



## UvA-DARE (Digital Academic Repository)

### Bargaining and Social Dialogue in the Public Sector (BARSOP) - Overview Report Part II: European Sector-Level Social Dialogue in the Public Sector

Ramos Martin, N.E.

**Publication date**

2018

**Document Version**

Final published version

[Link to publication](#)

**Citation for published version (APA):**

Ramos Martin, N. E. (2018). *Bargaining and Social Dialogue in the Public Sector (BARSOP) - Overview Report Part II: European Sector-Level Social Dialogue in the Public Sector*. <https://aias.s3-eu-central-1.amazonaws.com/website/uploads/1532595013410BARSOP-overview-reports.zip>

**General rights**

It is not permitted to download or to forward/distribute the text or part of it without the consent of the author(s) and/or copyright holder(s), other than for strictly personal, individual use, unless the work is under an open content license (like Creative Commons).

**Disclaimer/Complaints regulations**

If you believe that digital publication of certain material infringes any of your rights or (privacy) interests, please let the Library know, stating your reasons. In case of a legitimate complaint, the Library will make the material inaccessible and/or remove it from the website. Please Ask the Library: <https://uba.uva.nl/en/contact>, or a letter to: Library of the University of Amsterdam, Secretariat, Singel 425, 1012 WP Amsterdam, The Netherlands. You will be contacted as soon as possible.

# Bargaining and Social Dialogue in the Public Sector (BARSOP) – Overview Report – Part II: European Sector-Level Social Dialogue in the Public Sector.

*Nuria Elena Ramos Martín*

*AIAS-HSI*

*Department of Labour Law, University of Amsterdam*

*Amsterdam, March 2018*

This report was written for the Bargaining and Social Dialogue in the Public Sector (BARSOP) project, financed by the European Commission, Industrial Relations and Social Dialogue Programme (project VS/2016/0107)

Disclaimer excluding Commission responsibility

This communication related to the action BARSOP is made by the beneficiaries and it reflects only the author's view. The Commission is not responsible for any use that may be made of the information it contains



# 1. European Sectoral Social Dialogue

## 1.1 Introduction

This part of the report discusses the dynamics and outcomes of EU sector-level social dialogue, addressing the working conditions and rights of workers in the public sector, and assessing the role of European social partners in industrial relations in the sub-sectors of education, healthcare and municipalities. It also briefly addresses the question of knowledge sharing between the European and national levels and the exchange of best practices and experiences.

The Commission Decision 98/500/EC of 20 May 1998 established the legal framework for sectoral social dialogue committees. The sectoral dialogue committees facilitate sectoral social dialogue at European level. European social dialogue is essential for the implementation of European social policy and this is recognized in several provisions of the EU Treaties. Article 152 TFEU, establishes that the EU promotes the role of the social partners at European level; Article 154 TFEU, provides that the Commission consults social partners before submitting legislative proposals in the area of social policy. This consultation with European social partners could lead to contractual relations, including agreements, according to the terms of Article 155 of the TFEU.

European sectoral social dialogue is led by representatives of European employers and employees, grouped by economic sectors. The social partners in a sector may make a joint request to establish a sectoral dialogue committee. These committees shall be consulted on all EU developments which have social implications and their main role is to facilitate sectoral social dialogue. These committees are composed of a maximum of 64 members. They are generally chaired in turn by a trade union or employer representative or, at their request, by a representative of the Commission. Each committee establishes a work programme in collaboration with the Commission and meets at least once a year.

Employers' organisations and trade unions from the sector must meet certain representativeness criteria to be eligible social partners to participate in these sectoral committees:

- they shall relate to specific sectors or categories and be organised at European level;
- they shall consist of organisations which are themselves a part of Member States' social partner structures and have the capacity to negotiate agreements, and which are representative of several Member States;
- they shall have adequate structures to participate in the work of the Committees.

This part of the overview report provides a summary of the initiatives of the relevant European sectoral social dialogue committees representing employers' associations and trade unions at this level.

## 1.2 Primary Education

The employees' organization representing workers in this sector is ETUCE - European Trade Union Committee for Education and the employers' are represented by the EFEE - European Federation of Education Employers. The European Sectoral Social Dialogue in Education (ESSDE) was launched in 2010, under the Articles 154-155 of the TFEU Treaty. This came after four years of initiation and start-up processes carried out by the ETUCE and from early 2009 onwards, together with EFEE. Social dialogue in this sector covers primary and secondary education, early childhood education, and teaching, management and administrative staff.

The European social partners in this sector consider the impact of economic, social and demographic developments on the education sector in several of their joint discussion topics. Herewith, they have also discussed the agenda of the European Commission in the field of education, employment and social affairs. Their aim is to contribute to the improvement of the quality of education in Europe thereby focusing on the modernisation of the education sector, its management, and its teaching personnel. Moreover, the European social partners in Education are in frequent contact and they often lobby jointly the European Commission.

At the second meeting of the ESSDE in January 2011, the European social partners in the education sector set up several working groups on the specific topics of: quality in education, demographic challenges, and higher education and research. Furthermore, in 2013, an additional working group was organised on the topic of Public/Private Education. In 2014, EFEE and ETUCE decided to shift away from this strict division in different working groups and to discuss instead several topics in one working group.

*Relevant outcomes of this sectoral social dialogue committee:*

Within this committee the social partners have developed many joint initiatives. During the examined period, the European social partners in education worked together on several projects focusing on various topics related to job quality and improvement of working terms and conditions in the education sector, namely:

- Teachers' work-related stress: In this area the ESSDE developed the European-wide Survey-Assessment, comparing the impact of psychosocial factors on teachers at their workplace in several EU countries;
- Promotion, awareness-raising and dissemination of the multi-sectoral guidelines to tackle third-party violence and harassment related to work;

- Recruitment and retention in the education sector;
- Social partners actions and strategies to prevent and mitigate violence and harassment in schools;
- The development of the teaching profession in times of the economic crisis as a key task for social partners in education;
- The European sectoral social dialogue in education - Promoting its potentials through strengthened capacities and knowledge at national level;
- Professional autonomy, accountability and efficient leadership – reinforcing the role of employers’ organisations, trade unions, and school leaders;
- Promoting the potentials of social dialogue through knowledge transfer and training; Within this joint project, the European Sector level social partners have organized several roundtable meetings in 2016 in HU, EE, ES, LV and Serbia for ETUCE/EFEE members;
- Social Partners promoting decent workplaces in the education sector for a healthier working life;

During the examined period the ESSDE agreed on several joint texts relevant for the scope of the BARSOP project:

- Joint Declaration on Investment in Education 2012;
- Joint Statement on the Professional Qualifications Directive 2012;
- Joint Recommendations on Recruitment and retention in the education sector 2011-2012;
- Implementation Guide for the Education Sector of the Multi-Sectoral Guidelines to Tackle Third-Party Violence and Harassment Related to Work 2013;
- Joint report from the social partners in the education sector on the implementation of the multisectoral guidelines to tackle third party violence and harassment related to work 2013;
- Joint Declaration on School Leadership 2015;
- Joint Position on the Contribution of sectoral social dialogue to the strengthening of social dialogue 2015;

*Position of this sectoral social dialogue committee regarding job quality and quality of services:*

The sectoral social partners' agree that education is essential for Europe's economic vitality, employability, productivity, social inclusion and innovativeness. However, even though there are significant disparities between EU countries, the latest available data (end 2015) show a worrying fall in investment in education for several years in a row for the whole of the EU. They consider that the overall cuts in education budgets are jeopardising the EU's progress towards these objectives. They also link the quality of jobs and training with the quality of the services. According to the EU level social partners, professional development for teaching staff and school principals is a key factor in ensuring successful outcomes for pupils. The position of the ESSDE is that greater efforts must be made to attract more suitably qualified people to the profession and to combat the teacher shortages due to a crisis of employment recruiters.

### **1.3 Hospitals**

The social partners in this European sector level committee are: the European Federation of Public Service Unions (EPSU) -workers' organisation- and the European Hospital and Healthcare Employers Association (HOSPEEM) -employers' organisation-.

Social dialogue in this sector covers hospitals and human health activities. It is one of the largest sub-sectors of the public sector with more than 23 million people employed for the whole of EU Member State, of which more than 13 million in hospitals.<sup>1</sup>

According to the European social partners, the main challenges to the sector include: recruiting and retaining workers; the ageing workforce; health and safety at the workplace, including preventing, managing and reducing musculoskeletal disorders and preventing needle-stick injuries; psycho-social risks at the workplace (including violence at work related problems); the development of new care patterns, skills mismatch and regular upgrading and upskilling requirements and finally, patients' increasing demands and expectations for high-quality health care services.

The European social partners are currently focusing their negotiations/common projects on the following key areas:

- Occupational health and safety;
- Recruitment and retention of health care workforce;

---

<sup>1</sup> Source: European Semester Thematic Fiche Health and Health Systems, European Commission (2015).

- Continuing professional development and life-long learning for all health care staff;
- Strengthening the capacity of hospital and health care social dialogue structures across all EU countries;
- Promoting an exchange of knowledge and experience among the social partners' organisations and their representatives;
- Influencing policies at EU level by monitoring and getting involved in EU consultation and legislative processes;

During the examined period the sectoral committee on the healthcare sector have reached several framework agreements and issued common positions (joint texts/declarations) relevant for the scope of the BARSOP project:

- 2016 - Joint declaration on Continuing Professional Development and Life-Long-Learning for all health workers in the EU;
- 2015 - Joint follow-up report on the use and implementation of the HOSPEEM-EPSU Framework of Actions on Recruitment and Retention;
- 2014 - Joint statement on the new EU occupational safety and health policy framework;
- 2013 - Guidelines and examples of good practice to address the challenges of an ageing workforce;
- 2012 - Joint statement on the Action Plan for the Health Workforce in Europe;
- 2012 - Joint report on the use and implementation of the Code of Conduct on Ethical Cross-Border Recruitment and Retention in the Hospital Sector;
- 2011 - Joint statement and contribution to the EU green paper on reviewing the Directive on the Recognition of Professional Qualifications;
- 2010 - Framework of Actions on Recruitment and Retention;
- 2010 - Multi-sectoral guidelines to tackle third-party violence and harassment related to work;
- 2009 - Framework agreement on prevention from sharp injuries in the hospital and health care sector;
- Code of conduct on ethical cross-border recruitment and retention in the European hospital sector (2008).

The European sector-level social partners have been very active in adopting initiatives in the field of improving occupational health and safety for the healthcare workforce. Among these joint initiatives of the European social partners, we find several especially relevant for the quality of work at the sector, for instance, the 2009 - Framework agreement on prevention from sharp injuries. As a follow up of the framework agreement on the promotion and support of the implementation of Directive 2010/32/EU on the prevention of sharps injuries

in the hospital and health care sector, HOSPEEM and EPSU have been monitoring the transposition and impact that Directive 2010/32/EU has on hospital staff in each Member State.<sup>2</sup> Further on, they have agreed to elaborate an updated report on the implementation of the Directive and a mid-term evaluation report to be share with the European Commission.

Also in the field of improving health and safety in the sector, EPSU and HOSPEEM have agreed to work jointly to identify existing guidance/good practice tackling “psychosocial risks and stress at work” and “musculoskeletal disorders”. Within the work-programme 2014-2015, they have organized a seminar for the exchange of best practice, i.e. regarding measures and risk management. Moreover, the results of the joint HOSPEEM-EPSU project OSH on “Assessing health and safety risks in the hospital sector and the role of the social partners in addressing them: the case of musculoskeletal disorders and psycho-social risks and stress at work” were presented at two conferences in March 2015 in Paris and in November 2015 in Helsinki. The representatives of the social partners highlighted the good cooperation in the development of this program between the HOSPEEM representatives and the national EPSU affiliates. This project is considered by both social partners as really useful for the exchange of best practices and to reinforce the key role of social partners in preventing and managing musculoskeletal disorders. HOSPEEM and EPSU members expressed their support for the form and contents of the final version of the project report and it was adopted by the members of the steering group on the final meeting of the OSH project on March 2016.

The implementation at national level of the 2010 - Framework of Actions on Recruitment and Retention has also been monitored by the social partners jointly and that assessment has been summarized in the 2015 Joint follow-up report on the use and implementation of the HOSPEEM-EPSU Framework of Actions on Recruitment and Retention. In the sectoral social dialogue committee for the Hospital Sector meeting on December 2015, the HOSPEEM–EPSU steering committee discussed the follow-up to the Framework of Actions on Recruitment and Retention five years after its adoption. They agreed on taking all possible steps to maximise the use of the joint follow-up report and promote the implementation of the Framework of Actions. The EPSU Secretariat provided an overview of the main implementation measures of the Framework of Actions and focused in particular on the emphasis put on the key role of social partners in the field of R&R. The social partners agreed to promoting and disseminating the report, in cooperation with DG SANTE. Since then, they have been conducting a joint project organising regional seminars to support the dissemination of the findings of the HOSPEEM-EPSU report. This initiative has been supported by the DG SANTE. This framework agreement and the follow up report have been considered a very successful joint achievement by social partners, by many of their national affiliates, and by the European Commission representatives. The Commission has welcomed

---

<sup>2</sup> Report on the Promotion and Support of Implementation of Directive 2010/32/EU on the prevention of sharps injuries in the hospital and health care sector (2013), acceded on 10.06.2016 <https://www.hospeem.org/wp-content/uploads/2013/10/Final-Report-ICF-GHK-15.11.13-EN+TW.pdf>

this successful joint initiative carried out by social partners and underlined that the report reflected the good cooperation between HOSPEEM and EPSU and provided evidence of how investments in R&R could pay off.

Another interesting initiative of the European social partners is the HOSPEEM-EPSU guidelines on ageing workforce in the healthcare sector. This document had served as a source of inspiration for several projects of social partners at the national level: for instance, the project “Ageing workforce in hospitals – a European exchange of experiences on solution strategies and models of good practice in handling the demographic challenge at the enterprise and regional level (ABiK)”. This project has been implemented by the trade unions Verdi (Germany) and by the FNV (the Netherlands) and they have published a report on good practices within this project. In that report, the FNV presented a Dutch good practice example on sustainable employability in place at the ZGT hospital. Sustainable employability is defined as the “willingness of an employee to deliver value now and in the future for an organisation and thereby also experience added value for himself/herself”. The union highlights the usefulness of the toolboxes and instruments developed by the hospital in cooperation with the union to implement a coherent human resources policy. This sector level initiative is also linked with the cross-sectoral social partners (ETUC and CEEP) actions in the field, amongst them, the negotiations on a social partner-based agreement in the field of “active ageing” that were taking place during 2016.

Within the Joint HOSPEEM-EPSU working group on Continuous Professional Development (CPD) and Life-Long Learning (LLL) several relevant initiatives were undertaken during the studied period, in particular in 2016 the joint declaration on CPD and LLL for health workers in the EU was presented by the social partners. This declaration included an overall agreement on the objectives and underlying principles for CPD and LLL in the hospital sector. Mr. Alkema (HOSPEEM) highlighted the importance of this EU level Declaration on CPD and LLL, an issue that is to become prominent in the hospital/health care sector in the next years. He stated that the EU level, and more particularly the SSDC HS committee, should set the pace in this field with the adoption of an inspirational document that could be used by hospital/health care sector social partners at national level. Also several national affiliates to the EPSU have highlighted the really good start made with the declaration and that it should serve as a supporting document for social partners to influence decisions taken in this field at national level.

The social partners at the sector agreed that they should look at training from the perspective of investment and not of cost. They recognised that CPD and LLL are a joint responsibility of employers and employees and it is necessary to grant access to training to all types of professions within the healthcare system and all age groups. They put particularly emphasis on offering also training to older workers, as this group of workers are facing longer work careers in the near future.

The members of this sectoral committee agreed that the topic of CPD and LLL should not be left to the professional organisations (ie. associations of nurses or doctors) as they would exclude a large share of professionals. Social partners should therefore be the leaders of any initiative in this field. The declaration underlined the organisational added value of investment in CPD and of having a strategic plan for access of the personnel to CPD and LLL. The link between an investment in CPD and LLL and the provision of quality care and patient safety and the need to consider changes in ICT when designing CPD policies or programmes were other aspects mentioned as relevant for social partner-based initiatives in the field of CPD and LLL.

Another interesting initiative monitoring the follow up of EU sector level initiatives by national social partners is the 2013 joint report on the implementation of the guidelines to tackle third-party violence and harassment related to work. The social partners in the sector have assessed how the third-party violence agreement is follow-up and implemented by HOSPEEM members and EPSU affiliates and considered healthcare specific issues, also based on the joint implementation report of the multi-sectoral guidelines to tackle work-related third party violence.

*Position of this sectoral social dialogue committee regarding job quality and quality of services:*

The social partners consider that the health of the EU population is quite satisfactory in comparison with other world regions. In fact, in the last 15 years under study infant mortality has fallen sharply and life expectancy at birth has increased. But the EU's population is ageing: by 2020, there will be 40 % more people aged 75 and above compared to 1990, and around 25 % of people will be over 65. The ageing population will require more public investment and better health services.

Overall, the health of Europeans has improved enormously in the last decades. However, the sustainability of these high quality health standards is under strain due to the pressure put on health care budgets stemming from the economic crisis faced by EU Member States since 2008. Due to austerity measures, several EU countries have implemented a wide range of structural reforms and cost containment measures to improve the efficiency and effectiveness of their health systems. However, the European social partners recognise that, in some EU countries, these measures have got a direct impact on their health systems, employment and working conditions of the healthcare workforce, and availability of services in the sector. In some cases, these measures have increased the difficulties that EU citizens still face to accessing health services and have enlarged health inequalities.

The European social partners in the sector are also discussing in their meetings how the development of medical technologies will also have an increasing impact on health services in the future.

In the context of their joint initiatives in the field of continuous professional development and life-long learning, the social partners represented at this sector committee have expressed their wish to see the idea of training as an investment for the organisation, the employee, and the patient further developed, linking the need to improve the quality of professional training with that of enhancing the quality of the healthcare services.

## 1.4 Regional and Local Authorities

At the European sectoral social dialogue in the Committee on Local and regional governments the workers are represented by the European Federation of Public Service Unions (EPSU) and the employers by the Council of European Municipalities and Regions (CEMR). The social dialogue committee represents around 150,000 local and regional authorities in the EU. It is important to notice the broad differences in the side of this sub-sector among the various EU countries. The share of local and regional government in overall government expenditure varies widely between member states. It is higher in countries with a strong federal structure, where important powers are devolved away from national governments: the CEMR/Dexia figures show that local and regional government accounts for 41.8% of total government expenditure in Belgium, 44.1% in Germany and 53.2% in Spain. In contrast in Cyprus, this level of government only accounts for 4.8% of total government spending; in Greece, the figure is 5.6%; in Ireland 10.3%; and in Malta 1.5%. More typical values, of around 25%, are found in the Czech Republic (27.0%), in Estonia (24.7%), in Hungary (25.6%), in Latvia (25.6%), in Lithuania (27.6%), in Romania (23.9%) and in the United Kingdom (27.8%).<sup>3</sup>

Social dialogue in this sector was formally established in 2004 and covers local and regional public services (local administrators, fire-fighters, waste workers, community liaison personnel, etc.). In the EU, there are over 17 million people working in public services.<sup>4</sup> In the period examined, this committee has been working on several issues, namely:

- promoting social dialogue between employers and trade union organisations in local and regional government;
- exchanging information on labour market issues and sharing best practice;
- monitoring technological developments and their impact on the workforce and employers (especially digitisation);

---

<sup>3</sup> EPSU-CEMR joint project: “Future of the Workplace project report: Providing high quality, modern and sustainable jobs within local and regional government” (2014), accessed 01.02.2017, <[https://www.epsu.org/sites/default/files/article/files/Final\\_report\\_funding-final-3.pdf](https://www.epsu.org/sites/default/files/article/files/Final_report_funding-final-3.pdf)>

<sup>4</sup> Eurostat, Labour Force Survey, data 2015.

- climate change, energy transition, migration and their impact on municipalities and citizens;
- recruiting young workers and retaining older workers in local public services;
- life-long learning;

Several of the key areas this committee has been actively working in (mentioned at the interviews):

- the economic crisis and its impact on local and regional government:

The social partners represented at this sector mentioned that this sub-sector has been deeply affected by the economic crisis and by the austerity policies applied for local and regional budgets. There were indications that, in some countries, local and regional government had been more heavily affected by cuts than the public sector as a whole.<sup>5</sup> That meant that governments had to provide the same public services with less funding and that maintaining the same level of quality in those services was quite challenging. In the 2011 Joint Statement of Municipal and regional employers and trade unions about the effects of the crisis both social partners expressed the shared deeply concern about the effect of the crisis in job quality and the quality of services at local and regional level. Now that the economic crisis is over, they are both committed to promote again the high quality of those services. According to the view of the CEMR representatives the crisis brought the representatives of employers and employees closer in the public sector.

- restructuring - implementing the CEMR-EPSU joint framework on restructuring for local and regional government:

The issue of the crisis and restructuring is central to the Sectoral Social Dialogue Local and Regional Government Committee's Work Programme 2011-2013. Anticipating changes and modernisation of the workplace in local and regional government through an effective social dialogue is also the subject of a current EU-funded project by CEMR and EPSU on Future of the Workplace.

The European Social Partners representing Local and Regional Government, (CEMR and EPSU) have been discussing in their committee the consequences of New Public Management policies for the sector. In this context they issued a jointly response to the European Commission's Green Paper on 'restructuring and anticipation of change: what lessons from recent experience'. They welcome the references in the Green Paper to the important role that local and regional government plays both as an employer and service provider for Europe's social cohesion, competitiveness and thus in tackling the effects of the crisis. Furthermore, it is welcomed that the Green Paper recognized that public sector

---

<sup>5</sup> EPSU-CEMR joint project: "Future of the Workplace...", op. cit.

employees, and their employers', are affected by cutbacks across the EU, and that the impact of restructuring must also be dealt with in the public sector. Therefore, the CEMR and EPSU underline that the consultation of Social Partners (**also at sector level**) only would bring the advantages of prioritising their role in restructuring matters and of not delaying any further much needed improvements to the EU and national frameworks on restructuring, especially as European employment is on a downward trend.

- gender equality guidelines:

The economic crisis and austerity measures in recent years have had an impact on the whole labour market, but most strongly on women, both as employees and as service users. There is therefore real importance and an "added-value" in the social dialogue Committee for local and regional government to promote equality plans.

Through the joint exchange and cooperation of the social partners at local, regional, national and European level, equality plans can continue to be a key instrument to achieve gender equality. There are still clear structural differences between men and women in the labour market. In order to give men and women equal opportunities in terms of career and wage development, CEMR and EPSU think that active and sustained gender equality work is needed. With that aim, in 2017, the sectoral social partners have agreed on a revision of the guidelines to encourage the active use of gender equality plans by the social partners. The work involves commitment and actions that together can increase gender equality within at municipalities, county councils, and regions.

Other key areas this committee focuses on are:

- migration and anti-discrimination guidelines;
- information and consultation rights - minimum standards;
- socially responsible procurement;
- social services;
- health and safety at work;
- violence - follow-up guidelines on third-party violence.

In terms of joint positions and agreements the main recent achievements of this sectoral social dialogue committee are:

- 2017 Revised guidelines to drawing up gender equality action plans in local and regional government;
- 2014 - Joint Guidelines Migration and Strengthening Migration and Anti-Discrimination in Local Government;
- 2013 - Local and Regional Government: Supporting the European Framework of Action on Youth Employment;
- 2013 - Joint Response on the necessity and nature of a new EU OSH policy framework;
- 2012 - Framework of Action for LRG;
- 2012 - Joint Letter to MEP Tarabella on Review of Procurement Directives;
- 2012 - Joint Social Partner Response (Local and Regional Government) to the Green Paper COM (2012) 7 final Restructuring;
- 2011 - Joint Statement on municipal and regional employers and trade unions deeply concerned about the effects of the crisis;
- 2011 - Joint statement on the EC Guide on Socially Responsible Public Procurement;
- 2010 - EPSU-CEMR Joint statement to the European Council;
- 2010 - Joint statement to the European Council on the economic crisis
- 2009 - CEMR-EP/EPSU Joint Message to the Spring European Council;
- 2008 - CEMR/EPSU joint response to the Consultation of the European social partners on sectoral social dialogue.

*Position of this sectoral social dialogue committee regarding job quality and quality of services:*

The Committee members agree that a main mission of this organ is to promote the quality public services, based on values of social and environmental responsibility and accountability.

The Committee members shared a common concern on the negative effects that the economic crisis has got on job quality and social dialogue and collective bargaining at their sector. Efforts to cut spending have directly affected employees through pay cuts and pay freezes, as well as in their pensions. These changes in terms and conditions go to the heart of issues

which ideally should be resolved through social dialogue, as do the cuts in employment which have been implemented in many EU member states. Since 2008, 11 of the 27 EU countries have directly cut public sector pay. The countries where pay has been cut are the Czech Republic, Estonia, Greece, Hungary, Ireland, Latvia, Lithuania, Portugal, Romania, Slovakia and Spain. Seven further countries have frozen public sector pay. These are: Bulgaria, Cyprus, France, Italy, Poland, Slovenia and the UK.<sup>6</sup> Even when there are variations in how pay cuts have been done, a common feature in many countries is that wage reductions and freezes are set to last for a considerable time.

The negative impact that these decisions have had on social dialogue has been intensified by the fact that in most cases pay cuts and freezes have not been negotiated between the social partners, but imposed, generally by central government. CEMR and EPSU pointed out in a joint statement in October 2011 that the policy of austerity has “only contributed to the negative developments in growth and employment”, while “risking a race to the bottom” in the provision of quality local public services. The sectoral social partners consider that social dialogue can play a crucial role in developing and implementing new ways of working. However, it is clear that it has been damaged by the way that national governments, under pressure from the markets and in some cases under instruction from international institutions, have introduced reduction of wages affecting regional and local government without adequate consultation. Once the crisis is over, the way forward is for governments and European institutions to “take a long-term perspective” and it is clear social dialogue is vital for successful long-term planning and innovative ways of cooperation.

CEMR representatives also mentioned during the interviews that sometimes their role has been underestimated or neglected in European policies. They also noticed that often within the consultation processes the positions of the cross-industry social partners and, in particular, the approach of BUSINESSEurope, in certain matters have received more attention than the point of view of the sector level social partners. Nevertheless, the representatives interviewed consider that there is a clear positive change with the Juncker Commission, that is prioritizing and boosting European social dialogue at all levels.

## **1.5 Learning and multilevel exchange of best practices**

The BARSOP project has stimulated learning and the exchange of experiences among public authorities, trade unions, and employers' associations in the public sector. In this way, the project has contributed to the on-going academic and social partners' debate on the impact of the economic crisis on industrial relations and how to counteract its negative effects.

---

<sup>6</sup> EPSU-CEMR joint project: “Future of the Workplace...”, op. cit.

The three public sub-sectors analyzed are trying to deal with pressures to reduce public expenditure and budgetary constraints and organizational reforms based on the New Public Management approaches. In all sectors examined these pressures have resulted in growing problems with the quality of work through increasing work pressure, in many countries and sub-sectors, reduction of staff level, and stagnation of wages.

A general conclusion of the analysis of sectoral social dialogue initiatives dealing with the quality of work in the three selected sectors is that the interaction between the European sectoral and the national/sector levels is limited in general terms. Nevertheless, there is an increase in the activity of the social partners at EU level to facilitating social dialogue and collective bargaining at domestic level by adopting joint guidelines, frameworks of actions and joint declarations. The EU sectoral social partners have also jointly issued reports on the implementation at national level of many of their framework agreements. In fact, this monitoring activity has clearly intensified in the last decade.

EU sector level social partners all emphasised that they cannot interfere in national/sector bargaining process and their agreements, joint opinions, declarations, etcetera, do not have a strong influence in the developing of bargaining processes at other levels. In particular, the interviewees underlined the lack of clear mandate to negotiate on the behalf of national affiliates and the high diversification of national cases, social dialogue structures and traditions, and collective bargaining systems. The same conclusion applies to the adoption of concrete measures improving job quality and the quality of public services at Member State level.

Some of the social partners' representatives interviewed also mentioned that promoting social dialogue structures and sectoral collective bargaining for Central and Eastern European countries is a key issue. EU sectoral social partners have noticed some implementation problems of the EU legal framework concerning the implementation of European framework agreements and joint guidelines in the Central and Eastern European Member States. Similarly, a lack of sufficiently representative trade union organisations and employers' associations has been noticed for these countries. Therefore, they mention the need to develop joint actions/best practices exchanges, fostering the building up of adequate social dialogue structures and the capacity of social partners to engage in sector level collective bargaining.

In any case, several interesting best practices, where interaction among bargaining levels and transfer of good policies has been noticed, is the initiative of the European sector-level social partners to promote gender equality at the workplace (ie. Guidelines to drawing up gender equality action plans in local and regional governments) and to address jointly specific occupational risks affecting the staff (ie. 2009 Framework agreement on prevention from sharp injuries in the hospital and health care sector).

Finally, a core role of the EU sectoral level social partners, which has been noticed especially in the case of local and regional authorities, is their joint activity in lobbying for the interests of the whole sector in the context of the EU legislative process, illustrated by the sector social partners' Joint Statement on a Guide on Socially Responsible Public Procurement signed in 2011 and the 2012 Joint Letter to the EP on the review of the procurement directives.

## **1.6 Final conclusions**

The BARSOP project results show that the public sector reforms of the past decades, as well as the more recent austerity policies related to the crisis and its effects, have had important consequences for the number and quality of jobs in the public sector across the nine cases and three sectors here under study. The burden of budgetary pressures has frequently been put on the shoulders of public sector workers. Indeed, austerity policies have often directly or indirectly been translated into reduced numbers of jobs. They have also led to declining job quality, in particular in the form of stagnating or declining (real) wages but also through high and increasing workloads resulting from the intensification and extensification of work. These developments have had serious negative effects on the physical and mental well-being of workers as well as on their satisfaction and motivation. Often they do not feel they work in conditions that allow them to provide good quality public services. Declines in the number of jobs and job quality have been the strongest in the countries with the deepest crisis, in particular Italy and Spain, whereas Germany has been largely safeguarded from these effects where the number of jobs is concerned, due to the limited impact of the crisis there. There are also important differences between sectors, with municipalities having suffered stronger negative effects, especially in the number of jobs in most countries. These effects of the crisis on the public sector have also had a clear negative impact on the development of social dialogue and collective bargaining, according to the European sector level representatives at the EU level committees. However, in the last few years (since 2015), with the crisis and the related budgetary pressures being largely over, we can observe a certain recovery of employment and/or job quality and a relaunch of social dialogue at both EU and national levels.

Since the start of the crisis a series of developments have been taking place in public sector industrial relations. With the countries having quite different industrial relations regimes, also during the crisis years they have followed distinct trajectories. At the same time, we can discern several broad trends that are then shaped according to national and sectoral circumstances. One is the turn to more unilateralism on the side of governments in the initial crisis years. Feeling pressed by the crisis, in many instances governments have taken unilateral decisions on the financing of (parts of) the public sector, on the elimination of jobs, on the freezing or lowering of wages and on other aspects of employment in the public sector. Trade unions and (to a lesser extent) employers were often sidelined from these decisions and

processes of social dialogue suspended. Also collective bargaining proved to be much more difficult during the first crisis years than before. In recent years we see a return to previous practices but the trust between the actors is not always the same.

At European sector level, the social partners agree that the public sector has been deeply affected by the crisis and they had to develop common strategies to face together the challenge of providing the same level of services with less funding, because the state has a public duty to provide adequate public services. In several cases, these problems have brought the EU-level social partners closer in the public sector and led to important joint initiatives to response to the effects of the economic crisis, such as the 2011 Joint Statement: 'Municipal and regional employers and trade unions deeply concerned about the effects of the crisis' and the 2015 Joint Report on the use and implementation of the HOSPEEM-EPSU Framework of Actions on Recruitment and Retention (addressing the specific staff recruitment problems at the sector).