

Andrea Müller, Irene Ramos-Vielba, Werner Schmidt, Annette Thörnqvist,  
and Christer Thörnqvist

## **How do trade unions in the public sector respond to austerity before and since the recent crisis?**

*Paper prepared for the IREC 2015 conference 10-11/09/2015, Gothenburg University, Sweden Theme 5: Trade union revitalization and social movements*

### **1. Introduction**

This paper focuses on the impact of the recent financial, economic and sovereign debt crisis on public sector trade union development in Sweden, Spain, Germany, and the United Kingdom.<sup>1</sup>

In order to avoid long-term conclusions based on short-term developments, we are discussing the nexus of crisis and trade unions in the public sector against a background of trade union development in the years before the crisis and also in its aftermath. We regard the trade unions not only as playing a defensive role but also as actors with their own power resources and the capability to influence their conditions of development. New methods of organizing and other strategies of revitalization are often regarded as indication of a possible turning-point of trade union decline (which happened in most developed Western countries since several decades). Strategic changes first pursued by some trade unions in the US and some other Anglophone countries as well as an observed retarding or partial reversing of the decrease of trade union density triggered a new debate about union revitalization. However, not only had these more optimistic expectations been stated already before the crisis but it was always doubtful whether the new signs of revitalization could reverse the medium- or long-term decline of trade unions (Frege and Kelly, 2003; Phelan, 2006; Stevis and Boswell, 2008). Some years now after the crisis' beginning, we ask whether there is still ambiguous evidence of revitalization or a stronger, clearer tendency either of revitalization or an ongoing demise.

Although in the decades before the crisis a decline of trade unions was perceived in many countries, well-researched country comparisons always insisted on institutional differences

---

<sup>1</sup> Our paper is based on interviews, document analysis and secondary statistical analysis from a research project of the Research Institute for Work, Technology, and Culture (F.A.T.K.) at the University of Tübingen (Germany). The project is funded by the Hans Böckler Foundation.

between countries and often diagnosed divergent national developments of industrial relations in general and with reference to the public sector in particular (Frege, 2006). However, the processes of globalization and Europeanization, and especially the crisis-related policy of European economic governance with its attempt to enforce convergence may bear an inherent tendency for aligning national developments to each other or, at least, lead to similar results despite persisting institutional differences. Long before the recent crisis and despite institutional differences some studies had observed a “convergence of substance” (Schmidt and Dworschak, 2006: 98) or “converging divergences” (Mills et al., 2008). Therefore, one could ask whether the “classical, country-by-country oriented, comparative industrial relations approach” (Stan, Helle and Erne, 2015: 131; Traxler, Blaschke and Kittel, 2001; Lane and Wood, 2009) and the ‘old’ debate about convergence vs. divergence – despite being comparative – are trapped in ‘methodological nationalism’. If the most important observation is a common, border crossing process which is widely invisible behind lasting divergences from a comparative perspective, one should attempt to grasp this more or less hidden tendency and not only its country specific appearances. However, country comparisons are not dispensable as long as there are significant differences between countries. It cannot be ruled out that the importance of international or transnational pressures for national development and cross-country differences are simultaneously increasing. In the case of Greece this seems to be obvious. However, whether this means that primarily a coherent system, a kind of World- or European system is operating behind the back of the actors, or rather that deliberate pressure from abroad is exerted on a country, so that a kind of “politically imposed convergence” (Schulten and Müller, 2013) takes place, is a further open question.

The observed decline of trade unions is sometimes regarded in the context of internationalized competition, structural changes, or deliberate political pressure in Europe, i.e. the strong forces of the capitalist system and of mighty actors, whereas trade union revitalization often is described as a result of “house-to-house-fighting” or community oriented local action. Therefore not only a transnational but also a sub-national as well as sectoral perspective seems to be advantageous in order to describe trade union responses to the crisis in a context of “capitalist diversity” (Crouch, 2005; Bechter, Brandel and Meardi, 2012). Because trade union development before the crisis was characterized by an ongoing decrease of both membership and collective bargaining in some parts of the world of work (industries, professions, countries etc.) and a stability of membership and sometimes even a revitalization in other parts, one also should not expect a linear development of trade unions in the aftermath of the crisis.

Asking whether the crisis fosters rather revitalization or a further decline of trade unions, it seems necessary to not only include figures on union density and collective bargaining coverage and how frequently trade unions represent employees at workplace or company level, but also to consider the reasons for the decline as well as the causes for revitalization. In case the reasons for trade union decline persist and the reasons of revitalization are not reinforced by the crisis (or other factors), the decline will proceed as long as trade unions have not adjusted their strategy and practice. Although one should not expect that trade unions will be principally able to develop successful strategies for all circumstances, we assume a range of possibilities depending on the strategy and action of trade unions themselves.

## **2. Trade Union Power Resources**

Often industrial relations approaches emphasize institutionalized relations, because these are seen as the substance of industrial relations, as a specific matter of its own. Dunlop (1958) regarded these institutions as constitutional for an industrial relations system. In an institutionalist concept, neither the material output, nor the actors' power which originally had led to institutionalized industrial relations, therefore played a role as important as institutions. One of the merits of this approach is that it shows, among other things, that even if no open class struggle can be observed, it acknowledges that wages and working conditions are not simply resulting from markets.

However, a focus on institutionalized industrial relations is less useful in case institutions are weakened and unilateral decision making or open conflict win ground. Although industrial relations institutions like collective agreements are often seen as indicators for trade union power, they can fulfil this function only rudimentary. One reason is that the existence of collective agreements is not independent from the employers' side and because collective agreements can be useful also for employers, the extent to which collective agreements can be seen as an expression of trade union power depends on content and circumstances. Country comparisons highlight that the degree and types of institutionalization can differ between countries although the results of trade union action measured for example against wages can be the same. Therefore, although industrial relations institutions as well as other factors, like the political parties in government or the attitude of the wider public audience, are more or less important in the context of different constellations of industrial relations, these do not measure the power of trade unions sufficiently. Moreover, trade union-related indicators like union density, the number of strikes and so on are not completely comparable between countries because their impact is not independent from both the particular societal constellation and the institutions of industrial relations. Although the latter cannot be

regarded as a sufficient criterion for trade union power, because institutions are normally more a result of congealed than of current action, these are important for trade unions agency. How and in what way trade unions can act is mediated by institutions. Particularly in cross-country comparisons, however, it would be highly problematic to regard only a single criterion for trade union power. For example, if we would take trade union density as a criterion, the British trade unions would be more powerful than the German ones. When comparing collective bargaining coverage rates, however, the findings would be reversed.

Measuring and in particular comparing trade union power across countries is anything but simple, but it seems obvious that it is not sufficient to take just a single criterion as a point of departure, particularly if one tries to compare different national or sectoral circumstances. The causes lay not in an insufficient definition of a single criterion but that trade union power itself rests not only on a single pillar. Following Schmalz and Dörre (2014) we can differentiate between four trade union power resources, namely: (1) “*structural power*”; (2) “*associational*” or “*organizational power*” as discussed in, among others, Wright (2000), Stokke and Thörnqvist (2001) and Silver (2003); (3) and – newly introduced by Schmalz and Dörre – “*institutional power*”; and (4) “*societal power*”. Later we will add “*political power*” as a fifth trade union power resource.

(1) *Structural power* comes from the position workers have in the labour market (here the unemployment rate is important) and within the production process, that means the fact that employers depend on workers’ (more or less skilled) work and workers are therefore able to exert power by leaving a company or by disrupting the process of production. Following Hirschman’s (1970) terminology, one could speak of exit and voice as two power options of employees which are not necessarily connected with a trade union. The structural power of a trade union thus depends on their members’ vocational skills and positions in the production process.

(2) *Associational or organizational power*, that is, the power which results from the cooperation of workers in a trade union, strengthens employees’ structural power and gives even low-skilled workers a chance to disrupt the process of production, which could be seen as a kind of temporary exit. For trade unions’ organizational power the degree of union density is a relatively good measure, however, the amount of union dues and the size of the strike fund are also important as is the proportion of activists among members.

Eric Olin Wright (2000) clarifies the distinction between associational and structural power with regard to the working-class. Associational power, Wright writes, ‘includes such things as unions and parties, but may also include a variety of other forms, such as works councils or forms of institutional representation of workers on boards of directors in schemes of worker

codetermination, or even, in certain circumstances, community organizations'. Structural power, on the other hand, could be divided into two subtypes: the first one is the power that 'results directly from tight labor markets', and the second 'results simply from the location of workers within the economic system' (Wright, 2000: 962). The latter subtype is what Beverly Silver calls workplace bargaining power, which 'accrues to workers who are enmeshed in tightly integrated production processes, where a localized work stoppage in a key node can cause disruptions on a much wider scale than the stoppage itself' (Silver, 2003: 13). Silver's description of workplace bargaining power is close to what Luca Perrone (1984) calls *positional power* or *disruptive potential*, defined as the output lost if a strike would occur. Perrone used the concept disruptive potential – congenially operationalized as interdependence between different industrial sectors – mainly to explain relative wages. Perrone's most important result – a positive link between disruptive potential and wages in Italy in the 1970s – is interesting also when it comes to the public sector, although in a somewhat different manner due to the different preconditions, which we will return to in the next sub-section; it is difficult to unleash the *full* disruptive potential in the public sector, because of the strength of laws and regulations, or 'institutional power' (cf. Hamark and Thörnqvist, 2013). The definitions of Wright, Silver and Perrone make a useful starting-point, but they are not sufficient for our purpose because our subject is different: Whether the point of reference is the working-class or the entire labour movement or - as in our case - trade unions, makes a big difference and is one of the reasons why Schmalz and Dörre (2014) differentiate between four "trade union power resources". Whereas a trade union can be a power resource for the working-class, just as Wright writes, a union cannot be a resource for itself. Moreover, despite a social democratic party can be seen (in any case historically) as a part of the labour movement and count as "associational power" of the working-class, from the perspective of trade unions political parties belong to the environment and can be regarded as belonging to another kind of power resource, "political power", which we will come back to below.

(3) *Institutional power* stands for workers' rights established by law, collective agreements and collectively agreed wages and working conditions, but also institutionalized channels of worker representation like works councils or similar committees of employees' consultation or co-determination.<sup>2</sup> Although institutions are in many countries very important power resources for trade unions, institutional power is not of the same character as the first two power resources. Institutional power is a 'derived' power resource, an echo of former

---

<sup>2</sup> Whereas the lawfully accepted right and practice of workplace representation through works councils is a question of 'institutional power', the number of representatives organized in trade unions is a matter of 'organizational power'.

struggles, or conceded by the state, for example a social democratic government. In times of declining trade union power, the more institutionalized the results of the struggles of the past are, the better it is for today. However, if trade unions are in a rather powerful position, strongly institutionalized industrial relations can be used as a power resource by the employers. In the 1970s, for example, the heavily juridified German industrial relations were seen as restrictive for labour when workers took militant forms of industrial action, whilst nowadays German industrial relations are conceived as a model for stable workers' participation. In one sense, the institutions of industrial relations can be seen more as the object of contention than the power resource of one actor, and from another perspective institutions constitute the arena and the rules of industrial relations disputes by law, collective agreements or simply by customs and practices. Like structures, institutions are always both enabling and restricting at the same time and therefore it depends on content and circumstances which aspect is more important. This also raises the question of the distinctions between conflicts of interests and conflicts of rights: under what circumstances is trade unions' bargaining power stronger or weaker without the meddling of legislative rules?

(4) *Societal power* is not completely different from institutional power if we regard institutions not only as formally agreed rules or laws, but also as customs and practices and as cognitive structures like DiMaggio and Powell (1991) put it. "Societal power" is a power resource of trade unions if they can rely on norms of workers' solidarity, a broader labour movement, or a cultural hegemony of union-friendly ideas. In times when neo-liberal ideology dominates the public opinion, one could hardly speak of "societal power" as a trade union power resource. Since Margaret Thatcher took office in the United Kingdom (and the same applies more or less in other countries too), society (media, economists, associations etc.) was for a longer time more a power resource for employers rather than for trade unions. If available, societal power is of course useful for industrial relations actors as well as just for trade unions, and society is always a potential field or arena important in case of industrial conflict.

Although we see some ambiguousness in the power resources approach, we think it is a useful concept not least because it highlights some deficits of the institutional approach of industrial relations. The power resources approach in the specific version of Schmalz and Dörre (2014) has its own limitations, as we will see, if we use it for cross-country comparisons and the public sector. Questions concerning the approach are whether there are some types of power more important than others and which institutional settings enhance or rather confine trade union power. In which way are different power resources interrelated with each other? The power resources concept should be regarded not as an alternative industrial relations approach but be integrated in a concept in which, besides power resources, also the arenas and the agendas (Müller-Jentsch, 2004) of the actors of industrial

relations play a major role. Schmalz and Dörre (2014) add an aspect themselves when they argue that power resources alone cannot explain sufficiently how trade unions act because the latter also need an “ability to learn” to develop strategies and to use power resources.

### 3. Trade union power resources in the public sector

Labour relations in the public sector are often based on the model of industrial relations in the private sector. However, they are different compared to the more strictly capitalist private sector where the wage relationship is constitutive for the employment relations. Not the wage relationship but a kind of loyalty relationship, as it is organized in the German and the Spanish state in the form of civil servants as a separate employment structure, stands for the original relationship of the state to its agents.

But even in places where no civil servants (in the German or Spanish sense) are involved, the public sector labour relations are distinct from the private sector: Employees in private companies produce profit and can disrupt profit production in the event of a conflict and thus put the employers under pressure and threaten their existence in the medium term. Workers of the state can also disrupt the working process, but they cannot turn their employer the profit off.<sup>3</sup> Sometimes the opposite is the case, because a strike can be used to reduce the expenditure of the state as an employer. This way a trade union strike action could unintentionally help authorities to reduce costs like wages, electricity, heating and so on. Also with reference to the four types of power resources, *structural power*, *organizational power*, *institutional power*, and *societal power*, there are significant differences between public and private sector.

Although Schmalz and Dörre (2014: 222) define structural power as the position of workers in the economic system, i.e. disruptive power in the production and also labour market power, that is, the ability of workers to cause economic costs to employers, and despite a rhetoric emphasizing a perspective on the “circulation of capital as a whole”, the authors differentiate only between “manufacturing power”, “circulation power”, and “reproduction power” but not between private and public sector. “Structural power”, however, is only at first glance similar in the two sectors. It matters, of course, whether or not industrial action

---

<sup>3</sup> Strikes in the public sector can certainly have negative effects on profits in the private sector in an indirect way, if the transport of goods or commuters, child care or other infrastructure is affected. However, in many cases such mediated effects may have societal and political rather than economic effects. A strike of tax officers seems to concern the finance of public employers more directly but, nevertheless, this is not comparable with profit losses in the private sector because tax payers cannot avoid tax paying due to a strike. Customers of private companies, however, could switch to competitors.



interrupts the “circulation of capital” and causes a loss of profits. Public sector strikes affect not primarily the employer, but rather the citizens. Citizens can behave in a solidary manner because they are also employees or are worried about the quality of service delivered by low paid staff, or they can behave as tax payers who are interested in avoiding additional expenditures. Due to the double character of the state as state and as employer, citizens can punish political representatives, if they don't follow the demands of the workers, or they can vote against trade union friendly politicians. Following Perrone, some occupational groups in the public sector have enormous *disruptive potential* in theory but in practice they cannot use it. If all employees in health care, firefighting, police authorities and so on go on strike at the same time, it would of course completely paralyze society, but moral values and common sense makes it impossible to not treat ill people, refuse to fight fires, and so on. The disruptive potential is too big to be allowed to materialize, therefore it is not usable, which puts these public service employees in a worse position than workers in manufacturing, who by striking hurt profit, but not individual people.

To win the citizens, it is not enough to interrupt the process of service delivery. Citizens have to be convinced by the public sector workers and trade unionists. The structural power of workers in the public sector is therefore lower than in the private sector, because they can cause no immediate reduction in profit. Thus societal power is, compared with the private sector, in two respects more important: First, having less structural power, trade unions in the public sector depend much more on the resource of societal power than unions in the private sector. Second, workers can influence directly as citizens, or societally mediated through the support of other citizens, their own employer more than it would be possible in the private sector. However, also the employer can try to influence public discourse in order to weaken trade unions' position at the bargaining table. The reliance on societal power was highlighted in the Scandinavian countries in spring 2008, when nurses in Denmark, Norway and Sweden went on strike at about the same time. None of the strikes was a real disappointment for the participants, but it was obvious that the Danish nurses, who managed to have the most “societal power”, got the most successful outcome (Thörnqvist, 2010).

Although the societal aspect of industrial relations is of relevance also for the private sector, societal and political factors are more essential for public sector labour relations (Schmidt and Müller, 2013: 17ff.; Gill-McLure 2013). Because the latter are more societally embedded than private sector industrial relations and the state has its double character as state and as employer, labour conflicts in the public sector have an inherent tendency to turn into societal conflicts. Trade unions in the public sector can, as hinted above, barely assert their claims against societal resistance. Moreover, it seems worth considering "societal power" not only



as a power resource of trade unions but also as a potential power resource of employers, and therefore to regard it also as an arena of struggle about cultural hegemony.

Moreover, the trade union resource of structural power is less important in the public sector not only because it cannot operate within the “circulation of capital” but also for political reasons. For instance, in some countries, civil servants are excluded from the right to strike. This is a matter of legislation and may be subsumed under “institutional power”. However, the state can also implement politically intended changes to industrial relations and employment conditions more directly in the public than in the private sector. Whether a government is able to enforce pay freezes or something else may depend in a perfect democracy on “societal power” again, however, if we take Greece as an example, it seems that foreign political power cannot be reduced to societal power, hence the term “political power” should be included in the concept of power resources. Yet also in the national frame “political power” plays a role for trade unions. Whether the Labour Party is in government or not perhaps is more important in the UK than in other countries because in the UK some trade unions are still members of the Labour Party. Nevertheless, in general, if a social democratic party is in government, this is a (often weak) power resource for trade unions much rather than if there are conservative or liberal parties in office. Of course a trade union friendly government could also be defined as a special case of societal power resource but this would blur the boundary of society and state. Despite “societal power” and “political power” are not independent from each other, one could argue that the influence of some trade unions (like the German civil servants association (*Deutscher Beamtenbund – dbb*)) rely more on political and institutional rather than on societal power. Party politics and lobbying are important methods to use political power resources. If we introduce “political power” as a fifth category of trade union power resources, relevant for the public sector in particular, it seems obvious that “institutional power” is not least fortified “political power”. Societal power can be converted to political power (voting, protest etc.) as well as political power can be transformed to institutional power. Institutional power as well as political power is more important for trade unions with restricted structural power and organizational power resources. The structural power resources of trade unions depend always on the development of the sector itself, this applies to the public sector as well as the private sector, however, with regard to the public sector this is a highly political issue, a matter of sovereign debt, taxes, and whether the government believes in austerity policy or is influenced by supranational institutions to implement austerity measures, or not. While the introduction of “political power” as a fifth trade union power resource should be helpful for analysing trade union development in all sectors, it seems to be nearly impossible to understand the development of labour relations in the public sector without this category.

The different types of trade union power resources can basically be derived from the structural position of labour in the production process and the labour market. This applies fundamentally also to “organizational power”, because without wage labour there would be none of the other types of power resources, however, “organizational power” seems to depend not directly on a specific structural constellation. With respect to organizational power, there are no fundamental differences between industrial relations in the private and the public sector, although it seems as if specific political constellations or societal developments matter.

To some degree power resources can be converted into each other with the ambiguous consequence that trade unions with strong structural power resources have also other types of power resources at their disposal. However, trade unions with less structural power are more in need of organizational, institutional, societal and political power resources. Organizational power seems to be more important in an environment with weak institutional power (i.e. in the early days of the labour movement) and so on. Differing compositions of trade union power resources not only between the private sector and the public sector but also between manufacturing and services as well as between countries can be expected. Varying compositions of power resources should lead to varying strategies. Because of functional equivalences, however, varying strategies will not necessarily lead to differing material results concerning pay and conditions. A convergence of substance despite a divergent development of institutions is conceivable.

#### **4. Trade unions and industrial relations in the four countries**

##### *Germany*

German trade unions, in particular the IG Metall, are mostly regarded as influential actors who operate within a highly coordinated economy, supported by heavily institutionalized industrial relations. This is true with respect to the fundamental institutions of the Works Constitution Act (BetrVG) which allows works councils and codetermination at shop floor, and also the Codetermination Law (MitbestG) which regulates codetermination at company level. In the public sector there are some modifications but the fundamental right of codetermination exists for public sector employees as well and is regulated by “staff representation acts” at national level or at the level of states. The analogue of works councils are staff councils. Works councils as well as staff councils are elected by the entire workforce, not only by trade union members and not all councils have a majority of trade unionists. Nevertheless, works and staff councils can be regarded as very useful instruments for trade unionists. However, works councils represent only a part of private sector

employees (in 2014 43 per cent in West and 33 per cent in East Germany) and only a minority of establishments (in 2014 9 per cent) (Ellguth and Kohaut, 2015: 294). In the public sector the coverage rate by staff councils is much higher (because the representation entities are normally larger) and hostility against codetermination occurs rarely.

Codetermination is one side of the so-called “dual system of interest representation”, the other side is collective bargaining. German industrial relations are characterized by national or sectoral multi-employer collective agreements which are regulated by the Collective Agreement Act (TVG). However, the coverage rate is in decline since long and in 2014 only 28 per cent of employees of the private sector in West Germany (only 15 per cent in the East) were covered by both works councils and collective multi-employer agreements (Ellguth and Kohaut, 2015: 296). In the public sector most municipalities and authorities are covered by collective agreements, however, this applies not for all employees because pay and working conditions of civil servants (*Beamte*) are regulated unilaterally at the national level or at the state level (since the federalism reform 2006 the German *Länder* regulate their employment conditions on their own).<sup>4</sup> In the public sector most non-civil servants are still covered by collective agreements and the salaries and working conditions of civil servants traditionally develop similarly as those of other employees in the sector. Generally speaking, despite some changes concerning collective bargaining (harmonized agreements for manual- and non-manual workers in 2005, and since then other than before separate for the national and the communal level and for the level of states) (Schmidt, Müller and Trittel, 2011) and some changes in civil service law (Czerwick, 2007), the “institutional power resource” of trade unions has not changed very much in the remaining public sector. Although there is only marginal erosion of institutional power, processes of privatization, outsourcing, and so called public-private partnerships have reduced the public sector and therefore the territory of institutional stability and the range of institutional power and increasing competition with private service providers affects public sector employers ability to pay also. Due to the circumstance that privatization is more important for areas of manual work and services without sovereign character, the core of public administration and civil servants (in administration as well as teachers in schools) are less affected by these changes. The consequence is that the institutional power resource and the labour market share of the civil servants association (dbb), the trade unions of education (GEW) and of

---

<sup>4</sup> The Federal Republic of Germany has three political and administrative levels: the federal level (national level), the level of the states, *Länder* (16 since the reunification), and the municipalities. Employment relations in the German public sector are characterized by a duality of unilateral determination of pay and conditions by the state in the case of civil servants (*Beamte*) and collectively agreed wages and working conditions for other employees (*Tarifbeschäftigte*).

policemen (GdP) is rather stable whereas the institutional stable terrain for the *United Services Union – Ver.di* is tending to shrink.<sup>5</sup>

In consequence, Ver.di was one of the most active promoters of the National Minimum Wage (introduced in 2015) which is important particularly for private and privatized services (in about 12 per cent of the companies there is at least one employee earning the minimum wage, in average 45 per cent of employees in these companies are at minimum wage level (Bellmann et al., 2015)). We interpret the claim for a national minimum wage (which was introduced by the current coalition government of Christian Democrats and Social Democrats and a social democratic minister) as an attempt of Ver.di to ensure institutional power via political power. An alternative strategy pursued by Ver.di is to conduct organizing campaigns in (not only) privatized services. However this is not an easy task because traditionally “organizational power” was not very strong in the public sector. Union density is not weaker on average than in the private sector (although lower than in the export industries) but it used to be not necessary to mobilize staff councillors and activists permanently in order to secure the collective agreement and its adequate implementation. Besides some cases of industrial action (borne primarily by garbage workers or bus drivers) activism was not common. Collective agreements in the public sector had an almost law-like status and are usually implemented by the administration without noteworthy deviations. *In situ*-trade union activities to control the implementation of collective agreements seemed to be not so important. When public transport and garbage work was widely privatized, Ver.di lost its battle groups. In recent years (but partially before the crisis) in particular nursery nurses had begun to take the now free place of the trade union’s vanguard.

Some critics note that Ver.di is changing its character from a multi-industry trade union (*Multibranchengewerkschaft*) to a trade union representing several specific professional branches (*Multispartengewerkschaft*), because they fear upcoming competition from occupational trade unions like the (still small) firefighters union and it is easier for Ver.di to mobilize using occupational identities and interests rather than through the traditional sectoral approach. Of course, this is not completely incorrect, but a strong tendency in the direction of mobilizing occupational identities could risk the collective identity of Ver.di as a whole. However, because of separate negotiations it is not clear whether the new battle

---

<sup>5</sup> Ver.di is the major trade union in the public sector, a member of the umbrella organization DGB (Deutscher Gewerkschaftsbund – German Trade Union Federation), and represents employees together with some smaller DGB affiliates: GdP (Gewerkschaft der Polizei – Police Union), GEW (Gewerkschaft Erziehung und Wissenschaft – Union for Education and Science) and the dbb (Deutscher Beamtenbund – German Civil Servants Association; a non-DGB-affiliated union, formerly representing only civil servants). Ver.di results from a merger of several trade unions in 2001 which used to operate in public and private services.

group will be willing to take the role of a representative for the whole public sector workforce as the former groups once did. The third strategy applied by Ver.di in recent years relies on societal power. Ver.di combines claims for better wages and working conditions with campaigns for better recognition of public service work in general or for special occupational groups, in particular nursery nurses again.

The strategic reorientation of Ver.di, in particular concerning the public sector, is still far away from being finished, but is now less focussed on cooperation and negotiation than some years before. As in 2005 Ver.di had expected that national elections would bring a coalition government of Liberals (FDP), which were in these years very hostile to trade unions, and Christian Democrats (CDU/CSU), a new collective agreement (*Tarifvertrag für den öffentlichen Dienst* – Collective Agreement for the Public Service – TVöD) was settled rapidly – even though it was not completed yet (it lacked the most important new criteria for job evaluation, Schmidt, Müller and Trittel, 2011). An erosion of societal power and the threat of losing political power resources led to trade unions' attempts to secure institutional power by a mixture of integrative bargaining (Walton and McKersie, 1965) and concession bargaining (waiver of pay raises and consent to performance related pay). The protection of the national agreements was the major trade union objective in a context “in which employer organization is more important for bargaining coverage than union membership, (and) higher levels of employer organization might compensate for weak union presence” (Thelen, 2014: 52). Because other power resources were not sufficiently available the “quick and dirty” agreed TVöD includes some concessions made by trade unions and employees. However, there seemed to be no alternative at the time.

From the early 1990s till before the crisis, the development of Ver.di (and its predecessors in the public sector) can be regarded as shaped by an incremental process of public sector restructuring, privatization, “early austerity measures” (Keller, 2014 and 2013), and the inter-sectoral developments of decreasing union density and collective bargaining coverage. Ver.di is in a process of strategic reorientation, the formerly close connection to the Social Democratic Party as a channel of interest representation lost ground (partially because with the Green Party and the later the Left Party new more or less union-friendly parties appeared). However, the “ability to learn” (as Schmalz and Dörre write) to develop strategies and to use power resources seems to exist. The dbb-trade union, which predominantly represents civil servants, tries to extend its membership among non-civil servants but insists in contrast to Ver.di primarily on institutional power and political power, for example by lobbying and pleading for better working conditions in court, arguing with the constitutional guaranteed “traditional principles of a professional civil service” (*hergebrachte Grundsätze des Berufsbeamtentums*).

The recent crisis had not much impact on trade unions in the public sector. Pay rises, virtually non-existent in the last years before the crisis (among other reasons, this money was being used to finance additional cost of new framework agreements in the metal industry as well as in the public sector),<sup>6</sup> have returned, but the state is still indebted at all levels – caused partially by bank bailouts. Austerity is not over and maybe in the years to come the pressure on trade unions will increase again. However, fiscal revenues are higher now and interest rates are low at present and the policy of cuts and privatization is not pursued as strictly as in the years before the crisis. The current coalition government is not anti-union but tries to incorporate trade unions in a strategy of competitive corporatism. This corporatist strategy, despite not new in Germany, has been stimulated by the corporatist way Germany managed the recent economic crisis and thus avoided an increase of the unemployment rate. Maybe this is the most important impact the crisis had on industrial relations in Germany up to now. Pay increases, a supply-sided labour market policy (to ensure the supply of qualified employees despite the demographic development) to stipulate technology and innovation (so called Industry 4.0), and the avoidance of “irresponsible” or “inappropriate” industrial action (law restricting multi-union bargaining – *Tarifeinheitsgesetz*) are part of this alliance. Political power helps to strengthen the institutional power resources of some big trade unions in a package which includes some restrictions for small unions. However, unlike the IG Metall, Ver.di takes a rather distanced position towards this corporatist alliance.

Summarizing the development, one could say that the impact of the recent crisis on trade unions in the public sector was marginal, but long-term austerity had already triggered a change of Ver.di's strategy. Whether this strategical reorientation will be successful to bring an end to the demise of German trade unionism is not certain, but the process initiated entails opportunities.

---

<sup>6</sup> The collective agreements (*Entgeltrahmenabkommen* – ERA for the metal industry (Bahnmüller and Schmidt, 2009), *Tarifvertrag für den öffentlichen Dienst* – TVöD and *Tarifvertrag der Länder* – TV-L for the public sector) achieved a harmonisation of manual and non-manual workers (single status, but without civil servants) and intended the abolishment or at least reduction of pay discrimination through new rules of job evaluation (Schmidt, Müller and Trittel, 2011). Under the condition that no employee should earn less, the introduction of non-discriminatory job evaluation rules unavoidably causes additional costs, costs which the employers are not willing to bear. Although the new job evaluation rules (new pay system) was introduced later than planned (and is still in negotiation for the municipalities) between 2005 and 2007 no pay increases were agreed upon.



## Sweden

Much like the German trade unions, the Swedish ones have been highly influential actors, operating within a coordinated economy and supported by institutionalized industrial relations. Due to the close connections with the Social Democratic Party that was in office all through the Swedish post-war boom, the trade unions, in particular in the export industries, were not opposed to the government – and thus barely to the major corporations either – but rather an actor cooperating within the same field against foreign competition. Class confrontation was for many years left out of the trade union agenda. A radical grass-root upsurge in the late 1960s and early 1970s, materialized in waves of wildcat strikes, changed this. A new urge for industrial democracy and requirements on improvement in the organization of work and in working environment made the Social Democratic Party rethink its enterprise-friendly policy and instead go for legislation.

Employee codetermination, at first glance comparable with the German Works Constitution Act (BetrVG), was introduced in the 1976 Codetermination Act (*Medbestämmandelagen* MBL, 1976:580). Unlike Germany and several other countries, it did however not say anything about works councils; instead the local branches of the already existing trade unions should handle all relevant issues at workplace level, including local adaptations of wage bargaining and negotiations over firm-level additional remuneration. MBL entitled the trade unions the right to information and consultation in all important matters in a company, no matter the size. Regarding issues on employment, a special act for the public sector LOA (1976:600) was introduced in the same year as a supplement to both MBL and the Employment Security Act, LAS (1974:12).

Besides this legislation, the Swedish system has always been based on collective bargaining without serious interference by the government. The general coverage of collective agreement is still 90 per cent in Sweden – in the public sector 100 per cent – despite a sharp decline in union membership after changes in the regulations of the unemployment insurance system introduced by the former centre-right government in 2007 (Kjellberg, 2015: 7-13). The unemployment insurance system was established in consequence of a strong labour movement, influential trade unions included, i.e. it can be considered a result not at least of strong organisational power which then got institutionalized – in other words: organizational power was converted into an institutional power resource which in turn stabilized union membership and organizational power. This – partially institutionally underpinned – organizational power resource has however been weakened not only by the political changes, but also already after the EU's eastbound expansion in 2004. Posted workers should be encompassed by Swedish labour market practices, but after the notorious Laval case, this is jeopardized (Woolfson, Thörnqvist and Sommers, 2010). Since 1 July 2013,



employers posting workers to Sweden for more than five days are obliged to register at the Swedish Work Environment Authority. The aim is to ensure that the employers follow the EU's Foreign Posting Directive and basic Swedish labour standards. According to the trade unions, however, the problem is how to control that all employers do register and really follow regulations. Moreover, the penalties for not applying to the regulation are comparatively low (20,000 SEK) (Thörnquist, 2015: 6-7).

However, despite some risks of subverting labour market regulation, Swedish industrial relations are still broadly intact and functioning. Although the nation-wide industry agreements set the framework for the lower levels, there is space left for workplace solutions, for instance bonus systems. The main reason why the Swedish agreements have been so strong and encompassing is found in the links between the industry level and the shop-floor. Traditionally this has given the system a flexibility and adaption to local circumstances within the otherwise seemingly rigid centralized framework that both trade unions and employers have been quite happy with. Due to the combined central and local strength of the industrial relations system as well as of trade unions, employees also in small firms in Sweden can always get support from their trade union ombudsmen, that is, the regional/local level (Thörnqvist, 2011; Kjellberg, 2015). This applies to the public sector too. Differing from Germany where in the public sector because of its legal tradition and top-down implementation of collective agreements staff councils and trade unions have traditionally little leeway for shaping pay and conditions at the level of agencies and single municipalities, Swedish trade unions have to deal more with pay and other conditions at the shop floor level. This also has a positive impact on membership.

In international comparison, though, it is cheap for a firm to fire workers. If business is so bad for a company that it can no longer afford to maintain its workforce, it can fire employees on relatively short notice – in no case more than six months – and thereafter does not have to pay anything or assume any social responsibilities.<sup>7</sup> Swedish trade unions have however found higher wages more important than the protection of employment, due to the strong social safety net for unemployed, even though the holes in the safety net became, and still are becoming, bigger and bigger over the 1990s and 2000s. In the public sector dismissals are traditionally rare, however, because of the marketization this has been a growing problem in the public sector too ever since the early 1990s. Furthermore, because of the

---

<sup>7</sup>In Germany the basic time limit for a dismissal is 28 days. This period increases with seniority and peaks after 20 years with 7 months. According to collective agreements often dismissals should occur to the end of a quarter. In case of insolvency the period is 3 month. This is not very different from Sweden. However, in case of economically caused dismissals a social plan with severances and a socially justified selection of employees can be negotiated by the works council. Yet this is normally not very important in the public sector where dismissals seldom occur.

historical strength of the collective agreement, Swedish legislation does not include clauses about minimum wages: minimum wages are regulated solely by the industry-wide collective agreements.

Some ten years ago, the lack of legally regulated minimum wages was not a problem, but things changed with the introduction of the Posted Workers Directive (96/71/EC) in Swedish law (1999:678), the discussions about the Services Directive (2006/123/EC), and the two directives' relations to the free movement of labour in the European Union. The most troublesome issue is therefore not social dumping by jobs moving abroad, or the threat of jobs moving abroad – that threat has always been posed by big business in order to curb trade union militancy. Instead the big threat has since the 2004 eastbound EU expansion been the movement of foreign labour into Sweden. Because a minimum wage level is not guaranteed in Swedish legislation, several foreign companies, in particular in construction, but also in services usually parts of the public sector, have used cheap labour from low-wage countries.

The risk of wage dumping has highlighted the need of legally extended collective agreements, which have been introduced (in various forms) in for example Finland and Norway (Eurofound, 2011; Ahlberg, 2013). As a whole, Swedish trade unions have been reluctant to such a solution, as it like legally regulated minimum wages means a step away from the traditional Swedish industrial relations. In addition, it implies a risk of free-riding and thus further decline in union density. However, the attitude is changing. The Swedish Transport Workers' Union has clearly emphasized the need for legal extension due to severe problems with low-wage competition in the transnational road haulage sector after the EU eastward enlargement in 2004 (Thörnqvist, 2013). The Swedish Building Workers' Unions and the blue-collar union in the government sector, Seco, have discussed this possibility as well. In a recently published strategy program for the upcoming three years, the LO states that extended collective agreements can be worth considering in certain sectors, albeit with maintaining the Swedish model of self-regulation (LO, 2015: 3).

A Swedish (or more correctly, Nordic) peculiarity is the separate trade union confederations for blue-collar workers, white-collar workers and professionals. The Swedish Trade Union Confederation, LO, only organizes blue-collar workers, while the salaried employees are members of the Swedish Confederation of Salaried Employees, TCO. Most of the professionals in occupations that demand university education are organized in the Swedish Confederation of Professional Associations, Saco, but with some notable exceptions such as trained nurses, with a union affiliated to TCO (Thörnqvist, 2011: 27-28). The largest Swedish trade union is the Municipal Workers' Union (Kommunal), that is, a public sector union, affiliated to LO and organizing more than half a million employees, also those in the

privatized but still tax-funded parts of the public sector. More than 80 per cent of them are women. The occupational groups belonging to the union range over a great variety of jobs, such as health care and nursing, cleaners, garbage collectors, school janitors, real estate caretakers, meter maids, kindergarten teachers, fire-fighters and many other services. In total, they make up one-eighth of the Swedish labour force (Kommunal, homepage, 31 December 2014). The largest public sector union for salaried employees is the Teachers' Union with some 230,000 members in 2013. Also in this case, more than 80 per cent are women. Moreover, the public sector unions at large have higher density than private sector unions in Sweden. In 2014, 77 per cent of the blue-collar workers and 84 per cent of the civil servants were organized, compared to 61 and 68 per cent in the private sector (Kjellberg, 2015: 8).

Still there have been some problems for the trade unions in the public sector rather similar to the ones faced by Ver.di in Germany. For instance, Kommunal, much like Ver.di, also organizes workers in industries that have become competition-exposed since the 1990s. Although there has not been a real move from a multi-industry trade union to a trade union representing several specific professional branches, different conditions for different occupational groups in the collective agreements have sometimes led to frictions. This was most notable after the 2003 municipal workers' strike, launched by the blue-collar union Kommunal (The Swedish Municipal Workers' Union) when several firefighters organized in Kommunal found themselves wronged by the outcome compared to other groups and thus left the union. Many other participants in that strike were also very disappointed with the outcome, but there was never any serious threat against the union's hegemony.

Discontent among certain groups of employees in the public sector still remains a topical issue. In mid-June 2015, the firefighters' separate union, *Brandmännens Riksförbund*, BRF, went on strike after negotiations with the employer association Salar and negotiation organization Pacta had failed. The strike, which lasted over a month, concerned wages and working conditions for the many part-time employed workers who have a most important role in this sector with serious recruitment problems. The internal frictions within the Swedish trade union movement at large have not diminished either.

During the 2008-09 crisis, the trade unions in the export industries accepted a wage freeze, in practice a lowering of incomes, in order to help Sweden out of the crisis. The last two collective pattern-bargaining rounds have carried the outcome of this acceptance, not always for the good of the public sector unions. In Sweden the crisis was deep but short, there was no increase of sovereign debt and the impact on public sector labour relations is weak. There has been no structural change in labour relations in the public sector due to the recent economic crisis, however, the crisis caused a significant cautiousness in wage bargaining

within the whole public sector. The labour market parties decided to keep wage increases low referring to economic prognoses. Today, however, it is obvious that the prognoses highly overestimated the potential impact of the crisis. According to interviews with representatives for *Vision* and the ST, it is also important to increase the expectations for higher wages and working conditions among the members. Even though the general trend in wage development in society has turned upwards again, the level has not yet been recovered (SKL, 2014: 15). However, the crisis caused no special pressure on public sector trade unions to basically change their strategies. Basic changes in industrial relations happened earlier.

In 1989, the social democratic government launched a public inquiry to analyse the low productivity in the private sector as well as in public services. This so-called productivity investigation has been highly influential on the political debate in Sweden, and it is a most remarkable sign of the take-over of the public welfare discourse by economists. To put productivity back on track again, it recommended cost cutting and the exposure of sheltered businesses to competition as the best measures (SOU, 1991: 335-42). The 1991 Local Government Act (1991:900) entitled the municipalities to engage profit-making private companies as providers. The process has not changed in any fundamental way, but rather increased ever since. When a centre-right government came into office in 1991, it strengthened the process by definitely leaving the full-employment policy in favour of curbing inflation. The pending crisis was a most important argument for the government to speed up the downsizing and privatization of the public sector. When the Social Democratic Party returned into power in 1994, it did not restore the full employment policy, and the retrenchment policy continued referring to high budget deficit. In the 2000s, privatization escalated again, particularly after the centre-right alliance government took over in 2006. Although it matters whether the Social Democrats are in office or not, the political power resource of Swedish trade unions lost importance.

Also in the early 1990s the idea of decentralization spread to the public sector; already in the nation-wide bargaining rounds in 1993, it was agreed that at least half the total wage sum in the public sector should be individually distributed at local level (Elvander, 1997: 39-40). Actually, the decentralization of wages was more rapid in the public than in the private sector (Thörnqvist, 1998). In particular the white-collar union *Vision* radically changed its structure of wage bargaining in the 1990s. This meant that the negotiations were strongly decentralized and individualized. The background to this change was also the financial crisis and the subsequent retrenchment policy in the 1990s, as well as the breakthrough of New Public Management strategies. At the same time, other aspects of Human Resource Management gained ground in the relationship between the *Vision* and its counterpart

SALAR. When dealing with various labour market issues, the parties have increasingly replaced the traditional negotiation model with cooperation agreements based on consensus.

Another problem is the internal trade union fight over the so-called Mark. The Swedish market employs a kind of pattern-bargaining (Traxler, Blaschke and Kittel, 2001) that means that the employers and trade unions in the export industries set a framework for reasonable wage increases in each national bargaining round, based on a 'Europe norm' drawing from the competitiveness of Sweden vs. other European countries (Elvander, 1997: 52-55). The agreements in the export industries, usually very similar for both blue- and white-collar workers, sets a 'mark' for the rest of the labour market. This mark is set in per cent of wage increases, not in actual money. The percentage increases are therefore the same, but in absolute figures, it makes of course a difference on a high wage than on a low one. The public sector trade unions have claimed that their members just get less 'real' remuneration compared to the export industries and have urged for pay rises in actual 'money', not in per cent. This has been an item at all national bargaining rounds since the turn of the millennium, but the discussion has still not drawn to a close. These intra-union interest conflict<sup>8</sup> over the rules of bargaining has the potential to change Swedish pattern bargaining and in consequence also disturb the relationship between the trade unions. If this will be the case strategic reorientations are to expect – whether there are austerity measures or not. By now, however, no relevant strategically reorientation of Swedish trade unions, in particular Kommunal, has taken place – an expression of course that the necessity is less severe than in the other countries investigated.

### *Spain*

Trade unions in Spain have been influential actors in a context of progressively institutionalized industrial relations. During the period of democratic consolidation (from 1977 to 1986) "the emerging process of corporatist exchange became a decisive factor in political stabilization, the control of conflict and the development of an institutional framework for democratic labour relations, including the structure for collective bargaining, the regulation of the labour market and social policy" (González Begega and Luque Balbona, 2014: 85).

Some key issues taking place within the Spanish democratic development such as the workers' representation and participation rights, which were anchored in the 1980 Workers'

---

<sup>8</sup> Public sector unions carried a heavy load from internal trade union conflicts in the late 1980s. At the 1986 LO Congress, the chair of the Metal Workers' Union (Metall) Leif Blomberg, accused the public sector unions of pressing irresponsible wage claims that threatened the entire economy. Instead of traditional wage solidarity, Blomberg argued, wages should be much higher in the profitable export industries than in the 'unproductive' public sector (Swenson, 1992: 52-54).

Statute (*Estatuto de los Trabajadores*) and the 1985 Law on Trade Union Freedom (*Ley de Libertad Sindical*), as well as the consolidation of the so-called “union elections” (*elecciones sindicales*) to periodically vote for work councils delegates set up the basis for a quasi bi-syndicalist model with regional deviations in the country (Köhler and Calleja Jiménez, 2013b: 6-7; van der Meer, 1997: 54). “Spanish unions were divided by ideological and political alignments, and there were persistent regional variations and differences between large and small companies” (van der Meer, 1997:2).

Accordingly, the union map in Spain remains practically unchanged with the two most representative unions sharing unity of action: the post-communist Union Confederation of Workers Commissions (*Confederación Sindical de Comisiones Obreras*, CC.OO.) and the social democratic General Workers’ Union (*Unión General de Trabajadores*, UGT). Both are the most representative ones at the state level, also in the public sector, with a share above 10 per cent of the total delegates nationwide. Those trade unions which fulfilled such representativeness criteria in the elections are able to participate in the general collective bargaining processes, have right to representation in public institutions, and have access to certain state subsidies.

Among some main characteristics of the Spanish labour landscape, there is a low trade union density (around 15 per cent of employees) but a high coverage of collective bargaining (80-90 per cent of employees). This shows the importance of institutional power for Spanish trade unions, an impression which is supported by the common practice of extending collective agreements: “Because of the automatic rule that agreements shall be generally binding (*erga omnes*), in the sense that all establishments, regardless of membership, are subject to the currently applicable branch collective agreement” (Köhler and Calleja Jiménez, 2013b: 7). Consequently, the organizational power resource seems to be less important. “In Spain, the election results of employee representation bodies are considered more indicative of the strength of trade union representativeness than membership data” (Pedersini, 2010: 14).

Workers’ participation, information and consultation are highly dependable on the sector and level of bargaining. Main national trade unions and employers’ association bargain on most of features of labour market regulation and social protection with a prevalence of collective bargaining at an intermediate level (regional, provincial and sectoral), linked to the very small size of most of Spanish firms (Muñoz de Bustillo and Antón, 2014). Spanish unions experience “relatively weaker organisational and collaborative resources at the workplace level” (Pulignano, Ortiz and de Franceschi, 2015), where “representation possesses breadth rather than depth, with diminishing numbers of activists struggling to cope with the demands



of increasingly decentralised industrial relations which require technical skills which most lack” (Bernaciak, Gumbrell-McCormick and Hyman, 2014:38).

Structural power coming from workers’ position in both the labour market and within the production process is contingent upon the economic sector in Spain, and was widely undermined during the crisis, when the deterioration in labour market conditions was particularly obvious in the high unemployment rate. “Because of the high level of temporary employment, many of the people becoming unemployed were entitled to low unemployment benefits or none at all, as the economic crisis deepened” (Molina and Miguélez, 2013: 8).

The combination of both the persistence of high unemployment rates and the labour regulatory reforms manifestly reduced Spanish unions’ negotiating capacities, which are now perceptibly diminished and weaker.

Spanish unions usually put stronger emphasis “on macro-level political dialogue and pressure” (Pulignano, Ortiz and de Franceschi, 2015). As a response to the crisis of 2008, the government and the main trade unions jointly committed to take action in favour of Spanish economic recuperation but the lack of a final agreement in 2009 and increasing external pressures led the Socialist government to unilaterally pass a labour market reform in 2010, which was met by the unions with a call for a general strike. An inflection point in industrial relations came in 2012 when a new labour legislation reform was unilaterally enacted by the Popular Party government in response to the European Memorandum of Understanding on Financial-Sector Policy Conditionality (European Commission, 2012). The new fundamental changes in labour market regulation focused on two main aspects: more power in the hands of employers (e.g. to change working conditions without the consent of works councils) and the decentralization of collective bargaining from multi-employer agreements to the priority of company-level ones. In addition, modifications of the national wage-setting and freezes of national minimum wages were also implemented. Therefore, the general trade unions’ institutional power resources were weakened as a direct consequence of the deregulation and decentralisation processes after the crisis. Similarly, in the public sector there is a long tradition of dialogue and social pacts – both bipartite and tripartite –, what made unions to adapt their demands and expectations to the substantive socioeconomic context, and which can also be interpreted as a limited disruptive capacity in practice. Unionists mentioned the fact that when the Spanish national economy was growing in the decade prior to the crisis, public sector employees’ salaries and working conditions did not improve accordingly. However, they deeply suffered the consequences when the crisis hit the country, even though they did not cause any of the economic and financial problems. It is then generally considered that the government normally uses the public employees to exemplify policies of containment for the rest of the citizens (or the private sector or the



financial markets) as well as for their European counterparts. The multiple facet of the state as sovereign state, regulatory entity, policy-maker and employer introduces more complexity for both the public sector developments and labour relations.

The circumstance that the strength of Spanish trade unions was derived strongly from institutional power backed by the state can entail difficulties in case of political discontinuation. The Socialists demand for concessions and the more stronger revocation of support by the Popular Party brought the trade unions in a strategical dilemma: Whereas on the one hand militant action is not only difficult because of weak union density but could cause the loss of the hitherto important institutional and political power resources, concession bargaining on the other hand could undermine the anyway weak organizational power. In a first reaction, according to Suárez Corujo (2013: 4), “trade unions probably went too far in concessions that harmed workers’ interests impelled by the threat of financial collapse of the Spanish economy”. However, the persisting crisis urged trade unions to rely more on their own organizational power. Due to the crisis related weakness of structural power, general strikes are now also a measure of choice.

Thus, after a pre-crisis scenario marked by well-established collective bargaining and participation practices as well as the absence of major conflict in the public sector labour relations (Caprile and Sanz de Miguel, 2011), a trend in the opposite direction has been lately experienced and strongly intensified during the last political term (2011-2015). Trade unions have played no role in fiscal adjustment and public spending cuts since collective bargaining processes and tripartite agreements have been suspended or side-lined. That situation motivated unions’ complaints to the International Labour Organization (ILO), whose responding report reproached the removal of the bargaining processes in the public sector in Spain (ILO, 2014).

Given the existing mutual dependency between the state and the trade unions in the public sector, although labour relations have been seriously damaged in the aftermath of the recent crisis, bridges between both sides are never completely torn apart. All trade unions representing public sector employees have not only opposed the prevailing set-back situation but they have also tried to find new grounds for future agreements in a mix of resistance, resignation and unenthusiastic scepticism. Following that path, unions always tried to keep some lines of cooperation and open communication, even in the toughest and most adverse moments.

At the same time, in terms of mobilizing capacity, unions found it difficult to continue calling for strikes and rallies during the crisis mainly because of the direct costs to the workers (money for each lost working day) and the “fatigue effects” (confrontation is less efficient if

overused). Other factors influencing the levels of participation was the perception that options to reverse both the worsening of working conditions and the high levels of uncertainty for temporary workers are limited. However, the number of strikes and demonstrations in defence of public services sharply increased in the last years with a growing participation of diverse civil society groups. A wider and more flexible repertoire of action expressed in terms of 'inclusive strike'<sup>9</sup> (Cerrillo Vidal, 2013), and included new forms of contentious collective action<sup>10</sup>, social support and resistance to austerity in Europe (Stan, Helle and Erne, 2015).

Court cases also highly escalated as a way to channel conflict. In that sense, a distinct characteristic in the public sector, different from the private sector, is that a lack of final agreement can be eventually replaced by the political prerogative of the government to unilaterally regulate the working conditions of the public employees, after using up other foreseen extrajudicial mechanisms to address tensions and solve disputes (Mellado, 2007).

In the course of the recent crisis, unions were in fact forced to adopt some survival strategies to face a quite adverse context characterized by the Popular Party government's negative attitude towards public employees, their rights and their public image, which were intentionally denigrated. "The unions have (...) been the target of an intensive public opinion campaign, picturing them as parasites on the labour market and public spending and the cause of many of the problems in the labour market. The focus of this campaign has been their lack of representativeness of the workforce and their dependence on public subsidies. It really does not matter that these claims can be proven false. (...) (The) campaign has had an impact on public opinion, sharply reducing the level of trust in workers' representatives, and weakening their role in the public sector and society more generally" (Muñoz de Bustillo and Antón, 2013: 526-527).

In the post-crisis era, according to Köhler and Calleja Jiménez (2013a), unions are reduced to managers of both discontent and the rights of a minority of the working class. Additionally, the recent crisis has intensified citizens' demands for public accountability as the social perception of the big trade unions has progressively deteriorated. They are also considered

---

<sup>9</sup> Despite significant resistance to any form of coordination with the two big unions, which were seen by many participants as part of the establishment that was being challenged, on November 14th 2012 collectives of the *Indignados Movement* (M-15) decided to support the general strike called for by the unions. The real success of the strike came from some innovative actions implemented and the transnational character of the protest (Cerrillo Vidal, 2013: 42).

<sup>10</sup> For instance, the so-called *marea blanca* (because of the white colour of doctors' and nurses' coat), together with other social organisations, including some unions, and regular citizens have carried out regular demonstrations and judiciary actions to stop the privatization of the public health services in Madrid. Similarly, other professions within the public sector have been quite active in protesting and defending specific public services, such as education (*marea verde*) and some others issues, which are identified by a different colour each.

“part of the political system and its institutions and are thus criticised by many civil society protest movements” (Köhler and Calleja Jiménez, 2013b). “The two major labour confederations have recently acknowledged the failure of trade unions as part of the institutional and political system to channel the citizens’ demands” (Molina and Miguélez, 2013: 10). Some corruption cases affecting CC.OO. and UGT, as well as social frustration because of the high unemployment rates and the continuing worsening of life and working conditions are all fuelling such widespread feelings. Social transformations could be also fostering an increasing support for minority trade unions, which could show a new trend in transferring some workers’ support from the bi-union model to a more fragmented and diverse panorama of trade unions and representation of professional interests in the country.

In sum, as a consequence of the crisis, despite some apparently ambivalent effects on the societal and political arenas in terms of social support and resistance capacity, the trade union power resources have diminished. “The Spanish trade unions thus face a fundamental challenge of renewing their role as an effective social force and opposition to a deregulated, financial-market-driven and socially unjust capitalism” (Köhler and Calleja Jiménez, 2013b: 16) since they no longer represent a solid socially credible alternative in Europe (Wahl, 2014).

### *United Kingdom*

In a context of a dominant financial sector, a housing boom and growing private indebtedness, the financial crisis of 2007/2008 had a severe impact on the British economy. After more than a decade of sustained economic growth, real GDP dropped by 6.3 per cent in the beginning of the recession and stayed at a comparatively low level ever since. However, unlike in previous recessions, employment has not strongly declined but remained at an unexpected high level. The employment rate decreased only by about 2 per cent during the crisis and in 2014, was almost back to the pre-crisis level, while the unemployment rate diminished from more than 8 per cent in 2011 to 6.6 per cent in 2014 (ONS, 2014).

Presumably, the low unemployment rate has a positive impact on trade unions’ structural power. However, since the Cameron governments are aiming at reducing sovereign debt largely through cuts in the public sector budget, this resulted not only in an increase of outsourcing and privatization which meanwhile has also been expanded to core public services, but also in massive cuts in staff, most notably in local government which increasingly is ‘under pressure’ (LGA, 2014). Thus, it can be expected that in the public sector the structural power of trade unions is currently rather low. The radical cuts may prove short-sighted, however, as due to growing societal tasks, e.g. arising from an aging society, a shortage of certain professionals is already becoming apparent. Hence, there seems to be a

chance that in the long run structural power will increase again, at least for certain professional groups.

In terms of organizational power, union density numbers indicate a continuous loss of influence and resources since union membership had been at its peak of over 13 million in the late 1970s. While in 1980 more than half of the employed were unionised, trade union density has fallen to a quarter in 2014 (BIS, 2015a; Visser, 2006). In 1995, 21.4 per cent of private sector workers were members of a trade union compared to 61.3 per cent in the public sector. In 2014, the union density had further shrunk to 14.2 per cent in the private sector and 54.3 per cent in the public sector. Looking at absolute numbers, trade unions in the public sector lost 79,000 members from 2013 to 2014 (having now in total 3.76 million members), while in the private sector “there were 2.7 million members, an increase of 38,000 since 2013. Despite an increase in numbers, the proportion of trade union members amongst private sector employees fell slightly from 14.4 per cent to 14.2 per cent, reflecting employment growth outpacing the growth in union membership” (BIS, 2015a: 12). Although in the years before the crisis some trade unions were able to stop the membership decrease or even achieved an increase like the Royal College of Nursing (RCN), a general, long term erosion of membership nevertheless is obvious and is likely to be accelerated by staff reductions and further outsourcing in the public sector, following the Coalition and the Conservative government’s cuts in public spending.

Responding to declining membership rates, trade unions have engaged in several mergers and their number decreased from 306 in 1990 to 180 organizations in 2010.<sup>11</sup> Moreover, unions try to counteract their loss in membership, influence and resources with organizing campaigns, alliances with civil society and international organisations and sometimes also with employers for government lobbying, increased deployment of legal methods and the development of new fields of trade union activity (e.g. internal training). There has been intensified campaigning, for instance for “a future that works” and “fair pay and the living wage” (TUC, 2013) and against the prolonged ‘living standards crisis’, and in 2011, a number of large-scale strikes and demonstrations took place which focussed mainly on wages, redundancies and pensions in the context of the government’s austerity policies.

Compared to the significant decline of industrial action over the last 30 years, 2011 was a rather exceptional year with almost 1.4 million working days lost, most of them in the public

---

<sup>11</sup> In 2014, there were 54 unions affiliated to the Trade Union Congress (TUC). Unite (a merger of Amicus and the Transport and General Workers’ Union – TGWU) and UNISON (the largest public sector trade union) are the largest unions under the TUC umbrella. Other unions are specialized on certain occupations such as the National Union of Teachers (NUT) or the RCN, or organize in particular industries. Few operate only in particular companies (TUC, 2014; Wilson, 2012).

sector. After a strong decline in 2012, in 2014 the number of working days lost due to labour disputes was increasing again, also “mainly attributable to a number of large scale public sector strikes” (ONS, 2015: 1), predominantly in public administration, defence and education. In the years 2012-14, pay was a major cause for strike action, compared to 2009-10 when redundancies were the main concern. This shows that, despite membership losses, trade unions and workers in the public sector are still powerful actors, albeit the larger disputes tended “to last for a single day only, while the strikes that last for more than one day tend to be smaller in terms of the number of workers involved” (ONS, 2015: 18). However, as described more in detail below, the Conservative government has recently published a bill that, once passed, will considerably confine trade unions’ ability to take industrial action.

Concerning institutional power, the UK is rather exceptional. Unlike most other European countries, British labour law does not differentiate between private sector and public sector employment relationships, civil servants included, apart from some minor differences like traditional prerogatives for public servants such as higher job security and certain constraints of the ‘de facto’ right to strike for police and armed forces (EPSU, 2008). The principle of ‘voluntarism’, that “has been consistent with state abstention from modelling the processes of interaction between the parties through collective bargaining, and agreements made between them will not normally have the force of law” (Snape 1999: 268), used to be a characteristic feature of British industrial relations. Nevertheless, law provided certain rights protecting the individual at work, such as unfair dismissal, equal opportunities, maternity leave, or health and safety regulations, as well as “some underlying structural support for union organisation and collective bargaining” (Snape, 1999: 269). Finally, the question under what conditions industrial action is considered legal and trade unions are protected from penalties for the eventual damage caused by strikes (‘trade union immunity’) is stipulated by law. However, with the Trade Union Act of 1984 considerable hurdles were put up for trade unions to meet the conditions for lawful industrial action.

Not only in contrast with the voluntarist tradition but also with their own neoliberal ideology, the Thatcher governments used legislation as an instrument for curtailing trade union power, increasingly circumscribing organisational rights and subjecting internal union organisation to greater regulation and scrutiny (Snape, 1999: 269). Overall, trade unions’ institutional power was considerably weakened (Dickens, 2008). This was never fully restored by the Labour government under Blair, albeit it promoted a strong ‘social partnership’ and introduced important improvements such as the National Minimum Wage, legislation on trade union recognition, working time regulation, information and consultation of employees. Dickens (2008) speaks of “continuities” – or “legacies” – from the Conservative governments: “continuing restrictive regulation of industrial relations and legislative requirements relating to internal union affairs [...], no return to the public policy of encouraging and supporting

collective bargaining as the best method of conducting industrial relations”, instead continued individualisation or de-collectivisation, and “to be, and to be seen to be, ‘business friendly’” (Dickens, 2008: 7).

Much of the recent Coalition and now the Conservative governments’ policy appears to be a continuation of Thatcher’s neoliberal agenda. At the time of writing, the *Trade Union Bill*, published on 15 July 2015 by the newly elected Conservative government, is hotly debated. According to Darlington and Dobson, the Bill “promises (amongst a variety of other measures) the most sweeping and radical tightening of the rules on industrial action seen since the Thatcher era of the 1980s with a minimum 50 per cent ballot participation threshold alongside a requirement for unions in ‘important public services’ to obtain a minimum 40 per cent majority of all those eligible to vote. It would have a devastating effect on many unions’ ability to take lawful industrial action” (Darlington and Dobson, 2015: 1).<sup>12</sup> Moreover, it will also become more difficult for trade unions to collect their member dues and to donate money to parties. Facility time for trade union representatives at the workplace will be reduced, the impact of strike action cushioned by allowing the use of agency workers to cover for striking workers and the “intimidation” of non-striking workers tackled (BBC, 2015; BIS, 2015b and 2015c). In sum, since the end of the 1970s, to a lesser or greater extent legislation has contributed to a deterioration of trade union rights.

Due to the UK’s voluntarism, according to which collective agreements are “binding in honour only” and hence are not legally enforceable, institutional power in terms of collective agreements is traditionally not very strong.<sup>13</sup> Moreover, since the beginning of the 1980s, the collective bargaining coverage rate has shrunk dramatically from 80 per cent to 30 per cent in 2010 (Visser, 2013) and the wage share, the percentage of GDP going to wages, decreased from its peak of almost 65 per cent in 1975 to 53.7 per cent in 2011 (Gall, 2012; Lansley and Reed, 2013). In the UK’s private sector, collective bargaining coverage declined from 23.2 per cent in the mid-1990s to 15.4 per cent in 2014, whereas in the public sector, the coverage rate continues to be at a much higher level, but it also shows a downward development from 74.4 per cent in 1996, levelling out at around 70 per cent in the following years and markedly decreasing from 70.6 per cent in 2008 to 60.7 per cent in 2014 (BIS, 2015a: 40).

---

<sup>12</sup> Under current rules, a simple majority of those who participate in a ballot would be sufficient to take strike action. As the authors show, only about half the strike ballots that were successful for the time period 1997 to 2015 would be so under the new legislation and in case of the ‘important public services’, that is fire, health, education, transport, border security and nuclear decommissioning, the number of strikes would be reduced by nearly 40 per cent (Darlington and Dobson, 2015: 2).

<sup>13</sup> However, regulations of a collective agreement usually appear in individual work contracts and this way can be fought for at the courts.



In contrast to the private sector where company level bargaining clearly dominates, industry agreements like the *Green Book* for local government in England, Wales and Northern Ireland, and the *Red Book* for local government in Scotland, or the *NHS terms and conditions of service handbook*, also called *Agenda for Change* (since 2004) for more than a million people employed at the NHS with the exception of doctors, dentists and senior managers covered by pay review bodies, are still common in the public sector. These agreements provide a framework but also give the single employers (councils, NHS-trusts) relatively great flexibility. This, as well as a certain continued influence of Whitleyism, might explain the resilience of industry-wide collective agreements in the public sector, despite a decentralization trend that started in the 1990s (Prowse and Prowse, 2007), which has been emphasized again since 2010. Moreover, the devolution of certain powers to the representative bodies of Scotland, Wales and Northern Ireland who in parts also conclude collective agreements has resulted in a further diversification of public employers. Overall, multi-employer agreements still play an important role in the public sector, however, their regulatory powers are weakened and their scope is being reduced (Bach, 2011).

Furthermore, the establishment of (currently eight) pay review bodies "which make recommendations impacting 2.5 million workers – around 45% of public sector staff – and a pay bill of £100 billion" (OME, 2015) for some parts of the public sector (e.g. the NHS, school teachers, prison service), can be regarded as further undermining collective bargaining. Pay review bodies consist of government-nominated experts who – based on evidence submitted by trade unions and employers as well as their own research – make recommendations concerning pay and terms and conditions for certain professional groups. Thus, trade unions and employers are excluded from direct negotiation but have the opportunity to engage in what Bach calls 'arm's length bargaining' (Bach, 2011: 13) by influencing pay development through their evidence statements. A shift in the competences of other institutions can also be observed. For instance, the Council of Civil Service Unions (CCSU), which used to negotiate collective agreements with the Treasury, has been replaced by the National Trade Union Committee where representatives of the unions, the Treasury and the Cabinet Office discuss the Government's policies. Pay negotiations were delegated to lower levels (departments, agencies). "Although in general formal institutional structures have remained in place, trade unions have much less influence over the formulation and implementation of policy" (Bach and Stroleny, 2012: 9).

At the company level, trade unions in the public sector continue to play an important role in representing workers' interests. In 2013, 84.9 per cent of public sector employees worked for an employer with at least one recognised trade union entitled to pay bargaining, compared to 28.1 per cent in the private sector (BIS, 2015a: 33). In 8 per cent of establishments (and for



37 per cent of all employees), there are “joint consultative committees” (JCCs)<sup>14</sup>, mainly to be found in large companies or among public employers. However, since also in the public sector there is a trend towards individualization of employee–management relations, the role JCCs are playing is diminishing (Bach and Stroleny, 2012: 4).

Trade unions’ political power to a large degree depends on which party is in government: Labour or Conservative. Traditionally, trade unions had strong ties with the Labour Party which, in fact, was set up by trade unions at the beginning of the twentieth century as a political pillar of the labour movement. By contrast, under a Conservative government, trade unions’ political influence is much more limited. The recent Coalition and now the Conservative government showed little interest in involving trade unions in developing and implementing their policies but rather a propensity towards unilateralism. Due to the British peculiarity that the civil service budget and a large share of local government budget is determined by the central government, the state as an employer – if not particularly valuing the idea of “social partnership” – can limit pay without consulting with the collective bargaining parties. In fact, the Coalition government introduced a pay freeze in the public sector from 2011 to 2013, with the exception of workers with an annual income of £21,000 or less, and a subsequent capping of pay at a maximum of 1 per cent rise in each year, now extended up to 2020–21 (Summer Budget 2015). These austerity policies, however, have an indirect negative impact on trade unions again as there is not much left to bargain over.

An increase in government interventions in the field of employment relations, a further decline of tripartist bodies and a trend towards unilateralism indicate an increase in political power on the side of government while opportunities for trade unions to wield influence diminish and their political power is confined. However, their ties with the Labour Party are still a relevant way for trade unions to influence politics in their members’ interest and even if Labour is not in power at the national level, trade unions can try to influence policy outcomes of Labour governments at the local level.<sup>15</sup>

---

<sup>14</sup> Joint consultative committees, sometimes called ‘works councils’ or ‘representative forums’, for the main part serve as a forum for consultation between management and employees but normally not for negotiation.

<sup>15</sup> Today there are still 14 trade unions affiliated to the Labour Party, among them major unions organizing in the public sector such as Unite, UNISON and GMB and trade unions continue to be a significant source of funding for the Labour Party (Schröder, 2006: 44f.). It is feared, however, that a clause of the Conservatives’ Trade Union Bill, according to which trade union members have to opt into paying the political levy at least every five years instead of having a ballot on the establishment or maintenance of political funds every ten years and giving members a chance to opt out of the political fund (Pyper, 2013), could cause a significant loss of funding (*Guardian*, 27 May 2015).

Opposing the Coalition Government's harsh austerity measures, which hit public sector workers and recipients of welfare benefits the hardest (cf. Grimshaw, 2013), and thematising mid- and long-term consequences for society (e.g. CLES, 2014), not always immediately increase trade unions' societal power as this means to shape public discourse against the hegemonic ideology of neoliberalism. The last general election showed that the Conservatives were successful in mobilizing societal power on their behalf. Presumably, as public sector employment relations actors have pointed out, society will only sufficiently support trade union arguments if larger parts of it are noticeably affected by the austerity measures and public services required by a wider part of society cannot be provided anymore. This is likely to happen with the next round of austerity in the public sector for which the Conservative government has just sounded the bell. So far, however, it has been careful to not put off important groups of voters. However, neoliberal hegemony is not the complete picture concerning trade union power resources. The UK is still divided between regions which ideologically differ markedly and echo the traditional class divide of "them and us" in a more or less modified manner. In this sense divided are not only Scotland and England, it also makes a big difference whether the North East or the South East of England is regarded. These differences are historically grown but perpetuated by a connection between regions and political parties. Although regions related to the Labour Party are also not free from neoliberal ideas, some regions could be seen as areas of retreat for more trade union-friendly opinions.

In sum, compared to the private sector, trade unions in the public sector are still quite powerful, with industry-wide collective agreements and workplace representation still playing an important role, with union density of more than half of the public sector workers and the ability to hold large-scale strikes. However, there is a long-term trend of a decline in union density, coverage of collective bargaining and industrial action and a hollowing-out or curtailment of competences of long-standing labour relations institutions. These trends are impelled now by the strict austerity programme with which the British government tries to come to grips with the consequences of the recent financial and economic crisis. This has not only undermined public sector trade unions' structural power but is accompanied by a far-reaching curtailment of trade union power through legislation. Thus, in Britain, trade unions in the public sector are still a stronghold, but a stronghold under heavy attack.

## 5. Comparison and conclusions

Already before the crisis there were pronounced differences between the power resources trade unions could rely on in the UK, Spain, Sweden, and Germany, even if the influence of trade union activities regarding the development of wages and working conditions were not so different.

In the private sector, at first glance the major differences seem to be between the UK and the other three countries: Whereas in the UK in the traditional realms of trade union activity, manufacturing, mining and so on, structural power has and organizational power had been eroded by de-industrialization, the always relatively low level of institutionalized power was further undermined by anti-union-legislation, i.e. a withdrawal of political support had happened which was never fully compensated when Labour was in government. The societal power resource was weakened by neoliberal hegemony. In the three other countries, manufacturing was before the crisis more important, institutionalization still stronger, anti-union politics less incisive and societal backing never as weak as in the UK. However, whereas in the private sector organisational power in Spain and Germany (measured in union density) is not so different to the UK, union density is much stronger in Sweden, partially based on an indirect effective institutional power which supports trade unions bargaining results not primarily by the extension of collective agreements or by a national minimum wage, but by strengthening trade unions' membership basis. Although the Swedish trade unions were also opposed by bourgeois governments time and again, it seems as if it is nearly impossible to destroy the societal deeply embedded Swedish system. Regarding organizational power, not the UK but Sweden seems to be the exceptional case. However, concerning the direction of development, although the levels differ markedly, in the UK, Germany, and Sweden more or less pronounced negative developments of organizational and institutional power were to observe, whereas in Spain trade union power seemed to be stable and partially increasing before the crisis what might be a result from the Spanish role as an economically and politically latecomer. One of the most discussed exceptional roles with regard to the pre-crisis development in industrial relations, however, is that of Germany, the country which operated with a decrease not only in labour unit costs but also in real wages before the crisis.

Regarding the public sector, the crucial difference to the private sector seems to be that the structural change was more limited, institutional power more pronounced, and in consequence the effects on organizational power were comparably less negative resp. more positive. In the low-institutionalized UK, the difference of trade union density between the private and the public sector is most pronounced but also in the other countries, Sweden included, the same effect can be observed. Because apart from Spain, trade unionism was in

decline before the crisis, the comparable large Swedish public sector stabilized industrial relations and trade unions as a whole. On the one hand, union density and collective bargaining coverage are higher on average in case the share of the public sector is large, and on the other hand, a stronger unionism in society does have an influence on societal consciousness. In consequence not only trade unions in the public sector but also unions in the private sector benefit from a large public sector – apart from welfare effects relevant to employees working in all sectors. Although austerity measures and measures to economize the public sector had temporarily happened in all countries already before the crisis, more sustainable in Sweden in Germany, austerity measures in the aftermath of the recent crisis are mainly a matter of the UK and of Spain with their conservative governments (whereas in Spain the European influence is also important). Trade unions in both countries oppose cuts and pay freezes, yet not very successfully. However, whereas the union supported Labour Party lost the elections in May 2015 in the UK, the political development in Spain may be different in future. However, whereas the union supported Labour Party lost the elections in May 2015 in the UK, the political development in Spain may be different in future after the next general elections in December 2015.

Although the trade unions respond in very distinct ways to crisis and austerity measures, also similarities can be observed: Relying merely on political support and institutional power would imply high risks for trade unions. This shows primarily the Spanish example, the case with the deepest crisis and heavy austerity measures on the one hand, and weak organisational power of trade unions on the other hand. However, even in the Swedish case with very high union density, the dismantling of the Gent system by a government opposed to trade-unions damaged union membership markedly. It is also true that the institutional power resources of Spanish and Swedish trade unions differ in a qualitative manner: Whereas the Spanish industrial relations system is relatively new due to the transition period not so long ago and therefore not deeply rooted in society, in Sweden the role of industrial relations and trade unions is longer established, better accepted and partially taken for granted. The Spanish industrial relations systems and the role of trade unions depend primarily on political support whereas in Sweden societal embeddedness seems to be much more important.

Can the recent crisis function as a 'fountain of youth' for trade unions in the public sector? Although in Germany Ver.di is in a process of strategical reorientation, like in Sweden, the effects of the crisis on public sector trade unions seem to be insignificant. This is not surprising as long as there are no noticeable crisis-related effects on wages and working conditions and on the agency of trade unions. In the UK as well as in Spain trade union revitalization in the short term seems to depend on the general political development. In the

UK because of the recent general election, no fundamental change can be expected in the years to come.

As long as a pronounced gap between union density in the public sector and the private sector exists, which we see as a result of more stable institutionalization in the public sector and which is particularly distinct in the UK, a response of trade unions to structural changes in the private sector is not likely to be successful. The successive erosion or coercive destruction of trade union power seems to be first line a result of structural changes caused by the crisis of Fordism which is still not finished and replaced by a functioning and stable new regime of accumulation. Merely finance-driven growth is not sustainable but produces bubbles and snowball systems. This is the cross-national background hampering a stable class compromise which could be in common interest of employers and trade unions. Moreover, this background of structural changes explains why – despite distinct power constellations and strategies – the results of trade unions activities in similarly developed countries differ not so much.

Whereas economic globalization and Europeanization, and site competition are primarily a matter of the private sector (but hit the public sector indirectly via tax competition), the process of political Europeanization is directly important for trade unions in the public sector (e.g. the European Services Directive). As the example of Spain, but more distinct some other countries and particularly Greece show, the European pressure to enforce austerity measures by cutting public expenditure in order to reduce sovereign debt is strong if a country is dependent on support, but targets on implementing neo-liberal convergence in other European countries too, in particular if these belong to the Euro-zone (e.g. recommendations of the European semester, fiscal pact and debt brake). Proceeding Europeanization weakens the power of national governments and therefore also trade unions political power resources at national level. In order to avoid a loss of power resources, cross-national cooperation and influencing European decision making is therefore indispensable for trade unions albeit so far with only limited success.

Although in the course of the demographic development and growing importance of highly skilled occupational and professional workers for trade unions to have the chance to exert structural power is not vanished, the transfer of the most important structural power resource into organizational trade union power is still deficient. We regard this less as objective impuissance but as a result of individualistic interpretation of the structural opportunities. Political support is important for trade unions and organizing campaigns are a necessary instrument, however, a sustainable revitalization of trade unionism is primarily a matter of an alternative to neoliberal thinking in which organizing and freedom are not seen as opposed. Although trade unions in the private sector can basically use the structural power resource

easier than in the public sector, public sector trade unions which are not primarily defending already eroding privileges (like better pension systems for civil servants) but stand for a modern but solidary society not primarily interested in profit but in good life and work, can contribute to a revitalized trade union movement the idea of a mode of production alternative to profit maximization, a mode of production in which the work and the disruptive power of nursery nurses counts really like that of engineers and more than that of investment bankers.

Finally, returning to the impact of the recent crisis on public sector trade unions and their responses to austerity before and after the recent crisis, we see little cause for optimism that crisis and austerity foster union revitalization. In Sweden and Germany there is recently less austerity than before, but this results from the circumstance that both countries are neither hit severely by the crisis nor reigned by a government which is strongly anti-union. In the UK and Spain the political direction of the government is more anti-union and both countries were hit by the crisis harder. Nevertheless, significant signs of union recovery cannot be detected. Not only regarding the development of trade union power resources since the recent crisis but also in the years before, i.e. a longer period, convergence and divergence seem to be intertwined. Public sector trade unions have to face similar challenges, react differently but are affected nevertheless in a similar way.

## References

- Ahlberg K (2013) The Age of Innocence – and Beyond. In: Evju S (ed) *Cross-Border Services, Posting of Workers, and Multilevel Governance*. Oslo: Institutt for privatrett Oslo universitet, pp.297-328.
- Bach S (2011) A new era of public service employment relations? The challenges ahead. *Acas Future of Workplace Relations discussion paper series*, August.
- Bach S and Stroleny A (2012) Social dialogue and the public services in the aftermath of the economic crisis: strengthening partnership in an era of austerity in the United Kingdom. London.
- Bahn Müller R and Schmidt W (2009) Riskante Modernisierung des Tarifsystems. Die Reform der Entgeltrahmenabkommen am Beispiel der Metall- und Elektroindustrie Baden-Württembergs. Berlin.
- BBC (2015) Trade Union Bill: Ministers deny ‘attack on workers’ rights’, *BBC*, 15 July 2015. <http://www.bbc.com/news/uk-politics-33529248> (last accessed 6 August 2015)
- 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), pp. 185-202.
- Bellmann L, Bossler M, Gerner H-D and Hübner O (2015) Reichweite des Mindestlohns in deutschen Betrieben. In: IAB-Kurzbericht 6/2015. Institut für Arbeitsmarkt und Berufsforschung der Bundesagentur für Arbeit Nürnberg.
- Bernaciak M, Gumbrell-McCormick R and Hyman R (2014) European trade unionism: from crisis to renewal? European Trade Union Institute, Report 133. Brussels.
- BIS (Department for Business, Innovation and Skills) (2015a) Trade union membership 2014. Statistical Bulletin. BIS/15/300, June.
- BIS (Department for Business, Innovation and Skills) (2015b) Trade Union Bill. Delegated Powers Memorandum. BIS/15/467, July.
- BIS (Department for Business, Innovation and Skills) (2015c) Trade Union Reform. Consultation on ballot thresholds in important public services. BIS/15/418, July.
- Caprile M and Sanz de Miguel P (2011) Spain: Representativeness study of the European social partners organisations - Public administration sector. *European Observatory of Working Life*, June.
- Cerrillo Vidal JA (2013) From general strike to social strike: movement alliances and innovative actions in the November 2012 Spanish general strike. *Interface*, 5(2), pp.39-46.
- CLES (Centre for Local Economic Strategies) (2014) Austerity uncovered. Final report prepared by the Centre for Local Economic Strategies presented to TUC, December.



Crouch C (2005) *Capitalist Diversity and Change. Recombinant Governance and Institutional Entrepreneurs*, Oxford: Oxford University Press.

Czerwick E (2007) *Die Ökonomisierung des öffentlichen Dienstes. Dienstrechtsreformen und Beschäftigungsstrukturen seit 1991*. Wiesbaden

Darlington R and Dobson J (2015) The Conservative Government's Proposed Strike Ballot Thresholds: The Challenge to the Trade Unions. *Salford Business School Research Working Paper*, August, pp.1-41

Dickens L (2008) Legal regulation, institutions and industrial relations. *Warwick Papers in Industrial Relations* 89, May, University of Warwick, Coventry.

DiMaggio PJ and Powell WW (1991) Introduction. In: Powell WW and DiMaggio PJ (eds) *The New Institutionalism in Organizational Analysis*. Chicago and London: The University of Chicago Press, pp.1-38

Dunlop JT (1958) *Industrial Relations Systems*. New York: Henry Holt & Company Ltd.

Ellguth P and Kohaut S (2015) Tarifbindung und betriebliche Interessenvertretung: Ergebnisse aus dem IAB-Betriebspanel 2014. *WSI-Mitteilungen* 68(4), pp. 290-297.

Elvander N (1997) The Swedish bargaining system in the melting pot. In: Elvander N and Holmlund B (eds) *The Swedish Bargaining System in the Melting Pot: Institutions, Norms and Outcomes in the 1990s*, Arbetslivsinstitutet, Solna, pp.11-89.

EPSU (European Federation of Public Service Unions) (2008) Collective bargaining in the public services. Country Profile: UK. <http://www.epsu.org/IMG/pdf/UK-2.pdf> / (accessed 15 August 2015).

Eurofound (2011) *Extension of collective bargaining agreements in the EU*. Dublin: Eurofound.

European Commission (2012) *Spain - Memorandum of Understanding on Financial Sector Policy Conditionality*, 20 July 2012.

Frege C (2006) International Trends in Unionization. Morley MJ, Gunnigle P and Collings D (eds) *Global Industrial Relations*, London & New York: Routledge, pp. 221-38.

Frege C and Kelly J (2003) Introduction: Union Revitalization Strategies in Comparative Perspective, *European Journal of Industrial Relations* 9(1): 7-24.

Gall G (2012) Unions in Britain: Merely on the Margins or on the Cusp of a Comeback? *Management Revue* 23: 323-340.

Gill-McLure W (2013) The political economy of public sector trade union militancy under Keynesianism: the case of local government. *Capital & Class* 37(3): 417-436.

González Begega S and Luque Balbona D (2014) Goodbye to Competitive Corporatism in Spain? Social Pacting and Conflict in the Economic Crisis. *Revista Española de Investigaciones Sociológicas* 148: 79-102.

Grimshaw D (2013) Austerity, privatization and levelling down: Public sector reforms in the United Kingdom. In: Vaughan-Whitehead D (ed): *Public Sector Shock. The Impact of Policy Retrenchment in Europe*. Edward Elgar Publishing Limited in Association with the International Labour Organization, pp. 576-626.

Hamark J and Thörnqvist C (2013) Docks and Defeat: The 1909 General Strike in Sweden and the Role of Port Labour, *Historical Studies in Industrial Relations* 34(1), pp. 1-27.

Hirschman AO (1970) Exit, Voice, and Loyalty: Responses to Decline in Firms, Organizations and States. Cambridge, MA: Harvard University Press.

ILO (2014) 371st Report of the Committee on Freedom of Association, Case No. 2947. Report, International Labour Organization, March.

Keller B (2013) Germany: The public sector in the financial and debt crisis, *European Journal of Industrial Relations* October 30, 2013: 359-374.

Keller, Berndt (2014) The continuation of early austerity measures: the special case of Germany. *Transfer* 20: 387-402

Kjellberg A (2015) Kollektivavtalens täckningsgrad samt organisationsgraden hos arbetsgivarförbund och fackförbund. Studies in Social Policy, Industrial Relations, Working Life and Mobility, Research Reports 2013. Lund: Lund University, Department of Sociology, updated July 2015.

Köhler H-D and Calleja Jiménez JP (2013a) Conflicto laboral y movimiento sindical en España. ¿Qué queda del 'movimiento obrero'? *Anuari del conflicte social*.

Köhler H-D and Calleja Jiménez JP (2013b) Trade Unions in Spain. Organisation, Environment, Challenges. Friedrich Ebert Stiftung.

Kommunal (2014) People who care. A presentation of Kommunal, the Swedish Workers' Union. Available at: <http://www.kommunal.se> (accessed 31 December 2014)

Lane C and Wood G (2009) Capitalist Diversity and Diversity within Capitalism. *Economy and Society* 38(4), pp. 531-51.

Lansley S and Reed H (2013) How to boost the wage share. *Touchstone Pamphlet*. TUC (Trade Union Congress)

LGA (Local Government Association) (2014): Under pressure: How councils are planning for future cuts. London.

LO (Landsorganisationen i Sverige) (2015) Gemensamma långsiktiga mål för tre kongressperioder. Stockholm: Landsorganisationen. Available at: [http://www.lo.se/home/lo/res.nsf/vRes/lo\\_1366026587231\\_langsiktiga\\_avtalsmal\\_pdf/\\$File/Langsiktiga\\_avtalsmal.pdf](http://www.lo.se/home/lo/res.nsf/vRes/lo_1366026587231_langsiktiga_avtalsmal_pdf/$File/Langsiktiga_avtalsmal.pdf) (last accessed on 16 August 2015)

Mellado A (2011) Administraciones Públicas. Causas objetivas de despido: el déficit público y la reorganización administrativa. Informes. Madrid: Fundación 1 de Mayo.

Mills M, Blossfeld H-P, Buchholz S, Hofäcker D, Bernardi F and Hofmeister H (2008): Converging Divergences?: An International Comparison of the Impact of Globalization on Industrial Relations and Employment Careers. *International Sociology* 23(4), pp. 561-595.

Molina O and Miguélez F (2013) From negotiation to imposition: Social dialogue in austerity times in Spain. Working Paper No. 51. Geneva Governance and Tripartism Department International Labour Office.

Müller-Jentsch W (2004) Theoretical Approaches to Industrial Relations. In: Kaufman BE (ed): *Theoretical Perspectives on Work and the Employment Relationship*, IRRA series, University of Illinois at Urbana-Champaign, pp. 1-40.

Muñoz de Bustillo R and Antón J-I (2013) Those were the days, my friend: The public sector and the economic crisis in Spain. Public Sector Shock. The Impact of Policy Retrenchment in Europe. Edward Elgar Publishing Limited in Association with the International Labour Organization, pp. 511-542.

Muñoz de Bustillo R and Antón J-I (2014) Turning back before Arriving: The Dismantling of the Incipient Spanish Welfare State. In: Vaughan-Whitehead D (ed) *Dismantling the European Social Model: Europe Losing Its Soul*. Cheltenham: Edward Elgar.

OME (Office of Manpower Economics) (2015) About us  
<https://www.gov.uk/government/organisations/office-of-manpower-economics/about> (last accessed on 8 August 2015)

ONS (Office for National Statistics) (2014) Labour Market Statistics, June 2014. Online: [http://www.ons.gov.uk/ons/dcp171778\\_363998.pdf](http://www.ons.gov.uk/ons/dcp171778_363998.pdf) (last accessed on 8 August 2015)

ONS (Office for National Statistics) (2015) Labour disputes annual article, 2014. [http://www.ons.gov.uk/ons/dcp171776\\_411531.pdf](http://www.ons.gov.uk/ons/dcp171776_411531.pdf) (last accessed on 8 August 2015)

Pedersini R (2010) Trade union strategies to recruit new groups of workers. Dublin: European Foundation for the Improvement of Living and Working Conditions.

Perrone L (1984) Positional Power, Strikes and Wages. *American Sociological Review* 49(3): 412-26.

Phelan C (2006) *The Future of Organised Labour: Global Perspectives*, Bern: Peter Lang.

Prowse P and Prowse J (2007) Is there still a public sector model of employment relations in the United Kingdom? In: *International Journal of Public Sector Management* 20(1), pp. 48-62.

Pulignano V, Ortiz L and de Franceschi F (2015) Union responses to precarious workers: Italy and Spain compared (forthcoming).

Pyper D (2013) Trade union political funds and levy. House of Commons Library Briefing Paper 00593, August.

Schmalz S and Dörre K (2014) Der Machtressourcenansatz: Ein Instrument zur Analyse gewerkschaftlichen Handlungsvermögens. In: *Industrielle Beziehungen* 21(3), pp. 217-237.

Schmidt F and Neal AC (1984) Chapter 12: Collective Agreements and Collective Bargaining. In: Hepple BA (ed): *Labour Law. International Encyclopedia of Comparative Law*. Mohr: Tübingen and Martinus Nijhoff Publishers: The Hague, Boston, London.

Schmidt W and Dworschak B (2006) Pay Developments in Britain and Germany: Collective Bargaining, 'Benchmarking' and 'Mimetic Wages'. *European Journal of Industrial Relations* 12, pp. 89-109.

Schmidt W, Müller A and Trittel N (2011) *Der Konflikt um die Tarifreform des öffentlichen Dienstes. Verhandlungsprozesse und Umsetzungspraxis*. Berlin: Sigma.

Schmidt W and Müller A (2013) *Leistungsorientierte Bezahlung in den Kommunen. Befunde einer bundesweiten Untersuchung*, Berlin: sigma.

Schröder H-C (2006) Die Geschichte Englands bis 1945. Ein Überblick. In: Kastendiek H and Sturm R (eds) *Länderbericht Großbritannien. Geschichte, Politik, Wirtschaft, Gesellschaft, Kultur*. 3rd revised edition. Bonn: Bundeszentrale für politische Bildung, pp.14-52.

Schulten T and Müller T (2013) A new European interventionism? The Impact of the New European Economic Governance on Wages and Collective Bargaining, Paper.

Silver BJ (2003) *Forces of labor: Workers' movements and globalization since 1870*, Cambridge: Cambridge University Press.

Snape R (1999) Legal regulation of employment. In: Hollinshead G, Nicholls P and Tailby St (eds) *Employee relations*. London: Financial Times Professional Limited, pp. 268-297.

SKL (2014) Ekonomirapporten. Om kommunernas och landstingens ekonomi. December 2014. Stockholm: SKL.

Stan S, Helle I and Erne R (2015) European collective action in times of crisis. *Transfer: European Review of Labour and Research* 21(2), pp. 131-139.

Stavis D and Boswell T (2008) *Globalization and Labor: Democratizing Global Governance*, Lanham, MA & Plymouth: Rowman & Littlefield Publishers.

Stokke TA and Thörnqvist C (2001) Strikes and Collective Bargaining in the Nordic Countries, *European Journal of Industrial Relations* 7(3), pp. 245-67.

Suárez Corujo B (2013) Crisis and Labour Market in Spain. In: *Labour Law Research Network Inaugural Conference*, Pompeu Fabra University, June 13-15.

Swenson P (1992) Union politics, the welfare state, and intraclass conflict in Sweden and Germany. In: Golden M, Pontusson J (eds): *Bargaining for Change: Union Politics in North America and Europe*, Ithaca, NY and London: Cornell University Press, pp.45-76.

Thelen K (2014) *Varieties of Liberalization and the New Politics of Social Solidarity*, New York: Cambridge University Press.

Thörnqvist A (2013) False (Bogus) Self-Employment in East-West Labour Migration: Recent trends in the Swedish construction and road haulage industries. *TheMes, Themes on Migration and Ethnic Studies*, 2013(41), REMESO, Linköping University.

Thörnqvist A (2015) East-West Labour Migration and the Swedish Cleaning Industry: A matter of immigrant competition? *TheMes, Themes on Migration and Ethnic Studies*, 2015(42), REMESO, Linköping University.

Thörnqvist C (1998) The Swedish discourse on decentralisation of labour relations. In: Fleming D, Kettunen P, Søborg H and Thörnqvist C (eds): *Global Redefining of Working Life – A New Nordic Agenda for Competence and Participation?* Copenhagen: Nordic Council of Ministers, Nord, 12, pp. 267-91.

Thörnqvist C (2010), Kvinder og strejker – I Norden og internationalt', In: Deding M and Holt H (eds), *Hvorfor har vi lønforskelle mellem kvinder og mænd? En antologi om ligeløn i Danmark*, København: SFI 10(12), pp. 199-217.

Thörnqvist C (2011) The Most Powerful Industrial Relations in the World? Pros and Cons of the Swedish Collective Bargaining System in the Light of the Laval Conflict, In: Thörnqvist A and Engstrand Å-K (eds) *Precarious employment in perspective: Old and new challenges to working conditions in Sweden*, Brussels: P.I.E. Peter Lang, pp. 23-45.

Traxler F, Blaschke S and Kittel B (2001) National Labour Relations in Internationalized Markets: A Comparative Study of Institutions, Change and Performance. Oxford: Oxford University Press.

TUC (2013) The TUC's campaign plan. London: Trade Union Congress (TUC).

TUC (2014) TUC Directory 2014. Trade Union Congress (TUC).

van der Meer M (1997) Trade Union Development in Spain. Past Legacies and Current Trends.

Visser J (2006) Union membership statistics in 24 countries. *Monthly Labor Review*, January, pp. 38-49.

Visser J (2013) Wage Bargaining Institutions. From crisis to crisis. *Economic papers*, 488.

Wahl A (2014) Political and Ideological Crisis in an Increasingly More Authoritarian European Union. *European Labor*, 65.

Walton RE and McKersie RB (1965) A Behavioral Theory of Labor Negotiations. An Analysis of a Social Interaction System. New York.

Wilson A (2012) United Kingdom: Industrial relations profile. *European Industrial Relations Observatory*.

Woolfson C, Thörnqvist C and Sommers J (2010) The Swedish Model and the Future of Labour Standards after Laval, *Industrial Relations Journal* 41(4), pp. 333-50.

Wright EO (2000): Working-Class Power, Capitalist-Class Interests, and Class Compromise, *American Journal of Sociology*, Jg. 105, pp. 958–1002