REPRESENTATION REGIMES and ACTORS’ RESPONSES TO GLOBAL CHANGES

looking at Germany and France

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THE EXAMPLE OF FRANCE AND GERMANY

• We take the example of Germany and France to illustrate institutional and actors’ responses to changing environments.

• Beyond structural differences, they share a series of characteristics
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- Four common characteristics:
  - dualism (union+elected delegates)
  - multi level representation
  - strong institutionalisation
  - solid societal status of trade unions
Both systems adapt to changing contexts

- France: since the Auroux laws (1982) successive adjustments (restructurations, negotiation and representation rights, mandating, vocational training...)

- Germany: transplantation to the East of the Western system (1990); reform of workplace representation (2001, group level, vocational training, feminisation of representation)
• Reinforced architectures
  - At plant level, delegates are well equipped to handle a large range of issues: wages, health/security, technological and economical changes
  - Possibility to intervene at different levels in complex enterprise structures (from workplace to corporate, national or international)
• At industry level: negotiation (wages, working time, vocational training, representation rights…) with possible interferences on economical issues (competitiveness, industrial policies).

• At central level: requests from governments to social dialogue/consensus (employment, pensions, health, vocational training)

• Also on European level
To sum up

• In both countries, complex interrelated representative structures, constructed in the long-term.

• These multi-levels systems are not subject to frontal attacks, neither from political actors nor from employers.

• In the economical and financial crisis, these systems can be used as social shock absorbers.
Yet weakened foundations

• Loss of membership, although unequal between both countries; selective non-unionisation.
• Less virtuous articulations between the different levels, especially industry/plant levels. Declining coverage of industrial agreements in Germany, optimal but often formal coverage in France.
• Loss of influence on social compromise: pensions, labor market reforms (Hartz laws).
On the whole

• Weaker integration in the social and political systems (distanciation from political parties).
• Difficulties to renew social alliances.
• Specialisation of unions in their core business in industrial relations.
• Strong institutionalisation makes the weakening less perceptible for unions and other players.
A possible positive interpretation of union power in France and Germany

• Both countries offer examples of solid, expert, flexible union teams, accustomed to different ways of dealing with the employer (bargaining, participation, conflict) and using the complex institutional system.

• They are able to deal with rough concessions (redundancies, wage freeze, subcontracting, competition between workplaces...).
• These teams are comfy with the dual system of representation. So are most employers.
• They are the strongest parts of the unions, which consider their practices as the norm for representation.
• Institutionalisation facilitates the reproduction of representation structures both at workplace and industry levels.
• But is it equivalent to forceful union representation?
A more sceptical interpretation of the same situation

• At plant level, difficulty to renew representation teams. Growing gap between leaderships teams and social characteristics in the constituencies.

• Workplace representatives make fewer requests to central unions.

• Signs of autonomisation of each level of representation.
• Decentralisation : loss of normative strength of the Industry-level ; pressure from single enterprises to negotiate their own compromises.
  -In Germany, opening clauses and debate on a legal minimum wage.
  -In France, new regulation of « principe de faveur ». 

• Unionised workplaces do no longer set the mark for non unionised plants and workforces. Widening gap between different categories of employees (precarisation, subcontracting, wage differences, working poor).

• These different signs suggest a transformation of unions’ social status.
Strategic options

• Spontaneous tendency in both countries to modelize the practices of ancient strongholds.
• Temptation to sophisticate the institutional rights (at national and international level).
• Interpretation of unions difficulties as external constraints (globalisation, neoliberalism...).
• Uncertain tentatives to extend beyond traditional membership : « organising the non-organised ». 
Research questions

• Are the unions in these countries going to specialize in their industrial relations roles?
  
  - our hypothesis: the estrangement from the political parties leaves the unions in a vacuum as regards their societal role. It can be risky to not address explicitly the underlying evolution.
• Is the institutional sophistication an adequate answer to the challenges the unions are facing (representing the workforce as it is today)?

- *our hypothesis*: the sophistication, useful for strong representatives, is not central for union renewal. The challenge for them is less inside the core-forces as to the new (majoritory) non-unionised workforce. It is mostly an internal challenge for the unions.