wmp consult

Bargaining for Equality

Presentation of the research project and first findings

industriAll EUROPEAN TRADE UNION Workshop

9th-10th October2024, Istanbul

Contents

wmp consult - Wilke Maack GmbH

- Founded in 2001, based in Hamburg
- Private research and consulting company, academics and consultants
- Advising works councils, employee representatives on supervisory boards and companies on economic and work organisation / working condition issues
- Conducting national and international research projects on economic, labour market and structural policy issues for foundations, ministries, (European) social partners and European institutions

The wmp project team

Birte Homann
project manager

- More than 15 years of experience in national and international research projects focussing on social dialogue and industrial relations, labour market and employment policy, personnel and organizational development, CSR and reporting, comparative country studies and sectoral analysis
- **Role:** Project management, main contact for the client, development of interview guidelines, desk research, interviews, drafting of the reports, presentation and discussion at WS

Eckhard Voss
quality manager

- More than 25 years of experience in conducting, directing and managing research studies, impact assessments, evaluations and comparative studies in EU policy and regulation in the field of employment, social affairs, industrial relations, education and training
- **Role:** Quality management, quality check of deliverables, support to the workshop, support back-up and advice

Marzie Ghiasi
researcher

- Junior researcher, holding a degree in social sciences and socioeconomics specializing in research and consulting projects in the areas of works councils and labour regulations, with experience in comparative research, in country-specific macroeconomic and socio-political topics, academic knowledge about intersectionality and multiple discrimination.
- **Role:** Desk research, support to interviews and drafting of reports, WS

Background and objectives of the research project

- Within the framework of the project “Bargaining a fair and inclusive green and digital transition for a European industry with equal opportunities for all”, industriAll Europe wants to conduct a **research study on collective bargaining and equal opportunities**
- The focus of the research project is on the **process of reaching collective agreements** regarding equal opportunities at work and the **development of relevant bargaining agendas**
- Therefore, an **analysis of the successful bargaining processes** in several selected collective agreements and the strategic approaches of the negotiating parties (TUs) is in the foreground
- It would be ideal to identify relevant factors with a great impact on the **spreading and promotion of equality issues at the different levels of collective bargaining**.
- **Learning from the experience of others** shall be facilitated
- The overall aim is to **produce a report including a set of recommendations and guidelines** for trade unions that encourages them to (better) bargain for equal opportunities

Methodology and tasks

Start: May 2024

Desk research
- Desk research and literature review
- Including CBAs suggested by industriAll and specific background research (national framework etc)

Qualitative interviews Part 1
- Identification of relevant stakeholders with industriAll
- Developing an interview guideline (agreed with industriAll)
- Carrying out semi-structured interviews with stakeholders (in particular trade unions) at different levels on CB processes

Analysis & Synthesis of interview results Part 1
- Analysis of the interviews and bargaining processes
- Summarizing key findings of research and interviews
- Drafting recommendations and guidelines for TU's
- Building the basis for inputs to the workshop

June to Sept 2024

Workshop: Oct 2024

Workshop
- Presentation and discussion of the **interim research findings** and a first set of recommendations with stakeholders at a workshop organized by industriAll

Qualitative interviews and Analysis & Synthesis of interview results Part 2
- Incorporating feedback from the workshop
- Carrying out further interviews
- Analysis & synthesis of the interview results and bargaining processes

Oct 2024 to Jan 2024

End Jan 2025

(Draft) Final report, recommendations and guidelines
- Elaborating a (draft) final report (20 pages), including good examples / success factors and final recommendations and guidelines

First qualitative interviews

9 interviews with + **2** written answers from trade union representatives

from **6 countries**

Questionnaire and first findings

1. Understanding of equality and equal opportunities as a subject for collective bargaining

- **Equality and non-discrimination are at the heart of the United Nations** system's efforts to support Member States in the implementation of the **2030 Agenda for Sustainable Development**. The aim is to **ensure that no one is left behind.**
- Equality is also a **core value of the EU** and one of the major priorities of the actual European Commission.
- Equality refers to providing equal opportunities to everyone and protecting people from being discriminated against. Each individual or group of people should be given the same resources and opportunities, **regardless of differences based on gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation**.
- While in most countries, the **general principle of equality** is enshrined in the **Constitution, National labour law** and **collective bargaining law** are the main reference points for **EQUALITY AT THE WORKPLACE** (+ other relevant laws)

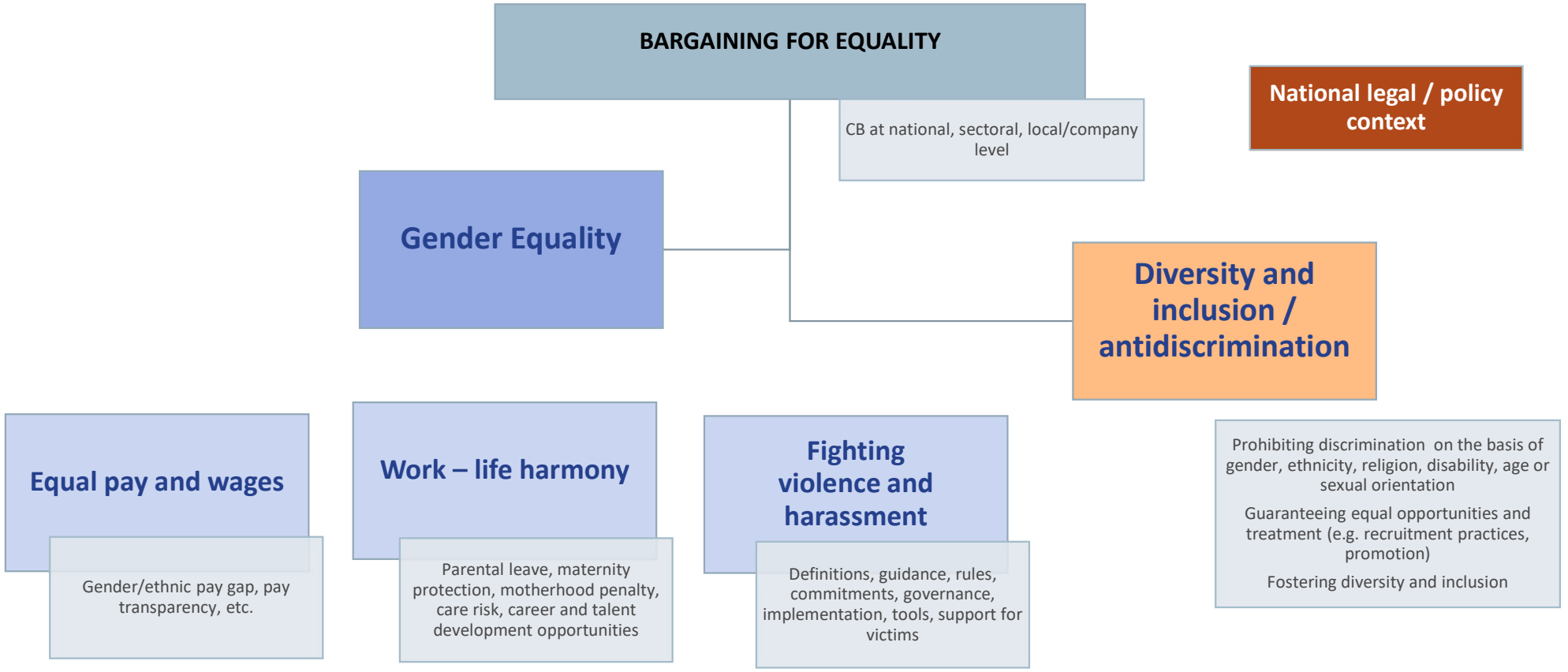
By law, there is equality. In practice, it's different.

"Discrimination in the world of work not only constitutes an abuse of fundamental principles and rights at work, but is of huge cost to society [..]" (ILO, 2007)

- The social partners are key actors in **fostering equality at work for all**!
- **Trade unions can propose and bargain solutions to decrease inequalities at the workplace.**
- They can **fight against discrimination** along all aspects of working life and **promote a culture of diversity and inclusion at work.**

Questionnaire and first findings

1. Understanding of equality and equal opportunities as a subject for collective bargaining



Source: wmp, based on ILO 2024: Social Dialogue Report 2022, chapter 3.7 "Equality, diversity and inclusion", Geneva, p. 96-101

Questionnaire and first findings

1. Understanding of equality and equal opportunities as a subject for collective bargaining

- Main issues related to „**inequality and discrimination at work**“ mentioned by interview partners

Labour market participation of women / labour market access	***(Gender) pay gaps that translate into pension gaps*** ***(Equal pay for equal work!)***	***Reconciliation of family and working life for all genders***	***Maternity protection instead of „Motherhood penalty“***
Care responsibilities (for children, for elderly), difficulties in accessing dedicated services	***Recruitment practices***	***Education and vocational training paths /career development***	***(Sexual) harassment and violence (at the workplace)***

- **Some** of these issues have been dealt with **for decades** in CB (in certain countries), some are **new to CB.**
- It is important to **understand the causes and impacts and the interconnected and complex nature of inequalities.**

Questionnaire and first findings

2. Contextual factors / Drivers and obstacles in bargaining for equality

(Inter)National and sectoral framework conditions

- Legal framework
- Political context
- Economic situation of the sector / company
- Public or private company
- Size of the company
- Staff composition

Role of CB and Role of CBAs at different levels in regulating employment relations and determining working conditions and terms of employment

- National bargaining structure (incl. wage bargaining system)
- Collective bargaining coverage
- Scope (topics encompassed – What can trade unions negotiate at which level?)
- Applicability (e.g. generally binding)
- Coordination among diff. levels
- (De)centralization

Does national/sectoral bargaining „learn“ from company agreements or vice versa

- It can work both ways
- Often, national / sectoral bargaining sets the frame and introduces certain topics
- But: Agreements at company level are more concrete / detailed. The „higher“ level can learn from good practice examples at the company level

- **Contextual factors differ considerably** between countries, sectors and companies.

Questionnaire and first findings

2. Contextual factors / Drivers and obstacles in bargaining for equality

What has triggered the incorporation of equal opportunities in the bargaining agenda?	Are / were there any obstacles?	Is there any relation with developments in other sectors / companies?

• UN Agenda 2030 for Sust. Devel.
• EU countries: EU directives
• National legislation
• CB at different levels
• MNCs
• Cultural change – new generation, different attitude
• Reputational issues, “showcase”
• CSR
• Monetary issues (e.g. tax relief, fiscal benefits)
	• The major obstacles named were:
	  • Monetary issues (in particular if direct costs are involved)
	  • Culture / mindset / stereotypes / lack of awareness 
		• MNCs
		• Contracting / subcontracting companies
		• Good practice examples from other companies or sectors can be extended (Benchmark agreements)

- The promotion of Equality should be seen as an **investment**, not as a cost.

Questionnaire and first findings

3. Practice examples (table) – Selection

Concrete examples of good practice in bargaining for equality at different levels

Example	Country	Sector	Bargaining parties	Type / level	Focus / Objectives	Activities / Topics (only selected examples/provisions)
Equal Pay Programme (s)		Intersectoral	Tripartite – Government (Ministries) and central labour market organisations	**National**	Promote equality in pay, reduce the average pay gap, comply with principles of equal pay	Measures prepared by tripartite working group that promote gender impact assessments of CBAs, equal pay systems, support reconciliation of work & family life, dismantle segregation
Equal opportunities observatories (DE&I)		Oil and Energy	Confindustria Energia and Filctem-CGIL, Femca-CISL, Uiltec-UIL	**Sector** (CCNL)	Promotion and dissemination of Diversity, Equity and Inclusion	Analyse best practices & CB, set up DE&I guidelines, identified 6 areas of intervention
CCNL / Implementation of National Observatory		Gas Water	Utilitalia, Proxigas, Assogas e Anfida, Filctem-CGIL, Femca-CISL, Uiltec-UIL	**Sector** (CCNL)	Effective equal opportunities for men and women at the workplace	Nat. sector Commission (6 TU, 6 EA delegates) with concrete tasks: promotion, identify actions, introduce measures, monitor etc.; possibility of setting up specific bipartite E.O. Commissions in companies with > 200 employees

Questionnaire and first findings

3. Practice examples (table) - Selection

Concrete examples of good practice in bargaining for equality at different levels

Example	Country	Sector	Bargaining parties	Type / level	Focus / Objectives	Activities / Topics (only selected examples/provisions)
CCNL / Metapprendo platform (Platform facilitating the organisation of training for workers)		Metalworking	Federmeccanica, Assistal, FIM-CISL, FIOM-CGIL, UILM	**Sector** (CCNL)	Add trainings on "equality topics" to the platform	3 trainings planned on: • Violence and harassment at work • Inclusive language • Economic and financial literacy
Agreement on equal opportunities and elimination of the gender pay gap		Metalworking industry	UIMM, CFE-CGC,FO, CFDT	**Sector**	Gender equality, gender pay gap	Provisions concerning the evaluation of equal opportunities in the sector, recruitment, career development, work-family reconciliation
Use of money of (bipartite) Subsistence Security Fund for childcare support (Fondsmet)		Metal sector (and other sectors)	ABVV, ACV-CSC, ACLVB, MWB, Agoria, OFP	**Sector**	Reconciliation of family and working life	If workers bring their child (<=3yrs) to an acknowledged childcare facility, they can apply for a certain daily financial support

Questionnaire and first findings

3. Practice examples (table) - Selection

Concrete examples of good practice in bargaining for equality at different levels

Example	Country	Sector	Bargaining parties	Type / level	Focus / Objectives	Activities / Topics (only selected examples/provisions)
Paragraph on gender-based violence in the company agreement		Pharmaceutical industry	Company and TUs	2nd level - **company agreement**	Combating gender-based violence	Right for victims to abstain from work – in a protection project - for 3 additional months paid at 100%; promotion of projects for prevention and victims' support
Paragraphs on Equality, Diversity and Inclusion, welfare and well-being		Aerospace & Defence industry	Company, UNINDUSTRIA and FIM-CISL, FIOM-CGIL, UILM	2nd level - **company agreement**	Gender equality, inclusion, work-life balance	Setting up Committee for inclusion, eq. opp. and respect for the person; setting goals for female employment rate; solidarity hour bank
Agreement on the professional integration of people with disabilities		Public	Company, CFDT, CFE-CGC, CGT, FO	**National company level**	Professional integration of people with disabilities	Increase employment rate and recruitment of people with disabilities, studies on effectiveness of career development activities, equal pay, seniority benefits

Questionnaire and first findings

3. Practice examples (table) - Selection

Concrete examples of good practice in bargaining for equality at different levels

Example	Country	Sector	Bargaining parties	Type / level	Focus / Objectives	Activities / Topics (only selected examples/provisions)
Menopause campaign		Several sectors	Community Trade Union with other actors (NGOs, government, employers)	**Campaign**	Awareness-raising; aim: securing effective menopause policy in all industries	Surveys, information, training, working with employers to develop impactful menopause policies for their workplaces

Questionnaire and first findings

3. Practice examples – Selection of “good” provisions from existing CBAs - 1

Equal opportunities, diversity and inclusion	• Promote a culture of equal opportunities, diversity and inclusion within the CBA (paragraph) • Establish structures / committees / networks / key responsibilities at company level • Awareness-raising and training • Respect and valorisation of every individual and his/her competences
Protection of parenthood / family life	• Maternity protection • Parental leave (for all genders, paid), recognition of paternity rights • „Sick child leave“ (increase workers’ entitlement to short temporary absences) • Leave for caregivers (provide employees with time off for care work)
Harassment and violence at the workplace / gender-based violence	• Awareness-raising and promoting a culture of mutual respect • Training / prevention measures • Protection of victims / support (monetary / leave) • Actions / measures to combat (gender-based) violence

Questionnaire and first findings

3. Practice examples – Selection of "good" provisions from existing CBAs - 2

Welfare/ Reconciliation of family and working life	• Flexible (reduced) working times • Remote working (teleworking) / hybrid working • Sustainable shift models, exemptions from shift work • Childcare – reimbursement/funding of nursery fees, on-site provision of day-care
(Gender) pay gaps	• Monitoring • Link KPIs such as the female employment rate to (financial) benefits • Measures / activities in order to reduce gaps
Vocational training / career development	• Improve access to vocational training = equal access to training and qualifications
Disability	• Increase employment rate and recruitment of people with disabilities • Studies on effectiveness of career development activities • Seniority benefits • Flexible working models

Questionnaire and first findings

3. Practice examples from the interviews - Negotiations

Who has initiated negotiations and what have been the priorities and strategies of the negotiation parties?

- In due time before expiry of CBAs, social partners usually start (re)negotiating and bring up claims – based on specific priorities and needs of sector/company and based on political objectives
- Often, it was employers bringing equality issues to the agenda (legal obligations, reputation)
- In other cases, TUs bring at least 1 equality topic to every negotiation
- Strategies change according to context but involve continuous exchange with representatives at the level concerned
- Some are at first looking for provisions that improve conditions for employees w/o immediate direct costs

How challenging were the negotiations?

- Often not very challenging (in particular if no direct costs are involved, if legal requirement), little discussions
- But some are challenging (e.g. Finland **paid** family leave for fathers and mothers – equal number of days)
- Negotiations on pay or pensions etc. are the most challenging

How about the relation to other topics negotiated in the same agreement?

- All topics negotiated are interconnected. You often negotiate a "package"
- TUs discuss/define their claims and priorities (topics).
- If equal opportunities are negotiated in one agreement with wage increases, e.g. if there is 0 wage increase, employers can offer their employees something related to equal opportunities

Questionnaire and first findings

4. Monitoring and assessing the impact of equal opportunities in agreements

Is there any information about the implementation of the agreements reached?	Do evaluations / monitoring take place?	Are there any assessments on the impact on different group of employees (as regards increased equality)?
• Often, there is a bias between provisions and effects in daily practice / real life • There are good examples of key responsible persons or committees at company level for the monitoring and implementation of strategies • In some cases, e.g. increasing female employment rates (in large companies) have been measured	• Many TUs evaluate their CBAs at regular intervals • In most countries, evaluation or assessment bodies/structures exist (e.g. bipartite Nat. observatories or Commissions in IT, Gender impact assessments FIN) • Sometimes, achievements are monitored through KPIs, discussed at regular meetings	• E.g. concerning gender equality, there is often an impact assessment (qualitative and quantitative), e.g. regular reports (legal obligation), monitoring of KPIs • Some companies send annual questionnaires to their employees • Some trade unions organise surveys in order to collect data.

- There is a need for **effective follow-up mechanisms** to see how impactful a new policy implemented is.
- Trade unions should monitor the implementation of laws and additional provisions (CBAs!)
- They should collect reliable data sources for **quantitative and qualitative data** and **share their findings: databases, statistics, KPIs, feedback** from those affected **(surveys, questionnaires), research projects**
- Impact assessments can be done in cooperation with other social partners, with government (institutions) or external experts like universities, research institutes etc.

Questionnaire and first findings

5. Trade union policies and strategies

What role do trade unions play in awareness-raising / lobbying of equality issues?

- Many trade unions are very active in awareness-raising, e.g. through campaigns (in workplaces), trainings, public events, demonstrations, handouts, exchange within their own structures, with other social partners, and with other actors (e.g. government advisory boards)
- Promotion of lawsuits (in case of non-compliance with the law)

Do trade unions encourage their members to propose bargaining demands in this field? Is a bottom-up process in place?

- People at the workplace know best about inequalities and discrimination at work
- Often, there are structures at the company level that can bring forward their demands and recommendations & exchange with structures/delegates at higher levels
- Good individual solutions and practices at local level can be transferred to higher levels of CB

Do you have guidelines or recommendations supporting trade union negotiators?

- Many TUs have guidelines and recommendations, including good bargaining practices
- There are also examples of joint guidelines of several trade unions or even trade unions and employers of one sector

- **Participation is key.** Relevant **"structures"** have to be established**.**
- **Every TU** should have **guidelines and recommendations** considering their national and sectoral background and their individual political positions.

Questionnaire and first findings

5. Trade union policies and strategies

Do trade unions have diverse/inclusive negotiation teams? How are they selected?

- At company level, representatives are generally elected by the staff
- Sector groups often representative
- Negotiation teams are often diverse (but not necessarily)
- Sometimes “quota” exist
- At lower levels, e.g. gender groups, sometimes only women (mandate to bring forward their demands to sector group or negotiators)

Do trade unions review (new & older) CBAs through an equality lens?

- Most TUs review new and existing CBAs, explicitly looking for discriminations, but not all are doing it systematically and continuously
- In selected cases, employers were mostly willing to adjust agreements

Do they seek feedback from their membership on this or external expertise?

- In most trade unions, there is a coordinated exchange between representatives at the different levels.
- There are examples of TU projects with external partners in order to identify inequalities and develop solutions
- Some TUs review agreements together with external experts, sometimes with employers

DRAFT Recommendations for (better) BfE

The basis: Making equality a priority

- Define a **trade union policy** and political objectives aiming at promoting equality, making it a priority
- **Combat stereotypes-** among affiliates, negotiators, employers, the general public
- **Raise awareness** – participate in public debates, set up campaigns, demonstrations, publish handouts, resolutions or guidelines on equality issues
- Acknowledge and highlight **good practices** at workplaces
- **Identify/offer workshops and (obligatory) training opportunities**: educate people in terms of their rights (by law, by CBA) and on equality topics

DRAFT Recommendations for (better) BfE

(Better) bargaining for equality

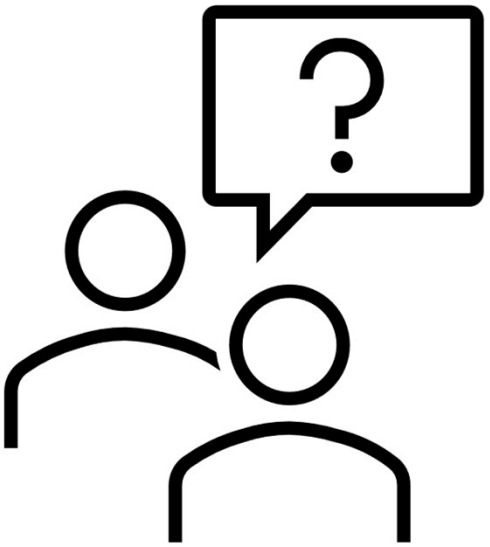
- **Ensure** the **representation** of different workers and ensure that their needs are heard (within workers reps, boards, committees etc.)
- **Establish specific structures** (networks, committees, groups, congresses, key personnel) dedicated to equal opportunities at the different levels (company, region, sector, intersectoral)
- **Ensure regular exchange, support and coordination** between structures at different levels
- Spread information on good practices at workplaces: **transfer** to other companies / bargaining levels / legislation
- Publish and distribute **guidelines** for negotiators
- **Identify influential factors and propose bargaining demands** for equality

DRAFT Recommendations for (better) BfE

Sustainability and continuous improvement

- **Monitor the implementation** of laws and additional provisions (CBAs) and make impact assessments
- **Evaluate and review CBAs**, search for discriminations and ideally remove these (negotiating with employers or at court)
- **Share good practices and exchange them** – within your trade union, with other unions, with social partners, employers (associations)- in particular also SMEs, the government, NGOs, with the public
- **Cooperate with other actors** and combine forces, build alliances, bringing people together: working groups, common projects,..

Questions and answers



- What are your priorities?
- Do you agree with the recommendations? Do you have others/additional ones?
- Do you know any other good practice examples?
- Could you provide any related documents

(such as guidelines, model agreements)?

- Could you establish contacts for interviews?
- Would you be available for an interview yourself?
  - Just contact me in the break or write an email!

wmp consult

thank you
danke
謝謝
ngiyabonga
شكراً جزيلاً
teşekkür ederim
gracias
merci
obrigado
dziękuję
bedankt
спасибо
Баярлалаа
рахмат
dank je
go raibh maith agat
mochchakkeram
sukriya
kop khun krap
terima kasih
grazie
arigatô
dakujem
tapadh leat
мерси
ευχαριστώ
감사합니다
ありがとう
hvala
mauruuru
sagolun
takk
taiku
хвала
mersi
barka
welalin
tack
spas
misaotra
matondo
paldies
grazzi
mahalo
vinaka
blagodaram
спасибі
faafetai lava
kiitos
dankie
dhanyavad
nanni
nandri
bayarlalaa
gràçie
köszönöm
enkosi
sobodi
děkuji
mèsi
didi madloba
kam sah hamnida
rahmat
chnorakaloutioun
gratias ago
gràcies
sulpáy
tanemirt
rahmet
najis tuke
xiexie
diolch
dhanyavadagalu
shukriya
merce
trugarez
mamnun
дякую
djiere dieuf
tau
asante
manana
obrigada
murakoze
tenki
chokrane

wmp consult

Contact information

Birte Homann

+49 40 69 63 284 – 13

birte.homann@wilke-maack.de

Eckhard Voss

+49 40 69 63 284 – 02

eckhard.voss@wilke-maack.de

Marzie Ghiasi

+49 40 69 63 284 – 09

Marzie.ghiasi@wilke-maack.de

wmp consult –
Wilke Maack GmbH
Schaarsteinwegsbrücke 2
20459 Hamburg