1. Introduction

In the last two decades the European Commission has launched various white papers and communications promoting lifelong learning (LLL). In an era marked by rapid political, economic and technological change, the Commission has acknowledged that many citizens are ill equipped to deal with these challenges (Trappmann and Draheim, 2009). Faced by such circumstances the Commission has increasingly raised concerns about social exclusion, noting that certain citizens, in particular migrants, women, low skilled and older workers are most vulnerable to change. In addition, there exists a growing awareness that even those employees best equipped to deal with the new labour market demands, individuals who have gained a university degree (preferably an MBA), are geographically and culturally mobile as well as in possession of one if not two foreign languages, so-called employee Olympians, will more than likely have to contend and account for breaks in their curriculum vitae. On this note the European Commission (COM, 2001: 3) sees LLL as an important mechanism for improving citizens’ employability at a time when the labour market is in a state of everlasting flux:

*The principles which underpin lifelong learning and guide its effective implementation emphasise the centrality of the learner, the importance of equal opportunities and the quality and relevance of learning opportunities.*
In emphasizing the importance of LLL the Commission clearly views this project as best achieved through a “partnership approach”, arguing this is ‘the first building block. All relevant actors, in and outside the formal systems, must collaborate for strategies to work “on the ground” (COM, 2001: 4). Undoubtedly, the Commission recognizes that LLL “will not be unproblematic” (Rogers et al, 2003: 1). As we strongly argue in this paper, LLL is a contested domain, especially when this concerns issues such as access, recognition and cost in which employer and employee interests clearly differ.

For this reason the following paper considers the role of German trade unions and works councils in promoting and representing employees in the area of LLL. Empowered by the Collective Bargaining and German Works Constitution Acts, trade unions and works councils are respectively conceived as legally well placed to represent employees generally and moreover encourage specific groups of workers, migrants, young, older and female workers (vulnerable citizens) to take on board the principles of LLL. Drawing, however, on provisional findings of a two year study into the role of German trade unions and works councils in the designing and development of LLL within the workplace, the paper will empirically highlight how both parties; trade unions and works councils, appear to struggle in this important area of representation. On the surface LLL might appear to be flourishing, trade unions and employers associations having signed numerous agreements dealing with this theme. Furthermore, works councils seem have discovered this important area, too. This last point demonstrated by an increase in company level LLL agreements. However, the paper suggests that although these developments are to be welcomed, even considered revolutionary compared to the many missed opportunities of previous decades, there remain many question marks hanging over this newly discovered enthusiasm – or mehr Schein als sein (appearances can be deceiving).

After providing a brief historical understanding of the LLL concept we will proceed to discuss the methodological approach underpinning the empirical findings presented in this paper and our project more generally. Next, we turn to consider LLL from an employee’s perspective. Although we focus here on the situation in Germany, specifically the industrial relations setting, we contend we
are dealing with generic factors associated with LLL that can be of interest for employee representatives and vocationalists beyond Germany’s borders. Like most factors associated with the world of work this concerns the recognition that LLL involves some degree of conflict between employers and employees, something which becomes quite obvious is we accept how LLL is closely associated with job security, the redistribution of wealth and equality concerns. We also consider here the historical relationship the organization of workers on the part of trade unions as well as the emergence of LLL collective agreements at both national and company levels. In the next section we will present our preliminary findings, these based on an analysis of works council data provided by the WSI-Betriebs- und Personalrätebefragung 2010 (works council survey) and interviews conducted with German LLL experts. Finally, we will attempt to present some provisional conclusions designed to support future research on LLL.

2. Lifelong learning: an historical overview

In a digital age marked by an unquenchable thirst for knowledge and technological advancement (Castells, 1996), as well as the necessity to ensure such advancement is ecologically sustainable and geared towards greater global competition, LLL increasingly takes center stage in labour market debates (Bahnmüller and Hoppe, 2011a). LLL is part of a global educational war, a means of ensuring national/regional security by utilizing skilled workers to conquer markets.

Designating an actual year in which the LLL concept emerged appears difficult. For example, there is an argument to suggest that Georges Friedmann unwittingly placed LLL on the agenda in his critic of Taylorism in 1946, Friedmann promoting the virtues of continual re-qualification in response to the alienation associated with scientific management. However, there exists a general acceptance that whilst the 1970s announced the emergence of LLL, the 1990s catapulted the concept into everyday discourse. Here, the two UNESCO reports Leaning to be. The world of Education Today and Tomorrow (1972) and Learning: The Treasure within (1996), are deemed milestones in the advancement of LLL. Both periods, however, approached LLL from a quite different
perspective. Whilst the 1970s the focus on LLL was a concern with promoting equality, two decades later the LLL is associated very much improving economic performance. Nevertheless, like gender before it, LLL appears to be on the verge of mainstreaming key institutions within Europe. Certainly, the European Commission and its affiliates, Member States, as well as key actors within this political realm; the so-called social partners (employer associations and trade unions) have become advocates of this leaning concept. This is testified by the fact that any policy document or agreement dealing with employment would be considered incomplete if it failed to reference the growing importance of LLL.

This development signifies a realization that occupational paths originating in the late 18th and the first half of the 19th century are no-longer contemporary (Kuhlenkamp, 2010). The idea that knowledge is encapsulated in strict timeframes, schooling, apprenticeship and higher education, but moreover that these stages involve the idea of completion, best summed by the old apprenticeship adage of ‘I served my time’, is in the process of being surpassed by an open-ended approach to vocational training. We have entered a historical period in which vocational training, even the notion of an occupation has become liberated from time. Of course, this represents a positive interpretation of this development. Whether a training path from Cradle to Grave to quote Hargreaves (2004), marked by the necessity to continually adapt to changes in the labour market represents a liberating experience remains a moot point, a point which we shall see employers and employee representatives are currently struggling over. At the heart of such discussions is the question of responsibility and accreditation (Dobischat and Seifert, 2002), two issues which we will return to on numerous occasions throughout the paper.

3. Research note

Although the current project, a project funded by the Hans Boeckler Stiftung, studies the role of co-determination in shaping LLL, specifically the part played by works councils, the following paper draws predominantly on interviews conducted with LLL experts. The reason for this is twofold: Firstly, the current research is in its pioneer phase, a phase designed to achieve a general understanding of the key debates in the area of LLL, but equally to support our
eventual choice of case studies. In short, such experts are deemed not only LLL experts but also individuals who function as gate keepers to potential companies where LLL programs have either been successfully or unsuccessfully implemented. Secondly, LLL has become a key policy issue for German social partners in the last decade, as demonstrated by the growth in the negotiation of collective agreements dealing with LLL.

Applying a qualitative approach a total of 17 interviews were conducted with interest groups and LLL experts, each interview lasted between one and two hours. Altogether 9 interviews were arranged with national officers from the following unions, Vereinte Dienstleistungsgewerkschaft (public sector union), the Industriegewerkschaft Metal (metal sector), the Industriegewerkschaft Bergbau, Chemie, Energie (chemical sector) and the Industriegewerkschaft Bauen-Agrar-Umwelt (construction sector) and the DGD (German trade union federation). In addition, the first phase of our research design benefited from 4 interviews with LLL researchers, in particular individuals with an interest in the role of industrial relation’s actors in developing and implementing LLL processes. Furthermore, a total 2 interviews with employer representatives, one each from the Bundesvereinigung der Deutschen Arbeitgeberverbände (The Association of German Employers) and Gesamtmetall (The Association of metal employers). Finally, we interviewed 2 civil servants from the Bundesministerium für Bildung und Forschung (The education and research ministry).

4. Lifelong learning and employee representation

Historically employability has been a central to helping workers define their interests. The arrival of a fully-fledged industrial society in the 18th and 19th century in Europe and North America, and with it the growth in importance of paid labour, quickly resulted in an awareness of the importance of skill-sets, specifically knowledge relating to the labour process. Not only did such knowledge strengthen one’s material bargaining position, but moreover it worked as a buffer against the inequalities associated with a capitalist economic regime (Webb and Webb 1920). The emergence of organized labour in the form of trade unions owes much to this last point. After all as the word trade union indicates such a structure represents an association of likeminded employees conducting a
similar if not an equivalent trade. As various labour historians note (Thompson, 1981; Hobsbawn, 1984; Cole 1951), the early trade unions arose out of craft-trades. Known widely as the labour aristocracy these early activists raised concerns about what consequences the advancement of technology would have for their position on the labour market as well as the way-of-life associated with their particular trade (E.P. Thompson, 1981). Discussing the importance of skill Hobsbawn (1984: 262) points out:

_The truth is that craftsmanship was not only the criterion of a man’s identity and self-respect, but the guarantee of his income... The small-arms fire with which the artisans fought the big guns of the employers derived its effectiveness from the ramparts of skill which protected it as well as the solidarity of the marksman._

The importance of skill was also highlighted by the symbolic importance a workman placed on their tools or more commonly referred to as kit in the UK. His or hers chosen instruments not only allowed them to retain a monopoly over skilled employment, to earn a living and set the price, but equally they represented independence from management’s control (Hobsbawn, 1994). For example, the importance of possessing your own “kit” was also an issue used to encourage union membership, trade unions offering tool insurance against loss or damage of a member’s tools (Hobsbawn, 1984).

The onslaught of progress in the form of industrial capitalism was a direct challenge to status and power of skilled artisans in Britain, Thompson (1981: 261) indicating that the early industrial disputes organized by trade unions had as much to do with the “standards of workmanship – customary rewards for different grades of skill” as they did with wages and working conditions in early part of the 19th century. At one level this involved ultimately a technological challenge in the form of Taylorism, semi-skilled machine operators making artisans increasingly superfluous as the mysticism surrounding their trade was replaced by scientific management. Braverman (1974) notes that this represents the process of deskilling labour. At another level the State showed itself willing to support the cause of early industrialists by playing a key role in undermining artisans’ labour market strength (Cole, 1951; Crouch, 1982). Artisans until the 19th century had overseen strict entry into trades, access often restricted to the sons of existing tradesmen or
individuals who could afford to pay the high apprenticeship fees (Thompson, 1981; Cole, 1951). The apprenticeship system helped ensure the retention of high standards and a monopoly over the labour market as in the case of the cabinet makes society which restricted membership to apprentices only. For this reason, the state repealed the Artificers Act in 1814, an Act which had restricted access to apprenticeships and could be traced by back to Elizabethan times 1814 (Cole, 1951). Discussing these developments Thompson (1981: 289) notes:

*What we can say with confidence is that the artisan felt that his status and standard-of-living were under threat thereafter or were deteriorating between 1815 and 1840. Technical innovation and the superabundance of cheap labour weakened his position. He had no political rights and the power of the State was used, if only fitfully, to destroy his trade unions.*

Such experiences, though, were clearly not retracted to Great Britain. The emergence of German trade unions and the rise of industrial action was closely linked to the issue of skills, in particular the retention and access of skills (Uellenberger – van Dawen, 1997; Limmer, 1996). Discussing the emergence of the first union in Germany, Uellenberger – van Dawen (1997: 13) states:

*It was not the impoverished working class that took advantage of the new political freedom to advance their interests. It was labour aristocracy – the printers that founded the first union. The masters and journeymen could look back on a long tradition of careful education and apprenticeship.*

According to Uellenberger – van Dawen, however, early German trade unionists differed in one important way to their British counterparts, the rejected the Luddite principles of challenging the forward-march of technology. On the contrary, they viewed industrialization as an opportunity. The arrival of new technological processes were seen as opening the door to higher qualifications and in so doing reducing the possibility that machines would lead to job insecurity. This tradition continues until today, trade unions playing a vital role in developing and overseeing vocational training (Trappmann, 2010). Although space does not allow us to address this disparity in any great depth, it is worth noting that Taylorism/Fordism did not have the same impact on the labour process as in other
countries in the early years of German industrialization. As Mikl-Horke (2005) notes:

*At Daimler there was no urge to relinquish the qualifications of skilled employers, these stood for German quality.*

Even accepting that Taylorism eventually made inroads into Germany in the 20th century, the market value of *Made in Germany* or the *Vorsprung durch Technik* motto has not gone unnoticed by German employers, German manufacturing traditionally favoring the production of high-end products. According to Lane (1993) these facets of German industry help us better understand the continued importance placed on vocational training in Germany compared to Britain, two countries which have quite contrasting approaches to training, the latter marked by an under-developed apprenticeship culture.

In sum, historically skills and “trade union traditions and the yearning for independence were twisted together in the idea of control over their own means of livelihood” (Thompson, 1981: 290). In a period of ever increasing employment precarity (Sonia McKay et al, 2012), trade unions would appear to be ‘going back to the future’, a rediscovery of the importance of skill sets on the part of trade unions can be observed. In Britain, the recent arrival, supported by the State, of trade union learning representatives as well as passing of various LLL collective agreements in Germany since 2001, testify to this fact. We will consider the last issue in greater detail in section 4.2 dealing with LLL and employee representation in Germany. Firstly, though, we now turn to consider in greater detail two important factors, access and responsibility, factors which employee representatives, be them works councils or trade unions, increasingly recognize are central to the LLL debate.

### 4.1 Lifelong learning and the question of access and responsibility

As in all areas of education and vocational training LLL is influenced by economic and social contexts (Oakey, 1990), in short LLL is an area of contestation. Carried on the wave of globalization, a wave which we strongly argue gives emphasis to the forward-march of a neo-liberal interpretation of
economic and social progress, the issue of contestation is most apparent when considering the question of access and responsibility.

Various writers draw our attention to the fact that LLL is predominantly a neo-liberal concept in which the notion of ‘human capital’ is dominant. According to Zarifis and Gravani (2014) this represents a paradigm shift whereby education is no-longer a public good provided by the State, but rather the responsibility of each individual. Dressed-up as offering individuals boundless opportunities, specifically the path to job security and an improved standard of living, various writers demonstrate how LLL places demands on workers to continually renew their skill sets (Livingstone, 1999; Beicht et al, 2006; Brödel and Yendel, 2008). In addition, shouldering responsibility for LLL represents an important means to democratizing employment (a never ending aim of employees and their representatives), as LLL provides the individual with the opportunity to mold their own career path. In short, human capital theorists tend to either view the issue of responsibility, specifically the financing and question of time as unproblematic or underestimate that these issues represent what refer to as the “contested domain”.

Due to the fact that LLL helps improve an individual’s market worth these same people should not be surprised to discern that they have to finance and complete such training programs in their own time. In addition, human capital theorists are strongly influenced by the notion of rational choice, namely that now individuals are increasingly aware of the benefits associated with LLL they will independent of family background, qualifications and gender can be expected to advantage of the choices now available.

However, as various writers critically note, the human capital theory suffers by assuming that we all have equal access to LLL, that LLL represents a level playing field (Zarifis and Gravani, 2014; Oakey, 1990, Baethge und Baethge-Kinsky, 2004). The view that individuals who fail to take advantage of the opportunities provided in a LLL epoch act irrationally, fails to acknowledge the differentiated nature of society and the fact that whilst professionals who not only can afford to finance further vocational training but have a positive disposition to training might be in minority. As Oakey (1990: 33) implies when discussing the issue of access to education/vocational training, the concept of rationality is not applicable in a non-egalitarian society:
But however broadly conceived, technological and vocational knowledge itself is differentiated, and access to differing strands of that knowledge is socially shaped.

An individual’s biography, something that neo-liberal approaches to LLL are blind to, strongly influences the access factor. Niemi and Nagel (1979) ironically note that those adults most in need of vocational training, adults who have come from low income families, who have not visited a university and who most likely are unskilled, are less likely to benefit from LLL compared to their middle class counterparts. Although Niemi and Nagel’s observation is over 30 years old, current statistics exemplify that LLL is far from meritocratic, migrants, women and older workers continue to be under-represented. As in the case of education generally, a form of “apartheid” governs who benefits from LLL. McCraken and Winterton (2006: 3-4) argue:

> While over 90 per cent of individuals in managerial or professional occupations have participated in adult leaning, the comparable figure for those working as plant or machine operatives is around 66 percent. Moreover, 86 per cent of those who left full-time education with academic qualifications were learners, compared with 55 per cent of those without such qualifications.

Although McCraken and Winterton’s work concerns the UK (2006), a similar if not slightly worse picture prevails in Germany (Dobischat and Seifert, 2002). Discussing participation levels in LLL programs for the year 2007, the German Federal Ministry for Education and Research (2008: 6) uncovered that individuals’ with a degree were twice as likely to have attended a vocational course compared to someone who went to a Hauptschule, 1 60 and 29 per cent respectively. This leads the German ministry to conclude (2008), that educational background has a strong influence over an individual’s orientation to vocational training which it clearly does.

However, there prevails in the German ministry’s report (2008) a clear assumption that we live in a meritocratic society, that education is egalitarian Jarvis (2012). Should we be surprised that individuals who have attained a mere secondary school diploma and who have been classified as losers at the age eleven appear wary of LLL? In sum:

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The notion of individual sovereignty of choice is largely a myth, since choices does not take place in a social vacuum (Oakley, 1990: 32).

As McCraken and Winterton (2006) assert, given that LLL is strongly influenced by the Matthias Principle, namely that “those that hath shall be given”, or said in another way “those that hath not will continue to be excluded”, we should not be surprised that trade unions have discovered an interest for LLL in the last decade – what we refer above as ‘back to the future’. Such a pursuit would appear to be motivated by two considerations. Firstly, a growing concern with the question of employability, improved qualifications viewed as imperative if employees are to retain employment, this concerns the protective role employee representatives traditionally play (Berger, 2012). Secondly, an acknowledgment that LLL, as in the case of other social commodities, is not immune to the distribution of wealth or moreover the influence of employers. As Trappmann (2010: 477) notes when discussing the rules surrounding LLL, in particular who participates in vocational training, there exists the tendency that these are “defined mainly by employer preferences.” In the next section, we turn to address the question of LLL and German employee representatives.

4.2 Lifelong learning and employee representation in Germany

In the UK issues surrounding LLL and employee representation focusses on the role of trade unions, specifically the emergence of so-called Union Learning Representatives (Rainbird and Stewart, 2011). This reflects the single nature of British industrial relations. In contrast, German industrial relations are characterized by its “dual” nature, employee representation possible at two levels; company and industrial. German co-determination law, for example, guarantees employees irrespective of union membership the right to representation in the form of works councils and company supervisory boards. Although legally speaking works councils are deemed independent of trade unions (Schumann, 1990), initially even set up to challenge the authority of trade unions (Whittall,

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2 British industrial relations has been quite unique in that it has traditionally favored a single form of employee representation in the form of trade union structures. Unlike on the continent works councils have been an anomaly in Britain – that is until 2001. In 2001, the European Union passed a law on information and consultation which laid the foundations for company level works council structures. This political move was designed to bring the ties of the UK and Ireland, but also the new accession countries (former Soviet Bloc countries) in line with the rest of the EU. Although this law is just over a decade old provisional findings suggest that companies have started to put in place such non-union representative structures. Hence, one might conclude that Britain is moving possibly towards a dual system of IR. For a more in-depth understanding of these developments consult Hall (2005, 2006), Whittall and Tuckmann (2008) as well as Snook and Tuckmann (2014).
2014), the last sixty years have been marked by a close co-operation between these two institutional levels (Whittall, 2005; Rudolph and Wassermann, 2006). Even taking into consideration that a process of decentralization has resulted in a slight decoupling of the dual system since the early 1990s,\(^3\) the intertwining of company and national level employee representation remains strong with just over 77 per cent of works council carry a union card of *Deutsche Gewerkschaftsbund* affiliated trade union (Greifenstein et al, 2010: 8).\(^4\)

As in other policy areas the LLL agenda has been strongly influenced by the dual system, both works councils and trade unions benefiting from the close co-operation it promotes. For example, while trade unions have been active in the negotiation of LLL agreements with branch level employer federations in the last decade,\(^5\) as in the case of all collective agreements trade unions depend on works councils ensuring employers comply with what has been negotiated. This represents works councils so-called role as a collective bargaining policeman (Streeck, 1995). Furthermore, such dependency often involves works councils negotiating the implementation of such LLL agreements. The role of works councils in overseeing LLL needs to be considered at two levels, a collective bargaining and company level. In terms of collective bargaining most agreements set parameters which need to be adhered to by company actors when addressing LLL. Whilst agreements *might* stipulate that LLL has to take place, be financed by the employer and occur in working time, it remains the task of management and works councils to fill these parameters with life. This might involve, for example, negotiating around one of the following issues 1) processes and procedures designed to ensure open access to such opportunities, 2) the content of LLL and 3) the certification (recognition) of training etc. Independent, though, of developments within the collective bargaining realm works councils also have certain co-determination rights which they can apply in an attempt to place LLL on the agenda. This last point is highly important for companies in branches not

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\(^3\) Since the early 1990s open-clauses have had a major impact on the German industrial relations landscape. Designed to promote a controlled, or often referred to as regulated form of industrial relations (Thelen, 1991), collective agreements have increasingly offer company level actors a certain degree of freedom in the implementation of such agreements or as Streeck and Kluge (1999) suggest the “local optimization” of employment relations.

\(^4\) The DGB is the federation of German unions – altogether it is home of over six million trade unionists from 8 trade unions.

\(^5\) Collective bargaining is mainly conducted at an industrial level between trade unions and employer federations in Germany, although it needs to be recognized that company level agreements have been on the ascendency in recent years.
covered by a LLL collective agreement. These could include, for example, companies whose respective bargaining parties have failed to reach an agreement or those which are not covered by collective bargaining regulations.\(^6\) The Works Constitution Act (1952, 1972, 2001), provides works councils rights in the formation of LLL. Although the reform of the Works Constitution Act in 2001, empowered works councils with more rights in the area of vocational training (Berger, 2012), we need to differentiate between strong co-determination and mere informative or consultation rights. In the case of Articles 96 to 98, articles that deal directly with vocational training, employers in many cases are merely required to consult works councils, whilst works councils have opportunity to make recommendations. The right to codetermination, Article 97(2), only takes place when an employer decides to implement measures which make an employee’s existing skill sets superfluous, or Article 98 (1) when an employer decides to implement measures connected with vocational training. However, the initiative has to come from the employer – the initiative rights of works councils are much weaker. In addition, works councils can apply the so-called piggy-back strategy, attaching LLL issues to Article 91 which empowers works councils with strong co-determination rights. Here, though, they have to demonstrate that any proposed LLL measures are designed to reduce work related stress resulting either from changes at the work place, changes in the work processes or changes in the working environment.

Having looked at the institutional framework in which LLL debates between employers and employer representatives takes place in Germany; we will now consider measures, in particular collective agreements that have been negotiated in relation to LLL. Our focus on collective agreements is twofold. Firstly, these represent concrete attempts on the part of employee representatives to challenge employers’ monopoly over LLL (Trappmann, 2010). Secondly, research on works councils and LLL remains to all intents and purposes a blank sheet, a sheet that our very own research program hopes to fill with color.\(^7\)

\subsection*{4.2.1 Collective agreements on training}

\(^6\) Branch level collective agreements only apply to companies affiliated to an employer association unless the Federal Ministry for Labour and Social Affairs declares an agreement binding for all companies.

\(^7\) Indicate that we have not started to study WCs.
Although Bahnmüller and Hoppe (2011a: 1) inform us that German trade unions have been talking about the need to legally regulate vocational training since the 1960s, a move to make it the fourth education pillar, politicians to date have not been forthcoming in their support of such a demand. Abandoned by the political establishment, not forgetting a failure on the part of employers to promote LLL (Trappman and Daheim, 2009), trade unions have sort to fill this void by negotiating collective agreements relating to LLL in the last decade. In particular five branches have lead the way, chemical, metal and electric, public sector, insurance and jewelry, social partners respectively signing agreements in 2003, 2001/2006, 2005, 2008 and 2011. Altogether the agreements cover around 5 million employees (Bahnmüller and Hoppe, 2011b: 1). In addition, Heidemann (2010) has documented how a not insignificant number of company level agreements have started to influence Germany’s vocational landscape. Most recent figures suggest that around 531 company agreements have been signed by works councils and management (Busse and Heidemann, 2005). Compared to the end last millennium, LLL would appear to be flourishing in Germany.

The first major breakthrough for trade unions occurred in 2001, the IG Metall in Baden-Württemberg negotiating an agreement that guaranteed employees a yearly meeting with management designed to define the formers qualification needs. Having clarified an individual’s training needs the employer was required, but only where such qualifications were related to their specific company, to cover all costs, ensure that such training counted as working time and provide participants with some form of certification on successfully completing the training. Furthermore, the Baden-Württemberg agreement also allows for individual training needs, i.e. training not directly of benefit for the company. In such cases individuals have the right to up to a year’s unpaid leave as well as the right to return to their job.

In many respects the 2001 agreement set a precedent not only for the metal and electric industry outside of Baden-Württemberg but for other branches, too. The IG BCE and the Bundesarbeitgeberverband Chemie (BAVC) signed an agreement for the chemical industry which came into power in 2004. In contrast to the metal industry, the IG BCE and BAVC followed a voluntary strategy. The agreement
merely encourages employers and works councils to discuss ways of regulating training (Lee, 2013). In the public sector social partners appear to have favored a hybrid approach taking on board elements of the agreement concluded in the metal industry, but once again stipulating that any agreement has to be reached between actors at the company level. Discussing the public sector agreement Trappmann (2010: 480) notes, though:

The real challenge for German trade unions is to make these agreements work. In the service sector, for example, the new provision is difficult to implement as no minimum standards are defined, but rather there are only recommendations regarding the process.

A general review of the literature on training or similar related issues such as LLL and collective agreement makes for pessimistic reading. For example, according to a report released by the GEW, ver.di and the IG Metall (2008: 28), a mere 5 per cent of companies have taken advantage of such collective bargaining to promote LLL. Discussing the effect of collective agreements on training in the metal and public sector Bahnmüller and Hoppe (2011b: 2) state:

They have had a only led to a limited response and their impact in the sectors studied – even given the strong variation in the metal and public sectors – so far has been very modest.

Trappmann (2010: 482), too, argues that existing collective agreements on training remain “toothless” because they have failed to set minimal standards. Hence, while this flux of collective agreements could be considered an important “door opener” (Bahnmüller and Hoppe, 2011b), allowing works councils various opportunities, i.e. to place LLL on the agenda or to review existing policies, such agreements focus on the question of need rather than the important issues of finance and time. This leads Trappmann (2010: 482) to conclude:

On the contrary, the privatisation [the responsibility of the individual employee] for CVET in terms of time and finances has already become widespread. Collective bargaining therefore should bring distributive issues to the forefront of the agenda, dealing with learning time and financing of training.
Consequently, findings taken from recent study comparing continual vocational training in the EU by the Bundesinstitut für Berufsbildung (Schönfeld and Behringer, 2013), indicate that vocational training at a company level remains clearly under the EU 27 average. In particularly, the report ironically demonstrates that the institutionalization of vocational training at a company level ‘is considerably lower than many of its European neighbors’ (Schönfeld and Behringer, 2013: 223). Not only does this surprise the authors considering how Germany is often associated with a tendency towards strong formalization and institutionalization, but equally it must make for alarming reading for German trade unions.

In the following section we will now consider our preliminary research findings in light of the issues raised above. We will focus particularly on two areas: Firstly, will consider both quantitatively and qualitatively the impact of collective agreements dealing with LLL related issues, specifically whether works councils are using such agreements a) as a tool to place LLL on the company agenda and b) where this occurs, what subsequent measures are developed to promote but also control LLL processes? Secondly, we will consider factors which either support or hinder the impact of such agreements.

5. Empirical findings

5.1 Works councils and LLL: WSI-Betriebs- und Personalrätebefragung

Our analysis of the *WSI-Betriebs- und Personalrätebefragung 2010* throws up some interesting and somewhat contradictory findings. Although the survey does not utilize the term LLL but rather refers to vocational training (VT), we use the latter term as an expression of LLL. On a positive note, the WSI survey demonstrates that around 70 per cent of works councils questioned have been pre-
occupied in one way or another with training since 2009. As table 1 demonstrates, of the 1980 participating in the survey, 1381 indicted they had had to deal with VC issues.

This makes for very positive reading, it clearly indicates, certainly in the case of those companies which fall within the Modell Deutschland regulatory sphere, companies practicing co-determination, that VT would appear to have made its presence known. Of course, we have to consider that the time period applied by the survey might be of some significance, the fact that like many industrialized countries Germany was affected by the 2008/2009 financial crisis. This period required German companies to adjust to a slowdown in the global economy, many German companies responding to the situation by introducing a shorter working week. As part of this process one strategy involved using the short working week to promote vocational training. Hence, an increased focus on training could be explained as a consequence of this unique historical period. In fact, when questioned about continual vocational training and reduced hours a mere 10 per cent of respondents indicated that their company had used the crisis to train employees.
This last fact would suggest that other variables are here at play in placing training on works councils’ agenda – such as the actions of trade unions in the last decade, i.e. their asserted efforts to collectively regulate training. In working with the data available we developed and applied four hypotheses. The first hypothesis assumes as strong correlation between a company’s workforce and vocational training, in particular a commitment on the part of a works council to focus more on training when the every people they represent are unskilled and semi-skilled employees. As table 2 demonstrates there exist a strong correlation between these two variables (- a significance rating of 0.480). The second hypothesis concerns the question intensity, an assumption that works council will place a great degree on training the higher the number of unskilled and semi-skilled. However, as also seen in table 2 there exists no significant correlation here.

Hypothesis three and four concern the role of trade unions within a company, various factors relating to German industrial relations need to be taken into consideration here – in particular the fact that most works council delegates, in particular officers, are trade union members. Furthermore, indicated throughout this paper trade unions have been quite active in collectively regulating vocational training since 2001. Hypothesis three therefore asserts the existence of a significant correlation between a strong trade union presence within a company and the active involvement of works councils in the area of vocational training. In short, an assumption that trade unions through their actions in the last decade have helped place vocational training on the agenda of works councils. However, once again we were unable to confirm our hypothesis (see table 2).
Interestingly, our findings indicate the role trade unions’ is not insignificant once a works council decides to become more active in the area of vocational training. In those few cases where works councils have been proactive, the supportive role of trade unions has proven critical. Here a significance rating of 0.100 is recorded. Ironically, this makes for positive reading for German trade unions, while at the same time throws up interesting questions that trade unions might consider addressing. A situation would appear to exist whereby the glass appears half-full. Having made the effort to negotiate VT agreements trade unions would seem to have struggled to inform works councils across the board about the opportunities now available to them. In short, this represents an ‘enquiry model’ deficit, the initiative clearly lying with works council to discern support is available. Subsequently, works councils would appear unaware of the resources they actually have at their disposal – namely that a regulatory framework is in place which has placed VT on the agenda with management, plus that their respective trade union is in a position to help in the development, implementation and control of VT programs.

The WSI data clearly indicates continual vocational training and so the principle of LLL is no longer a foreign concept for the majority of works councils, around 70 per cent of respondents indicating some form of pre-occupation with VT. However, the WSI survey generally implies that works councils are playing lip service to theme of LLL/VT, clearly confirming the findings of Bahnmüller and
Hoppe (2011b). Consequently, there exists a requirement to differentiate between VT as an issue that the works councils have addressed and the question of intensity – how they have addressed the issue of VT. As the WSI survey exemplifies, considered in the general order of things VT is quite low down the list of works councils’ priorities. Certainly, the WSI data throws up some interesting findings – in particular two issues which we will partly address in the following section and certainly focus on when conducting our four case studies. These involve 1) discerning what variables hinder works councils being more proactive in the area of LLL given that they appear to have discerned relevance of vocational training for the employability of their constituents and 2) circumstances which help encourage works councils to surpass such inertia.

**Lifelong learning deficit in Germany**

In this section we consider from a qualitative perspective factors which might contribute to the current gridlock situation. Here we consult LLL experts and trade union officers, focusing particularly on what we consider to be two key issues, 1) the question of responsibility and 2) works councils relationship to LLL.

### 6.1 The question of responsibility

As indicated above the question of responsibility, namely where the initiative lies in seeking out the appropriate training program as well as donating the necessary time and funding, has dominated, and continues to dominate debates surrounding LLL. When questioned on this point LLL researchers and trade unionists clearly see the initiative lying with the employer – not only this but they challenge the human capital school of thought that assumes employees will rationally recognize that it is in their interests to improve their labor market position via continual vocational training. The following two union respondents were unequivocal in arguing that employers had to take their responsibility seriously:

*It is without any shadow of a doubt the responsibility of the employer - simply because their company will profit from this know-how. (IG BAU union officer)*

*The pressure is on the employer to do something. They want skilled and highly qualified employers and if a situation does not arise whereby we experience a mass flux of qualified immigrants, and this will not happen, I expect a situation to occur whereby*
employees will be able to choose at will the vocational training programs they want.

(IG Metall union officer)

By emphasizing that responsibility for LLL lies with the employer it might be worth considering that trade unions would appear to be breaking with tradition. Although it would be an exaggeration to claim they are abdicating their responsibility in the area of LLL, after all the various LLL collective agreements unions have signed to help place the issue on the map are testimony to how serious they view LLL. It needs to be acknowledged, though, that German unions seem unable to challenge or surpass employers’ inability to take charge for LLL. Hence, as the quantitative data would suggest a not insignificant number of works councils remain either unaware of the regulatory possibilities at their disposal or the know-how unions can provide in ensuring that LLL does simply remain an item referred to in the minutes.

How can we explain, though, this union impasse? Such a strategy appears especially baffling at first glance, even dangerous, if we consider that it goes in the face of union history. Organized labor usually thrives on situations in which employers preferred choice is inactivity – the recent successful campaign for a minimum wage in Germany only too clearly affirms this. 8 We would argue that three factors are at play here, two we will address now, the third issue we turn to in the proceeding section: Firstly, the issue of resources, or more specifically their depletion as levels membership decline, is a challenge for all the unions in Germany. 9 Although the standing of LLL has risen in the last decade, unions negotiating what would appear to be ground-breaking agreements; LLL remains a peripheral issue within union organizations. Forced to prioritize unions deem LLL an important issue to be addressed, but only when approached by works councils. Unions would seem to find themselves between the rock and the hard place, aware of the importance of LLL but also conscious of their possible inability to assist works councils in developing and implementing LLL policies. Thus, works councils should be encouraged to

Secondly, trade unions would appear to have difficulties with the very concept of LLL – an issue first raised in the work of Trappmann and Draheim (2009). This

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8 After years of campaigning the newly founded coalition government has been forced to pass legislation which will introduce a minimum hourly wage of Euro 8.50 in 2017.

9 Although recent figures suggest union membership has stabilized in the last couple of years, currently estimated to be just over 6 million (Dribbusch, 2103), between 2006 unions affiliated to the DGB last around 1 million members.
involves the perceived individual nature of LLL, the fact that the focus is on improving the competence of individuals and in so doing moving away from traditional occupational structures that have prevailed in Germany, structures which German unions have helped develop over the decades. Moreover, the perceived individualistic character of LLL does not fit well with the collective nature of union representation. Unions have traditionally been able to function well within the German apprenticeship system simply by the fact that it was not founded on the eclectic “building block system” prevalent within the English speaking world, but rather emphasized a general set of knowledge associated with a specific trade which was accessible and attained by the whole workforce. One trade union officer from the IG BAU argued very strongly for the existing German model in contrast to a more eclectic approach:

*I am not convinced [about building block approach]... People that have apprenticeship get a job. It is maybe not their dream job, that is another issue, but they have a recognized qualification. Here, we [union] are quite conservative...*

Undoubtedly, the advent of collective agreements is an attempt towards emphasizing the potential collective nature LLL. Even though this represents an important stage in raising the profile of LLL, setting the LLL stone in motion, the dual nature of German industrial relations means that the open nature of LLL collective agreements are dependent on works councils being actively engaged. Only through this engagement, i.e. drawing up LLL procedures relating to skills review, plus locating the necessary training required as well as designating the necessary time and resources will LLL become collectively accessible to all and not simply benefit a few already highly qualified individuals who possess an excellent understanding of their skills requirements.

6.2 **LLL as an election looser**

Researchers and trade union officers portray works councils as either ambivalent or outright reluctant to address LLL. As the following researcher indicates, apprehension on the part of works councils, like in the case of trade unions, partly involves the problem of resource allocation, something referred to in section 5.1
when discussing problems works councils have had to deal with since 2008. In addition, though, it also concerns the issue of diversity:

*Works councils have co-determination rights which until now have only been rarely, very rarely applied. This has to do with two important factors: Firstly, they are overstretched. Secondly, there is the difficulty that this field is very diverse.* (Researcher)

The issue of diversity would appear to be a substantial factor in explaining works councils reluctance to address LLL. On the one hand the diverse nature of LLL, the fact that we are moving away from a workforce structure in which occupations dominate to a situation where individual skills needs might be far more diverse only helps exasperate a works councils already limited resources. On the other hand works councils, like trade unions, are an institution in which a collective identity is paramount to their very existence. Once again LLL as a concept would appear to be factor for both trade unions and works councils which has contributed to the current gridlock situation.

Another element located as influencing, the outstanding third issue which might have some bearing on why unions have not been more active in encouraging works councils to promote LLL, concerns the actual stance of employees, namely their constituents’ attitude towards LLL. A union officer from the IG Metall takes up the issue here:

*LLL is always difficult for trade unions when this involves the works council level. Ok, we can produce fantastic brochures here in Frankfurt [IG Metall headquarters], we can hold lectures about how important LLL is, but when works councils pass this on to the workforce, then the employees, the very people who elect the works council, say ‘You are crazy. I do not want learn anything new, I have learnt enough already and I am certainly not going to take another exam’.*

As already indicated LLL would appear, statistics certainly suggest this, to be part of highly-qualified employees’ DNA. Such employees possess strong interest in continually expanding their knowledge-base, what is often referred to as the middle class notion of “cognitive interest”. Furthermore, there also exists an understanding that such an expansion of knowledge has consequences for one’s career path. Such an attitude and eventual relationship to training is a positive one, one that benefits from not only having successfully attained access to higher education and the recognition that this entails, but equally awareness that
knowledge is a “never ending story”. In contrast, unskilled, semiskilled and skilled workers have a less positive story to tell, they possess an attitude that has been formed in an environment marked by a mixture of failure and closure. In the first case they have usually failed to gain the necessary qualifications required to gain access to higher education, they do not possess as Oakey (1990: 33) argues “positive education experiences”. Secondly, as indicated above German apprenticeship system, in contrast to higher education, is associated with notion of closure. As the above quote suggests apprentices assume the classroom is a thing of the past once they have a trade, representing closure on a period of their life that they would like to forget.

Although German works councils exist to protect and represent the interests of the workforce, of which LLL should represent an integral part of such a process, works councils are very conscious of sensitive nature of LLL amongst a specific section of the workforce. Addressing workers’ negative attitude towards continual VT, attempting to overcome the deep wounds left by their previous experience of education, appears a task works councils are reluctant to undertake.

Here a number of factors need to be considered. To start with, any issue a works council wishes to successfully negotiate depends on the backing of the workforce, without such support a works council is unlikely to have the necessary leverage to bring to bear on management. Next, works council delegates need to reflect on the personnel consequences of taking up issues opposed to by the workforce. Standing as a works council delegate, especially when this involves release from your normal duties, involves deciding on a particular career path without the guarantee of a “return ticket”. Hence, we should not be surprised to discover that works council officers are wary of issues which could lead to their de-selection and ultimately the possibility of redundancy.

**7. Preliminary conclusion**

Our analysis of the *WSI-Betriebsräteteilung* and interviews with trade unions and researchers clearly indicates that LLL is no-longer the exotic term it was until twenty years ago. The asserted efforts of key industrial relations actors, in particular trade unions and the European political establishment State have helped

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10 Note on the three tier German system.
ensure that companies, specifically from our industrial relations perspective German works councils, have been engaged (in whatever form) with the concept of LLL. In short, Lifelong learning has become part of employee representatives’ vocabulary.

Certainly, the WSI data indicates that works councils representing a high percentage of unskilled and semi-skilled workers possess a greater awareness of the importance of VT/LLL. Hence, the qualification structure of a workforce can be considered a key factor which ensures VT becomes a key variable to be considered by works councils. However, this only represents one half of the coin. Ironically, survey data indicates that the structure of the workforce has no influence over how engaged works councils are in addressing the problem of VT. Here we are dealing the problem of inertia on the part of works councils’, having discovered LLL they are disinclined to become active. What explains this institutional gridlock? One factor can be traced directly to the constituents themselves, i.e. unskilled and semi-skilled employees. This involves the opposition, fear and apathy towards training, especially when this involves LLL which knows no end. For the works council such an opposition means they are averse to take up a theme, even when they have acknowledged it could improve the employability of the workforce, which could turn their constituency against them. In addition, works councils also have to consider the unwillingness on the part of management to invest in non-high-potentials.

Furthermore, the question whether works councils concern themselves with LLL does not appear to be dependent on union density. This dispels the assumption that companies with a strong union organization are by default likely to take LLL seriously, i.e. due to unions’ asserted efforts to regulate this area of employment in recent years. Once again, however, the WSI data throws-up some interesting, even ironic, findings. If LLL becomes an important theme for a works council, and the data indicates there are few instances where this is the case, then a strong trade union presence can have positive effect. The WSI data would suggest, a fact partly confirmed by our qualitative findings too, that with the exception of a few cases unions have failed to establish LLL as an important employee representative issue, i.e. to encourage works councils to be active. Therefore, when requested
trade unions are in position to offer important advice in dealing with LLL issues. They seem, though, incapable of providing and sustaining such a service across the board.

A significant, even surprising position taken-up by the trade unions, and one interestingly supported by researchers interviewed, concerns the belief that the question of „responsibility“ lies clearly with the employer. This is due to the fact that LLL increasingly represents an important element which ensures the economic viability of a company. This perceived abdication of responsibility on the part of trade unions gives the impression that they see their main task as regulating the finance for such training courses. Specifically restricting moves on the part of employers designed to ensure employees make a financial contribution. As a consequence such a restrictive approach sees trade unions failing to be more involved in moulding the LLL agenda, preferring instead to leave this task to company actors. However, as we have exemplified such a strategic approach does not appear to be having the desired results.

Finally, a key issue uncovered in the first stage of our research program concerns how collective employee representation, either at an industrial or company level, can have a positive impact on LLL. In many respects this involves the notion of „back to the future“, namely whether trade unions can return to their roots considering how questions surrounding training and trade profiles played a pivotal role in their development. Seen from this perspective, German trade unions might be encouraged to view lifelong learning as a concept, certainly in a society where knowledge plays an increasing pivotal role in the world of work, might play a role supportive in the renewal of employee representation.

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