

Julia Kuszniir, Heiko Pleines (eds.)

**Trade Unions from Post-Socialist
Member States in EU Governance**

CHANGING EUROPE

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List of Abbreviations of Relevant Organizations

A

ASO	Association of Independent Trade Unions (Asociace samostatných odborů), Czech Republic
ASZSZ	National Federation of Autonomous Trade Unions (Autonóm Szakszervezetek Szövetsége), Hungary
ATTAC	Association for the Taxation of Financial Transactions for the Aid of Citizens
AWS	Solidarność Electoral Alliance (Akcja Wyborcza Solidarność), Poland

B

BCC	Business Centre Club, Poland
-----	------------------------------

C

CEEP	European Centre of Enterprises with Public Participation and of Enterprises of General Economic Interest
CESI	Confédération Européenne des Syndicats Indépendants (English version: European Confederation of Independent Trade Unions)
ČMKOS	Czech-Moravian Confederation of Trade Unions (Českomoravská komora odborových svazů), Czech Republic
COPA	Committee of Professional Agricultural Organisations
CoR	Committee of the Regions, European Union

D

DGB	German Confederation of Trade Unions (Deutscher Gewerkschaftsbund)
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E

EAKL	Confederation of Estonian Trade Unions (Esti Ametiühingute Keskliit)
ECF-IUF	European Committee of Food, Catering and Allied Workers' Unions within the International Union of Food, Agricultural, Hotel, Restaurant, Catering Tobacco and Allied Workers' Associations
ECOSOC	United Nations Economic and Social Council
EESC	European Economic and Social Committee

EFBWW	European Federation of Building and Woodworkers
EFFAT	European Federation of Trade Unions in Food, Agriculture and Tourism Sectors
EMCEF	European Mine, Chemical and Energy Workers' Federation
EMF	European Metalworkers' Federation
EP	European Parliament
EPSU	European Federation of Public Service Unions
ERDF	European Regional Development Fund
ESF	European Social Fund
ÉSZT	Confederation of Unions of Professionals (Értelmiségi Szakszervezeti Tömörülés), Hungary
ETF	European Transport Workers' Federation
ETMAKL	Estonian Confederation of Food Producers and Rural Workers (Eesti Toiduainete ja Maatöötajate Ametiühingute Keskliit)
ETUC	European Trade Union Confederation
ETUI-REHS	European Trade Union Institute for Research, Education and Health and Safety
ETUF-TCL	European Trade Union Federation – Textiles, Clothing and Leather
EU	European Union
EUROCADRES	Council of European Professional and Managerial Staff
EUROFOUND	European Foundation for the Improvement of Living and Working Conditions
F	
FERPA	European Federation of Retired and Older People
FZZ	Trade Unions Forum (Forum Związków Zawodowych), Poland
I	
ICEM	International Federation of Chemical, Energy, Mine and General Workers' Unions
K	
KNSS	Confederation of New Trade Unions of Slovenia Neodvisnost
Neodvisnost	(Konfederacija Novih Sindikatov Slovenije Neodvisnost)
KOK	Christian Labour Confederation / Christian Trade Union Coalition (Křesťanská odborová koalice), Czech Republic
KOZ SR	Confederation of Trade Unions of the Slovak Republic (Konfederácia odborových zväzov Slovenskej republiky)

KPP	Confederation of Polish Employers (Konfederacja Pracodawców Polskich)
KUK	Confederation of Arts and Culture (Konfederace umění a kultury), Czech Republic
KZPS	Confederation of Employers' and Entrepreneurs' Associations (Konfederace zaměstnavatelských a podnikatelských svazů), Czech Republic
L	
LBAS	Free Trade Union Confederation of Latvia (Latvijas Brīvo Arodbiedrību savienība)
LDF	Lithuanian Labour Federation (Lietuvos darbo federacija)
LIGA	Democratic League of Independent Trade Unions (Független Szakszervezetek Demokratikus Ligája FSzDL), Hungary
LPSK	Lithuanian Trade Unions Confederation (Lietuvos Profesinių Sąjungų Konfederacija)
M	
MEP	Member of the European Parliament
Metalowcy	Federation of Metalworkers' Trade Unions (Federacja Związków Zawodowych 'Metalowcy'), Poland
MGYOSZ	Confederation of Hungarian Employers and Industrialists (Munkaadók és Gyáriparosok Országos Szövetsége)
MOSZ	National Federation of Workers' Councils (Munkástanácsok Országos Szövetsége), Hungary
MSZOSZ	National Association of Hungarian Trade Unions (Magyar Szakszervezetek Országos Szövetsége)
N	
NGOs	Non-governmental organizations
NSZZ Solidarność	Independent and Self-Governing Trade Union Solidarność (Niezależny Samorządowy Związek Zawodowy Solidarność), Poland
O	
OPZZ	All-Poland Alliance of Trade Unions (Ogólnopolskie Porozumienie Związków Zawodowych)
OS ČMS	Trade Union Association of Bohemia, Moravia and Silesia (Odborové sdružení Čech, Moravy a Slezska), Czech Republic

OS KOVO	Czech Metalworkers' Federation KOVO (Odborový svaz KOVO)
OS PHGN	Union of Workers in Mines, Geology and Oil Industry (Odborový svaz pracovníků hornictví, geologie a naftového průmyslu), Czech Republic
OZ KOVO	Slovak Metalworkers' Federation KOVO (Odborový zväz KOVO)
OZ PBGN	Union of Workers in Mines, Geology and Oil Industry (Odborový zväz pracovníkov baní, geológie a naftového priemyslu), Slovakia
P	
PERGAM	Confederation of Trade Unions of Slovenia Pergam (Konfederacija sindikatov Slovenije Pergam)
PKPP Lewiatan	Polish Confederation of Private Employers Lewiatan (Polska Konfederacja Pracodawców Lewiatan)
R	
RHSD	Council of Economic and Social Agreement (Rada hospodárskej a sociálnej dohody), Slovakia
ROH	Revolutionary Trade Union Movement (Revoluční odborové hnutí), Czech Republic
RUZ	National Union of Employers (Republiková únia zamestnávateľov), Slovakia
S	
SLD	Democratic Left Alliance (Sojusz Lewicy Demokratycznej) [Polish political party]
SP ČR	Confederation of Industry and Transport of the Czech Republic (Svaz průmyslu a dopravy ČR)
SZEF	Forum for the Co-operation of Trade Unions (Szakszervezetek Együttműködési Fóruma), Hungary
T	
TALO	Estonian Employees' Unions' Confederation (Eesti Teenistujate Ametiiliitute Keskorganisatsioon)
TUTB	Trade Union Technical Bureau [now ETUI-REHS , q.v.]
U	
UNICE	Union of Industrial and Employers' Confederations of Europe

W

WFTU World Federation of Trade Unions

Z

ZPS Entrepreneurs Association of Slovakia (Združenie podnikateľov Slovenska)

ZRP Polish Craft Association (Związek Rzemiosła Polskiego)

ZSSS Association of Free Trade Unions of Slovenia (Zveza Svobodnih Sindikatov Slovenije)

ZZG Trade Union of Miners in Poland (Związek Zawodowy Górników w Polsce)

Part I. Introduction

1. Trade Unions from Post-Socialist Member States in EU Governance. An Analytical Framework

1.1. Introduction

The central question the contributions in this book try to answer is whether trade unions from the post-socialist member states are capable of adequate interest representation on the EU level. At issue is not only their purely formal integration into umbrella organizations and EU bodies; of much greater concern is their actual participation in political decision-making processes.

To this end, the authors of this book focus on the following guiding questions:

- To what extent and in which form are trade unions from the new member states integrated into political decision-making processes on the EU level?
- How do the participatory levels of trade unions from the new member states compare to those of trade unions from the old member states or other interest groups (in particular employers' associations) from the new member states?
- How does the trade unions' engagement on the EU level influence the national (and sub-national) level?

Three of the larger new member states, Poland, the Czech Republic and Slovakia, were chosen for the empirical analysis. The major trade unions from these three countries are among the strongest in the post-socialist EU member states. Accordingly, the analysis presents a best-case-scenario for the potential influence of trade unions from the post-socialist member states in EU governance. The trade union studies were thus consciously selected as cases of maximum influence potential rather than as representative of the new member states. This is due to the prevailing assumption of weak representation of trade unions from the new member states on the EU level. If even the strongest trade unions fail to gain traction on the EU level, then the assumption will have been validated. At the same time an analysis of the strongest trade unions offers the best possibilities for an analysis of the effects of integration and Europeanization.

1.2. The Competences of the EU

The competences of the EU in labour market regulation and social policy are limited in scope and largely focus on establishing health and safety regulations in the workplace, regulating labour migration within the EU and equalizing the status of female labourers. Collective bargaining, one of the major tasks of trade unions, is still done exclusively below the EU level.

Nevertheless, the competences of the EU in the field of social policy have been systematically expanded since the beginning of the 1990s. And by means of the Open Method of Coordination (OMC), a more sweeping EU-wide harmonization of social integration, pension funds and health care has been pursued since 2000. Moreover, the EU competences in the economic sphere also possess implications for labour market regulation, as e.g. the EU Service Directive has shown.¹

1.3. Trade Unions in EU Multilevel Governance

Economic concerns have traditionally shaped interest representation on the EU level, numerically as well as politically. To some extent, this phenomenon has arisen from the EU's history as an economic community. The Commission's dialogue with employers' and employees' representatives organized at the EU level (the Social Dialogue) is based on legal foundations. The Social Dialogue is rooted in Articles 138 and 139 of the Treaty establishing the European Community; these endow the social partners with legislative and executive competences. The European Trade Union Confederation (ETUC), the European Centre of Enterprises with Public Participation and of Enterprises of General Economic Interest (CEEP) and the Union of Industrial and Employers' Confederations of Europe (UNICE) are recognized as social partners by the European Commission and are involved in the Social Dialogue.

The current regulation of decision-making in the area of social policy on the EU level grants the social partners the right to initiate regulations within nine months if they express interest. If the social partners can reach a consensus within this period, they can request that it be incorporated into the Council of Ministers' decision via the Commission. Formally speaking, the EU institutions cannot take any actions in this policy field without consulting the social partners. It is only in the case that the social partners decline to negotiate that responsibility reverts back to the EU institutions.

However, labour relations continue to be strongly organized along national lines. Due to the different national concerns, consensus between the social partners is diffi-

1 A concise analysis of the expansion of EU social policy initiatives furnishes Falkner, Gerda: *Forms of Governance in European Union Social Policy. Continuity and / or Change?*, in: *International Social Security Review*, 2006 (Vol. 59), No. 2, pp. 77–103. Overviews of the policy field are provided by Edquist, Kristin: *EU Social-Policy Governance. Advocating Activism or Servicing States?*, in: *Journal of European Public Policy*, 2006 (Vol. 13), No. 4, pp. 500–518; Falkner, Gerda: *The EU's Social Dimension*, in: Cini, Michelle (ed.): *European Union Politics*, 2nd edn, Oxford: Oxford University Press, 2007, pp. 271–285 and Stuchlík, Andrej: *Sozialpolitik in der erweiterten Europäischen Union*, in: Bos, Ellen / Dieringer, Jürgen (eds): *Die Genese einer Union der 27. Die Europäische Union nach der Osterweiterung*, Wiesbaden: Verlag für Sozialwissenschaften, 2008, pp. 213–225.

cult to reach. In addition, national interest groups are often reluctant in their support for European umbrella organizations.²

Another institutionalized possibility for trade union participation in the EU decision-making process is via the European Economic and Social Committee (EESC). Since its inception in the 1957 Treaty of Rome, the EESC's position has been steadily gathering strength. It unites representatives from employee associations, including those of civil servants (Group I), employees (Group II) and other sectors of organized civil society (Group III). The 317 members of the EESC are nominated by the national governments for a renewable four-year term of office.

In certain cases, the European Commission or the European Council is obliged to consult the EESC; in other instances, consultation is voluntary. In addition, the EESC can also issue opinions unilaterally. The Single European Act (1986) and the Maastricht Treaty (1992) broadened the scope of issues that require EESC consultation, above all those concerning regional and environmental policy. Furthermore, the Treaty of Amsterdam (1997) expanded the regulations for reporting to the EESC and also provides that the European Parliament can consult the EESC. However, the EESC is endowed solely with an advisory capacity.³

2 This assertion is corroborated in Falkner, Gerda: *The Council or the Social Partners? EC Social Policy Between Diplomacy and Collective Bargaining*, in: *Journal of European Public Policy*, 2000 (Vol. 7), No. 5, pp. 705–724; Grande, Edgar: *How the Architecture of the EU Political System Influences Business Associations*, in: Greenwood, J. (ed.): *The Challenge of Change in EU Business Associations*, Basingstoke: Palgrave, 2003, pp. 45–59; Greenwood, Justin: *Interest Representation in the European Union*, New York: Palgrave Macmillan, 2003; Hartenberger, Ute: *Europäischer Sozialer Dialog nach Maastricht. EU-Sozialpartnerverhandlungen auf dem Prüfstand*, Baden-Baden: Nomos, 2001; Hyman, R.: *Trade Unions and the Politics of the European Social Model*, in: *Economic and Industrial Democracy*, 2005 (Vol. 26), No. 1, pp. 9–40 and Rojot, Jacques: *European Collective Bargaining. New Prospects or Much Ado About Little?*, in: Neal, A. (ed.): *The Changing Face of European Labour Law and Social Policy*, The Hague: Kluwer, 2004, pp. 13–38. An analysis of the positions of national trade unions with respect to European economic and social policy provide Busemeyer, Marius R. / Kellermann, Christian / Petring, Alexander / Stuchlík, Andrej: *Overstretching Solidarity? Trade Unions' National Perspectives on the European Economic and Social Model*, Friedrich Ebert Stiftung, Berlin, 2007.

3 An overview on the inclusion of the EESC in the decision-making process on the EU level provide Obradovic, Daniela / Vizcaino, Jose M. Alonso: *Good Governance Requirements for the Participation of Interest Groups in EU Consultations*, in: *Working Papers of the Research Centre for East European Studies*, 2006, No. 76, pp. 19–44. The Social Dialogue and trade union engagement on the EU level has already been thoroughly researched for the EU 15. Greenwood, Justin: *Interest Representation in the European Union*, New York: Palgrave Macmillan, 2003, pp. 149–174; Leiber, Simone / Falkner, Gerda: *Sozialer Dialog der EU und nationale Sozialpartnerschaft. Chronik einer paradoxen Beziehung*, in: Karlhofer, Ferdinand / Tálos, Emmerich (eds): *Sozialpartnerschaft. Österreichische und europäische Perspektiven*, Wien: Lit, 2005, pp. 159–183 and Eising, Rainer: *Interessenvermittlung in der Europäischen Union*, in: Reutter, Werner / Rütters, Peter (eds): *Verbände und Verbandssysteme in Westeuropa*, Opladen: Leske+Budrich, 2001, pp. 453–476. All provide a concise overview. Other important recent studies include Compston, H. / Greenwood, J. (eds): *Social Partnership in the European Union*, Basingstoke: Palgrave Macmillan, 2001; Edquist, Kristin: *EU Social-Policy Governance. Advocating Activism or Servicing States?*, in: *Journal of European Public Policy*, 2006 (Vol. 13), No. 4, pp. 500–518; Erne, Roland: *European Trade-Union*

1.4. Trade Unions in the Post-Socialist Member States

With the Eastern enlargement of the European Union, eight post-socialist countries were incorporated in 2004,⁴ and two more joined in 2007.⁵ Due to their Socialist legacy, many trade unions in the new, post-socialist EU member states indeed boast large numbers of members, but are organizationally limited in their ability to represent trade union interests in the political arena. The trade unions are only associated in comparatively loose umbrella associations. Trade union representatives often shy away from political responsibility and have barely any experience in working with supranational committees.

The weakness of the post-socialist trade unions is also manifest insofar as none of the national-level tri-partite committees has led to successful trade union participation in political decision-making processes in the new EU member states.⁶ The trade unions' influence on national politics is generally perceived as minimal.⁷ On the basis

Strategies. Between Technocratic Efficiency and Democratic Legitimacy, in: Smismans, Stijn (ed.): *Civil Society and Legitimate European Governance*, Cheltenham: Edward Elgar, 2006, pp. 219–240; Hartenberger, Ute: *Europäischer Sozialer Dialog nach Maastricht. EU-Sozialpartnerverhandlungen auf dem Prüfstand*, Baden-Baden: Nomos, 2001; Martin, A. / Ross, G.: *Trade Union Organizing at the European Level*, in: Imig, D. / Tarrow, S. (eds): *Contentious Europeans. Protest and Politics in an Integrating Europe*, Lanham: Rowman & Littlefield, 2001, pp. 53–76 and Neal, A. (ed.): *The Changing Face of European Labour Law and Social Policy*, The Hague: Kluwer, 2004. The impact of EU-level social policy initiatives on the member states has been less intensively researched, however. First analyses on this topic provide Falkner, Gerda / Hartlapp, Miriam / Leiber, Simone / Treib, Oliver: *Die Kooperation der Sozialpartner im Arbeitsrecht. Ein europäischer Weg?*, in: Eising, Rainer / Kohler-Koch, Beate (eds): *Interessenpolitik in Europa*, Baden-Baden: Nomos, 2005, pp. 341–362, Leiber, Simone / Falkner, Gerda: *Sozialer Dialog der EU und nationale Sozialpartnerschaft. Chronik einer paradoxen Beziehung*, in: Karlhofer, Ferdinand / Tálos, Emmerich (ed.): *Sozialpartnerschaft. Österreichische und europäische Perspektiven*, Wien: Lit, 2005, pp. 159–183 and Lopez-Santana, Mariely: *The Domestic Implications of European Soft Law. Framing and Transmitting Change in Employment Policy*, in: *Journal of European Public Policy*, 2006 (Vol. 13), No. 4, pp. 481–499.

4 Estonia, Latvia, Lithuania, Poland, Slovakia, Slovenia, the Czech Republic and Hungary.

5 Bulgaria and Romania.

6 See Casale, Giuseppe: *Experiences of Tripartite Relations in Central and Eastern European Countries*, in: *International Journal of Comparative Labour Law and Industrial Relations*, 2000 (Vol. 16), No. 2, pp. 129–142; Kurtan, Sandor: *Gewerkschaften und Tripartismus im ostmitteleuropäischen Systemwechsel*, in: Merkel, Wolfgang / Sandschneider, Eberhard (eds): *Systemwechsel 4. Die Rolle von Verbänden in Transformationsprozessen*, Opladen: Leske+Budrich, pp. 115–135; Mailand, Mikkel / Due, Jesper: *Social Dialogue in Central and Eastern Europe. Present State and Future Development*, in: *European Journal of Industrial Relations*, 2004 (Vol. 10), No. 2, pp. 179–197; Reutter, Werner: *Tripartism without Corporatism. Trade Unions in Eastern and Central Europe*, in: Agh, Attila / Ilonszki, Gabriella (eds): *Parliaments and Organized Interests. The Second Steps*, Hungarian Centre of Democracy Studies, Budapest, 1996, pp. 59–78.

7 See the overviews by Ost, David: *After Postcommunism. Legacies and the Future of Unions in Eastern Europe*, in: Phelan, Craig (ed.): *The Future of Organised Labour. Global Perspectives*, Oxford: Lang, 2006, pp. 305–331; Pleines, Heiko: *Sozialpartner, Oligarchen und graue Eminenzen. Zur Rolle nicht-staatlicher Akteure in wirtschaftspolitischen Entscheidungsprozessen*, in: Höhmann, Hans-Hermann / Pleines, Heiko (eds): *Wirtschaftspolitik in Osteuropa zwischen ökonomischer*