

# Final Conference

Enhancing the Effectiveness of Social Dialogue Articulation in Europe  
*EESDA - VS/2017/0434*

**21 November 2019 – Lisbon, Portugal Hotel Vila Galé Opera**

# Overview of national social dialogue in France

- Strong union culture dating back to 19<sup>th</sup> century, reinforced with constitutional preambles
- Representativeness of social partners are determined by electoral audience
- Relatively low union density (15% in public vs. 5% in private sector), but very high collective bargaining coverage (nearly 9 workers out of 10)
- Social partners are organized at several levels: national, local (regional and municipal), company level both at sectoral and cross-sectoral level
- Recent reforms on the organization of social partners; further decentralization of collective bargaining
- Priorities of topics range from social protection and digitalization to skills and ageing highly impacted by the national social contest and political context

## Sectoral social dialogue: commerce

- Moderate involvement at the EU-level, including European Semester process
- Major impacts observed due to legislative changes in SD structures and rules
- Shift toward less binding agreements and liberalization of the organization of work over the last 2 decades: *Loi Rebsamen, Loi El Khomri, ordinances Macron*
- Priorities: working time/conditions, seasonal workers
- Collective agreements are preferred tools, followed by industrial action, lobbying with MPs as well as legal actions in court , *i.e Sundays work*
- Negative perception of effectiveness of SD: consultations with social partners continue to take place, but in a non effective way

# Sectoral social dialogue: construction

- Active participation in EU-level SD structures
- Close associations with EU-level organizations and participation in discussions, but not so much involvement in European Semester process
- Main priorities: health & safety, working conditions (core elements of CB), attracting the youth to the sector, skills & training, social protection, posting of workers, social dumping
- National SD: collective bargaining (CB) is the common outcome at the sector level
  - Binding SD outcomes are preferred by both trade unions and employers' organizations
- Joint positions of organizations could be effective to reach SD outcomes (e.g. posting of workers directive) at EU-level, but at national level, inter-syndical relations are complicated
- When the national legislation is more advanced (e.g. Health & Safety) than the EU-level, social partners support the latter to ensure upward convergence among other MS

## Sectoral social dialogue: education

- Social partners are very active in discussions/consultations at all levels (not so much for European Semester though)
- Some of them have European association affiliations (e.g. ETUCE)
- SD in education is very institutionalized with at least two main bodies:
- Articulation takes many forms, SD tools are diverse, industrial action takes place when needed
- Effectiveness is somewhat negative: there are more consultations than before, but much less negotiations take place
- Tendency: SD is becoming only a formal procedure without much impact

## Sectoral social dialogue: healthcare

- Several actors at national level (union for care workers, health practitioners, nurses organisations) with priorities discrepancies between the different sectors private/public-profit/non-profit
- Absent from EU SD though discussion with EU partners /comparison exist
- Sector affected by considerable resources shortages affecting 1)social dialogue process 2)effectiveness
- Top down articulation of SD but assessed as less effective than it used to be: bipartite negotiation in the private sector, branch agreement in the private non-profit and low collective bargaining in the public sector
- Priorities emerged in a bottom way: wages, recognition of skills and responsibilities, quality of life at work, profession specificities

## Takeaways

- Shared assessment that SD is getting too formalized and not effective
- Related to the specific structure of SD in France but becoming worse in the past years
- SD jeopardizes by social conflicts/political reforms
- Need to re-think the old SD model => towards new strategies for social partners?

# Thank you for your attention!