sem Vandekerckhove

1. Collective bargaining in Belgium

Compared to the other EU Member States, in Belgium social dialogue remains robust, with high levels of union density at around 50% (OECD & AIAS, 2021). This strength is attributed to several factors, including a well-developed institutional framework that supports union membership. Key elements such as union-only representative structures, a quasi-Ghent system (Vandaele, 2023a), relatively low union dues, and extensive services provided by unions contribute to maintaining high levels of membership.

The extension mechanism of collective labour agreements (CLAs) and its widespread use has bolstered collective bargaining coverage to 96%, a figure that has remained stable for over four decades (OECD & AIAS, 2021). By extending CLAs to encompass all companies within a given sector or the entirety of the private sector, these mechanisms foster a level playing field. This guarantees that all employers are held to the same standards and obligations outlined in the agreements, thereby promoting fairness and consistency throughout the labour market. The high collective bargaining coverage in Belgium can be primarily attributed to the National Labour Council (NLC), which has signed over 170 CLAs, most of which have been extended to all private sector employees. Additionally, approximately 75% of employees are covered by joint committees, further contributing to extensive coverage of collective agreements. It is worth noting that a significant portion of employees not covered by joint committees are civil servants, who operate under a separate system of collective bargaining (RSZ, 2023).

2. Power resources of Belgian trade unions

In what follows, an overview of Belgian organised labour through the lens of power resources theory is provided.

2.1. Structural power

Structural power can be distinguished into two types of power: workplace bargaining power and marketplace bargaining power (Schmalz et al., 2018).

In Belgium, the presence of central strike funds within trade unions and the use of strike benefits (Vandaele, 2023a), along with the active engagement of unions in strikes and the subsequent high occurrence of strikes in Belgium, means that workplace bargaining power is high in the country. This is further supported by the high percentage of spontaneous strikes observed in Belgium.

Conversely, in the labour market, employees and job-seekers currently possess a relatively high degree of bargaining power. This is primarily due to structural labour market shortages, characterised by high vacancy rates, an unemployment rate of 5.6%, and an inactivity rate of 22.4% (Hoge Raad voor de Werkgelegenheid, 2023). Particularly in Flanders, companies have faced challenges in recruiting employees since the COVID-19 crisis. VBO, Belgium's largest employers' organisation, highlights that employers face staff shortages at all skill levels, with particularly acute shortages observed in technical occupations and engineering occupations, as well as in customer service-oriented positions (Coenegrachts, 2023). These recruitment difficulties can be attributed to several factors, including the aging workforce, the demand for specific skill sets, and demanding working and employment conditions such as physically strenuous tasks, weekend and evening shifts, and the prevalence of part-time and temporary contracts. These factors collectively contribute to certain job opportunities being perceived as unattractive by potential candidates (VDAB, 2024).

2.2. Organisational power

Belgium's trade unions have well-established structures, organised into national confederations which coordinate activities among their affiliated unions and provide support for collective bargaining and representation. They have a combined membership exceeding 3 million members and a union density of approximately 50%. As this substantial membership base is concentrated within the three confederations, organisational power is very concentrated.

Moreover, unions often have dedicated staff to enhance their organisational capacity and effectiveness in advocating for workers' interests. For example, ACV/CSC employs around 3,000 individuals, ACLVB/CGSLB 600. Additionally, ACV/CSC relies on approximately 60,000 volunteers, who serve as the union's primary point of contact for employees seeking assistance or guidance with workplace-related issues.⁴ Belgium's trade unions thus are large organisations, which gives them certain economies of scale and allows them to leverage resources in their processes. A clear illustration of those organisational resources and adaptability is seen in initiatives like United Freelancers and Interim United, both spearheaded by ACV/CSC. These initiatives aim to address the specific needs and challenges faced by workers in emerging job positions, respectively freelancers and interim workers.

⁴ The number of employees for ABVV/FGTB was not readily found, nor were the number of volunteers for ABVV/FGTB and ACLVB/CGSLB.

2.3. Institutional power

The institutional power of Belgian trade unions is significant, owing to the country's strong tradition of social partnership, corporatist arrangements and the institutionalisation of social dialogue. The institutional multi-level system for social dialogue and collective bargaining is very well developed in Belgium. Belgian unions have extensive collective bargaining rights, allowing them to negotiate wages, working conditions, and other employment-related issues on behalf of their members. Collective agreements reached through bargaining cover a wide range of sectors and are legally binding (i.e., they are a formal part of collective labour law), providing unions with a mechanism to secure and enforce workers' rights. The structure and its CLAs are hierarchical, following the favourability principle, meaning that lower level CLA can only improve working conditions from the point of view of employees. All bodies at all levels are composed of an equal number of employer and employee representatives. The most important level is the sectoral level, where around 170 joint committees exist to bargain within specific sectors.

2.4. Societal power

Belgium's trade unions actively engage in supporting a diverse array of activities and organisations within civil society. They participate in various events such as including women's rights marches (ABVV, 2024a), protests for ceasefire in Palestine (ABVV, 2024b; Michiels & Belga, 2023), campaigns against the far right (8meicoalitie.be ; Redactie De Morgen, 2023), climate activism (Huyghebaert & Belga, 2023), against stricter rules for protests (Houtman, 2021) and advocacy against cuts to public transportation (Arnhoudt, 2024; Belga, 2015). All three unions are members of De Klimaatcoalitie, an organisation focused on garnering social and political backing for climate crisis mitigation measures (<https://klimaatcoalitie.be/nl/home/>), and all three support the citizen movement Hart boven Hard, which advocates for an inclusive and sustainable society (<https://hartbovenhard.be/>). While ACV/CSC and ABVV/FGTB demonstrate extensive support for civil society organisations, ACLVB/CGSLB's involvement is comparatively less due to its smaller size and fewer resources. Additionally, there is an ideological dimension to this discrepancy, with the liberal union primarily prioritising workplace-related matters.

As a member of Beweging.net and the Mouvement Ouvrier Chrétien, ACV/CSC maintains close and structural ties with various organisations within the Christian pillar of Belgian society, including mutualities and women's movements. ABVV/FGTB, on the other hand, has strong connections with the socialist mutuality and the Flemish socialist party Vooruit through the Socialistische Gemeenschappelijke Actie, the consultation committee of the Flemish socialist pillar. Similarly, in Wallonia, ABVV/FGTB is associated with l'Action Commune, which encompasses the socialist mutuality and the Walloon socialist party PS. In contrast, ACLVB/CGSLB lacks structural connections to its political counterparts (Open VLD in Flanders and MR in Wallonia) but collaborates closely with the liberal mutuality.

Belgian unions have close ties with civil society and support a wide variety of actions outside of their "core" business at the workplace. The historical ties with political parties are under pressure however, partly because the so-called traditional par-

ties are losing their electoral basis (De Vadder, 2020; Luypaert, 2019; Vermeersch, 2012). Beweging.net no longer exclusively works together with the Flemish Christian party CD&V (Van Esch & Belga, 2021), there is pressure on the ties between PS and ABVV/FGTB (Di Prima, 2023), and Vooruit, the Flemish Socialist Party, has removed ABVV/FGTB and the socialist mutuality from its party leadership (Belga, 2022).

3. Trade union protest actions in the recent period

3.1. Trends of protest events

After the COVID-19 crisis, when large scale gatherings were impossible due to governmental restrictions, Belgian trade unions resumed their collective actions. 2022 eventually had more than double the number of strike days per thousand employees than 2021, further illustrating the return of collective actions (Vandaele, 2023b). The events analysed follow a similar trend, with fewer events in early 2021 due to the pandemic, followed by a surge in September 2021, and peaks in December 2021, March 2022, and June 2022. Nearly all events involve trade unions, indicating their deep integration with workers' movements in Belgium. Specific quartiles are influenced by national days of action organised by unions, such as in March 2021 and June 2022, which drew significant participation and centred around themes like rising prices and the Wage Law.

3.2. Leading organisations, target, theme, forms of actions, coalitions

The close association between trade unions and workers' actions in Belgium is very clear from the data, with unions and their confederations being the most frequently involved actors in protest events. Strikes are the most common form of protest action, often announced in advance and subject to specific procedures depending on the joint committee involved. Despite this, spontaneous strikes still rank third among the most utilized forms of action, highlighting their significance. Demonstrations rank second, indicating their widespread use in national-level campaigns.

The prevalence of strikes as the primary form of action may be partly attributed by the search strategy using the term "strike" and the interconnectedness of unions with the broader workers' movement. Furthermore, most protest events analysed were workplace conflicts, where strikes seem to be the most obvious action method.

Protest events predominantly revolve around themes related to working conditions and rights, which make up 83.1% of the analysed events. Within this category, demands often focus on working conditions, workload, pay, salaries, unemployment, and planned dismissals. This underscores the importance of workplace-related issues in driving protest activity in Belgium.

The data also reveals the notable absence of participation from other civil society organisations during workers' actions. While trade unions frequently collaborate with various organisations, as discussed in paragraph 2.4, there is an apparent lack of visibility or activity from these other civil society actors during workers' protests.

3.3. Main protest campaigns

The main trade unions campaign, spanning from 2017 and analysed within the time-frame of January 2021 to July 2022, primarily revolves around the stricter Wage Law of 2017 from the Michel government. This legislation, which sets a binding upper limit for potential wage increases negotiated between social partners, has been a contentious issue. While employers' organisations argue for its necessity to address historical wage gaps with neighbouring countries, trade unions vehemently oppose it, arguing that the law infringes on the Social partners freedom to negotiate. Collective actions against the Wage Law extend beyond mere opposition to the law itself, consistently addressing broader concerns such as the rising cost of living, increasing energy prices, and various factors contributing to diminishing purchasing power. Therefore, this ongoing campaign against the Wage Law should be understood not only as a challenge to the legislation but also as a response to the broader economic issues of rising prices in the inflationary context of the end of 2021, beginning of 2022.

During the pandemic, large-scale actions were temporarily halted, but protests resumed as restrictions eased. The first significant protest against the Wage Law occurred in Brussels on December 6, 2021, with ACV/CSC and ABVV/FGTB organising a manifestation attended by 6000 protestors. Similar actions followed, including a local mobilisation in Liège in late March and preparatory events in April and June for a national day of action in June 2022 with around 70,000 participants, including, notably, representatives of political majority parties. However, despite ongoing mobilisation, the law remains unchanged with any reform unlikely before the next election cycle. Nonetheless, protests and other forms of action against the Wage Law are continuing, indicating the persistence of the issue within the public discourse and labour movements.

Another high-level campaign within the scope of the ImproCollBar project was a campaign by the French-speaking teachers' unions. These five unions launched a campaign in early 2022 advocating for increased respect, addressing administrative burdens, and improving working conditions. Despite risking their health during the COVID-19 pandemic, they felt unrecognised by the government, leading to a significant strike in Brussels on February 10, 2022, with over 5,000 teachers participating. The strike highlighted issues such as teacher shortages, large class sizes, and lack of investment in the sector. Further gatherings in Mons and Liège emphasised these concerns, targeting the government of the French-speaking Community. In response, a working group was formed for dialogue with the unions, which temporarily eased tensions, but financial constraints limited immediate policy changes. Additionally, the pace of the governments' education reform was slowed to allow for more collaboration between the government and unions.

3.4. The success of collective actions

While the unions' main campaign on the Wage Law has proved to be unsuccessful until now, company level actions often result in resolutions of the social conflict at hand (for example: blg, 2021; Huysentruyt, 2021; Radio 2 & Belga, 2022; Schabregs & Belga, 2021; Smitz, 2021).

4. Qualitative findings

4.1. Main problems and challenges in collective bargaining

Within the structure and culture of Belgian social dialogue exist some challenges which have to do with either part of it.

Most visible, and known, is the structure of social dialogue. The tiered system of dialogue, the different ways of (restricting) participating, how union delegates are protected etc. The landscape of joint committees is a diverse landscape with significant differences in size and membership. Some committees are very small, representing disappearing industries, while others encompass a wide range of workers from various sectors. This diversity poses two main problems: first, small committees may not be effectively serving their purpose and this thus raises the question of letting them 'die out' or rather be disbanded or merged. Second, larger committees, termed 'complementary', include a mix of workers from different sectors, making it difficult to address sector-specific issues during negotiations. This results in negotiations often reflecting broader national discussions. The need for modernising the committee structure is highlighted, particularly as growing sectors like ICT and business consultancy fall under such large and unfocused committees.

Much less easy to describe is the culture of collective bargaining in Belgium. Herein, all interviewees consulted for this study mentioned the growing polarisation as a key challenge, finding it harder to come to an agreement with the "other" side. Both the trade unions and the employer organisations see a cultural change between the older negotiators in the joint committees and the younger, newer ones who are often more militant. Furthermore, the employer organisations see the electoral success of the radical left party PVDA/PTB as the reason for this change. In the culture of collective bargaining also lies the neocorporatist relationship between the social partners and the government/politics. The electoral success of political parties who outright oppose this idea (NVA) or have mixed opinions on trade unions (Vlaams Belang), can put the social partners even more under pressure. Still, even after the Michel I government, institutions such as the Ghent system still exist, and if the social partners can find an agreement, politicians will still listen.

4.2. The motives of social partners to participate in collective bargaining

Both trade unions and employer organisations actively engage in collective bargaining, recognising it as a crucial means to mitigate social unrest and conflict. Employer organisations particularly value the social peace clauses embedded within CLAs and strive for a level playing field within their sector. Additionally, the substantial union density observed in specific sectors serves as a motivating factor for participation in sectoral negotiations, as noted by an interviewee. Furthermore, government issued legislation often incorporates explicit demands for further development within various social dialogue bodies.

4.3. Views on collective bargaining by other actors

As explained under the analysis of societal power, Belgium's trade unions actively

support diverse civil society activities and organisations, engaging in events such as women's rights marches, protests for ceasefire in Palestine, campaigns against the far right, climate activism, and advocacy against stricter protest rules and cuts to public transportation. All three major unions are members of different civil society organisations like De Klimaatcoalitie and Hart boven Hard. Social movements thus view the unions positively, although the unions more often support civil society actions than vice versa.

Furthermore, the unions maintain close ties with various organisations within their respective ideological pillars. Political parties from their own 'colour' can be regarded as favouring unions and social dialogue, although the extent to which differs.

The relationship between unions and political parties has faced challenges in recent years, with shifts in traditional party affiliations and pressure on established ties between unions and political entities. Despite these challenges, Belgian unions continue to actively engage in civil society, reflecting evolving societal dynamics and changing political landscapes.

4.4. How collective agreements are reached

While Belgium is a very strike active country, all interviewed trade unionists were still adamant that most of their time is spent negotiating and reaching agreements rather than actually doing collective actions. Both statements can be reconciled in the remarkable number of CLAs which are filed every year with the Federal Public Service Employment, Labour and Social Dialogue. Although most of these CLAs are actually extensions of already existing CLAs, still every year more than 15.000 CLAs are/ signed of which between 11.000 and 14.000 are company level CLAs (Van Gyes, 2022).

In the conclusion of a collective labour agreement, both trade unions and employer organisations adhere to a system of stepwise democracy. Representatives from each constituency play a central role in defining the starting point before negotiations commence within the joint committee. The three trade unions consolidate their demands into a unified set, as do the different employer organisations if there is more than one in a specific joint committee. Throughout negotiations, negotiators provide regular updates to their respective constituencies, allowing for adjustments as needed. Prior to finalising the CLA, both unions and employer organisations conduct a vote on the proposed text. Only after this vote is the CLA formalised.

At the company level, negotiations occur between union delegates and employer representatives. Any agreement reached must be endorsed by a union representative before attaining the status of a CLA.

5. Summary

5.1. The negative and positive factors for collective bargaining

Successful collective bargaining relies on strong social partners on both sides of the table, and the Belgian system fosters this effectively, leading to high union and employer organisation densities. Union membership dues are relatively low compared to other European countries, and partial reimbursements further reduce costs for many workers, making union membership accessible. The partial Ghent system also increases union membership by providing benefits and services beyond unemployment benefits, including but not limited to legal advice, representation, training opportunities, and career guidance. Collective bargaining at the workplace is made mandatory through legislation. Once one of the three unions requests an employer to do so, it has to allow the formation of a trade union delegation. The labour council and the committee for prevention and protection at work are mandatory at the workplace once an employer employs at least 100 or 50 employees, respectively. The restrictive participation in collective bargaining at the workplace makes yellow unions impossible and further cements the role of the three representative trade unions in collective bargaining.

Employer organisations in Belgium are also well-developed, comprising sectoral organisations and national confederations. They negotiate with trade unions in the national labour council and the joint committees and provide their members services such as lobbying, information distribution, training, networking, and administrative support to their members. New sectoral employer organisations can join national confederations, benefiting from their support in developing their own activities and representing their interests at the national level.

The strong membership base of both employer organisations and trade unions enables them to engage in collective bargaining from positions of strength. Sectoral bargaining is encouraged by the legislative framework in Belgium. CLAs follow a hierarchical structure, allowing multiple CLAs to apply to the same worker, and lower-level CLAs can only improve the worker's position relative to higher level CLAs. The state organises joint committees along sectoral lines, bringing together social partners and facilitating collective bargaining by taking away any potential hindrances. Additionally, the extension mechanism ensures a level playing field by applying agreements reached in joint committees to all employers in the sector, thereby strengthening the position of employer organisations as individual companies cannot join joint committees.

5.2. The successful mechanisms for improving collective bargaining

Strengthening collective bargaining in Belgium is mostly a case of improving the dialogue and relations between the actors involved. Reaching interprofessional agreements is becoming increasingly difficult. Trade unions are as militant against the Wage Law as they were before, even seven years after its tightening by the Michel Government. In response, employers' organisations put into question the wage indexation mechanisms. The openness of the current government towards the social partners has increased in comparison with the former, but new elections in 2024

might bring again a more economic right-wing government.

While both the national labour council and the joint committees are still negotiating and still finding agreements, certainly within the Group of 10, the most visible negotiation body, both sides are frustrated with the current climate. This was clearly articulated by its former president Bart De Smet in his farewell interview:

People sometimes talk about the Belgian compromise, but even that is still only succeeding with difficulty. We no longer allow ourselves the time, discretion and serenity to reach an agreement. (Haeck & Dheedene, 2023, para. 9)

In the current tense context of interprofessional relations, it's important to note that it does not accurately reflect the willingness of social partners to negotiate and find agreements. This sentiment is echoed by the interviewees and the social partners in the media, emphasizing their preference to reach agreements independently. They express concern that if agreements are not reached, the government will intervene, potentially leading to outcomes that are less favourable to all parties involved. That willingness was clearly brought forward by the new Group of 10 president René Branders in his first interview in his new role:

Unions and employers need each other. Ultimately, an economy cannot exist without companies and companies cannot exist without the people who work in them. Our differences must be bridgeable. [...] I already know some at the table well and some a little less. The ones I already spoke to I find extremely intelligent. But everyone is under stress. We need to be able to calm that down so we can leave the emotion of the day behind a bit and look at the longer term. It will take dialogue in serenity, as well as trust and confidentiality. (Haeck, 2023)

Finding a way out of the context of polarisation is not a simple task, and while policymakers and academics worldwide are actively searching for one, there is no single "silver bullet" solution. However, the mere existence of a willingness to bridge differences and come together again is a positive starting point. This willingness to engage in dialogue and cooperation lays the groundwork for potential progress towards resolving polarisation and fostering greater understanding and collective bargaining.

Bulgaria

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1. Collective bargaining in Bulgaria

After the collapse of the socialist regime in Bulgaria at the end of 1989, a process of transformation of industrial relations began. Trade unions began to negotiate not only with employers in state-owned enterprises, but also to re-establish old structures or form new ones in the private sector, especially in the process of privatization. Thus, in the early 1990s, trade unions made efforts to re-establish collective bargaining at different levels and in enterprises and sectors with different forms of ownership. Between 1990 and 1998, the scope of collective bargaining was in the range of 60-70% of the workforce, given the existence of sectoral collective agreements for most economic activities. Since 2000, there has been a decline in the number of workers and enterprises covered by collective labour agreements (CLAs). This is a major problem that is increasing together with the erosion of sectoral/branch collective bargaining. These developments are highly visible in industry (there is no sectoral bargaining in chemicals and pharmaceuticals since 2004, and later in most sectors of the food industry as well, where bargaining has also been absent for the last 10 years).

Trade union density is low in a number of sectors where there are sectoral/branch CLAs, and in a number of enterprises there are no unions demanding compliance with sectoral agreements (e.g. construction, agriculture, paper, trade, tourism). After the 2008-2009 crisis the number of covered workers fell to less than 30% of the workforce. Since then, this trend has been maintained and according to the latest NSI data, about 28% of employees are covered by a collective agreement. In 2020-2021 there are 23 registered sectoral CLAs (sector and branch). The number of CLAs in force in enterprises is 1522 for 2021 and 1424 for 2022 (NIPA data).

Due to the limited number of sectoral collective labour agreements and the failure to use the extension mechanism, collective wage bargaining has critically low coverage rates - 23.6% at the sectoral level and 15.6% at the company level. Hope for an upswing in bargaining and achieving higher coverage of employees with CLAs comes from the adopted Directive on Adequate Minimum Wages in the European Union.

2. Power resources of Bulgarian trade unions

2.1. Structural power

The two main trade union confederations try to be equally distant from all political parties and movements and to partner with them when necessary to represent workers' interests. Both confederations have prohibitions in their statutes against persons in union leadership positions holding positions in the leadership of political parties or movements, and from being MPs, ministers, mayors, etc.

Over the past period of more than 33 years, trade unions have participated in, or at least provided ideas and proposals on wide range of social and economic policies directly related to workers' interests. In general, trade unions have tried to push their policies through the Parliament, the executive and local governments, engaging in various formats of meetings with representatives of the state for this purpose. At regional and municipal level, unions also use forms of social dialogue with local government representatives, as well as the possibility of electing municipal councillors, either independently or as participants in the civic quotas of party lists, to influence the policies of local government bodies.

2.2. Organisational strength

At the beginning of the 1990s, union density was still quite high (over 80% of employees), after which it started to decline and stabilized at 15% after 2020. Thanks to the policies implemented to attract and retain members, the decline in membership has been stopped. In terms of the concentration of trade union membership, according to CITUB data it can be concluded that it is dominated by the public sector at the expense of industry and services.

The motivation for trade union membership are mainly the achievements of trade unions in legislation by initiating the enactment of laws, amendments and additions to them aimed at protecting the rights and interests of workers.

Annual industrial action, information campaigns, forums and collective meetings at all levels are also effective tools to motivate union membership. In addition to their efforts to maintain their membership, trade unions are constantly struggling to attract new members and to promote their activities among broad sections of the population through campaigns in various fields (e.g. education, information and consultation, safe working conditions). Other examples of increasing motivation for trade union membership are, for example, financial support for trade union members (through mutual funds); the organisation of charity campaigns and workers' sports competitions. Trade unions also provide legal advice for union members; advice and training to improve working conditions; open receptions for citizens, etc.

2.3. Institutional power

In order for trade unions to be recognized, certain criteria set out in the law (Article 34, items 1 to 4 of the Labour Code) must be met. The Constitution of Bulgaria regulates the right of association of employees and respectively of employers. They may form organisations to express, defend and protect their common interests. The constitutional right of association is mainly regulated in the Labour Code (LC). Several separate chapters of the LC regulate the specific rights and role of these associations. The rights of trade unions are enshrined in the Labour Code, the most important being: 1) Participation in the preparation of the internal acts of the enterprise (Art. 37 LC); 2) Participation in the discussion of labour and social security matters (Art. 42 LC); 3) Representation before the courts (Art. 45 LC). In addition to these general rights, trade unions have rights when participating in collective bargaining and concluding CLAs.

Tripartite cooperation is recognized and enshrined in Bulgaria's legal framework.

The Labour Code (Art. 3) requires the state to regulate labour and directly related employment relations, social security relations, as well as living standards issues in cooperation and consultation with the representative organisations of employees and employers. Accordingly, in order for the process to be effective, agreements may be concluded between the employee and employer representative organisations for the adoption of regulations on the issues dealt with by the partners.

The National Council for Tripartite Cooperation (NCTC) is a body for consultation and cooperation at national level on labour and directly related labour relations, social security relations and living standards issues. Trade unions are represented in various working groups and committees with the NCTC and with the various ministries.

The tripartite cooperation is also regulated in a number of special laws - Social Security Code, Employment Promotion Act, Occupational Health and Safety Act, Health Insurance Act, etc. The bodies of tripartite cooperation are: the National Council for Tripartite Cooperation, industrial, branch, regional and municipal councils for tripartite cooperation. The adopted Law on the Economic and Social Council complements the social dialogue through dialogue with civil society.

Settlement of collective labour disputes is regulated in the Collective Labour Disputes Settlement Act (CLDSA). According to the means used for settlement, they are of two types - means of voluntary settlement of collective labour disputes (through direct negotiations between the parties, mediation, voluntary labour arbitration) and means of settlement through force and pressure (strike or various forms of protest). Strike is a right of the workers, regulated in Article 50 of the Constitution. Strike action is an instrument of trade unions to protect workers' rights and interests. It is a priority for CITUB to affirm and guarantee the constitutional right to strike (Article 50 of the Constitution). In this regard, the program of CITUB for the 2022-2027 term of office includes targeted action to repeal the current Collective Labour Dispute Settlement Act and adopt a new Act on the Exercise of the Constitutional Right to Strike (in line with Article 50 of the Constitution and international standards). In addition to targeted national action, the trade union movement in Bulgaria relies on international support to defend the right to strike, but also supports in solidarity the efforts of other trade unions to enforce this right. At the local and sectoral level, strike action is periodically called for, due to the non-implementation of certain agreements in the CLAs or the implementation of regulations.

The activities of the Bulgarian trade union movement are also being transferred to the international level, and in addition to membership in trade union structures such as the European Trade Union Confederation (ETUC) and the International Trade Union Confederation (ITUC), trade unions have also successfully participated in the European Economic and Social Committee (EESC) since 2007. Trade union representatives sit on the governing or supervisory bodies of several European Union agencies, but also on the Governing Body of the International Labour Organisation.

2.4. Societal power

The two trade union confederations in Bulgaria are equally distant from the political parties and movements in the country. Their statutes prohibit persons in leadership

positions in trade union structures from holding positions in the leadership of political parties or movements, as well as from being MPs, ministers, mayors and other political figures. Trade unions promote their policies and ideas on social and economic issues that concern the interests of workers through parliament, the executive and local government, and to this end engage in various formats of meetings with representatives of the state. Another aspect of the political-economic context is the relationship of trade unions with employers' organisations. Trade unions actively participate in bilateral meetings, forums and projects of nationally representative employers' organisations, but also of sectoral employers' organisations.

Over the years, trade unions in Bulgaria have built numerous links with various civil society organisations (including scientific organisations and NGOs) in relation to their policies for shaping the labour environment. A big part of the organisations partnering with trade unions have representatives on the Economic and Social Council (ESC) of Bulgaria. The ESC is undoubtedly an institutionalized platform within which trade unions can actively communicate with Bulgarian civil society and initiate potential new partnerships.

Over the years, there have also been interactions of trade unions with civic initiatives and ongoing mobilisations, which are expressed more in the form of dialogue than active involvement in their organised actions. The CITUB and to some extent the CL "Podkrepa" rarely get involved in social movements and protests, and only when they express and defend labour and social rights and interests, without politicizing the process and seeking a change of power.

3. Trade union protest actions in the recent period

3.1. Trends of protest events

The period under consideration (2021-2022) is characterized by parliamentary and political instability, rising inflation, weak income growth and hence a loss of wage purchasing power. This context has provoked trade unions to engage in protest activity across the country. Raising incomes is a key demand of the protests held.

Trade unions are responsible for more than two-thirds of the labour protests carried out. The remaining 1/3 of the protests are most often spontaneous and local actions rather than planned actions of branch organisations and associations.

Trade union protests analysed in 2021-2022 mainly target problems in a specific industry/branch. Accordingly, demands for sector-specific regulations are most often pursued and, to a much lesser extent, issues of a nationwide nature. The main 'addressee' of protest mobilisations are national institutions (various ministries and their subordinate agencies) and to a much lesser extent local authorities (regional/municipal level). The majority of protests are concentrated in 2022 (a total of 80% of reported trade union protests). The reasons for this are both the lack of decisions on protest demands in 2021 and the deteriorating economic and political environment in the country.

Trade union protests mainly take place when a large number of participants are mobilised (in the range of 100 - 1000 people) and to a much lesser extent escalate

to large scale multi-thousand protests.

3.2. Leading organisations, objectives, themes, forms of action, coalitions

Trade union protests are organised exclusively by the nationally representative employees' organisations (CITUB and CL "Podkrepa") and their affiliated federations/unions (90% of trade union protests are organised by them). Non-representative trade union confederations and their members report much weaker protest activity.

From the point of view of the leading organisations, it is most often (or in 90% of cases) that the trade union protest is led by the respective branch/industry structure. The presence of national confederations on the 'protest map' is significantly weaker (10% of union protests).

At sectoral level, the most numerous protests are those of construction workers (27% of all trade union protests), Ministry of Interior and Ministry of Justice employees (25%) and health workers (12%). The remaining branches/industries record less protest activity, not exceeding 3-4 protest cases over the two-year period monitored in this project.

More often (in 56% of cases) trade union protests are part of a campaign, i.e. they are continuous in their action and scope. In terms of the format of the event, trade unions mainly tend to use the following two forms: symbolic actions (in 17% of trade union protests) and demonstrations and marches in public places (in 71% of the cases). Accordingly, the protests are conducted in an exclusively peaceful manner, without violence on the part of both the protesters and the police.

It is interesting to note that there is no reported presence of trade unions as participants in foreign protest events; i.e. trade unions exclusively organise their own protests and/or engage in protest activity with a specific partner rather than supporting foreign ones.

3.3. Main protest campaigns

The main protest campaigns of the trade unions, which took place with the participation of hundreds and thousands of members, are:

- a) the long national campaign from the summer of 2021 (13.08.) to the summer of 2022 (27.07.) of the workers of Motorways - Black Sea (Avtomagistrali Chernomore);
- b) the protest of May 2022 of the public transport employees in Sofia, which took place in parallel with carriers from the transport and taxi industry;
- c) the protest of various branch unions in the system of the Ministry of the Interior from the beginning of 2022.

The protest actions of the employees of Motorways – Black Sea AD started on August 13, 2021, due to unpaid funds from the state to the company for the repair of Trakia Highway. The protest was jointly organised by the Federation of Independent Construction Trade Unions at CITUB, the Road Work Trade Union at CITUB and the trade union organisation of Motorways – Black Sea. After several months of pressure, a small part of the money owed (BGN 9 million) was paid. In the period December

2021 - April 2022, new waves of protests took place across the country, thanks to which new tranches were being transferred to the company. Employees protested again in July 2022, demanding payment of the remaining BGN 14 million. The protest joined that of other companies in the road construction industry also claiming unpaid funds from the state. As a result of the systematic and consistent protest actions, the Parliament adopted a decision which guaranteed the phased payment of the outstanding funds.

The protest of public transport employees in Sofia from May 2022 ran parallel to that of carriers and taxi drivers. However, the protest was clearly differentiated from the others by not allowing crowds to merge. In the media space, too, a distance was kept to distinguish union demands from those of the protesting branch employers' organisations. Members of the Union of Transport Trade Unions in Bulgaria at CITUB and the Federation of Transport Workers at CL "Podkrepa" joined the protest. The trade union demands were for an update of the state budget in its expenditure part for transport. As a result of the large-scale joint protest action, the Parliament adopted post-legislative changes guaranteeing part of the required funds.

Branch unions in the system of the Ministry of the Interior (MOI) organised a series of protests starting in early 2022. The reason for the discontent was the lack of a policy to increase wages in the context of ever-increasing inflation. Protests were conducted by the National Union of Firefighters and Rescue Workers "Firefighter" (19.02.2022) and the Trade Union Federation of Interior Ministry Employees (20.02.2022). The demands were for an increase in salaries and the adoption of a new vision for the functioning of the Ministry of the Interior in view of the increasing responsibilities of the employees (including the control of the migrant wave at the border). Following the two protests, the Prime Minister of Bulgaria took responsibility for implementing comprehensive reforms in the Ministry of the Interior to ensure the targeted allocation of resources to effective units and hence salary increases. However, the reform process dragged on over time and the lack of solutions provoked further protests in 2022 and 2023. Still, after two years of successive protests, an increase in the salaries of the MOI employees was achieved.

3.4. Success of trade union collective/industrial actions

Collective actions by trade unions lead to improved working conditions in a number of sectors in the country. The three protest mobilisations analysed succeeded in their demands, using all the methods of influence on state institutions allowed by law and without provoking violence and disorder. A key means of pressing and achieving demands is protest in its different varieties (most often in the form of marches, blockades and symbolic actions). Conducting long campaigns over time, covering not only the capital but also a number of other cities and road links, put the necessary pressure on the authorities to accept the demands. At the same time, the protest campaigns of the nationally representative trade unions and their affiliates are well represented in the media space in order to generate public support and solidarity towards particular branches and industries. Moreover, the name of trade unions becomes recognizable as defenders of workers' rights and interests. This line of trade union assertion as the trusted protector of the employed is supported by a position of political neutrality. It is by distancing themselves from the parties that

unions present 'labour' as a value and as their main priority, which is not tied to any political doctrine.

4. Qualitative findings

4.1. Key issues and challenges in collective bargaining

The collective labour agreement is an important instrument for regulating the parameters, which are important not only for the employer but also for labour.

For the trade union representatives, amongst the main problems and challenges in the collective bargaining process at industry/branch level is the limited implementation of sectoral collective agreements (even in companies where there is a trade union). In recent years, only one of the sectoral CLAs has been sustainably extended – that in the brewing industry. The limited scope of sectoral bargaining is also influenced by the inability to synchronize the different employers' interests, as well as the mismatched sectoral scope of some trade union structures with those of employers. In the process of collective bargaining at enterprise level, the problematic areas for unions are the upgrading of sectoral CLAs (including with regard to pay) and difficulties in securing information for negotiations.

The main reasons for the lack of a collective agreement, according to the unions, are the lack of capacity and/or experience of the employers' organisations to negotiate or a refusal to do so, as well as the reluctance of employers to join a branch employers' structure. Social dialogue takes place at the branch level through common framework positions, bilateral agreements and memoranda on issues of joint action on certain topics.

There is a wide range of issues and challenges for collective bargaining from the point of view of branch organisations. To a large extent, the lack of CLAs is due to the absence of a law on branch organisations, of criteria for the representativeness of the organisations, and of opportunities for the direct extension of a sectoral CLA. Employers generally express willingness to dialogue and conclude collective agreements, but for some sectors the existing procedural obstacles and differences on the content of the draft agreements are insurmountable (including serious differences with the union negotiating team's views on wages and the regulation of certain parameters of social partnership).

4.2. Social partners reasons for participating in collective bargaining

Representatives at branch level aim to achieve solidarity, empathy, equality and tolerance when entering into CLA negotiations. Company-level representatives, on the other hand, motivate their participation by the desire for security and predictability in industrial relations for both parties, as well as by the desire to improve separate parameters of importance to workers. Collective bargaining is also an instrument for maintaining union membership; this is even a major motive for membership.

There is an interaction between unions at different levels and the employers' structures surveyed. The purpose of the links is to carry out social dialogue without registering a preference for particular trade union(s), on the contrary, respondents share

that there is equal contact with the different structures of CITUB and CL Podkrepa.

4.3. Views on collective bargaining from other actors

Over the past period of more than 33 years, nationally representative trade unions have been involved in shaping a wide range of social and economic policies directly related to workers' interests. Despite this, the main trade union confederations try to be equally distant from all political parties, movements, etc. and to partner with them when necessary to represent workers' interests.

The assessment of the representatives of state institutions, parties and NGOs on the process of social dialogue and collective bargaining in Bulgaria is that this process is rather developing in the right direction, although there are still many areas where urgent improvements are needed. It is accepted as normal that social dialogue is more pronounced in the public sector and collective agreements are therefore more common, while workers in the private sector are less likely to enjoy this type of protection. On the other hand, civil servants are currently subject to restrictive practices because they are not entitled to CLAs.

Identified challenges to collective bargaining are the forthcoming changes to the regulatory framework in relation to the transposition of the Adequate Minimum Wages Directive. Another challenge is the inefficient spread of sectoral CLAs.

4.4. How collective agreements are reached

A known shortcoming in the legislation is the removal of the possibility to negotiate with a group of employers, which limits regional and municipal negotiations for the business sectors, especially for small and micro enterprises. In addition, civil servants do not participate in collective bargaining and unions have to negotiate agreements for them. The concept that is laid down and the normative framework is that negotiations at a higher industry, branch and possibly municipal level should set norms to be accepted as minimum at enterprise level. This concept has unfortunately cracked in practice over the last 10-15 years, especially in large enterprises and divisions of multinational companies, where branch standards are in some cases significantly exceeded, but in others ignored altogether. Also the erosion of sectoral/branch collective bargaining is visible in industry - for example in the chemical and pharmaceutical industries (where there has been no sectoral bargaining since 2004), and later in most branches of the food industry (where it has also been absent for the last 5-10 years). At the same time, a number of sectors have industry or branch-specific CLAs, but union density is generally low and there are virtually no unions in a number of enterprises to demand compliance with sectoral agreements (e.g. construction, agriculture, paper, trade, tourism).

5. Summary

5.1. Negative and positive factors for collective bargaining and successful mechanisms to improve it

The CLA coverage has varied over the years, with 60-70% coverage until 2000, while

after the 2008-2009 crisis the coverage of the CLAs stabilized and remained at 30%, demonstrating the successful efforts of unions to retain their existing members but also to create new unions. The right of association is regulated in the country's legislation, which creates the basis for the development of social dialogue. However, the legal framework has exhausted its initial incentive effect, and over the years trade unions have sought new normative solutions for the functioning of the dialogue. In this context, the Adequate Minimum Wages Directive, in the part dealing with collective bargaining, is expected to give a new impetus to bargaining and to extend the scope of persons covered by a collective agreement. The unions are therefore preparing a package of legislative amendments to protect the right of association and bargaining, which reflects many of the union demands that have been made public over the years, but also introduces new ones.

The two main trade union confederations distance themselves from political party influences and take positions that defend the interests of workers, regardless of which party is in power or in opposition. However, trade unions do not distance themselves from the political life of the country and maintain equal relations with all the main political forces. Over the years, trade unions have also built links with various civil society organisations on issues that protect the rights of working Bulgarians.

5.2. Successful mechanisms to improve collective bargaining

One of the successful mechanisms to achieve the collective demands of trade unions is the organisation of large-scale protest mobilisations. Protests are exclusively within the scope of legally permissible actions, and their organisation is based on qualified trade union experts and negotiating teams. The trade union protest 'repertoire' deals exclusively with workers' problems and demands. This repertoire materializes in the form of slogans among protesting members, but also as official declarations/petitions to the authorities. Through actions sustained over time and media coverage, the pressure sought for acceptance of the demands is achieved.

Another mechanism to improve collective bargaining is the implementation of targeted policies to grow union membership and build critical mass in specific sectors. In this way, it is possible both to exert strong influence over the bargaining process with the employer representatives and broader pressure through participation in legislative amendments. The two nationally representative trade unions are the initiators of the adoption of laws, amendments and additions to them that are aimed at protecting the rights and interests of wage labour. They initiated the amendments to the Labour Code regarding the determination of the mechanism of the MW rate (reflected in the Labour Code, Article 244). Also, under union pressure the National Assembly approved amendments to the Criminal Code on 28 June 2023, criminalizing acts against the right of association of employees.

Next, the organisation of joint national trade union actions also influences the successful course of bargaining. The CITUB and CL Podkrepa have over the years conducted a number of concerted industrial actions, information campaigns, forums and meetings of collectives at all levels, including national protest rallies.

Another important element in improving collective bargaining is the conduct of na-

tional information and consultation campaigns on labour rights. Through organised meetings across the country (including such with non-unionized members), the development of civic awareness and labour market adaptation is supported.

Last but not least, strike action is an important tool to protect workers' rights and interests.

A priority for trade unions is to affirm and guarantee the constitutional right to strike (Article 50 of the Constitution). In this regard, the struggle of the trade unions for the repeal of the current Collective Labour Dispute Settlement Act and the adoption of a new one continues.

1. Collective bargaining in Greece

Collective bargaining coverage in Greece has experienced a major decline in the last decade. Before the 1990s, the collective bargaining system retained an overall centralized character, taking place at national and occupational level, with a very high coverage (Zisimopoulos 2019:91). The first attempt towards partial decentralization took place in the 1990s, when Greek capital was aiming for the entry of Greece in the EU and the Greek economy started undergoing a neoliberalization process (Zisimopoulos 2019, 92). The Law 1876/1990 (Free collective bargaining bill) set the ground for collective bargaining at both sectoral and enterprise level.

The Memoranda policies of 2010-2018 imposed by the EU and the IMF, brought structural changes to the collective bargaining system towards a further direction of decentralization. This process led to the reduction of the CLAs concluded at sectoral and occupational level during the years 2011-2017 and simultaneously, to the multiplication of CLAs concluded at enterprise level by enterprise trade unions, or “associations of persons” (ενώσεις προσώπων) in the enterprise; from 2011 to 2019, individual employment contracts increased (Zisimopoulos 2019, 97-98), reflecting a trend towards further individualization of employment terms as enterprise bargaining strengthened and sectoral collective bargaining declined. This contributed to broader wage reductions and deteriorating working conditions (Katsampouras and Koukiadaki 2019, 279).

The collective bargaining system reformation during the Memoranda period was parallel to the overall retreat of the trade union movement and the decrease of workers’ trust in the main Confederations (Bithymitris 2021, Bithymitris and Kotsonopoulos 2018, 116). These factors, along with the big increase in the unemployment rate due to the austerity policies and the overall rise in undeclared and/or flexible forms of employment, led to the subsequent decrease of the percentage of employees covered by valid collective agreements (Kapsalis 2021), hitting a low point of almost 15% in 2014 (INE-GSEE 2023).

After the official expiry of the Memoranda, the SYRIZA-ANEL government in 2018 made an attempt to reinstate the pre-crisis framework for collective bargaining. According to ILO, the collective bargaining coverage rate in 2018 rose to 25.8%. Nevertheless, the extension of the CLAs heavily depended on the employers’ side and their dominant role in the negotiation process (Zisimopoulos 2019, 100). Despite the partial efforts by the government, the negative conditions for collective regulation of employment conditions were not adequately reversed (Kapsalis 2021). In 2019, the New Democracy government introduced further legal changes to the collective bargaining system, partially reintroducing the Memoranda framework (Zisimopoulos 2019, 100-101). According to a recent report by the INE-GSEE Institute (2023), there were 38 valid sectoral and occupational CLAs in 2022. These agreements covered approximately 735.000 employees, or 29% of the workforce. However, only 5 of

those CLAs have been legally declared as mandatory for all employees of the sector/occupation. All the rest are only valid for the members of the signatory employees' and employers' organisations; even this parameter cannot be fully cross-verified, since it is a usual practice for many enterprises to abstain from joining employers' organisations, in order to avoid the application of CLA terms (INE-GSEE 2023, 124).

Overall, the Memoranda and post-Memoranda agendas regarding industrial relations in Greece, seem to have contributed to the retreat of the collective bargaining process, especially at sectoral and occupational level. In the absence of strong sectoral and occupational bargaining, a great number of employees are covered only by the minimum wage, which is set by decision of the Minister of Labour.

2. Power resources of Greek trade unions

2.1. Structural power

Since the late 1980s, neoliberalization and EU integration have led to the expansion of new production sectors, particularly in the tertiary-service economy. This change diminished the structural power of official trade unions, as many of them used to hold considerable influence in the industrial sector and in public and state-owned enterprises in the previous decades (Vogiatzoglou 2018a, 122; Bithymitris and Kotsopoulou 2018, 110-111). Unionizing in the private sector, where flexible and precarious work arrangements were gradually becoming more and more common, remained low, resulting in a substantial gap in trade union density between the public and private sector which exists until nowadays (Vogiatzoglou 2018a, 121-123).

The Memoranda policies introduced in 2011 signaled the deregulation of the labour market, resulting in the prevalence of mass layoff practices, precarious and flexible labour schemes and rise in the unemployment rate (Kouzis 2016). This structural transformation, alongside changes in the collective bargaining system, affected trade unions long-term capacity to organise and mobilise workers. Many employers' organisations were also rendered defunct during this period or abstained from collective bargaining.

Also, Covid-19 pandemic heavily impacted labour relations and subsequently restricted the scope of action for Greek trade unions. Lockdown policies affected small-scale enterprises, increasing unemployment and causing the economy to contract by around 9% in 2020 (Liargkovas et al. 2022, 15). Unlike other European countries, Greece's suspension of employment contracts during the lockdown was not negotiated through social dialogue but imposed unilaterally by the government, allowing enterprises to implement these measures without prior notice to employees. This left room for misconduct on the employers' side in relation to the protection of agreed working rights, such as coercion to unsafe, undeclared, flexible/rotating work, even in cases of remote work (Kapsalis 2021).

2.2. Organisational power

The Greek trade union landscape is characterised by a hierarchical structure with a large degree of internal differentiation. Official trade union density has significantly

declined since the financial crisis. From around 37,60% in 1992, it dropped to 23,54% in 2008, and then to 21,52% in 2013 (Katsoridas 2021, 266). According to a recent study by the Labor Institute of GSEE cited by Katsoridas (2021, 268-269), trade union density in the public sector that ADEDY covers, is much higher than in the private sector and in DEKO (broader public sector, Water-Electricity-Post employees), which are covered by GSEE. As for the economic and occupational sub-sectors that are covered by GSEE, the density is higher in DEKO than in the commercial, logistics and food supplying sectors. Historically, the shrinking of the industrial sector and the development of the public and semi-public one, affected the characteristics of the trade union movement in terms of density per sector (Bithymitris and Kotsonopoulos 2018, 108). This fact is both related to the strong alignment of public sector syndicates with the government of PASOK in the 1980s, as well as to the diachronically more favorable conditions of employment in the public sector than in the private one; unionising in the private services sector remains particularly low, as already mentioned (Vogiatzoglou 2018a).

In Katsoridas's 2021 study for the year 2016, the number of the trade union members was estimated to be 599.161 and the trade union density, based on the calculation of the real size of the working class in Greece, including those who work in undeclared, atypical, precarious or temporary forms of labour, was 20,3% (Katsoridas 2021, 281). Therefore, only 1/5 of workers were organised in trade unions (ibid., 283) and between 2010-2016, during the peak of the Memoranda policies, trade union Confederations of GSEE-ADEDY lost around 185.000 members (ibid., 277). In the last years, the big decline in trade union membership is connected with the decline in big-scale, cross-sectoral industrial actions and strikes, especially after 2013. GSEE in particular has not launched any unionising campaigns in recent years (Kretsos 2011, cited in Vogiatzoglou 2018a, 125). Organisation at the lower level is highly fragmented. In the last decades, a lot of base-level/grassroots trade unions or workers 'collectives in different sectors were created, which do not participate actively in the main Confederations; therefore, their density cannot be fully estimated yet.

2.3. Institutional power

Law 1876/1990 had been the core of the legal framework for trade union function and collective bargaining in Greece prior to Memoranda policies. Aligned with the European standards, it was adopted unanimously by the political parties and established a multi-level bargaining system with four types of collective labour agreement for the private sector: the National General Labour Agreement, the national sectoral or occupational CLAs, local sectoral/occupational CLAs and enterprise CLAs (ETUI 2017). During this period, there were also major efforts in establishing a tripartite system of social dialogue. The Greek Economic and Social Committee (OKE) was established in 1994 and it was constitutionally recognized in 2001. After the 1990s, the institutional power that trade unions gained through the new regulatory framework gave rise to a heavy interconnection between first-class trade union leaders and centre-right political parties, which was often employed as a strategy for collective bargaining (Kretsos and Vogiatzoglou 2015, 224)

The changes introduced after the beginning of the debt crisis, aiming at reducing

labour costs and improving the competitiveness of the enterprises, heavily destabilized the collective bargaining system and their effects last until nowadays. Key legal reforms introduced by the Memoranda included the abolition of the favourability principle for sectoral CLAs over enterprise CLAs, the elimination of CLAs in the public sector that conflicted with the governmental financial policy, the suspension of the extension principle for occupational and sectoral CLAs until 2015, and the strengthening of enterprise-level collective bargaining (Zisimopoulos 2019, 96-97). In addition, in 2012, a 22 % nominal reduction in the minimum wage was set by national agreement (32 % for the under-25s) by Act of the Ministerial Council. Under the Law 4093/2012, the National General CLA was restructured so that it could determine only the non-wage conditions of employment for organisations belonging to the signatory employers' organisations. Until nowadays, minimum wage is not negotiated between the social partners; instead, it is defined by decision of the Minister of Labour. Arbitration was also neutralized.

The SYRIZA-ANEL government brought back some of the pre-Memoranda regulations of collective bargaining, such as the favourability principle, the right of extension for CLAs and the abolition of the subminimum wage for under 25s. Nevertheless, despite the legal attempts to reinstate collective bargaining to its pre-crisis levels, the changes of the Memoranda policies eventually devalued the role of sectoral and occupational CLAs (Zisimopoulos 2019, 100).

More recently, Law 4635/2019 introduced by the New Democracy government, attempted to reintroduce some of the Memoranda terms regarding collective bargaining, such as restriction of the favourability principle and the right to extension for sectoral CLAs (ibid.). Recent legislative initiatives have also brought amendments to the right to strike. In Law 4635/2019, the right to collective action/strike is partially impeded, through the establishment of electronic voting during trade union General Assemblies (ibid.). Under Law 4703/2020 implemented by the same government, spontaneous protests are prohibited and police forces are legally enabled to intervene at any cost in case of destruction of property, while serious legal repercussions are foreseen for persons who do not comply (Katsoridas et al. 2023, 9). Last but not least, the Law 4808/2021, follows a neoliberal logic similarly to the previous Laws; inter alia, it legally enables increases in overtime work through the establishment of individual agreements for the extensions of worktime between employer and employee, by circumventing trade union organisation or CLA terms, and it additionally enables lock-outs in case of strike action.

2.4. Societal power

Historically, bureaucratization and clientelist practices, primarily characterized by the ties that trade union factions in the upper hierarchies forged with central political parties, such as PASOK, and state-owned enterprises, in order to maintain privileged political affiliations at the expense of supporting grassroots mobilisations, have been a plague for the democratic ethos within mainstream trade unionism (Bithymitris 2021). Scholars refer to this phenomenon as “governmental trade unionism” (Vogiatzoglou 2018a, 125). Despite the rise in mobilisations and strikes during the first period of austerity (2010-2012), the Confederations and their leadership did not adequately respond to the negative transformation of labour relations

in Greece in a long-lasting manner and did not successfully renew their repertoire of action under the new conditions; instead, due to a rather conservative political hegemony and cuts in state funding, they confined themselves to an institutionalized model of social partnership aimed at ensuring social peace, followed by a consensual strategy to the government and capital (Bithymitris and Kotsonopoulos 2018:114-118, Vogiatzoglou 2018b, 5-6). This contributed to the deepening of trade unions delegitimization and loss of workers' trust in them, as indicated by the big loss in membership rates (Katsoridas 2021).

The emergence of grassroots trade unionism signaled a bottom-up response to both the transformations of the Greek labour market and the drawbacks of official trade unionism in terms of representative capacity. The grassroots labour movement in Greece, in close collaboration with SMOs, took various forms, with many of them multiplying significantly during the anti-austerity protest cycle: they included grassroots or primary trade unions, informal workers' collectives, unemployed collectives, Workers' Clubs, workplace occupations (e.g., VIOME factory), and social solidarity cooperatives (Vogiatzoglou 2018b). These grassroots initiatives aimed to engage not only in workplace-based struggles (e.g., wages, CLAs) but also to address workers' everyday material and social needs related to reproduction, consumption, and leisure (ibid.). As for industrial actions, throughout the austerity protest cycle, the Coordination of Primary Unions called for separate strike protests from the Confederation forces in the streets, a tradition that still exists until nowadays. Up to 2020, grassroots/non-main trade unions were also building coalitions with social movement organisations and other collectives in various instances, such as by creating solidarity initiatives for refugees arriving to Greece after 2016 (for example, the Coordination for Refugees/Migrants, ΣΥΠΡΟΜΕ) and participating in the Collectives' Coordinations (Συντονισμοί Συλλογικοτήτων) in various cities, which played a prominent role in the movement against household auctions.

However, as it has been noted by scholars (Kretsos and Vogiatzoglou 2015), grassroots initiatives, albeit crucially important for the rejuvenation of trade unionism in whole both as a concept and cultural/political practice, have limited institutional and organisational power to engage in sector-wide collective bargaining and achieve concrete material gains (such as conclusion of CLAs). Moreover, given that grassroots trade unions heavily relied on networking both on the workplace and on the streets/neighbourhoods for attaining popularity and recruiting members, the COVID-19 pandemic heavily impacted their functionality due to the prevalence of teleworking.

3. Trade union protest actions in recent period

3.1. Trends of protest events, leading organisations, themes, targets, forms of actions, coalitions

Overall, 2021 saw significant labour struggles across various sectors previously lacking mobilisations, with a total of 126 protest events observed. The socio-economic effects of Covid-19 pandemic exposed a lot of structural problems of the post-Memoranda era which directly affected collective working conditions. Additionally, further systemic dynamics, such as the introduction of the labour bill 4808/2021 by the

New Democracy government, which brought extension of the legal working time by bypassing sectoral or professional CLAs for the regulation of overtime work, the educational reforms introduced by the government (“university police” bill, external evaluation bill for teachers), the Russo-Ukraine war and the inflation, heavily influenced collective action.

In February 2021, a surge in protest activity took place, mainly due to the mobilisations of the healthcare sector for Covid-19 measures. The protests were mainly carried out by the two main national Federations OENGE (Federation of Hospital Doctors) and POEDIN (Federation of Hospital Employees). This is an ongoing trend throughout the whole year of 2021, with lesser but still significant protests taking place in 2022 as well. The early months of 2021 are also marked by the mobilisations of the education trade unions, along with university/high school students, against the educational reforms. In March 2021, there was the first appearance of protest events organised by trade unions and SMOs in the arts sector (Hellenic Actors’ Union, Trade union of Dancers, and others), demanding collective labour agreements and Covid-related measures for the protection of working rights. May and June 2021 are marked by the national general 24h strikes organised by the Confederations GSEE-ADEDY (also supported by various trade unions and Federations, both main and grassroots ones) against the voting of the labour bill 4808/2021. During the summer months of July and August, protest events became more sporadic, showing a declining trend.

In September, October and November 2021, protest activity reached a peak again. Delivery drivers, alongside the trade union SETEPE and the grassroots trade union SVEOD mobilised against flexible working conditions in late September, after the mass layoffs in E-food platform delivery company. Moreover, since October, the world of education started mobilising on several occasions against the educational reforms and the inadequate Covid-19 health and safety measures at schools. In late October, cargo workers in Docks II and III of Piraeus Port owned by COSCO, organised in the trade union of ENEDEP, began a persistent struggle against the company, after the deathly accident of a dockworker on duty, demanding health and safety measures.

Mobilisations in the first half of 2022 (64 protest events in total) were notably higher in the first months of the year. In January and February, the trade unions in education and in healthcare continued their struggles and organised demonstrations in various cities demanding Covid-19 health and safety measures and permanent hiring of healthcare and education personnel. From February onward, a lot of protest demonstrations were organised in Athens and Thessaloniki by trade unions and civil society organisations against the Russian invasion of Ukraine, often with an anti-war/anti-imperialist/anti-NATO agenda.

The subsequent inflation and rise in living costs were another major factor that prompted trade unions to carry out various demonstrations; the national general strike of 06.04.2022 proclaimed by the main Confederations GSEE-ADEDY had in the forefront of its demand agenda the implementation of measures against the rising prices and living costs. In May 2021, a national general 24h strike, accompanied with demonstrations in various cities, was carried out by the Confederations and different local actors. Similar to the 2021 trend, the protest events dwindled in the

summer, with the exception of the mobilisations organised by the trade union of public transport OASTH employees in Thessaloniki from May to July, demanding the conclusion of a collective labour agreement with salary benefits.

Overall, the healthcare, education and maritime/shipping sectors were among the most mobilised during the timespan examined. Notable were also the mobilisations in food and tourism sectors and the struggles of delivery drivers, a previously un-mobilised sector, as well as those of transport workers. The most prevalent form of industrial action was the demonstration, encompassing different sub-forms, such as a protest outside a governmental building or a rally/marching. Strikes (usually 24h ones, with the exception of two 48h ones and some partial work stoppages), were usually accompanied with a strike demonstration. As for the demands, a lot of them were of systemic nature; they were related to the post-Memoranda/Covid-19 economic framework, the everlasting effects of austerity policies, such as budget cuts, ongoing privatization processes, salary and benefits reductions. Demands concerning the working conditions and rights, salary increases, reinstatement of benefits according to profession type, conclusion or reinstatement of sectoral CLAs, were also in the forefront of the unions' agenda. Those demands were also interwoven with claims against labour law 4808/2021. Additionally, the changes introduced to the right to organise a strike through the same law, fostered a claim agenda related to democracy at work.. Lastly, in 2022, the newly-emerged issues of rise in living costs due to inflation, the Russo-Ukrainian War and the Greek state involvement in the war, as well as the persistent issues of gender violence, also prompted several mobilisations.

3.2. Main campaigns

Although campaign practices are not widely adopted by Greek trade unions, several protest events in 2021 and 2022, centred on similar themes or organised by the same groups, can be considered part of informal campaigns. From January to April 2021, there are 5 protest events organised by various trade unions in the education sector (main Federations OLME and local trade unions of ELME/associations of teachers), against the budget cuts in public education, the inadequacy of Covid-19 measures and the educational reforms, including the bill for the establishment of a university police corps and the change of admission system to higher education. Those demonstrations were supported by various actors on different occasions, such as university students' organisations, high school students, and associations of parents.

The national general 24h strikes organised on 04.05.2021 and 06.05.2021 (celebration of Labour Day) as well as the 24h strikes on 10.06.2021 and 16.06.2021, were proclaimed by the Main Confederations (GSEE, ADEDY) against the voting of the labour bill 4808/2021 and they were joined by several trade unions in different sectors, both main, communist (PAME) and grassroots ones. Mass demonstrations were organised in the big urban centres of Athens and Thessaloniki, with main slogan "Hands down from the 8h working day!" and they were actively supported by various political parties from the Left spectrum (ranging from SYRIZA to the Communist Party and other radical left organisations). GSEE Confederation also filed a petition to the government demanding the withdrawal of the bill. However, the bill eventually

passed; the demand for the abolition of the law became a resonating theme in later protest events throughout the rest of 2021 and 2022.

On 22.09.2021, the sectoral Federation of Employees in Food and Tourist industries proclaimed a national partial work stoppage against the precarious and dangerous working conditions in the restaurant sector, and especially those faced by the most vulnerable and exposed workers, the delivery drivers. The action was supported by local actors; in Athens, the grassroots trade union of delivery drivers SVEOD joined the work stoppage and along with the collective of drivers in E-food platform company, organised a motorcycle demonstration on the streets of Athens. The main trade union of Employees in Food and Tourist industries (SETEPE) supported the initiative; representatives of both SVEOD and SETEPE met with the E-food employers. As a solidarity act to the labour struggle carried out by E-food drivers, the sectoral Federation (POEET) also declared a sectoral general 24h strike on 24.09. The protests eventually turned out to be successful as the company agreed to meet the demands of the employees and turned the contracts of around 2000 freelancer workers into permanent ones. An enterprise union of E-food employees was created.

Last but not least, the mobilisations of dockworkers in Piraeus Port in late October 2021 are significant. After the deathly accident of their colleague on duty on 25.10.2021, the trade union of cargo works in Docks II and III owned by COSCO (ENEDEP) called for 7 consecutive 24h strikes, until 31.10.2021. Trade unionists demanded the implementation of health and safety measures at work, such as 6-member working teams instead of 4, abolition of flexible/casual labour contracts, inclusion of the whole sector to the unhealthy and hazardous industries regime and start of negotiations for a collective labour agreement in Piraeus Port. The employers' side made several appeals to the Court of Piraeus and to the government in order to declare strike activities illegal. The major disruption caused by the stoppage of cargo circulation in the whole Piraeus Port area, gave broad media coverage to the protests. Various unions in the maritime and shipping industry, such as the trade unions of engineers and cooks (STEFENSON) supported the strike in solidarity with ENEDEP trade unionists. Eventually, in June 2022, the employers agreed to sign a CLA with the participation of all trade unions in Docks II and III of Piraeus Port, including ENEDEP.

3.3. Assessment of the impact of trade unions collective actions

The protest event data indicate that trade unions played an important role in organising industrial actions in 2021 and 2022. Despite geographical limitations in protest activity and the occasional inertia of the Confederations in organising long-lasting mobilisations, there were several enduring practices and coalitions carried out by certain labour forces at sectoral or occupational level. On many occasions, the convergence of three key factors - Covid-19 socio-economic hardships, implementation of neoliberal policies, and presence of trade union forces willing to engage in militant and disruptive activity-, was crucial for the mobilisation of various sectors, with most prominent being those of healthcare workers and education employees.

In precarious sectors, the existence of a grassroots entity, either a grassroots trade union or an informal workers' collective, proved to significantly contribute to the bottom-up organisation of a labour struggle, as the case of e-food delivery drivers

demonstrates. The collective of E-food drivers successfully collaborated with both SVEOD grassroots union and the main trade union of the sector SETEPE. Lastly, inter-sectoral and cross-sectoral solidarity proved to be crucial, not only for uniting forces on a larger scale but also for attaining legitimacy in the context of the struggle. The solidarity shown by trade unions from the broader shipping sector, as well as from other sectors, to the strikes of ENEDEP union in Piraeus Port COSCO-owned docks, exceptionally illustrates this trend.

4. Qualitative findings

The current post-Memoranda period is described by almost all respondents as the start of an era during which negotiations have started taking place again in various sectors, overcoming the declining trend of the last decade. Nevertheless, there is a big cleavage regarding the overall conditions of collective bargaining, where several issues were pointed out by different actors.

4.1. Main problems and challenges in collective bargaining

Most of our trade union respondents, despite often having divergent approaches to unionism, highlighted the negative effects of the Memoranda regulatory framework on collective bargaining. One of the most crucial aspects of this issue is the deregulation of the negotiation system for the National General Collective Agreement since 2012. The reinstatement of the legal framework for free collective bargaining and particularly the universality of the law-binding terms of CLAs for all workers and employers without exception, is also described by several trade unions, both main and grassroots ones, including GSEE Confederation, as a necessary step required to reverse the current institutional dynamic that strips unions of their negotiating power.

Even if there was a partial restoration of certain legal provisions regarding collective bargaining after the official termination of Memoranda, the majority of trade unionists also highlighted that the recently-introduced labour laws 4635/2019 and 4808/2021 seem to pose further challenges for trade union bargaining power by privileging employers' interests, and should be abolished. What additionally arose as a matter of concern, were the amendments introduced to the right to unionise by laws 4808/2021 and 5053/2023, which were interpreted as an orchestrated attack to established labour rights and union functions, because they seem to pose several obstacles to the organisation of strike actions, neutralize their efficacy and penalize some forms of collective action.

Apart from the issues pertaining to the legislative framework, our respondents additionally noted several other challenges regarding the conclusion and application of CLAs, which are related to broader labour-market transformations. These transformations, predominantly driven by the restructuring of the Greek economy in recent years, create divisions that hinder both collective bargaining coverage and the formulation of collective labour demands. This is quite prevalent in the telecommunications and call centre sectors, due to outsourcing practices and utilization of subsidiary companies. Also, broader privatization processes involving global capital flows have an effect on fundamentally restructuring labour relations, often resulting in wage dumping practices, in the context of labour casualization; this is the case

in the newly-privatized Piraeus Port, where the existence of both permanently and casually employed workers renders difficult the unified application of CLA terms.

4.2. The motives of social partners to participate in collective bargaining

All trade unions agreed on the necessity of reinstating a free collective bargaining system, seeing it as fundamental for reversing current power dynamics between workers and employers and protecting workers' rights. The employers' organisations that we spoke with, also agreed (to varying degrees) with the concept of a collective labour agreement, because it secures labour peace and guarantees rights and obligations for both employees and employers. However, as the respondent from GSEVEE (Hellenic Confederation of Professionals, Craftsmen and Merchants) pointed out, for small and medium-sized businesses which represent up to 90% of all Greek enterprises, engaging in collective bargaining and negotiations for CLAs is not a widespread practice, due to accumulated financial problems during the Memoranda and Covid-19 crises, as well as to the non-obligatory membership in employers' organisations.

As an additional obstacle to engage in successful collective bargaining, employers raised the issue of the representativeness of the trade union organisation. OEFE (Federation of Employers in Private Education) for example, raises concerns over the negotiating legitimacy of various trade unions it has been approached by, in terms of their representative capacity for the employees of the sector. This response suggests that the pluralism which characterizes the current trade union landscape and often leads to the co-existence of grassroots and main unions with different political directions in the same sector, seems to be perceived by employers as a disorienting factor for entering into negotiations.

The issues of representativeness and legitimacy are also articulated by trade unionists, albeit from a different viewpoint. For unionists, legitimacy concerns are related to employers' interests infiltrating within the trade union movement and fragmenting workers' unity. One major aspect of this phenomenon is the existence of "yellow", employer-friendly trade unions. Those unions are implicitly or explicitly controlled by the employer and undermine the independent organisation of the employees, by questioning the representativeness of already existent trade unions. In Piraeus Port, the ENEDEP union of dockworkers had conflicting interests with another union in the port, which, according to ENEDEP unionists, held an employer-friendly stance and hindered the collective bargaining process by signing a CLA with minimum claims.

A further issue pertaining to legitimacy, bargaining power and negotiating capacity of trade unions, is the clash of strategic political visions within the labour movement. There is a unanimous observation by all trade unionists that the struggle for collective agreements in a single sector is important, because it sets the basis for further articulation of collective demands in other sectors. However, what also matters is the means of struggle and the content of agreements, which bear broader implications for the collective organisation of the employees. The first-level trade unions that we interviewed, such as SETIP (Trade union in Informatics and Telecommunications Industries) and SERETE (Trade Union of Researchers and Higher Education Employees) which belong to the communist and radical left tradition respectively, have critical views on the main Confederation GSEE for having undergone a bureau-

cratization process during the last decades. This critique underscores the alignment of GSEE leadership with central government parties in previous years, which has led to the Confederation's compliance with the national productivity targets set by the governments and the subsequent loss of its capacity to elevate workers' struggles.

4.3. Views on collective bargaining by other actors

Echoing the aforementioned critique, a respondent from the radical left political organisation of NAR (New Left Current) commented on the recent trend of CLAs being concluded in various sectors. They pointed out the correlation of this trend with concession bargaining within mainstream trade unionism, i.e. the conclusion of certain agreements by official trade unions, which might include several compromises for workers in terms of content and demands (such as in terms of salaries, benefits, etc). According to them, while these agreements are important, they appear to lower the bar for the full advocacy potential of the trade union movement by paving the path for the institutional integration of workers' side.

This view is also shared by the *SMO Attack against unemployment and precarity*, whose aim, since its creation in 2014, is to organise the unemployed and the precarious workers in various sectors, where main trade unions might be inactive or non-existent. Their members advocate for a more militant and combative approach to collective bargaining, along with a vision of rejuvenating and radicalizing trade unionism as a whole. Their main goal is to represent all that diverse precarious workforce, which operates under various labour schemes (casual/contracted work, undocumented work, unpaid internship work, piece-rate work) and largely remains non-syndicalized in the mainstream unions.

Lastly, the representative of the Ministry of Labour seems to take a rather neutral stance regarding the discrepancies in collective bargaining and recent labour laws. According to them, despite the general improvement trend in collective bargaining, the number of sectoral and occupational CLAs concluded has not indeed reached the pro-Memoranda level. However, the impact of the recent legislative changes introduced to collective labour law has yet to be fully assessed at an official level. Their estimation is that certain provisions included in law 4635/2019, such as the creation of a state register for all employers' organisations and trade unions and the mandatory enrolment to it, will potentially allow for a better tracking of the collective bargaining processes (given that there is not yet an official state mechanism for tracking collective bargaining coverage and trade union density). They also highlighted that additional future measures with the aim to strengthen the capacity building of the negotiating partners, such as training, access to data and participation in tripartite social dialogue committees, could foster negotiations.

4.4. How collective agreements are reached

According to our respondents, the main mechanisms for collective bargaining are primarily social dialogue and secondarily, collective dispute in the form of industrial action (mobilisations and strikes). In the cases where a CLA was signed, the trade union side had initiated the negotiation process by attempting to reach out to the employers' organisation. Most trade unions without an official agreement

faced difficulties in initiating the process due to the unresponsiveness of the other partner. Negotiations, when they happened, were usually lengthy as they involved many stages. Recourse to arbitration services was utilized in cases when negotiations were reaching a halt, but this process was often characterized by difficulties, due to the recent legislative amendments in the arbitration procedure. Whenever the means of social dialogue were proven not to be enough, trade unions resorted to a more conflictual approach oriented to mobilisations, protests and strikes. The CLA of the ENEDEP trade union of cargo workers in Piraeus Port is an example of successful bargaining achieved through long-lasting industrial actions.

However, the very act of organising industrial actions is a challenge for many unions. Apart from the new legislative framework that renders this process difficult (i.e. the amendments introduced to the right to strike), convincing union members to actively engage in a collective dispute and support the mobilisations is by no means straightforward. This can be attributed to various factors: the anti-trade unionist sentiment propagated by employers which leads to widespread employees' fear, especially in multinational corporate workplaces, the precarious working conditions of workers in professions characterized by flexibility and casualization (for example, in the artistic professions) and the prevalence of individual agreements which are perceived by some workers as the only way to negotiate salary raise and benefits. Additionally, as the respondent from OTOE Federation of Banking Employees highlighted, employers can make use of external subcontracted workers who telework in order to bring back the digital systems during a strike action – in this way, the physical strike is rendered partially inefficient, as the bank services still work “digitally”. Consequently, issues over work digitalization processes, including the right to disconnect, have started influencing more trade unions agendas.

5. Summary

5.1. The negative and positive factors for collective bargaining

Collective bargaining processes in Greece have undergone significant transformations in the last decades. The Memoranda policies, introduced in 2011, brought a great degree of deregulation at institutional level. The shift towards enterprise bargaining, the normalization of individual employment contracts, and the decline of sectoral bargaining indicate a trend towards further individualization of employment terms. Neoliberal deregulation of the labour market during the crisis and its broad social effect in deepening inequalities has been well documented (Poulimenakos et al. 2021). The reduction of wages, the deterioration of working conditions and the restrictive legislative framework were crucial factors that diminished trade unions leverage power in collective bargaining over the years, as reported by several trade unionists. Overall bargaining coverage rate dropped from around 90% in the 1990s to almost 25% as the last data from 2018 show (INE-GSEE 2023). Moreover, sectoral bargaining showed a major decline. Additionally, the Confederations' conservative stance to the implemented policies, alongside bureaucratization processes, contributed to the decreased workers' trust in official trade unionism and to the decline in trade union density over the years. Grassroots initiatives addressed this situation by attempting to rejuvenate trade unionism as a whole, but they faced difficulties in

attaining a larger scope of action, which could yield concrete material and institutional gains for the workers.

Based on our research findings, it seems that nowadays the strong effects of the austerity have not been completely surpassed by trade union organisations and their partners in the bargaining field. Although the Greek post-Memoranda and post-pandemic economy shows some growth, this growth often occurs, *inter alia*, at the expense of organised labour. Essentially, it reveals a deeper neoliberalisation process which fundamentally transforms the labour market into a constellation of flexible and casual configurations. Additionally, recent labour bills have further changed the regulation of working hours and the collective bargaining system, restricting unions' negotiating power and their scope of collective action (right to strike and unionize), according to our unionist respondents. The internal fragmentation and the clash of strategic visions within the labour movement seem to further complicate the articulation of unified responses and practices, by raising legitimacy and representativeness concerns, among unions and employers alike. From the employers' side, the institutional incentives and practical benefits to participate in collective bargaining processes remain low. As a result, partners in the field are confronted with new challenges related to the collective regulation of working terms and conditions.

5.2. Successful mechanisms for improving collective bargaining

Nevertheless, our data show that despite this bleak image, in the last two years there is a notable resurgence of labour struggles in different sectors and workplaces, and trade unions emerge as important actors in mobilisations. Public sector trade unions developed a big repertoire of protest activity in 2021 and 2022 against budget cuts in public healthcare and education and the concomitant reforms. As for the private sector where mobilisations historically tend to be more difficult to organise, significant struggles took place, many of which were directly linked to CLA claims. A partial improvement trend in collective bargaining, when compared to the last decade, is recognized by all the different actors we spoke with. This proves that despite the overlapping, multi-dimensional "crises" of the last ten years and the overall negative power balance, several trade unions have shown resilience and even attempted to renew their practices.

At this point, it is worth highlighting a set of successful mechanisms developed by certain trade unions, which seem to contribute to the improvement of collective bargaining in specific sectors/industries. The case of ENEDEP dockworkers shows that union leadership prioritizing class-based interests and using a militant repertoire of industrial actions (strikes) is crucial for exerting bargaining pressure on employers, especially in sectors of large economic profitability. In the delivery drivers' case, a combination of practices, such as the adoption of novel repertoire (moto-strike) by the company employees, the coalition between the grassroots union SVEOD and the sectoral union SETEPE, and lastly, society's support through the boycotting of company's digital app, forced the platform to revoke its decision concerning the freelancer employee regime and led to the creation of an enterprise union, the first Greek union in a sector of platform economy, which recently started negotiations for an enterprise CLA.

Moreover, previous participation in social movements and grassroots collectives has proven to be a mobilising factor for many workers in precarious sectors, such as in the arts and academia, many of whom contributed to the revitalization of existing unions (e.g. SEI actors' union) and to the creation of new ones (e.g. SERETE researchers union). As a result, those unions appear to have a broader connection with society and include more generalized claims in their demand agenda (such as claims against gender discrimination, anti-war claims, etc.). Lastly, a democratic and participatory culture within unions, expressed through collective decision-making in General Assemblies, is essential for legitimacy and member engagement. What is especially interesting here, is that such practices may result in unofficial bargaining efforts whenever institutional union power is insufficient, which, although limited, can guarantee a minimum protection of employment terms for the workers.

Italy

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1. Collective bargaining in Italy

The Italian legal framework relies on the National Collective Labour Agreement (CCNL) as the primary source for establishing the rules governing the relationship between trade unions and employer associations. These agreements typically cover both normative and economic aspects of employment. Additionally, they often include provisions for regulating the union relations between signing organisations and employer associations, as well as those at the company level.

The main objectives of these collective agreements are twofold: first, to set out the rules governing employment within specific sectors, and second, to manage the relationships between the signatory parties. Collective bargaining can occur at various levels, including inter-confederationally, nationally by category, territorially, or at the company level.

Although there are no explicit extension mechanisms in place, the Constitutional mandate to provide a “fair wage” serves as a *de facto* equivalent, as judicial precedent often relies on collective agreements as a benchmark to define the parameters of a “fair wage”.

With the exception of the public sector, there is no legal requirement determining the level of representation or the process for validating contracts by workers. In the public sector, legislative decrees define the conduct of collective bargaining and the criteria for representativeness.

The history of collective bargaining in Italy can be traced back to the post-World War II period, when the Italian Labour Code was enacted in 1943 and established the framework for labour relations and provided for the negotiation of collective bargaining agreements between employers and employees. During the 1950s and 1960s, under the increasing labour mobilisation, the Italian labour market experienced significant growth and expansion, and collective bargaining became an increasingly important tool for determining working conditions and wages. During this period, many sectoral collective bargaining agreements were reached, covering a wide range of industries and sectors (Pedersini 2018).

In the 1990s and 2000s, collective bargaining in Italy underwent significant reforms, aimed at making the process more flexible and responsive to the needs of the labour market. The reforms included changes to the legal framework governing collective bargaining, as well as the introduction of new forms of negotiation and dispute resolution (see the Historical overview above).

The Berlusconi-led centre-right governments of 2001 and 2008 brought back government control in economic issues, resulting in cuts to the labour market and welfare system. The 2008 economic crisis and subsequent austerity policies decreased the bargaining power of labour unions, causing them to rely on protest mobilisation.

This trend was less prevalent under centre-left governments. Although a slight shift towards collaboration was observed during the Covid-19 pandemic, the involvement of labour unions in the National Recovery Plan was limited and they are now calling for greater consideration in future decisions.

Nowadays, collective agreements continue to regulate all the aspects of the relationship between employers and employees. These agreements can be of local, regional and national level ('contratto collettivo nazionale del lavoro' / CCNL).

In the private employment sector, while there is no specific legislation, an inter-confederal agreement signed in 2011 between Confindustria and trade union confederations established criteria for measuring the representativeness of trade union organisations. This agreement requires that only organisations representing at least 5% of workers in a specific category are admitted to negotiation tables. The representativeness of individual organisations is determined based on membership percentages and election results.

Nevertheless the transformation occurred in the last decades, the collective bargaining emerged as a robust element in Italian industrial relations and coverage of collective bargaining has remained relatively stable over time, that is around 80 per cent (Pedersini. 2019, see Table 3). However, this indicator conceals significant changes in key characteristics of Italian collective bargaining, summarises in five elements: 1) actors eligible for collective bargaining; 2) importance of bargaining levels; 3) the principle of favourability/possibilities for deviation; 4) collective bargaining coverage; and 5) extension mechanisms (Pedersini 2019, 339).

At the same time, collective bargaining is also shaped by the multiplication of autonomous unions at both the industrial and company level: according to Leonardi and Pedersini (2024, 645), in 2021, "the national register of industry-wide agreements kept by the CNEL records 985 texts, compared with only 350 in 2008". As Leonardi and colleagues have argued, "the national collective bargaining system is described as 'unclear and unspecified'. Based on collective agreements binding on only the signatory parties, its effects are uncertain and of limited impact. Extension erga omnes is not automatic, the assessment of trade union representativeness is not yet operational, and bargaining at the enterprise level and productivity rates remain underdeveloped (European Commission 2016) (Leonardi et al. 2018).

Finally, the good coverage notwithstanding, Italy represents one of the worst cases of wage dynamics in Europe (Devicienti et al. 2019).

2. Power resources of Italian trade unions

2.1. Structural power

The current state of the Italian labour movement and trade unions reflects a broader trend that is being experienced by trade unions globally (Bryson et al. 2011; Visser 2019; Gumbrell-McCormick and Hyman 2013; Bernaciak et al. 2014) and at the European level (Baccaro and Howell 2017). The increasing globalisation of the economy, especially the shift towards a neoliberal model, has had a profound impact on the functioning of trade unions. The financialisation of the economy, the de-

centralisation and globalisation of production systems, the liberalisation of labour markets, and the weakening of the state and government have all contributed to the decline of trade unions.

The decline in trade union membership and bargaining power (Leonardi and Pedersini 2018), as well as their reduced role in decision-making, are the direct result of these changes in the economic and political landscape. Previously, differences in varieties of capitalism (Hall and Soskice 2001), welfare systems (Esping-Andersen 1990), interest representation (Frege and Kelly 2004), and party systems (Golden 1986) had differentiated the impact of the global pressure, but in recent years, there has been a trend towards convergence towards a similar neoliberal model (see Lehndorff, Dribbusch and Schulten 2018).

2.2. Organisational power

Despite the challenges above mentioned, the Italian trade union system appears to be more resilient than in other countries. This may be due to factors such as the history of strong trade unionism in Italy, the unique characteristics of the Italian labour market, or the continued influence of the trade unions in Italian society and politics (Leonardi and Pedersini 2023)

In comparison to other European countries, Italy has a relatively high membership rate (Visser 2019, 59-61), and despite fluctuations and reductions in collective bargaining power, the membership numbers and the union density have remained stable over the past two decades (Table 3). The three main confederations in Italy, CGIL, CISL, and UIL, have approximately 12 million members, including retirees (Leonardi and Pedersini 2018, 2023). Additionally, the hyper-pluralistic structure of Italian trade unions means that the “official data” only covers the main confederations and does not account for other confederations and independent trade unions.

Table 3 Trends of the principal characteristics of the Italian main trade union landscape

	1980	2000	2010	2019
Total trade Union Membership (retired excluded)	7.189.000	5.194.500	5.920.900	6.488.400
Share of Women	35.0%	38.3%	n.a.	45.0%
Density	35.6%	34.8%	35.1%	32.5%
Number of confederations	5	7	?	8
Number of federations	82	52	?	47
Number of independent confederations	2	4	?	5

Collective bargaining coverage (Industry level)	80%	80%	80%	80%
CBP (decentralized agreements)		30%	30%	30%
Days not worked for strikes per 1,000 workers	1.135	58	68	n.s.

The growing number of independent federations (Table 3) suggests that the number of members in Italy is underestimated, and with the inclusion of members from other unions, the union density in Italy could be close to 40% of all employees (Leonardi and Pedersini 2023, 2019). However, there are concerns regarding the proportion of pensioners, the distribution of active members across economic sectors, with the public sector being more prevalent than the private sector - the density in the former is above 50% (Bordogna and Pedersini 2019) - and the representation of so-called atypical workers, mostly consisting of women, immigrants, and youth. Not only did the economic crisis result in job losses and reduced wages, making it harder for unions to attract and retain members, but the increase in non-standard forms of employment, such as temporary and part-time work, has made it more challenging for unions to organise and represent workers (Regalia 2012). Nevertheless, despite the difficulties, unions seem to have established a significant presence in some of the most challenging areas to organise: non-standard work and small enterprises.

2.3. Institutional power

Three main political traditions (the Liberal, the Christian-Democratic and Marxist cultures) inspired the principles of the Republican Constitution (LaPalombara 1957). The Italian basic law begins with a reference to labour (article 1). It maintains that “Italy is a democratic republic founded on work”. The precise choice of the concept of ‘work’ immediately shows to what extent work, but also workers and workers’ associations in an extensive way, plays a fundamental role when the Italian republic was established. Furthermore, also article 4 refers to work, dictating that “The Republic recognises the right to work for all citizens and promotes the conditions that make this right effective”.

Article 39 in particular fixes the basic framework for trade unions. It establishes that “the organisation of trade unions is free”. It also states that only trade unions with an internal democratic organisation are eligible to be registered. Subsequently, the ‘registered’ (and officially recognised) unions are enabled to sign collective work contracts, which bind all the workers to whom the agreement is addressed. However, the reality is that no trade union has ever sought official recognition from the State. Neither the big three (CGIL, CISL and UIL) have ever expressed their intention to do so. Therefore, their real capability to sign collective agreements stems from

the extent of their membership, rather than from any official acknowledgment by the State. Finally, the Constitution opens to the possibility of workers' cooperation to companies' management (article 46) and it attributes constitutional value to the strike, which is governed by specific laws (article 40).

Dealing with ordinary legislation, we observe that work regulation has undergone deep changes in the last 70 years. Until the mid-1980s, the legislation in force (overall law 230/1962 and overall the law 300/1970, better known as "Statute of workers") clearly considered the normal contract of employment as indefinite. Fixed-term contracts of employment were permitted only on the basis of special conditions, such as for seasonal jobs, for replacement of sick employees or those on maternity leave, and for extraordinary and occasional work. This situation has gradually changed towards a wider liberalisation of various kinds of fixed-term contracts and towards a reduction in the security of the permanent positions. This change has been the result of several legislative interventions. The first one was law 56/1987, followed ten years later by the so called "Pacchetto Treu" approved by the centre-left government led by Romano Prodi. In 2003, the Berlusconi's executive approved the Law 30/2003, also known as "Legge Biagi". Other important changes towards greater liberalisation of the job market were introduced in 2012, through the so-called "Riforma Fornero", and in 2014-2016, through the composite reform called "Jobs Act" approved by the government of Matteo Renzi.

2.4. Societal power

Historically, the birth of the three main trade unions was the consequence of the positioning of the various anti-fascist Italian parties in the context of the Cold War. First, in 1948, the Christian Democratic unionists abandoned the CGIL, then dominated by socialists and communists, and founded the CISL. Later, in 1950, the Western left-unionists (i.e. Republicans and Social Democrats) established the UIL. Therefore, already in the early 1950s, the political connection between the left-wing CGIL and Communists (PCI) and Socialists (PSI), between the centrist CISL and the Christian Democracy (DC) and between the reformist UIL and Republicans (PRI) and Social Democrats (PSDI) clearly emerged. These ties lasted almost entirely until the end of the so-called First Republic in the early 1990s. At the same time, since the Nineties we assist to the birth of many smaller unions, such as Cobas, USB, RDB, CUB, SlaiCobas, with a evident far-left, anti-capitalist, anarchist and communist orientations, often in relations with left-wing parties, such as Rifondazione Comunista, Potere al Popolo, Sinistra Italiana, the new PCI, etc.

Overall, the Nineties represent a turning point as the main political parties dissolved due to corruption trials (Baccaro et al. 2003) and party system scenario changed, together with a general weakening of the tripartite bargaining structure.

The Berlusconi-led centre-right governments of 2001 and 2008 reintroduced government unilateralism on economic issues, including cuts to the welfare system and liberalisation of the labour market (Colombo and Regalia 2016). The 2008 economic crisis and subsequent austerity policies further diminished the bargaining power of the trade unions, which resorted to protest mobilisation as a functional alternative (Morlino and Raniolo 2017). This occurred less frequently under centre-left supported governments (Andretta 2018). In fact, the left-wing parties seem more willing to

dialogue around labour-related issues and those of the radical left are more present in the streets to demonstrate for the right to decent work.

However, the most solid alliance is that between trade unions and civil society or social movements organisations. This relationship has gone through various phases, marked by significant moments of cooperation (as during No Global movement) and significant breaking events. A mix of conflict and competitive cooperation tends to prevail among them, while stable cooperation prevails between ideologically closer organisations (as for example CGIL and Arci).

We found that the most explanatory variables to explain these patterns of interaction are:

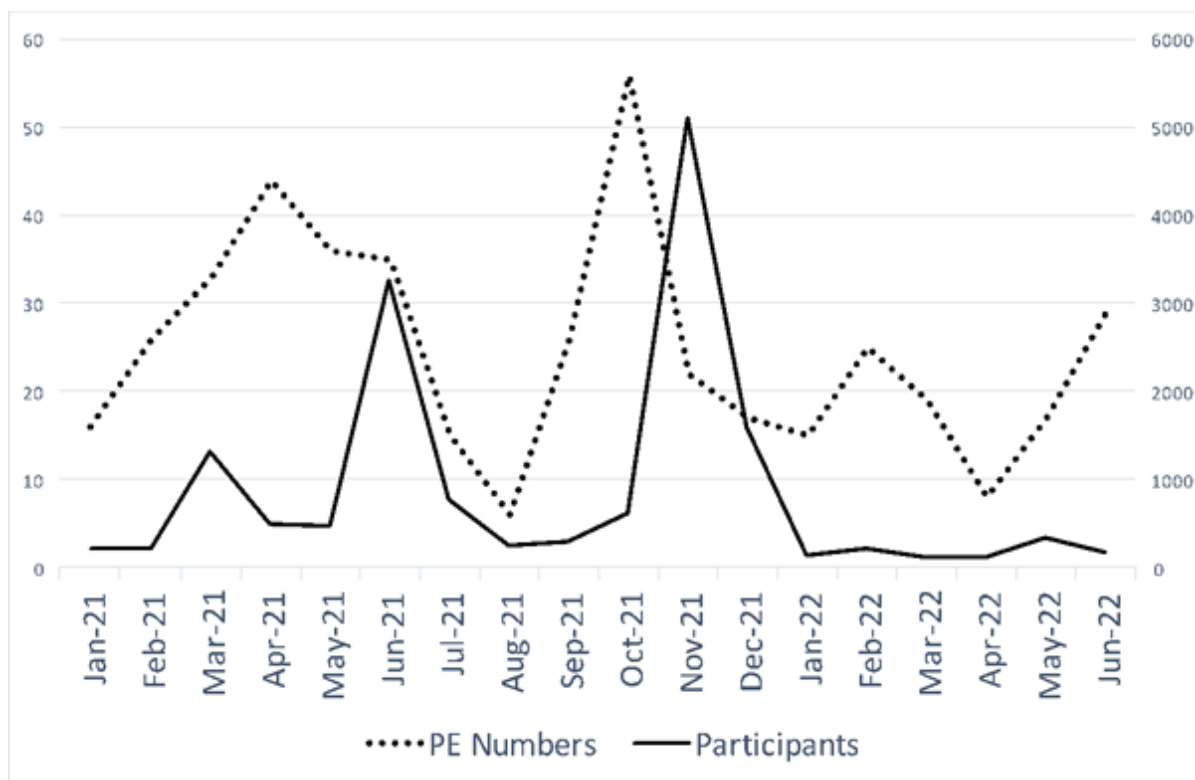
- a. The action fields. The issue can impact on the willingness of the different organisations to the interaction (for example CGIL could be more engaged in no-war movement than in ecologist mobilisation).
- b. The political opportunity structures: the interaction between organisation is strongly affected by the political context and in particular by the relationship within the confederal unions and the government.
- c. The organisational level: the presence on the protest field of TU with high organisational level could produce resources but can also discourage most informal actors with less resources
- d. Political subculture of trade union and social movements or civil society organisations: the ideological roots and the political identity help us to understand TU and SMOs interactions and strategies.

3. Trade union protest actions in the recent period

3.1. Trends of protest events

According to data extracted from news reports covering the period from January 1, 2021, to July 1, 2022, Italian trade unions and workers have staged 445 PEs (Protest Events). Analysing the timeline of these protests (refer to Figure 2), we observe two peaks in activity: the first between March and June 2021, and the second between September and November of the same year. Following these periods, there was a noticeable decline in worker mobilisation.

Figure 2 Italian workers and trade unions PE by month



The initial peak is clearly associated with the ‘employment termination freeze’ enacted by the Italian government to safeguard worker employment during the peak of the pandemic crisis (refer also to Della Porta 2022)

The second peak developed in the months when Mario Draghi’s government, supported by a vast parliamentary majority, was preparing the budget law, which the unions criticized as too cautious and inadequate to address the concrete economic problems faced by families of workers already severely affected by the pandemic crisis and the end of the layoff ban. During these mobilisations, demands were made for income support measures, appropriate tax policy, investment in labour and industrial policy, support for pensioners, and actions to curb relocations that were causing mass layoffs across the country (Doc. 1). Notwithstanding the method of social dialogue followed by Draghi since it took office (ANSA, 10 February 2021) relationships began to deteriorate with the end of the layoff ban, the expressed intention to end the citizen’s income, and the measures outlined in the government’s first budget law (ANSA, 27 November 2021)

3.2. Leading organisations, target, theme, forms of actions, coalitions

Trade unions have initiated approximately 60% of all workers’ PEs, acted as co-initiators in about 7, and were merely participants in around 4. However, in over 27% of the cases, workers mobilised without their support

Most of the protests were staged by the three main confederal trade union organisations, with CGIL topping the list. Leftist grassroots unions were present in about 18% of the PEs, apolitical independent unions in about 10%, and right-wing unions

in only 3%. Notably, 16% of PEs were carried out by informal worker organisations and 8% by other civil society organisations, while political parties were present in only 1% (table 4).

Table 4 Organisational composition of the workers mobilisation

CGLI	182	40.9
CiSL	153	34.4
UIL	157	35.3
Leftist Grass-roots Unions	78	17.5
Rightwing Unions	14	3.1
A-political Unions	43	9.7
Workers' Informal Org.	70	15.7
Political Parties	6	1.2
CSOs-SMOs	35	7.9

Workers were more active in the private sector (69%) than in the public sector. Within the private sector, approximately 25% of the protests were led by transport workers, followed by metalworkers and other industrial workers at about 20%. In the public sectors, those employed in the local, regional, and national welfare systems were the most active, participating in 12% of the protests

In terms of the forms of action, it is worth noting that strikes are not the most common, with marches, rallies, and other demonstrative protests being far more prevalent. Repertoires that are radical but non-violent are reported in approximately 10% of the PEs, while instances of violence were very rare. Finally, the police actively intervened in 16 PEs, which is about 4% (Table 5).

Table 5 Forms of Protest: Frequency and Police Intervention

Strike	152	34.2
March/Rally	203	45.6
Other Demonstrative	267	60
Perturbative	40	9
Violent	5	0.1
Police	16	3.6

It's no surprise that economic issues are at the forefront of workers' mobilisation, with over 90% of protest events (PEs) making such claims: 27% of these address systemic issues like economic status quo, budget cuts, poverty, and inequality, while more than 80% of protests are centred on working conditions, rights, unemployment, wages, and particularly dismissals. Occasionally, these economic claims are linked to broader concerns about the functioning of state institutions and the quality of Italian democracy (around 5%), or cultural matters such as environmental and

civil rights (approximately 14%).

3.3. Main protest campaigns

The mobilisation of GKN workers in Campi Bisenzio, Florence, stands out as a clear illustration of the capacity of informal workers' organisations to establish enduring campaigns. Notably, it was the sole significant campaign initiated during the initial surge of labour disputes documented within the timeframe of this study. This campaign was directly associated with the Draghi government's decision to conclude the "employment termination freeze," which came into effect on July 1st, 2021.

The e-mail of the 9 July 2021 announcing the dismissals arrives in a context where Italian workers were accustomed to entrusting the resolution of disputes to trade unions and institutions, without positive outcomes in terms of job security, and where ecological demands were often perceived as being at odds with social demands.

Soon after the above-mentioned email of July 9, 2021, the GKN workers, organised under the pre-existing group known as the Collettivo di Fabbrica—essentially an independent trade union organisation within the plant—convened in a permanent assembly within the factory, open to all individuals who were willing to support their mobilisation.

In this initial phase, the consolidation of the relationship between the factory and the surrounding territory proved to be fundamental. Thousands of people in and around Florence united to defend the factory through demonstrations and by actively participating in the daily activities of the assembly (Il Manifesto 2021). This phase concluded with a partial victory when the Court of Florence revoked the collective dismissal of the workers based on a legal appeal presented by FIOM/CGIL, the most significant metalworkers' trade union in Italy (GKN 2022, 54; Il Sole 24 Ore 2021a).

A few months later, under the slogan "Converge to revolt," the mobilisation expanded across the country, with the aim not only to defend the rights of GKN workers but also to advocate for a socially and climatically just society.

In this new phase, the Collettivo di Fabbrica sought to enhance relationships with other labour disputes and various sectors of social movements, including students, the unemployed, women, and ecological groups (GKN 2022, 54). Together, they supported the mobilisation and campaigned for the ecological reindustrialisation of the factory.

After approximately three years of mobilisation and successful legal appeals, including the most recent one against a new round of layoffs announced on January 1, 2024, the workers have succeeded in remaining inside the factory with the goal of restarting production (Il Sole 24 Ore 2023). The fundraising efforts to kick start industrial reconversion are in their final stages, with the plan and necessary patents already prepared. The last step involves negotiations with the regional government to facilitate the reconversion by providing the remaining capital needed to begin production.

3.4. The success of trade union collective actions

The report on Italian labour mobilisations from January 1, 2021, to July 1, 2022, indicates a significant pattern of worker protests coinciding with governmental labour policies during the pandemic. Key findings reveal that Main Trade Unions (MTUs) are the primary instigators of protest events (PEs), focusing largely on strikes and marches concerning working conditions and employment issues, and predominantly targeting companies. Leftist grassroots trade unions, though less prevalent, display more confrontational tactics and a broader scope of concerns, including systemic economic issues and environmental and civil rights. Informal worker organisations take a distinct path, favouring demonstrations and radical tactics, with a focus on the economic system and cultural claims, though they are less likely to target companies directly.

The mobilisation of the GKN workers in Campi Bisenzio is a prime example of how informal worker organisations can drive persistent campaigns, demonstrating the potential to integrate environmental sustainability with labour rights. This case underscores the workers' refusal to accept job losses under the guise of ecological transition and emphasises their proactive development of a sustainable industrial model.

The conclusions drawn from this data suggest that trade unions and workers' organisations are adapting to contemporary challenges by diversifying their tactics and expanding their agendas to include broader social issues. The implications for trade union organising and the defence of workers' rights and interests are multifaceted:

1. Trade unions are urged to align more closely with social movements, including environmental and civil rights groups, to enhance the impact and breadth of their advocacy.
2. There is a clear necessity for trade unions to consider the implications of ecological transitions on labour rights and to actively participate in shaping sustainable industrial policies.
3. The success of the GKN workers in halting layoffs and developing a "green" project highlights the effectiveness of combining traditional labour protests with broader societal engagement and innovative approaches to industrial conversion.

While traditional forms of labour mobilisation remain central, the integration of social and ecological concerns into union agendas may prove critical for addressing the complex and evolving landscape of workers' rights and interests in the contemporary economy. This approach could redefine the role of trade unions and worker organisations in promoting not only the interests of their members but also the broader social good.

4. Qualitative findings

4.1. Main problems and challenges in collective bargaining

Even though Italy is the country with the highest level of collective bargaining in Europe, in respondents' opinion several are the problems that affect the state of

Italian industrial regime and labour conditions.

From the analysis of interviews underscores several key issues:

1. Representation and Representativeness: There is a significant debate over which organisations are considered legitimate to engage in collective bargaining. The major trade unions and employers' organisations advocate for state intervention to define clear criteria for participation, while grassroots trade unions oppose such restrictions. Confederal trade unions like CGIL and UIL criticise the fragmentation of collective bargaining and the presence of so-called "pirate trade unions," which they argue can lead to substandard contracts and undermine workers' rights. Grassroots unions, however, assert that this criticism is a strategic move to exclude unions that are popular among workers and have a more confrontational approach.

2. Minimum Wage: The absence of a statutory minimum wage in Italy has become a contentious issue, with most trade unions advocating for it. The USB, in particular, has campaigned for a €10/hour minimum wage, while CGIL and UIL have supported a €9/hour rate, albeit with less enthusiasm. Employers' organisations and UGL are against a statutory minimum wage, arguing that collective agreements already exceed that threshold and that improving worker conditions should focus on extending collective bargaining coverage rather than imposing a minimum wage.

3. Other Challenges in Collective Bargaining: The report also highlights other concerns such as wage dumping, long renewal times for contracts, the varying nature of labour across the country, and the need to extend collective bargaining to new and precarious sectors of work. There is also an emphasis on the need for innovation and the development of human resources in the Italian labour market to improve productivity and competitiveness.

4.2. The motives of social partners to participate in collective bargaining

All social partners consider collective bargaining to be a necessary - as well as the best - instrument for regulating working conditions, so much so that even excluded trade unions try to be recognised at the negotiating table with the aim of signing CCNL. In any case, in the opinion of various social partners, the models and actors that have to be involved in collective agreement are different.

In Italian industrial regime, trade unions and employer's organisations are at the core of the collective bargaining process, and the other actors rarely enter in negotiations. The consolidation of a bilateral pattern of bargaining is the goal of employer's organisations (Int. Federmeccanica, Int. Ebret) that consider this type of negotiation as positive for both firms and workers. The same institutional key-actors in labour field recognise the centrality of this model, in which the State seems to play a marginal role, but also mentioning the potential risks:

The bargaining is the product of a confrontation between two private parties. Each with its own powers of persuasion and its own negotiating weapons vis-à-vis the other. Consequently, the results of that bargaining can be the subject of a compromise in which the parties must mutually give up something. But since there is no public regulator in this area to guarantee certain aspects of bargaining, it remains an instrument entirely in the hands of private organisations. (Labour Ministry)

On the other hand, the trade unions would have in some case a public intervention on the collective bargaining field, as for the imposition of a minimum wage, as we see previously.

What emerges clearly is that the evolution of industrial relation and collective bargaining is deeply connected to the power relations. While in the past the employer's organisations were forced into negotiation by the strength of the labour movement, nowadays these same organisations have a strategic position in this bargaining, and they want to obtain their results by exploiting this privileged position:

Whether it is globalisation, the fact that the conflict between capital and labour is no longer central, the fact that the context has radically changed, or whether it is now the market that is in charge, we have entered a totally different phase, where the balance of power is radically changing, and therefore bargaining is also weakening. [...] On the basis of this reasoning, Confindustria has chosen to keep this relationship with the counterparts alive, because it is more dynamic, more immediate, closer to my problems, and to avoid being in a jungle situation that no one is able to control or, worse still, in a situation where I am in fact at the mercy of what the legislator decides (Confindustria)

Overall, while all social actors share the importance of normalising labour through collective bargaining, the goals and modalities that each actor sets for itself depend on identity, visions and strategies. Moreover, the power relations between the parties seem to be the most important variable in determining the outcome of collective bargaining.

4.3. Views on collective bargaining by other actors

Among the other actors involved by our research, there is absolute conviction about the importance of the instrument of collective bargaining, and the issue of representation is emphasised by these (historically closer to the CGIL) as a problem:

The fact that there is still no law on trade union representation in this country is a problem, because there are trade unions that together represent almost 10 million men and women workers, which count as much as those representing 50,000 when it goes well (ARCI).

Also for the Partito Democratico (PD), the selection method for determining the participants eligible for engaging in collective bargaining holds significant importance. This raises the fundamental question of who should be authorised to represent the workers. The PD recognises the strategic importance of the collective and national negotiations:

The method of collective agreements is definitely useful for our country. [...] important collective agreements have been made, for instance, regarding the protection of workers during the COVID period. These agreements, at times involving the government as a third party, allowed for the maintenance of operations in a secure manner even before more structured protocols were established (Partito Democratico).

But “we face the simultaneous lack of a reference framework, in terms of regula-

tions and in terms of more general agreements concerning the theme of representation (Partito Democratico).

On specific campaign as that for the minimum wage, some of these actors joined forces, demanding the introduction of a measure that would improve collective bargaining.

4.4. How collective agreements are reached

Trade unions predominantly use two strategies to negotiate collective agreements: social dialogue and protest. The main cleavage is here represented by the type of trade union, its political culture, and its strategic position within industrial regime. In fact, the previous mentioned issue of representation impacts on the patterns of interaction between trade unions and employers' organisations: while the confederal trade unions have a privilege space for set up a negotiating tables; the grassroots unions are excluded by these negotiating tables and, as consequence, they recur to the protest to impose a negotiation aimed at opening to the second-level collective bargaining.

Overall, CGIL, UIL and UGL refer us about quite the positive outcomes of social dialogue with the employers' organisations with concern to different sectors and specific conjuncture, as the pandemic one.

In the pandemic phase, the trilateral relations were fruitful and resulted in the freezing of layoffs, in an important and incisive involvement in the stipulation of tripartite protocols concerning the organisation of work and production, the adoption of smart working, safe working conditions, etc. (CGIL).

In any case, the social dialogue does not always prove to be sufficient, and the role of conflict and in particular of the strike is recognised as central by the organisations themselves.

We need to bring the industrial conflict back into the arena of a confrontation that, according to the voluntarist dynamics of the most trilateral social dialogue, has not proven in recent years to be able to guarantee a timely renewal of contracts and wages in line with European ones (CGIL).

On the others side, as above mentioned, the grassroots unions – also given their marginalised position in the industrial relations – privilege a most radical action repertoire. Given the intrinsic asymmetric nature of industrial relations, the conflict is considered as pivotal for rebalancing the existing power relations between employers' organisations and the workers. In this sense, all-out strikes, pickets, blockades of goods, are forms of struggle not only recognised as necessary but rather frequent in the repertoire of the grassroots unions, which – through this repertoire - achieved important results in terms of second-level collective agreements.

What we have to do is conflict. USB, the conflictual trade unions somehow manage to interact when, together with the power relations given by the rooting in the warehouses and in the supply chain, they combine conflict, strike, blockade of goods and all the creative forms that over the years the porters and couriers have managed to put in place by innovating a bit the creativity that has been typical of metalworkers.

There is no moral judgement, bosses are not good or bad, bosses are bosses. We go on strike against the professionals of profit [...] either they win or we win (USB).

The strike is also based on picket lines blocking people and goods, and if you picket, if you do the traditional struggles, which others like the CGIL and CISL no longer do, you immediately get results [...] in a short time the employer is forced to have to negotiate with us precisely so as not to lose on the market from the competitive point of view (SI.Cobas).

In order to change power dynamics, sometimes these grassroots unions engage in coalition building process that conducted to important outcomes (see Map of Successful Collective Bargaining). However, this approach is not universally accepted within trade unions, with some seeing it as ineffective for actual negotiation.

5. Summary

5.1. The negative and positive factors for collective bargaining; and successful mechanisms for improving collective bargaining

Trade unions in Italy benefit from a comparatively solid and widespread system of collective bargaining, with a high coverage rate in terms of collective agreements.

However, a negative factor affecting collective bargaining, as emphasised by nearly all trade union representatives, is linked to the process of globalisation. This process has led to the declining power of workers' associations and the increasing negotiation power of companies. Trade union representatives lament the progressive reduction of workers' rights and salaries over time due to these trends.

It is noteworthy that even some representatives of business associations and other civil society organisations acknowledge this process:

Whether it is globalisation, the fact that the conflict between capital and labour is no longer central, the changing context, or the market now taking the lead, we have entered a completely different phase where the balance of power is drastically shifting, thus weakening bargaining (Confindustria).

Work conditions have deteriorated significantly, with a precarisation of work and a multiplication of labour contracts. This decline is attributed to the weakening of the labour force as a whole (Arci).

All trade unions, except for CISL, agree that the introduction of a minimum wage would assist them in bolstering their substantial gains in collective bargaining.

The ability of companies to opt out of domestic markets also weakens the representative power of business interest groups and their main federations, such as Confcommercio, Confindustria, and CNA. While business interest group federations may have influence over the content of collective agreements, there is a consensus among all actors regarding the weakening of the entire interest representation system in Italy, as is the case elsewhere.

Another issue that is perceived positively by some established actors and negatively by grassroots organisations is the system of representation in collective bargaining.

There is a significant debate over which organisations are deemed legitimate to participate in collective bargaining.

Major trade unions and employers' organisations advocate for state intervention to establish clear criteria for participation. In contrast, grassroots trade unions oppose such restrictions. Confederal trade unions like CGIL and UIL criticise the fragmentation of collective bargaining and the presence of what they term "pirate trade unions." They argue that these unions can result in substandard contracts and undermine workers' rights.

On the other hand, grassroots unions assert that this criticism is a strategic move aimed at excluding unions that are popular among workers and have a more confrontational approach.

Major trade unions and employers' organisations advocate for state intervention to establish clear criteria for participation. In contrast, grassroots trade unions oppose such restrictions. Confederal trade unions like CGIL and UIL criticise the fragmentation of collective bargaining and the presence of what they term "pirate trade unions." They argue that these unions can result in substandard contracts and undermine workers' rights.

As we have seen, protest is one resource which trade unions utilise to address what they perceive as collective bargaining problems: mainstream trade unions use the "stick" of the protest to increase their legitimacy within the civil society, negotiate the contents of the collective agreement, especially when their counterparts delay their renewal; and contrast government policies which are perceived as negatively impacting on their constituencies; while rank and file trade unions use protests to increase their memberships, by often including the so called "outsiders" and support their claims, and then to balance their lack of institutional access to the bargaining process. Moreover, in three of the successful case of collective agreements, protest mobilisation was key: in the above illustrated GKN campaign, in the introduction of a collective agreement for "riders" and in the renewal of the collective agreement in the logistic and transport sector.

Finally, both trade unions and their social partners agree on the necessity of state intervention forcing the companies to apply the collective agreement reached for their sector.

As we have observed, protest is a resource that trade unions utilise to address perceived collective bargaining problems.

Mainstream trade unions use protests as a "stick" to enhance their legitimacy within civil society. They negotiate the contents of collective agreements, especially when their counterparts delay their renewal, and oppose government policies seen as negatively impacting their constituencies.

Rank-and-file trade unions use protests to increase their memberships, often including "outsiders" and supporting their claims. They also use protests to balance their lack of institutional access to the bargaining process.

In three successful cases of collective agreements, protest mobilisation played a key role: in the GKN campaign discussed earlier, in the introduction of a collective

agreement for “riders,” and in the renewal of the collective agreement in the logistic and transport sector.

Finally, both trade unions and their social partners agree on the necessity of state intervention to compel companies to apply the collective agreements reached for their sector.

Romania

Ciprian Panzaru & Gabriela Negoita

1. Collective bargaining in Romania

In Romania, the trajectory of collective bargaining over time reflects a significant transformation, characterised by a shift from a robust system with high union density to a more fragmented and decentralised framework. During the early 1990s, Romania boasted a trade union density of approximately 80%, indicative of a strong collective bargaining landscape. This period was marked by a centralised approach to collective bargaining, primarily at the sectoral level, which ensured widespread coverage and uniformity in labour standards across industries.

However, the subsequent years witnessed a steady decline in union density, plummeting to around 23% in recent times. This decrease can be attributed to several factors, including the economic restructuring post-communism, the expansion of the informal economy, and legislative changes that weakened the collective bargaining system. Notably, the legal requirement for sectoral collective bargaining, despite being in place, rarely materialised into actual agreements, indicating a significant gap between policy and practice.

As the emphasis shifted towards company-level bargaining, the landscape of collective bargaining in Romania underwent further changes. This transition was marked by a decrease in the coverage of collective wage bargaining agreements. In 2019, the coverage rate stood at 48%, a figure that experienced a sharp decline to approximately 32% by 2020. This reduction in coverage highlights the challenges facing collective bargaining in Romania, including the fragmentation of bargaining units, the diminishing influence of trade unions, and the broader shifts in the labour market.

These developments underscore the complex dynamics at play in Romania's collective bargaining system. The move away from a centralised, sectoral bargaining approach towards a more decentralised, company-level framework has implications for the collective bargaining coverage and the overall labour market. This evolution reflects broader trends in labour relations, indicating the need for adaptive strategies to enhance the effectiveness of collective bargaining in addressing the needs of workers and employers alike.

2. Power resources of Romanian trade unions

2.1. Structural power

The political and economic conditions shaping the power resources of labour in Romania, have undergone significant transformations, especially following the fall of the communist regime in 1989. The relationship between political parties and unions, alongside the shifts in economic paradigms, has played a critical role in defining the landscape of labour power.

In the immediate post-communist era, trade unions were pivotal in transitioning from state-controlled entities to mechanisms representing workers' interests. This period was marked by a high level of activism, with trade unions organising significant worker protests to gain influence over the newly forming labour landscape. However, the transition also brought challenges, such as the privatisation of state-owned factories and a gradual shift from an industrial to a service-based economy, which aligned Romania with the broader European Union pattern. These changes have impacted sectoral negotiations and, by extension, the power dynamics between labour and employers.

Political involvement has been marked by complex challenges for Romanian trade unions. While legal provisions ostensibly prevent trade unions from engaging in political activities, there have been instances of collaboration between trade unions and political parties. Such relationships have sometimes been strategic, aiming to secure favourable labour laws or electoral support. However, they have also attracted criticism from union members who view such political involvement as a betrayal of the unions' primary role as representatives of workers' interests.

The effectiveness of social dialogue in Romania has been under scrutiny for years, often described as rigid and inefficient at both the national level and in international evaluations. Legislative changes and the structure of the industrial relations system have contributed to this inefficiency. Notably, the social dialogue reform of 2011 and its continuing effects have significantly reduced the coverage of collective bargaining at the sectoral level, while collective bargaining at the company level has not achieved the desired outcomes. This inefficiency is compounded by the absence of a culture of social dialogue, the lack of clear national objectives to support social dialogue across all levels, and the legal barriers to setting up trade unions and achieving representativeness.

A major issue is the absence of representative social partners in various sectors, which blocks effective social dialogue and collective bargaining. This situation is indicative of the broader challenges faced by the labour movement in Romania, where the power resources of labour, shaped by structural, political, and economic conditions, are constrained by legislative changes, economic fragmentation, and the neo liberalisation of the economy.

2.2. Organisational power

The organisational power of labour in Romania, is defined by complex factors and evolving scenario. Initially, in the aftermath of the fall of communism in 1989, Romania witnessed a significant proliferation of trade unions, reflecting a surge in organisational power. The first free and independent trade unions emerged in 1990, symbolising a newfound freedom and autonomy from state control, which had characterised the communist era.

Trade union density reached its peak in the early 1990s, with approximately 80% of the workforce being unionised. This high union density signified a strong organisational base for labour, providing the unions with substantial bargaining power and influence. However, the subsequent years have seen a steady decline in union membership. By 2021, trade union membership had declined to around 1.5 mil-

lion, representing approximately 20% of the total workforce. This decline from the early 1990s peak is attributed to several factors, including the impact of economic reforms, the growth of the informal economy, and challenges to the collective bargaining system.

Despite the decline in union density, the Romanian trade union system remains relatively strong compared to other Central and Eastern European countries, with union density still ranging between 20 to 25 percent of the workforce. The organisational landscape of trade unions in Romania is now characterised by the presence of five main confederations: CNSLR-Frăția, BNS, CNS Cartel Alfa, CSDR, and CSN Meridian, each having similar membership numbers and a range of affiliated federations. Approximately 1.3 million individuals are affiliated with these unions, a figure substantiated by confederations' requirement to report their membership numbers for national representative status.

The legal framework governing trade unions and their activities includes the Romanian Constitution, the Labour Code, and specific laws regarding social dialogue. Trade unions have the flexibility to form and register, potentially affiliating with federations and confederations across sectors or territories. This regulatory environment supports the organisational structuring and operational capabilities of trade unions, allowing for a degree of adaptability and resilience in the face of changing labour market dynamics.

Despite many obstacles, unions continue to advocate for workers' rights and better working conditions, having an important role within the Romanian labour market.

2.3. Institutional power

The institutional power of labour in Romania reflects both the historical evolution and recent legislative changes that shape the landscape of labour relations and trade union activities.

Romania's legal framework governing trade unions and collective bargaining has undergone significant transformation, particularly with the adoption of the new Social Dialogue Law (SDL 367/2022), which replaced the previous regulation covered by Law 62/2011 on social dialogue. This new law has introduced several key changes aimed at facilitating a more effective collective bargaining process. It has reduced the representativeness threshold required for a trade union to become representative, allowing a union to be considered representative if it comprises at least 35% of the employees in a legal employment relationship with the company, compared to the previous threshold of 50%+1. Additionally, the conditions for setting up a trade union have been made more flexible, and the law extends the possibility of union membership to include unemployed or self-employed workers, although they will not be considered in determining trade union representativeness.

The collective bargaining process in Romania is now mandated at both the company level, if the unit has at least 10 employees, and at the sectoral level. The negotiation process is required to be completed within 45 calendar days unless both parties agree to an extension. This is a move towards enhancing the coverage and effectiveness of collective agreements across different sectors and at the company

level. Despite these regulatory changes, sectoral collective bargaining in practice sees very few agreements, highlighting a discrepancy between the legal framework and its implementation.

Social dialogue institutions, including both bipartite and tripartite dialogues, have been redefined and aimed at fostering a constructive environment for labour relations. Bipartite social dialogue is understood as autonomous dialogue without government involvement, focusing on compulsory collective bargaining or consultation between government, trade unions, and employers for economic and social issues. The Ministry of Labour describes tripartite social dialogue settings as consultations and mutual information exchanges at different levels, aiming for a more advanced form of social partnership negotiation.

Despite these legislative and institutional frameworks aimed at supporting labour rights and collective bargaining, challenges persist. The effectiveness of social dialogue in Romania has been questioned, with criticisms pointing to a lack of culture for social dialogue, absence of national objectives to support dialogue, and legal barriers that make setting up trade unions and engaging in sectoral collective bargaining difficult.

The new SDL 367/2022 offers hope for improved social dialogue and collective bargaining, but the effectiveness of these changes remains to be seen, aspects being contingent on implementation and the active engagement of all social partners.

2.4. Societal power

The societal power of labour in Romania, involves complex relationships between trade unions, other organisations, and political parties. Trade unions have engaged in various forms of coalitions and relationships to enhance their influence and advance their interests. These relationships have played a significant role in shaping labour's societal power and their ability to negotiate more favourable conditions for workers.

Trade unions have formed coalitions with a range of other organisations to strengthen their bargaining position. This includes collaboration with civil society organisations and social movements, which has enabled trade unions to extend their influence beyond the workplace and engage in broader social and political issues. Such coalitions have allowed labour movements to amplify their voice and exert greater pressure on employers and policymakers.

The relationship between trade unions and political parties in Romania has been marked by both cooperation and tension. Some trade unions have formed strategic alliances with political parties, using their electoral support to secure favourable labour laws and policies. For example, CNSLR Frăția has had several cooperation agreements with the Social Democratic Party, while BNS has cooperated with the Greater Romania Party and later with a centre-right political alliance. These alliances have sometimes resulted in union leaders transitioning into political roles, further blurring the lines between labour advocacy and political engagement. However, these political involvements have also attracted criticism from within the union membership, with some viewing it as a departure from the unions' primary role as

worker representatives.

Despite the strategic advantages, the political engagement of trade unions has its drawbacks. Criticism from union members about political alliances indicates a tension between pursuing political influence and maintaining a focus on representing workers' interests.

The societal power of labour, through coalitions and political relationships, has been a critical aspect of labour's strategy to enhance its influence.

3. Trade union protest actions in the recent period

The collective actions of trade unions in Romania reveal a landscape of active protest and mobilisation against various socio-economic challenges.

3.1. Trends of protest events

The collective actions of trade unions have been a significant part of labour movements with a rich of such activities in 2021 and 2022. This period has witnessed a dynamic landscape of protest events, spearheaded by leading organisations with clear targets and themes, through various forms of action and sometimes forming coalitions for broader impact.

The early months of 2021 witnessed a surge in protest activity, with January and February marking the peak of this increase. This period saw 24 and 18 events, respectively, indicating a heightened level of labour-related grievances and a robust call to action from the trade unions. This initial surge can be attributed to deteriorating working conditions exacerbated by the COVID-19 pandemic. This situation played a significant role in shaping the trends of protest events, in the early months of 2021. The pandemic led to a deterioration in working conditions for many workers, which in turn led to increased dissatisfaction. This period saw protests that were directly related to health and safety concerns, highlighting the immediate impact of the pandemic on the labour sector. For instance, employees from the health sector organised protests under the coordination of the "Solidarity in Health Federation," focusing on the health and safety of workers in their sector.

As the pandemic situation progressed and involved many restrictions, a distinct decrease in protest events was observed during the spring and summer months, particularly from April to June.

The trend of fluctuating protest activities continued with an increase in the number of protests in November and December 2021, indicating a resurgence in labour-related concerns. This resurgence underscores the dynamic landscape of labour issues in Romania, where the intensity of protests varied in response to changing socio-economic and political conditions.

The government's economic and social policies, particularly the implementation of austerity measures, contributed significantly to the increase in protests. These measures were met with widespread disapproval from various trade unions. The demands for increased wages, better working conditions, and improved social protection were central to the protests in 2021 and 2022, reflecting the unions' persistent

efforts to challenge the government's austerity policies.

3.2. Leading organisations, target, theme, forms of actions, coalitions

The trade union landscape in Romania was dominated by a number of key organisations that played pivotal roles in the mobilisation of protests. These organisations were instrumental in addressing a wide range of issues, from working conditions and unemployment to discrimination across various sectors, including healthcare, education, and public administration.

The Health Solidarity Federation and the Sanitas Federation were among the organisations that in 2021, initiate significant actions demanding for improving working conditions and challenging discrimination within the healthcare sector.

The National Trade Union Confederation "Cartel ALFA" emerged as a significant force, organising a major demonstration on January 27, 2021, which drew over 10,000 participants.

Throughout 2022, organisations such as the Federation of Free Trade Unions in Education and the National Federation of Administrative Trade Unions spearheaded protests, with the education sector's trade unions mobilising over 100,000 participants in a warning strike on January 19, 2022. This turnout underscored the readiness of employees to escalate their demands if authorities remained unresponsive.

The strategic use of different forms of protest - ranging from strikes and demonstrations to petitions - highlights the adaptability and tactical planning of trade unions. Notably, on June 15, 2022, the Sanitas Federation organised a demonstration with 10,000 participants, spotlighting the challenges facing the healthcare sector against a backdrop of systemic economic and political concerns.

The recurrent themes across these protests underscore the pressing need for addressing economic and political challenges, reflecting a broader landscape of socio-economic discontent in Romania. Collaborations and coalitions played a significant role in amplifying the impact of these protests. For instance, protests often involved more than one organised actor, indicating a coalition or partnership, with the most common coalitions being between main trade union federations and between non-main/grass-root trade union federations.

A notable aspect of these protests was their sector-specific focus, as well as the ability to unite different sectors under common causes. For example, the collaborative effort between the National Trade Union Confederation "Cartel ALFA" and the Federation of Free Trade Unions in Education exemplified a unified stance against challenges to working conditions and workers' rights, emphasising issues such as unemployment and discrimination.

3.3. Main protest campaigns

The years 2021 and 2022 were marked by a series of significant protest campaigns organised by various trade union organisations, federations, and confederations across Romania. These protests highlighted deep-seated concerns about systemic issues and working conditions that persistently affected different sectors. The array

of protest forms - ranging from demonstrations, marches, processions, to strikes and petitions - demonstrated the unions' strategic versatility in voicing their demands and engaging public interest.

During this period, the main protest campaigns were in the Education and Healthcare sector.

The early days of 2021 set the tone with federations like the Health Solidarity Federation and Sanitas Federation making substantial demands for improving working conditions and addressing unemployment and discrimination within the healthcare sector. Their concerted efforts laid the groundwork for the labour movement's momentum in addressing critical sector-specific issues.

On January 27, 2021, the National Trade Union Confederation "Cartel ALFA" organised a significant demonstration drawing over 10,000 participants to the streets. This event was a critical moment, rallying public support against familiar systemic issues, including budget cuts and the economic status quo.

The education sector marked its protest on December 22, 2021, with over 100,000 employees expressing grievances through a petition to the government, voicing dissatisfaction with salaries and signalling a potential "prorogation" of the school situation for the first semester. This petitionary approach, combined with a warning strike on January 19, 2022, underscored the sector's readiness to escalate their demands if left unaddressed by authorities.

The Sanitas Federation, representing healthcare workers, showcased a multi-faceted protest strategy. Notable was their demonstration on June 15, 2022, with 10,000 participants, highlighting the myriad challenges facing the healthcare sector.

3.4. Success of trade union collective actions

The period from January 2021 to August 2022 comprises 138 protest events, reflecting the engagement of 43 unique organisations. Organisations like the Publisind Federation, the National Trade Union Confederation Cartel ALFA, and the Romanian Policemen's Trade Union Diamantul, among others, were at the forefront, advocating for issues ranging from wage inequities to improved working conditions and social protection. With around 30 actions involving more than one organised actor, the period saw a strategic alliance between main trade union federations, grass-root trade union federations, informal workers' collectives, and, on rare occasions, political parties.

The efficacy of these collective actions varies. Some actions have led to negotiations or policy changes while other only brought issues to the forefront of public and governmental attention. Therefore, their actions played a critical role in raising awareness, shaping public discourse, and, in some cases, influencing policy discussions and outcomes.

4. Qualitative findings

The interviews conducted with various stakeholders involved in the collective bargaining (CB) process offer insightful perspectives on the main problems and chal-

allenges, the motives of social partners to participate, views by other actors, and how collective agreements are reached.

4.1. Main problems and challenges in collective bargaining

The collective bargaining process faces several challenges, with trade unions without collective agreements experiencing pronounced difficulties due to restrictive legislation that hampers their ability to initiate and engage in CB effectively. Employers, on the other hand, often show reluctance to enter into negotiations, perceiving formal agreements as limiting. Trade unions with collective agreements highlight the lack of comprehensive national contracts and stress the need for enhanced dialogue. The absence of collective agreements leads to fragmented bargaining and inconsistencies in working conditions across sectors. Employer organisations navigate challenges including unclear negotiation sectors and a lack of engagement invitations from trade unions, along with frequent changes in salaries and employment conditions that create instability.

4.2. The motives of social partners to participate in collective bargaining

The participation of social partners in CB is driven by various motives. The primary motive for trade unions engaging in CB is to secure comprehensive agreements that safeguard workers' rights and promote equitable working conditions. Trade unions aim to establish stable employment terms that contribute to harmonious labour relations. They prioritise the establishment of national and sectoral agreements to ensure uniform coverage and protection for all workers, addressing disparities and inconsistencies across different sectors.

Employer organisations participate in CB with a focus on maintaining flexibility and the capacity to address specific needs within different sectors. They often emphasise the need for clear sector definitions and the ability to adjust employment terms to meet changing business environments. Despite recognising the benefits of collective agreements in establishing clear and stable terms of employment, some employers view formal agreements as potentially limiting or burdensome, preferring to maintain a degree of flexibility.

State authorities view CB as an essential mechanism aligned with European directives, aiming to balance protecting workers' rights with accommodating economic imperatives. The state's role is to create a conducive legal and regulatory framework for CB, ensuring that negotiations operate within a set of predefined rules that protect the rights of workers while also considering the needs of employers.

Civil society organisations support the CB process by advocating for workers' rights, social justice, and fair labour practices. Their involvement is often supportive and facilitative, providing education, information, and platforms for dialogue among labour market actors.

4.3. Views on collective bargaining by other actors

Different actors (such as state authorities and civil society) hold distinct perspectives on CB. Some (state) view the process as aligned with European standards,

focusing on creating a legal framework that facilitates CB and social dialogue. Other (civil society) emphasises education and awareness initiatives to strengthen the bargaining process, maintaining a supportive role through collaboration and advocacy for workers' rights.

4.4. How collective agreements are reached

Collective agreements are predominantly reached through active social dialogue between trade unions and employer organisations. This dialogue is the primary mechanism through which collective agreements have been successfully achieved, as highlighted by the interview responses. However, challenges such as leadership responsiveness, employer willingness to negotiate, and the need for comprehensive contracts also influence the negotiation process. Therefore, the key factors influencing the process of collective agreements consist of active social dialogue, leadership responsiveness, employer participation, transparency and legal frameworks and also use of collective disputes.

The fundamental aspect of reaching collective agreements lies in the active engagement of both parties in social dialogue. This involves constructive discussions and negotiations that are crucial for the successful conclusion of collective agreements.

The willingness of leaders, including management and employer representatives, to engage in meaningful dialogue plays a critical role in the negotiation's success.

A noted barrier is the lack of genuine will and interest from some employers to participate actively in the collective bargaining process, which can hinder reaching agreements.

Transparency in negotiations and adherence to legal frameworks are essential for building trust between the parties and ensuring fair and law-compliant negotiation outcomes.

While not the primary method, mobilisation, protests, or strikes are recognised tactics within the collective bargaining landscape, supported by legal frameworks and indirectly facilitated by civil society through capacity building and information dissemination.

5. Summary

Our analysis of collective bargaining in Romania revealed that structural causes and long-term processes have significantly shaped labour negotiations, reflecting a dynamic interplay of institutional frameworks, laws, political environments, public opinion, economic systems, globalisation, union density, and other factors. Mechanisms such as concrete actions, practices, and strategies of trade unions, negotiations with social partners, the organisation of collective action like protests and strikes, influence on political parties or certain political currents, and coalition build-ups with civil society/social movements further complicate this landscape.

Romania's legal and political-economic context provides a foundational backdrop for the functioning of trade unions and collective bargaining. The main sources of

the current legislative framework, including the Romanian Constitution, the Labour Code, and the Social Dialogue Law (SDL), have undergone several amendments over the years to adapt to the evolving needs of social dialogue and labour relation. However, the legislative landscape has faced challenges, notably with the SDL 62/2011, which decentralised collective bargaining and weakened the role of social partners, leading to widespread criticism for reducing trade union rights and fostering discrimination.

The new SDL 367/2022 represents a significant shift towards addressing these concerns, by reducing the percentage required for trade union representativeness and making it easier to set up trade unions, thus aiming to enhance the collective bargaining process. This change, alongside the reintroduction of the possibility for a national collective labour agreement, marks a pivotal moment in Romania's labour relations, potentially mitigating some of the negative impacts observed under the previous legal framework.

Trade unions have employed a range of mechanisms to navigate the collective bargaining landscape effectively. These include mobilising union members to support their positions during negotiations, organising strikes, work stoppages, and other forms of industrial action, or using data and research to support their bargaining positions. Such strategies are critical in the context of Romania's historical and current challenges in initiating industrial actions due to strict legislative provisions. The recent SDL No. 367/2022 introduces more permissive regulations for organising protests and strikes, reflecting an evolving legal landscape more conducive to collective labour actions.

Strengthening the mechanisms for collective bargaining requires a concerted effort from all stakeholders to address the identified barriers and leverage the positive aspects of the current system. Collaborative initiatives, enhanced legal frameworks, and educational efforts are key (successful) mechanisms to fostering a more inclusive and effective collective bargaining environment.

Croatia

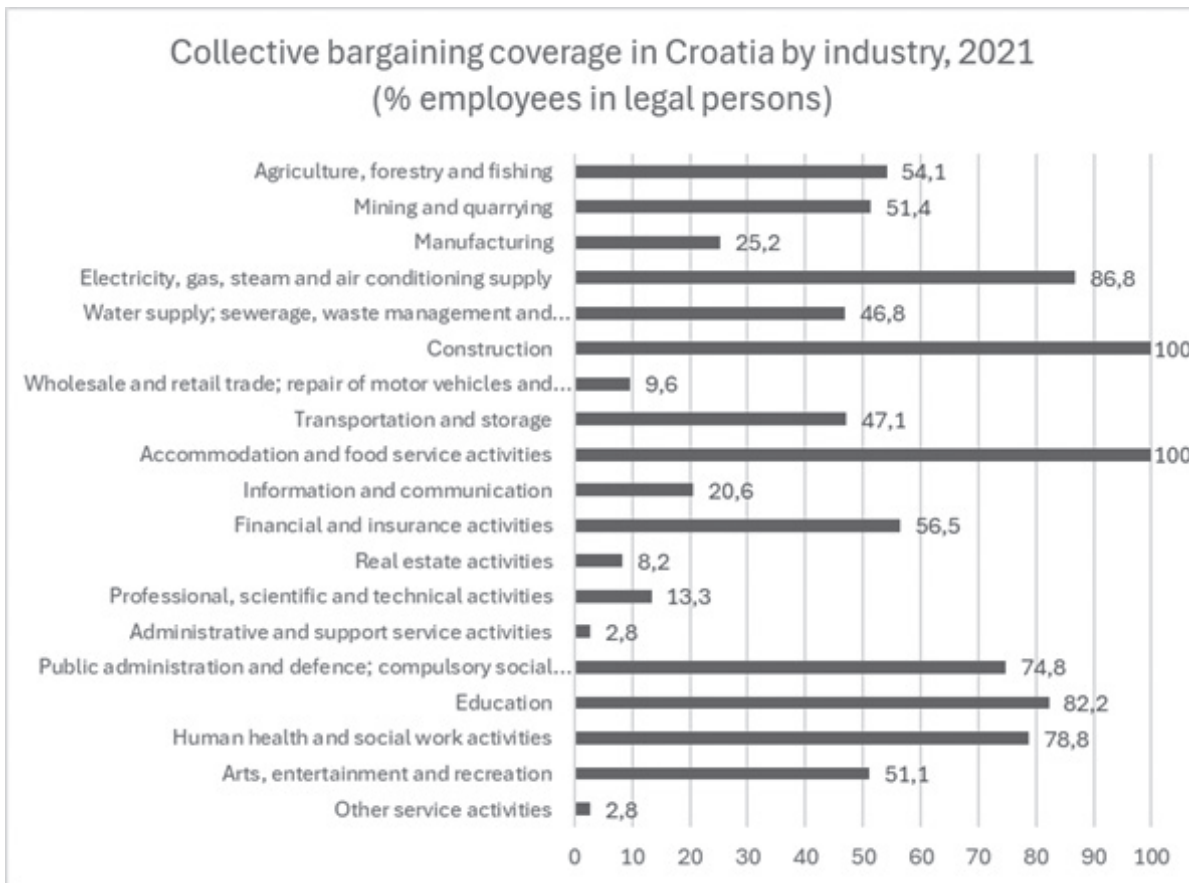
Marko Lucić

1. Collective bargaining and trade unions in Croatia

According to the latest available data at the end of 2021 (Bagić 2022), there were 580 collective agreements in force, regulating the rights of about 670,000 employees (47% of all workers). The number of collective agreements and employees covered slightly increased from 2014 (from 570 and 640,000 respectively). Still, the coverage decreased (from 53 to 47 per cent) owing to the disproportional growth of employment in sectors and enterprises where collective bargaining is less present or absent. There was a smaller drop in collective bargaining coverage from 2000 to 2009 (from 65 to 61 per cent) and a larger drop from 2009 to 2014 (from 61 to 53 per cent), the latter largely due to cancellation of the industry-level collective agreement for retail and wholesale in 2013. Currently, there are only three industry-level agreements in force: in construction, hospitality & tourism, and wood and paper industry.

Besides the role of industry-level agreements, differences in collective bargaining coverage by NACE sector (Figure 3) can largely be explained by the public-private divide. Industry sections with high shares of public sector employment or publicly owned enterprises have a high collective bargaining coverage. Two collective agreements cover almost all employees whose salaries are paid from the state budget (for public services and for state officials and employees). At the low-coverage end of the spectrum the largest industry section in terms of employment share is manufacturing, where the negative trend of collective bargaining coverage was the strongest due to the restructuring processes which extruded collective bargaining by substituting and fragmenting old enterprises.

Figure 3 Collective bargaining coverage by industry.



Source: Bagić (2022)

2. The power resources of labour

2.1. Structural factors

Structural economic factors have not been conducive to collective bargaining, especially the fragmentation of the Croatian economy. Factors of decrease in trade union density according to Bejaković et al (2023) can readily be applied to the decline in collective bargaining coverage as well: an increase of the employment share in micro-, small-, and medium-sized enterprises in the private sector, the disappearance of traditional industries with a high unionisation rate, retirement of older workers coupled with the lack of interest for trade unions among younger workers, high prevalence of fixed-term contracts among younger workers, growth in digital platform and project-based work, growth in the number of self-employed workers, extensive outsourcing of auxiliary services and growing number of people who work through agencies for temporary employment.

Emerging challenges are the boom of the foreign workforce (around 173,000 work permits issued in 2023) and the increase of the number of workers providing social services through civil society projects, mostly EU-funded, who have significantly worse working conditions than their public sector counterparts.

2.2. Organisational landscape

The Croatian trade union movement is highly fragmented at all levels (Grgurev & Vukorepa 2014) unlike the employers' side represented by one association, The Croatian Employers Association (*Hrvatska udruga poslodavaca*, HUP). There were 640 registered unions in 2023, however, the estimated number of active unions was around 250 (Bagić & Ostojić 2023). Of those, 109 are members of the three currently representative trade union confederations i.e. confederations represented in the national tripartite body, The Economic and Social Council, which gives them the right to influence bargaining-related regulation but not to participate in collective bargaining directly. The oldest confederation among the three is the Union of Autonomous Trade Unions of Croatia (SSSH, *Savez samostalnih sindikata Hrvatske*) founded in May 1990 from the former socialist unions and the new ones established already in 1989. The original intention to form a monolithic trade union movement through SSSH failed as the new unions left SSSH to establish new union confederations (Bagić 2010).

Other confederations lost their representative status in 2013 and 2017 as a result of the change in the legislature that raised the bar for union confederation representativeness in 2012 and 2014.

2.3. Institutional framework

There are doubts about the role of union confederations among the stakeholders and experts for several reasons (focus groups in Samardžija et al 2017). First, confederations in Croatia compete for members between themselves as they are not specialized in particular sectors or professions. Second, the tripartite social dialogue was assessed as precarious and unfruitful in critical moments, a case in point being the 2014 boycott of the Economic and Social Council by the union confederations who deemed unacceptable and unilateral the way how the Labour Act was adopted (Šobota 2015) but failed to stop it and to improve the role of social partners in formulating new legislation.

Besides the representativeness of union confederations in the tripartite social dialogue, the second and arguably more important aspect of representativeness is that of the unions. In Croatia, "only a representative trade union can negotiate and conclude collective agreements. When more than one trade union operate at the level at which the collective agreement is negotiated, all trade unions operating at that level may determine by written agreement which trade union they consider to be representative. When they fail to reach an agreement, the representativeness is determined by the Commission for Determining Representativeness. A statutory criterion used by the Commission to determine which trade union is representative requires a trade union to have at least 20% of the total number of unionized employees employed at the level at which representativeness is determined" (Grgurev 2023: 117-118). Tying the right to participate and the extent of representation in collective bargaining to the numerical criteria regarding membership in the first legislative attempt in 2012 caused dissatisfaction in the fragmented union scene (Gotovac 2023). Still, it was an improvement over earlier conflicts about the composition of negotiating committees for which there were no criteria and procedures

(Potočnjak 2016). Representativeness is still a matter of contention between the Croatian unions and an important feature of the unions' institutional framework in Croatia, so it bears more discussion. More recent issues regarding representativeness are mentioned in further sections below.

The next paragraph from Bagić further characterizes the legal framework for collective bargaining in Croatia: “[...] Employers are not able to contest the trade union right to collective bargaining. Only trade unions may contest the right to bargain collectively with other trade unions if they think they are not representative. Employers, however, are not obliged to conclude a collective agreement or to initiate collective bargaining, but trade unions have the right to exert pressure on employers through strikes in order to force the latter to enter into negotiations. Once a collective agreement has been concluded, both sides may cancel it before expiry; according to the Labour Act, a collective agreement may contain provisions on the validity of the agreement after it has expired. If not otherwise agreed, the agreement is valid for another three months after expiry” (Bagić 2019: 99).

The relatively small and dropping number of industry-level collective agreements can partly be attributed to the legislative changes. The new Labour Act of 2014 introduced the obligatory test of public interest and the decision of the minister to extend a collective agreement to the entire industry. It was no longer enough that the signatory union and employers' association submit a joint request to extend an agreement. The act on representativeness in 2012 limited the after-effect of collective agreements to only three months after expiry, which was strongly contested by the unions, and only marginally relaxed by adding exceptional cases in the Labour Act of 2014. The second reason behind weak sectoral-level bargaining in Croatia is the unfavourable structure of the employers' association and the autonomy of the branch associations. Namely, the employers' branch associations with their executive bodies do not correspond to the national classification of industries which defines the possible extent of sectoral collective agreements, nor do they correspond to unions' sector allocations. This greatly hinders sectoral collective bargaining (Bagić 2019). Thirdly, HUP repeatedly expressed reluctance to encourage its members to partake in sectoral collective bargaining (Galić 2022).

2.4. Societal power

The unions in Croatia have a difficult past with the political parties. In the early 1990s, following the democratic changes, the largest union confederation (SSSH) organised a series of strikes and protests demanding harmonization of wages with inflation, which was met with hostile reactions from the authorities and the ruling party Croatian Democratic Union (*Hrvatska demokratska zajednica*, HDZ).

In the second half of the 1990s, the union confederations went separate ways regarding cooperation with political parties. Some confederations including SSSH established close connections with the centre and centre-left opposition parties, while others insisted that unions should remain politically neutral. The cooperation of union confederations with the Social Democratic Party (*Socijaldemokratska partija Hrvatske*, SDP), the largest opposition party to the HDZ, did not pay off later, in the crisis and early recovery period 2011-2015 when SDP was incumbent, as the tripartite social dialogue underwent a deterioration (Samardžija et al 2017) and as the

state unilaterally cancelled certain bonuses for public sector employees. There was also a dispute about whether the conditions have been met for revoking wage cuts which were previously agreed between the public sector unions and the government as a necessary temporary crisis measure (see Samardžija et al, 2017). After all these tumultuous events, “about ten years ago, [...] all confederations gradually distanced themselves from all political parties” (Bagić & Ostojić 2023: 220). In 2010 a new party was founded with trade unionism at the forefront of its political programme and with a prominent union leader Dragutin Lesar as its founder (the Croatian Labour Party, *Hrvatski laburisti*). After promising results in the 2011 parliamentary elections, they lost support and are marginal today. In the more recent period, the only notable instance of political cooperation between unions and political parties is the cooperation between Novi sindikat, an independent general union present in most of the economy sectors which is not confederation-affiliated, with the Workers Front (*Radnička fronta*, RF), a far-left party with one member of parliament in the Croatian Parliament assembly of 2020-2024 (Katarina Peović).

The most tangible outcomes of the unions’ cooperation with civil society organisations are three successful direct democratic actions to prevent neoliberal reforms put forward by the government without consulting social partners. Two national-level people’s initiatives in 2014 stopped the government’s plan to outsource all auxiliary services in the public sector and the plan to monetize the publicly owned motorways, i.e. to let them into concession for 40 years to a private partner (for details see Samardžija et al 2017: 30-31). A third successful referendum initiative that brought together the unions and civil society took place in 2019 to oppose the government’s plan to raise the legal pension age to 67 years.

The societal power of the unions is manifested in public support. A survey on a randomized nationally representative sample of employed persons (1,000 respondents) carried out by SSSH in December 2021 showed that 82% of employed people supported the unions’ work in principle, 91% of them believed that collective agreements were a useful tool for the regulation of relations with employers and 90% believed that the government should encourage collective bargaining with its policies and laws (SSSH 2022).

3. Trade union collective actions in the recent period

The 1990s were a period of intensive strike and protest activities for Croatian trade unions, beginning in 1993 with a general strike that terminated the agreement between the unions and the government on suspending collective actions during the war.

In the first few years of the new millennium, when a social democratic government replaced the centre-right one, the number of strikes was also high, only to subside until the end of the 2000-2017 period for which there is systematic data available (The Archive of Workers’ Struggles⁵; Dolenc et al 2020). The collective actions subsided especially in the private sector, while the public sector trade unions remained more active in strikes and protests about collective agreements. The largest collective action of the last five years is the longest strike of school staff in Croatian history

5 <http://arhiv-radnickih-borbi.org/>

in the autumn of 2019 which lasted for 36 working days and included multiple public protests at the main city square in Zagreb. The strike began with a small protest by the two largest school unions who demanded a 6.11% increase in the coefficients that define the basic salary⁶. After two offers by the government were refused at the unions' censuses, it was agreed that the sought increase for the teaching staff would occur in three rounds until 1 January 2021, while the non-teaching staff was left out of the coefficient increases and was promised salary supplements in collective agreements. A series of disputes in collective bargaining in local waste management firms occurred during 2023 and 2024 in major Croatian cities. The disputes in Zagreb, Split and Rijeka escalated into short and successful strikes and were resolved by significant increases in the workers' material rights in the collective agreements. Most recently, in May 2024 the announcement of a strike in Zadar waste management firm resulted in an unprecedented 30-per cent wage increase. Waste management unions emphasized the large labour force deficit in their sector as the sole factor that makes conceding to their demands inevitable for the management.

2023 was a notable year for collective actions for several more reasons. It saw one of the rare solidarity strikes in Croatian history, in 11 subsidiaries of the Traffic workers' union (*Sindikat prometa i veza Hrvatske*) in support of the workers in the county public road maintenance firm in Šibenik-Knin county with crucial organisational and logistic support from the union confederation SSSH. The year was marked by the preparation of the first all-encompassing regulation of job complexity coefficients which define the wages of public servants and state officials after 23 years, which caused many manifestations of dissatisfaction by the public sector unions, voicing demands, strike threats and negotiations with the government as the employer outside of the legal framework for collective bargaining (with health sector unions at the forefront in the latter respect). Among all those events, a significant strike event with surprising consequences occurred. Judicial civil servants and ancillary staff in courts went on a two-month strike behind a non-representative union, which was deemed legal by the Supreme Court in June 2023. This is contrary to the interpretation of representativeness in the judicial practice until then, as a strike in Croatia is legal only if it is about unpaid wages or collective bargaining, while in turn, only representative unions can take part in collective bargaining. Gotovac (2023) marked this Supreme Court's decision as an unwelcome, tacitly introduced "change in architecture of collective labour law" simultaneously criticizing Article 205 of the Labour Act cited by the Supreme Court for entailing a possibility of a third legal basis of the right to strike beyond unpaid wages and collective bargaining, vaguely formulated as "protection and promotion of economic and social rights".

At the time of writing, in May 2024, one of the unions of early and preschool education workers (*Sindikat obrazovanja, medija i kulture*) is on strike in kindergartens in three Croatian towns, which is the first strike in preschool education in the history of independent Croatia, with a very hostile reaction from the local authorities respon-

⁶ Not in a collective agreement, but in a government's regulation of the job complexity coefficients in the public services. In Croatian public services and state offices, the basic salary is determined as a multiple of the salary base and the job complexity coefficient. While the wage bases are subject of annual collective bargaining between the government and the public sector unions, the coefficients are subject to unilateral government decisions about the regulations. The pressures on the coefficients from the unions, most notably in 2019 and 2023, were happening outside of any legally defined procedure.

sible for managing and financing preschool education. The union demands that the collective agreements with the local authorities ensure an equal level of material and working conditions for workers in preschool education as for the workers in elementary schools that are centrally run and financed, which is written in the Law on early and preschool education but rarely found in practice, as the local governments did not channel sufficient resources into preschool education. The hopefully positive outcome of these collective actions would have far-reaching consequences on the sector.

While public sector unions' collective actions are preoccupied with collective bargaining, a strike in a private textile company Varteks in May 2024 appears to continue the long-standing tradition of private sector strikes in Croatia – 600 workers are seeking their unpaid wages and to keep the production going.

4. Collective bargaining in the recent period

Bagić (2022) gives a comprehensive characterisation of collective bargaining in Croatia based on data at the end of 2021 whereby he identified four different “established patterns of collective bargaining practices” co-existing in Croatia. The first pattern is found in the public sector, in a relatively coordinated process of two-level bargaining in the public services (where there is a basic collective agreement for all public services and a series of industry-level agreements) and one-level bargaining in state offices. There is regularity of bargaining in this pattern as well as a focus on wages: salary base is a subject of annual bargaining and some material rights (salary supplements) are a subject of industry-level agreements in the public services which are generally concluded for four years. However, the government reserves the right to unilaterally decide on salary coefficients. There is considerable conflict as the public sector unions have a significant striking potential.

The second pattern is found in two sectors with sector-level agreements: construction and hospitality. Alongside sector-level bargaining, there is also company-level bargaining, most often in large and medium companies of the two sectors (there were 40 company-level agreements found in construction and 75 in hospitality at the end of 2021). Both sector-level agreements address the wages by defining minimums by occupation groups. In the hospitality sector, there is a regular two-year bargaining cycle, while there is less regularity in the construction sector as agreements are concluded for an indefinite term. On the other hand, the agreements in construction are amended relatively often and the sectoral agreement includes the stipulation of harmonisation of the material rights every two years. The bargaining is not coordinated neither between these two sectors nor with other sectors. The level of conflict is low. However, it is often emphasised in public by the unions but also by some employers that the coverage in construction and hospitality is largely only nominal because there is a lack of mechanisms of control over the agreements' application in the micro, small and medium enterprises which often pay wages illegally (without taxes and contributions). Hence the most recent amendment to the collective agreement for construction from March 2024, once extended to the industry by the minister's decision, will give the construction unions the public authority to oversee payment of wages in accordance with the collective agreements besides labour inspection. This witnesses a high level of cooperation between the social partners in

the construction sector.

The first two centralised patterns account for roughly two-thirds of the entire collective bargaining coverage in Croatia (about 250,000 workers in the public sector and 200,000 in construction and hospitality) with only four collective agreements (not counting the 115 agreements that further elaborate the rights at lower levels in the encompassed sectors).

The remaining two patterns are decentralised: they refer to company-level bargaining in other industries. Bagić called the first of these two decentralised patterns “regular company-level bargaining”. Although agreements in this pattern are focused on salaries and their correction, this pattern encompasses fragmented bargaining practices with uncoordinated and highly varied bargaining cycles (from yearly to cycles lasting more than three years). The last pattern lacks regularity and is called “out-of-date company-level bargaining”. It is relatively often present in publicly owned companies with either the central state or the local government at the employer’s side of the table. Out of 460 company-level agreements not covered by higher-level agreements, about 45% of them were not updated for three years or more and can be ascribed with certainty to the “out-of-date company-level bargaining” pattern.

5. Main problems and challenges

As about half of all collective agreements do not address the salary level in a wholesome way, which is one of the main challenges of collective bargaining in Croatia (Bagić 2019: 103-105), the share of company-level bargaining which does not enable workers to partake in distribution of added value in a timely and complete manner and thus does not meet its primary purpose is even higher. There are numerous agreements which have regular bargaining cycles but without precise stipulations of wage levels and criteria for their correction. Instead, they address other material rights such as Christmas and vacation bonuses, jubilee awards etc.

An important challenge is to increase the willingness of employers to participate in collective bargaining, first and foremost about salaries. The obstacle of the unfavourable structure of HUP with fragmented and autonomous employers’ branch associations remains in the way. However, assuming that employers will not take the first critical steps in increasing collective bargaining coverage, the unions were addressed by recommendations (Bagić 2022) to invest more efforts in three directions: to consolidate their actions in collective bargaining by the union and confederation-level programmes with a more ambitious agenda, to raise their conflict potential on the one hand and to engage in reaching consensus with employers about the importance of collective bargaining in managing the labour market dynamics on the other hand, utilizing the unprecedented worker shortages in the Croatian labour market.

The implicit legal bar for strike related to collective bargaining recognized as such in the judicial practice is even higher than the bar for representativeness itself i.e. participating in collective bargaining. Namely, the collective agreement and therefore a strike is valid only if the signatory unions assemble at least 50% of the representative unions’ members. Gotovac (2023) deemed this as unacceptably high

and leading to a situation where employers can conclude a collective agreement with the most numerous unions regardless of whether they have the real capacity to exert pressure in protecting and promoting the interests of their members. Gotovac gave a hypothetical example of an airline company that could conclude a collective agreement with a union assembling ancillary and ground staff thus excluding the possibility of a legal strike by a union assembling the cabin crew which is the only one capable of stopping the business by a strike. Moreover, the broader legal question of whether limiting the right to strike only to the feature of representativeness, however the latter is legally defined, remains open.

Stopping the downward trend of union density is a difficult challenge. One of the indirect avenues tried to strengthen collective bargaining was granting special rights to the members of the unions that negotiated the collective agreements (necessarily representative unions): the planned 2022 amendment to the Labour Act contained the right of financial entitlement for those unions' members up to double the amount of the average annual union membership fee. The amendment was rejected as unconstitutional by the Constitutional Court of Croatia in June 2023 on the grounds of discrimination. This legal initiative exacerbated already existing tensions between the unions. More effective and more inclusive collective bargaining would probably benefit the trade union density more than special rights granted to the representative unions' members.

6. Summary

Croatia shares the main structural forces which negatively affect collective bargaining and trade union density with many other European countries. Among those, the most important are the fragmentation of the economy and the related changing landscape of work which evades the union movement including the growth of self-employment, work through temporary agencies and digital platforms, and more recently, the steep growth in the foreign workforce. Criteria of representativeness as a legal prerequisite to collective bargaining and bargaining-related strikes are deemed too strict and discouraging by both the union leaders and legal experts.

On the positive side, there is high support for unions and collective bargaining in public opinion. The worker shortages also favour collective bargaining, as witnessed by agreements in construction and hospitality, as well as by the latest very successful collective actions in waste management. Relatively high trade union density in the public sector contributes to the success of collective bargaining there.

The most impactful element of successful collective bargaining on the unions' part is the striking potential in the public sector. On the other hand, building long-term cooperation with employers seems to be working in the construction sector, where employers and unions seek to ameliorate the problem of the grey economy together and thus make collective agreements meaningful. Lastly, the unions which focused on the most important subject of bargaining, and that is the salary, were most likely to succeed in their main purpose, contrary to the unfortunately widespread practice in Croatia of bargaining about items of secondary importance.

France

Romain Lasserre

1. Industrial relations and trade unions in France

The French trade union panorama is now commonly called the group of 8 composed of: CFDT, CGT, FO, CFTC, CFE-CGC, UNSA, FSU and Solidaires. In the light of the growing recognition of the notion of “representativeness” and its recent evolutions, this group is generally reduced to 5 (in order of representativeness): CFDT, CGT, FO, CFE-CGC and CFTC. The notion of representativeness has played a growing role in the history of industrial relations in France, resulting in a repeated electoral cycle mobilising a large part of the resources of trade union organisations still campaigning.

Industrial relations in France were historically defined around social conflicts during the 19th and 20th centuries with the advent of the industrial era. Collective bargaining has become the cornerstone of the resolution of conflicts between employers and workers, illustrating the omnipresence of the notion of power relations in France. The weakening of social conflicts is coupled with the rise of collective bargaining, particularly at the sectoral level (professional branches), with a first law on collective agreements in 1919. The rise of the collective agreement in the aftermath of the Second World War is part of a French legal system, particularly its social law, characterized by the hierarchy of norms and the principle of favour. Initially complementary, the collective bargaining of enterprises will gradually assert itself to compete with sectoral collective bargaining through the questioning of the principle of favour gradually eroded since the Auroux laws of 1982 and brought to its paroxysm with the orders of 2017. These orders finalize the structural process of reversing the hierarchy of norms initiated by Law No. 2016-1088 of 8 August 2016 on the grounds of responding to the competitiveness challenges of globalization. This process of “chaotic” decentralization of collective bargaining has been coupled with a growing “rationalization” of employee representative bodies within companies, now within a single body called Social and Economic Committee, and infringements of the principle of free appointment of shop stewards. These two phenomena have led to a weakening of the unions with a drastic reduction in the number of union mandates, and consequently of delegation hours necessary for their mission within their company but also within their union bodies.

These phenomena have also led to a tightening of the conditions of collective bargaining within companies with an increase in the number of topics to be negotiated, resulting in a dilution of the necessary trade union expertise, and less resources for negotiators. Finally, the recent legislative developments in France, and in particular the orders of 2017, have also strengthened the ability of the employer to bypass the trade unions and the CSE through in particular referenda of companies, that is, direct consultation of workers without going through collective bargaining.

Beyond these phenomena, a process of restructuring of professional branches was initiated in 2014 to remedy the conventional scattering, to boost the collective bargaining of branch and to pool the resources of the branches. This process reflects

a central feature of collective bargaining, namely the significant interventionism of public authorities. This interventionism has historically been expressed through the automatic administrative extension of branch collective agreements. In conclusion, mention should also be made of the progressive recognition of collective bargaining in the public service, from regulations adopted and imposed unilaterally by the public administration to consultation with employee representative bodies in the Public Service agreements negotiated in all three branches of the public service: state, hospital and territorial. Act II of the labour law reform announced for autumn 2024 by the government could cause a disruption of collective bargaining in France.

2. Collective bargaining in France

The coverage rate of collective bargaining in France is historically high but its exact measurement is the subject of several estimates with variable geometry. According to the ILO, using only data from the French Ministry of Labour, the coverage rate ranged from 96.1% to 98% between 2004 and 2018. The rate of 98% for France in 2018 is also taken up by the OECD with the support of its OECD/AIAS ICTWSS database. The OECD uses as a unit of measure the percentage of employees entitled to negotiate and defines the conventional coverage rate as the number of employees covered by current collective agreements in relation to the number of eligible employees. Doubts were expressed by trade unions in France about the methodology used and the indicated rate.

To put into perspective also the rate of coverage of collective bargaining, we must recall the main data on unionization in France. The latest measure of union density in France, operated in 2019 by the Ministry of Labour, is 10.3% in general or -0.9% since 2013. This density declined to 18.4% in the public sector and 7.8% in the private sector. The other data to put into perspective is the number of companies that have launched a collective bargaining cycle of 17.8% in 2021.

To put the recent data on collective bargaining into perspective, additional data on wages in France are needed. The legal minimum wage was €1,398.70 net per month in June 2024. According to the latest data, the average salary was €2,630 net per month and the median salary was €2,150 net per month in 2022.

The new data for 2022 confirms a sharp increase in sectoral collective bargaining with 1,495 industrial agreements concluded (compared to 1,063 in 2021), including five new collective agreements. 80% of industry collective agreements were amended or supplemented by an amendment during the year. The Ministry of Labour reaffirms a 98% collective bargaining coverage for 2022. The main themes negotiated remain wages (691 amendments – against 377 in 2021), professional and wage equality between women and men (389 agreements – against 231 in 2021) and bonus systems and increases (244 agreements – against 151 in 2021), each of the themes on the rise. This dynamism is part of a national context marked by the cost of living crisis causing automatic increases in the legal minimum wage, thus triggering the legal obligation to revise the conventional wage minima upwards to catch up with those of the legal minimum wage. 46% of industry agreements were exclusively about wages. The other topics most covered by collective bargaining in the sector are vocational training (133 texts), supplementary social protection (102

texts), employment contracts (78 texts) and working time (62 texts).

The collective bargaining balance sheet for 2022 also shows very dynamic collective bargaining in companies, all companies included SMEs with 33,010 agreements concluded, or +15% of agreements concluded over one year for a total of 88,870. The main topics discussed at company level are: (1) Employee savings, participation, profit-sharing (44.2%) (2) Wages, bonuses (22.4%) (3) Working time (19.5%) (4) Trade union rights, IRP, employee expression (6.9%) (5) Professional equality (6.7%) (6) Working conditions (6.7%) (7) Other: supplementary social protection, employment, vocational training, classification (8.3%).

Figures remain stable for signatories of agreements and amendments within companies: 51.3% of agreements and amendments are concluded by trade union representatives (increased to 73% of agreements excluding employee savings); 25.8% are concluded by referenda with a two-thirds majority of employees; 11.5% are concluded by elected representatives without a mandate and 10% are concluded by elected representatives or employees with a mandate. Concerning the breakdown by company, 63% of the agreements and amendments are concluded in companies with more than 50 employees, 12% in companies with 21 to 50 employees, 7% in companies with 11 to 20 employees and 18% in companies with 1 to 10 employees. Regarding telework, collective bargaining has slightly decreased by 23% year-on-year but continues at a relatively high level, accounting for 62% of agreements addressing working conditions. While the number of collective agreements for telework increased from 390 in 2017 to 4,750 in 2021, it fell to 3,660 in 2022.

3. Trade Unions and Mobilisations in France

Multiple pension reforms have punctuated French social history, repeatedly provoking large union mobilisations. The new pension reform came into force on 1 September 2023 while the previous reforms of 1993 (over the contribution period, the replacement rate, the cessation of indexation on wages), of 2003 (on statutory retirement age, bonus and malus, arduousness), 2010 (on statutory retirement age, contribution period) and 2014 (on arduousness, contribution period, social contributions) are not yet fully in force.

In summary, the main elements of this new pension reform are: (i) the extension of the statutory retirement age from 62 to 64 (67 with the premium system) (ii) increase in contribution period to 43.5 years (iii) the elimination of the majority of special pension schemes, particularly for first-time employees (iv) the establishment of a Senior Index.

A first attempt at reform before the COVID-19 pandemic had been thwarted by trade unions. The trade union organisations initiated a social movement from September 2019 against the reform through a first inter-union composed of the CGT, FO, FSU, Solidaires and the main student and high school organisations (UNEF, FIDL, MNL, UNL) with a social conflict crystallizing in public transport particularly impacted by the abolition of special regimes negotiated in the past. This inter-union grew with the announcement of several mobilisations and strikes from December 2019, with the CFE-CGC and some unions of the CFTD and the UNSA joining the inter-union. Several strong days of mobilisation dot the month of December, joining with the mo-

bilisation figures of 2010 against another pension reform and beyond the figures of the social movement against the labour law reform of 2016 and 2017. Historic strike records will also be broken, particularly in rail transport.

The government announces a “suspension” of the reform because of the COVID-19 pandemic, it will return with a completely different bill as of January 10, 2023. The trade union mobilisation thus resumes, on the embers of the social protest initiated in 2019, and it will be a total of 14 national and interprofessional mobilisation days that will be held between January 19 and June 6, 2023 as part of the inter-union with the group of 8 and all student and youth organisations. These 14 days are complemented by strikes and other collective actions in many sectors of activity and in companies. The union mobilisation will culminate with the mobilisation of 3.5 million workers on the streets across France on March 7 and 23, 2023. This mobilisation will nevertheless be historic for several reasons:

- 14 days with a historic mobilisation in small towns and villages in contrast to previous mobilisations focused on large cities and the capital
- Strikes in strategic areas despite restrictions on right to strike/minimum service levels
- Construction of alternative union reform for pensions and repeated attempts to push alternative reform through social dialogue and public consultations
- Implementation of strategic litigation on the content and form of the reform
- Unprecedented union mobilisation continues from the ground (GA etc.)

Despite this historic mobilisation, the pension reform came into force on September 1, 2023 and continues to be challenged in the courts as the implementing decrees are published. Some commentators, however, speak of the success of union mobilisation for the following reasons:

- Build on success of previous 2019 mobilisation regardless of COVID-19 pandemic
- Use of several innovative digital tools: online petition, interactive mapping of protests and strikes, wide communication on social networks, online questionnaires, etc.
- Historical unity of the trade union movement in the context of professional elections
- Development of a trade union alternative with the support of an ETUC project, the support of several academics and the construction on the basis of assessments and opinions of the national social dialogue body on pensions
- Large-scale trade union solidarity: solidarity letters, participation of foreign unions (CES, CSI, trade union federations, confederations, etc.) in mobilisations in France, solidarity actions abroad (Belgium, Spain, etc.)

4. What Next for Trade Unions in France?

Last minute upheaval, the political instability caused by the dissolution of the Na-

tional Assembly on 9 June 2024 risks redrawing the maps with possible wider repercussions on the social agenda and on the right to trade union and the right to collective bargaining. These future challenges will test the unity of the French trade union movement, already repeated in the face of the unemployment insurance reform proposed by the executive in May 2024, but whose stakes are likely to grow.

Ireland

Kevin P O'Kelly

1. Introduction

The European Commission funded project, ImproCollBar is exploring how collective bargaining operates in five EU Member States, plus supporting information from two further Member States. While Ireland is not a partner in the project, it is hoped that this chapter may also provide useful information which can contribute to the objectives of the project.

The project is also important in the context of *Directive 2022/2041 on Adequate Minimum Wages in the European Union* (European Commission 2022) which is required to be transposed into Member States' national legislation by November 2024. Apart from addressing the necessity of a minimum wage for low-pay workers, it also sets out two other key collective bargaining targets: a) the promotion of collective bargaining by business sector; and b) setting a target of 80% collective bargaining coverage.

In an Irish context, the objective of this Directive is important as the social partners re-assess collective bargaining post-tripartite, centralised agreements and the emerging of a dual approach of a) Public Sector wide agreements; and b) Private Sector, enterprises-level, bargaining. This Directive and its promotion of the increased collective bargaining coverage clause is:

... probably the most progressive thing from a workers' rights point of view that has come out of the European Union in the last two decades... In a nutshell, it will oblige the Government to seek to promote collective bargaining between unions and employers, negotiating on pay both locally and at sectoral levels (Irish Times 2023).

Another important recent development was the report from a high-level working group, set up by the Government, under the auspices of the Labour Employer Economic Forum (LEEF) to review collective bargaining and the industrial relations landscape. This group reported in October, 2022, making some important recommendation for improving collective bargaining.

This paper, therefore, hopes to provide an overview of how the Directive and the recommendations in the LEEF report might impact collective bargaining in Irish employment relations within an already evolving scenario.

2. Irish Labour Force

The Central Statistics Office Labour Force Surveys (CSO LFS) show that there were 2,819,400 persons aged 15-89 years in the labour force in Q1 2024. Of these, there were 2,700,400 in employment (74%), the highest number since records began in 1998. The rate of unemployment is 4%, with 121,200 seeking employment (Q1, 2024).

While the COVID-19 pandemic has caused a unique labour market situation, the key employment sectors where the pandemic has had little impact are:

- a) the production of chemical and pharmaceutical products
- b) new technology manufacturing and software development
- c) social media
- d) financial services
- e) the indigenous food production and processing sector.

Therefore, employment opportunities in these sectors are mainly in the high qualification / high income jobs, while those working in sectors, such as tourism, hospitality and 'care' services, where lower skills are required, suffered disproportionately during the pandemic. The LFS data shows 'over-qualification' (those working in jobs below their level of education and qualifications) rates continued to be of concern, relative to other high-income EU Member States (Central Statistics Office 2024). It also shows that almost every indicator on precarious work has increased, so jobs available to younger workers, including part-time work, underemployment, temporary contracts and more, have deteriorated relative to conditions before the economic and financial crisis between 2008 and 2012.

The LFS analysis also shows significant inequality in the growth of earnings since 2010, with the occupations associated with the highest remuneration and training driving moderate average wage increases for the economy as a whole, while incomes for much of the bottom half of workers remain static. This is also confirmed by the SILC survey in 2022 (Central Statistics Office 2023).

3. Irish Social Partners

3.1. Trade Unions

The ICTU is the only trade union umbrella organisation on the island of Ireland, with 45 individual affiliated trade unions. It represents trade unions in both parts of the island of Ireland. Indeed, internationally the ICTU is unusual in that it also has foreign (UK) unions as members, operating both in the Republic of Ireland (RoI) and Northern Ireland (NI). Many of these unions and, indeed, unions with their headquarters in RoI, have members in both parts of the island. It is also important to note that NI has evolved its own structures and particular system of industrial relations, distinct from those both in the RoI and GB⁷.

Although the ICTU plays an important part in relations with governments in both RoI and NI, it is a grouping of independent and autonomous unions, rather than a confederation that dominates and directs member unions or sectoral federations. However, through the ICTU the trade union movement develops common positions on matters of national and EU concerns, such as employment creation, unemployment, health and safety, education and social welfare, industrial relations reform and legislation. The ICTU also monitors the industrial activities of unions - especially where strikes are likely or on inter-union disputes - it is a channel for solidarity and support, as well as providing services through its industrial relations staff in seeking

⁷ The NI Committee of the ICTU deals with the specific issues relating to employment relations in NI and liaises with the UK Trade Union Confederation (TUC) on issues related to the UK

to resolve issues in dispute. It also represents the Irish trade union movement at EU and international levels through the ETUC, the ITUC, the Industrial Federations and the International Labour Organisation.

There are some 724,600 members in the ICTU affiliated unions, a reduction of 80,000 since 2011. With the decline in employment following the financial/economy crisis 2008-2012, trade union membership also declined. However, with the recovery of the economy and resulting employment levels in recent years unionised numbers have also recovered. Over a quarter (26%) of those at work surveyed in Q2 2021 said that they are union members, so despite a rise in employment in the ten years from 2011 to 2021, LFS figures show that unionisation has fallen from 31% in 2011. However, membership numbers held steady during these ten years (with an increase of just 3%), while employment levels in the RoI increased by over 22%⁸. This reflects changes in the labour market as unions have found it difficult to break into many of the new growing sectors of the economy, such as ICT, electronics, social media, pharmaceutical companies, financial and private services, many of which belong to foreign (mainly US) multinationals (Irish Times 2024).

3.2. Employers

The Irish Business and Employers' Confederation (IBEC) is the major organisation representing employers in the labour market. Its membership included some 7,500 businesses and enterprises organised through 40 business and sectoral associations, employing some 70% of private sector workers in Ireland.

The role of IBEC is to develop and co-ordinate economic, commercial and social policies for employers and to influence national decision-making, so that national policies are enterprise and employment friendly. It represents Irish business and industry in discussions on matters of trade, economics, finance, taxation, planning and development, with the Irish Government, the EU institutions (through BusinessEurope) and other international organisations.

All business sectors are represented by IBEC, apart from the construction industry, which has its own sectoral employers' organisation, the Construction Industry Federation (CIF), which represents 3,000 member companies operating in various parts of the building and construction sector, and the agricultural sector which is organised through the Irish Farmers Association (IFA) and a number of smaller niche organisations.

4. Collective bargaining

4.1. Centralised agreements

The 1970s was an era of the centralised national wage agreements. Towards the end of that decade, these evolved into agreement on two Tripartite National Understandings, with the Government joining the negotiations as a third 'partner'. These two agreements covered all aspects of Government policies and well as agreement

⁸ See: <https://www.cso.ie/en/search/?addsearch=trade%20unions> Tables 1 and 2

on maximum increases in pay across both the Public and Private sectors⁹.

After a short break due to a 'right-of-centre' government that was not supportive of centralised negotiations and a reluctance of the employers to continue with centralised agreements¹⁰. A series of tripartite agreements were again negotiated from 1987 to 2006, but in 2009 when, as a result of the economic and financial crisis, the Government withdrew from these agreements, resulting in a return, after almost 40 years of centralised agreements, to enterprise-level negotiations and Public Sector agreements¹¹.

By the end of this period, these centralised national agreements had expanded to include farming representatives and organisations representing the community and voluntary sectors, resulting in very complex negotiations and extensive agreements that covered every facet of Irish life. These agreements made a significant difference to the Irish economy during the last decade of the 20th Century.

The era of National Agreements also saw a rise in education levels through the expansion of educational and training institutions, such as FAS vocational Training Centres and Institutes of Technologies (ITs) and, also an expansion of the pharma, technology and social media sectors, providing employment for the growing well-educated workforce.

4.2. Labour Employer Economic Forum (LEEF)

Since the end of the era of national agreements, the only new formal tripartite arrangement has been the establishment of LEEF, which was set up in 2017 with the objective of providing:

... a space to discuss areas of shared concern affecting the economy, employment and the labour market on a thematic basis, such as competitiveness, sustainable job creation, labour market standards and equality and gender issues in the workplace (Government of Ireland (2024)).

This forum has representatives from the government, employer and trade unions and is the structure for tripartite dialogue on economic and employment issues as they affect the labour market. It is not a forum for negotiations, but for an exchange of views on key issues relating to employment relations. The employers are represented by IBEC and CIF and, the trade unions by the ICTU.

Under the auspices of the LEEF, the Government set up a high-level working group in 2021 to review collective bargaining and the industrial relations landscape. The working group published its report in October, 2022 (Government of Ireland 2022). It recommended a range of changes relating to a) the Joint Labour Committees and b) the operations of the Labour Court. It also recommended that legislation be enacted which would require an employer to engage with a trade union that has at

9 See: <http://www.tara.tcd.ie/bitstream/handle/2262/91636/leddin%20egan%2048%2071-101.pdf?sequence=1> Also: <https://www.esri.ie/system/files/media/file-uploads/2015-07/GRS104.pdf>

10 Although this Government continued collective agreements on pay increases and working conditions for Public Sector workers.

11 This last tripartite agreement was, in fact, a ten-year framework agreement, *Towards 2016*, within which pay negotiations would be negotiated ever 2 to 3 years during the period of the agreement. <http://www.socialinclusion.ie/documents/Towards201626June06.pdf>

least 10% in a grade or category within the employment and if the employer fails to do so and ignores Labour Court decisions relating to such engagement, the trade union should be able to seek a Circuit Court order for implementation against the employer.

4.3. Employment relations and dispute resolution structures

As noted on page 1, the Irish employment relations traditions and operations are a legacy of the close economic, workplace culture and legislative structures inherited from before independence in 1923. However, the employment relations culture has evolved and, while it is still framed within the voluntarist approach, it is distinctly Irish and it has been strongly influenced by membership of the EU since 1973. Within this context, the State provides the institutional structures to assist the social partners in dealing with workplace and/or sectoral conflict.

In 2015, the Workplace Relations Commission (WRC) was set up by the Workplace Relations Act, 2015, bringing together all the workplace relations' services (with the exception of the Labour Court) into one organisation. The WRC undertakes research into developments in workplace relations and provides relevant findings and information to the *Joint Labour Committees* and the *Joint Industrial Councils*. It provides guidance on *Codes of Practice* and also gives up to date advice to relevant Government ministers on the application and compliance with EU, ILO and national workplace legislation and rights. It also distributes information to the wider public in relation to employment rights¹².

4.4. Collective Bargaining process for private sector disputes

When employer and worker negotiators fail to find a mutually acceptable solution to a dispute, the WRC *Conciliation Service* offers them an independent and informal facility to come to an agreement. Involving the Conciliation Service is totally voluntary and both sides to the dispute must agree to participate. Proceedings are chaired by an independent professional facilitator from the WRC.

If it is not possible to resolve the issues in dispute, the facilitator can make proposals for a settlement, based on the submissions from both sides, and these proposals are very often accepted. This conciliation process is informal and non-legalistic. The parties to the dispute are free to be represented by themselves or either by a trade union and / or by an employer organisation. While legal representation is discouraged, in more complex cases there is legal involvement! Failure to reach agreement through conciliation, the parties to a dispute can choose to go to the Labour Court.

4.5. Labour Court

The Labour Court, which was established by the Industrial Relations Act, 1946, is a more formal, quasi-judicial and adversarial forum and the '*Court of Last Resort*'. A tribunal, consisting of an independent chair and one member each with a trade union background and an employer background, will hear formal submissions from parties involved in a dispute and, following the hearing will issue a *Determination*. In

¹² See: <https://www.workplacerelations.ie/en/>

keeping with the voluntarist tradition, a Determination is not binding on the parties to the dispute, but these are (almost) always excepted. It is open to either party to a dispute to appeal a decision of the Labour Court to the High Court, but only on a point of law. In such rare cases, the High Court's decision is final and conclusive.

4.6. Joint Labour Committees (JLCs)

JLCs were also set up by the 1946 legislation with the intention that employers and worker representatives from the business sector (mainly low-pay sectors) covered by a JLC and independent members appointed by the Minister, would set the employment conditions and the minimum pay for that particular sector by agreeing and making a Employment Regulation Order (ERO). While this system worked well for over 65 years, after two constitutional challenges to the legislation, the 1946 Act was amended in 2012 to meet the Supreme Court adjudications (Government of Ireland 2018). The LEEF report made a recommendation relating to the operations of these Joint Labour Committees and the existing legislation with the objective of strengthening the implementation of the EROs.

4.7. Public Sector Collective Bargaining

In general, the functions of the WRC do not apply to Public Sector / Public Service employees. Agreements covering these workers are negotiated between the Public Services Committee (PSC) of the ICTU and the Department (Ministry) of Public Expenditure every two years. Nineteen trade unions and staff associations are members of the PSC and negotiations are undertaken by a four-person negotiating team, which refers back through the PSC to the member organisations. A new agreement was reached earlier this year covers the period from 1st January 2024 to 30th June 2026. There are 385,000 public sector employees covered by this new agreement.

Apart from pay levels, some of the other key items agreed cover:

- A commitment by the trade unions to engage with Government on issues relating to technologies, AI, work practices and apprenticeships to contribute to the reform of public services and productivity improvements and public service transformation for the 'workforce of the future'
- A number of outstanding Labour Court recommendations and WRC adjudications will be addressed by the Government side, in particular for a range of health service employees
- On *maintaining industrial peace and resolving disagreements* the final section of the Agreement continues the existing procedures from previous Public Sector Agreement to ensure a *stable industrial relations environment which achieves industrial peace*¹³.

¹³ See: <https://www.ictu.ie/publications/opening-statement-regulatory-and-legislative-changes-required-transposition-adequate>

5. National Minimum Wage / Living Wage

5.1. Minimum Wage

A national minimum wage was introduced through legislation by the National Minimum Wage Act, 2000, and was amended in 2015¹⁴. Taken together, these two Acts set out a definition of ‘pay’, including:

- What is included and not included in hourly rates of pay for the purpose of claiming a minimum wage
- What hours of work are included for the purpose of determining pay
- What payments made by an employer that cannot be included when determining the minimum wage
- What workers are excluded from claiming the minimum wage¹⁵.

In line with many other EU Member States (e.g. Cyprus; France; Malta; and the Netherlands), the following are the current rates for those on these lower rates:¹⁶

Table 6: Lower rates of pay - Under-18 to 20 years

Age group	Minimum hourly rate of pay € (January 2023)	Minimum hourly rate of pay € (from January 2024)	Percentage of minimum wage
20 years and over	11.30	12.70	100
19 years	10.17	11.43	90
18 years	9.04	10.16	80
Under 18	7.91	8.89	70

The increase in the minimum wage from January, 2024, to €12.70 per hour is part of the Government plans to replace the minimum wage with a new, higher, *living wage* by 2026. These increases are the second of a four-year transition to align the *minimum wage* with the *living wage*.

A recent study concludes that while the incident of sub-minimum wage employment in Ireland is low, at just 1.4% of all employees earned a sub-minimum wage in 2022, with about half of these earning a ‘youth rate’. It also points out that some 80% of those earning a sub-minimum wage are students with a job! It also concludes that any reduction in the sub-minimum wage would:

¹⁴ *National Minimum Wage (Low Pay Commission) Act*, 2015: The two Acts, taken together are referred to as: *National Minimum Wage Acts, 2000 and 2015*.

¹⁵ The legislation excludes a range of workers from entitlement to the full minimum wage, such as: apprentices; workers aged 20 years or lower (i.e. 15 to 19 years old); a worker employed by a spouse or a close relative; prisoners employed in non-commercial work. For details on these see: <https://www.citizensinformation.ie/en/employment/employment-rights-and-conditions/pay-and-employment/minimum-wage/>

¹⁶ Since 1 January, 2024.

... result in approximately 15,000 young employees seeing an increase in their hourly wages in the order of 11% to 43%, while, at the same time, potentially leading to some of these young workers, the majority of whom are students, experiencing a reduction in their hours worked or employment (Economic and Social Research Institute 2023).

1.1. A Living Wage

Since 2014, when the Living Wage Technical Group was formed, there has been a detailed annual analysis of *what minimum income is required in Ireland to enjoy a decent standard of living*. The membership of this technical group is made up of trade unions, civil society organisations and academic experts on social policies and work.

Unlike the National Minimum Wage, the Living Wage is an evidence-based rate of pay which is grounded in social consensus. It is derived from Consensual Budget Standard research, which establishes the cost of a Minimum Essential Standard of Living in Ireland. ... with a focus on needs, not wants!¹⁷

Each year, this Technical Group analyses the costs for such every-day items as food, clothing, accommodation and energy. It assesses the minimum needed in four regions of the country and by various family types¹⁸. Its assessment for 2024, therefore, is that the minimum Living Wage should be €14.80 per hour, or €590 for a 40 hour -week – and €2.10 per hour above the Minimum Wage rate which came into effect on 1 January, 2024¹⁹. However, as the Government has committed to aligning both the minimum wage and the living wage by 2026, it has set a living wage to be 60% of the national hourly median wage, as defined by the Eurostat Survey on Incomes and Living Conditions (SILC).

1. Conclusion

Collective bargaining in Ireland has gone through a number of forms from enterprise-level bargaining to tripartite agreements and back, over the past sixty years!

For much of this period bargaining was a tripartite process, involving Government, employers and trade unions. This approach emerged out of the initial bipartite national wage agreements in the 1970s. However, it became clear that Government involvement had to include discussions on a wide range of policies within its remit that had a direct influence on the outcome of the negotiations, such as taxation, social welfare, enterprise investment (including foreign direct investment policies), education and training, etc., so the 'two-sided negotiating table had become three-sided'!

By the last agreement *Towards 2016: Ten-year Framework Social Partnership Agreement 2006-2015*, the further involvement of agricultural sector representative organisations and representatives of the community and voluntary sector expanded the agenda to every aspect of Irish life.

¹⁷ See: <https://www.livingwage.ie/about/the-living-wage-technical.html>

¹⁸ See: https://www.livingwage.ie/download/pdf/living_wage_2023-24_-_expenditure__income_tables.pdf

¹⁹ See: https://www.livingwage.ie/download/pdf/living_wage_2023-24.pdf

Since the collapse of *Towards 2016* in 2009 collective bargaining has gone through significant changes, first by the financial and economic crisis, which resulted in the ending of these national agreements and the imposing, among other draconian measures imposed by the International Monetary Fund (IMF), the European Commission, etc., reductions in pay for Public Sector employees. This crisis was quickly followed by the COVID pandemic, just as the economy was recovering, which had a major impact on employment relations, Government finances and society as a whole.

Another issue for the collective bargaining process was that, after forty years of centralised negotiations, there was little experience of enterprise-level bargaining, so trade union and employer negotiators had to re-learn negotiating skills. Although negotiating teams for Public Sector bargaining have already reached agreement on three-year agreements since 2016, a 'new' experience of negotiating collective agreement is now emerging and, as the economic and employment forecast are positive, there is a cautious return to enterprise level bargaining in the Private Sector.

The transposition of the Adequate Minimum Wage Directive into Irish law by November 2024, together with the recommendations in the LEEF Working Group report (if implemented) will again focus the social partners and herald another evolution in Irish collective bargaining and workplace relations.

Comparative analysis

Ivaylo Dinev

In this chapter of the comparative report, we analyse the empirical findings of the five core partners' countries (Belgium, Bulgaria, Greece, Italy and Romania) and desk research reports about the associated partners' cases (France and Croatia) and Ireland. They show diverse landscapes of social dialogue and various mechanisms for improving collective bargaining in the context of multiple crises. Based on these findings, we identify challenges and threats, opportunities and resources available for trade unions and discuss the successful mechanisms for boosting trade unions power and collective bargaining coverage and scope.

1. Challenges and threats

The neoliberal globalisation. Trade unions in the European Union face similar structural challenges due to the increasing globalisation and neoliberal shifts in the economy. The financialisation of the market, production decentralisation, labour market liberalisation, and weakened state support have all contributed to a decline in trade unions influence. Additionally, the rise in non-standard employment forms, such as temporary and part-time work, complicates the unions' ability to organise and represent workers effectively in all industries. These broad processes affect the unions' presence in micro and medium-sized private enterprises.

The neoliberal turn in the 1980s-90s affected disproportionately and at different times the European countries, with the post-socialist states experiencing deep structural transformation and mass emigration, which contributed to massive union membership decline in the initial years of the transition. The broad privatisation and the shift from industry to a service-based economy, coupled with the absence of a robust culture of social dialogue between employers and the political elite, has threatened unions' influence in Central and Eastern Europe for a long time.

Recent austerity measures and radical pro-market reforms in Southern European countries, especially in Italy and Greece, have led to a reduction of workers' power and abilities to organise and defend their shared interests. In Greece, the deregulations from the Memoranda policies led to a strong shift towards individual and enterprise bargaining, difficulties in initiating collective processes, anti-union sentiment from private companies, precarious working conditions, and an increasingly fragmented labour movement. In Italy, the 2008 economic crisis and subsequent austerity policies further diminished the bargaining power of the trade unions, which resorted to protest mobilisation as a functional alternative (Morlino and Raniolo, 2017). Similarly, in Ireland, since 2009 collective bargaining has gone through significant changes due to the financial and economic crisis, which resulted in the end of 40 years of tradition of centralised agreements. In Bulgaria, all of these negative effects are also visible, along with the erosion of sectoral bargaining in industry. Similarly, the shift towards decentralised bargaining weakened trade unions in Romania. The digitalisation of work also poses challenges, as we observed with the use of subcontracted teleworkers during strikes in some sectors affected by automation

processes. This sets another unique structural threat to trade unions that could lead to less effective collective actions in the future.

Restrictive legislation. The legal and institutional frameworks differ across countries. Belgium, Italy and France, have long-standing traditions of industrial relations and social dialogue without significant ruptures from, at least, the mid-20th century, which have led to a deeply entrenched institutional framework compared to the other Member States, where laws have been more fluid and subject to change in recent decades. For example, the Belgian social partnership regime is a well-established system through legislation, e.g. mandatory collective bargaining at the workplace, legally binding collective agreements and equal representation in joint committees, with the crucial role of sectoral bargaining and the Group of 10 at the national level, multiple collective labour agreements apply to the same worker, and lower-level collective agreements improve the worker's position relative to higher-level ones. Notwithstanding the high coverage of the collective agreements, the Italian national collective bargaining system is described as unclear and unspecified and it is associated with one of the poorest wage dynamics in Europe.

In contrast, Bulgaria, Romania, Greece and Croatia have undergone tremendous structural changes after the Second World War, then in the 1990s, and more recently after the Great Recession. Although the Bulgarian legislation is gradually amended with a view of its improvement, some challenges still persist. For example, civil servants are excluded from bargaining, and there are limits to the constitutional right to strike. In Greece, recent legislative intervention introduced amendments to the extension of sectoral and occupational collective agreements, as well as to the right to strike, including the prohibition of spontaneous protests and enabling police intervention in case of destruction of property. Similarly, in France, attempt of tightening the conditions for exercising the right to strike are under discussion. In Romania, notably, the social dialogue reform in 2011 has significantly reduced the coverage of collective bargaining at the sectoral level. The good news is that the new law introduced in 2022 brought several key changes aiming to facilitate a more effective collective bargaining process, such as the reduction of the representativeness threshold required for a trade union to become representative. All of these cases show that the legal framework is of crucial importance for the labour movement.

The class divide. The topics of minimum wage adoption, minimum wage indexation, or minimum wage alignment with living wage, are a clear battleground between trade unions and employer's organisations, which represent different social classes' interests. Another feature of this divide is the lack of the businesses and employers organisations' responsiveness to trade unions aims for improving collective bargaining. In Romania, for example, some employers show reluctance to enter into negotiations, perceiving formal agreements as limiting flexibility. In Croatia, employers' unwillingness to discuss basic wages as the subject of collective bargaining explains why about half of all collective agreements do not address the salary level. The absence of a statutory minimum wage in Italy has become a contentious issue, with most trade unions advocating for it while employers' organisations and the right-wing union UGL are against it.

This situation could easily shape conditions for rising social conflicts and the need for state intervention in the social dialogue system. Not surprisingly, in this context,

a significant number of protest events in our dataset concern wages, salaries, dismissal, systematic claims against the economic model, austerity and budget cuts, and the repertoire of contention include militant industrial actions, such as strikes. As the Greek case shows, some trade unions have already started prioritising class-based identity and militant tactics as essential for exerting bargaining pressure on employers, especially in sectors of large economic profitability.

Trade unions landscape, social composition and competition. Some country cases illustrate that younger workers are heavily underrepresented among union members, which corresponds to a general trend across Europe. This affects the social composition, strategies and identity of trade unions elsewhere. Another challenge is the relatively high difference in density and coverage between the public and private sectors. A third challenge, very visible in Italy and Greece where the trade union landscape includes diverse actors, is the tension between established historical trade union federations and confederations, and emerging grassroots trade unions. Our protest events data depict this difference, showing how in competitive arenas (Italy and Greece), workers' collective actions by new trade unions and informal collectives shared a significant portion of the mobilisations, compared to their lower levels of mobilisation capacity in the centralised trade union landscape (Belgium and Bulgaria).

2. Positive factors and opportunities

Extension mechanism of collective labour agreements. Its widespread use in Belgium has led to collective bargaining coverage of 96%. Extending collective agreements encompasses all companies within a given sector or the entirety of the private sector. The National Labour Council has signed over 170 collective labour agreements, most of which have been extended to all private sector employees. In France, similarly the main explanation of the high coverage rate of 98% is considered the extension mechanism. Although there are no explicit extension mechanisms in place, in Italy the Constitution protection of a "fair wage" serves as a de facto equivalent, as the judiciary often relies on collective agreements as a benchmark to define the parameters of a "fair wage".

Adequate minimum wage directive. The debate over the Directive presents an opportunity for trade unions to regain power in collective bargaining. This is especially important in countries like Bulgaria and Romania, where trade unions have been actively involved in the discussion of legal reforms in recent years. The Bulgarian unions are preparing a package of legislative amendments to protect the right of association and bargaining. Similarly, in Ireland trade unions perceive the Directive as an opportunity to re-assess the collective bargaining dynamic in the country. In Italy, all trade unions, excluding one, perceive the minimum wage as a crucial factor in improving their bargaining power. In Greece, given that Memoranda policies restricted the Social partners power in determining the wage terms of the National General Collective Agreement (where the minimum wage is determined by the Minister of Labour), trade unions actively demand the restoration of the pre-Memoranda framework of free collective bargaining between workers' and employers' organisations for setting the minimum wage.

Political opportunity structure. The political structure is important in the development of the bargaining process and the social dialogue. In all countries examined in the present study, it is emphasised that there is a difference when the government in power is open to supporting trade unions demands, compared to explicitly or implicitly anti-union political parties. This signifies the role of the party system and political elite dynamics. For instance, in Italy, trade unions find more difficulties when centre-right parties are in a government position, and more room for negotiation when governments are supported by centre-left parties, as in the case of the pandemic management and the National Recovery Fund.

The majority of protest events in all countries have targeted national or local state authorities, much more compared to private companies, especially in Italy against centre-right governments, and Central and Eastern European states. This shows that the state authorities are, in fact, challenged to regain agency in resolving social conflicts. Another aspect of the political opportunity structure concerns the threshold for referendums. In Croatia, trade unions mobilised successfully in the recent years collection of signatures, reaching more than the 10% of the electorate threshold. However, this structural condition differs across cases. For example, in Bulgaria, the threshold is extended to 20% of registered voters in favour, but still, the proposals have to be debated in the National Parliament.

Union density. Higher union density, as seen in Belgium (50%) and Italy (40%), correlates with higher collective bargaining coverage, highlighting the importance of strong union presence for effective collective bargaining. In both countries, unions reach support from substantial human resources and volunteer networks. The outlier of this relationship is France, where is the lowest union density across all cases (10.8%), but bargaining remains with the highest rate (98%). The significant decline of union density in all other cases: 22% in Ireland, 20% in Greece and Romania, 18% in Croatia, and 15% in Bulgaria, correlates with the lower collective bargaining coverage in the same cases. Trade unions in these states have challenges in maintaining density levels and improving collective bargaining coverage. Recently the decline has stopped, which suggests a normalisation of trade union membership rate and collective bargaining coverage. However, to reverse the trend in the long term, trade unions need to revitalise through innovative organisational strategies to engage new members, but also to increase their influence on policy-making and their image in the public sphere.

Societal power and traditional alliances. Regarding societal power and relationships with other actors in the social field, we observed key differences in terms of structural opportunities and threats. The tradition of the relationship between trade unions and other social actors shapes the available resources and perceived opportunities for coalition building in each country. Where historically strong progressive social movements emerged in the past decades fighting for economic justice and against austerity and neoliberalism, like Italy, Greece and France, but also in Belgium, the conditions for coalitions are more favourable. In contrast, in the former socialist states of Bulgaria and Romania, trade unions face a double challenge. First, the new social movements in both states have mobilised other non-labour issues, such as environment, anti-corruption, and law reforms and hardly identified with labour struggles (Margarit & Rammelt, 2020; Dinev, 2020). Despite the high

level of social mobilisation with significant protest waves from 2012 to 2020, a gap between protests for socio-economic rights (led by unions) and political and civil rights (led by new social movements) is identified in previous research, but also in our country reports. Second, the strong dissatisfaction with political parties and the general political elite in Central and Eastern Europe, provoked by numerous corruption scandals in the past three decades, created a bold border between trade unions and political parties.

In this sense, we can map two trajectories of coalition building. In Southern and Western European countries, a cross-counter movement is observed, consisting of trade unions confederations and federations, grassroots unions, workers' collectives, progressive social movements, youth, students, and political parties. However, significant tensions emerge across these actors, with the exception of the Belgian social partnership model. In these countries, trade unions have historically been linked to political movements, which constituted both the political and the social dialogue system.

In Central and Eastern Europe (CEE), the connection with other actors in the field evolved in different trajectories. CEE unions have complex relationships with political parties, marked by historical mistrust, institutional instability, and political fragmentation. Initially, trade unions were vital for the democratisation process. In Croatia, some unions established ties with centre and centre-left parties, while others remained neutral. In Romania, they have historically collaborated with political parties for strategic reasons, but have sometimes led to union leaders transitioning into political roles, blurring the lines between labour advocacy and political engagement.

In the last two decades, all major confederations in Bulgaria, Croatia and Romania have distanced themselves from political parties, and in some cases, they introduced prohibitions in their statutes against union leaders holding political positions. Thus, CEE unions' approach reflects a focus on specific labour issues and a cautious stance towards political entanglement.

3. Successful mechanisms and recommendations

The political and economic context in these countries influences how trade unions perceive and utilise opportunities, highlighting the dynamic interplay between structure and agency in industrial relations. Trade unions in Europe apply a mix of strategies to improve collective bargaining in their countries. These reflect their historical traditions and structural conditions. Belgium relies heavily on the long-term historical social dialogue but recently faced challenges due to increased polarisation between the labour movement and employers' representatives. Italy combines dialogue with social partners with a strong emphasis on building coalitions with other actors in the political field and the organisation of collective action. This trend shows a robust social movement unionism. In Greece, the deep socio-economic crisis shaped a context in which trade unions struggle to participate effectively in the social dialogue due to increased deregulation and decentralisation. Thus, they compensate for this imbalance with significant industrial disputes, coalition building and innovative collective actions. In Central and Eastern Europe, unions face legislative constraints, which are threatening trade unions capacity. When dialogue does not

reach its goals, trade unions turn to collective action to enhance their bargaining power.

Dialogue. Active dialogue between trade unions and employer organisations is the primary mechanism through which collective agreements have been successfully achieved, as highlighted by the empirical findings from all cases across the different industrial relations regimes. While street demonstrations and strikes are popular repertoires of collective actions everywhere, trade unions relied significantly more often on the negotiation process for reaching collective agreements. Despite the growing polarisation and frustration, the dialogue plays a pivotal role. Along with the need for active participation from both sides, our analysis notes the importance of building trust, ensuring transparency, and fair negotiations.

Coalition-building. Building alliances within the labour movement's diverse scene, from confederations to grassroots and informal collectives, is one of the key mechanisms to enhance the labour movement's impact on the social dialogue system and extend their advocacy. Spontaneous workers' collectives have increased in the past years, indicated also in our data, and provide opportunities for established trade unions to regain power in low-covered industries or emerging social groups, e.g. platform workers. Coalition-building with progressive social movements and civil society organisations on labour issues, workers' rights and economic protest allows the labour movements to increase visibility and put greater pressure on employers and policymakers. The historical mobilisation in France against the pension reform is an example of coalition building across trade union confederations and youth organisations. In Croatia, trade unions recently collaborated with civil society organisations in three initiatives for referendums. The last one, called "67 is too much", opposed the government's plans to raise the legal pension age. Another example is Italy, where informal social movement coalitions comprising rank-and-file trade unions and other social movement organisations have achieved significant results in negotiating collective contract agreements for "riders". The same type of coalition is currently supporting a local campaign for the ecological reindustrialization of an automotive plant. Finally, political parties' involvement in such coalitions depends on the specific country's context.

Broader labour movement's frames. There is an increasing importance of active trade unions framing of emerging systemic social and ecological issues. Trade unions participation in major campaigns with other organisations can attract new members and increase legitimacy among the broad society. Such an issue is, for example, the ecological transition in European industrial policies. Trade unions may participate in shaping the ecological transition narrative through the discourse of workers' rights. The GKN workers' mobilisation in Italy, for instance, clearly demonstrates how informal worker organisations can drive persistent campaigns that integrate environmental sustainability with labour rights, emphasising proactive efforts to resist job losses and develop a sustainable industrial mode

Collective actions. When the means of social dialogue are not enough, trade unions resort to a more conflictual approach with protest mobilisations, strikes and symbolic actions. Collective actions are strengthening unions' leverage power and public image, and increased legitimacy within union members. In all countries, we have mapped rising labour unrest after the COVID-19 pandemic. According to our pro-

test event data, the labour movement is the primal actor in economic protest, utilising a different repertoire of collective actions. Mobilisations evolved usually after a prolonged or insufficient dialogue with the employer or employers' organisations, to push forward workers' demands at the company, sectoral or national level. In this sense, our findings depict that the concept of social movement unionism, an inclusion of social movement strategies in trade union activities, applies to all investigated countries. In fact, significant nationwide protest campaigns in the past are still shaping specific features of trade unions power and collective bargaining in all cases. In this sense, they are transformative for the social dialogue system arrangements and power balance and eventful for the trade unions image, strategies, identities, and repertoires. Some of these cases, listed in the Country Reports (Andretta & Imperatore 2024; Kostov et al. 2024; Vangeel & Lenaerts 2024; Korkontzelou & Kofti 2024; Negoita & Panzaru 2024) and the Map of Successful Collective Bargaining Practices (Dinev et al. 2024), are:

The Renault Act. Workers' widespread spontaneous strikes and massive street protests in Brussels in 1997 led to the Renault Act, which is still in effect today. It mandated that companies first notify the works council of any plans involving collective redundancies and engage in discussions with them.

The Bulgarian teachers' strike. In 2007, 80% of the teaching staff in primary and secondary education stopped work for three weeks and street demonstrations were held in Sofia and other cities. Unions' repertoires included tent camps, blocked roads and hunger strikes. The teacher's protest has a long-term impact on the education system shaping a good social dialogue between the social partners.

Athens Polytechnic Uprising of November 1973. 17th of November is a crucial symbolic day for the labour movement in Greece, as it is tied with the legacy of popular struggles for democratic rights. Every year, nationwide protests, university occupations and strikes are organised to commemorate the uprising. This transformative event shaped the strong ties between trade unions, progressive students and social movements, which are visible until nowadays.

Italian protest cycle in 1968-1970. Workers, trade unions, and a large student movement established in Italy a pattern of cooperation, which led to significant achievements, including the Workers Statute, which remains a crucial tool for workers' defence and organisation today.

Romanian teachers strike. In May 2023, Romanian trade unions mobilised nationwide strikes with over 150,000 employees on the streets. This prompted the government to grant pay raises with immediate impact and to sign a new collective labour agreement for the pre-university education sector.

Innovative collective actions. Collective action is a critical strategy for trade unions revitalization. This mechanism reflects the contemporary challenges, the changing labour context and the national public sphere. In our empirical analyses, we found sets of innovative tactics, which overlap with the themes of coalitions, solidarity across unions, direct actions, direct democracy, and radical repertoires:

Delivery drivers protest: general assembly, moto-strike, social media boycott. E-food platform delivery drivers in Greece held a general assembly, where they decided to

go on a 24-hour strike. Their action was supported by the grassroots union of delivery drivers, the main sectoral union in Food and Tourism industries, as well as the sectoral federation, which also declared a sectoral general 24-hour strike on the same day. The issue provoked awareness among consumers of the company, who launched boycotts on social media platforms. The campaign was a success, leading to all freelancer contracts at stake being turned into permanent ones and the foundation of the first Greek union in a sector of the platform economy.

Collettivo di Fabbrica: integration of environmental sustainability with labour rights. This protest campaign marked a crucial turning point for the convergence between the different social sectors of Italian society. After an email informing that all 422 workers of the plant had been fired, the workers organised “Collettivo di Fabbrica” and seized the plant by announcing a permanent assembly. In the next few months, protest campaigns, legal action, and planning for industrial reconversion have been mobilised by a wide coalition of social movements and trade unions.

Blagoevgrad Hospital: road blockades push for collective labour agreement. In 2022, the medical workers in the hospital in Blagoevgrad held a series of protest actions, blocking the traffic along the main boulevards in the city several times. After one year of negotiations, the first collective agreement at the Blagoevgrad Hospital was signed, affecting positively the working conditions and payments. In this case, we can identify the protest repertoire as significant for starting the process of negotiation between social partners.

Ryanair pilots: survey, strike, legal actions. The third example is the pilots’ strike in Belgium. ACV/CSC conducted a survey to understand pilots’ views and willingness to take direct action. When the dialogue with Ryanair failed, the unions held a series of strikes, which led to hundreds of cancelled flights in the next few months, until an agreement was reached. In this example, trade unions succeeded by a combination of tactics: the pilots’ survey increased bargaining power and legitimacy, while the legal action and multiple strikes further put pressure on the company.

Workers’ protest: multiple actors and strategic alliances. The period from January 2021 to August 2022 in Romania comprises 138 protest events with the engagement of 43 unique organisations and with one-fourth of the actions involving more than one actor. This remarkable data from our empirical research shows how the Romanian labour movement was revitalised by strategic alliance between main trade union federations, grass-root trade union federations, and informal workers’ collectives.

Croatian trade unions: survey and referendums: During the longest strike of school staff in Croatian history in the autumn of 2019 (36 working days), trade unions asked their members to assess the proposed offers for pay rise from the government. Along with that, Croatian trade unions held three referendum initiatives against neoliberal reforms, e.g. pension age increase, outsourcing of public sector services, and monetization of the publicly owned motorways.

French trade unions: multiple repertoires and solidarity: 14 national mobilisation days were held between January 19 and June 6, 2023 as part of protest campaigns of the eight trade unions confederations, student and youth organisations against the pension reform. On 7 and 23 March, 2023 mobilisation culminated with the pro-

test of 3.5 million workers.

Membership Support: We observed numerous techniques, suggested by the empirical data, such as low fees for union membership (in general or for particular groups, such as young workers), including partial reimbursement, strike funds, legal advice and support, training and education, and career guidance. National information and consultation campaigns on labour rights, civil society organisations engagement and support to the bargaining process by providing education, information, and platforms for dialogue among labour market actors.

Legislative reforms and Legal Support. With the recent law reforms in Romania (SDL 367/2022), it has become easier for trade unions to organise protests and strikes. This reflects a huge structural shift with increasing opportunities for broader mobilisational tactics to enhance bargaining power. After trade unions pressure, the National Assembly in Bulgaria approved amendments to the Criminal Code on 28 June 2023, criminalising acts against the right of association of employees. Bulgarian trade unions insist on further amendments to the currently adopted minimum wage setting mechanism in order to guarantee that the statutory minimum wage covers the cost of living. Moreover, the statutory minimum wage serves as a base level for negotiating wage rates within the sector/company level negotiation process. In this way, unions pay significant attention to achieving a higher national minimum wage. In Italy, trade unions support workers in collective and individual disputes and provide a wide range of personal services to the broader citizenry.

Participatory and solidarity culture. Support funds for the trade union members, unionising campaigns for the most underrepresented and vulnerable social groups, and solidarity expressed by other trade unions and/or other social actors during a strike or collective dispute are all essential mechanisms for increasing connections and trust between trade unions, different organisations, and broad society. Previous experience in social movements has proven to be a mobilising factor for many workers in precarious sectors to unionise or revitalise unions. For example, in Greece, activists helped in building the researchers union SERETE, while the coalition between trade unions in the arts sector and the “Support Art Workers” movement contributed to union revitalisation. In Italy, trade unions supported the protest campaign for the recognition of the riders in the collective agreements.

Research and expertise. Research analyses and collection of new data, concerning governments’ policies, industrial relations, legal reforms, and specific sector dynamics, can support trade unions bargaining positions during negotiations or within protest campaigns.

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In the historical era of “polycrisis”, the trade union movement is facing new challenges and threats as profound changes in the economy and international security have taken place. In this new context, trade unions are searching for ways to remain relevant organisations of workers’ interests and strengthen their role with innovative organisational and policy strategies. The project ImproCollBar and this Comparative Report present the situation in eight EU member-states with different industrial relations regimes. They show diverse landscapes of social dialogue and various mechanisms for improving collective bargaining. Based on a unique protest event dataset and interviews with a diverse set of organisations, the research team identified challenges and threats, opportunities and resources available for trade unions and suggested successful mechanisms for enhancing trade unions’ power and collective bargaining coverage and scope. By bridging concepts and tools from industrial relations literature and social movement studies, the Final Report offers a comprehensive comparative overview of the traditions, structures, and strategies of trade union movements in the EU.