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OBSERVATORY

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NOTE FROM THE EDITOR

Looking out of my window the first heading that comes to my mind for this issue of CLR-News is “It’s a hard rain that’s gonna fall”. And half an hour later our postman confirms that heading with a letter from the Dutch building unions. In the letter membership is informed about the most recent (and third serious) break up of the ongoing collective bargaining. The construction agreement terminated in March 2004 and there is no result in sight in the talks held since. Strikes are on their way.

The bargaining agenda looks very familiar for everyone that has some expertise in the field: divergent opinions on pension and early retirement, on overtime and flexible working hours and on holiday payments.

The Dutch government so far has not been of great help as it came with legislation that made earlier agreements on several items (such as for instance long term occupational disability) no longer valid.

Due to the government’s policy in the field of pensions, early retirement, unemployment benefits and sick leave, partners in collective bargaining are confronted more and more with social security issues.

It is in fact this development that is described by Ernst-Ludwig Laux, chairman of EFBWW’s building committee, in the main subject article of this issue of CLR-News.

His article is this year’s alternative for the Observatory that we published regularly.

In a situation where the state withdraws from the responsibility to keep upright basic provisions and to guarantee fundamental worker’s rights the agenda of collective bargaining becomes overloaded with complicated and controversial items.

Ernst Ludwig Laux illustrates convincingly that this is not an isolated thing that suddenly comes over us.

The other contributions are part of our household. During our annual meeting in Brussels a new list of ambitious plans and initiatives was discussed. The minutes of that meeting, including the important workshop on co-decision and consultation that came after, are published here. Furthermore our reviews and the calendar of events. I ask your special attention for the coming ESRC/CLR seminar in London, 12th May.

The work for the next issue of CLR-News has already started. It will be dedicated to posting and what we can learn from it. Hot stuff for the debate recently on the agenda with regard to the Commission's directive on free delivery of Services.

Please feel invited to come up with your contribution.

Jan Cremers, 2005-04-16

SUBJECT ARTICLE

Bargaining Policy for the Construction Industry in Europe 2004

Ernst-Ludwig Laux, IG BAU

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1. Introduction

After a turbulent year in 2002, marked by industrial action for the construction sector in many European countries, negotiations during 2004 turned out to be more peaceful with a few exceptions, as described in the national reports.

During the second half of 2003, the European Federation of Building and Woodworkers (EFBWW) conducted a survey in the sector, similar to that for the woodworking sector. The replies were evaluated in November 2003 to tie in with the bargaining policy seminar in Sesimbra/Portugal. Subsequently, more recent statistics were obtained, some of which have been included in this report.

After only distributing short reports in 2003 owing to the elections for the EFBWW Management Committee, Executive Committee and Standing Committee Building, during 2004 we again focused in the Standing Committee on the exchange of bargaining policy information. The discussions on 6/7 April as well as on 12/13 October 2004 were an opportunity to obtain up-to-date bargaining data and also a description of the bargaining round and the results achieved.

The purpose of this extract from the report is not only to give a catalogue of bare figures and results, as my intention is also to give a personal assessment of the bargaining policy situation. As during 2004, in parallel with the construction bargaining round, a number of political and legal changes took place in some countries and at European level, particularly concerning social and economic policy, these should also be briefly sketched out. The discussions on the evaluation of the posting directive as well as on defying the ultra-liberal services directive have not been concluded at the time of writing, but a first assessment based on the early meetings and the common positions reached by FIEC (European Construction Industry Federation) and the EFBWW since the end of 2004 is also touched on here.

Two important events took place at European level during 2004, which evidently also have their consequences for bargaining policy in the construction sector, namely:

1. the EU enlargement to include 10 States from Central and Eastern Europe and
2. the European elections on 13 June 2004.

In the autumn of 2004 the new European Commission was formed following a dispute with the EU Parliament. We will now have to wait and see what stance it will take, particularly on the two key issues directly affecting the construction sector, namely the posting and services directive.

Both during 2003 and 2004, bargaining policy was restricted by neo-liberal influences in virtually all European countries. The pressure on industry-wide collective agreements in those countries in which they exist has become very great. The whole spectrum of social legislation, much of which has evolved over decades in the EU member states, is coming under considerable political pressure.

Almost all legislation in virtually every member country which is concerned with pensions, health, labour market policy, early retirement or taxes for workers has in the past two years been amended or is due to be amended, in almost every case at the expense of the workers.

As politics and legislation in the respective States affect the balance of power between employers and workers, this report will focus more closely on the ways in which the legal conditions, which have a direct impact on the bargaining round in each country, affect bargaining policy in the construction sector.

It continues to be a matter for regret that very little information exists about bargaining policy or the way in which employment relationships in construction are directly shaped in the new EU countries. A major task over the coming months will be to obtain more information from these countries, also via the construction social dialogue.

But this report will also set out a number of specific features in some countries which merit being discussed as best practice and good examples for other countries. All European representatives of

construction workers trade unions in the EFBWW bodies are urged to disseminate these good examples so that neighbouring countries can learn from them. This can contribute to taking bargaining policy forward and improving conditions of work and employment for those working in the construction industry.

2. The European construction industry: a review

The general picture over the past years

The economic facts and figures for all sectors, and so including the construction industry, are set out and disseminated in a whole host of publications in Europe. At this point, I would like very briefly to touch on the general trends in the construction industry and highlight a few salient economic questions. These will call for greater attention in the future if the trade unions want to formulate proposals for the economic development of the construction industry or measures to safeguard jobs in this branch.

As in the past, construction is still a major economic sector, employing in excess of 11 million people, or approx. 7% of the working population, and turning over some €900 billion annually. The general economic situation of this sector in Europe in recent years can be summed up fairly briefly by the statement that construction activity in 2002 and 2003 stagnated. Only in 2004 was a slight recovery discernible, although the final figures are not yet available at the time of writing. Since 1999, the growth rate of construction activity has been negative from year to year, if only to a very small extent at times. The particular situation of the German construction industry, which has been languishing in a severe recession for around 10 years now, is clearly reflected in these figures. This can be explained by the fact that the German construction market is the largest in the EU. The recovery of the European construction market largely hinges on that of the German market.

If we consider the economic trends in the construction sector of individual countries, however, the picture is very mixed. Whereas, in Spain, for example, growth rates of between 4 and 7% have been

observed in recent years, there are other European countries in which production has declined by the same amount and the employment ratio sunk from year to year by 10% respectively. One contributing factor to this trend is the EU structural funds which in some European countries have fuelled considerable construction activity, while in other countries such as the Federal Republic of Germany, completely empty public coffers and the generally very low economic growth rate have led to barely a trickle of construction investment. Greece also experienced a sharp upswing in 2003 and 2004 owing to the construction works for the Olympic Games, but activity is likely to level off again in the future. Some regions of the UK and Ireland, particularly Greater London, are experiencing a genuine construction boom. It will have to be seen which way construction activity will develop in future in these countries.

On the whole, we find that a stop-and-start policy is being pursued in many countries, which as in previous years in Germany also has an impact on the construction industry. Consequently, the economic figures are positive in such countries as Portugal and Ireland where the depreciation rules have been improved, or in other countries due to a number of large-scale infrastructure projects. But as soon as these special measures, some of which applied by individual countries, draw to an end, job-shedding and bankruptcies are the order of the day.

In many European countries the Public Private Partnership (PPP) route is being proposed. However, as to whether this will trigger a major construction boom remains to be seen.

It is also uncertain whether the EU enlargement to embrace 10 new member states from 1 May 2004 will inject fresh impetus into the construction industry, even though a raft of large-scale infrastructure measures, for example east-west motorways and railways, are currently on the drawing board.

It is precisely because of these widely varying general economic situations in the construction sector that separate trade union strategies need to be developed in each country to safeguard employment and incomes for those working in the industry. Such strategies must be

geared to positive and negative trends. The pooling of information at transnational level via the European Federation of Building and Woodworkers or jointly with employers in the social dialogue can produce new perspectives aimed at helping to prevent adverse economic and social situations from developing in the construction sector.

3. Summary and evaluation of the 2004 bargaining year

Basic conditions during the 2004 bargaining year

The construction industry developed along very different lines in the individual European States during the year. While some countries had very high growth rates, others only managed average figures. The German construction market is now about eight years into a serious and persistent recession and this also impacts on many other countries. Key features of the economic picture in German construction for some years now are low prices, high unemployment, erosion of jobs and numerous bankruptcies -- including large companies.

The economic research institutes are not forecasting a significant change, so that we have to assume that the economic upswing in European construction is limited.

If we look at developments on the political front, we find that the national as well as the European elections gave rise to very different outcomes. In some countries governments of the right have made way for left-wing or centre-left governments, whereas in the preceding years progressive governments were replaced by right-wing or centre-right alliances.

Leaving aside the results in detail, it is still possible to observe that almost all governments are pursuing neo-liberal policies to a greater or lesser degree, and that also the so-called centre-left alliances, such as in the FRG, are ruthlessly implementing cutbacks in social services. For this reason, there was little change between 2003 and 2004: in virtually every country the trade unions are standing alone in resisting social welfare cuts in the political debate. In those countries with

socialist or social-democratic governments they have almost no support, whereas in those countries governed by conservative or right-wing liberal parties they have the socialist parties on their side, albeit in opposition.

At present it is not possible to make any predictions as to which direction the policy of the new European Parliament and the new European Commission will take. The greater diversity of the new member states, but also of languages and consequently a very broad spectrum of cultures, means that many organisational questions will have to be addressed first of all before the European Union can pursue targeted policies. For the trade unions this means, conversely, that they will need to increase their presence in Brussels and Strasbourg as legislation will be decided there ever more frequently which must then be implemented in the countries concerned.

According to all the neo-liberal arguments, globalisation as well as the EU enlargement to the east is used to exert pressure on workers and their unions. The aim of neo-liberal policy is to make conditions of work and employment less favourable, to reduce wages or the entire income and raise social security contributions or taxes in the expectation that employers would invest more and so create new jobs. Although the trade unions have already amply refuted these arguments on repeated occasions, as unemployment has grown in recent years while economic growth declines, the media continue to claim that the "lower working incomes = higher profits" approach is the only the way of pulling the economy out of the doldrums. Many politicians and entrepreneurs will not hesitate to blackmail workers with arguments based on so-called globalisation or pressure of competition from Eastern Europe.

In the wake of the Iraqi war and the tensions between a number of European countries and the USA, the attempts at intervention by the Americans have been significantly stepped up. For the core European countries, only the firmly-established and renewed alliance between France and Germany -- a genuine peace alliance -- has been able to stand up against the USA. However, the polemic distinction between

"old" and "new" Europe has also ushered in a new era for the trade unions, employer-worker relations and bargaining policy.

At the moment, almost all the achievements of the labour movement and the trade unions in the sphere of social legislation, collective agreements, level of income and pensions as well as other benefits, are being tested, more so in some countries and less so in others. In any case, the struggle over bargaining policy and collective agreements in many countries has intensified and it remains to be seen how things will develop in the years ahead.

The trade union landscape is undergoing radical changes in some countries. In Switzerland, the two largest unions, representing metalworkers and construction workers (*Metall* and *Bau*), merged in October 2004, while in Austria the amalgamation process concerning a number of unions has not yet been signed and sealed. In Denmark the merger drive has not been crowned with success either. Among the structural developments also taking place in a number of countries is the reassessment of cooperation between the national confederations responsible for policy-making and affiliated unions. In particular, the unions with political affiliations in the countries concerned are endeavouring to sharpen their political profile so as to attract new groups of potential members.

The pattern in membership figures for construction unions is not uniform. Although there is a slight downtrend overall, there are positive signs of growth in some organisations.

After a long time, the European trade unions have again succeeded in mobilising joint opposition to the political aims of many governments to cut back social provision on a broad front by organising a European Protest Day on 3 April 2004. Several million people, including around 500,000 in the FRG alone, demonstrated against the dismantlement of social provision and the intervention by governments in bargaining autonomy, and in many countries, from Italy to the Netherlands, there are frequent strikes against such cutbacks. After many years of existence, the Polder model in the Netherlands now has its head on the block. In the FRG, opponents of the Hartz law even had the idea of

reprising what is known as the Monday demonstration which led to the fall of the Berlin Wall in 1989.

The fact cannot be ignored that in many countries governments are expressly intervening in the bargaining process and it can be stated unequivocally that even mainstream public opinion is turning against the unions.

Allow me to make a personal observation here. The overall tone of the report may come across as rather too dark, coloured by the experiences in the FRG as in the construction industry we barely succeeded in achieving any positive results in 2004 despite our campaigns and hefty opposition to the highly authoritarian application of government and employers' policies. I know that the situation in other countries is not as unrelentingly negative and that in some countries particular economic conditions have even led to positive developments. My vision has naturally been coloured by my "German glasses", although I have always sought to put on "European glasses". Only when we succeed in preparing a joint European bargaining report will we be able to eliminate the national slant to the judgments made. It is therefore important that colleagues from other countries contribute their criticisms and additions to the report, which can then be incorporated in further discussions in the EFBWW Standing Committee Building.

Significant events affecting worker participation, posting of workers and general contractor liability

The plan to convert the Strabag AG holding company in Austria, which has large establishments and subsidiaries in Germany, Belgium, Italy and Eastern European states, into a European Company (SE) in September 2004 would have swept away the provisions governing worker participation -- particularly the German provisions. The European trade unions, in particular those from Austria, Germany and Belgium together with the European Federation of Building and Woodworkers, have prevented the conversion of this Austrian holding company from being registered for the time being by instituting legal proceedings. Despite threats from Strabag AG, the works councils

and union representatives have not been deterred. It remains to be seen how the proceedings will pan out. But the fact that European solidarity was achieved in this case among construction unions quickly and unhindered by red tape, although also with some initial problems, can already be regarded as a success.

In Sweden, at the end of 2004 a Latvian construction contractor attempted to anticipate the European services directive and thereby stop the posting directive from being applied. When building a school in Vaxholm on the fringes of Stockholm the Latvian contractor paid his Latvian building workers 13,700 Swedish krone a month, whereas according to the Swedish negotiated rate they should have received 24,000 krone. Thereupon the Byggnads construction union used its bargaining strategies and industrial action to bring the construction site to a standstill. After a 2-month long boycott by the Swedish union Byggnads, the Latvian firm was finally forced to go home. The Latvian government viewed this as unauthorised discrimination and has indicated that it will bring the case before the European Commission if the Latvian firm is prevented from carrying out the construction contract in Sweden under Latvian working conditions. The dispute concerns work provisions declared generally applicable across the industry, in particular wages and working hours. This case is an example of the consequences that the planned services directive can have if the country-of-origin principle becomes the rule. As the matter is being decided in the courts, the executive bodies of the construction unions as well as the EFBWW must keep a watchful eye because if a negative ruling is delivered this could affect future disputes.

On 12 October 2004, the European Court of Justice in Luxembourg handed down a very important judgment from the viewpoint of the construction unions in which it confirmed the liability of the general contractor for payment of the minimum wage also in the case of those working for foreign subcontractors. This Court ruling lays down the conditions for paying generally applicable compulsory minimum wages in Europe. The judgments by the European Court of Justice follows the line taken by the Federal Labour Court in Germany, which ruled on 20 July 2004 that employers registered in the European Union

must participate in the holiday fund scheme of the German construction industry if they post workers to construction sites in Germany. Both of these final Court judgments in particular have confirmed our view that the EU posting directive does not need to be amended but rather that its provisions must be implemented strictly in the individual countries.

Evaluation of the 2004 bargaining year

As a consequence of the bargaining policy seminar held at the end of 2003 in Sesimbra/Portugal and the numerous contacts, particularly within the EFBWW Standing Committee Building, we have a good description of current bargaining conditions and how they have changed in each country. This can be checked out in the enclosed statistics on unemployment, weekly working times and statutory minimum wages.

For the 2004 bargaining year I would like to make the following brief points:

- The very divergent economic trends in Europe are reflected in all bargaining results for the construction industry in 2004, as in previous years. However, it is surprising to note how income levels rocketed ahead in the UK (almost 25% in three years) and Ireland (nearly 75% in four years) in particular, so that the pattern of low hourly earnings in both these countries has been relegated to the past. Set against this, real wage and income levels in the Federal Republic of Germany remained stationary.
- More and more frequently the national inflation rate is taken as the basis for setting pay levels and additional increases are then agreed on top of that. In general, it can be said that in the national construction industry bargaining rounds the inflation rate is automatically added each year to wages and only additional increases over and above the inflation rate, possibly also for extra retirement benefits and the like, are the subject of bargaining and subsequent agreement.

- It can in principle be added that in countries with tripartite wage settlements, where the government is sitting at the negotiating table in most cases its actions are prompted by neo--liberal thinking to the detriment of workers' and trade union interests.
- The posting of workers, above all from Eastern to Western Europe and in particular illegal employment have led to income and social dumping in the construction sector. Already during the run-up to EU enlargement towards the East, but entirely without restriction since 1 May 2004, gangs of building workers from low-wage countries are working in Western Europe under dumping conditions.
- In order to contain or eradicate this state of affairs, discussions have been held and collective agreements made in many European bargaining rounds. This issue must continue to be a specific focus of attention at European level between the bargaining parties in the Social Dialogue as otherwise "normal" negotiated conditions in the European construction industry will be in acute danger.
- In a great many construction bargaining rounds the questions of higher pensions, and agreeing a supplementary pension or improved early retirement benefits played a key role. Further attention needs to be paid during the coming period to this bargaining policy question for in virtually every European country the basic statutory provision in old age is deteriorating. For this reason, pressure must be brought to bear not only in public and on governments, but creative solutions must also be brought forward via collective agreements.

As I see it there are three positive aspects of the 2003/2004 bargaining year which merit being highlighted:

1. In Switzerland a collective agreement on retirement for construction workers from age 60 has been concluded and the first effects were felt in 2004.

2. The Italian unions, in conjunction with the employers organisations, have succeeded in achieving better controls on undeclared work and illegal employment on the basis of new laws passed by the Italian State.
3. The industry trade union Bauen-Agrar-Umwelt established a European Federation of Migrant Workers in September 2004 to organise cross-border workers, particularly from low-wage countries, so preventing wage and social dumping and at the same time giving a helping hand to Eastern European construction unions to get established.

4. National reports on the 2004 construction industry bargaining round

Austria

Following the breakthrough achieved by a one-day strike in the Austrian construction sector in 2003 at last it was possible to conclude a two-year collective agreement. The construction workers' strike was the first to take place in 50 years and gave a new complexion to employer-worker relations in Austria. The inflation rate in Austria is about 1.3%. A wage increase of 2.1% was achieved with effect from 1 May 2003 and of 2.2% from 1 May 2004. A key issue in the bargaining talks at present is retirement age as a study has shown that construction workers retire on average at age 56. Despite this, the official retirement age in Austria is 65. For this reason, the Gewerkschaft Bau-Holz, representing building and woodworkers, has drawn up a new approach to pensions and tabled this in bargaining and general discussions with employers.

The entry into force of the collective agreements on 1 May 2004 resulted in further new provisions and special allowances for all workers covered by the construction industry and civil engineering collective agreement. The long-standing demand by construction workers and their union for a daily allowance for construction workers was thus met. All construction workers on construction sites are entitled to this allowance where they are working more than three

hours distance from their place of residence. A distinction has been drawn here between those commuting daily and weekly.

Workers carrying out particularly arduous work in Austria

In common with almost all European countries, discussions and legislative procedures concerning changes to pensions have been taking place in recent years in Austria as well, peaking so far in 2004. The conservative and liberal forces are agreed on adopting less favourable provisions on retirement age, pension levels and many other key aspects of pension systems which have been tried and tested for decades. These changes are essentially at the expense of workers and pensioners.

Already at an early stage of the legislative process, the building and woodworkers' union in Austria recognised that many provisions would be to the disadvantage of its members. It therefore commissioned a study jointly with the Chamber of Labour (*Arbeiterkammer*) on "particularly arduous work", with an emphasis on construction work. As the aim of the legislative process was to establish retirement at age 65, and as 64% of the newly applicable pensions in the construction sector during 2002 were on the basis of invalidity, the building and woodworkers union suspected that a major reduction in pensions could impact on its members. The study, which was produced in April 2004 by the Research and Advisory Agency *Arbeitswelt* in close cooperation with the Chamber of Labour and the building and woodworkers trade union, showed clearly that legal provisions governing the situation of those carrying out arduous work in the construction industry must be taken into account. Following this study, new demands by the building and woodworkers union for negotiations with the employers organisations and with the legislators have been brought into the public domain, and can be summed up in the following key points:

- Comprehensive and sustained health provision as well as individual industrial medicine provision for those carrying out arduous work during their entire career,
- Introduction of measures to avoid or reduce severe occupational stresses in the construction industry and to incorporate provisions concerning ozone and UV exposure in the Construction Workers

Bad Weather Compensation Act.

Furthermore, the extra strain on the workers concerned should be alleviated through a structural and labour market fund. Provisions governing arduous work should be built into pension laws in Austria such that the severe occupational stresses are given sufficient account and to ensure that the pension laws prevent this group of people from being at a disadvantage.

As a result of the strong political pressure by the building and woodworkers union and also by the Austrian trade union confederation ÖGB, a number of proposals in the study and demands by the GBH were taken into account in the legislation. Amongst these provisions, a list is used to identify arduous and extremely arduous work based on a scientific classification of work stresses so that special rules can apply to ensure that the pension entitlement of those carrying out arduous and extremely arduous work is not adversely affected. On examination of this list it can be seen that almost all our main occupations and activities in the construction industry proper are to be found in the first 15 places of an overall total of more than 250 occupations and activities.

Many of the arguments outlined in the study could be employed in the discussions taking place in other European countries on the deterioration in pension provision. Many measures, in particular the register for the "difficulty of work", should be tabled in further discussions by the construction unions. This can also bring about a new direction for the European Social Dialogue and help mesh together more effectively activities relating to bargaining policy, health protection and improved working conditions in our sector.

Switzerland

For the first time since 1940 a strike took place in 2002 in the Swiss construction industry. This led to a long-term collective agreement on wages with a separate "Collective agreement on flexible retirement at age 60". For 2003 and 2004 it was agreed only to make an inflation adjustment to income, while the rest of the wage increase was

channelled into funding early retirement from age 60. After the representatives of construction employers on a number of occasions sought to withdraw from, or else no longer accepted, these collective agreements either across the board or in individual branches of the finishing industry, the Swiss construction workers union GBI was forced in 2004 to organise campaigns and prepare industrial action. This has resulted in the collective agreements being observed so far, a success attributable to the many years experience of the Swiss construction unions which by means of very intensive checks on construction sites and through collective agreements have been able to detect and fight wage dumping from other European countries. More recently in particular, German companies operating under East German minimum-wage conditions in Switzerland have fallen into the net, been detected and following a threatened strike or boycott, these companies have conceded and signed up to the Swiss negotiated conditions.

Owing to the fact that in Switzerland foreign workers and a growing number of West European construction firms employing West European construction workers are operating under dumping conditions, these problems played a key role in the bargaining policy agreement concluded by the construction unions from the FRG-Austria-Switzerland in December 2004. As a result of the large-scale construction project for the trans-Alpine tunnels in which the trade unions from these three countries as well as the Italian construction unions worked together with coordination provided by the EFBWW, a wealth of experience of wage dumping in Switzerland has now been acquired. The very precise catalogue of violations in Switzerland compiled by the GBI clearly shows that while a great many violations occur, the Swiss inspections are also very meticulous. These experiences must be taken more closely into account when these matters are considered and discussed further within the EFBWW in connection with identifying best practices.

In October 2004 the proposal to create a joint metalworkers and construction & industry trade union, after years of preparation, was finally realised at a trade union congress. This huge trade union, with some 200,000 members, accounting for about 60% of the workers

organised in the Swiss Trade Union Confederation, represents the combined interests of construction, metalworking, chemicals, transport and other branches of industry. The new trade union, named UNIA, has embarked on a drive to promote its services and significantly increase unionisation rates in the sectors represented by it in Switzerland.

In November 2004 a new wages agreement for Switzerland was concluded, which after a two-month grace period in January and February came into force on 1 March 2005. Hourly pay was raised by 0.50 francs and monthly pay by 80.00 francs for the basic wages. The lunchtime allowance has been increased from 11 to 12 francs.

Retirement at 60 in construction – Collective agreement implemented in Switzerland

After years of discussion in the Swiss construction workers trade union GBI and negotiations with the construction employers organisations, in 2002 a collective agreement was concluded which phases in a reduction in the retirement age for construction workers to age 60 between 1 July 2004 and 1 January 2006. Entitlement to the early retirement pension is voluntary for the workers. The retirement benefit under this early retirement model as a rule amounts to 80% of the final gross wage and is guaranteed by a joint industry foundation which collects and administers contributions. The financing comprises, at 1 July 2004, 4% for employers and 1% for workers. For this reason a pay adjustment to compensate inflation of only 20 francs (0.5%) was obtained in Switzerland in 2004.

This milestone in social policy represented an important achievement by the Swiss construction union for its members in terms of a more humane working life for, in common with other countries, the arduous nature of construction work, dictated by weather conditions, in many cases leads to early departure. Even though the retirement age is 65, the fact is that in many countries construction workers normally take retirement at between 55 and 57, although this creates many problems and considerable financial disadvantages. Under the Swiss collective agreements it is established that retirement age is 60, with 80% of the final gross wage, so providing good security and very good

arrangements for the transition to the ordinary pension. The model of retirement at 60 without sustaining major financial losses could represent a future approach for the construction unions in Europe (see David Zehnt: *The Early Retirement Model in the Swiss Construction Industry*. In CLR-News 3/2004, pp. 21-26).

In 2004 the employers organisations attempted to turn back the wheel of progress in the German/Swiss finishing industry as well as the joinery industry as they boycotted the collective agreement concerning an obligation to make contributions to the joint-industry committee. The dispute carried on beyond the end of the year.

However, as a result of negotiations and the threat of industrial action it was possible to prevent the collective agreement from being taken out of operation in the construction industry proper. In the finishing industry, there is now no collective agreement covering painters, plasterers and joiners.

France

It is very difficult to give an overall picture of developments in the French bargaining situation. Bargaining in the construction industry is organised on a regional basis or is conducted at company level. Different provisions have also been agreed in each individual branch of construction so that there is no national industry-wide or sectoral collective agreement for the entire construction industry.

After the legislators introduced the 35-hour week in 2000 the French bargaining parties very often have had to settle the conditions for this process of working-time reductions and wage compensation payments. The current neo-liberal discussion has created political pressure on the 35-hour week in France as well, so that employers and some politicians are calling for working time to be increased. The French trade unions want to act together to prevent this from happening.

In December 2004 the French government decided to relax the 35-hour week rule with the aim of increasing employment opportunities.

Furthermore, the government wants to increase working time flexibility on the grounds of helping the economy, whereby employers could extend working time to 48 hours a week if they have concluded an agreement to this effect with their workers. It also wants to allow collective agreements for individual sectors making it possible to work an additional 220 hours a year on top of the 35-hour week, to be added to a working time account. Until now, the upper limit was 180 hours, whereas in 2002 the figure was still 130. The unions have rejected further demands by the employers for flexible arrangements concerning leave as well.

The whole issue of working-time increases above the 35-hour week has had the consequence of bringing the different trade unions, in particular the four unions CGT, CFDT, CFTC and FO, significantly closer together again. In the spring of 2005 they decided to launch a joint protest against increases in working time by holding strikes and demonstrations as well as a national mobilisation day in France on 5 February. The question of increasing working time has also sparked off major disputes between bargaining parties and the parties concerned in other countries.

Summing up the bargaining situation, during 2004 the wage increase in the 22 regions of France came to about 2.5% and working time under the normal arrangement was reduced from 2003 to 2004 in stages from 37.5 to 36.2 hours. Also in connection with the pension debate in France there have been some changes introduced by new legislation. The number of eligible years employment, until now 37.5, has been raised and retirement at 60 is only possible as a second key criterion. But retirement age in the French construction industry is in reality between 57 and 58.

Following the major heatwave in 2003, new demands for heatwave compensation were put forward in the pay and social policy discussions, although in vain so far. Also in France, a fierce debate has taken place about early retirement at age 55, which is still rumbling on as there are also programmes with the contradictory aim of keeping older workers in employment.

One achievement made is that temporary agency workers in the construction industry are fully covered by the collective agreement for other construction workers and in this way direct dumping has been prevented from taking place.

Luxembourg

The situation in Luxembourg in many respects mirrors that of Belgium.

It has been observed more particularly in recent times that German construction firms are setting up establishments in Luxembourg and then operating in the FRG construction market from their Luxembourg base.

Belgium

It must be acknowledged that the Belgium trade unions have until now scored many successes in fending off cuts in social services which are now also being proposed in Belgium by the liberal government. Expressed in actual figures, this means that in Belgium there continue to be automatic quarterly pay adjustments for inflation and so for 2003 and 2004 a wage increase of about 5.4% was obtained.

Discussions took place in Belgium last year between the bargaining parties about putting in place an improved supplementary pension for construction workers. In a similar manner to other countries, employers raised the question of flexible working time arrangements in bargaining at the turn of the year. Although the unions have put forward demands for early retirement opportunities, these do not yet exist. There is also no very real prospect at present of achieving such early retirement arrangements. However, as part of the discussions on vocational training between trade unions and employers they did succeed in agreeing on new job descriptions. Arrangements for improving controls on posted workers and temporary agency workers on building sites were also improved and the control mechanisms tightened up.

Representatives of the Belgian construction unions have expressed the view on a number of occasions in their reports that they are anticipating a very difficult bargaining round in 2005 as the political, but also bargaining policy, climate in Belgium has become very heated. Developments in the FRG and in the Netherlands rub off on Belgium and the neo-liberal tendencies have also taken a foothold there. However, as in Belgium around 100% of construction workers are organised in the two large unions, they are hoping to be able to safeguard the established social provisions -- if necessary backed up by industrial action.

During the past three months of 2004 the Belgian construction unions also joined the fight to prevent the establishment of a Strabag European Company and together with the Austrian and German colleagues initiated legal proceedings.

In association with the Dutch and German construction unions, during 2005 the unions aim to translate the Maastricht Treaty more effectively into reality between these three countries, meaning that bargaining policy agreements would be applied more strictly and effectively. The resolution proposal placed before the EFBWW General Assembly in December 2003, which also called for such action, must be implemented in practice by taking new initiatives.

Netherlands

Following the longest strike in the Dutch construction industry in post-war history, for 2003 and 2004 a collective agreement applying for 27 months was agreed, providing for a 7.5% wage increase. Working conditions were not therefore renegotiated in 2004 and everything is being prepared for the major discussions in April 2005 where not only pay but also the basic collective provisions are up for renegotiation. The construction unions are demanding early retirement at age 60 for those who have worked 40 years. The employers are demanding in return annual working time of 1850 hours, whereby overtime premiums would be scrapped. This will be rejected by the construction union. Among the basic provisions which are subject to

fierce debate are also flexibility questions as well as the journey time arrangements, which the employers are calling for to be scrapped.

In the autumn of 2004, a lively debate took place in the Netherlands between the government and employers, on one side, and trade unions, on the other. The "Polder model" which for years secured peace on the industrial relations front, is now up for discussion as the liberal government wants to do away with many established social provisions, especially the existing early retirement arrangements. Further cuts in social provisions are on the drawing board. The trade unions have offered to observe wage restraint, but only on the condition that the government withdraw the proposed cuts in social provision. On this very subject a trial of strength is taking place in the Netherlands. Each sector held a nationwide one-day protest day in October or November 2004 which was supported on a broad front. It will have to be seen what the outcome of the current disputes in the Netherlands will be, as this will determine the approach to be pursued in the 2005 bargaining round, also in the construction, painting and carpentry industries.

In the political debate in the Netherlands one question frequently asked is whether this means that the so-called Polder model, the much-discussed Treaty of Wassenaar in Europe, has been overturned and employer-worker relations in the Netherlands again regulated to a greater degree by industrial disputes and hard-line stances on all sides.

Denmark

As in many other European countries, over the past two years Denmark has experienced an increase in wage dumping owing to cross-border construction work. This has prompted the construction unions to carry out a wide array of political and bargaining policy initiatives aimed at implementing measures jointly with the government to prevent workers, particularly those from Eastern Europe, being employed on Danish construction sites under dumping conditions. The Danish construction unions have direct worker participation rights in the award of work contracts and supervision,

and so also have a significant influence over on-site compliance with collective agreements or over plant agreements being concluded with foreign firms under Danish conditions.

Traditionally wage increases in Denmark are in Danish krone and not in percentages. For 2004 the wage increase amounted to 2.25 Danish krone in relation to an hourly wage of about 120 krone. At the same time, improvements in company pensions from 9% to 10.8% were achieved, and maternity leave was also significantly extended. Clear provisions have been agreed that temporary agency workers are covered by the same collective agreements as ordinary construction workers. The construction unions will keep a careful check on this matter.

At the present time, a fierce debate is taking place in Denmark on the provisions concerning self-employed workers and pseudo self-employed workers. This last group of workers is also a major focus of discussions on the posting directive in the European Federation. We will have to wait and see what form the precise definition of these workers and their supervision will take, as in almost all European countries moves are underway to replace employed workers with so-called self-employed workers.

Italy

Particularly during 2003 the Berlusconi government brought in a broad range of reform proposals which were against the interests of the trade unions and workers. However, following an impressive general strike on 24 October 2003, the three main Italian unions succeeded in nipping most of these proposals in the bud. There are, it is true, further legislative initiatives, particularly to introduce less favourable pension provisions for public service workers, but the unions have managed to fight off the attacks on a broad front.

In 2004, the Italian construction unions scored a major success as the construction industry social fund managed by both sides of industry was granted considerable supervisory powers to prevent illegal and

undeclared work.

The Italian construction industry has been experiencing an upswing during the last eight years so that production volumes are satisfactory overall. The inflation rate is passed on in wage increases although regional or plant-level pay agreements are concluded which contain additional improvements.

The question of the self-employed status of construction workers has also been high on the agenda in Italy. Stricter supervision by the social funds ensures that self-employed workers are now distinguished from those with pseudo self-employed status. In my opinion, the Italian system of supervision and award of construction work could serve as a best practice example in Europe. What is now needed is to introduce practicable implementation measures in Italy and to observe the successes. I have described the arrangements below in rather more detail so as to make them more easily understandable:

Stringent controls on undeclared and illegal work by the jointly-managed construction industry social fund

In a major public scandal in 1992, which led to a government crisis in Italy, the construction industry was also thoroughly shaken up. Political decisions on the award of construction contracts using Mafia methods came to light. A great many public figures, including Ministers and Minister Presidents, as well as employers and trade union officials, were involved and prosecuted. Since that time, the Italian government has amended the Award of Construction Contracts Act, in particular concerning public construction contracts, on a number of occasions.

In 2004, the Italian government in conjunction with the construction industry bargaining parties made fresh moves aimed at securing a fair system of awarding construction contracts as well as to combat undeclared and illegal work. In this process, the construction industry social fund, which in Italy is managed jointly by the employers organisations and unions, was assigned a key role. Only when the social fund certifies that a construction firm has paid all the necessary social insurance and other negotiated contributions, will the firm be

awarded a construction contract. According to the law and the supplementary provisions negotiated in collective agreements, the construction fund issues the certificate attesting to payment of the contributions in accordance with the regulations on condition that checks have been carried out to ensure that the social insurance and other contributions have actually been made to the construction fund. Only when everything has been carried out properly and in accordance with the regulations -- and proof of this must be provided for the month preceding that in which the construction firm takes on the contract -- can the go-ahead be given and the firm awarded the contract. The payments must also have been made to the social fund. In addition, for every worker particulars must be provided concerning the number of hours worked and not worked, the number of workers at the construction site and the length of time for which the construction site has been set up, etc. If checks by the construction fund bring discrepancies to light, the construction firm will be placed on a list of companies which have failed to comply with the regulations. The construction fund draws up this so-called blacklist and the firm has two weeks before the beginning of a construction contract to provide the corresponding documents or, where applicable, to make the missing payments. In order to improve supervision, all information must also be passed on to the employers organisation and the local trade unions so that on-the-spot checks can take place. This procedure is currently already employed for public sector construction contracts and from 2005 also for all private construction contracts in Italy, leaving aside small-scale contracts involving small amounts.

In future discussions with the Italian construction unions, other European countries ought to consider whether they could introduce similar procedures at home. At the same time, we need to wait and see what the outcome of the debate is on the legal front. But I would like to emphasise that a model of this kind can be an effective weapon in combating undeclared and illegal work or wage and social dumping in the sphere of cross-border work. If the political will exists, in my opinion this approach could be transferred to those countries in which a social fund system is operating well.

Spain

The framework agreement concluded in 2002 applies until 31 December 2006. This agreement contains new provisions phasing in a reduction of annual working time as well as an annual wage increase of 1% on top of the corresponding inflation compensation. Pay agreements are concluded at regional level and declared generally applicable across the industry. The working-time reduction, applying from 2004, amounts to 10 hours per year, with a pay adjustment, and annual working time currently stands at 1726 hours.

Temporary agency work and subcontracting, undeclared and illegal work are particularly topical issues in Spain at the moment and the trade union demand is that temporary agency workers must also comply with regional pay agreements.

With the new left-wing government, the Spanish trade unions are focusing on pension insurance in their discussions. The trade union demand is for retirement age to be lowered and for workers also to be able to retire before age 65. However, no results have been obtained yet on this matter.

UK

The economic upturn has fuelled a genuine construction boom, particularly in southern England and in Greater London. After years in which large numbers of workers with pseudo self-employed status were to be found on construction sites, this phenomenon has been somewhat less evident as a result of a number of framework agreements, and construction companies are once again concluding employment contracts with workers. Year for year it can be shown that the British construction unions are gaining in strength and once again concluding collective agreements which start off at a low level but quickly improve.

Following in the wake of a collective agreement implementing 28.5% pay increases up to 2002, a three-year collective agreement was

concluded on a 23.2% increase for the period up to end-2005. The annual increases amount to 5.07% for 2003, 7.17% for 2004 and 9.49% for 2005. From this it can be seen that the prevailing view in the UK construction industry is that the boom of 2004 and 2005 is set to continue and even accelerate.

The high pay increases are linked to more stringent work safety provisions and a new tax system for pseudo self-employed which has greatly reduced the size of this group, and the fact that construction firms are looking for workers and want to motivate them with good working conditions and wages.

Recently it has been apparent that a growing number of skilled workers from the continent, also including many from the eastern FRG, are working in Greater London and also in Ireland. Working hours in the UK are still very long: 50 to 55 hours on construction sites is normal as these working times have become accepted over the past 20 years, particularly by pseudo self-employed workers.

The British construction unions have now succeeded in obtaining the introduction of a 48-hour limit and this will also be supervised by the labour inspectorates. Exceptions are only permissible on special construction sites so that the British construction unions are anticipating that humane working conditions will be restored on the working-time front as well.

The toll of fatal accidents on construction sites continues to be considerable, so that as part of the 2004 Year for Occupational Safety on Construction Sites in the UK a large-scale campaign was launched to prevent fatal accidents on construction sites. Concerning annual leave, the collective agreements provide for 29 pay days leave, or almost six weeks, although this is not supervised by a holiday fund so that this is subject to continual violations. Agreement was also reached on improved sickness benefit and increased journey time and travel expense allowances. This last item is so important as many construction workers commute to Greater London.

For the UK as a whole it can be said that the long practice of using pseudo self-employed workers in the construction industry has resulted in collective protection being completely neglected and lost. At the same time, vocational training has also not been managed systematically, leading to a major shortage of skilled workers in the UK construction industry. It will take some time yet there before a new vocational training system can be built up again. This means that workers from the continent, especially skilled workers, have good work prospects in the UK construction market.

An effective instrument introduced in the UK for combating undeclared and illegal work, pseudo self-employed status and for safeguarding jobs is the work safety card for registered construction workers. Further information is available on the Internet (www.citb.co.uk) .

Ireland

The picture in Ireland is much the same as in the UK: a major construction boom for 10 years now. Owing to the considerable shortage of skilled workers, in the same way as in the UK due to deficient vocational training and the pseudo self-employed phenomenon, in recent years the Irish construction union has succeeded in obtaining high wage increases.

While it is true that these increases started off from a low level, nevertheless the unions managed to achieve a four-year collective agreement on improving pay levels. Under this agreement, wages will rise by between 70 and 76% by 2006 and in particular also significant increases in pension payments which in Ireland are paid into a private pension insurance body.

Accordingly, the basic rate of pay with pension contributions amounts to approx. €16 per hour. However, the inflation rate in recent years is also significantly over the European Union average, so that the very high pay increases are partly eroded by inflation.

Two important key achievements by the Irish construction union are as follows:

1. Temporary agency workers enjoy the same wages and working conditions as those laid down in the industry-wide agreement, and
2. Temporary agency workers must also belong to a trade union so that they are covered by collective agreements.

It remains to be seen how this model fares in future in Ireland and in the next discussions in the EFBWW this question, in the same way as other efforts to combat illegal work, will also be a focus of attention.

Norway

On the strength of North Sea oil, Norway continues to enjoy a general economic upturn, also embracing the construction industry. In recent years wages have risen significantly more rapidly than inflation. Also for 2004 an agreement was obtained in April on a 6.5% increase over two years. Basic pay now stands at 125 Norwegian kroner, or about €17.

Unemployment in Norway has stood at 0% for years, but the high wages have sparked a flood of illegal employment and undeclared work. There have been a great many developments in this matter during recent weeks and months, and there is every prospect that a trade union demand for a forgery-proof passport for construction workers -- and possibly for all workers -- will shortly be introduced by the Finance Ministry.

During 2004, the trade unions in general, but the construction union in particular, fought for a change in the pension system. The construction union in Norway wants to lower the general retirement age for construction workers from 67, as laid down by law, to 52 by collective agreement, and to finance the difference via pension funds to be set up in accordance with collective agreements. The supplementary pension funds in Norway currently finance 55% of the pension and the union demand is for their proportion to rise to 62% in

the coming years. It is clear to the construction unions in Norway that they must take advantage of the boom period for North Sea oil as in Norway neo-liberal strategies are already putting pressure on the good working incomes.

Rationalisation measures in the construction industry in recent years have resulted in jobs being lost of approx. 10,000 at a time, giving a present total of 250,000. For this reason too, the unions want to see undeclared work and illegal employment significantly reduced.

Iceland

Iceland is a small construction market. Owing to the weather conditions, the bulk of production takes place during the summer months. Nonetheless, Iceland is also enjoying a mini construction boom, with minimal construction unemployment (2%) and from 2004 has succeeded in achieving a 13% pay increase in a four-year collective agreement. This works out at around 3.25% a year. Also to be taken into account in tandem with this measure is the 4% increase achieved in the supplementary pension for the next four years. Furthermore, the Icelandic construction unions have succeeded in obtaining a 23% increase in the minimum wage over the same period, thereby aligning the individual wage groups more closely together.

Sweden

Following the three-year collective agreement of the previous years, in 2004 some tough bargaining took place in Sweden. Also in Sweden, particularly in recent years the phenomenon of wage dumping due to undeclared work and illegal employment has become more apparent and the construction union has waged an all-out campaign against this problem. However, this led to the difficult bargaining round which concluded in April 2004 with a 19-month agreement providing for a 2.30 Swedish krone increase for 2004 and a 1.15 Swedish krone increase from May 2005.

As traditionally only framework agreements are concluded at national level, but bargaining policy is then conducted at decentralised level in the plants, it can be assumed that this means an improvement in pay levels of between 2 and 2.5% per annum. This puts basic pay at around 140 krone in 2004, but owing to the different provisions concerning benefits and piece rates, it is not possible to draw up a uniform wage table as in many other European countries including the FRG.

Employers in the Swedish construction industry have proposed a new wage system on which negotiations will have to take place in the near future.

The boycott by the Swedish construction union against the Latvian construction firm which is building a school near Stockholm, calls into question the effectiveness of the Swedish implementation of the posting directive (see Section 2).

Finland

In Finland pay increases are normally agreed at the end of the year in joint bargaining between employers, trade unions and the government. As a consequence of the eastward enlargement of the EU and large-scale migration of construction workers from the Baltic States, as well as from Russia, the Finnish construction trade union has come under pressure. On the whole, as regards economic trends it can be stated that in all sectors, but particularly the construction industry, an ever-growing number of East Europeans are working under dumping conditions. A collective agreement dating from 2003 also applied to 2004 and provided for a pay increase and a premium payment of a little above inflation. At the same time, supplementary pension payments were agreed in 2002 as part of the general pension reforms in Finland.

For the coming years, the Finnish government has proposed a zero-change round, offering changes to the law or even tax incentives to the advantage of workers, on similar lines to measures taken in the

Netherlands. The employers organisations in the construction industry have gone along with this and want to implement a zero-change round as they believe that there is no room for pay increases, chiefly due to social dumping. For the first time in 20 years the Finnish construction unions are preparing for industrial action which it was intended to launch following the winter period 2004/2005. The bargaining has still not been completed, but in Finland the barometer is set to Storm. At the same time, there has been a generation change among the senior ranks of the construction union following elections in 2004.

Federal Republic of Germany

For the first time since the Second World War, a nationwide campaign of industrial action took place in the construction industry during 2002 as the employers organisations sought to exploit the appalling economic situation in this sector to conclude less favourable provisions in many framework agreements. As a result of the action, the federal framework agreement has been kept in place as well as achieving a pay increase of 3.2% in 2002 and 2.4% until March 2004. As the economic situation in the construction sector has further deteriorated, with some 50,000 to 80,000 construction jobs being shed annually and unemployment running at about 20%, the 2004 bargaining round was a difficult one. No new pay agreement was reached by the beginning of 2005, and notice was also not given to terminate the collective agreements. For the first time in its history, the IG BAU (BSE) has not given notice to terminate the agreements on wages and salaries. The employers organisations, particularly in the craft sector, from four regions have withdrawn their mandate from the Bargaining Committee on the employers side for federal level. Despite a number of negotiations and action taken, so far the employers have not been persuaded to make any concessions. The employers are demanding an extension of the working week by three hours from 39 to 42 hours, if possible without pay. On top of that, they want pay levels to be cut by three hours wages per week or 7.5%. What is more, they want to reduce leave and adopt significantly less favourable performance-related pay conditions at the expense of workers.

The trade union, meanwhile, is calling for an annual working time limit, in particular also because under the current laws in Germany unemployment in the winter due to weather conditions, as frequently occurs in the construction industry, is no longer covered by wage-substitution payments. By means of an annual working time limit and guaranteed working time accounts this would to some extent make up for the period out of work in the winter. At the same time, the construction union is demanding effective countermeasures against illegal employment, pseudo self-employment and undeclared work. A chip card is being demanded for construction workers as forgery-proof evidence of a legal employment relationship in the sector. There is no end in sight to this difficult bargaining round, but there are signs that the construction employers organisations are determined by hook or by crook to exploit the adverse economic climate in the sector in order to stymie improvements in pay.

Summing up the bargaining policy developments in Germany, it can be said that they are concerned with maintaining the industry-wide agreements.

New EU member states

Even though a host of different seminars and conferences have taken place with the Eastern European construction unions within the European Federation of Building and Woodworkers, but also through the efforts of the International Federation of Building and Woodworkers in Geneva, the information picture for current social and bargaining policy as well as for direct trade union work is a mixed one. The study commissioned by the EFBWW from the European Institute for Construction Labour Research (CLR) in 2003 is still the most reliable source of information about a number of Eastern European construction unions. A resume of the study has also been translated into a number of languages (CLR News 1/2003).

The European Commission has decided that the members of the Social Dialogue for construction from the new EU states are to receive

financial support, so that representatives from the unions and employers in the new EU states can take part in the Social Dialogue. On the employers side Hungary and Romania participate most often, sporadically also Poland, while for the construction unions so far only the Polish and Romanian representatives have attended.

The efforts of the IG BAU to improve contacts between the Polish and German construction unions and construction workers via an office in Warsaw have so far after almost two years of operation not achieved any major breakthrough. An internal reappraisal has also not taken place yet. There is an urgent need for the EFBWW bodies, in particular the Standing Committee Building and the Bargaining Working Party to make stronger approaches to the new Eastern European member states and forge closer contacts. During 2005 I will try to examine the topic of the old and new member states in Europe, with its consequences for the construction industry, in a separate review.

Colleague Jakub Kus, who has attended a number of EFBWW events, the General Assembly in Belgium and also meetings under the Social Dialogue as a representative of the trade union Budowlani from Poland, has compiled some up-to-date information about the economic situation, wages, health and safety, vocational training and migration in the construction sector which can also be retrieved separately. On the basis of this overview, additional information is to be gathered during the coming period.

5. Statistical overviews

1. Growth and unemployment 2000 – 2004 (Europa aktuell p. 54)
2. Average weekly working hours (Europa aktuell p. 55)
3. Statutory minimum wages (Europa aktuell p. 56)

Table 1: Growth and Unemployment in the European Union 2000-2004

	Gross Domestic Product ¹⁾					Unemployment rate ²⁾				
	2000	2001	2002	2003	2004	2000	2001	2002	2003	2004
Old EU Countries (EU 15)										
Belgium	3,8	0,6	0,7	1,1	2,0	6,9	6,7	7,3	8,1	8,3
Denmark	2,8	1,6	1,0	0,0	2,1	4,4	4,3	4,6	5,6	5,8
Germany	2,9	0,8	0,2	-0,1	1,5	7,8	7,8	8,6	9,3	9,1
Finland	5,1	1,1	2,3	1,9	2,6	9,8	9,1	9,1	9,0	8,9
France	3,8	2,1	1,2	0,2	1,7	9,3	8,5	8,8	9,4	9,6
Greece	4,4	4,0	3,9	4,2	4,0	11,0	10,4	10,0	9,3	8,4
Great Britain	3,8	2,1	1,6	2,2	3,0	5,4	5,0	5,1	5,0	5,0
Ireland	10,1	6,2	6,9	1,2	3,7	4,3	3,9	4,3	4,6	5,0
Italy	3,0	1,8	0,4	0,3	1,2	10,4	9,4	9,0	8,7	8,6
Luxembourg	9,1	1,2	1,3	1,8	2,4	2,3	2,1	2,8	3,7	3,4
Netherlands	3,5	1,2	0,2	-0,8	1,0	2,9	2,5	2,7	3,8	5,3
Austria	3,4	0,8	1,4	0,7	1,8	3,7	3,6	4,3	4,4	4,5
Portugal	3,4	1,7	0,4	-1,3	0,8	4,1	4,1	5,1	6,4	6,8
Sweden	4,3	0,9	2,1	1,6	2,3	5,6	4,9	4,9	5,6	6,1
Spain	4,2	2,8	2,0	2,4	2,8	11,3	10,6	11,3	11,3	10,9
EU 15	3,6	1,7	1,1	0,8	2,0	7,8	7,4	7,7	8,0	8,1
New EU countries (EU 10)										
Estonia	7,3	6,5	6,0	4,8	5,4	12,5	11,8	10,5	10,0	9,7
Latvia	6,8	7,9	6,1	7,5	6,2	13,7	12,9	12,6	10,5	10,3
Lithuania	4,0	6,5	6,8	8,9	6,9	15,7	16,1	13,6	12,7	11,5
Malta	6,4	-1,2	1,7	0,4	1,4	7,0	6,7	7,5	8,2	8,6
Poland	4,0	1,0	1,4	3,7	4,6	16,4	18,5	19,8	19,8	19,6
Slovak Rep.	2,0	3,8	4,4	4,2	4,0	18,7	19,4	18,7	17,1	16,5
Slovenia	4,1	2,9	2,9	2,3	3,2	6,6	5,8	6,1	6,5	6,4
Czech Rep.	3,3	3,1	2,0	2,9	2,9	8,7	8,0	7,3	7,8	8,2
Hungary	5,2	3,8	3,5	2,9	3,2	6,3	5,6	5,6	5,8	5,7
Cyprus	5,0	4,0	2,0	2,0	3,4	5,2	4,4	3,9	4,4	4,1
EU 10	4,1	2,5	2,4	3,6	4,0	13,6	14,5	14,8	14,3	14,1

1) Gross Domestic Product = % change in GDP since previous year

2) Unemployment rate = number of unemployed as % of civil working population (Eurostat definition)

Figures for 2004 = Spring 2004 forecast of the European Commission

Source: European Commission (2004a)

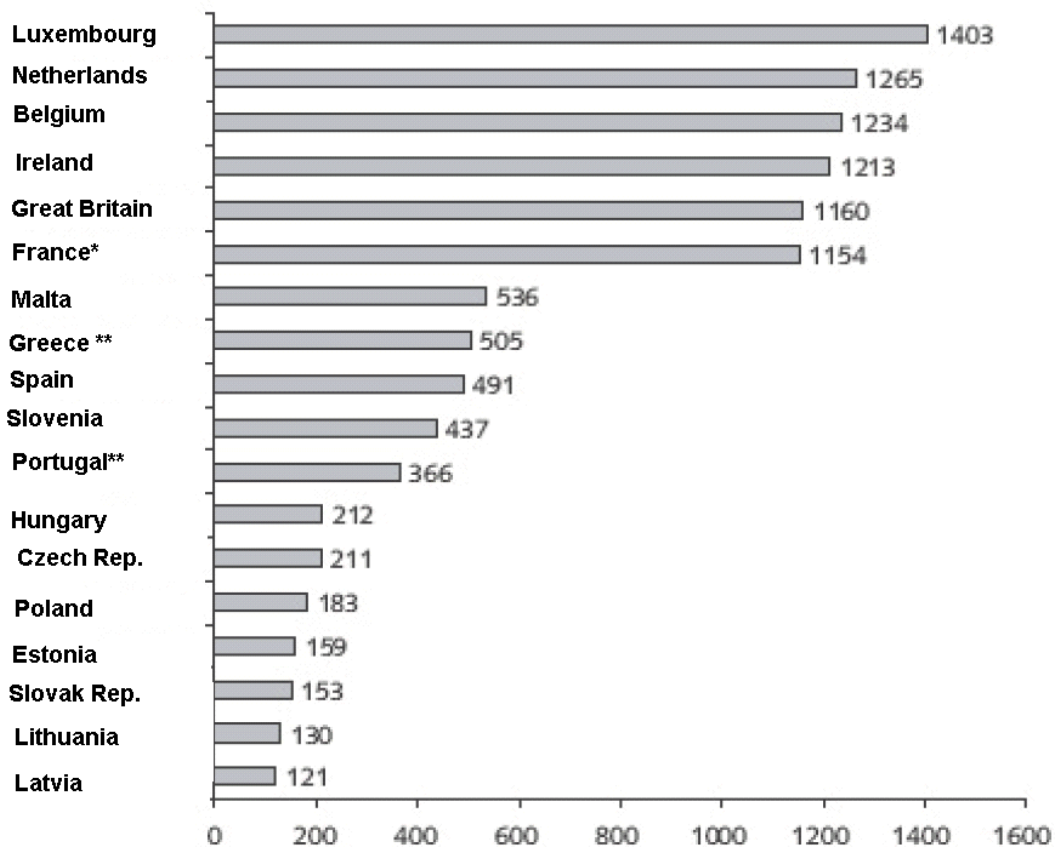
Table 2: Average weekly working times in the European Union (hours)

	Working time laid down in collective agreements (2003)	Actual working time (2002)*	Difference between working time laid down in collective agreements and actual working time
Old EU Countries			
Greece	40,0	41,0	1,0
Ireland	39,0	39,5	0,5
Luxembourg	39,0	39,5	0,5
Portugal	39,0	40,3	1,3
Sweden	38,8	39,9	1,1
Austria	38,5	40,0	1,5
Spain	38,5	40,4	1,9
Belgium	38,0	39,3	1,3
Italy	38,0	38,5	0,5
Germany	37,7	39,9	2,2
Finland	37,5	39,2	1,7
Great Britain	37,2	43,3	6,1
Denmark	37,0	39,1	2,1
Netherlands	37,0	38,9	1,9
France	35,0	37,7	2,7
New EU countries			
Estonia	40,0	41,1	1,1
Latvia	40,0	43,6	3,6
Malta	40,0	40,4	0,4
Poland	40,0	41,6	1,6
Slovenia	40,0	41,6	1,6
Czech Rep.	40,0	k.A.	k.A.
Hungary	40,0	40,9	0,9
Slovak Rep.	38,5	41,8	3,3
Cyprus	38,0	40,0	2,0

*full-time workers

Source: Carley (2004b), own calculations

**Table 3: Monthly Statutory Minimum Wage in Euro
(Situation : July 2004)**



*based on a 35-hour week **only for unskilled workers

Source: Federation of European Employers

WSI Hans Bockler
Stiftung

The above text can also be obtained in French and German from the EFBWW secretariat.

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REPORTS

CLR Annual Meeting 2005

Brussels, 4th February 2005,

Participants: Beatrice Appay, Hans Baumann, Harrie Bijen, Linda Clarke, Jan Cremers, George Fuller, Stefan Hochstadt, Jörn Janssen, Ernst-Ludwig Laux, Sven Ljung, Bo Sandberg, Kevin Williamson

Chair: Jan Cremers and Linda Clarke

Minutes: Jörn Janssen

Beginning of the meeting: 2 p.m.

1. Financial Report, Jan Cremers:

CLR has remained reliant entirely on the voluntary work of its members. The expenses incurred by the publication of the books are being recovered by the sale of guarantee purchase copies.

The balance of the account at the end of year 2004 was about €2000.-.

2. Report of activities in 2004, Jan Cremers

2.1 Four issues of CLR-News have been published in 2004:

- Observatory 1
- Observatory 2
- Pensions
- Aspects of Migration

2.2 Two research projects carried out for EFBWW and FIEC and CLR have been finished:

- Stress in the Construction Industry.

This project caused considerable problems because of the diversity of the five national health and safety systems as well as different approaches to and definitions of stress. The basic findings are that mental stress is a serious disease concentrated in semi-skilled occupations such as formworkers and steel fixers as well as in site management.

- The Implementation of the Posting Directive

This research was carried out in cooperation between CLR and BMT-Consultants in response to an unsatisfactory report from the European Commission. Here again similar problems emerged because of the very different conditions in the 9 countries and the lack of reliable figures.

Both reports are published in CLR Studies.

2.3 Three more books have been published in CLR-Studies:

- Linda Clarke, Elsebet Frydendal Pederson (Editors), Women in Construction. CLR Studies 2

- Jan Cremers, Stress in the European construction sector: up-to-the-minute? CLR Studies 3

In French : Le stress dans le construction an Europe : de haute actualité ?

In German: Stress im europäischen Bausektor. Hochaktuell ?

- Jan Cremers, Peter Donders (Editors), The free movement of workers in the European Union. CLR Studies 4

In French : La libre circulation des travailleurs dans l'UE.

In German: Freizügigkeit der Arbeitnehmer in der EU.

Harrie Bijen underlined how important the books are for the political position of the EFBWW in its negotiations with the European Commission and Parliament as well as with the employers' organisation. Thus stress will stay on the agenda of the social dialogue and the book on 'The free movement of workers in the EU' plays a role in the debate about the draft directives, in particular the Services Directive. The latter will hardly be passed in its present form.

2.4 Two more regional offices have been established,

- CLRdenmark in Copenhagen
- CLR Dortmund

2.5 The CLR-London office and the University of Westminster have been organising seminars funded by the Economic and Social Research Council (ESRC):

- Women in Construction
- Historical Change and the Future of Construction Unions
- Contract of Employment vs. Contract for Services

3. Reports from the Regional Offices:

Denmark (Bo Sandberg):

The committee is composed of representatives of employers, employees and academics. CLRdenmark has organised an international conference on 20th April 2004 on 'EU enlargement and unrestricted movement of labour – Migration of construction workers after May 2004'. Another conference is planned for April 25th 2005 on 'Enlargement and the Services Directive'. CLRdenmark is also publishing a Newsletter in Danish.

Dortmund (Stefan Hochstadt):

The executive of the Dortmund regional office consists of Stefan Hochstadt/CLR and Wolfgang Richter/Arbeit im Bausektor. CLR-Dortmund has organised a workshop on 2nd April 2004: 'Die EU-Osterweiterung und die Vertragsverhältnisse am Bau' (EU-Enlargement and contract relations in construction). A second workshop will be held 16th March 2005: 'Die EU-Dienstleistungsrichtlinie. Wer soll welche Dienste zu welchen Bedingungen für wen leisten? Das Beispiel Bausektor.' (The EU Services Directive. Who is to provide which services at what conditions? The case of the construction sector.) Stefan Hochstadt gave a short report of his visit in Japan and, in particular, a summary on the low level of industrialisation of the Japanese construction industry. He shall write a summary report for CLR-News.

London (Jörn Janssen):

A committee has been appointed at the Annual General Meeting 7th December 2004: Linda Clarke, George Fuller, John Grahl, Stephen Gruneberg, Jörn Janssen, Paul Chan, Kevin Williamson. Three ESRC-funded international seminars have been held with in 2004: 'Women in Construction', 18th March 2004;

'Historical Change and the Future of Construction Unions', 27th May 2004;

'Contracts of Employment vs Contracts for Services', 28th October 2004.

Three Newsletters (4 pages A4, two columns) have been published in 2004.

Three more seminars will take place in 2005, the next on 4th February 2005 in Brussels on 'Participation and Worker Representation'. This regional office will in the future be called CLR-GB.

Switzerland/Thinknet (Hans Baumann):

Thinknet (Denknetz, Réseau de Réflexion) is the think-tank of the Swiss trade unions. On the web-site CLR features as a link side by side with IRES/France and WSI/Germany. Thinknet operates a sophisticated network through its web-site. A first international conference on 'The New Shine of Equality' was organised on 26th June 2004. Another high profile conference on 'Minimum Wages' will take 21/22 April 2005. Information on regulations, membership and a number of various projects are to be found on the web: <http://www.denknetz-online.ch>.

4. CLR Studies (Jan Cremers):

Future projects for publication:

- A book based on a research project by Linda Clarke: Ethnic and gender segregated sectors in the European labour market. This should be ready by the end of 2005.
- A book by Steve Jefferies/London Metropolitan University.
- A selection of contributions to the ESRC/CLR seminars.

5. CLR-News 2005

- Observatory: This will be the publication of a study on 'Working conditions, collective agreements and industrial relations in the European construction industry' by Ernst-Ludwig Laux.
- Posting of Workers, Services Directive (Linda Clarke, Jan Cremers)
- Codetermination, Worker Participation in Multinational Companies (Hans Baumann, Sven Ljung)
- Health and Safety (Jan Cremers)

6. Future Issues:

The following issues were raised as subjects of current political debates in which CLR might take action in different ways, such as CLR-News, workshops, research, book publications.

Assessment of best practices of European Works Councils in the building and woodworking sector:

The regional offices might contribute case studies to the issue of CLR-News. Harrie Bijen is involved in proposals for amending the present Directive on Information and Consultation. CLR/EFBWW might try to find funding from the European Commission for a project to assess the implementation of the directive.

Health and Safety

Health and safety is a subject of the next ESRC/CLR seminar in May 2005. The national SLIC reports appear to be shocking. This may provide a good starting point for editing CLR-News on this subject. According to Harrie Bijen, the debate has high priority, since the streamlining of H&S regulations means in reality weakening protection. Beatrice Appay pointed to the danger that the ongoing fragmentation of the construction industry implies reduced inspection. Vocational training needs to be brought in line with H&S requirements.

Services Directive

A demonstration against the Services Directive (known as ‘Bolkestein Directive’) has taken place 8th November 2004, another one is planned for 19 March 2005. Though the functioning of the market needs improving, e.g. though the harmonisation of skills, liability regulations etc., the principle of equal conditions at the workplace must be maintained. The regional CLR offices in Denmark and Dortmund have already set dates for conferences on the Services Directive. Maybe CLR-GB should also organise a conference, perhaps in cooperation with the Institute of Employment Research and the TUC.

Union Restructuring

The CLR-workshop 24 October 2003 in Zurich published in CLR-News 3/2001 was open ended and the discussion may need to be resumed in the light of the intensified migration after enlargement. A major issue is the integration of migrant construction workers into trade unions. Hans Baumann will take responsibility and make proposals for CLR activities.

European Skills Framework

A common framework for qualifications is now intended to be introduced in the EU in spite of enormous differences, including in definitions, between countries. This will be especially important for the construction industry given the extent of migration. Linda Clarke reported on research proposed in this area which will include the construction industry as one sector studied.

Statistics

CLR should take a role in lobbying for improved statistics on construction and provide guidelines for researchers. In many areas there is a lack of relevant statistics.

Coverage by collective agreements

Harrie Bijen sees collective agreements under attack and undermined by informal employment relations. This development needs monitoring in the different countries.

Further issues:

- Development of the shadow economy and black labour (Bo Sandberg)
- Protection of sites to prevent seasonal fluctuation. (Bo Sandberg will write an article for CLR-News)
- Global warming and sustainable housing provision or environmental protection instead of neo-liberal policy. (George Fuller)
- Liability of the main contractor under conditions of increasing fragmentation of contract relations. (Jörn Janssen)
- Study of migration in an historical context. (Jörn Janssen)
- The economic development of the construction industry, as a subject for the 2006 CLR-Observatory. (Jörn Janssen)
- The development of the size of construction firms ought to be analysed. (Beatrice Appay)
- CLR should have its own website. (Beatrice Appay)
- Wages and qualification ought to be analysed in relation to EU enlargement. (Stefan Hochstadt)

The exact time schedule of the activities suggested will be worked out by the steering group.

ESRC/CLR Seminar Series: People in Construction

Participation and Worker Representation in Construction in the European Union

Brussels, 4th February 2005

This seminar was taking stock on the situation of industrial democracy in the European construction industry, and perhaps largely representative also of other sectors. The picture that emerged was unequivocal, the employees and their unions are on the defensive. But this appears in various forms according to the level of representation, in the firm, at national and at European level as well as according to the different countries. The presentations analysed the situation through exemplary cases and the ensuing discussions put them into a general perspective.

The seminar proceeded in three sessions according to levels of representation. The first session dealt with the implementation of the Directives on European Works Councils (EWC) and Information and Consultation in European Companies (SE). Hellmut Gohde/EWC advisor showed a very differentiated and patchy picture of the way the directive is actually used by employee representatives. Generally speaking, in most of the cases employee representation is weak or passive, but there are signs that an ongoing learning process may enable the employees to take an increasingly active role in participation, according to the objective of the directive. Michael Stollt/ETUC Social Development Agency had little evidence to refer to, because the Societas Europea (European Company) has been adopted only by a handful of construction companies across Europe and the case of the Austrian STRABAG multinational construction company became a scandal, as this company used it as an instrument to circumvent their works councils and thus to scale down participation rights. A less depressing picture emerged from the experience with the Holcim multinational cement company, where international cooperation between the employee representatives is growing. The discussion showed that employee participation at firm level depends on backup from trade unions, but many representatives are not trade union members.

The national level was introduced by the opposites of Germany and Great Britain. Helmut Hickler/IG BAU reported a steady decline in works council representation in Germany through the high level of liquidations in recent years and the falling proportion of trade union members on Works Councils. The sustained economic crisis in the German construction industry has caused a moral erosion and it has become difficult to find candidates. Mike Richardson/University of West England reported what is known up and down the country that often employers know nothing about the Information and Consultation Directive and many do not care. This is the result of a survey from December 2003. But the situation will hardly be much different when the Directive comes into force in April 2005. Given the extremely scattered structure of the industry only a few enterprises above those with the 150 employees required to implement the Directive before 2007 will be eligible. From the discussion one could conclude that industrial democracy is experiencing an international offensive from employers claiming that it is to the detriment of competitiveness, all this supported by neo-liberal national policies.

The situation in the European Union was presented from the points of view of the trade unions and the European Commission. Harrie Bijen/EFBWW General Secretary confirmed what had become evident at national level, that the employers are not interested in or even oppose workers representation. As a result this subject is excluded from the Social Dialogue with the European Construction Industry Federation. Peter Kerckhofs/ETUI gave a statistical overview on the existence of EWCs with little information about effective representation of employee interests. Evelyn Pichot/European Commission emphasised the increase in numbers of EWCs and concluded that industrial democracy is growing at European level. The Commission regards EWCs as a means for managing change and thus improving productivity. Evelyn Pichot admitted that the employers oppose improvements to the EWC Directive but answered the question as to whether the Directive has been a success in the affirmative. In the ensuing discussion the participants demonstrated an almost cynical assessment with regard to effective codetermination at European level. Multinational companies are even in a position to undermine representation at national levels – as demonstrated by STRABAG.

The seminar had not been planned to discuss strategies. This is possibly the reason why it produced such a largely negative panorama. However, given the weakening position of trade unions in the former stronghold of Works Councils, Germany, and the apathy in Great Britain and the new EU Member States, the overall impression is far from positive. And none of the many experts from across Europe had news of any initiatives to strengthen participation and worker representation in construction.

Jörn Janssen, April 2005

REVIEWS

Peter Scholliers & Leonard Schwarz: **Experiencing Wages: Social and Cultural Aspects of Wage Forms in Europe since 1500.** Berghahn Books, New York/Oxford 2003. ISBN 1-57181-546-5 (cloth) £ 50.-, ISBN 1-57181-547-3 (pbk) £15.-.

The forms of wages are the expression of social relations in the production process. That is why the study of the forms of wages is so important for the study of social and economic history, society, labour relations, politics, economics etc. The group of 14 scholars, mostly economic and social historians, whose essays are edited by Peter Scholliers and Leonard Schwarz deserve great attention and respect for reviving a field of research and debate which was flourishing by the end of the nineteenth century in Germany, reminiscent of names such as Lujo Brentano, Gustav Schmoller, Werner Sombart, Otto von Zwiedineck-Sünderhorst, as quoted by Reinhold Reith in his contribution; a debate which was by no means confined to Germany, to mention only G.D.H. Cole's 'The Payment of Wages: a Study in Payment by Results under the Wage-System' (Allen and Unwin, London 1918).

The study of the history of wage forms is also crucial for the understanding of the profound changes in labour relations we are experiencing nowadays. The growing importance of social security in comparison to wage levels, as apparent for instance in the demonstrations about pensions, as well as the international debate about legal minimum wages indicate a new stage in the development of wage labour about the turn of the 21st century.

In these respects 'Experiencing Wages' is a breakthrough in economic history and the editors in their introduction rightly pay tribute to what has been achieved in this attempt to resume and carry forward the study of wage forms. But equally this collection cannot hide that the debate is largely isolated and discontinuous. Therefore the individual essays do not relate to each other, lack a common background and focus. This explains that three of the ten contributions are not even strictly relevant to the subject, those of Harald Deceulaer on guild

privileges in Antwerp, Patricia Van den Eeckhout on terms of notice, and Jane Humphries on child labour. One gets the impression that, despite a special workshop held to discuss these papers, each author follows her or his own agenda packed in a special terminology. Even the central term, 'wage form', is used with different meanings: Henny Gooren and Hans Heger as well as Reinhold Reith use it as a category to distinguish remuneration by money from remuneration in kind, rights, entitlements etc. as opposed to 'wage systems' denoting wages based on piece versus time rates, wage differentials or participation in ownership and profits, which other authors subsume under wage forms. Under this definition the title of the book is misleading with regard to most contributions. Conversely the terms 'work and labour' often seem to be synonymous such as in the editors' introduction: "... people often combined and alternated wage labour with other forms of work and income" (p.7) Isn't work the result of labour? The editors assert, "The main issue of this volume is that of *payment* for specific work" (p. 7). Isn't it 'that of payment of labour' as opposed to the sale of work by the craftsman? But such critical questions are in a way irrelevant as the contributions do not complement each other in any consistent way.

The isolation, which separates the authors between each other, exists also with regard to other related work and debates on labour relations. Important recent publications such as Richard Biernacki (1995) 'The Fabrication of Labor: Germany and Britain, 1640-1941' – dealing with different uses of piece rates - and Bernard Friot (1997) 'Puissances du salariat, emploi et protection sociale à la française' – dealing with social protection as part of the wage package - are completely ignored or remain marginal such as Robert Castel (1995) 'Les métamorphoses de la question sociale, une chronique du salariat'. Debates such as that on 'Free and Unfree Labour' at the International Institute of Social History in Amsterdam, the international 'Labour Process Debate' and their annual conferences, the discussion on 'The Dynamics of Wage Relations in the New Europe' do not even appear on the horizon. This absence only reflects a general malaise shared to various degrees by all these 'debates' imprisoned in separate academic disciplines, journals and conferences.

Some authors of 'Experiencing Wages' try to explain what determines different wage forms, e.g. strictly economic rationality (according to human capital theory) or customs, Michael Huberman, Skari Heikkinen Lina Gúlves-Munos and Paul Johnson. Craig Muldrew and Steven King explore the impact of the shortage of currency on the early development of wage labour. But the narrative and empirical evidence prevail. They represent in fact the strength of the book. I found most interesting the contributions on profit sharing in Lancashire 1870-1914 by Huberman, on labour disputes in Germany during the eighteenth and early nineteenth centuries by Reith, and on the endemic shortage of coined money and the many forms of remuneration of labour in England 1650-1800 by Muldrew and King. Generally, almost all articles display a great deal of original empirical research and, without any exception, deal with relevant subjects. Everybody interested in the development of wage labour will find interesting material in this collection. On this merit it should be recommended without reservation.

Scholliers and Schwarz "firmly believe that the history of wage awaits a bright and shining future." I wish I could share their belief.

Jörn Janssen, London 20th April 2005.

CALENDAR OF EVENTS

ESRC/CLR SEMINAR SERIES: PEOPLE IN CONSTRUCTION SESSION 5: Thursday 12th May 2005

University of Westminster
35 Marylebone Road
London NW1 5LS
(opposite Madame Tussauds and almost opposite Baker Street tube station)
Room CG79

SOCIAL PROTECTION AND HEALTH AND SAFETY IN CONSTRUCTION IN THE EUROPEAN UNION

PROGRAMME

- 10.30 **Registration and coffee**
10.45 **Welcome:** Linda Clarke (University of Westminster)
- 11.00 **Session 1: The general health and safety situation**
Chair: Jan Cremers: CLR
Bernd Eisenbach (IGBau) *The situation in Germany*
Elena Mashkova (University Paris V) *The situation in France*
Philip White (Head of Construction Sector, British Health and Safety Executive)
The HSE's construction programme
Panel Discussion:
- 12.30 **Lunch**
- 1.30 **Session 2: The growing importance of social protection and the social wage**
Chair: Jörn Janssen
John Jory (Deputy Chief Executive, B&CE Benefits Scheme) *The development and significance of the British Building and Civil Engineering Benefits Scheme*
Bernard Friot (Université de Paris 10) *Different European approaches to social protection*
Panel Discussion:
- 3.00 **Tea break**
- 3.15 **Session 3: Improving the protection of construction workers**
Chair: Linda Clarke
Fiona Murie (IFBWW) *Defending Workers Rights in Construction*
Tony O'Brien (Construction Safety Campaign) *Campaigning for improved construction safety in Britain*
Wim Eshuis (Director of Dutch Occupational Disease Office) *New developments in occupational diseases in construction, including a Dutch case study of burnout*
Panel Discussion
- 4.45 **Concluding remarks**
5.00 **Finish – Drinks + nibbles and launch of CLR Studies 'Stress in construction'**

**XXXth IPSE Meeting
London, July 4th & 5th 2005**

Draft Programme

Efficiency of social welfare reforms: expectations, current results and future.

Monday, July 4th

8:45 Greeting of participants

9:00 Welcome speeches

Jonathan Mogford, head of European Affairs, Department of health

Ian Barber, acting head of the EC Representation in the UK

Ipse's president

9:30 The issues at stake

Dominique Boucher, Ipse's general delegate

09:45 FIRST SESSION

Social welfare reforms: the true reasons and the others

Presentation and animation of the session:

Pierre Volovitch, IRES

*Gabrielle Clotuche, former social protection director in the European Commission
TUC representative (UK)*

10:40 Debate with the participants.

11:00 Break

11:15 SECOND SESSION

An evaluation of the reforms and prospects in the health coverage field

Presentation and animation of the session:

Jean-Philippe Lhernould, professor, Université d'Orléans

Jean Hermesse, director Alliance des mutualités chrétiennes (Belgique), AIM.

Franz Knieps, head of section, Ministry of health and social security (Germany)

Bill Mc Pate, Benenden healthcare (UK)

A representative of the National Health Service

13:00 Debate with the participants

13:30 Lunch

15:00 THIRD SESSION

An evaluation of the reforms and prospects in the field of pensions

presentation and animation of the session:

Emmanuel Reynaud, social security policy and development director, ILO

Carlos Bravo Fernandez, CCOO pension fund (Spain)*

a representative of the Confederation of British Industry – CBI-

Brian Davies*, *consultant, Union Pension Services ltd*

16:40 Debate with the participants

Tuesday July 5th 2005

8:45 : Greeting of participants

9:00 FOURTH SESSION

Supplementary schemes development : a new solidarity or an individualization of social systems?

Presentation: Dominique Boucher, *Ipsse's general delegate*

Stephen Withers, *director, European affairs, BUPA (UK)*

Marianna Reto, *general secretary, Portuguese mutual benefit insurance*

Jörn Janssen, *University of Dortmund, Germany*

10:40 Debate with the participants

11:00 FIFTH SESSION

The Charter of fundamental rights, which guarantee of the social quality of reforms ?

Presentation and animation: Robert Castel, *sociologist, former director, Ecole des hautes études en sciences sociales*

Linda Clarke, *professor, University of Westminster*

Philippe Herzog, *président of Confrontations, former member of the European Parliament*

12:00 Debate with the participants

12:30 Conclusion and summary:

Philippe Pochet, *director, Observatoire social européen*

CLR PUBLICATIONS

CLR Studies 1:

EU Enlargement: Construction Labour relations as a Pilot (2003)

Linda Clarke, Jan Cremers, Jörn Janssen

Contrary to the conditions for accession to the European Union, we observe an unceasing disintegration of trade union organisation and a decrease in collective bargaining in Central and Eastern European (CEE) applicant countries so that the Social Dialogue lacks solid underpinning by active industrial relations. This is the conclusion of this pilot study of industrial relations in the construction sector, co-sponsored by the European Commission and carried out by a team of the European Institute for Construction Labour Research in cooperation with experts of the respective applicant countries. This publication unites the individual country reports through an analytical framework, which traces the present situation in six CEE states (Bulgaria, Estonia, Hungary, Poland, Romania and Slovakia) to the demise of the planned economy. It concludes with recommendations for rebuilding industrial relations in these countries with the cooperation of the social partners from the EU member states.

CLR Studies 2:

Women in Construction (2004)

Linda Clarke, Elisabeth Michielsens, Elsebet Frydendal Pedersen, Barbara Susman and Christine Wall (eds)

Why are women so rarely seen on construction sites in the developed world though visible as building labourers in parts of Asia? This book explores the reasons why the construction industry has remained overwhelmingly male dominated both in image and numbers. Any presence of women in the industry has been sparsely documented – especially women working in the manual trades as carpenters, electricians, plumbers, painters, plasterers, scaffolders and bricklayers, etc. The book sets out to rectify this omission and reveals how women – though in a minority – have been working in the industry, now and in the past, throughout the world, from the Indian subcontinent and Africa to the United States and, above all, in Europe. It brings together original research by an international group of writers and academics and personal accounts by women in the industry, illustrated with contemporary and historical photographs.

Two new CLR publications

The CLR Studies series is growing, with two new studies.

CLR Studies 3:

Stress in the European construction sector: up-to-the-minute? (2005)

Jan Cremers

According to several representative studies, work intensity is on the increase in Europe. One feature closely linked to this is the development of work-related stress. The experience of stress at work has undesirable consequences for the health and safety of workers and negative implications for the functioning of organisations. This publication includes desktop research, case studies, country reports and a first European survey among construction workers.

Also available in French and German.

CLR Studies 4:

Free movement of workers in the EU (2005)

Jan Cremers and Peter Donders (eds)

The introduction of the free movement principles in the EU has an impact on all industries. With regard to the free movement of workers, construction is a key industry that has been faced with an enormous challenge since the opening up of the European market. Early research by the European Commission made it very clear that transnational mobility is low in the European labour market, but, if it happens, it takes place either at management level in all industries or on building sites. CLR Studies 4 is dedicated to an analysis of the implementation of the EU Posting Directive in ten countries. The study includes common conclusions and recommendations, as formulated by the European social partners of the construction industry.

Also available in French and German.

All our Studies can be ordered via the secretariat or via clr@mjcpro.nl.

For CLR readers we have a special price:

CLR Studies 1: 20 € (£15); CLR Studies 2: 25 € (£17);

CLR Studies 3: 10 € CLR Studies 4: 12 €

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