EWCS – a trade union “free zone”?

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1. Introduction
The following text is based on a two year study of transnational solidarity within European Works Councils (EWCs). Funded by the Hans Boeckler Stiftung, the project focussed on discerning internal factors which contribute to the development of mutual trust and co-operation between EWC actors. Although the question of relations between EWC delegates and trade union federations was not a central theme of the project, we were nevertheless interested in the nature of this relationship, acknowledging that interaction between these two levels could gave a bearing on the way the EWC functioned.

Furthermore, our interest in the relationship between EWCs and trade union federations was nurtured by a number of other considerations. It involves awareness that trade unions fought a long battle on behalf of the EWC Directive and that trade unions have often initiated and guided the foundation of many EWCs. Seen from this perspective one might be forgiven in assuming that the EWC is not only a trade union construct but equally heavily influenced by trade unions. However, when discussing relations between EWCs and trade unions we have to recognise that legally the latter continue to be denied access to EWCs. As Waddington (2010: 28) is keen to inform us ‘the Directive makes no mention of trade unions whatsoever, and regards workplace employee representatives as the agents of the employees’ side and as those who should be informed and consulted’. Even the recent recasting of the Directive failed, to the annoyance of trade unions, to address this delicate issue. Although Lecher et al as early as the 1990s suggested trade unions were conspicuous by their absence within EWCs, today most empirical studies imply that it would be wrong to consider the EWC as representing trade union “free zone” (Lecher et al, 2001; Whittall, 2000, 2009, Telljohann, 2005). Some degree of involvement in EWC affairs has been documented. Certain “backdoors” to EWC meetings have been left open to trade union officials. These include the existence of an already recognised trade union presence within the company and the notion of “external expert” embedded in the Directive. Furthermore, trade unions also have, often by default it should be noted, access to EWCs. This concerns the fact that many EWC delegates

1 Factors perceived to support the development of “common interests” include, centralisation of production and management structures (discussed in the text under the heading of as micro-corporatism/Euro-company) and the level of co-operation and competition between the different sites, the latter making such co-operation more complicated although not always impossible.
are trade union members and in some cases directly delegated by their trade union to attend EWC meetings. Hence, it would be short sighted of us not to consider the role trade unions might play in nurturing transnational solidarity within EWCs.

However, drawing on the findings of five case studies the article demonstrates that irrespective of such interfaces, “backdoors”, many EWC delegates noted that trade were conspicuous by their absence. That even in cases where they had been allocated a seat on the EWC, they either did not attend such meetings or when they did attend their presence was symbolic rather than substantial. In fact, contrary to many unions’ EWC policy positions, positions that insist on close co-operation between themselves and EWCs, they often appear to merely play a game of “shadowing” EWCs, keeping an eye on developments without actually being involved. Hence, left in the main to their own devices, EWC delegates, in particular what we term the European vanguard, active steering committee members, appear able to function without this active trade union support in certain instances. That is not to say they are opposed to a greater trade union presence, or for that matter that EWC delegates wish to usurp trade unions, i.e. the EWC as an alternative to trade union representation. On the contrary, respondents indicated that they would welcome a reverse of the current state-of-play, acknowledging as we shall see that unions have role to play in developing this still relatively new European institution.

The following is a modest attempt to understand current relations between EWCs and trade unions. The article is structured as follows. First we consider some of the main discussions that have appeared in the EWC literature on relations between EWCs and trade unions. This is followed by a short outline of the five case studies, in particular the trade union involvement in the EWCs. Next, we offer an analysis of this involvement. Finally, we conclude by considering the EWC and trade union relationship in light of evidence presented in this article.

2. Data and Methodological Issues
The text is based on five case studies considered by many EWC experts to represent best practice – that is to say EWC delegates have demonstrated an ability to jointly address, and at times influence managerial decisions at a transnational level. The choice of the five case studies occurred after intensive discussions with an array of EWC experts ranging from researchers in this field through to EWC consultants and European trade officers. This process
was complimented by an extensive review of existing empirical work on EWC and our own knowledge of EWCs built up after many years of studying this European institution. However, as our research demonstrates such a procedure is far from fail proof. In the cases of Chemists Ltd or Logistics Ltd our findings would suggest that the term “best practice” is not applicable.

The five companies include two US multinationals, Retail Ltd and Auto Ltd, Brothers Ltd a Dutch-British concern, the French company Chemists Ltd and finally Logistics Ltd based in Germany. All the names have been changed to ensure the anonymity of the respondents. Over a two year period we conducted between 10 mad 12 interviews with company level employee representatives in each of the five case studies, half of which were with individuals active in the various steering committees. These interviews also included non EWC employee representatives who played important roles within their respective national industrial relations systems (See table 1). We also interviewed national and European trade union officers either responsible for the five case studies in question or their unions’ EWC policies (See table 2).

**Table 1: Case studies**

<table>
<thead>
<tr>
<th>Company</th>
<th>Interviews per country</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail Ltd</td>
<td>France, Germany, UK, Czech Republic, Norway</td>
</tr>
<tr>
<td>Auto Ltd</td>
<td>UK, Germany, Spain, Belgium</td>
</tr>
<tr>
<td>Brothers Ltd</td>
<td>France, Germany, UK, Netherlands, Spain</td>
</tr>
<tr>
<td>Chemists Ltd</td>
<td>France, Germany, UK, Spain</td>
</tr>
<tr>
<td>Logistics Ltd</td>
<td>France, Germany, UK, Netherlands, Portugal, Denmark</td>
</tr>
</tbody>
</table>

**Table 2: Trade union interviews**

<table>
<thead>
<tr>
<th>Union</th>
<th>Nationality</th>
</tr>
</thead>
<tbody>
<tr>
<td>IG Metall</td>
<td>German</td>
</tr>
<tr>
<td>IG Bergbau, Chemie, Energie</td>
<td>German</td>
</tr>
<tr>
<td>Gewerkschaft Nahrung-Genuss-Gaststätten</td>
<td>German</td>
</tr>
<tr>
<td>International Transport Federation</td>
<td>International</td>
</tr>
<tr>
<td>Confédération générale du travail</td>
<td>France</td>
</tr>
<tr>
<td>UnitetheUnion</td>
<td>UK</td>
</tr>
<tr>
<td>European Metalworkers Federation</td>
<td>European</td>
</tr>
</tbody>
</table>
In the main the interviews took place either prior to or proceeding an EWC or steering committee meeting. Such a procedure had many advantages. Not only did it allow us to have access to a larger number of respondents from the different Member States (See table 3 for a breakdown of EWC delegate structure), it also had the benefit that we were able to observe part of the meetings as well as use the translation facilities on hand for EWC members. Unfortunately such a procedure was not fail proof; the researchers were unable to conduct interviews with delegates from Italy. In terms of local representatives this also required us to visit sites in Germany, England and France.

**Table 3: EWC delegate structure**

<table>
<thead>
<tr>
<th>Company</th>
<th>Number of Delegates</th>
<th>Steering Committee members</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail Ltd</td>
<td>37 delegates out of 19 countries</td>
<td>7 members from France (2), Germany (1), UK (1), Czech Republic (1), Norway (1), Belgium (1)</td>
</tr>
<tr>
<td>Auto Ltd</td>
<td>19 delegates out of 6 countries</td>
<td>5 members from UK (1), Germany (1), Spain (1), Belgium (1), Rumania (1)</td>
</tr>
<tr>
<td>Brothers Ltd</td>
<td>36 delegates out of 19 countries</td>
<td>8 members from France (1), Germany (1), UK (1), Netherlands (1), Spain (1), Poland (1), Belgium(1), Italy (1)</td>
</tr>
<tr>
<td>Chemists Ltd</td>
<td>37 delegates out of 16 countries</td>
<td>9 members from France (4), Germany (2), UK (1), Spain (1), Italy (1)</td>
</tr>
<tr>
<td>Logistics Ltd</td>
<td>54 delegates out of 29 countries</td>
<td>6 members from France (1), Germany (1), UK (1), Netherlands (1), Portugal (1), Denmark (1)</td>
</tr>
</tbody>
</table>

3. A complicated but necessary arrangement?

To different degrees EWC literature has deemed it necessary to discuss EWC and trade union relations. Although it should be noted that with the exception of Waddington (2010) questions relating to this relationship often appear as one of many issues being addressed by EWC.
studies. Nevertheless, there exists a general assertion that the nature of this relationship can have a bearing on the ability of an EWC to develop co-operation between EWC delegates. Trade unions are perceived as the potential glue that holds EWCs altogether, 1) providing best practice expertise (Lecher et al, 1998), 2) a network through which employee representatives can communicate and 3) a normative basis which allows EWC delegates to speak a common language (Miller, 1999; Whittall, 2000, 2003). Generally, the literature throws up a number of issues that address the nature and importance of this interaction and its impact on the dialogue that takes place between these industrial relations actors (Kotthoff, 2007). These include the following points, management domination, ideological and political differences between unions and trade unions’ fear of a developing micro-corporatism.

Concerning management domination, this involves what a number of authors refer to as EWC “capture and isolation” by management (Lucio/Weston, 2000; Hancké (this is fine), 2000; Royle, 1999.. Hanké (2000: 55), for example, notes “as a result of this relative lack of interest by unions, indeed this ongoing and accelerating Europeanisation of industrial relations in the car industry is increasingly taking place on management’s terms, with the EWCs as a critical part of that process.” Royle (1999: 344) came to a similar conclusion when studying the McDonalds EWC, “McDonald’s has been able to take advantage of loopholes in national and European labour legislation (and in some cases utilize dubious election processes) to minimize trade union presence in the EWC. [Furthermore] international trade union organizations have been kept out of the process…” In short, the authors perceive trade unions function as a guarantor against EWCs becoming a managerial tool for country benchmarking, a threat posed by EWCs which has been addressed in a number of EWC studies (Wills, 2000; Hanké, 2000; Tuckmann and Whittall, 2002). In such cases EWC delegates have very little say over the yearly EWC agenda, they have very little chance to interact; in fact they demonstrate apathy towards any sense of working together. On the contrary EWCs are an important source for gaining access to top management, a means of lobbying on behalf national interests. Seen from this perspective EWC delegates appear content to play managements’ “beauty contest” game. The argument put forward concerns the fact that the development of an “autonomous” European employee representative structure, one which EWC delegates jointly help set the agenda, meet independent of management and communicate on regular basis is more likely occur when a strong and active trade union “presence” exists. In short, trade unions are a guardian against managerial misuse.
Interestingly, although such a position can often be noted in EWC literature, there exists no real empirical evidence to support such a position.

However, there also exists a strain of literature which suggests the need to treat such over-optimistic positions concerning the positive influence of trade unions in EWCs cautiously. Telljohann (2005) and Lecher et al (1998) remind us that EWC trade union relationship is extremely complex, problematical even. On the contrary, a number variables can prove restrictive rather than progressive, this leading to friction between EWC members. For example, the nature of trade unionism within this European sphere appears to represent a potential source of conflict between EWC delegates. The key point to recognise here is that trade unionism, often a catch all phrase, incorporates ideological, political and structural differences, which as Pulignano (2005) and Whittall (2000, 2010) note; are often played out within EWCs. This involves a situation in which unions compete to impose their interpretation of the world (Whittall, 2010; Waddington, 2010), a fact that can have consequences for the role played by trade unions and potentially the way this European institution functions. For example, according to Whittall (2000) seat allocation can often prove a stumbling block in the foundation period of an EWC, a stumbling block which can lead disharmony amongst EWC delegates. Discussing the BMW EWC Whittall (2000) notes, that German works council representatives were fervently opposed not only to a British trade union officer being allocated an EWC seat, but moreover that this same person was head of the British delegation and by default vice-chair of the EWC. This ran counter to their experience of the German dual model in which works council members are the main protagonists within the realm of company level representation. Of course the British delegates were equally perturbed as representing what bordered on trade union de-recognition practised by their German counterparts. Anderson and Thönqvist (2007), in a similar fashion note that because of cultural differences, language obviously being a key factor here, can lead the emergence of what the refer to “regional clusters”, the most apparent being the north-south divide in which the former prefers social dialogue to that of industrial action practiced in many Mediterranean countries. In sum, there is an assumption that these cultural idiosyncrasies may paralyse the EWC as delegates become sidetracked by internal battles over important organisational issues.

Finally, another aspect of the literature, one considered to have a great bearing on EWC and trade union relations, concerns what is commonly referred to ether in terms of “micro-
corporatism” or “encroachment”. In short, company level collective bargaining – which as we shall see represents an nightmare scenario for trade unions functioning within an industry level collective bargaining environment. The emergence of a European system of industrial relations, which in the case of EWCs legally excludes trade unions from this realm, implies that there exists a conflict over the issue of representation. Waddington (2010) has eloquently pointed out that the EWC is a “contested institution”. By this he means defining the “strategic orientation” of EWCs (Lecher et al, 1998), i.e. what their remit should be. In short, EWCs are perceived as a potential threat to the authority of trade unions’ negotiation rights. Whilst trade unions lobbied hard on behalf of the EWCs and have often played an influential role in founding EWCs, lurking in the shadows of these developments is a fear, one which generally unites trade unions irrespective of their national heritage. It involves a view that the EWC could “encroach on the domain” collective bargaining undertaken by trade unions (EMF, 2000a). This implies that the EWC and trade union relationship is potentially very combustive. Certainly, a review of trade union policy documents, particularly those of the European Industrial Federations such as the European Metalworkers Federation (EMF) (2000a, 2000b, 2000c, 2006), demonstrate that an important aspect of trade union involvement in EWCs concerns control, controlling the latter’s agenda by steering the EWC away from entering into negotiations with management or at least where this cannot be avoided ensuring unions co-sign any such agreements.

This fear of micro-corporatism is far from unfounded. Marginson and Sisson (1996), Marginson (2000) and Kotthoff (2006) have discussed this issue in terms of what they call an emerging Euro-company, discerned as a centralisation of managerial decision making practices in response to the emergence of an economic and regulatory space in the form of the European Union (EU) (Marginson, 2000). Because of the economic and political dynamics unleashed by the EU ‘The primary axis for internal organisation is shifting away from the national subsidiary, which groups all businesses operations within a particular country, and towards the international business division, which groups operations within the same stream of business across different countries (Marginson and Sisson, 1996: 9’). The Eurocompany, is perceived as an independent organisational and managerial entity in its own right’ (Kotthoff, 2006, 43). As a consequence this raises the feeling of independence between employees and their representatives. In particularly, a continual process of centralized European restructuring leads to a feeling of mutual suffering and creates a concrete sense of dismay. Such a development throws-up a number of developmental paths for industrial relations. One
involves what has commonly become known as “arms-length bargaining” in which EWC delegates attempt to coordinate positions across counties. This option keeps trade unions strongly at the head of the collective bargaining process, EWCs merely supporting this task by co-ordinating the negotiations in the different countries the company is present. However, as the literature demonstrates trade unions are fearful that an alternative path could emerge too, one in which EWCs lead the way in the negotiation process. Such a scenario could involve face-face negotiations at a European level led by the EWC in which trade unions are not legally allowed to sit at the negotiation table.

To summarise it is an undisputed fact that trade unions either directly or indirectly have a presence within EWCs. After having played a decisive role in both lobbying on behalf of the EWC Directive and supporting, certainly in the so-called “pioneer phase”, the foundation of EWCs, EWCs continue to interact with trade unions. Of course, this raises a whole array of questions about the nature of this association some of which we have touched on above and which we will return to below. The most pressing questions can be whittled down to the following: What degree and form of involvement can be observed? How does this influence the functioning of the EWC, specifically does it promote or hinder transnational solidarity? Before turning to look at these key issues more closely we offer a brief overview of the trade union presence in the five case studies.

4. Case studies – trade union presence

In all the case studies unions, in particular the German unions played a leading role in the foundation of the EWCs. They helped initiate contacts between countries and offer important advice in the Special Negotiation Body phase. However, as the following sections will demonstrate this initial enthusiasm on the part of trade unions would appear to different degrees; and at different times not always sustainable.

4.1 Brothers Ltd
Brothers Ltd respondents portray trade union involvement in the EWC as nothing more than peripheral. It was noted that a Dutch union officer had been given responsibility by the Industrial Federations, European Mine, Chemical and Energy Workers (EMCEF) and European Federation of Trade Unions in the Food, Agriculture and Tourism (EFFAT), to co-ordinate relations, but that the individual in question “no longer comes and was totally” uninterested in EWC affairs according to a delegate from Germany. It was implied that the Federations involvement was hampered by a co-ordination problem between EMCEF and
EFFAT. Lower down the representative structure, national unions demonstrated very little initiative in shadowing events and issues undertaken by the EWC, too. Discussing the situation in Spain a EWC member from that same country pointed out that they attempted to keep the national federations informed of European developments within Brothers Ltd, but lamented that no systematic method was in place to facilitate such an information flow. Moreover, this was not a mere problem of the Spanish delegate. Although in Germany, the Netherlands, the UK and France the unions are well organised in the factories they showed very little interest in the European level. Generally, EWC delegates could draw on the different national and European trade unions for support when required, especially information, but any initiative had to come from European employee representatives as the EWC remains an issue which is still not on the formers’ “radar”. For example, 2007 following an extraordinary meeting of the EWC a decision was taken to hold a demonstration in Rotterdam against the planned closure of 20 European sites. Although this day of action was supported by the unions it should be noted that the initiative came from the EWC.

4.2 Retail Ltd

On the surface trade unions have a far greater presence within the Retail Ltd EWC – more than anything else this is the result of the affinity that key actors within the EWC have with trade union principles. These individuals’ biographies have been heavily influenced by being involved in their respective trade union at a national level. Clearly, the trade union presence is a deceptive one, though. It is more one that has come about by default rather than active design, dependent on an individual’s biography, i.e. a spill-over effect between national and European responsibilities. For example, although the EWC advisor is a NGG union officer, respondents strangely played down his role as a union officer. An expert on European affairs, he is undoubtedly viewed as invaluable to the EWC chairperson, but he is not seen as an external union officer rather as an inspirational individual within the steering committee. Discussing the union officer’s role one respondent noted, “He is always at the meetings, but he can not make up for the lack of general trade union influence in the EWC. How can he do this?” Certainly, the relative strong trade union biographies have helped facilitate a bonding process between the chair from Norway, the vice-chair from France, an Austrian delegate and the external trade union expert from Germany. Furthermore, the north-south division that divides union relations outside of the steering committee do not prevail. In fact, the delegate from France has embraced ten notion of co-operation promoted by EWC delegates from northern Europe. What has emerged is a triangular relationship, one that could be observed
within the Brothers Ltd EWC too, has become the heart of the EWC in which notions of cooperation and solidarity is ever present. It is the engagement of active EWC delegates rather than the involvement of trade union officials which has helped to generate a common European perspective. Such a situation leaves a bitter taste in the mouths of these trade union ambassadors – the EWC embassy would gladly welcome a more active trade union presence.

4.3 Logistics Ltd

Of all the five case studies Logistics Ltd proved to be the most complex in terms of relations between the EWC and trade unions. This complexity is directly linked to the company itself. A state owned company until 1995; it has become the world’s largest logistics provider in less than two decades. It remains, however, a hybrid structure, the result of a competition between interest groups affected by different pressures. On the one hand there exists a German workforce strongly associated with an old State owned company, a workforce used to high social standards and job security. On other side stands a global part of the company home of low skilled and poorly paid employees. In many respects Logistics Ltd is two companies, Logistics Ltd and LOGISTICS LTD, a fact which greatly affects relations between the key actors and as a consequence makes this EWC quite different from our other four case studies.

Although Verdi played a key role in setting up the EWC in 2003, a year after Logistics Ltd went global following the take over LOGISTICS LTD; Verdi’s position within the EWC is extremely contentious. Firstly, Verdi, the potential power base within the EWC has seen no value in this European institution – if anything its fears the EWC might open the door to a depreciation of German employment standards. Instead it has continued to focus its energies on representing its core members in the German logistics sector through the German model of industrial relations. Secondly, it supported the transfer of jobs from Belgium to the new European hub in Germany. As a consequence of the German union’s stance, in particular its absence at many EWC meetings, this has allowed delegates from Denmark, France, Spain and the UK with a strong trade union connection as well as the federations UNIEUROPA and the European Transport Federation (when they attend) to have a greater saying in the direction of the Logistics Ltd EWC. All in all a strange constellation prevails, one in which a traditional German company sees its EWC strongly influenced to a large extent by non-German employee representatives.
Faced by an aggressive management stance the EWC has become a network for developing an aggressive trade union opposition to managements’ global restructuring of Logistics Ltd as well as the companies disrespect for trade union rights outside of Germany – but with very little success it should be noted until now. Therefore, in contrast to the other case studies social dialogue with management is (virtually non-existent) poor within the Logistics Ltd EWC – on the contrary relations are marked by conflict. Although non-German trade union activists play a decisive role in guiding the EWC, respondents generally agreed that there were certain limitations attached to what it could hope to achieve due to the persistent lack of real involvement on the part of Verdi, a union which continues to retain access and remarkable influence over top management.

4.4 Auto Ltd

The Auto Ltd EWC is the one case study in which the various levels of trade union representation are most conspicuous. National trade unions from Germany, the UK, Spain and Belgium, countries in which Auto Ltd has key production sites, all send full-time union representatives to participate in EWC meetings, from whom the German rep is simultaneously the European Metal Workers Federation representative. Why the strong trade union involvement? More than anything this would appear to concern managements’ insistence that British trade unionist be represented at the European level, this represents a form of socialisation process. Still very conscious of the industrial strife that marred industrial relations at Auto Ltds’ UK sites in the 1970-80s, management views the EWC as a means of trying to school British trade unionist in the art of social dialogue. However, the strong trade union presence is portrayed as partly immaterial. It has, for example, helped support the signing of numerous European framework agreements. In sum, the Auto Ltd EWC is marked by a strong trade union presence but its involvement and influence over the day-day running of the EWC remains limited.

4.5 Chemists Ltd

Formed in 2004 after acquiring another Chemical company, Chemists Ltd remains to all intents and purposes a global company with a very French character. As a consequence French unions have displayed like Verdi at Logistics Ltd a lack of interest in EWC affairs, preferring instead to utilise national structures at their disposal to gain access to management. A mixture of conflict between French unions and a general fear of the EWC, in particular
this European institution could usurp its collective bargaining role, has led French unions to work against rather than with the Chemists Ltd EWC.

By withdrawing from the EWC sphere French unions have potentially opened the door to other unions to play a more important role inside the EWC. So far neither national nor European federations have taken advantage of this option. Although respondents noted, that in the foundation phase a meeting was held in Brussels which allowed delegates the opportunity to discern which trade unions were represented as well as how the unions differ in structure and responsibility, this coming together of trade union interests was short lived. The German trade union, the Industriegewerkschaft Bergbau, Chemie, Energie (IG BCE), a body of significant influence within Chemists Ltd Germany, has abstained from attending EWC meetings. Like their French counterparts German employee representatives utilise national industrial relations structures, in particular the supervisory board, to gain access to management. This process has even been strengthened by managements’ willingness to offer German employee representatives direct access to top management in Paris.

5. Trade union presence and management control

In all five case studies the presence of the union federations differs greatly. This guaranteed either directly through a trade union officer attending an EWC meeting or indirectly by reporting back through national union structures. To sum up: involvement and influence of the union federations would appear in some cases non-existent in others limited. Lecher et al (1998) suggested in their first systematic study of EWCs, that trade unions played a peripheral role within this European institution. Kotthoff (2006, 144) stellt ebenfalls eine Gefahr der Loslösung der EBR’s von den Gewerkschaftsverbänden und eine „stillschweigende Marginalisierung“ fest. Over a decade later the trade union landscape appears to be virtually unchanged. EWCs continue to sit uneasily within the trade union portfolio. Interviews with union officers from various countries indicated that Europe is quite low in trade unions “pecking order”, collective bargaining and representing the interests of national members remains their cardinal concern.

In short, trade union EWC involvement is not un-problematical. For example, contrary to Pulignano’s (2005: 395) findings on the role of industrial federation officers there was no evidence, even in the case of Auto Ltd where the union presence was most pronounced and
Logistics Ltd where union activists attempted to fill the void left by Verdi, to support the belief that such individuals assert their authority ‘to build bridges between workplace representatives of multinational companies and the development of trade union policies.’ Nor was there any evidence to imply that such union officers play a strategic role ‘in facilitating the exchange of information and practices among employees (Pulignano’s, 2005: 400).’ If anything, certainly in the cases of Brothers Ltd, Chemists Ltd and Retail Ltd union involvement declined after their initial involvement in helping set up the EWC. Nevertheless, EWC delegates perceive the union federations should help in developing cross-company networking and coordination.

Even the much referenced training and expertise that trade unions were expected and reported to provide was not very much in evidence. In fact, a picture emerges, certainly in the Brothers Ltd, Auto Ltd and Retail Ltd cases whereby EWC members, especially those who meet on a regular basis within the steering committee, possess expertise which does not require them to seek trade union support. Close working relations with management, but more importantly the co-operation between EWC delegates, which as Whittall et al (2009) show is increasing helped by ICT, means that EWC delegates are well informed about company strategy and possible responses. Moreover, there was no evidence to support Hanké’s assertion (2000:104) that ‘it is difficult to imagine workers ever being able to respond to the contemporary economic challenges posed by the Europeanisation and globalisation of capital’ without the involvement of trade unions.’ Or for that matter as Telljohann (2005) suggests, that an inadequate level of involvement of fulltime union officers leads to de-motivation amongst EWC delegates. On the contrary, in spite of a lack of a trade union presence a core group of European activists are bringing this European institution to “life”. In most cases EWC delegates, specifically the steering committee members, are in weekly if not daily contact with each other, the EWC becoming an integral part of their employee representative artillery.

The main issue here, however, concerns the question whether the peripheral role played by trade unions as observed in other case studies (Royle, 1999; Wills, 2000) led to management hijacking the EWCs in question. Quite simply the answer is a definitive no. None of the case studies observed demonstrated any degree of either “management capture” or “isolation”. A number of factors help contribute to the autonomy of EWCs even where the involvement of trade unions is not as developed as researchers have suggested is required. Firstly, the delegates on the whole were not hand-picked by management. The majority of delegates came
with strong trade union credentials, credentials which by default would appear to guard against management manipulation. Furthermore, a point taken up by Knudsen et al (2007) and Timming and Veersma (2007), that EWC delegates’ identity is defined by interaction with management, the “other” as they call it, rather than by manipulation through management. That is to say management represents the “other side”, that this relationship is potentially, not always, underpinned by diverging interests. The EWC autonomy is also influenced by the way delegates set about organising their work, a procedure which helps individuals articulate their EWC identity – so much so that irrespective of the failure of trade unions to be more involved in EWCs, as in the cases certainly of Brothers Ltd and Retail Ltd, they are nevertheless still able to represent employee interests and develop a sense of group solidarity.

Here a number of variables appear influential. They include functioning steering committee, i.e. a body that meets on a regular basis and is able to establish continuous dialogue with top management and keep the wider EWC informed of developments within the company as well as about any discussions that have occurred with management. This is complemented by a willingness to nurture contacts between members of the steering committee as well as the members of the wider EWC. In many cases this contact lead to friendships and a strong sense of trust and reliability. Naturally for this to work individuals need to possess good foreign language skills, usually English and the relevant committees are dependent on a high degree of stability. In addition, the lead actors within the EWC benefit from possessing professional experience as representatives gained from working within works councils at a national level. This last is particularly prevalent amongst delegates from northern European countries but equally for individuals from Anglo-Saxon and Mediterranean countries who have come to appreciate more and more the value of social dialogue in recent years.

Finally, even in cases where management designate certain EWC delegates this is no guarantee that such individuals will abide by managerial demands. A number of factors appear to be at play here. EWC delegates we interviewed with a traditional trade union biography are aware of this problem and have subsequently taken relevant precautions to neutralise such a threat. For example, in the case of Logistics Ltd a number of delegates from southern Europe were asked by their local management to become EWC delegates, delegates who were not affiliated to a union. In response to this situation union members’ on the EWC developed what can only be described as an informal mentoring scheme, trade union delegates going out of their way to include non-trade union delegates in the decision making processes. This helped cultivate relationships and a mutual sense of responsibility.
Furthermore, as the work of Tuckman and Whittall (2010) on works councils set up by management has demonstrated, managerial nominees often feel obliged to exhibit a sense of autonomy after certain period of time. They feel obliged to demonstrate to the people they represent as well as other EWC members that they are not management “lackeys”. Here the case of leading Brothers Ltd EWC delegate is very informative. It concerns an individual with a clearly defined managerial biography, someone who went out his way to assert when interviewed how they had initially been very wary of trade union organisations. Over the years, however, their involvement within the EWC resulted in them becoming a member of a white collar union but more importantly working very closely with shop stewards from more traditional organisations within their national environment.

In sum, traditionally trade unions, this taken up by the EWC literature too, have feared that their lack of involvement in EWCs could lead to management hijacking the EWC and subsequently using this European institution to promote social dumping. Irrespective of the fact whether such involvement is a guarantee against social dumping, our research uncovered no real evidence to corroborate such a position. Even given the lack of a strong presence of union federations within the EWC, delegates retained a strong notion of autonomy, either their role as an employee representative at the national level or their interaction with European management proving defining factors. A trade union officer from the IGBCE we interviewed even went as far confirming this finding when noting that:

The first generation has taken an important step so to say. They now have important organizational structures in place. Furthermore, they have also fought hard to be taken serious by management – and that is an important step.

Certainly, in the cases of Retail Ltd, Brothers Ltd, Auto Ltd and increasingly Logistics Ltd, management is increasingly being forced to recognise that the EWC is an important source of employee representation. Hence, those EWC actors who are spending a considerable amount of time on European related issues, staying constantly in touch with other members within the EWC network they can be considered as represent a professional vanguard within a developing European system of employee representation.
6. What explains trade unions’ lack of involvement in EWCs?

Ironically, it could be argued that trade unions are not required to be more assertive in their involvement within EWCs as this prevails at a latent level. As outlined already trade unions were heavily involved in the foundation process and so helped to set the tone initially, plus many EWC delegates are by default guardians of trade union values. Not only do the delegates from the countries with single a tier-structure owe their current position to trade unions, but furthermore they play an active role in national trade union structures. However, as we shall see in the next section neither of these facts, something underlined in the work of both Telljohann et al (2009) and Waddington (2010), are a safeguard against a potential de-coupling of the works council and trade union interests.

Why then do trade unions, even in cases where they have legally been guaranteed access to EWC meetings as in the case of Auto Ltd and Logistics Ltd, not play a more prominent role in EWC affairs? Is it simply down to either dominance of a “single” or “dual” tier of representation as argued by Telljohann (2005)? The assertion here being that unions within a single tier industrial relations environment are more likely to be involved in EWCs, unions the main actor in such an industrial relations system. Certainly, according to Telljohann (2005: 37) this explains why Italian trade unions are active in EWCs, so much so that he suggests that ‘it seems possible to talk of a fully-fledged Italian model of the EWC that differs from the two kinds of EWC which are generally referred to in the literature… The Italian model is characterised by the leading role of the external trade unions that is typical of the one-tier system of interest representation.’ Hence, this might explain the reluctance of German trade unions to increase their EWC profile, German co-determination providing a clear division of labour between works councils and trade unions, company related issues the realm of the former. A member, of the Logistics Ltd EWC, for example, felt that this was one of the reasons, the other a potential fear of transnationalisation epitomised by the EWC, why Verdi had failed to play a stronger role in the EWC that befitted its influence and size.

Equally such a situation describes why the trade union officer leading British delegation on the Auto Ltd EWC went out his way to emphasise the amount of time he invests in this European structure:

I mean the easiest thing for me to do would say: “I’m sorry, I’m too busy, I mean I’ve got more pressing business”. I mean that’s the easiest thing in the
However, such a conceptual understanding we contend has certain limitations. Firstly, the dual system is underpinned by a mutual trust that has developed within particular national settings - the EWC certainly at this stage in its development cannot be compared with its national counterpart say in Germany. The division of labour that takes place here is based on the one hand a certain degree of trust, this reflected in the fact that the majority of works council chairs in Germany are trade union members, but on the other that works councils are legally independent of trade unions. Unlike within the national environment unions have no influence over delegates emanating from other European countries. The EWC is unpredictable and difficult to guide from the outside. Next, in the case of the “single tier” argument the importance attached to attending every EWC and steering committee meeting by the British union officer responsible for Auto Ltd was the “exception rather than the rule”. In none of the other four case studies was such engagement to be observed. In the case of Brothers Ltd and Retail Ltd, for example, neither unions in France, Spain or the UK saw the necessity of playing an active role in the EWC. In the case of the UK this is quite strange considering the representative it has to endure as a result of a single tier model. Moreover, the Auto Ltd situation reflected more than anything else the continued importance of the American car producer in the UK, certainly in terms of union membership for UNITETHEUNION, and management’s insistence that the British unions have a seat on the EWC (see Auto Ltd section above). In sum, we found no evidence to support the argument that either the dual system or the single system respectively restricts or promotes EWC union involvement. Irrespective of prevailing national models unions’ involvement in EWCs remains limited. Only Italy appears to be the exception. What other factors are at play which explain unions’ either inability or reluctance to play a greater role in EWC affairs.

Quite clearly irrespective of the policy commitment towards EWCs on the part of both national and European federations, the latter developing clear policy guidelines to encourage greater trade union involvement in this European institution, such endeavours are likely to prove futile if the actors in question neither possesses 1) the resources nor 2) what is best described as a European “normative constitution” (European outlook on the part of union officers at the national and regional levels) to fulfil this function. Our research would suggest that these two aspects partly explain the absence of greater EWC involvement on the part of
trade unions. Beginning with resources: both interviews with trade union officers at all levels of the representative spectrum plus an array of literature on this subject (Waddington, 2001; Platzer, 2010) confirm that unions’ Achilles heel remains not only a lack of personnel but personnel with necessary training required to serve EWCs (another reason why EWC delegates don’t utilise union contacts more?). Speaking on behalf of the chemical sector an officer from the IGBCE sums up the problems faced by trade unions generally:

The problem now exists that in comparison to when we first started, then we only had a few EWCs and we only had to deal with the negotiation of EWC agreements, in the meantime we have lot. Attending to these EWCs in contrast to simply negotiating agreements is very time consuming. Quite simply to achieve the high standards we have set ourselves we need more people to coordinate EWCs.

The respondent touches here on something that goes to the heart of European Industrial Federations’ (EIF) EWC endeavours, too, the cross-company coordination of EWC activities, i.e. ‘Develop common strategies. Speak with one voice. It is important because if you don’t speak with one voice then you cannot be successful (EMF officer)’. But as Waddington (2010) and Platzer (2010) notes, these figures referring to the year 2006, the EIF budgets set aside to undertake activities are limited to say the least. Waddington (2010:31), someone who has had unparalleled access to the EIF documents, tellingly states; ‘the income of the EMF from the affiliated unions was €4,326,873 and it employed 17 people. The corresponding figures for the EMCEF were €891,560 and 8 employees and for UNI-Europa €1,668,766 and 16.5 employees… The situation amongst the national confederations, however, remains far superior. The Norwegian Landsorganisasjonen, for example, was €29,952,000 and it employed 270 people…’ Even though EIFs now have a network of EWC coordinators at their disposal, when questioned about the role of EIFs respondents indicated European federations lacked the necessary means to either send officers to EWC meetings or ensure that nationally nominated coordinators, usually an officer from the largest union within the company, abided by the guidelines outlined in the EIFs’ EWC policies. The current dilemma of EIF is summed excellently by a member of the Chemists Ltd EWC:

We have the support of an EMCEF representative within the EWC. However, anyone who is familiar with EMCEF’s structure knows that there are hardly
any financial resources or people to fulfil this task. One person is responsible for coordinating various EWCs, which occasionally have their meetings at the same time.

The EMF (2000a) has even been forced to acknowledge that its coordinator policy is faced by a number of obstacles. These include the following:

1) Different countries interpret the role of a coordinator in different ways.
2) Some countries do not send their coordinators to EWC meetings
3) Coordinators do not always have the necessary skills to fulfill this role
4) In some countries the level of local autonomy restricts trade union involvement

The question of resources brings us to our next point, the importance placed on European policy by national unions. Resource allocation is highly political; it depicts areas conceived as important by organisations. The lack of resources, for example, available to European officers at a national and European level, and all our respondents indicated this was a problem, is symptomatic we would argue of unions’ continued inability to make Europe a key agenda issue. The Verdi officer, for example, responsible for EWCs noted that a key part of their remit concerned servicing exiting national works councils. This involved: producing materials for works councils’ during election periods, organisational work prior to works council elections and analysing the results of the election. These all-time consuming responsibilities leave very little time to donate to EWC matters. Other union officers confirmed such a standpoint, too. Various respondents acknowledged trade unions were struggling to Europeanize their structure:

I have the feeling that the unions have been paralyzed in the last ten years, that no impulse has come from them. I cannot see any progress either in the NGG. Maybe I am setting too high standards. I do not think they can keep up with the pace that Europa is setting. Europa has taken on board a new dynamic and this is leading to new dimensions which I do not see in the case of the Unions. (German works council member at Retail Ltd)

I would welcome a greater presence... There exists a competent group of experts, trade unionists and lawyers, that travel from one country to another. They meet in really beautiful places and sometimes I am invited too. They are
often on the road but I never see them in the EWC committees. (Chair (German) of EWC Brothers Ltd EWC)

A key issue here, one widely discussed in the literature on trade unions and referred to above (Offe and Wiesenthal, 1982; Knudsen et al, 2007; Hyman, 2001), is the continued “centrifugal” character of trade union organisations. By their very nature they possess an organisational structure which is not only the product of a national environment (Hyman, 2001), unions an historical product of emerging modern national states in the 19th century, but moreover their main task is to support local interests, i.e. the very people that pay their monthly union membership fees. Interviews with trade unions demonstrates, that EWCs don’t belong to national officers “Kerngeschäft” (IGBCE European officer), that the EWC only becomes an issue “when there is a fire” (Verdi European officer). Interviews revealed that parochialism is not merely a phenomenon amongst German trade unions, though. A delegate from Belgium on the Auto Ltd EWC argued, „jeder Gewerkschaft beschäftigt sich mit ihren eigenen Angelegenheiten“. It represents general conservatism on the part national trade unions according to a Scandinavian delegate on the Logistics Ltd EWC:

*I will use a very bad word here because they [union federations] are conservative. And everybody is normally afraid of losing their influence, their power and so on. And they [union federations] are conservative in that way. They do support the European market and things like that, but they say that without any real interest… In my opinion it’s quite clear that they are very slow and very cautious, conservative even in their thinking about institutions like the EWC (Logistics Ltd EWC member)*

The widespread reluctance on the part of trade unions prevalent within our five case studies confirms Armingeon’s (1998) critical assessment of trade unions ability to internationalize. According to Armingeon (1998: 74) this involves institutional inertia, a failure to ‘resist pressures to adjust for a long time, even where these are growing stronger’. For example, although the process of company centralisation could be observed to different degrees in all five case studies, especially prominent at Retail Ltd, Brothers Ltd and Auto Ltd, unions remain much embedded within the nation state.
A mixture of a lack of resources and a continued focus on what union officers refer to as the concerns of the “national membership”, specifically national collective bargaining, would appear to explain what can only be described as the peripheral role played by trade unions within our five case studies. Certainly, the rational offered by Armingeon (1998) goes some way to understanding such a reluctance. It explains, for example, the situation at LOGISTICS LTD. Verdi fearful of the internationalisation process taking place within the company. However, it does not apply to the Auto Ltd EWC where unions are far more present due to reasons discussed above. In the other cases, Brothers Ltd, Retail Ltd and Chemists Ltd a lack of resources might explain the lack of union involvement, but equally this might just be an excuse to cover up a lack of political commitment for doing nothing. Considering that unions, certainly if one reviews unions’ EWC policies, appear concerned that EWCs could open the floodgates to European company level collective bargaining the lack of involvement appears even more surprising.

4. Encroachment and Micro-corporatism?

At different times we have touched on the issue of “encroachment”, a term used to define the possible development of a negotiation modus within the EWC structure. In short, EWCs threaten to usurp trade unions. How real is this development, though? Marginson et al (1993, 2006) and Kotthoff (2006) have in recent years discussed what is now widely referred to as the Eurocompany. Here, ‘international companies develop distinct European dimensions to their forms of (management) organisation and coordination of production and market servicing (Marginson, 2000: 10)’. More to the point such a development is seen as a catalyst for European-micro-corporatism, in which ‘EWCs are likely to provide a focal point for further developments in European industrial relations, especially European collective bargaining (Marginson, 2000: 11).’ Discussing wider developments in industrial relations Brewster et al (2007: 51) come to the core issue here when they note that micro-corporatism involves a shrinking market for employee representation, i.e. EWCs competing with trade unions to represent employees:

“All forms of collective representation – whether union based or not – are likely to be eroded in favour of more direct, manager centred forms of participation. If this is indeed the case it suggests that a shrinking market for such services might intensify competition between different representative practices.
As the literature pertaining to EWCs indicates, this represents a nightmare scenario for trade unions (Lucio and Martinez, 2000), one which unions have been aware of ever since the EWC Directive was passed in 1994. Of course, trade unions concerns were alleviated to a certain extent by the fact that the Directive only empowers employees with information and consultation rights, a restriction the ETUC did not deem it necessary to address when negotiating the “recasting” of the Directive in 2008. In fact, we would argue that a general trade union approach can be observed, this in-dependent of whether the one or two tier variable is at play here, one in which trade unions have sort to restrict EWCs so as to maintain the collective bargaining status quo. Huzzrad and Docherty (2005) note, for example, that the so-called “Network for Union Democracy”, categorically prohibits EWCs from touching issues relating to pay and conditions. In a similar vein, EIF have used various congresses to pass policies designed to steer EWCs away from becoming active negotiator. Discussing the EWC Directive the EMF (2000b: 6) argued:

[T]he legislator should stipulate where their competency ends (in our view where collective bargaining, wage negotiations and discussions about labour conditions and similar issues beginning), for these have always been – and should remain – the responsibility of trade unions at European level... Within such a framework, EWCs would become legally defined information and consultation bodies... Our feeling is that the right to negotiate within the community-scale companies should remain with European trade union organizations. At a later date EWCs could secure negotiation rights, but only in connection with specific soft issues, like equal opportunities, vocational training and the fight against discrimination.

The likes of the EMF (2000d) are aware of the possibility of EWCs developing a negotiation strand to its remit. Even given the restrictions imposed by the Directive and trade unions themselves, although in the case of the latter this is highly problematical due to the fact that EWCs are not legally dependent of a union mandate, the EMF concedes that the question of collective bargaining is not “clear-cut”. This issue has also been taken up by Telljohann et al (2009) when studying the role EWCs in signing European Framework agreements. Firstly, he notes, many EWCs are no-longer content with receiving and commenting on information. On

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2 The network is described as a loose group of unions on continental Europe.
the contrary, we should not ‘exclude an evolution of the bargaining practices of parties
towards transnational collective bargaining at the company level on a voluntary basis
(Telljohann et al, 2009: 20).’ Furthermore, Telljohann et al (2009: 56) suggest that framework
agreements, specifically those signed pertaining to Europe, is evidence of a trade union and
EWC decoupling process:

The differences between IFAs [International Framework Agreements] and
European-level framework agreements [is that they differ] procedurally in
terms of the role played by different actors. In this case of European-level
framework agreements, transnational company level employee representation
structures (i.e. EWCs) play a much stronger role in initiating, negotiating and
signing the agreements.

Certainly, some of the case studies presented here confirm many of the developments, fears
and potential conflicts between EWCs and trade unions outlined above. Although the speed of
change might be different all five case studies have either gone or are going through a process
of centralisation, a process that has seen them evolve into a Eurocompany as outlined by
Marginson (2000). In particular, Auto Ltd, Brothers Ltd and Retail Ltd have a strong central
management structure. It should be noted that Auto Ltd was one of the case studies that
initially inspired Marginson’s work. Referring to the situation at Retail Ltd a member of the
EWC steering committee:

The importance will increase due to the centralization process occurring in the
company within Europe. If the unions are unable to focus more on these
developments a process of decoupling will take place and there will be more
and more EWCs that will deal directly with management, namely company
agreements at a European level that break away from the trade union
movement. That will happen. .

In the case of Brothers Ltd, for example, the EWC has negotiated a new agreement which
provides it with not only more rights but also procedures to be adhered to in periods of
restructuring. A member of the EWC takes up the story:

We devised processes that should be followed in cases of restructuring. In
particular that it is better to sell a plant rather than to close it, that we need
employment guarantees for a period of three years in the case of a takeover, restructuring and the transfer of production. In the main these demands have been respected.

However, as a Logistics Ltd EWC member noted, unions are wary of such developments: ‘I think they [unions] are simply afraid of losing the bargaining rights. That is the key point.’ As an EMF officer indicates such agreements contradict their guidelines and hence represent the potential for conflict:

But the EMF position is clear. We will not recognize [international] framework or European framework agreements which have not followed the procedure which we have decided on here internally, because we don’t want trade unions to be by passed.

Although conflict between EWCs and trade unions over “representative rights” was not widespread, due if nothing else to a current lack of interaction between these two levels, respondents did reference a few occasions when this had occurred. At Auto Ltd, for example, German EWC respondent explains in some detail how their British colleague, a convenor, had had been reprimanded by a union officer for taking decisions usually that fall within the realm of trade union responsibility:

The British convener totally understood the German way of leading job security negotiations at a company level. This caused major problems with his union officer because this was the first time a convener, someone in England who has not really too much to say, namely that is always the job of the union officer, said to his officer „look here this is a totally different tradition and this is really good and it is something we should follow.” But the union was not willing to play ball as they thought it was getting involved in the tasks undertaken by the union. This stance though soon disappeared when Peter retired. The union officers once again are the key actors.

When questioned about collective bargaining rights the British officer on the Auto Ltd EWC categorically opposed such a development:
Do I see a ... Auto Ltd of Europe EWC as the bargaining instrument for Auto Ltd of Europe employees? No, I don’t, I don’t. That’s too complex, it’s too complicated, there’s different structures... there’s legally binding agreements... there’s a whole mish-mash if you like... everybody is different...

[Y]ou know, ultimately if I’m asked the question: “Is the EWC for that? [collective bargaining]” – “No, of course, it is not.” But what it does it allows us to exchange information. It allows us to debate with colleagues who are predominantly in the same situation as we are in.

Such discrepancy could be observed at Chemists Ltd, too. Here the role of the EWC, in particular whether the EWC should be empowered with a mandate to negotiate - led to conflict between EWC delegates and the EMCEF, the European federation. As the following respondent outlines, a French member of the select committee, the conflict continues to hinder relations between these two representative levels:

We felt really betrayed by EMCEF when it did not support our approach – and the national unions did not support us either. The majority does not support our approach and as a consequence this had the effect that the bond has become a bit looser. I was very angry. Okay in the case EMCEF there will take place a meeting. But because of what has happened it will be lot more difficult. As far as I am concerned there are some people who I am not really that interested in meeting - because I believe they betrayed us even though the EWC has the right to negotiate with the company.

In summary, our case studies partly corroborate Marginson’s assertion that within Eurocompanies, i.e. a centralisation of the managerial-decision-making process, a potential European industrial relations sphere is emerging. At its heart is the EWC. Constituted by employees of the company this European body has begun to surpass the legal and the organisational imposed by legislators and trade unions respectively. EWC delegates certainly in the case of Retail Ltd, Brothers Ltd and Auto Ltd have entered into a process of social dialogue with management, resulting in agreements at both Auto Ltd and Brothers Ltd, twelve and three respectively.

According to Telljohann et al (2009: 58) ‘for the trade unions this situation presents a strategic dilemma… European-level negotiations by EWCs represent, on one hand, a useful
strategy to handle the consequences of and to counter the increasing transnational economic activities of TNCs. On the other hand, trade unions need to ensure that they stay involved in company-level negotiations at European company-level because if EWCS decide to enter into negotiations without involving trade unions, then unions risk being marginalised.’ This raises of course the question whether EWC delegates actively desire the marginalisation of trade unions. There is no evidence to support such a position. In Kotthoff’s study (2006) as well as in our current research EWC members not only criticized but also regretted the marginalization of trade unions:

*Ok it is important that the unions offer a certain level of input because the representatives from the different countries have a better, and I am not only talking about the car industry here, overview about what is happening. What the competitors are doing. I think it is important that they are present because during the discussions they can offer a wider perspective. (Auto Ltd EWC delegate Germany)*

*For me the unions need to be more aggressive than they are today. (Brothers Ltd EWC delegate Spain)*

*I think that union involvement is a positive thing because it helps guide the individuals in terms of legislation. They understand better what’s going on… So there are an awful lot of things that they learn about… (Brothers Ltd EWC delegate UK)*

As the above quotes suggest, EWC delegates would welcome a greater trade union involvement. This is partly out of sympathy for trade unions, many respondents referring to their trade union membership, but more importantly because they envisage that trade unions have an important role to play in EWCS, specifically union’s knowledge of developments across sectors, expertise in legal issues and the ability to organise industrial action.

5. Summary

Having fought for over three decades on behalf employee rights within the European Union (formerly European community), in particular the EWC Directive, our research suggests trade unions continue to struggle in developing a European perspective. We uncovered no evidence
to corroborate Lecher et al’s (2001) assertion that national unions have been forced away from a policy in which Europe, particularly EWCs, is a niche issue, to one whereby Europe is integrated into union policy generally. On the contrary, EWC delegates and union officers outlined that Europe generally and EWCs specifically remain peripheral issues for trade unions. It would be an exaggeration to say that the EWC is characterised as “trade union” free zone, but equally it would be an overstatement to suggest that they play a role in guiding the inner-workings of this European institution. Alarmingly for trade unions EWCs, certainly in the cases of Brothers Ltd and Retail Ltd, appear able to guide company policy irrespective of trade unions’ ability to be more present within this European institution. In short, EWCs have become an autonomous employee body which is responding to management’s strategy to centralise decision-making-processes, i.e. to shadow the emergence of a Eurocompany.

Moreover, contrary to concerns raised in the EWC literature about ideological and political differences, we found little evidence to corroborate such a position. Neither in Auto Ltd and Logistics Ltd cases where trade union involvement was most pronounced, or in Retail Ltd did national industrial relations factors appear to disrupt the way EWC function. In the Chemists Ltd and Brothers Ltd, such factors were a problem, although in the latter case it did not greatly undermine the work of the EWC. Generally, respondents were conscious of these differences, often using humour to outline what these were. This involved individuals from northern Europe making fun of the French and Spanish use of industrial action to solve all problems with management. Of course, the latter despaired at what was considered to be the Germans and Scandinavians preference for discussions over action. However, a sense of respect for these different stances prevailed as well as a willingness to learn from each other – this tendency particularly prevailed amongst members of the European vanguard. This would suggest individuals have internalised that they are members of a Euro-company which requires the increasingly development of joint positions amongst employees geographically scattered across Europe.

Finally, we uncovered no evidence to support the “the capture and isolation” argument raised in the literature. On the contrary, irrespective of what one union officer called “Kirchturmpolitik” (parochialism) of trade unions, EWC delegates, especially those we have referred to as the so-called EWC vanguard, EWC officers and members of the various steering committees - have stepped in to fill the void left by trade unions. There exists a silver lining here. Irrespective of trade unions inertia observed in the Brothers Ltd, Retail Ltd,
Chemists Ltd and partly in the case of Logistics Ltd (Verdi) case studies, our findings suggest that a group of committed EWC activists, actors with a clear European outlook, are promoting an agenda which is potentially laying the foundations for a European system of industrial relations. This emerging developmental path is not only a challenge to management prerogatives, but equally to trade unions’ “containment” policies. Seen from this perspective one might be optimistically led to conclude that this represents a potential route for trade union Europeanisation from below. After all none of the EWC respondents demonstrated an interest in questioning the principles of trade unionism, rather they argued that such principles currently anchored within a national environment be complimented by a European perspective. Trade unions’ fear of micro-corporatism would also appear to be unfounded; discussions with management and agreements negotiated by the EWC did not deal with issues sacrosanct to union such as pay. Moreover EWC delegates did not appear opposed to unions entering this process. On the contrary they would welcome greater involvement should it ever prevail.

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