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Contribution of Trade Union Organisations to the Evaluation of the Actions Conducted and their Impact in Terms of the European Employment Strategy

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European Employment Strategy

FINAL REPORT

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Table of contents

PROLOGUE	7
1. INTRODUCTION	9
2. ON THE REFORMED EUROPEAN EMPLOYMENT STRATEGY	13
3. NATIONAL ACTION PLANS – STRATEGIC TOOLS OR MIRRORS OF NATIONAL POLICIES?	21
3.1 TRADE UNIONS' INVOLVEMENT IN DESIGNING THE NAPS ...	23
3.2 RECOMMENDATIONS – UTOPIA OR CONCRETE REALITY?	28
4. ON TRADE UNION ACTIONS AND INITIATIVES AND THEIR IMPACT ON SOCIAL DIALOGUE	31
4.1 PROMOTION OF THE EUROPEAN SOCIAL PARTNERS' WORK PROGRAMME: SOME NATIONAL EXAMPLES	37
5. CONCLUDING REMARKS	41
6. RECOMMENDATIONS: DEFENDING THE EUROPEAN EMPLOYMENT STRATEGY AND APPLYING IT MORE EFFECTIVELY	49
ANNEX.....	53
ETUC DECLARATION TO THE EMCO ON 21 APRIL 2005. DOCUMENT PRESENTED TO THE ETUC STEERING COMMITTEE ON 4 JUNE 2005.	55
CURRICULUM VITAE OF THE EXPERTS	61
ORDER FORM	63



Prologue

This report follows on from a study conducted in three phases:

Investigation work

A survey to gather the information allowing us to explore two aspects of the European Employment Strategy
The degree of union participation in the process for the definition, implementation and evaluation

The impact of the European Employment Strategy on employment at the national level, in particular trade union activity in that field.

Three seminars were held

In Riga, on 1 and 2 February 2005, with Denmark, Sweden, Finland, Belgium, Ireland, Italy, Estonia, Lithuania and Latvia

In Valetta, on 24 and 25 February 2005.

The countries concerned were Portugal, France, the United Kingdom, Greece, Malta, Cyprus, the Czech Republic and Slovakia.

In Budapest, on 7 and 8 March 2005, with Austria, Germany, Luxembourg, Spain, the Netherlands, Hungary, Slovenia and Poland.

A final conference bringing together over 60 people from 27 countries was staged in Luxembourg on 19 and 20 April 2005.

The findings were varied, to say the least. However, the work carried out in co-operation with a team of researchers (Oriol Homs, Wilfried Kruse, Céline Lafoucriere, Pierre Tilly), under the leadership of Claude Denagtergal, identified a lot of our difficulties. This

report is very timely, just as the Commission has proposed to the Council a new project for the integrated guidelines for growth and employment including the recommendations on the major directions for economic policy and the proposed Council decisions on the guidelines.

ETUC reacted immediately, in particular at the Employment Committee on 21 April 2005, welcoming an integrated process but stressing a certain number of demands to make these guidelines more effective.

The survey and the analytical report set our various proposals. They should be given more space in our union activity through a more sustained effort at understanding and co-ordination, a commitment in keeping with our first declaration when these new instruments were put in place to evaluate employment policies at both the national and European levels. This should be an opportunity for us to make a commitment at the European level.

Joël Decaillon
Confederal Secretary



1. Introduction

The Extraordinary Luxembourg Job Summit represents a major milestone in the history of social Europe. Derived from the latter, and launched in 1997, the European Employment Strategy (EES) fits into a European process of global reform of labour, product and capital markets as well as macro-economic co-ordination. Within this global reform process, the EES focuses on reforming European labour markets and tackling Europe-wide employment issues which have so far been unresolved by individual national attempts. With a view to developing the European Social Model further, the EES focuses on rebalancing regulation modes within the European Union, and lays down some objectives for evaluation in the medium term. In the late 80s and early 90s, heavy gov-

ernment regulation proved to be inefficient in reaching viable levels of flexibility and competitiveness in the EU. Experiencing a complete revolution, the changing world of labour was also in real need of customised solutions. In order to address these issues the EES seeks a greater responsibility in order to direct the appropriate measures and to achieve the objectives proposed, in line with an open co-ordination method. For this purpose the social partners are given a key role in the dissemination, application and monitoring processes of the EES.

On the eve of the mid-term review, the European Trade Union Confederation (ETUC) initiated a project aimed at assessing the contribution of union organisations to the evaluation of the



actions conducted at national level and of their impact in terms of the EES. For this purpose a survey was prepared and sent to the different national union organisations of the EU. The information gathered was then disseminated during the course of three decentralised seminars.

- First seminar organised in Riga, to which union representatives from Latvia, Estonia, Lithuania, Ireland, Belgium, Sweden, Denmark, Finland and Italy were invited.
- Second seminar organised in Malta, to which union representatives from the Czech Republic, Cyprus, France, Greece, Malta, Portugal, the Slovak Republic and the United Kingdom were invited.
- Third seminar organised in Budapest,

to which union representatives from Austria, Germany, Luxembourg, the Netherlands, Poland, Slovenia, Spain and Hungary were invited.

A final seminar was held in Luxembourg on 19-20 April with the participation of union representatives of the 25 Member States, and representatives of the European Commission, UEAPME, CEEP, UNICE, and the labour bodies of Luxembourg.

This report presents the findings of the discussions of the different seminars and the questionnaire results. A final section contains the different recommendations suggested by the unions and by the authors for the next reform process of the EES.



2. On the reformed European Employment Strategy

Looking at the history of European integration beginning with the Treaty of Rome in 1957, it seems legitimate to say that social and employment issues are considered by the European institutions to be "by-products" of the economy, which is supposed to procure social progress directly, thus preventing development inequalities and distortions of competition between countries. In fact, only in recent years has employment moved up into a less marginal ranking in the action priorities defined at European Union level. Even if employment remains by nature a competence for which the Member States retain a high level of sovereignty, the context of low growth combined with a sharp rise in unemployment that occurred in Europe in the early 90s led the Member States,

pushed resolutely in this direction by the trade unions, to commit themselves and attempt to give employment policies higher billing among the EU's priorities. The launch of the European Employment Strategy in 1997 was seen as a tool for restoring balance in the face of the increasing predominance of economic and monetary policies aiming at economic and monetary union.

The EES is the product of a positive economic cycle. That is why the orientation has sought to facilitate a greater mobilisation of the workforce and to allow the majority to reap the benefits of the situation of economic growth. The four pillars of the EES tended in that direction: *to encourage entrepreneurship; adaptability and modernisation of enterprises and workers; the development of*

employability of the workforce; equal opportunities between men and women.

The success of the first years of the application of the EES, together with the objectives from the Lisbon Summit in 2000, in a context of raised European awareness of the issues of competitiveness at the global scale, have led to an atmosphere of euphoria which has been reflected in the ambitious indicators in the Lisbon strategy.

With the change of the economic cycle from 2001, and as a reference point, and given that difficulties were already besetting the achievement of the Lisbon commitments, it was decided to crystallise and simplify the orientations and the methodology used until that point.

However, the determination to achieve the Lisbon objectives continued to predominate in the orientations of the reformed EES. But this time, on top of the two principles of progression in the quantity and in the quality of the employment consisting of achieving full employment and encouraging quality and productivity in labour (better jobs), relying on an economy based on knowledge, the stimulation of cohesion on an inclusive labour market was added. The point is that the growth in unemployment rates due to the productive restructuring triggered by the internationalisation of the European economies was noted. So it was no longer a matter of mobilising the workforce to profit

from economic growth, but of improving the quality of employment and maintaining the levels of social cohesion of the European social model.

Three specific priorities have thus been highlighted: getting women into the labour market (or back into it); helping older workers to stay on the labour market; making work worthwhile.

The Commission likewise envisaged a better government of the EES by means of a greater participation by the social partners and the civil society, the rationalisation of the strategy thanks to other processes for the co-ordination of the EU policies (economic policy), and the improvement of the effectiveness of the services responsible and their implementation.

It is in this developing context of the EES that we need to set the opinions and analyses by the trade union organisations assembled in this report.

First of all it is highly positive to observe that all the countries concerned tend to support the reformed version of the EES and its ten new guidelines. As will be the case throughout this report it is crucial to point out, however, that this study has highlighted two general trends of support for the EES across the EU. Notwithstanding specific exceptions, we find a first trend in the new EU Member States, supporting the EES

with a view to further developing their national social dialogue structures and processes, whilst a second trend is seen in the fifteen initial Member States.

The traditionally low impact of social dialogue in countries such as the Czech Republic and Slovakia has led them to welcome the EES. Although the ten EES guidelines cannot be said to be in complete cohesion with the needs of these new developing market economies, regulatory issues do seem to have superseded those of content and have found fervent supporters amongst union representatives. It is also interesting to see that this support is further reinforced in new Member States such as Malta and Cyprus, which already have strong traditions of social dialogue.

One of the positive advances allowed by the EES is the encouragement of tripartite dialogue in Estonia. In the social sphere, progress was made in 2003 on the payment of unemployment benefit. Conversely, the government is in the process of disinvesting sharply in human capital.

In the second trend, which is found in the older Member States, opinions seem to be more critical towards the definition and follow-up processes of the EES. Some positive aspects and some criticisms have been raised:

In their analysis of the 2003 reform of the European Employment Strategy,

which they welcomed, trade union organisations highlight three dimensions:

1) The reformed strategy is seen by the Irish trade union organisations as better reflecting the strategic objectives and priority concerns of the social partners with respect to the social and economic development of Ireland. The reformed EES complements the recent national agreement between the Irish social partners entitled "Sustaining Progress". The capacity to build a relevant strategy for Member States must none the less not mask the enormity of the challenge of its interpretation and implementation.

2) Danish trade unions look positively on it, and support the will to refocus the strategy on the basic structural questions facing European labour markets. They support the concrete objectives and the medium-term perspective proposed in the revised strategy with particular attention for implementation and impact.

3) Belgium, for its part, emphasises how the switch to a three-year cycle in the revised employment strategy will make it easier to tie in with the cycle of inter-branch negotiations that take place in this country.

One of the strengths of the EES is to allow co-ordination of the different

policies with an impact on employment even if the exercise sometimes seems overly formal.

One of the positive aspects that emerge in a number of countries is the co-operation between the social partners and government, a co-operation which is created by and through the process. The clear objectives and target figures to be reached for research and development and training undoubtedly offer added value, as a link between economic and social policy once it is established.

More concretely, however, most national unions agree that the reformed EES has created greater coherence within national employment policies. This is described in various ways in different Member States.

The new Member States clearly identify a positive aspect in the fact that more importance has been given to active employment policies and better attention has been devoted to vulnerable groups, such as young workers, women, long-term unemployed and older workers. This is particularly the case in the Czech Republic and Slovakia.

Malta and France highlight the fact that the exercise of drawing up the National Action Plan (NAP) has indeed helped develop an integrated national

view of national employment policies and has led to the creation of national targets.

Cyprus notes that a research project will be set up in 2005 by the social partners in order to analyse possibilities for creating more flexibility in the market. The results of this study should enable the social partners to engage in constructive dialogue with a view to preparing 'pilot implementation' of the proposed changes. If successful, this pilot project will lead to a greater reform of national legislation.

This positive evaluation is none the less matched with greater vigilance, particularly in the case of the Italian trade unions, which are concerned by the ambiguity that can remain behind certain concepts owing to the different interpretations made by various actors. For example, the concept of an inclusive labour market can be perceived differently by employers, public institutions and unions. The concept of quality in work, moreover, suffers from a lack of clarity. What does it really mean for each of the partners?

These positive aspects become more critical when they refer to unions' participation in monitoring application of the EES at national level.

All countries agree on the lack of the social partners' involvement in the definition and follow-up of the EES.

In France the situation on these issues still seems to be more worrying. Two main French unions declare that they are not involved at all in these processes. They note a decline in tripartite discussions in the scope of the EES and great difficulty reactivating bipartite activities. As a result, the situation seems to be rather negative. The social partners state that they are not consulted on activities concerning the EES, leading to their total absence from the EES monitoring process. The lack of willingness of employers' associations to participate in such actions is highlighted by both the UK and France.

However, other Member States welcome the reassertion of the role of the social partners in the revised version of the EES, although they do call for this participation to be further guaranteed. Although the new guidelines have helped clarify the role of the social partners, they have not helped strengthen social dialogue at national level. Most countries call for a more effective way of ensuring that this is done.

This participation, which primarily involves the definition of the main objectives of the strategy, and which can be considered real involvement, is strong in Belgium, Denmark, Finland and Sweden. It is also considered significant in Ireland, while in Italy, in spite of a tradition deeply rooted in the country's contemporary history, it

appears to be more problematic owing to today's political context in the peninsula. It is simply deemed too formal in the Baltic States, even though in this case the process is still in the construction stage.

In Belgium, trade unions are systematically consulted on employment issues, in particular through the National Labour Council. The same holds for Finland and Denmark, where the social partners' participation in the process is considered satisfactory by trade unions. They play a significant role in the development of the NAPs, to which we will return. In both countries, the unions are determined to be involved in the process as a whole. A report is thus drawn up on the measures implemented.

The case of Denmark offers a good example of an employment policy relying in particular on the active and committed participation of the social partners. The general perception of players in this country is that they are a step ahead of the EES (this is recognised by the Commission and by certain countries, like France) and of other Member States as far as employment policy is concerned. For the Danish social partners, the role of the national governments is to define clear policies and objectives at the national level which are mirrored at European level. *"In the view of the social partners, their involvement in the reform process will produce sus-*

tainable results. It is vital for the realisation of the objectives in the employment strategy and the Lisbon process to focus on the results obtained and to increase the focus on the Member States which have actually carried out the reforms necessary to obtain the objectives for full employment, quality in work, increased productivity and making it possible for everyone to find a job."

For Denmark's social partners, the impact of the EES on national and regional/local employment policy is not obvious. The most recent findings even tend to show that it is extremely limited². Danish employment policy, and in particular its activation measures, were developed before the Luxembourg process got under way. Conversely, it is clearly established today that the Swedish model, and to a lesser extent the Danish model, were used by the European Commission in preparing the EES³. Adjustments to Danish employment policy linked to the development and under the influence of the EES can, moreover, be identified through the process of development of the NAPs and the recommendations drawn up by the European Commission. Danish trade unions attach great importance to ETUC's commitment to this

process at European level. ETUC must play a central role in order to guarantee maintenance of the social dimension and an approach based on "flexicurity" in European labour market policy.

Trade unions in Finland attribute certain weaknesses in participation to the fact that workers are not sufficiently familiar with the EES and that their government is not fully committed to the process. The Danish model seems to interest the government more than the EES or the Open Method of Co-ordination (OMC).

According to the initial results, the unions seem to have problems in taking on their role in the EES and more particularly within the multi-level employment system. Most of them tend to state that they are not happy with their national policy on employment or the role granted to the social partners at the national level. The reformed EES thus produces a paradoxical effect: on the one hand, it is indeed welcomed by the majority of the unions, who hope that it might reinforce their role, and on the other, by creating a multi-level employment system, it seems to result in a further

dilution of their actions. Even though the EES and its monitoring process have made it possible to reinforce the transparency and information on the content of the national employment policy, to the benefit of the social partners, it has equally set in place a multi-level system within which the responsibilities are even more vague. The unions therefore call for better clarification of the issues around "responsibility" in the guidelines. However, it needs to be noted that the national unions do not seem to have created the conditions for a positive reflection on their role and their responsibility with regard to this new multi-level system.

At this stage, we can unfortunately do no more than record that the national unions have taken no imaginative measures in terms of the ownership of the EES.

So apparently there is a need to raise awareness and to provide training for union actors in national employment policy on the link between the national and European levels so that the EES will become a real part of the employment dynamic at national level. The present situation seems rather to indicate a gap between the EES and the real union policy being pursued in most of the "older" Member States.

² M. Mailand, The European Employment Strategy-local and regional impact in Denmark, Paper for the Etui/Universidad Complutense de Madrid seminar: The regional and local dimension of the EES, Cordoba, 17 October 2003.

³ A. Larson, What can we learn from Denmark? in Schmid, G & K.Schömann (Eds), Learning from Denmark. WZB Discussion Paper. Berlin, 1999.



3. National Action Plans – Strategic tools or mirrors of national policies?

In its questions on the usefulness and suitability of the NAPs, the questionnaire once again reveals the presence of two different trends across the EU.

Most of the older Member States can be grouped in the first trend, which sees the NAPs not as strategic tools for the advancement of national employment policies, but rather as tools for the translation of national policies into European employment guidelines. In the case of France, we see that the unions consider the NAPs as a “fit” between national policies and the guidelines. There are two main reasons for this situation: union representatives highlight the fact that the times and places where national policies are decid-

ed do not correspond to those of the NAP. In the case of the UK, union representatives are quite clear in stating that the EES has a very low profile at national level, and therefore a virtually non-existent impact. Unions also point out that national parliaments are often not informed on the content of the NAP. The exercise seems to be confined to certain technical branches of employment ministries. This makes it quite clear that an integrated vision encompassing national employment policies and the EES has not yet been developed. National governments in the older Member States do not seem willing to develop this strategy and tend to remain highly sovereign on the strategic decisions to take in the field of employment.

The second trend, however, shows quite a different picture. In the new Member States, governments seem to have used the ten guidelines of the EES to build their own, so far non-existent, employment policies. It also represents a plus in the future Member States like Romania, which has started taking part in the process even though it is still only in the process of joining the EU.

This should be seen as a step forward for these developing market economies. Unions in Malta, however, are in no hurry to apply this strategy. Although the EES has contributed to a more coherent and integrated national employment strategy, the unions argue that the EES seems to have become an end in itself, rather than a guidance process fitting into a comprehensive national philosophy. Certain guidelines applied in their raw state have contributed to a shift in certain unemployment paradigms. According to the unions, as a result of the activation guidelines, unemployment issues have a lower profile than before. The activation guidelines have brought about an ideological shift in which re-employment becomes the sole responsibility of the individual rather than a shared responsibility of government and individuals. Although this criticism had already been made elsewhere in respect of the guidelines as a whole, the phenomenon is now spreading to

the new Member States. As a result, union representatives are concerned that the guidelines may give wider legitimacy to support for more liberal policies by governments and employers' associations.

In general, however, there seems to be a consensus by unions in all the Member States that not enough union actions have been developed to counteract these trends.

The main criticism highlighted by the majority of respondents, in particular by the Portuguese, is the lack of a formal link between employment policy and economic restructuring, and therefore of common actions by the social partners and government. The UK reinforces this view by underlining the almost total absence of national support for job creation through active industrial policy. Change in this area seems to be given a rather low profile in most Member States.

Although a social cohesion law was recently passed in France, the unions do not detect any real strategy aimed at combining economic policies and investments with employment policies establishing competences and social guarantees. There have been no discussions between the social partners and government over combining a labour market structural policy with a job creation strategy.

3.1 TRADE UNIONS' INVOLVEMENT IN DESIGNING THE NAPs

The issue of responsibility is one that often crops up when debating the EES. Following the different decentralised seminars held for the purpose of this study, a good deal of confusion still seems to exist on these issues. Although national governments all agree on retaining full sovereignty in the field of employment, trade unions tend to expect a lot more from the EES. It is important to remind all actors that the EES is limited to putting out guidelines for use at national level and giving general strategic directions. The open method of co-ordination gives the national level full responsibility for the EES. The EES gives added value to existing national employment policies. It is crucial to understand that by no means does it aim to replace the latter. Responsibility for the EES therefore falls squarely on the national level, and more specifically on the social partners. Since the national governments express their views when defining the EES in Council, it is the role of the social partners to follow up, implement and monitor the EES at national, sectoral and plant levels. A lack of actions by the social partners logically incurs a lack of general advancement of employment policies as a whole. We also observe that in countries where trade unions are least critical of national employment policies the EES tends to

have the least impact. Trade unions, therefore, are called upon to play a much more active role to help give the EES a national impact. Responsibility should therefore be recognised as lying at all levels in all the Member States. This does not seem to be the case, however, in most of the countries studied. French union representatives recognise that they have no involvement whatsoever in preparing the NAP. There are two main reasons for this absence: first, it is crucial to understand that the social partners are traditionally not consulted on national employment policies. As we explained above, since the NAP represents a transposition/an adaptation of national policies to the guidelines, the social partners are not consulted on the NAP either. The only discussions between the social partners and government on preparation of the NAP take place during official conferences which do not facilitate informal talks on the matter.

The second reason given by the French unions for a lack of consultation on the NAP is somewhat more problematic. Unions state that government takes unions' declarations, made in the course of collective bargaining exercises on specific issues, and fits them into the different guidelines as the social partners' opinions. Although this does

indeed give an overview of what is happening at national level between the social partners, on specific employment issues it does not reflect the social partners' formal opinion on the NAP itself. This clearly indicates that some unions, and the social partners overall, do not participate in drawing up the NAP at all. This makes us wonder whether the social partners are involved at all in the whole EES process.

In Ireland, the trade unions make no secret of their dissatisfaction with the content of the NAP⁴. It does not represent a real strategy for change, to the great dismay of the unions, which regret the overly mechanical nature of the process and say this results in undeniable weaknesses. Areas such as lifelong learning, child care facilities and the inclusive labour market are not sufficiently taken on board. The procedure for consulting the partners is clearly identifiable but lacks vigour. It is an annual reflection process that is focused solely on existing policies. It is not a relevant instrument for influence or change.

In other cases the situation seems to be only marginally better. Some countries, such as Portugal, the UK and the

Czech Republic, note that they are indeed involved in their own national tripartite body which is in charge of putting proposals forward with a view to preparing the NAP. Most, however, express their doubts as to whether their opinions are truly taken into consideration when drafting the final version of the NAP.

In Lithuania, the social partners were not involved in developing the NAP for 2004. They were informed about it within the Lithuanian Tripartite Council. For 2005, the Lithuanian Confederation of Trade Unions has clearly expressed its wish not to be merely informed but to be actively involved in developing the plan from the start.

The unions bring to the fore the limited financial resources available for implementing genuine employment policies at national level and for organising a real social dialogue in the Baltic States. Latvian trade unions do not have the human resources or sufficient expertise to carry weight in the consultation system. Owing in particular to the low membership levels in unions in this country, particularly in the banking sector, their participation in national tripartite negotiations is quite formal.

And the other actors are not very dynamic. The government is not particularly active on employment issues and there is a clear lack of co-ordination in national employment policy, which owes its existence, moreover, to the EES. The situation in this country seems particularly worrying, considering that the minimum monthly wage is only 120 euros. In this context, employment, continuing training and lifelong learning are hardly an investment priority for the public powers.

In Estonia, the trade unions want to see a closer link with regional employment programmes. Unions' views do not seem to be taken duly into account and social dialogue remains very formal at enterprise level.

According to Estonian unions, the NAP should be financed by the ESF and the unions should be more actively involved.

It is also interesting to see that in the Member States where specific forums exist for discussion of national and European matters, the social partners do not always seem to be satisfied with the outcome. This is the case in Malta, where trade unions express dissatisfaction with the Malta Council for Economic and Social Dialogue. Although they underline the importance of such a forum, to enable the social partners to express and exchange their ideas, their

criticisms concern the weak links between this Council and official government ministries, which does not allow the effective transfer of opinions.

In other cases, the trend is quite different.

Cyprus explains that a specific tripartite body has been established to facilitate discussions on European issues, and therefore to develop the NAP. The social partners are consulted, within this body, on the first and final drafts. Union representatives explain that the final version of the NAP fully reflects the discussions and exchanges of ideas between the social partners.

It is important to highlight that union representatives declare that implementation of the NAP is left to the social partners in Cyprus. It is considered their responsibility. This represents an isolated case so far within the EU.

The social partners in Cyprus are also involved in the process through their participation in regular meetings organised in the framework of the National Employment Committee. This is an additional opportunity for them to assess and monitor the process overall.

In Sweden, it has been the tradition since 1998 to involve the social partners in the development of the National Action Plan. The social partners' contri-

⁴ Irish Congress of Trade Unions, *Submission to the National Employment Action Plan 2004-2005*, Dublin, 26 July 2004.

bution is made autonomously before being incorporated, with slight changes to make it compatible with the NAP structure. In the more recent period, the social partners participated jointly or specifically in the development of the NAP 2004.

In Belgium, Finland and Denmark, the NAPs co-ordinated by the ministries for employment are finalised after a phase of prior consultation of the social partners. This participation is none the less variable in the three countries.

In Belgium, the NAP constitutes an exercise in which unions enhance the value of the actions of the government, which uses the process to draw up a positive assessment. There is undeniably a "public image" effect being sought, which corresponds to a rather general consensus by the different actors concerned. There is a tendency towards self-satisfaction in Belgium, with only the positive aspects being put forward, even in the report drawn up by the social partners. Unions admit that the current political context does not really enable them to challenge this highly consensual approach, which is characteristic, moreover, of Belgian socio-economic policy of recent years.

The NAP none the less represents one of the positive elements of the EES in

that it obliges the social partners and the government to engage in discussions on somewhat sensitive subjects such as the problematic issue of the end-of-career period.

The Belgian NAP, which is the result of consultations between the federal authorities and the three regions – Flanders, Brussels and Wallonia – which share considerable powers in the field of employment with the federal level, includes an annex entitled "*The Contribution of the Federal Social Partners*". One of its chapters is entitled "Good governance and partnership for implementing the employment guidelines". This annex reviews the 2003 inter-branch agreement in relation to the EES.

The entire contribution of the social partners is appended to the NAP 2004. The contributions of the social partners, compiled into a single document, are therefore taken into account in the process of drawing up the NAP. Passages from this joint contribution were incorporated into the NAP 2004. This contribution by the social partners, which also includes the position of the regional social partners, is forwarded to the European institutions.

As one of the stages of the process, the National Labour Council (CNT), created in 1952, issues an opinion on the social partners' contribution to the NAP.

Employers' organisations show little interest in the process, however. The fundamental question trade unions should ask themselves, therefore, is whether they should continue to present common opinions to keep up a façade.

In Denmark, the unions are involved in the entire process, to their great satisfaction to date. They have contributed to a number of aspects of the NAP, which are clearly the government's responsibility. Denmark has a special EC Committee on the Labour Market and Social Affairs within its international department at the Ministry of Labour, charged with managing the process. The government must therefore assume responsibility in terms of content and the social partners do not generally approve the plan. The unions were therefore very critical of the lack of ambition on extending working life for older people. And they always reserve the right, in the event of disagreement with the government, not to take part in the process.

The social partners present their contribution in a paper that is appended to the NAP. "*The social partners also contribute to setting targets in relation to the employment guidelines and their implementation. The involvement of the social partners is an integral part of the Danish labour market model.*" The social partners have been invited in particular to contribute to the description of the activities in

the NAP carried out with a view to implementing the guidelines. They have also had the opportunity to work in the question of partnership in connection with implementation of the employment guidelines. The introduction of this annex does not state whether this is a joint opinion of the social partners or whether employers and unions express their views separately.

More globally, the process of drawing up the Danish NAP has not so far constituted a top priority for actors concerned with employment policy or for the social partners. During the early years of the EES, the national labour market authorities and the Multipartite National Employment Board played no role in the NAP. More recently, the NAP has been placed on the agenda of the National Labour Market Board, which perhaps represents a step towards greater account being given to the EES. Parliament's role is also limited, although that could now well be a thing of the past. This lack of commitment by the partners to the process stems in particular from the fact that the NAP is considered a government plan, and not a plan of the "nation" or of society as such.

In Italy, the social partners have been involved in discussions on the NAP since the process was first kicked off at the end of the 90s. The social part-

ners contributed a joint paper that forms part of the Plan, for the first time ever. The paper outlines their views on the actions they conducted during the reference period, but also lists the subjects on which they keep an independent approach compared with the structural reforms announced by the government. The main merit of this joint contribution by the social partners is to make known to other European players the consultation and negotiation actions conducted by the Italian social partners and the state of industrial relations in Italy. The government has, none the less, de facto limited the scope of this common contribution by reducing the process to its purely formal dimension. The final paper merely lists, in a great surge of optimism, the actions that still have to be implemented.

In Luxembourg, the framing of the National Action Plan is inserted into

the country's general tripartite institutional framework. In this way, the trade unions participate in the NAP as part of the 'Permanent Committee for Employment', the 'Tripartite Co-ordination Committee' and the 'Consultative Committee on Vocational Training'. Moreover, the trade unions participate in the government delegation, which represents the NAP in Brussels. The tripartite committees are also the forum in which the discussions are held on the recommendations formulated by the European Commission.

The replies from Germany indicate that the DGB deems the consultations carried out by the federal government to be appropriate and adequate. The DGB has drafted an exhaustive position paper on the draft NAP with examples for actions by the social partners on their own and jointly, which have been partially taken on board.

3.2 RECOMMENDATIONS – UTOPIA OR CONCRETE REALITY?

The issue of recommendations is one which often remains uncertain. The regulatory nature of the EES does not allow formal evaluation of the application of recommendations. The open method of co-ordination, established with a view to further enhancing European co-ordination of employment

policies, gives the Member States total sovereignty over decisions. European institutions therefore have very little power to monitor application of their recommendations to Member States or to sanction its absence. Once again the guidelines give a pivotal role to the social partners as the only actors in a

position to monitor this process. The respondents whose views are outlined in this report none the less tend to give a rather pessimistic picture of national follow-up on recommendations. Quite understandably, the new Member States will not be included in this part of the analysis. Time has not yet allowed them to reach the recommendations stage.

In the older Member States, however, the general trend seems to be one of disinterest. In the case of France, union representatives explain that recommendations only get a response if they fit into an existing national employment strategy. If this is not the case, recommendations tend to be disregarded and do not give rise to any further discussion by the social partners or in tripartite forums. The low-key approach adopted by the UK towards the EES leaves the recommendations on the sidelines. Respondents explain that the fact that the UK already complies with the Lisbon targets seems to give the government a rather firm approach to the recommendations.

In the case of Portugal, respondents identify increasing efforts by both government and the social partners to take the recommendations into consideration:

In the last few years the Portuguese government has shown a will to identi-

fy and explore national employment needs, in accordance with the recommendations. Yearly reports have been drafted and further targets have also been established to respond to the recommendations.

Portuguese union representatives add that talks are taking place at the moment and that discussions might open between the different actors in the course of 2005 on the subject of recommendations.

In all the countries covered by this report, this seems to be the aspect of the EES on which there is the least significant advancement. The non-binding nature of the recommendations addressed by the Council to the Member States undoubtedly constitutes a plausible explanation. Another contributory factor is the lack of a culture of evaluation of public policies in Europe. At national level, there is often no follow-up or systematic evaluation of numerous employment measures.

In Denmark, the recommendations issued by the European Commission are sometimes debated publicly. They are often worded so weakly, however, that they have little impact on the government's action. The Danish parliament none the less seems to attach more importance to the EES to the recommendations, which could augur a change in the future.

In Ireland, the trade union congress has criticised the very limited follow-up action given to the European Council's recommendations, with the result that fundamental questions have been placed on the agenda for years without any real progress being made. On issues like child care facilities and lifelong learning, there is little consistency in the actions of the different ministerial departments concerned. The social partners turn in a report on their joint activities during the development of the NAP.

In Italy, while the social partners actively participated in the development of the NAP and were able to express their views, the aspect of evaluating proposed measures remains insufficient and purely formal. Measures are often given a great deal of publicity without there having been any real study of the feasibility of implementing them. A particularly telling example of this situation is the 2001 law on the reduction of non-declared labour, which has given mediocre results.



4. On trade union actions and initiatives and their impact on social dialogue

This part of the questionnaire focuses on evaluating national trade unions' actions with regard to the EES. On the eve of the mid-term review it is crucially important for ETUC, which represents unions at the European level, to be able to identify whether national trade unions support the EES at national level by taking their own initiatives. As regards what has been developed above concerning the regulatory mode of the EES, and therefore the open method of co-ordination, this process is extremely important to the advancement and further development of the EES. The dynamism of the EES lies in the hands of national actors. It is therefore vital that national social partners provide

feedback. This role should indeed be considered as one of the social partners' main responsibilities, in the context of the EES, to permit further development of social dialogue at European level. It is a key point to make the EES more dynamic and avoid the *status quo*.

Accordingly, it is important to insist on the need for autonomous bipartite dialogue at national level. The political involvement of certain national unions prevents them from airing their individual views on the EES and therefore does not allow such a feedback process, from national to European level, to take place efficiently. To this effect the third part of the questionnaire aims at evaluating what should be established in

order to ensure that the EES reinforces social dialogue and trade unions' actions at national and European levels. In the light of the responses, a consensus emerges on the fact that the Lisbon strategy seems to have intensified or stimulated unions' actions at national level.

The case of France is an interesting one. Respondents explain that social dialogue in France has indeed been stimulated by European activities. They add, however, that this stimulation is more the result of the Lisbon Strategy in general and the Employment Title (V) of the Maastricht Treaty than of the EES *per se*.

The agreement of all Member States that employment issues should become a 'matter of common concern', as stated in the Treaty, has indeed led to a consensus on the need for an increased role for the social partners. The social partners, therefore, are said by some to have experienced greater recognition as a result of European activities, although no further influence is observed in the context of the EES.

But the French case is not an isolated one. Portuguese respondents also seem to observe certain progress made in respect of recognition of the social partners. In their case the EES seems to be more efficient in the sense that it gives more weight to employment and training issues. This phenomenon seems

to have helped give social dialogue a greater role. In this case the EES is seen as providing an essential tool for union demands. It has been particularly useful in developing a concrete link between national and regional employment policy in Portugal.

In Finland, while no new policies have been adopted as a result of the EES, the latter has had an influence on national debate by strengthening certain existing policies that have long been defended by unions, for instance, the promotion of continuing training for workers and the development of more effective and active employment policies such as those at the heart of the EES and its guidelines. For the unions, the qualitative dimension of training cannot be masked by quantitative aspects.

In Ireland, the combination of the EES and of the national plan, 'Sustaining Progress' has given the social partners opportunities to co-operate on joint activities on a wide range of policies. However, the recurring difficulty is to take the process beyond pilot projects to identify obstacles and future strategies.

In the case of Ireland, national social dialogue ties in with the EES in at least three areas:

- reconciling professional life and private life

- combating racial discrimination at the workplace
 - promoting employment for the disabled in the private sector through an initiative named "Workway".
- Successive national agreements have been reached on the question of reconciling professional and private life, and have had implications for several of the EES guidelines. Two "Equal" projects and an "Interact" project conducted by the social partners identified and explored ways and means of implementing and promoting the objective of balancing career and private life.

In Denmark, trade unions have put pressure on the government on the question of the extension of working life, trying to oblige it to take a number of initiatives. The Danish social partners have placed this question at the heart of their consultation and negotiation, while pressuring the government on the issue. In contrast with Belgium, Denmark agrees with the EU's recommendations on early retirement. There are too many tax and wage incentives to achieve a significant reduction in early retirement. The pressure is clearly on employers and the government, but an agreement has been reached to favour flexible access to early retirement.

In Belgium, the social partners' action programme is not really placed in parallel with the guidelines, with the exception of guideline 3 on reconciling pro-

fessional and private life. The career pause system is currently being studied by the National Labour Council.

On lifelong learning, social dialogue predated the EES and this issue is primarily negotiated at sectoral level. The social partners have their own competence on matters of continuing training for workers, which enables them to act independently on this issue by pursuing a genuine training policy adapted to the needs of enterprises and workers. For years, the social partners have put in place specific funds to guarantee continuing training. Every two years, a vocational training standard is set at inter-branch level and at other social dialogue levels. The agreements are strictly in keeping with the framework of the EES. Training is nevertheless seen by employers as a cost that puts a strain on the company's financial results, rather than an investment making it possible to anticipate the future needs of the company and of the market.

On early retirement (guideline 5), Belgian trade unions stress that this measure is often the only way workers can be protected in cases of company restructuring. If abolished, what alternatives will there be and what solutions will provide protection against the job losses caused by restructuring? In any case, employers are on the offensive, aiming to push back early retirement age to 60 from its present

level of 58 years, without addressing the real issues to which employers attach insufficient importance, such as health, safety, training and the wealth of experience of older workers. A tripartite conference on the end-of-career period is planned within the next few months to come up with solutions acceptable to all the partners. The government is confronted with the problem of one of the EU's highest unemployment rates for older workers and is pushing the social partners to find a solution through their dialogue. In reality, though, it is particularly difficult for a worker over age 50 to find a job after becoming unemployed due to shutdown or restructuring (downsizing).

The "flexicurity" policy implemented in countries like Finland and Denmark is given a positive assessment by trade unions, particularly in the area of life-long learning.

The guideline on increasing equal opportunity is one to which decision-makers seem to attach particular importance. It is deemed very positive by Latvian trade unions. The question of the balanced development of professional life and private life incorporated into the guidelines should be developed in greater depth.

On the other hand, certain points are clearly problematic because contradic-

tions emerge with the objective aimed at achieving full employment.

The pressure on pension systems is obvious in all countries, but to varying degrees depending on the government agenda for developing measures to address the problem. The lack of action on job creation and the almost general priority given to employability and tougher controls on the unemployed are coming under fire from the trade unions. The concept of quality in work, which came to the fore following Lisbon in 2000, has been watered down.

We will conclude this overview with the case of Italy, where trade unions are sending out warning signals over the instrumentalisation of employment policy and the weakening of the effectiveness of the EES in the country. More specifically, no link has been established between the Italian NAP and the European social partners' joint work programme and the process being pursued by the government seeks first and foremost to change the consultation system along neo-liberal lines.

Reinforcing the existence of two different trends in the Member States, the newcomers all observe that the EES has had a legitimising role for the social partners at national level.

The Czech and Slovak respondents explain that the EES has helped sup-

port unions' objectives at national level. As a result, the social partners have been able to use specific guidelines to justify their existing demands.

Cypriot respondents agree that the EES has had a highly supportive role for union actions. It has helped to reinforce tripartite dialogue and has stimulated work on common standards and approaches. It is regrettable, however, that the EES has so far had no detectable effect on encouraging the development of autonomous bipartite social dialogue.

Malta's recent participation in the EES has revived the old national debate on the creation of a unified trade union confederation. Maltese trade unions have long been divided along bipolar lines. The General Workers' Union (GWU) and the Confederation of Malta Trade Unions (CMTU) represent the two main trade union confederations on the island. Political divergences were originally at the heart of this division, but the situation has evolved greatly in the last decade.

Participation in the EES can be said to have renewed discussions between the two confederations. A major round table was held at the end of 2004 between the different confederations to discuss the possibility of drawing up a national social pact.

Although the talks did not lead to a concrete agreement, they should certainly be welcomed as the first step towards increased coherence between trade union organisations.

John Monks' visit to Malta in June 2004 triggered reflection by unions on the possible creation of a general trade union confederation grouping all national unions. Though still at an embryonic stage, this process is said to be the result of participation in the EES.

In Latvia, employers do not want to put social issues on the agenda as part of social dialogue, but rather economic questions. In legislative terms, the liberal model seems to be the rule, with the State assuming minimum responsibility and great importance being given to the use of agreements through social dialogue. Employers can impose their point of view in this dialogue given that trade unions are in the midst of a restructuring process. Trade unions are demanding first and foremost clear ground rules and much more specific and detailed recommendations. Changes have been under way since Latvia joined the European Union, however. Tripartite discussions are taking shape and the government seems to attach greater importance to such talks, even though it often informs actors at the very last moment, particularly for finalisation of the NAP. The European Commission's

recommendations on employment policy unquestionably have an influence on Latvian political authorities.

In Estonia, dialogue is too often limited to the national level alone and employers' participation in talks on employment issues is very weak. The lack of a culture of partnership, stemming from the country's contemporary history, is clearly felt. Social dialogue is all the more difficult because the right-of-centre and liberal government

pays little attention to it. The EAKL considers that the State is trying to limit its responsibilities for investment in human resources by developing only vocational education institutes. There have apparently been no concrete measures to finance lifelong learning for the labour force. The EES is none the less having a positive impact on dialogue between the social partners because of the new consultation and negotiation prospects it encompasses.

4.1 PROMOTION OF THE EUROPEAN SOCIAL PARTNERS' WORK PROGRAMME: SOME NATIONAL EXAMPLES

Amongst the different initiatives presented to describe trade union actions to promote directives included in the European social partners' work programme, at least the following are worth highlighting.

In France it is interesting to note that trade unions have been actively involved in the 2004 negotiations on lifelong learning and gender equality. Both have had positive outcomes. They are currently in the process of being put into practice. During the second negotiation process on gender equality, trade unions managed to get an annex added to the collective agreement, which clearly sets out European quantitative objectives.

In European discussions between UNICE and ETUC, French trade unions were actively involved in negotiations relating to labour market reform, by:

- promoting an employment logic
- defending management of employment planning
- proposing an individual right to training for redundant workers
- asserting that social dialogue should take precedence over rigid government procedures.

Although the outcome of this negotiation was not positive, some of these

suggestions have been included in the new legislation passed on 20 December 2004:

- the need for the anticipated management of redundancies
- the need for increased social dialogue
- the individual right to training for redundant workers.

The right to individual training for redundant workers is mainly aimed at the situation of workers in small and medium-sized enterprises. This right to training finally gives them the same rights and benefits as those enjoyed by workers in bigger companies.

In Portugal, in the course of 2003 and 2004, one of the main Portuguese trade union confederations, the Uniao Geral de Trabalhadores (UGT), took the initiative of designing and establishing a "model contract" for collective bargaining activities.

The objective of the "model contract" is to prepare trade unionists for the new legal context for collective bargaining and the new labour code, introduced by the legislation passed in December 2003.

The new "model contract" also introduces innovative employment clauses

enabling workers to respond to different challenges such as:

- attaining the right balance between flexibility and security
- enhancing the quality of jobs
- promoting gender equality at work
- promoting work for disabled people
- promoting lifelong learning
- promoting active ageing.

The “model contract” thereby establishes a framework for negotiators, based on the European social partners’ work programme.

Following on from the “model contract” initiative, all the Portuguese social partners have also reached a bilateral agreement aimed at making collective bargaining more dynamic in Portugal.

In the case of Cyprus, the Cyprus Human Resources Development Authority (CHRDA) has recently undertaken a far-reaching study of the national labour market. Its aim is to evaluate the market’s potential flexibility and possibilities for further creation of jobs.

Since the CHRDA is a tripartite institution, all actors are involved in this research work. As explained above, the social partners will have a key role to

play in developing the “pilot implementation” of the proposed changes. Once the results of the “pilot implementation” are known, the social partners will be involved in the corresponding legislative reform.

The promotion of employment among the Turkish Cypriot population in the free areas of the Republic has also been a major concern of the trade unions. A joint attempt is under way, between the Greek Cypriot and Turkish Cypriot trade unions, to promote the rights and interests of Turkish Cypriot workers.

For Belgian trade unions, there does not seem to be a direct link between the European social partners’ joint programme and national employment policy or at least it is not perceived, when the joint programme should be seen as a simultaneous activity at other levels.

The European-level agreement on distance working signed on 16 July 2002 is implemented on a voluntary basis. The national social interlocutors have made an undertaking to apply it nationally not through a Community legislative instrument but in accordance with national procedures and practices specific to the social partners in the Member States⁵. The concept of a volun-

tary agreement – whether it is binding or not – is also interpreted differently by unions and by employers. The discussion on transposition is still under way. The voluntary nature emerges clearly as a step backwards compared to the tradition of collective bargaining in so far as employers see the concept of a voluntary agreement as an opportunity to fall into line with the smallest common denominator.

In Denmark, an internal debate has been held with member organisations on the European social partners’ joint programme. For these organisations, the revised EES has little impact on national social dialogue in terms of strengthening it.

In Finland, an agreement with employers was reached on the following initiatives for the 2005-2007 period:

1. Promoting adaptability, particularly with regard to the restructuring of companies, through an individual redeployment programme for workers made redundant for reasons linked to the functioning of the enterprise.
2. Combating undeclared employment.
3. Promoting equal opportunity at the workplace and continuing vocational training.

Tripartite negotiations and social dialogue form part of a strong tradition in Finland and the EES has little impact on national industrial relations.

Finally, in Italy, two points need to be stressed with regard to promotion of the social partners’ joint programme in national employment policy:

- the voluntary agreement on distance working
- the joint document signed by the Italian social partners on development policy in southern Italy.

The Spanish unions emphasise that the framework collective bargaining agreements have become the mirror of the EES and the social partners’ joint programme.

What they have is the “Acuerdo Interconfederal para la Negociación Colectiva”, concluded in 2002, a framework agreement for the negotiation of collective bargaining agreements, signed by the unions UGT and CCOO and the employers’ associations CEOE and CEPYME. The objective of this agreement is to provide some common criteria across all the collective bargaining agreements, irrespective of their field of application, whether at the national, regional, departmental or company level, for the following fields: wage policy, employment and organisation of employment contracts, flexibility, vocational training, equality of treatment in the workplace, equal opportunities between the genders, health and safety in the workplace. Provision is also made for some fundamental criteria in the

⁵ Ch. Degryse, *Dialogue social en 2003: transition ou stagnation?* in *Bilan social de l’Union européenne 2003*, Brussels, 2004, p.66

European framework agreement between ETUC and UNICE regarding distance working.

The Poles point to a series of initiatives and activities: however, it must be stressed that it is not a matter here of common social partners, but of trade union initiatives. What is characteristic in this context is that it is partly a question of self-help activities, which the union makes available to the persons concerned.

Solidarnosc stresses the following initiatives as being particularly important:

- support for the employment service for the development of standards for services;

- fight for the guarantee of early retirement payments;
- initiatives for the support of regions which are particularly threatened by unemployment and the economic crisis;
- demand for reinforced resources for an active employment policy – fight against undeclared work;
- one particularly important initiative is the Guaranteed Worker's Benefits Fund, which is used to save jobs.
- By way of self-help activities: 20 permanent union staff are available for all questions relating to employment, own offers of insurance for unemployed people, organisation of many 'job clubs', minders for the children of unemployed people.



5. Concluding remarks

In the light of the above findings, it is undeniable that the EES takes on a potential for union activity which has not yet been sufficiently exploited. The national confederations and ETUC itself give the EES considerable credit for having increased the political profile of employment at both the national and European levels, and also, due to their link to the Lisbon strategy, for having established targets making it possible to evaluate the progress. However, this opportunity has not crystallised into a sufficiently coherent union action at both the national and European levels, despite the work programmes agreed between the European social partners.

The reasons for this situation may relate to the following principal factors:

- mistrust on the part of the unions vis-à-vis the underlying liberal orienta-

tion of the economic and employment policy;

- difficulties in certain countries in linking an autonomous union action in the face of the low development of the social dialogue and the lack of interest from the employers' organisation and governments in employment policies;
 - the dominant role of the institutional relationship between the national governments and the Commission in the open method of co-ordination on employment, which leaves little room for joint ownership by the social partners;
 - poor understanding of the potential of the EES making it possible to inspire national union action for employment;
 - difficulties in linking a European union policy with the active participation of the trade union confederations.
- Despite these weaknesses, the report

has identified the existence of good practices illustrating the potential of a linkage between the union action at the national and European levels around the EES.

The experience of union participation in the development of the EES thus throws into relief three crucial points, which need to be taken into account in the evaluation process:

- the weaknesses inherent in the EES in its orientation and working methodology
- the shortcomings in the attention paid by the governments to the development of employment policies in order to achieve the Lisbon objectives
- the weaknesses of the union action itself.

On the first score, the application of the EES has demonstrated its value in reinforcing the visibility and the development of employment policies at national level, notably in the countries where such policies are less well developed, and in general, it has encouraged the rationalisation and co-ordination of the national employment policies, as a consequence of its commitment to the drafting of the NAPs.

However, the liberal orientation of the interpretations of employment which dominate in Europe has lessened the impact of the employment policy. The liberal orientations conceive of employment as being a variable which is subor-

ordinated to the evolution of the economy, and on which all that needs to be done is to promote the conditions for growth and support for the economic agents. Yet the facts have repeatedly shown that action on the productive factors does not necessarily yield growth, and that the latter does not necessarily imply an increase in employment. Given the standpoint of the employment policies, it is obvious that there is a need for intervention in the various transitional processes between the productive factors and growth, and between the latter and employment, to ensure that there is indeed maximum growth of employment in fixed economic circumstances.

The EES should have more of a direct impact on these aspects, in order to ensure their effectiveness. We often get the impression that we need to put a stop to the phenomenon of the complexity of employment through entirely disproportionate measures, given their low impact in terms of the results expected. On the other hand, the good intentions of the objectives set are liable to have little credibility in the face of the lack of visible results, in contexts of low economic growth. More energetic action on every aspect of the job creation process would surely deliver a greater involvement of all the players, driven by the suitability of the results achieved, and this would further help the creation of employment.

As to the open method of co-ordination, if we accept that employment is maintained as a national competence – thus ruling out any possibility of European regulation in the matter being imposed on the Member States – all that remains is to demonstrate greater rigour in the commitment in terms of employment.

The governments of the countries with a high rate of unemployment are admittedly anxious about this issue; they should therefore show more interest in an open method of co-ordination which is far more rigorous. Far from reducing their room for national action, this would reinforce their decision to act resolutely in this field in order to secure more obvious results. When the open method of co-ordination has been applied resolutely in fields such as security or external relations, the results have always been positive. In no case has greater open co-ordination delivered a lesser result. Surely the position would be the same in the field of employment. Greater discipline in terms of the suitability of the NAPs to the Lisbon objectives, more involvement of the economic, political and social agents in the framing, monitoring and evaluation of the results obtained would doubtless deliver more positive results.

Secondly, the framing of the NAPs must be rated as positive. Given that in many countries, there has never previously been a tradition of framing a national

employment plan, the contribution of the EES has been beneficial. However, much still needs to be done if the NAPs are genuinely to be the expression of the national strategies for employment policies, and if they are not to be confined to a simple formal procedure allowing people in Brussels to claim the achievement of the objectives that they themselves have imposed.

And it is not a matter of sheer formality: the point is that it is the countries with a real employment strategy that coincide with those who are making determined progress in terms of employment.

The progress achieved on the Lisbon objectives is obvious, but the problem is that it is insufficient, in other words, it is more a question of pace and involvement than of orientation. Because that is the diagnosis, the national governments need to step up their efforts, instead of dispersing their objectives, in particular in adverse global situations.

Union action can play a prime role if it is smart enough to capitalise on the development of the NAPs into genuine national employment strategies.

Finally, in the third strand, despite the interest of the unions and all the actions they are conducting on employment at the national level, there are problems in linking these actions into a global union

strategy on employment, integrated into the EES.

The union actions are certainly much richer and numerous than the union officials showed when they were asked to give concrete shape to the social partners' work programme in their country. This is evidence of a certain confusion among the unions with regard to the understanding of what the EES is.

The unions often think that the EES is an exercise in which the national governments have to report to the Commission, and which thus does not concern the unions directly, faced with a policy which is half European, given that it is not very binding. In general they tend not to be very aware of the national responsibility for employment policies, and they think that the EES is a way of reinforcing the national commitments, where the social partners form a key element.

It is true that the low level of co-responsibility which the governments give the social partners does not contribute to a greater involvement on their part. But it is equally true that the pressure in that direction is not too strong.

Just as we have commented on other aspects of the weaknesses of the EES in countries with greater involvement of the social partners, the NAPs provide a better reflection of the national strate-

gies and coincide with the more advanced countries in terms of employment, rather than vice versa. This should therefore be a stimulus towards greater union involvement in this process.

To clear up this confusion, it seems vital for European trade unions to be clearer in their message to national unions. It is important for national unions to understand that the EES provides added value to national employment policies and certainly does not replace them. The ten guidelines of the new reformed strategy do not cover every aspect of employment policy. Whether that is desirable or not is beyond the scope of this report; however, it remains crucial to highlight that these guidelines should be considered as additional measures and tools to advance national policies. Although the EES cannot represent the same advantages for all Member States it certainly brings added value to all. The identification of this added value by different levels and actors seems to remain problematic.

Although some of our respondents call for the open method of co-ordination to be more binding, it must be understood that the EES is not compulsory in nature and probably never will be. The nature of the open method of co-ordination leaves responsibility for the EES at the national level.

Within this context it is therefore crucial for the social partners to find their

place and role in this multi-level employment system and assume their responsibilities. The issue of responsibility is a crucial one for the creation of a dynamic EES. Each level of competences should thus be made clearer and more transparent and unions' actions more dynamic.

For the unions, the NAPs are an efficient and effective tool to create greater transparency and coherence within national employment policies. The NAPs should be better used by trade unionists to reflect national conflicts at European level. The dynamism of the EES depends in large measure on the social partners' full understanding of the NAPs.

In cases where the social partners are not traditionally consulted on national employment policies it is not difficult to understand that they have not been consulted on the strategic direction of the EES. The exercise of drawing up the NAP, however, offers an ideal opportunity to highlight these problems. Unions should therefore be allowed to provide their own contributions to the NAP.

The guidelines should also be made clearer on the need to further develop bipartite autonomous social dialogue, but also on the need to maintain a healthy level of tripartite negotiation. Unions should be involved at all levels to develop an integrated vision of the multi-level employment system.

Clearly, the involvement of the social partners and trade unions in the European Employment Strategy must be strengthened. In the new Member States, the unions are often the only partner defending a proactive rather than simply a formal approach to the process.

In terms of recommendations, certain organisations advocate, considering the positive assessment of the Kok report, that a direct link be established between the NAPs and the Lisbon Strategy. In Finland, where the Kok report made a strong impression owing to its supposed relevance, the accent is put on the fact that the EES should be strengthened to become a credible chapter of the Lisbon Strategy. There is a need to support the idea proposed in the Kok report of adopting national action programmes on the Lisbon Strategy, as well as the current NAPs, which would form a significant part of the latter. A debate needs to be opened on macro-economic policy, in particular on the integration of financial markets and the liberalisation of services, bearing in mind that the European model is specific and differs from the model of the English-speaking countries.

The EES should, moreover, be used to a greater extent as an instrument of debate and to reinforce workers' rights in a context of restructuring and relocations. Regional mobility should be

encouraged more extensively to favour employment.

When we speak of the impact of the EES, there is also a need to assess its democratic legitimacy, its capacity to involve a large number of participants in the debate and its ideological legitimacy as the subject of a pluralist debate, not one placed solely under the domination of neo-liberal policies. The Danish parliament seems increasingly interested in the EES, which could be a sign that it is gaining democratic legitimacy.

However, the absence of a binding framework in the EES, whereby the lack of initiative of certain governments could be sanctioned, gives Member States the possibility to disregard the EU's recommendations. Once again, this does not explain why the recommendations are in fact being ignored or why they are not firmly supported by all partners.

The challenge ahead is still more effective implementation of the EES based on strong action at national level. It is the national level, where social partnership has in many cases existed for a long time, that has to give decisive impetus to implementation. The problem of the revised EES is less one of form or content of the strategy than one of commitment by the Member States to its implementation. The EES is often used, as in Denmark, to give a positive image

of the government's action, whereas it should in fact be used as an instrument to promote the creation and improvement of jobs.

Action in the field of employment is first and foremost national and is perceived as such by the grass-roots union level in Belgium, for example. Europe, owing to the absence of noteworthy progress on social issues, comes across poorly to workers in spite of the information and training actions carried out by trade union leaders on the real contribution of the EES. Europe is a factor of mobilisation most often only in cases of total rejection of its proposals, such as the Bolkestein directive. In the case of the EES, it is often associated with sensitive national discussions such as the end-of-career period in Belgium or controls on the unemployed, and may be perceived – as in Denmark in the case of training for young job-seekers – as an outside element that distorts debate.

Overall, the process initiated by the EES seems to be too disembodied owing to its complexity. The Commission's knowledge of specific national characteristics is still spotty and it sometimes fails to give sufficient importance to the context and the national institutional structure. The need for a bottom-up process is clear. In the case of the new Member States, such as the Baltic countries, this attention to local realities must be even more sustained to avoid applying a

totally inadequate framework to the specific situation of these countries.

There is a need for more communication and exchange of opinions between the European and the national levels on practical arrangements, results and impact, which are often relative but real none the less, as a means of favouring its uptake by all actors and strengthening the democratic nature of the process. Why not develop an open method of co-ordination between trade unions in Europe to reinforce the tie-in between the social partners in the context of multi-level governance of employment?

That brings us to our concluding remarks on the legitimacy of the EES, which really must become an exercise in which all actors take part and not simply, as it has often been the case until today, a process limited to technocratic circles.

The new revision of the EES, conducted this year (2005) in Luxembourg, represents a new opportunity to reinforce union participation and leadership in its development and in its application.

It is obvious that Europe today is witnessing an increased awareness of the difficulties in achieving the Lisbon objectives, but the need is also clearer if we do not insist on accepting a mod-

est role on the sidelines in the global context.

Against that background, the directions given to a greater involvement for the European employment strategy in the economic strategy, coupled with a more determined effort on the innovation and R&D front, seem entirely appropriate. But on the other hand, the fact of dispersing certain objectives in terms of job creation seems to be more a way of ensuring protection if the objectives banked on were not achieved than a way of stepping up efforts through a greater commitment in terms of employment.

The persistence of high levels of unemployment in Europe, as well as the large differences in terms of growth and employment in the Member States, may jeopardise the social cohesion of the European model, the main driving force behind European competitiveness in the global context. It will be hard to make substantial progress in constructing Europe if we cannot offer its citizens continued high levels of well-being, which cannot be achieved without high levels of employment.

This observation represents an additional motivation for considering the present time as an opportunity to revitalise the EES, thanks to a greater union contribution towards the achievement of these objectives.



6. Recommendations: Defending the European Employment Strategy and applying it more effectively

The diagnosis set out in the previous section highlighted the strengths and weaknesses of the contribution by the unions to the European Employment Strategy. These conclusions and discussions during the project have yielded a series of recommendations, and we present them below.

The EES is one of the favoured contexts for union action at the European level. For its strategic importance aimed at building Europe, for its impact on public opinion and on the interests of the citizens of Europe, because it is a space which catalyses most of the interests of the workers in Europe, for the role given to the social partners, the EES satisfies all the criteria entitling it to be

placed centre-stage among the unions' concerns.

The report has shown that until now, the full potential of the EES for union action has not been capitalised on. There is an urgent need for action, and given the high number of unemployed people and the scale of precarious employment, it is even pressing. In addition, the time is right, because the new directive marks the start of a new cycle of European employment policy. The current revision, made at the last summit in Luxembourg, offers the trade union movement a new opportunity.

The Lisbon strategy and the EES represent one of the cornerstones of the European social model defended by

ETUC, as being one of the examples of the types of policies that should be encouraged in the European Union in order to ensure its population a high basic level of well-being. From that point of view, the new EES cycle opened in Luxembourg opens the door to some new opportunities to get employment centre-stage among economic policies and to develop policies of innovation and investment in R&D.

The first recommendation, which reflects the position of ETUC, is thus to defend, strengthen and revitalise the EES to get it into a privileged position among the concerns for union action at both the European and national levels.

The second recommendation relates to the content of the EES, designed to strip it of its current liberal tendencies, which rob it of effectiveness, and to angle it more towards a greater intervention in the field of employment so as to give it a stronger impact in quantitative and qualitative terms.

The objective is thus not to make do with using the EES better, but equally to perfect the EES and modify it in its central thrust. The purpose of this exercise must be to achieve an authentic policy, in the sense that it is really effective for employment. The point here is to get an employment policy that does not regard employment primarily as a consequence of growth, but

that considers employment as an essential factor in the creation of growth and productivity.

The third recommendation seeks to get the EES better integrated into the national policies. The strength of the EES can only be based on the strength of the national employment policies and their capacity for co-ordination at the European level. That is why the national union organisations need to understand more clearly that the future of the EES is being decided above all in every Member State. The capacity of the national union organisations to promote scenarios favourable to the development of consistent employment policies in every country may be decisive in terms of a fresh direction for the EES.

Profiting from the process of drafting the NAPs to promote a wider debate in each country, with the participation of all the sectors involved and movements aware of the theme of employment, the national objectives and the strategies to achieve them, might constitute a suitable course to get the EES refocused at the national level as well as strengthening the union leadership.

The fourth recommendation is closely connected to the previous one. This revitalisation needs to be tied to greater importance for the social dialogue and growing institutionalisation in the latter, in favour of employment

policy, at both the European and national levels.

For certain countries, the EES represents a major opportunity to develop the social dialogue which presents, in other areas, difficulties in terms of giving it concrete shape. For other countries, it is less a matter of more social dialogue than of greater institutionalisation geared to employment issues.

The fifth recommendation relates to the fact that increased social dialogue does not necessarily mean revitalisation, at least not from the point of view of the unions. Greater integration of the EES in the social dialogue brings two consequences for the union movement: greater shared ownership with the EES and more autonomy in the union positions.

To put it another way, the unions would feel an ownership of the EES at the national level, while airing their own positions, their own initiatives and their experiences, while stressing the disputed points and showing their commitment.

The union voice should be able to be heard more loudly, at both the national and European levels, on the strength of its own positions and thanks to its capacity for dialogue, negotiation and commitment to the development of joint proposals with the company bodies, the national governments and the

European Commission within the open co-ordination process of the EES.

The sixth recommendation relates to the linkage of the national and European levels of the union movement. The differences in the weight of union action in the various Member States, after enlargement, would advise in favour of stepping up efforts at inter-union solidarity to strengthen the positions of the weaker unions in their own countries.

Moreover, the capacity for co-ordination of the national and European union actions also constitutes one of the conditions for the successful achievement of a stronger new direction for the EES. It is in this sense that the possible application of a union strategy for open co-ordination between the national unions and ETUC might have positive results on the impact of the union action and encourage three-way feedbacks: between the national unions, from the national level to the European level and vice versa.

These recommendations were debated at the seminars and examples of possible actions were suggested.

- For an EES better integrated into national policies
- Propose debate on the NAP in national or regional parliaments.
- Propose national conferences on employment, focusing on the NAP and

- involving the participation of the social partners, organisations, NGOs and institutions involved in employment policies at national, regional and local level.
- Propose the establishment of a protocol for the development of a NAP adapted to the objectives, pace, methods and needs of national employment policies.
 - Propose external and independent evaluation methods for NAPs.
 - Propose the adoption of a transparent scoreboard, accessible to the general public, for follow-up of NAPs.
- For an EES more integrated into social dialogue at national and European level
- At European level:**
- Propose to employers' organisations and the Commission a specific forum for participation on employment.
 - Propose greater involvement of the social partners in the Commission's recommendations to the Member States on their NAPs.
 - Organise an open method of co-operation between the national confederations to identify assessable objectives and a follow-up mechanism at European level. This exercise can be extended to the employers' organisations.
- At national level:**
- Introduce the priority employment issues in the national agenda for social dialogue.
 - Organise with employers' organisations at national level debates on employment prospects.
- Bring employment policies down to the company level.
 - Go into greater depth on employment issues in collective bargaining at branch and company level.
- More critical co-responsibility (ownership) by unions in the NAPs
- Propose the negotiation of the NAPs with the social partners.
 - Incorporate the opinion of the social partners if agreement is reached and if not, include the opinion of the unions as an annex to the NAP.
 - Better disseminate the unions' position on national employment policies.
 - Concentrate proposals on the most urgent employment issues and avoid a patchwork of all pending questions.
 - Develop more national and European alternatives for employment
 - Propose the creation of a national employment co-ordinator in the confederations that do not already have such a post.
 - Organise seminars with experts at national and European level to define and propose alternatives to liberal employment policies at macro- and micro-economic level.
 - Take the initiative of forming an alliance with political parties, NGOs and civil society in favour of employment.
 - Promote union technical assistance to the enlargement countries to strengthen their capacity to develop union actions on employment.

Annex

1. ETUC declaration to the EMCO on 21 April 2005
Document presented to the ETUC Steering Committee on 4 June 2005
2. Curriculum vitæ of the experts

ANNEX 1
ETUC declaration to the EMCO
on 21 April 2005.
Document presented to the ETUC Steering Committee
on 4 June 2005.

ETUC would like to express its reaction to the Draft Commission Recommendation on the integrated guidelines for growth and jobs. ETUC hails the fact that the Commission has merged the Broad Economic Policy Guidelines and Employment Guidelines into one single integrated package.

In the two latest resolutions on the Lisbon strategy ("More and better jobs by putting Social Europe at the heart of the Lisbon Strategy", December 2004 and February 2005), ETUC called for a revival of the Lisbon Strategy by investing in Social and Green Europe as drivers of productivity and innovation and by implementing active aggregate demand policies to make Europe manage its own momentum towards growth.

The EU Presidency's conclusions at the Spring Summit are broadly in line with ETUC's demands. The Council underlined the need to exploit the synergies between the three dimensions of the Lisbon Strategy (the economic, social and environmental dimensions). Social and sustainable development policies are explicitly seen by the Council as

important drivers of productivity and growth. In addition, the Council has introduced greater flexibility and economic rationality in the implementation of the Stability and Growth Pact, thereby taking a first and important step towards reforming Europe's macro-economic policy rules.

This will mean establishing a new procedure for relations with the social partners at European level. The new procedure will entail genuine consultation on the entire Draft Recommendation, comprising the Commission Recommendation and the Council Decision, and will be in line with the new governance cycle proposed for the national programmes.

Merging the two procedures requires consistency between the different guidelines. What method will be proposed in a bid to ensure consistency? How will priorities be set?

As regards the content of the guidelines, whilst reiterating our commitment to attaining the optimal use of the structural funds, we wish to emphasise the following:

General preliminary remark:

The new approach scales back the use of clear, precise objectives. In the past, the employment guidelines defined a clear framework within which the Member States could work. The aim was not only to raise the level of employment, but also to arrive at specific recommendations based on indicators relating to:

The monitoring of different categories amongst the unemployed (young people, long-term unemployed, jobless individuals in danger of becoming long-term unemployed);

The level of participation in lifelong learning (12.5%);

A reduction in the rate of young people leaving school too early;

Rates of childcare, and so forth.

In short, this approach represented what we refer to as Lisbon's "high road": The proposed text opts not to specify these indicators. The situation won't improve by dropping relevant indicators that guarantee specific representation of the objectives to attain.

ETUC insists that the guidelines should contain specific indicators and objectives. What applies to the Stability Pact should also apply to the European Strategy on Employment.

This new approach has been devised without proceeding with a fundamental evaluation of the old guidelines. How can the growth- and employment-related performance of the United Kingdom and Sweden be com-

pared when their performance is similar, yet their social organisation differs quite substantially?

Already, the weak involvement in national policies, apart from in a few countries, is flagrant. Most effort has been channelled into administrations that have improved both their internal and external cooperation. This amounts to waiting for a different kind of political legitimacy involving national parliaments. Just as one would have to assess the effort at coherence within the open method of coordination (OMC) to avoid excessive monitoring by the Commission/state and benefit from this integration process, where employment is balanced with macroeconomic policies and furthermore the contribution made by the social partners.

1. Industrial policy and job quality, which are poorly represented in microeconomic policies

The guidelines must clearly indicate Europe's ability to deploy its working population in highly productive jobs and its capacity to increase both the rate of employment and the productivity of workers.

How can quality employment act as a growth factor in Europe while at the same time driving innovation and productivity? Quality employment goes hand in hand with industrial and tertiary sector development projects and the promotion of major trans-European projects.

The necessary links with employment, training and research policies can only be guaranteed by a truly unified market. This requires public action and financial measures in order to support the creation of high-quality jobs.

Our examination of National Action Plans (NAPS) and the resulting assessment show that considering productivity as an objective in its own right – in other words disregarding all links to quality – reveals a discrepancy with the Commission's analysis. The Commission is proposing a more dynamic vision of the job quality.

By itself, greater material unification of the market is not enough to unblock growth which necessitates public action and financial mechanisms to underpin the creation of high-quality jobs.

2. Restructuring

ETUC has taken on board the Commission Communication. We are suggesting an additional guideline which establishes the principle whereby each worker affected by a restructuring would have a collective right to professional reintegration. The collective agreements which grant such a right would have to include the structural funds.

Anticipating restructuring measures requires information and means that workers and their representatives must be consulted well in advance. There must be mechanisms that can offer

workers who lose their jobs consultation, vocational training and help looking for a new job, while also offering them the chance to create a new productive activity.

3. On reviving the economy

We would reiterate the proposals that ETUC made recently when the Lisbon Strategy was revised. The European level should invite the Member States to draw up national plans which boost demand by investing in the priorities set out in Lisbon (research, economic infrastructure and social infrastructure). GDP in the region of 1% could be expected (to be adjusted depending on the national economic situation). Funding could be guaranteed by: using flexibility margins created by recent decisions regarding the application of the stability pact;

rebalancing current spending and taxation in favour of measures with a net effect on collective demand; making better use of the loan possibilities provided by the European Investment Bank; consultancy services for employment, training and traineeships in other companies from the time a worker receives notice of redundancy. This must be carried out in cooperation with the public employment services.

As regards access to training for all workers: the least qualified workers run a greater risk of having to bear the brunt of a restructuring since they have

limited access to permanent vocational training. In many Member States, collective agreements overcome this gap in the market by organising training funds (at sectoral level) which grant all workers the right to training.

As regards social protection: adequate unemployment benefit is essential to be able to finance job seeking and re-deploying workers so that qualified workers are able to meet the criteria of productive employment.

4. The Pact for Youth

ETUC supports the decision taken on the Pact for Youth by the latest Council meeting, entailing greater commitment regarding the duly identified guidelines.

5. The need to reintroduce the dimension of gender equality

If we really want to raise the level of employment, great importance must be attached to gender equality policies and to the principle of gender mainstreaming. In the current text, gender is merely a reference (even though the text speaks of eliminating rather than reducing the gender gap). References to the policies to be implemented need to be introduced (objectives to do with child-care or care for the elderly, reviewing wage systems, better allowances for parental leave). There is also a possibility of referring to the framework of the social partners on action to be taken to ensure gender equality.

6. Corrected wording in the EES guidelines which could result in them being misinterpreted

ETUC has always adopted a constructive approach when dealing with the Employment Guidelines. This has been possible primarily because the guidelines have always been well balanced. The EES deals with more and better quality jobs. The EES highlights the key role that employment plays in the fight against poverty and in improving social cohesion, as well as the importance of having adequate social safety nets.

ETUC notes that the current draft EES text confirms the Council Decision to focus on policies which are based on synergy effects between social and economic objectives. However, the draft text contains titles which could result in a completely different or even a negative interpretation:

The title "Improve adaptability of workers and enterprises and the flexibility of the labour markets" upsets the balance characterising EES texts which, so far, have always mentioned flexibility and security. Although the text does continue to mention flexibility and security, it is also necessary for the titles of the texts to follow the same logic if the texts are to be transparent and clear. The addition in the title "Attract...more people in employment and modernise social protection systems" is also a new feature and could give rise to an interpretation according to which social protection could be

deemed to represent an obstacle to employment. Once again, this interpretation is not compatible with the text itself which is more balanced.

Moreover, ETUC would like to highlight the importance of correctly wording the guideline on wage formation:

First and foremost, reference should be made to the principle that the autonomy of the social partners and the support for collective bargaining, which are fundamental components of the Community's social acquis, must be respected when defining the correct framework conditions for collective bargaining systems.

It is also important to recognise that wage formation policies have played a big role in preventing inflationary wage-price spirals. Today's challenge is not to intensify wage moderation, but to prevent the economic upturn from being stifled by a reduction in workers' purchasing power.

Salaried workers must not be allowed to fall victim both to the fragile nature of employment and the pressure this exerts on wages.

The guidelines must underscore the need to guarantee a decent wage and measures to be taken to combat the rise in the number of poor workers.

7. Employment and the environment

ETUC wants the guidelines to take account of the conclusions of the March 2005 Council which aim to develop "new sources of jobs...in

services to individuals and businesses, in the social economy, in countryside management and environmental protection and in new industrial occupations, partly through promotion of local growth and employment partnerships."

Moreover, ETUC would like to highlight the fact that income tax and social security benefits represent a burden on employment whereas natural resources and environmental goods are not valued at their true worth.

As a result, the integrated guidelines should recommend transferring a proportion of the tax burden on work, environmental goods, natural resources and a return on capital, in order to promote both employment and a better quality environment, whilst taking care to avoid any negative impact on the quality of public services and social security.

8. Research and development guidelines

We agree with all proposals which are in line with sustainable development and would like to reiterate our commitment to attaining the 3% GDP target for Member States' public and private research budgets.

ANNEX 2

Curriculum Vitae of the experts

Oriol Homs i Ferret (Barcelona 1949) is researcher in sociology. General Director of the Fundació Centre d'Iniciatives i Recerques Europees a la Mediterrània (CIREM) and President of the Foundation FIAS. Early in his career he has been teaching sociology as titular professor at the School of Social Studies at the University of Barcelona. He works on applied sociology and as researcher. He gives courses as professor in different Universities. He also gives many lectures and participates in seminars and panels on issues concerning vocational training, qualification, equal opportunities, employment and labour market, at national as well as at international level. He is advisor and regular collaborator of the European Commission, CEDEFOP, and also of the Governement of Catalonia and the different Ministries of the Spanish State. He is also founding member of the network of social studies EuroNet: Work & Education. He has carried out many researches in the field of labour, training and social policy, on which he has published many articles and works. He is President of the Associació Catalana de Sociologia del Institut d'Estudis Catalans.

Dr. Wilfried Kruse (1947) Studies in Industrial Sociology, Psychology and Political Sciences at the Technical University of Hanover, Ph.D. (Industrial Sociology), senior researcher and expert in vocational training, industrial relations and trade union research. Since 1973 working at the Landesinstitut Sozialforschungsstelle Dortmund (sfs) as a researcher and in managerial functions.

Céline Lafoucriere was born in Lyon (France) in 1972. Following a first degree in Politics, Economics and Languages from Kingston University (UK), she gained a Masters degree in European Politics from Birkbeck College, University of London (UK). Subsequent to the award of a prize of excellence, she studied Spanish politics at the Universidad Complutense, in Madrid (Spain). As part of furthering her academic development she also studied American politics at Grand Valley State University, in Michigan (USA). In 1999 she was assistant policy officer for the British Government. In May 2000 she became research assistant at the European Trade Union Institute (ETUI), in Brussels: she dealt with the European

Employment Strategy, social dialogue issues and active strategies for older workers. In January 2001 she was offered a position as researcher in European employment policies for the Chamber of Commerce, in Toulouse (France). Subsequently, in January 2002, she became Research Manager, responsible for the Centre for European Research on Employment and Human Resources (CREER) as well as assistant lecturer for the annual elective on 'Social Europe and the European Employment Strategy', at Toulouse Business School. Acting as a full time Research Manager, as well as assistant to the Director of Research of Groupe ESC Toulouse, her main research interests are the European

Employment Strategy and its application at national level, in the member countries, as well as in the candidate countries. She has published reports and articles on these topics.

Pierre Tilly is Doctor of History, researcher at the Institute of European Studies of the « Université Catholique de Louvain » in Belgium and professor. He carries out researches on European social issues in partnership with trade union organisations in Europe, particularly on the role and the place of the trade union actor. His most recent researches deal with the issues of industrial restructuring and its social and human consequences.

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