



**DEPARTMENT OF SOCIOLOGY
AND WORK SCIENCE**

ENHANCING THE EFFECTIVENESS OF SOCIAL DIALOGUE ARTICULATION IN EUROPE:

Case Study for Sweden

ESSDA Deliverable 3.2

PROJECT NO. VS/2017/0434

Bengt Larsson and Ylva Ulfsdotter Erikson

Working Papers – Dept. of Sociology and Work Science
Nr 1, 2019

ISBN 978-91-87876-29-5

Co-funded by
the European Union



Contents

- 1. Introduction 3
- 2. Social Dialogue Articulation at Cross-industry Level in Sweden 5
 - 2.1 Actors in Social Dialogue 6
 - 2.2 Topics in Social Dialogue 8
 - 2.3 Outcomes of Social Dialogue 9
 - 2.4 Interaction in Social Dialogue 11
 - 2.5 Perceived Effectiveness of Social Dialogue 13
 - 2.6 Suggestions for Improvements in Social Dialogue 15
- 3. Case Studies of SD Articulation in Four Sectors 16
 - 3.1 Commerce 16
 - 3.2 Construction 20
 - 3.3 Education 25
 - 3.4 Healthcare/Hospitals 30
 - 3.5 Suggestions for Improvements in Sectoral Social Dialogue 35
- 4. Comparative Evaluation and Conclusions 37
 - 4.1 National-level Social Dialogue in Sweden 37
 - 4.2 Articulation between National- and EU-level Social Dialogue 38
 - 4.3 ESD/ESSD Effectiveness and Possible Improvements 39
- References 41

Acknowledgments: This project was funded by DG Employment, Social Affairs, and Inclusion. Project No. VS/2017/0434. Thanks to Dr. Mehtap Akgüç and the ESSDA colleagues for the collaboration in this project and for inputs to the report. Thanks to Professor Tomas Berglund for reviewing the report.

1. Introduction

This report was written within the research project *Enhancing the Effectiveness of Social Dialogue Articulation in Europe (EESDA)*. The project, which is supported financially by the European Commission, aims to improve the expertise of the articulation of social dialogue in Europe (Akgüç et al. 2019; Kahanková et al. 2019). The report is one of several country reports that aim to describe and analyse the structure of national and European social dialogue, as experienced and perceived by national trade unions and employer organisations. Besides this report on Sweden, the project also includes country reports on Estonia, France, Ireland, Portugal and Slovakia. The countries were selected to represent divergent industrial relations systems in Europe, with different forms and developments of social dialogue nationally (cf. Visser et al 2009; Hyman 2001).

Social dialogue (SD), defined as “interactions, such as negotiation, consultation or exchange of information, between or among social partners and public authorities”, exists at many levels and arenas in Europe (European Commission, 2015a; 2015b). There is social dialogue at the EU level, as well as on national and sub-national level. It exists within and across sectors, and it may involve both private and public actors, but always with trade unions and employer organisations as the core social partners (Akgüç et al. 2019; Kahanková et al. 2019). The EESDA project focuses specifically on the *articulation* of social dialogue across these levels. Thus, the project sets out to provide answers to questions regarding how social dialogue is organised at different levels, who the actors involved are and what they experience as effective dialogue; and also how social dialogue at the European level affects decisions, outcomes and the position of actors at the national and sub-national levels (and vice versa) (Kahanková et al. 2019).

To untangle how these issues relate to differences between industrial relation regimes and traditions, and sectoral differences, the national country reports cover both experiences of national and European social dialogue, at the cross-industry level and in four selected sectors (and occupational groups): commerce (sales agents); construction (construction workers); education (teachers); and healthcare and hospitals (nurses). The country report on Sweden is based on semi-structured interviews with representatives for trade unions and employer organisations (see Table 1), supplemented with organisational documents and information from websites and previous research (Kahanková et al. 2019). The first part of the study focuses on the articulation with cross-industrial European Social Dialogue, which is based on interviews with representatives for the main peak-level federations, and some multisectoral and sectoral organisations with particular standing in the Swedish context. The second part focuses on experiences from the four sectors – commerce, construction, education, and healthcare and hospitals – and is based on interviews with representatives for organisations bargaining for the four specified occupations in these sectors.

Table 1. Number of respondents interviewed for the different parts of the report (n 22)

	Part I:		Part II: Sectoral		
	National	Comm.	Constr.	Educ.	Hosp.
Cross-sectoral organisations					
Trade union	3				
Employer organisation	1				
Multisectoral organisations					
Trade union		1			1*
Employer organisation					2*
Sectoral organisations					
Trade union	4		2	2	3
Employer organisation	1	1	1		

* Covering both sectors of hospital and healthcare and education

The interviews were conducted during the spring of 2019, apart from six interviews performed from 2015–2017 on closely related topics to the ESSDA interview guide (Akgüç et al. 2019). The interviews were semi-structured, lasted for around 1–1.5 hours and were transcribed verbatim. The quotations used in the analysis below are all from the interviews from 2019. The older interviews were used only to validate the general descriptions. The quotations were translated into English by the authors and edited slightly for readability. Based on ethical research considerations, we have chosen to keep the informants and their organisations confidential when quoting the interviews, so they are referred to only as EO (employer organisation) and TU (trade union), without further specification.

The remainder of the report is structured as follows. The first part covers the general national structure of industrial relations and social dialogue in Sweden, and the relations of cross- or multisectoral employer organisations and trade unions to the cross-industry European Social Dialogue (ESD), but also more general reflections regarding both ESD and European Sectoral Social Dialogue (ESSD). The second part covers experiences and reflections regarding the national situation and the articulation between the national level and ESSD in the four sectors of construction, commerce, healthcare and hospitals, and education. Both parts follow the same basic structure. A short introduction is followed by certain themes: actors in SD, topics in SD, outcomes of SD, interaction in SD, perceived effectiveness of SD, and suggestions for improvements of SD. In the case studies in the second part, each sector is presented separately. The report ends with a final, third part that focuses on a comparative evaluation and some conclusions.

2. Social Dialogue Articulation at Cross-industry Level in Sweden

Sweden is a prime example of the Nordic regime of **organised corporatism** in industrial relations. As such, it is characterised by strong social partners negotiating collective agreements through **interactive bargaining** with wide coverage and a high degree of autonomy from the state. However, the social partners have a relatively strong influence on government policy and regulation through corporatist **consultation** processes – including those on the European semester (Jansson et al. 2019; Visser et al. 2009; Van Rie et al. 2016).

Swedish labour law sets an institutional frame for social partner organisations, giving them strong **institutional resources**. The legislation gives the partners the right to organise and perform autonomous collective bargaining, and regulates leave, dismissals and employment protection, consultation and codetermination, and work environment/health and safety. Some of the legislation is semi-dispositive, which means that the unions and the employers can agree on exemptions at the local or national level. However, there are no laws on minimum wages, and no legal extension mechanism for collective agreements (Kjellberg 2017; Larsson et al. 2012). The few conflicts that do exist are contained within established institutions for dispute settlement. There are labour peace clauses to prevent conflicts during ongoing agreements. Conflicts around existing collective agreements are settled in *the Swedish Labour Court* (Arbetsdomstolen), while conflicts arising between agreements are mediated by *the Swedish National Mediation Office* (Medlingsinstitutet); both are state authorities (Medlingsinstitutet 2019).

Swedish industrial relations are thus centred on autonomous collective bargaining based on mutual recognition, **interactive bargaining**, and **cooperation**, with mainly constructive dialogue between trade unions and employer organisations with high membership density (Kjellberg 2019). The high density-levels and bargaining coverage, which give the partners strong **organisational resources**, have a long history, and even though there has been a decline in trade union density over the last decade, the figures are still high by international standards – just as they are in other European countries having the Ghent system, in which unions organise the unemployment insurances. Trade union density has decreased during the last two decades from around 85 per cent to around 70 per cent, and the density is higher in the public sector than in the private sector. If measured as the proportion of employees employed by an organisation affiliated to an employer organisation, the density for public employers is 100 per cent and approximately 80 per cent for private companies. This means that the collective bargaining coverage in Sweden is higher than the trade union density: 100 per cent in the public sector, approximately 85 per cent in the private sector, and close to 90 per cent in total (Medlingsinstitutet 2019).¹

¹ The fact that collective bargaining coverage is higher than employer organisation density is related to the fact that many small companies sign the collective agreement even though they are not members of an employer association, in order to reduce transaction costs and the risk of contentious action.

2.1 Actors in Social Dialogue

There are approximately 55 employer organisations and 60 trade unions in Sweden. Some are small and autonomous, but most are members of confederations. A majority of the employer organisations are in the private sector, and most are members of the business and employer association *The Confederation of Swedish Enterprise* (Svenskt Näringsliv, SN). This peak level association encompasses 49 employer and industry associations organising businesses in most private sectors (such as manufacturing, construction, transportation, commerce, hotels and restaurants, and services), jointly having over 1.8 million employees. Through this construction, the companies are simultaneously members of the sectoral employer organisation and The Confederation of Swedish Enterprise. Collective bargaining with trade unions is performed mainly by the sectoral employer associations, with support from the peak-level confederation. The public sector has two main employer organisations. *The Swedish Agency for Government Employers*, or SAGE (Arbetsgivarverket), is the employer organisation for the state sector, with a total of 270,000 employees. *The Swedish Association of Local Authorities and Regions*, or SALAR (Sveriges Kommuner och Landsting SKL), is the employer organisation for all 290 Swedish municipalities and 20 regions (county administrations), which jointly have 1.1 million employees (Medlingsinstitutet 2019). Both organisations perform collective bargaining with trade unions.

On the trade union side, there are three peak-level trade union confederations organising mainly from a class basis, with separate confederations for blue-collar workers, white-collar workers and academic professionals. The largest, *The Swedish Trade Union Confederation* (LO), is mainly a blue-collar federation organising 1.3 million workers (approximately 29 per cent of the total number of employees). LO is a confederation of 14 trade unions organising in both private and public sectors. *The Swedish Confederation of Professional Employees* (TCO) is a confederation for white-collar workers/professionals and qualified employees in both the private and public sectors. TCO consists of 14 trade unions with a total of 1.1 million members (approximately 25 per cent of all employees). *The Swedish Confederation of Professional Associations* (Saco) is a confederation of 23 trade unions that organises professionals with qualifications from higher academic education in both private and public sectors and organises half a million employees (approximately 11 per cent of the total). As on the employer side, there are also a number of smaller autonomous trade unions that are not associated with these peak-level confederations (Medlingsinstitutet 2019). As they are small and outside of the peak-level cooperation and coordination, they have much less **organisational** and **structural resources** than those that are members of the large confederation (Kahancová et al. 2019). However, many of them take part in collective bargaining.

Thus, Swedish unions are strong not only among blue-collar workers but overall in terms of **organisational, structural and institutional resources** (Kahancová et al. 2019). This is partly because of the Ghent system, the large public sector, well-organised employer organisations, and the historically strong standing of social democracy (Dølvik 2007).

Irrespective of the class base, few Swedish unions are politically radical, since, through these confederations, they are “encompassing organisations” (van den Berg et al. 2007). They represent such a large proportion of the labour force that they have been forced to internalise conflicts of interest and take social responsibility in cooperating with employer organisations and the state. The few more radical unions that exist in Sweden are not members of the three large confederations, and they are the only ones that the respondents mentioned as organisations they cannot cooperate with for reasons of ideological or political disagreement.

With regard to collective bargaining of wages and working conditions, the peak-level confederations on the trade union side (LO) have only had a minor role since the 1980s. They negotiate some issues, mainly relating to insurances, pensions, and restructuring, and play a role in coordinating the member organisations’ collective bargaining. TCO and Saco do neither of these things. Collective bargaining is mainly performed by bargaining cartels organised by sectoral trade unions in nearby sectors, or by individual unions, and there is now considerable space left in the collective agreements for local wage determination (Baccaro and Howell 2017; Ulfsdotter Eriksson et al. 2019). In some cases, the bargaining cartels encompass unions from more than one of the peak-level confederations. The most important of the cartels is the *Trade Unions within Manufacturing*, which have a particular set of **structural resources** in that the collective agreements in the exporting industries are meant to set a norm for wage developments across all sectors (Medlingsinstitutet 2019).

In relation to Social Dialogue on the European level, the three peak-level confederations – LO, TCO and Saco – are all members of the *ETUC*, and all three take part jointly in the cross-industrial European social dialogue. They share between them the regular and the two substitute positions in the Social Dialogue Committee. TCO is also a member of *Eurocadres*, and Saco was up until last year. In addition, the three confederations have a joint *Brussels Office for Swedish Trade Unions*, which works to keep track of upcoming policy developments at the EU level and “support the work of LO, TCO and Saco and their affiliates to shape and influence EU policies” (Brysselkontoret 2019). Therefore, there is quite coordinated **cooperation** and pooling of resources from the Swedish confederations in relation to the European level, and together with the Nordic counterparts, they represent a significant actor within the *ETUC* and the social dialogue. Despite the absence of a strong joint formal policy-coordination towards the European level, the existence of a joint Nordic trade union confederation, *The Council of Nordic Trade Unions* (NFS), together with the similarities in the Nordic regime of industrial relations, creates a basis for a strong informal coordination (cf. Larsson and Lovén Seldén 2014; Bengtsson 2017).

On the employer side, The Confederation of Swedish Enterprise is a member of *Business Europe*, and SALAR is a member of *CEEP*. In addition, the SME organisation *The Swedish Federation of Business Owners* (Företagarna) is a member of *SME United* (previously *UEAPME*). However, this is not an employer organisation but a business/industry organisation not involved in collective bargaining in Sweden. All in all, through these memberships there is strong involvement from Sweden in the European-

level cross-industry social dialogue since they have representation through Business Europe, CEEP and SME United. Thus, both on the trade union and employer side, there are well-established structures for a **mixed articulation** between the national and the EU level. Formal connections and channels exist for both bottom-up and top-down transferrals of issues and bargaining outcomes (Kahancová et al. 2019).

As for the 43 sectoral social dialogues, Swedish trade unions and employer associations are involved in most of them through memberships in their respective ETUFs and European employers/business associations. As is known from the representativeness studies from Eurofound, not all trade unions and employer associations from Sweden are represented in sectoral social dialogue, although the largest and most important in the sectors usually are. Many trade unions, as well as the public sector employers, participate in more than one of the ESSDs since they organise members in areas overlapping the quite narrow sector-delimitations of the ESSD setup. For example, the largest white-collar union, which organises approximately 660,000 members in both private and public sectors, is involved in no fewer than 11 sectoral dialogues.

2.2 Topics in Social Dialogue

A general point of view from Swedish social partner representatives, when it comes to the EU-level cross-industry social dialogue, is that all topics on the agenda are important on the European level as well as on the national level. They would not be on the agenda if they were not important, and they are all topics that the social partners are already working on in collective bargaining and lobbying: “It is actually the same questions on EU level as it is here [in Sweden]” (TU). In this sense, the European-level social dialogue is not about anything other than what is discussed on the national level, but rather it is an extra arena to discuss similar issues. Of course, this relates to the **bottom-up** articulation when deciding topics in European-level social dialogue.

Thus, all of the topics of the previous and current work programmes in the cross-industry social dialogue are seen as important: active aging, youth employment, work-life balance, mobility and migration, active labour market policies and systems, digitalisation, skills formation, circular economy, psychosocial risks at work, and capacity building for social dialogue. However, whereas none of the respondents mentioned circular economy specifically, some trade unionists put special emphasis on the issues of psychosocial risks and capacity building for social dialogue. These were issues that they held close to their hearts and pushed for in the agenda-setting. The agenda-setting and planning of the work programmes in social dialogue were said to be complex processes, and they highlighted the consensus element, rather than any specific Swedish interests (cf. Bechter et al. 2018). However, there has been some criticism, from both employers and trade unions, that the European Commission tries to influence the agenda too much. The Swedish representatives suggest that the agenda should fully be decided in an autonomous bipartite manner, by the social partners themselves, rather than being under the **control** of the EC.

However, Swedish partners do not see all issues as fruitful to deal with on the European level. The core issues of collective bargaining, such as wages and working conditions, restructuring, and issues concerning pensions and particular occupational conditions, are seen as best handled in national-level social dialogue. Otherwise, national social dialogue focuses on similar issues as the European-level dialogue. The Swedish partners also see the relevance of a great number of more occupational or sector-specific issues, although this varies between sectors, of course. One employer organisation representative, while discussing what is possible to work on at the cross-industry level, and what should be left to the sectoral or preferably national-level dialogue, stated the following:

Skills mismatch [is] a problem we have in common ... there I believe you can learn from each other. .. [On] Health and safety we are keen to have... the same standards, so that you have the same conditions... It is good that they want to ban nasty substances, but you have to measure [it] and [it should] be applicable, so there can be varying approaches [nationally and sectorally]. Then, as far as the working conditions question is concerned, we do not see how it can be regulated [at the cross-industry European level]. After all, it has to be adapted to industries [to] get any efficiency in that. (EO)

With regard to the European semester, the topics discussed in the country-specific recommendations for Sweden have not been in the core areas of social partner negotiations. Also, the pressure on Sweden to adapt has been relatively limited, since the country is not part of the Eurozone and managed quite well after the economic crisis and the recession in Europe. Thus, even though the social partners have access to channels for consultation and influence at the national level, they are not strongly active and have no direct reasons for trying to get the European-level actors to influence the national situation (Jansson et al. 2019).

2.3 Outcomes of Social Dialogue

At the national level, autonomous collective agreements based on **interactive bargaining** are the primary outcome that the Swedish partners aim for in their social dialogue, at least when it comes to wages and working conditions in general. In addition, interviewees stated that national regulation is important in the areas in which it already exists, such as conflictual action, leave, dismissals and employment protection, consultation and codetermination, and work environment and health and safety. However, when discussing laws as an outcome, the emphasis is that there should be more social partner **consultation** and influence. Finally, there are other softer outcomes that may be important from national-level social dialogue, such as joint lobbying projects or campaigns, but also joint **cooperation** and **co-organisation** projects of the kind discussed more in detail below (see Section 5: Actor's interaction).

With regard to outcomes from European social dialogue at the cross-industrial and sectoral level, there is, unsurprisingly, strong resistance towards European-level regulation in the form of directives by the Swedish trade unions, and even more so by the employer organisations. The reason for this is that such regulation tends to reduce the social partners' autonomous bargaining capacity nationally, which means that **controls**

by hard law regulations are “invasive” (EO) in relation to the Swedish industrial relations context and the Swedish and Nordic social partners traditions and labour market models more generally. All respondents agreed that they all “want to protect the Swedish model” (TU). This applies particularly to topics concerning wages, and the recurring issue of coordinated minimum wages in Europe. The Swedish social partners are not open for discussion of such regulation: “Our European colleagues get a bit disappointed because we tend to block [such discussion]. We defend the [Swedish] model by all means” (TU).

One of the more important **bottom-up** “uploads” to European social dialogue from the Swedish social partners does not concern specific social dialogue issues as such, but rather consists of communicating through the Swedish government and directly to the EU institutions how the Swedish model works. This was done, for instance, in connection with the Social Summit on the European Pillar of Social Rights, and in connection with the *Directive on Transparent and Predictable Working Conditions in the European Union* (2017/0355 COD), both of which are seen as problematic developments in relation to the Swedish industrial relations tradition:

We absolutely do not want Brussels to sit and decide what a labour market authority should be doing, with direct effects on our system ... But then we have the ETUC, who does not march in step, because you have all these countries who stand crying for legislation. They do not want to sit down at the negotiating table and negotiate about the ELA or the working conditions directive, because they want to fast track it with the Commission’s help, since they are afraid that it will be watered down if we sit down at the negotiating table. (TU)

Similar reasons regarding scepticism about hard law outcomes from the EU and European social dialogue make Swedish social partners somewhat sceptical about regulative **control** through framework agreements on many issues as well. In particular, the employer organisations emphasise the need for more of a bottom-up process in social dialogue:

It is important and crucial that existing European regulations are designed in a general and overall way, so that there is sufficient space and flexibility for national, regional and local management, through legislation, collective agreements and joint social partners and individual work. There must be room to handle the issues through the Swedish model; that is, collective bargaining and cooperation between the social partners. (EO)

The employer organisations also emphasise that the agenda and outcomes in cross-industrial social dialogue on the European level should be guided by national- and sectoral-level interests, and they prefer having soft outcomes from social dialogue (such as statements, guidelines, good practices, guidelines, recommendations and joint work on projects and conferences) rather than hard (binding) outcomes.

Even so, there is a consensus about the importance of European social dialogue among the Swedish social partners. It is seen as an important “extra arena” to discuss similar issues, as in national-level social dialogue, and to keep track of European developments, exchange **information** and good practices, and to build understanding and trust between social partners from different countries. In addition, there are framework agreements and

even directives that have been welcomed and have been important in Sweden, at least according to some trade unions. Among those mentioned as important from the cross-industrial dialogue by peak-level unions are the framework agreements on *Active Aging* (2017), *Inclusive Labour Markets* (2010), *Harassment and Violence at Work* (2007), and *Telework* (2002), and as concerns the sectoral dialogue outcomes, the FA/Dir on *Prevention of Sharp Injuries* (2009) in the healthcare sector, on *Good Handling and Use of Crystalline Silica* (2006) in the chemical and mining sectors, and the joint declaration on *Reduction of Formaldehyde Exposure* (2010) in the woodworking sector.

2.4 Interaction in Social Dialogue

Social dialogue at the national level in Sweden is well developed and goes far beyond what is signalled by the concept of “dialogue”. The social partners have long had strong autonomy from the state to regulate conditions on the labour market through collective agreements. They also cooperate through projects on the local level and through co-organised national-level activities. Thus, the bipartite social partner dialogue and cooperation in Sweden comprise **interactive bargaining** as well as ongoing **cooperation** in both case-to-case instances such as projects, conferences, educations and study visits, and in more long-term institutionalised forms. One example of such long-term autonomous **co-organisation** is the restructuring agreements, which date back to the 1970s (Walter 2015). There are a number of such agreements, which vary slightly among sectors but covering most of the Swedish labour market. They give trade union members the right to financial support from collective agreement foundations – so-called security councils – financed through an allocation of around 0.3 per cent of the wage to foundations. A number of other such councils also exist, most of which are sector-specific and working on issues such as health and safety, general economic and labour market issues, as well as sectoral developments and occupational-specific issues.

This broad palette of cooperation between social partners must be understood against a long historical background of collective bargaining, dialogue and cooperation, giving stability and building fundamental trust in the relationships between the parties: “We have built this dialogue for nearly 100 years ... We have built some kind of trust in each other and even if we disagree in details there is trust and respect” (TU). Of course, the social partners may have diverging interests and positions on many issues. However, the relationships between the partners are characterised by trust and understanding, and a constructive ambition to reach compromise and even consensus on issues, on the basis of honest openness about interests and positions: “the system builds upon collaboration and the intent to keep up good relations” (TU).

Continuous dialogues between social partners take place in many different settings. On a formal level, they occur in the recurrent rounds of collective wage bargain. However, in order for the **negotiation** to be conducted effectively and smoothly, the more informal meetings and dialogues are considered essential. It is important to keep each other up to date through **information** on an informal level before the formal meetings: “You need to be able to phone the other party before you meet... and state that you have a differing

opinion” (TU). Such informal relations are important, but they are not seen as friendly on a private level; just informal if they still dependent on one’s position in an organisation. Such personal contacts are important not only at the national level but at the Nordic, European and international levels as well (cf. Larsson 2012).

However, the bipartite autonomy of the Swedish social partners does not imply that there is a lack of communication with state authorities and the government, and the social partners expressed that they feel listened to. Even if the collaborative and consultative tripartite relations were challenged and changed under some turbulent years in the 1980s and 1990s (Berglund and Essen 2014; Baccaro and Howell 2017), there are still strong corporatist elements. The partners are involved in **consultations**, and they also lobby and work on public opinion to influence national policy as well as the government’s position on EU policies (cf. Larsson 2015). Tripartite meetings include not only representatives from the unions and employer organisations, but also politicians, state officials, and government agency representatives depending on the issue. One example is that the above-mentioned bipartite councils can turn to the relevant government agency, as in the following quotation discussing when the partners approached the Ministry of Employment regarding the announcement of a future European Labour Authority (ELA) in 2017:

Everybody is sitting there: it may be the [government agency], and it may be virtually all the representatives we usually do not sit at a negotiating table with – but everybody is prepared to say what they think about the question. It’s tripartite, or even more actually, much larger ... That’s how we work in Sweden, and also where we build this trust between the state and the parties involved ... Everyone is prepared, and these are very relaxed meetings where you can ... say, “this is our perspective”, and nobody gets annoyed. (TU)

This signals how the cooperative and compromising approach of the Swedish social partners also connects their European-level work. The social partners create their respective, and sometimes joint, working groups in relation to EU-level issues, discussing their positions and trying to coordinate joint efforts in, for example, “uploading” or “downloading” policy developments in the form of **mixed articulation** with the EU level. When a directive is coming, the social partners regularly establish such joint working groups to lobby the government, or even the European Parliament, to protect their autonomy, collective agreements or other interests.

There is also **cooperation** in preparing work before social dialogue on the European level, particularly on the trade union side but also, to some extent, among the employer organisations and between both parties – at least in some sectors (cf. Larsson et al. 2016). However, some respondents find that there are obstacles in pursuing this constructive discussion and compromise-aiming strategy on the European level, because of different industrial relations traditions and cultures:

In the European context, there are problems regarding trust. Just the fact that the employers are there, and they say something, creates immediate resistance [from trade unions]. That makes the work difficult. And they think that we [Swedish unions] are crazy when we arrive

together with the employers and say that this is our [joint] agenda. They think that we are sitting on their lap. (TU)

Thus, the Swedish social partner representatives experience that their approach and model of industrial relations is an exception within the European context and that they may appear less solidaristic in the eyes of others when defending the Swedish model. A complicating factor is that European social dialogue gathers actors from different industrial relations systems with varying traditions and cultures, from countries that face quite different situations and challenges, and thus have different expectations and perspectives (cf. Larsson 2017; Gumbrell-McCormick and Hyman 2013). In this situation, the Swedish partners may actually discover that they have a lot in common, and also that there is a Nordic or Scandinavian way of approaching things. However, this does not mean that they always agree (cf. Larsson et al. 2016).

2.5 Perceived Effectiveness of Social Dialogue

All of the interviewed social partners consider the effectiveness of national-level social dialogue in Sweden to be very good. Naturally, not all of their interests are satisfied, since these may be conflicting, but the process and the institutional and organisational structures are highly treasured. The main threat they see is any weakening of the system or delimitation of the social partner autonomy. On the issue of effectiveness, the employer organisations in particular emphasised that their conception of effectiveness is connected to the principle of subsidiarity, and that “it is not necessary the European level that is most effective [in regulating/negotiating] labour market issues” (EO). Another aspect of effectiveness at the EU level, raised by an employer organisation, concerned the focus on different kind of outcomes when discussing effectiveness in social dialogue:

It is crucial for effectiveness that you identify and work with the points of issues. It is the issues that should steer what kind of text, or form, or what instrument you develop. It is the point of the issue – not the outcome – that affect the effectiveness and adds value. (EO)

Thus, there is more scepticism concerning the effectiveness of EU level social dialogue on cross-industrial and sectoral levels, regarding both effectiveness *in* and effectiveness *from* social dialogue (cf. Bechter et al. 2018: 108ff.). Even though Swedish social partners are generally positive towards European-level social dialogue, they do not believe that the outcomes make a significant difference at home in improving the situation for their members. This is partly to do with the fact that many of the outcomes – both the harder (binding) ones, and the soft recommendations and guidelines, good practices, etc. – set standards or requirements that are below those existing in Swedish collective agreements. This is related to the fact that many of the outcomes are soft and vague and connected to issues already being discussed nationally. In fact, it seems that even the framework agreements are quite vague, in that they give lists of examples of what could be done without actually specifying what part(s) of this the partners are bound to implement at home. In particular, some see the cross-industrial social dialogue as too general and that outcomes tend to be a bit “watered down” after all compromises, whereas the sectoral

dialogues are said to be a bit more issue-specific and the outcomes sometimes – but not always – slightly more useful. Thus, many of the outcomes are not formally implemented from the **top down** in Sweden, but rather just translated and dispersed within the organisations, somewhat decoupled from the collective bargaining process, or used just as symbolic support for issues that are already on the bargaining agenda (cf. Murhem 2006).

There are exceptions to this scepticism. Firstly, as mentioned above, some of the framework agreements (some of which were turned into directives) concerning health and safety and some other issues, have made a difference. Secondly, some of the very soft projects, benchmarks, and exchanges of examples between countries are seen as useful, as are the contacts and trust-building aspect of social dialogue (cf. Bechter et al. 2018: 108ff.). In order for it to be really useful, however, the EU-level social dialogue must be timely in relation to the issues that are being developed for the partners' collective bargaining or overall dialogue nationally. Thus, the Active Aging agreement was directly used in subsequent national collective bargaining and social dialogue in Sweden, and both the employer organisations and the trade unions found the open nature of it useful for their working process:

The Confederation of Swedish Enterprise, SALAR, TCO, Saco, and LO ... funded a joint translation so that it will exist in Swedish, and then we had a joint presentation, just to show that we are united. There is a signal value when you sign a joint agreement; that you show "We are the ones behind it"; and all the logos are on it ... and then it's up to each respective collective agreement area, really, to act and try to agree on this. We [as peak-level organisations] cannot do much more than distributing the agreement ... [But] if it had arrived before the [national] debate on the discrepancy between supply and demand on the labour market, this [agreement] had probably not been taken that seriously. (TU)

There is also some scepticism regarding the role of the European Commission and its administration in connection to European social dialogue – also related to the national-level traditions and institutions. One critique is that the Commission tends to listen less to the social partners than what the Swedish government does, or if it does listen it does not really understand the issues the social partners are raising.

The Commission consists of a lot of different people. But most of the people who work in the administration have no experience of a well-functioning social dialogue in their home countries. Thus, they do not understand the nature of social dialogue ... I believe this is a cultural issue as well. That one does not really understand from the Commission how to strengthen [social dialogue], and what role they ought to have ... For example, when we try to advocate the Swedish model, Swedish industrial relations, we have said that the state plays a very important role in that they actually leave the social partners room to negotiate autonomously. That is what makes it a strong social dialogue ... I believe that [the Commission] hear [what we say] and tries to understand, but they still do not understand. (TU)

Another critique of the Commission's involvement in the social dialogue is that it puts pressure on the dialogue "from the side" with its own agenda, and pushes for certain topics, outcomes and deadlines in social dialogue. This does not fit well with the Swedish social partner's view of what autonomous social dialogue should be about:

In order for us to be able to deliver, we need this space to weigh things ourselves. We can find much more flexible solutions. Our model is based on our belief that agreements are more effective than legislation and, since we have long-term relationships, we must relate to it. If somebody presses someone who returns at a subsequent time: this is what we have to live with. But these legislators, they go home! (EO)

As the end of this quotation indicates, the Swedish social partners may find the political pressure somewhat short-sighted, whereas they stay within the dialogue for the long run to work jointly. However, the examples given of such political positions hampering social dialogue vary between trade unions and employer organisations. Whereas one employer organisation mentions the proposal of the European Pillar of Social Rights as such an example, the examples from trade unions are the situations in which the Council or the Commission has not fulfilled the principal idea that the social partners' agreements should be turned into directives if they so want. Examples include the sectoral social dialogue agreements on *Occupational Health and Safety in Hairdressing* and on *Informing and Consulting Civil Servants and Employees of Central Government Administrations* (cf. Tricart 2019).

2.6 Suggestions for Improvements in Social Dialogue

While the interviewees said little about national-level improvements to social dialogue, it is clear from the above presentation that the European-level social dialogue could possibly be working better. However, expectations that it actually will come closer to a well-functioning national-level dialogue are not high, and not everyone wants it to. Possible improvements were implicated by the above reasoning from Swedish representatives. However, the Swedish social partners believe that, in order to improve, there is a need for more preparation and coordination from the countries and regions taking part in **bottom-up** articulation. In turn, this requires more capacity building since social partners from many countries lack both the financial resources and the organisational and institutional structures required to perform well in national-level social dialogue – and that is, from the Swedish perspective, the foundation for a well-working social dialogue on the European level:

The work at the European level is an inspiration and an extra arena or platform for the [national] social partners to work on issues and learn from each other. In this way, the European social dialogue and the national social dialogue are mutually reinforcing. It is, however, important to remember that a well-functioning national dialogue is a prerequisite for a well-functioning European social dialogue – with strong, autonomous social partners. Therefore, continued work on the EU commission's initiative on “A new start for Social Dialogue” is very important. (EO)

3. Case Studies of SD Articulation in Four Sectors

3.1 Commerce

3.1.1 Actors in Social Dialogue

The retail part of the commerce sector in Sweden has approximately 280,000 employees in 58,000 companies (HUI Research 2017). According to Eurofound's (2018) representativeness study, there are eight employer organisations and six trade unions in the commerce sector at large. However, only a few of these are relevant if one excludes wholesale and focuses on retail, particularly sales managers, as we do in this project. The main employer association in retail is the *Swedish Trade Federation* (Svensk Handel), which represents approximately 10,000 retailers. This federation is a member of the Confederation of Swedish Enterprises; it has an office of its own in Brussels, is affiliated to EuroCommerce, and takes part in sectoral social dialogue in Commerce.

Union density in the sector is low by national standards, albeit still high in the international context. Among store personnel, it decreased from 64 per cent to 50 per cent between 2006 and 2018 (Kjellberg 2019). The largest of the unions for sales agents is *The Commercial Employees' Union* (Handelsanställdas förbund), which organises around 155,000 members and is the third largest union within the LO confederation. The second-largest union in the sector, *Unionen*, is even larger in terms of numbers, with over 550,000 members (Kjellberg 2019). However, this is a multisectoral TCO-affiliated union organising white-collar occupations in general, which covers approximately 100,000 employees in commerce at large (both wholesale and retail). Both unions are members of UNI-Europa, and thus also a constellation of Saco-affiliated trade unions organising academically education professions in the sector: the *Academic unions in Trade and Services* (AHT). Whereas the *Commercial Employees' Union* only takes part in the ESSD in Commerce, *Unionen* participates in the Commerce ESSD as well as 10 other sectoral dialogues.

3.1.2 Topics in Social Dialogue

In the commerce sector, as in all of the studied sectors, wages and working time (flexible working time and full/part-time) issues have been at the centre in national-level social dialogue. In addition to these, also all issues discussed at the EU level are relevant at the national level: digitalisation, competence and skills, health and safety, and work environment. Some subjects are more nation-specific and most discussed and negotiated within the routines of the collective bargain, such as wages, pensions, working conditions and working hours.

Issues concerning digitalisation are seen as closely connected to those of competitiveness, skills, and health and safety. Within commerce and retail, this concern increases, for instance, in e-shopping/e-commerce and the closing down of traditional and local stores.

This topic has been identified as relevant for discussions at the EU level because it is important to know what the situation looks like in other countries, not least from a “competitive perspective” (EO). A second aspect of the digital transformation of commerce concerns such restructuring issues when employers have a need for new and different kinds of skills. On the national level, this concerns the reskilling of employees and social partners collaborate with the Ministry of Education in order to adjust the education in trade to better match and meet demands on the labour market. The third aspect of digitalisation that is discussed in both national and European sectoral social dialogue concerns work-life balance, work environment, and stress and health issues. Technology enables a lot of things, but keeping up with it may also be stressful; there is current discussion on “the right to be disconnected” (TU). This issue was touched upon in the sectoral social dialogue committee meeting and concerned employees’ right to not take part in emails after a certain time (6 p.m., for example). However, this was a subject that may differ significantly among EU Member States, which would make it difficult to reach an agreement: “There may be countries where you have problems because you have no infrastructure, so you can’t even connect. And we sit at the other end and think we want the opportunity to disconnect” (TU).

3.1.3 Outcomes of Social Dialogue

In commerce, as in other sectors, there is an emphasis on the importance of collective agreements at the national level. The Swedish social partners, and particularly the employers (as is often the case), are quite reluctant regarding binding outcomes from the European-level dialogues. They prefer non-binding agreements and guidelines, as well as an exchange of information and best practices since those are better aligned with the Swedish model, which in many ways is based on a **bottom-up** process. In fact, they state that many of the existing Swedish legal regulations are actually codifications of the social partners’ previous practices:

The Swedish labour market works in that way. [...] If the parties fail to agree to find a solution to something, then the parliament and the government enter. [...] But it’s not the state that owns the issue. [...] That is why we have this aversion to directives and regulations from the EU-level, because we are used to the parties being able to solve this themselves, and the more locally, the better. (EO)

The social partners are aware that they are “known to ‘say no’ to everything like regulations” at the EU level. The unions acknowledge the importance of solidarity “to work with supporting and actively helping other countries”, but preferably by autonomous guidelines agreed upon in the sectors. However, besides “blocking legislation”, they want to contribute to the EU level dialogues with “best practice” since they perceive that “the Swedish labour market is often so far ahead in these issues” (EO).

Even if the social partners prefer softer outcomes, these need to be relevant for national partners and representatives in the country. Thus, the connection to ongoing discussions increases the implementation and usage of the EU-level outcomes nationally by giving ongoing issues broader legitimacy:

If you produce a statement, what you now choose to call this party-common document, we still want, in some way, for it to be something that you can use. So our elected representatives at the companies can say: “the partners at European level [are agreed on this]”. (TU)

However, despite the scepticism about binding regulation, the social partners within commerce actually refer to the framework agreement on active aging as important in the Swedish context – though this is actually binding mainly through recommendations to choose from, and thus fits the Swedish model quite well.

3.1.4 Interaction in Social Dialogue

The relationships between unions and employer organisations in commerce are described as “good” and “collaborative”. Even if things sometimes get “heated” on issues on which they are “far from agreeing”, the partners are respectful in acknowledging their different views: “On the whole, I would like to say that it is based on a **cooperation** and to solve problems, and that is what characterises [the] Swedish [model]” (TU). Both sides stress the importance of a good negotiating climate. A basis of trust and respect is described as necessary for trying out ideas and “thinking outside the box” to find new solutions. Such trustful relationships are built by networking and recurring meetings and dialogues, both formally and informally:

There are a lot of informal bonds and social activities to create a good negotiating climate. So there are dinners together with the counterparts sometimes. A good negotiating climate is founded on these informal bonds. (EO)

The national social dialogue takes place in many different settings, and the social partners share information and have continuous dialogues in different working groups, the Council, and in formal and informal contacts.

We work really intensely before and under the negotiations [of collective agreements]. In between, however, when there are no negotiations, we often agree upon creating working groups for issues not dealt with in the negotiations. Therefore, we have joint work in many questions. And we also talk about how to develop the agreements. (TU)

In 2015 the main employee organisations and trade unions in the sector established a joint **co-organisation** called *The Swedish Retail and Wholesale Council* (Handelsrådet), which had the purpose of strengthening Swedish competitiveness and creating good working conditions. The Councils’ different committees focus on social dialogue, health and safety, research and development, restructuring and job transition, and profession and competence – all topics that are in line with those discussed at the EU level. The Council has an international committee, with some of its representatives also being participants in the EU-level sectoral social dialogue.

Interviewees acknowledge that collaboration between social partners has increased over the years, which may be related to increased activity and engagement on the EU level.

Particularly for the multisectoral trade union Unionen, EU-level social dialogue is a priority since it takes part in 11 different ESSDs. Both Unionen and the Swedish Trade Federation have information sharing with national and Nordic colleagues that participate in the social dialogue before both ESD and ESSD committee meetings. Regarding interactions in the sectoral social dialogue, however, there may be challenges relating both to absent countries and organisations and because of national differences:

One should get along with other participants from the rest of Europe, and there can be challenges. It can be really exciting. There can sometimes be greater challenges with [the own colleagues] than with the counterpart. This is because it looks so different in Europe and we have such different conditions. (TU)

3.1.5 Perceived Effectiveness of Social Dialogue

Effectiveness in national social dialogue is considered high, since there is continuous dialogue and **cooperation** between the collective bargaining rounds, and because there are good channels into the government agencies. A further improvement was achieved with the establishment of *The Swedish Retail and Wholesale Council*. An example of improvements made through this joint **co-organisation** is discussions about health and safety issues and work environment, outside of the regular bargaining rounds, and provision of education for staff and managers to increase safety and prevent incidents. A similar example of effectiveness in dialogue with the Swedish government is that, from 2021, a new commerce-track will be established within the secondary school educational programmes (gymnasium) in business administration, in order to improve skills supply in commerce.

As in other sectors, the main emphasis is on the importance of social dialogue at the national level rather than the European level. From this point of departure, the effectiveness in EU-level social dialogue is considered quite low. However, it is not really expected to be that important or effective, particularly not from the employer side:

We have kind of a basic attitude really: that social dialogue actually works best at the national level, and at as local [level] as possible. This has to do with the tradition that exists in Sweden, and that the Swedish model works well. From that perspective, we have come a long way with our social dialogue. (EO)

There is scepticism regarding hard EU-level regulation, but also around the actual effectiveness of soft outcomes since there are few instructions regarding how to implement non-binding policies. Guidelines and policies are spread via newsletters and put on websites and representatives are informed about them on various meetings and conferences. One criticism that has been raised, especially by the employer organisation, is that the topics for discussion are set by the Commission:

I would say that from 2015 [...] I believe that the social partners may not really have been the ones that got to drive things forward. Rather, the Commission held the conductor's baton and moved ahead and is working on many reforms on the labour market, through the social pillar

and all the various proposals for directives that have followed from that [...] the proposals on work-life balance, and the working time directive before that. (EO)

Even so, the Swedish social partners within commerce refer to two concrete outcomes as important in the Swedish context: the framework agreement on Active Aging, and the European agreement on Guidelines on Telework and ICT-mobile work in Commerce. The former is an outcome of the ESD, while the latter is described as an outcome of sectoral discussions (ESSD). Both have been translated, spread and used in the national dialogue, and both fit what was already on the agenda, nationally.

3.2 Construction

3.2.1 Actors in Social Dialogue

Swedish construction encompasses no fewer than 23 Swedish social partner organisations with relation to the sector at large (NACE 41–43. Eurofound 2015). However, the core of the sector is smaller, particularly if focusing on construction workers. The main employer organisation is *The Swedish Construction Federation* (Sveriges Bygginstitut), representing 3500 employers with approximately 105,000 employees, which is one-third of all employees in the whole construction sector. They are a member of the Confederation of Swedish Enterprises and the European Construction Industry Federation FIEC, and have been quite involved in its committee work, and have had staff at their Brussels office. In addition, they have their own lobbyists in Brussels and an EU coordinator at home in an effort to increase their EU influence.

On the trade union side, five unions are members of both the *European Federation of Building and Woodworkers* (EFBWW) and the *Nordic Federation of Building and Woodworkers* (NFBWW). The main union for construction workers is the *Swedish Building Workers' Union* (Byggnads), which is affiliated with the LO confederation. Byggnads has approximately 100,000 members, although union density decreased from 81 per cent in 2006 to 60 per cent in 2018 (Kjellberg 2019). The other unions within EFBWW are the *Swedish Electricians' Union* (Elektrikerna), the *Swedish Painters' Union* (Målarna), the *Swedish Union for Forestry, Wood and Graphical Workers* (GS), the *Union of Service and Communication Employees* (SEKO), and the *Trade Union for Professionals in the Private Sector* (Unionen). All of these unions apart from the last one are members of the national collective bargaining cartel 6F. The interviewees feel that this has created a strong structure of coordination among construction and woodworkers unions from the national to the Nordic, European and global levels.

3.2.2 Topics in Social Dialogue

The Swedish Construction Federation has four main national focus areas: “attractive” collective agreements that are easy to apply to the benefit of companies and employees,

sound competition (that is, counteracting irregular competition and undeclared work), health and safety at workplaces, and competence development. In addition, digitalisation and sustainability have been highlighted as important in all four focus areas. To some extent, there is convergence with the trade union focus, since the latter includes digitalisation, health and safety and an issue relating to sound competition, namely that of (bogus) self-employment, to their main priority on collective agreements on wages and working conditions. However, there are also diverging interests. Whereas the employers' issue of sound competition concerns the production market, the self-employment and temporary agency issues of unions are more focused on reducing unsound competition between workers. In addition, the unionists are pushing employment issues, in conflict with the employer's views, concerning main contractor responsibilities at construction sites and public procurement. Finally, gender equality and diversity at workplaces are also issues that the unionists mentioned.

Also in the European-level dialogue, there are some shared interests between Swedish employers and unions in construction. Health and safety is said to be continuously relevant at the European level. Concerning dangerous materials, it is important for the Swedish employers to protect their own interests; for instance, regarding levels of quartz in gravel and building materials. Skills and training, and competence development, particularly workplace training, are also important issues. At the European level, Swedish employers have been pushing the issue of social identity cards in the construction sector, similar to the system developed together with Finland called *ID06*. This is a way to connect the employer and the employee legally so that there is a possibility to identify tax duties and to get at the problem with undeclared work.

However, there are also issues on which the interest divergences from the national level become accentuated at the European level. These include posting of workers, bogus self-employment and false companies:

There's been a very high degree of politicisation around these issues. [...] As we see it, this is very much about protectionism, counteracting free movement and, yes, creating walls between east and west and north and south [...] Some things are naturally substantiated – no smoke without fire – but from time to time there has been a blurring of issues: about what's actually about posting of workers and what is migration, about self-employed moving across borders [...], about refugee issues. In this, all who are vulnerable have been put in the same basket, and then you have tried, like, to solve the 'posting of workers' problem. (EO)

The unionists also acknowledged diverging views on these issues. The work within the EFBWW is said to have been largely focused on issues relating to the directives on services, posting of workers, and working time, all of which have been of great importance for unions. Swedish unionists have also put significant efforts into the post-Laval situation and have had some success in that work nationally. The Swedish so-called *Lex Laval* was abolished in 2017, again making it possible for Swedish unions to take action against workplaces with foreign employees if their conditions do not meet certain levels in Swedish collective agreements. Unionists also approve of the changes made in the *Posting of Workers Directive* in 2018. From the union perspective, these issues connect to the overall themes of social dumping and migration, which are important, as

are issues relating to the counteracting irregular companies and company practices (such as bogus self-employment), and undeclared work. These problems have brought trade unions across Europe closer:

Laval and the posting of workers directive, and the whole depressive labour markets policy from the European Commission during the last 20 years, have actually brought us closer together. We definitely have a joint view, or threat scenario and that is primarily this neoliberal thought that the market will fix everything by itself [...] We have always stood behind free movement, but it should be under fair conditions. (TU)

3.2.3 Outcomes of Social Dialogue

Swedish partners in construction have adopted a somewhat laconic tone regarding the results and outcomes of the European Social Dialogue. There have not been many **bottom-up** initiatives from the Employer organisation, except for the mentioned identity cards. The trade unions felt that the EU level was, for many years, negatively coloured by the Court of Justice of the European Union ruling in the Laval case in 2008, which made social dialogue much more oriented toward legal issues. However, recent developments in the posting of workers and the abolition of the Swedish *Lex Laval* have turned things in a more positive direction. Just as, at the cross-industry European level, the main issues for both the employer and trade union side seems to be to secure Swedish national social partner autonomy, or safeguarding national interests from unwanted **top-down** developments at the European level:

Most of it is about reports really, and perhaps statements, different types of political initiatives and so on ... The results are not always such that they lead to legislation, but perhaps sometimes more like opinions ... Things seldom land in a consensus so that they actually get anywhere – possibly with the exception of the Silica directive, where we succeeded in some way to change [the limits proposed]. (EO)

The latter issue had to do with the levels of granite and quartz in construction materials in Sweden. Both sides in Sweden have an interest in protecting their autonomy. They prefer not to change the power balances on the Swedish labour market, irrespective of whether they see benefits or costs of the issue at hand. The general model of social partner autonomy is more important to defend. However, employers also see instances in which “the bait” is too big for trade unions not to catch. An example is the issue of main-contractor responsibilities, pushed by the Commission and embraced by the trade unions. Employers felt that this issue would grow into a huge thing that would have negative effects for Swedish partner autonomy, the status of Swedish collective agreements, and Swedish companies.

3.2.4 Interaction in Social Dialogue

Interaction in the Swedish construction sector at large, and with other sectors, is described as **cooperative**. There is an acknowledgment that construction in the narrow sense (that

is, builders/construction workers) is just a small part, which is connected to the wider construction sector (NACE 41-43). The following quotation illustrates that, as well as the overall national **bottom-up** aggregation of interests in Sweden:

We are a sector. Construction is one industry, and we have cooperation with our sister organizations: painters, sheet metal, glass, installers/plumbing, electricity, machine contractors. [...] Then we work jointly between the sectors, and in that *we* are the sector representatives, so we then **cooperate** with Swedish Trade Federation, with the Association of Swedish Engineering Industries, with the Manufacturing employers, with Almega [the Employers' Organisation for the Swedish Service Sector], with the Swedish Confederation of Transport Enterprises, [...] and in some sense this is then merged into the position of the Confederation of Swedish Enterprises. (EO)

Consequently, a lot of collective bargaining and consultations are done jointly through negotiating. This involves delegations consisting of sectoral representatives from the employer side meeting with a delegation of union representatives from different unions, and meetings and consultation with officials or groups in the Swedish Government Offices:

There are deliberations taking place almost every day, in different ways and with different people. Sometimes it is at the CEO level, sometimes it happens at the negotiating level, sometimes it happens at the level of presidents. [...] These are usually a discussion about specific issues, on which there has been a formal negotiating proposal from one of the parties, and then you start a discussion. (EO)

There are dialogues between all employer and trade union partners – except for a few politically radical unions outside of the main union confederations, but that is dealt with outside of the main collective bargaining since these unions are small and stand-alone. However, the ability to come to consensual views varies, since there seems to be more divergence in interests between the employers and the unions than in the other sectors studied; at least, this is the case in the narrower construction industry organisations. The bargaining cartel 6F diverges from the employer in views regarding what is beneficial for the Swedish labour market, and particularly regarding labour mobility – issues that have been on the agenda since the Laval case. Employers are more interested in flexibility and acquiring the labour resources needed, whereas unions are focused on keeping the conditions and wages, and have questioned less-qualified labour. There has been a strong and outspoken clash of interests regarding this in the sector at the national level.

In construction, the main Swedish union and the employer organisation both take very active roles in their European federations (FIEC and EFBWW). The Swedes often team up with the Nordic organisations, as well as with those from Germany and the Baltic states, since they have overlapping labour markets. However, tensions at the national level are mirrored and accentuated at the European level. Employers find EU-level interactions more difficult than national-level ones in terms of reaching consensus since there is a tendency for regional clustering from the organisations “between the north, south, east, and west interests” (EO). An example of a position that is seen as problematic from the

Swedish point of view is that there is a tendency for the sector to want subventions of different kinds, which mirrors a kind of nationalist and protectionist stance.

Besides taking part in the European level, employers and trade unions in construction both try to have some influence through meetings with members of European Parliament and Commission representatives. There is an awareness that the possibilities to influence are greater the earlier one enters the process. Even though the potential for **bottom-up** influence is always very low, joining the process late means you are left behind from the start. In addition, both parties have contacts with their national federations' Brussels offices, which works to keep up with new developments and disperse relevant information.

3.2.5 Perceived Effectiveness of Social Dialogue

Many things are working well in the national construction sector, even though there is some divergence, or **competition**, in interests and positions as compared to the other sectors studied. Regarding the European-level social dialogue, the general Swedish scepticism is repeated in this sector. From the employer side, there are generally low expectations and little ambition to regulate things at the European level:

We are positive about international cooperation. We are positive about free movement and such. But we also want to maintain partner autonomy – and the labour market in Sweden should be dealt with mainly in Sweden. (EO)

This means that employers are actively engaged both in social dialogue and in lobbying, not so much to drive the development as to safeguard from unwanted **top-down** regulations, to perform some kind of “damage control” (EO). This is seen as important work to pursue at the European level. There seems to have been a similar view from the trade union side, in that the effects of the EU (and particularly the aftermath of the Laval case) were mainly seen as negative, and turned things too much into the juridical field to be a ground for constructive social dialogue.

However, there is strong engagement from both sides of the Swedish social partner organisations in constructive international **cooperation** with their sister organisations, and also in connecting to global, European and national issues. They emphasised the importance and value of keeping the dialogue between partners going, even though the distance between employers and unions is sometimes too wide to bridge. In this, they also express concern that there is a lack of strong social partners from some countries, particularly in Central and Eastern Europe. In addition, both sides expressed scepticism regarding the strong **top-down** involvement from the European Commission at European-level social dialogue, albeit somewhat differently depending on issues. Both parties agreed that it should be the social partners themselves who should decide on what issues to work on and how even though there are small possibilities in the Construction dialogue to reach consensus on issues that would have strong effects in the Member States.

3.3 Education

3.3.1 Actors in Social Dialogue

The education sector in Sweden is divided into preschool, primary, (upper) secondary (gymnasium) and higher (university) education. Regular teachers are working in primary and secondary education. In 2018 there were 135,900 full-time teacher positions. Both public (municipal) and private education are financed mainly by taxes through a voucher system. As in the other sectors, the Eurofound (2011) representativeness study lists a large number of social partners that have some connection to the sector. However, there are quite a few main partners if one focuses on teachers. On the larger public side, the municipalities are jointly organised in the *Swedish Association of Local Authorities and Regions* (SALAR). On the private side, the main employer association is the *Employers' Organisation for the Swedish Service Sector* (ALMEGA), which organises approximately 11,000 companies in 30 different branches with around 500,000 employees. However, the subdivision in which private schools are just one branch is around one-fifth of that total number. Almega is a member of the Confederation of Swedish Enterprises. Besides this larger private employer association, there are also a few smaller ones representing the government and civil society associations.

There are two main unions for regular teachers.² *The Swedish Teachers' Union* (Läraryrskombundet, LF) is the largest professional trade union and has approximately 234,000 members (teachers, study and careers advisors, school heads, student teachers, preschool teachers, etc.) and is a member of the TCO confederation. *The National Union of Teachers in Sweden* (Lärarnas Riksförbund, LRF) is a smaller and slightly narrower union within the Saco confederation. It organises about 90,000 qualified teachers, study advisors, and vocational guidance officers. There is **cooperation** and **competition** between these unions: whereas membership levels in LF decreased by 7 per cent from 2006 to 2018, the rates in LRF increased by 8 per cent during the same period (Kjellberg 2019). At the national level, the two teachers' unions **collaborate** within their collective bargaining coalition, the *Council for Teachers' Negotiations* (Lärarnas Samverksråd). Both unions are members of the European Trade Union Committee for Education (ETUCE), as is the Swedish Association of University Teachers (SULF). LF represents both teachers' unions in the sectoral dialogue. The employer organisation reports that they are members of European Federation of Education of Employers (EFEE) and “follow their work” in the education sector.

3.3.2 Topics in Social Dialogue

² Managers in schools, even though they are often teacher, can organise within *The Swedish Association of School Principals and Directors of Education* (Skolledarna), a union with about 7000 members.

According to the unions, the most important topics in the national social dialogue are related to “the constant question of how to make the teaching profession more attractive” (TU). First, recruitment and retention are both important since it is difficult to attract students into the teachers’ education and many competent teachers leave the profession. An example of **cooperation** between unions and employers occurred when one Swedish region tried out a new recruitment model in which students worked part-time in school and studied the teachers’ education part-time. Second, working hours, workload, and health and safety are important issues as the amount of sick leave due to stress is increasing, and the stressful nature of the job also explains why competent teachers leave the profession. According to the unions, working conditions, as a third topic, is “a means to satisfy the two former” challenges (TU).

Wages are also seen as being related to the recruitment and retention of teachers and have been an important topic for the teaching profession in the last few years. The unions report that they have repeatedly raised the issue of wages in the national social dialogue – not least through opinion-forming campaigns. A result of the campaign, according to the unions, was the so-called *Lärarlönelyftet* (teachers’ pay raise). In 2016, the Swedish government decided to allocate 3 billion SEK per year (approx. €280 million) for three years, to increase the wages for 60,000 teachers. The aim was to stimulate the most skilled and competent teachers and to increase the attractiveness of the teaching profession. This reform is also an example of the tripartite dialogue in Sweden as the government collaborated with the social partners: “It was us, the teachers’ unions, Almega, and SKL that negotiated the basic grounds and the criteria on how these [money] should be allocated” (TU).

At the European level, the related issues, as well as skills and training, are seen as important. However, according to the interviewees, the sectoral dialogue of education was seen as quite inactive, and they were not especially knowledgeable about the current work programmes and topics. It also seemed as though the issues were believed to best be dealt with at the national level. As is obvious from the above presentation, there has been a strong connection between the national-level topics and topics dealt with on European level; for instance, in the emphasis on how to improve the attractiveness of the teaching profession – even though this was not explicitly noted by the interviewees.

3.4.3 Outcomes of Social Dialogue

Union representatives stressed that collective agreements are the most suitable tool to govern and regulate the labour market. To some extent, they also talked about political intervention in education at the national level, such as the above-mentioned teachers’ pay raise programme launched by the government. Another example of the importance of government intervention in the education sector was the legislation prescribing that teachers should apply for teachers’ legitimation in order to obtain permanent employment and be eligible to grade students (Skollagen 2010:800). As in other sectors, there is a focus on national collective bargaining and regulation as the preferred way to regulate the

education area and teachers' work. The Swedish social partners do not really perceive education and schools as an area suitable for European governance:

That is the challenge with the whole European dialogue toward us Swedish unions, as we want national sovereignty in our solutions and handle it in line with our social model with collective agreements. We do not want the same solutions to a common problem, as maybe Italy wants.
(TU)

The fact that the sectoral social dialogue declaration on increasing the attractiveness of the teaching profession fitted well with the national strategies was noticed in one of the interviews. However, the sectoral dialogue outcomes did not seem to have made any difference or have been used actively in the national dialogue, since these were issues that had already been on the agenda for a long time. Thus, the ESSD outcome rather seemed to be a confirmation of existing work.

Even so, as in some other sectors, some of the cross-industry framework agreements were referred to as having been important for the education sector in Sweden. The implementation of the framework agreement on fixed-term work (Directive 99/70/EC) was mentioned. The supplementary implementation of this directive in 2015 was also mentioned, as was the national attempt to push for an acceptable legal implementation that hindered a previously existing practice of “stacking” a number of temporary contracts after each other:

The stacking [...] that we have had in Sweden was a result of the fixed-term directive, and it was implemented before 2015. But we have from [the confederations] side taken it to the Labour Court, and the European Court of Justice, and so on. And then we have redone [it], and we have implemented [it] in Swedish legislation. So it's a supplementary implementation after 2015 [...] I think we were effective, because we got it all the way to court, got it ruled. Sweden took it home, and the Kingdom of Sweden changed its legislation. Because it turned out that the Swedish legislation had gaps that enabled the stacking of temporary employments.
(TU)

3.3.4 Interaction in Social Dialogue

The two main teacher unions describe their relationship as one of the **cooperative** equal partners, even if they are simultaneously **competing** for members. As in other sectors, information sharing is part of the continuous dialogue between unions, employer organisations, and the government – “it is the beauty with the Swedish model... this infrastructure and these relations” (TU). Information sharing is described as the glue for functioning relations between the parties, and it is also linked to both consultation and negotiations. Unions and employer organisations meet monthly to attend and care for coming negotiations and to negotiate; it is described as “active coordinating work to make sure that we hold together, keep track and hold control” (TU).

The climate between social partners is said to be civilised and well-mannered. Good relationships and regular meetings are essential for the ability to understand each other's

standpoints and creatively go beyond their own patterns of thought, to “think outside of the box” (TU). Such dialogue usually departs from a formal proposal (sakframställan) to be discussed, and then skilled negotiators are needed to turn ones’ own interests into a solution to the other party’s problem:

The interest of the parties differs, so even if you have a good conversation, it is not a given that you will agree. However, it is a conversation that has prerequisites to create an understanding of why the other party thinks as it does. [...] And it is really only when I am able to understand what you need and what your biggest problem is, that what I want can be part of a solution to your problem. (TU)

There is also **cooperation** and **co-organisation** between the social partners. The partners have set up the organisation Sunt Arbetsliv (*Healthy working life*), to work jointly on health and safety and work environment issues. Thus: “we don’t have to go to the European level for guidelines when we have well-functioning social partner cooperation with targeted efforts in the municipality sector” (TU).

The social parties also consult with the government, as in the case of teachers pay raise described above, and with relevant government agencies on specific matters. Another aspect of consultation that the teachers union mentioned relates to union members. The unions are “representative democracies” (TU), and members can make suggestions directly to the board. On the state level, the Department of Education and the Minister of Education are the political partners. The sector also has a number of state agencies to consult with, such as *The National Agency for Education* (Skolverket), securing the quality standards of education, and the *Swedish Schools Inspectorate* (Skolinspektionen) monitoring the quality in Swedish schools.

On the Nordic level, unions collaborate within the *Nordic Teachers’ Council* (Nordiska lärarorganisationers samråd, NLS), which is described as a forum for exchanges of best practice. This is considered helpful in finding solutions to the most important issues nationally. There is more scepticism regarding the work at the European and global levels. LF is the more engaged part of international work since it is the larger union with more **organisational resources**. LF has “extensive monitoring of what is happening in the EU and the OECD” (LF 2019), on its own through its membership in ETUCE and the TCO confederation, which is a member of ETUC. In the European work, however, LF also represents LRF, even though both unions are registered as members of ETUCE.

The unions stress that there are problems in the work in the education sectoral social dialogue, partly because schools and education are outside of the EU competence area, and partly because the employer side is fragmented and not that well organised at the European level. In fact, one trade union representative claimed that their ETUF, ETUCE, was a catalyst in the establishment of the European Employer Federation, EFEE:

The ETUCE [...] started the formation of an employers’ organisation and helped to accomplish that because there was none. [However] it is still that on the employer side, [in] dialogue meetings, there may be one government representative from somewhere, from Sweden there is one from SKL [the municipal employer organisation], [and] from a third

country there is some CEO [from a boarding school]. Education is organized very differently. So it is a horribly diverse gathering on the employer side. (TU)

Representatives for Swedish employers in public sector, engaged via CEEP and EFEE, reported that they are not especially involved in the sectoral dialogue for education and that they have an impression that projects run in the sector “has been different” and with focus more on “exchange of experiences of good education” (EO). The private employer side in Sweden is not a member.

3.3.5 Perceived Effectiveness of Social Dialogue

The partners perceive national social dialogue within education as effective. For instance, the negotiations have resulted in agendas stipulating that the municipalities should come up with a joint strategy for recruitment and, on the workplace level, employers should conduct work environment reviews and map tasks to mark off “illegitimate tasks” (TU). Public opinion campaigns and lobbying are also important tools at the national level:

Change is [also] a result of fairly extensive and systematic advocacy, a lot of campaigns, a lot of ads, a lot of advocacy, many reports, which pump out that message... And then as a result of that comes things like three billion in teacher pay raises. (TU)

On the other hand, at the EU level, the sectoral dialogue for education is perceived as fragmented and inactive. The unions’ report having been somewhat passive lately. This, against the background that the great diversity in how education is governed in different countries, makes it difficult to agree upon common standards, and that education and schools are mainly national concerns. Specific problems within education cannot be solved with “one size fits all” solutions at the European level (TU).

We, as a negotiating union, believe that it is the social partners and the Swedish model [and] through collective agreement that you best solve issues. When we talk about increased government involvement, it is to achieve increased equivalence in schools because the municipalities are too diverse. We do not think that [could happen] through EU directives [...]. That may work better in countries with a continental logic, where you are not used to [active] social partners. [...] To turn to Brussels [...] would be to cross the river for water. (TU)

In addition, the unions claim that the important work done at the EU level is within the cross-industry social dialogue. Thus, their conception mirrors the general stance from the public employer organisation, stating that issues should be solved in **cooperation** between the social partners in both cross-industry and sector dialogues, but preferably at the local level as much as possible. There is, from the employer side, a focus on the cross-industry dialogue, but they emphasise the importance of decoupling the sectoral social dialogue from the cross-industry dialogue, but also that they should work in tandem and coordination to be effective.

It is important, with the clear connections that exist between the cross-industry social dialogue, in which CEEP participates, and the sectoral dialogues where CEMR, HOSPEEM, and EFEE

participates. ... These links mean a mutually reinforcing of these dialogues and the work within them. (EO)

As mentioned, the employer organisation also stresses that the effectiveness in the social dialogue is not about the outputs, but that the focus lies on important issues to discuss and solve: “Rather common goals than common rules” (EO). The focus on goals rather than “instruments” (directives, framework agreements, etc.) is an argument from the employer organisation that feeds into the Swedish social partners’ strong emphasis on subsidiarity and that EU regulations are on such a general level that there is:

...enough room and flexibility for national, regional and local adjustments ... there needs to be room to handle the issues through the Swedish model [collective agreements, collaborations between the partners, etc.], taking into account local and regional democracy and autonomy. (EO)

3.4 Healthcare/Hospitals

3.4.1 Actors in Social Dialogue

Health and medical care is mainly public in funding and provision and is performed by the 20 Swedish Regions/County councils with responsibility for public healthcare and hospitals. The last few decades have seen an increase in private provision, particularly in primary care, and to some extent in private insurance funding (Lapidus and Andersson 2016). All counties/regions, as well as the 290 municipalities that also have some minor healthcare operations, are all represented by the *Swedish Association of Local Authorities and Regions* (SALAR), which employ approximately 1 million people. In addition, there are two employer organisations that both are members of *The Confederation of Swedish Enterprise*, organising private healthcare providers. *The Association of Private Care Providers* (Vårdföretagarna) is a member of *Almega* and represents 2000 companies with close to 100,000 employees. The cross-sectoral *PACTA* organises 620 companies with 52,000 employees, only some of which are in the healthcare sector.

There are a great number of trade unions in the healthcare sector, which is very much organised on the basis of occupations/professions (Eurofound 2009). Nurses, which are the focus of this report, are mainly organised in the TCO union *The Swedish Association of Health Professionals* (Vårdförbundet), which has 114,000 members, including midwives, biomedical scientists, and radiographers. Assistant nurses, healthcare assistants, and medical technicians are organised via the LO union, *Kommunal*, a broad union with approximately 500,000 members from many branches of municipal operations. In addition, there is the cross-sectoral trade union *Vision* that organises dental nurses, assistants and administrators.

At the EU level, nurses are represented by the *Swedish Association of Health Professionals* in the sectoral social dialogue and the employers by SALAR. The associations for private employers do not partake in the dialogue. SALAR also takes an active part in CEEP, CEMR and HOSPEEM, and is thus engaged in both cross-industry and sectoral social dialogue.

3.4.2 Topics in Social Dialogue

According to the unions, the three most important topics in the national social dialogue are working time, shortage of competence, and person-centred care. Working time concerns long night shifts, and a decrease in the number of hours has recently been collectively agreed upon. In terms of competence shortage, the social partners are currently discussing how to enable nurses to study halftime during their working hours to increase the number of specialist trained nurses. This *academic specialist training* (AST) is negotiated in some collective agreement, but not in all:

We have collective agreements with many, but there are still many left so we need to get it in writing [...] We are also lobbying the government and SALAR to get this legally regulated in the same way that doctors' specialist training is today. (TU)

The quotation implies a **bottom-up** process, but the route to introduce a subject into the national social dialogue varies depending on the topic. The normal way to deal with working condition issues is in regular bipartite collective bargaining. In labour law issues, however, it is necessary to coordinate and **cooperate** with other unions and the confederations. And, in terms of more political issues related to healthcare – for instance, concerning person-centred care issues – “we have contacts with MPs that we know share our view and then they write a motion [...] Then we can write it for them or we help them a lot, if they want help” (TU).

The employer organisation pinpointed three main topics for the national social dialogue: competence and recruitment, work environment, and gender equality in wages and working conditions. The organisation also referred to topics stressed by the union, such as working hours and work-related health issues.

The respondents acknowledge that labour shortage and person-centred care are both issues shared with other European countries, so it is unsurprising that the same issues are seen as important in European-level social dialogue. However, these issues are dealt with in a less detailed way. As concerns many of the other issues in European-level social dialogue, much of it relates to conditions already achieved in Sweden. There are also some issues discussed on the European level that the Swedish social partners are more reluctant towards, such as ratios and minimum wage regulation, as this is something that is better dealt with in national social dialogues and collective bargaining.

The employer organisation stressed that the important topics to discuss in the sectoral dialogues are those that the members have agreed upon in their respective working

programmes. The interviews often returned to the agreed-upon working programmes, since “The issues in the working programmes are those that the social partners have discussed jointly [and], in a democratic process arrived at, is of added value to discuss at the EU level” (EO).

3.4.3 Outcomes of Social Dialogue

As in the other sectors, the important outcome in healthcare is national collective agreements. Like education, there is also a greater focus on national legislation and government intervention compared to the private sectors. Both are said to be very important, even though the balance between them depends on the issue. Whereas the collective agreements are focused on wages and much of the conditions for the healthcare profession, the legislative regulation handles issues relating to patients and the care system as such.

As in the other sectors, the social partners in healthcare are not very keen on **top-down** regulation or legislation from the EU level. The point of departure is that issues better dealt with at the national level should not be regulated by EU, and that “social partners at EU level can solve the issues better than the Commission or the Parliament” (EO). The trade union reports that it is sometimes difficult to explain this position to their European sister organisations:

We do not really want there to be legislation at the European level. Sometimes [...] our European colleagues are a little disappointed because we always block that. We defend the [Swedish] model with all means available. (TU).

As there has been hard regulation produced in the hospital sectoral committee – the “needle stick” directive (2010/32/EU) – the interviewees, of course, commented on that. However, in that case, they did not see a real problem with hard regulation at the EU level, since most of the contents were already covered by existing health and safety legislation in Sweden. Thus, the directive worked more as a means to increase focus and pressure on already established issues in Sweden. The cross-industry FA (2017) on the ageing workforce is discussed in a similar vein, as it is heavily focused on giving recommendations, even though it is binding in its form.

There is no point in making too much fuss [nationally] about the EU documents, because that may even weaken what is being done in Sweden. And we have actually even introduced wordings; I recall the “aging workforce” when we wrote that this must not in any way jeopardize or lower the level that we already have in [Swedish] collective agreements. (TU)

In this way, there was a similarity with both the “needle stick”-directive and the “aging workforce” framework agreement and the softer outcomes that the social partners from Sweden prefer to focus on in the social dialogue. They can all be used to strengthen work on issues that are already established in the national arena. They may not be implemented as such, but do increase the discussion on important topics, both nationally and locally. In line with the Swedish model, they stress that social dialogue: “... is not about steering

rules but about development and support and help to help local parties to a good application” (EO).

3.4.4 Interaction in Social Dialogue

The social partners describe the interactions among trade unions, employer organisations, and government agencies in the healthcare sector as good overall, with regular contacts. This has to do with the strong occupational specialisation between trade unions, and the large dominance of the public sector employee organisation. While there may be rivalries between the few trade unions that are **competing** over the same members, that is described as a “pseudo issue” since the whole system builds upon **cooperation**, good relations and consensus on what is most important for the members and for the future development of health care. The unions have an agreement on collaboration, which they turn to if disputes arise.

Informal contacts are described as important since formal meetings are often short and it is necessary to move forward quickly. It is important to have insight into where the other party stands. Thus, informal contacts function as information sharing in order to make the formal negotiations effective. They take place over the phone, at conferences, study visits, etc. The social partners also report frequent and ongoing dialogue with different government agencies in the healthcare area, encompassing both information sharing and consultation, and the partners are often engaged as experts in government inquiries in the area:

We have frequent contacts with the government agencies that our members’ professional practices are dependent on, like the *National Board of Health and Welfare* and *Health and Social Care Inspectorate*. We have regular meetings and contacts where we have the possibility to affect how they work. (TU)

While information sharing and consultation on the national arena works well within the established industrial relations system, there have been some deficiencies at the EU level. There is coordination between trade unions from the Nordic countries before the EU-level work. However, there is still a gap to the southern parts of Europe, not least because of differences in the healthcare systems, and the varying relations between the social partners in different countries – the north being more cooperative and the south more conflictual (Larsson 2017). The respondents reported that they **cooperate** with many different organisations nationally and internationally, on both the employer and the employee sides. At the EU level, the trade union confederation (TCO) is an important part of the professional unions, as it represents them in the cross-sectoral dialogue. There is good coordination between the Swedish and the other Nordic unions in the healthcare sector, in relation to the EU level, and from time to time with the public employer association SALAR (cf. Bechter et al. 2018).

The employers are well established within CEEP and HOSPEEM and appreciate the good relations, collaborations and links between the cross-industry and the sectoral dialogues.

They also found that the meeting forms of the ESSD in hospitals function in the way that issues and outcomes are brought home. According to the employer organisation, “ESSD Hospital is well-functioning, with continuity and a long-term perspective of the well-defined topics it works with” (EO).

3.4.5 Perceived Effectiveness of Social Dialogue

National-level effectiveness is considered to be very good in the healthcare sector. Compared to the other public-sector-based ESSD in this study – education – there is also less criticism regarding the EESD. However, that does not imply that it is seen as particularly effective, just that there is a strong dialogue covering important and nationally relevant issues. Regarding the “needle stick” directive, there is some ambivalence in the evaluation of its effectiveness. On one hand, the directive is said to be the “flagship” of effectiveness, since it had direct force at the national level and has therefore been implemented effectively. On the other hand, since much of the contents were already in place in Sweden, it did not really change that much at the workplace level.

The non-binding outcomes produced in the hospitals ESSD, and some of the outcomes from the cross-industry ESD, are sometimes considered important and useful (for example, on active aging, discrimination, ethical recruitment). However, that does not mean that all are effectively implemented, in the sense that they change things:

What materialises is often non-binding. [But] it is that something is sent home [that is important], say guidelines about, for example, the aging workforce, or discrimination or [...] work environment, or something like that. It is not always that we use them directly at home, these guidelines. But they always stimulate discussion. [...] You have to look retrospectively at home: “Have we done anything, or why didn’t we do anything, and is it something we should follow up?” Then the request often comes a few years later from EPSU: “Yes, but how have you used these migration guidelines?” Then we have to look at the fact that most municipalities already have plans for that. (TU)

The European-level social dialogue tends to be more of an added extra arena to discuss these things, and perhaps stimulate or give support to topics that have already been discussed at the national level, rather than offer radically new input to the Swedish social dialogue. Being able to address and discuss relevant topics is also emphasised as more important than hard outcomes. The employer organisation strongly stressed that:

...decisive for efficiency is that one identifies and works with the right topics and that the topic is allowed to control what kind of text/in what form, with which instrument you work with it. (EO)

The point is that it not reasonable to start with what kind of outcome one is aiming for; instead, one should start with the topic and how it is most properly addressed with regard to national differences and the principle of subsidiarity. In line with the trustful

atmosphere characterising the Swedish model, the employer organisation further stated that: “All work is ‘binding’ in that we work together with the topics” (EO).

3.5 Suggestions for Improvements in Sectoral Social Dialogue

The Swedish partners expressed similar views on the possibilities for improvement of sectoral social dialogue in the sectors of commerce, construction, education and hospitals. Since these views are also in line with those on the cross-industry level, we will end this second part of the report by presenting these ideas jointly. At the national level, there was a lot of emphasis on the well-functioning national dialogues on sectoral levels in Sweden, and no real suggestions for improvements.

Regarding European-level sectoral social dialogue, all interviewees noted the need for further capacity building oriented towards strengthening the national-level organisation and social dialogue in the European countries where adequate structures are lacking. Even though the interviewees are aware that it is not possible or even desirable to try to “export” the Swedish model of industrial relations to other countries, well-functioning national dialogues are said to be a prerequisite for well-functioning European-level social dialogue. The initiatives and projects financed by the EC are important, but so are the social partners’ joint work to create supportive structures improving the industrial relations and social dialogue in countries with weaker structures. Examples were provided of the multilevel structure of such partner support, based on national, regional and European initiatives:

In the Baltic countries, there is the BOA [Baltic Organization Academy] working with supporting and organizing and getting [things] started, which we are contributing to and inject money. Then you have UNI, which is the European Federation. They have a centre in Poland called KOS, working with Poland as well as the Czech Republic, [...]by supporting and helping to organize. We are taking part in that. [...] And the same [in] IndustryAll, [...], and there they have done great things, especially in Romania. They have succeeded very well. (TU)

In addition, voices were raised for improving the actual ESSD committee meetings and the partner relations in some sectors, since “in some dialogues, there is more dialogue than in others” (TU). There may be different reasons for this. One suggested reason is that there may be too little time in and around meetings to build informal relationships between the participants. In some dialogues, this is compensated for by the partners applying for funding from the commission for joint working projects, which increases the frequency of meetings and creates spaces for deepened work and relationship building. However, this is lacking in others and the actors never really get beyond reporting things from the national arena to each other. In such situations, it is considered important that the participants leave behind the stage in which the story of their own country is in focus, and start to focus more on joint future work. However, others stressed the importance of such information sharing, since there is a value in that too.

Finally, both employers and unions highlighted the need to improve the sectoral social partners' involvement and activities in relation to the European semester and national reform programmes, since at the sectoral level this connection is still quite loose in the case of Sweden. In addition, some trade unions in the public sector were concerned about the reluctance of the Commission to propose to the Council the legislative implementation of the sectoral the agreement on rights of information and consultation for workers in the central government sector, from 2015. This was seen as having possible negative effects for the ambitions and negotiations in other sectoral dialogues as well (cf. Tricart 2019).

4. Comparative Evaluation and Conclusions

4.1 National-level Social Dialogue in Sweden

At the national level, the social partners feel that social dialogue on both cross-industry and sectoral levels in Sweden functions well. This is unsurprising given the long history of institutionalised structures of industrial relations in the model of **organised corporatism** (Jansson et al. 2019; Visser et al. 2009; Van Rie et al. 2016). The Swedish partners have legal rights to autonomous bargaining on a wide range of issues, and good access point to influence government policy and legislation through **consultation** and lobbying. Both employers and trade unions have strong **organisational resources** overall, given their high-density levels and strong organisational structures connecting local, sectoral and cross-industrial levels through interest aggregation and bargaining coordination. Their **interactive bargaining** is largely constructive and oriented towards compromise, if not consensus, although there are contrasting interests in some issues. This approach is not only grounded in historical tradition but also supported by state structures for conflict mediation and solution, both between and during collective agreement periods. Their strong autonomy from intervention by the state is related to the social partners' history of taking responsibility for conflicts and reaching a constructive compromise in the form of collective agreements with very high coverage, despite not having any legal extension mechanisms (Kjellberg 2019; Larsson et al. 2012; Medlingsinstitutet 2019).

In addition to social dialogue in the form of consultation and bargaining, the social partners (as shown above) not only **cooperate** directly around certain issues, but have also established more long term **co-organisation** through bipartite councils – on both cross-industry and sectoral levels – working on issues such as the overall economic or sectoral development, health and safety, restructuring and skills issues. To some extent, these councils handle issues that in other countries are seen as state responsibilities.

There are some sectoral differences regarding bargaining coverage, social partner density, bargaining and interaction culture, possibilities to influence government policies, etc., and there are also a few employer organisations and trade unions that exist outside of the otherwise well-coordinated set up of industrial relations. These differences are somewhat related to variation in challenges and interests between different sectors (cf. Bechter et al. 2012), and to sectoral size and importance for the economy at large, differences between production and services, and between public and private. However, there are still strong similarities in industrial relations and social dialogue structure across sectors in Sweden. Social dialogue is largely **bottom-up** articulated, with interest-aggregation and increasingly more encompassing organisations internalising conflicts of interests and loosely coordinating strategies at higher levels (van den Berg et al. 2007). This is based on actors with strong **institutional, structural** and **organisational** resources (Akgüç et al. 2019).

4.2 Articulation between National- and EU-level Social Dialogue

The importance of social dialogue at the European level is widely recognised by Swedish social partners from both cross-industrial and sectoral levels. However, their understanding of the articulation between national and European levels is heavily influenced by the Swedish industrial relations and social dialogue traditions, which means that it diverges from that of some of the other actors at the European level. First of all, there is a very strong emphasis on the importance of **bottom-up** articulation. According to this view, European-level dialogue should be based on the interests and topics that the social partners bring from their national contexts. Some of the respondents on the sectoral level acknowledge that they have not always been taking an active responsibility in making this happen, since they have had their focus on national-level social dialogue and had the belief that the negotiations in European-level social dialogue does not make much difference in Sweden, because of the high levels and requirements in Swedish collective agreements and legislation. In addition, in cases where European social dialogue actually could make a difference, this has often been seen as a change for the worse, so a lot of effort has been put into safeguarding the Swedish (and Scandinavian) model against such changes. Still, with the possible exception of education, the Swedish partners in the studied sectors seem to have become more proactive rather than reactive during recent years.

There is a general view from Swedish social partners, in both cross-industry and sectoral social dialogue, that it is important to safeguard the autonomy of a bipartite dialogue at the European level. Thus, there are many comments about the European Commission being too keen on exerting **control**, by trying to influence and the agendas of social dialogues in ESD and ESSDs or push the social partners towards producing certain formats of outcomes – or, as in the case of the 2015 sectoral agreement on rights of information and consultation for workers in the central government sector, blocking the partners' ambitions (cf. Tricart 2019).

Regarding the articulation from the European level to the national, the Swedish partners seem to have quite modest expectations. Binding outcomes such as framework agreements or even directives produced from the social dialogue are said to make minimal difference in Sweden because of the good conditions and high levels of collective agreements and existing legislation. However, they do see the great importance that these can have in some other countries. The softer outcomes, which are often preferred because they fit better with the Swedish autonomous social dialogue structures, are sometimes seen as useful at the national level. There is some variation in whether partners translate and spread the information in any systematic manner, so the usage is not in implementing them, but rather that, if they are timely in relation to issues already addressed in national-level dialogue, they can be used for inspiration to discuss ideas further or to give more legitimacy to claims made. However, there is also widespread scepticism about whether many outcomes from European social dialogue actually make any difference in Sweden or elsewhere, because of the lack of implementation or, in some countries, even industrial relations structures to bring home and spread the outcomes (cf. Murhem 2006).

While the connection of the EU economic governance through the European semester to national social dialogue and social partners does exist, it is played down by the Swedish social partners. Naturally, the partners at the cross-industrial level take part and believe it is important for them to take part in discussing the country-specific recommendations. The sectoral partners seem to have had a looser connection, through their peak-level federations, and have not shown any strong interest in the European semester issues. This low interest in the issues is partly to do with the fact that Sweden has come quite well out in the process so far, as a result of not being overly affected by the European financial crisis. Consequently, the country-specific recommendations have not really touched upon the central issues in industrial relations or collective agreements so far. However, there seems to be a raised awareness and increasing engagement around the European semester issues at the sectoral level in Sweden recently.

4.3 ESD/ESSD Effectiveness and Possible Improvements

It is clear from the above discussion that the Swedish social partners do not evaluate the effectiveness from European-level social dialogue as high, if effectiveness is defined as producing direct effects at home (cf. Bechter et al. 2018). However, they do acknowledge more of indirect effectiveness in that European social dialogue creates possibilities for mutual information sharing and learning and **cooperation** and contributes to understanding, respect and trust between the social partners from different countries. These effects of social dialogue are also important, as are the possibilities to influence or even block unwanted **top-down** regulation from the European level.

Discussed in terms of the overall conceptualisation of **multi-level governance articulation** in the conceptual framework of the EESDA-project (Kahancová et al. 2019), the Swedish partners may be said to prefer an articulation that leans towards “**mutual responsibility**” (cf. Curry 2016). That is, they prefer a relatively flexible structural design of implementation (preferring soft instruments before hard regulation) and heterarchical rather than hierarchical relations (in preferring opportunities for the actors to act relatively autonomous in relation to higher-level actors in choosing how to implement outcomes).

The Swedish social partners’ evaluation of the effectiveness of the European social dialogue as such, and in its articulation to the national level, is thus somewhat ambivalent. On one hand, they experience the effectiveness at European as relatively low, and not at all comparable to the high degree of effectiveness in Swedish national social dialogue and industrial relations set-up. The general view, regarding possible improvements of European-level dialogue, would be to strengthen the social partners’ sectoral and cross-sectoral structures at the national level through capacity building. A joint view from the Swedish social partners seems to be that only when national-level social dialogue works and industrial relations are in place will European-level social dialogue have the possibility to really improve.

On the other hand, they are not that certain that they would like the European social dialogue to work with a similar effectiveness as national-level social dialogue – or at least not mimic the way national-level social dialogue works – since they prefer to keep their national model of industrial relations intact, and believe that the majority of issues relating to employment should be settled at the national and sectoral level, through autonomous **interactive bargaining**. This is, of course, a point made even stronger by the employers, who often express the view that the local (company level) cooperation and dialogue should also have plenty of leeway to adjust things within the national sectoral collective agreements.

References

- Akgüç, M., Martišková, M. Szüdi, G. and Nordlund, C. (2019) *Stakeholders' views on and experiences with the articulation of social dialogue. Deliverable 2.2: Working paper presenting the findings of the stakeholders' views in the articulation of social dialogue*. Brussels: CEPS.
- Baccaro, L., and Howell, C. (2017) *Trajectories of Neoliberal Transformation. European industrial relations since the 1970s*. Cambridge, UK: Cambridge University Press.
- Bechter B., Brandl, B. and Meardi, G. (2012) Sectors or countries? Typologies and levels of analysis in comparative industrial relations. *European Journal of Industrial Relations* 18(3): 185–202.
- Bechter, B., Galetto, M., Larsson, B., Prosser, T. and Weber, S. (2018) *Final Report*. Unpublished Manuscript delivered to the European Commission from the project Social Partner Engagement and Effectiveness in European Dialogue (SPEEED).
- Bengtsson, E. (2017) “Swedish trade unions and the ETUC”. In Ciampani, A. and Tilly, P. (eds) *National trade unions and the ETUC: A history of unity and diversity*. Brussels: ETUI.
- Brysselkontoret (2019) www.fackligt.eu/swedish-trade-union/. Accessed 2019-10-07.
- Curry, D. (2016). The question of EU legitimacy in the Social OMC peer review process. *Journal of European Social Policy*, 26(2), 168–182.
- Dølvik, J. E. (2007) *Den nordiska kollektivavtals- och fackföreningsmodellen*. Stockholm/Oslo: NFS/Fafo.
- Eurofound (2009) *Representativeness of the European social partner organisations: Hospital*. Dublin: Eurofound.
- Eurofound (2011) *Representativeness of the European social partner organisations: Education*. Dublin: Eurofound.
- Eurofound (2015) *Representativeness of the European social partner organisations: Construction sector*. Dublin: Eurofound.
- Eurofound (2018) *Representativeness of the European social partner organisations: Commerce sector*. Dublin: Eurofound.
- European Commission (2015a) *Industrial Relations in Europe 2014*. Publications Office of the European Union, Luxembourg.^[1]_{SEP}
- European Commission (2015b) *Employment and Social Developments in Europe 2015*. Publications Office of the European Union, Luxembourg.^[1]_{SEP}
- Gumbrell-McCormick, R. and Hyman, R. (2013) *Trade Unions in Western Europe. Hard Times, Hard Choices*. Oxford: Oxford University Press.
- HUI Research (2017) <https://www.svenskhandel.se/globalassets/dokument/aktuellt-och-opinion/rapporter-och-foldrar/finansiella-nyckeltal/nyckeltal-for-detaljhandeln-2017.pdf>. 2019-06-26.
- Hyman, R. (2001) *Understanding European Trade Unionism. Between Market. Class and Society*. London: Sage.
- Jansson, O., Jansson, J. and Ottosson, J. (2019) *Neither sticks nor carrots: Swedish trade union involvement in the European Semester*. Case study Sweden. National trade union involvement in the European Semester (INVOTUNES) project. OSE Working Paper Series, Research Paper No. 42, Brussels: European Social Observatory, June, 29 p.
- Kahancová, M., Martišková, M. and Nordlund, C. (2019) *Enhancing the Effectiveness of Social Dialogue Articulation in Europe: Conceptual and Analytical Framework*. Bratislava: CELSI.
- Kjellberg, A. (2017) “Fack, arbetsgivare och industrial relations”. In M. Bengtsson and T. Berglund (Eds.), *Arbetslivet*. Lund: Studentlitteratur.

- Kjellberg, A. (2019) *Kollektivavtalens täckningsgrad samt organisationsgraden hos arbetsgivarförbund och fackförbund*. (Studies in Social Policy, Industrial Relations, Working Life and Mobility; Vol. 2019, Nr. 1). Lund: Department of Sociology, Lund University.
- Lapidus, J. and J. Andersson (2016) Välfärdsstatens finansialisering: individen och privata sjukvårdsförsäkringar. In Andersson, E. et al. (eds.) *Vardagslivets finansialisering*. Gøteborg: Centrum för konsumtionsvetenskap, University of Gothenburg.
- Larsson, B. (2015) Trade union channels for influencing European Union policies, *Nordic Journal of Working Life Studies*, 5 (3), 101–121.
- Larsson, B. (2012) Obstacles to transnational trade union cooperation in Europe – results from a European survey, *Industrial Relations Journal*, 43 (2), 152–170.
- Larsson, B. (2017) Cultural borders as obstacles to European trade union cooperation. In Andrén, Mats (ed). *Cultural Borders and European Integration*. Gothenburg: CERGU.
- Larsson, B. and Lovén Seldén, K. (2014) Facket och EU. In Berg, L. and Lindahl, R. (eds) *Förhoppningar och farhågor. Sveriges första 20 år i EU*. Göteborg: Göteborgs Universitet.
- Larsson, B., Bengtsson, M. and Lovén Seldén, K. (2012) Transnational Trade Union Cooperation in the Nordic Countries, *Management Revue*, 23 (1), 32–48.
- Larsson, B., Lovén Seldén, K. and Bengtsson, M. (2016) *Nordiska perspektiv på transnationellt fackligt samarbete i Europa – former, hinder, utmaningar och strategier*, Forskningsrapporter i Sociologi Nr 147. Göteborg: Göteborgs universitet.
- LF (2019) <https://www.lararforbundet.se/artiklar/nordiska-samarbeten-mellan-skolledare>. Accessed 2019-07-07.
- Medlingsinstitutet (2019) *Avtalsrörelsen och lönebildningen 2018*. Stockholm: Medlingsinstitutet.
- Murhem, S. (2006) Implementation of the sectoral social dialogue in Sweden, in A. A. Dufresne, C. Degryse and P. Pochet (eds.) *The European Sectoral Social Dialogue. Actors, developments and challenges*. Brussels, pp. 281–303.
- Tricart, J.P. (2019) *Legislative implementation of European social partner agreements: challenges and debates*. ETUI Working Paper 2019.09.
- Ulfsdotter Eriksson, Y., Larsson, B. and Adolfsson P. (2019) Implementing and Integrating Policies on Performance-Based Pay: Coordinating the ‘One-employer Approach’ in a Swedish Municipality. *International Journal of Public Administration*, DOI: 10.1080/01900692.2019.1570523
- Van den Berg, A., Furåker, B. and Johansson, L. (1997) *Labour Market Regimes and Patterns of Flexibility. A Sweden-Canada Comparison*. Lund: Arkiv förlag.
- Van Rie T., Maes R. and Dion D.P. (2016) Social dialogue. In *Employment and Social Developments in Europe 2015*. Brussels: European Commission.
- Visser J., Beentjes M., van Gerven M. and Di Stasio V. (2009) The quality of industrial relations and the Lisbon Strategy. In: *Industrial Relations in Europe 2008*. Brussels: European Commission.
- Walter, L. (Ed.) (2015) *Mellan jobb. Omställningsavtal och stöd till uppsagda i Sverige*. Stockholm: SNA.