Protecting Precarious Workers in a Recession – Social Partners Strategies in the Face of Deregulation in Ireland

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Research context

• Consensus that ‘institutions matter’
• Institutions are inclined towards stability
• Where opportunities arise, a bargaining process ensues between stakeholders
Institutional Protection

• System of Joint Labour Committees (JLCs)
• Statutory tripartite bodies which set legally binding pay and conditions for employments at industry level
• Covering approx 12% of all employees, mostly in services
• JLCs remained even after a national minimum wage (NMW) in 2000
Public policy context

- Pressures on JLC system
  - Ireland’s financial bailout
  - A constitutionality case by fast food employers

- Two institutional responses emerged
  - Government introduced legislation to re-establish the JLC system
  - TUs & employer organisations moved towards collective bargaining in 2 sectors
Research Questions

1. why was JLC system re-established?;
2. why did voluntary collective bargaining emerge in 2 sectors?

Findings are based on interviews with TUs and employer associations and documentary analysis of submissions to government bodies.
Bargaining Framework

Social partners’ (Interests, Historical pathway, Stakeholder pressures) → Conceptualisation of Problem (Zero-sum to non-zero-sum) → SP Strategies (Power, Alternatives) → Institutional Outcomes
Why were JLCs retained?

• Government interests
  – Overcome immediate problems presented by legal case & Troika
  – No appetite for wider policy debate

• Debate on JLCs – zero-sum nature
  • Employers Orgs: impact on costs & employment
  • Trade unions: what we have we hold
JLC retention

- Social partner strategies
  - Strong lobbying by TUs of Labour Party
  - Lobbying by employers of larger govt party
  - But populism prohibited deregulation

- Alternatives
  - None considered
  - Historical pathway of JLCs – habituation & popularity

- Outcome
  - Classic compromise - retain system but reduce its powers to regulate
Why did some employers engage in sectoral bargaining?

• TUs threatened militancy but...
• Employers conception of problem conducive to cooperation
  – Preventing undercutting, maintain profit margins, sustain investments in quality
Remarks

• Contradictory strategies by employers
• In subcontracting sectors, virtuous circle of regulation, employer control of industry & HR policies
• Raises questions of TU complacency
• In other sectors, lack of union strength & coordination mechanisms inhibit overcoming employer opposition to collective bargaining