



Precarious employment in the EU: the role of trade unions

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Precarious employment on the rise

- Long-term increase of types of employment that are potentially precarious:
 - Small part-time jobs
 - Dependent (bogus) self employment
 - Temporary Agency Work (TAW)
 - Fixed-term contracts
 - Migrant labour (incl. bad housing)
 - ...
- But some declined during crisis: first victims

Reasons for rising precarious work

- Employers' strategies: flexibility and low costs as pillars of competitiveness
- State strategies: legal reforms and other policies allowing for, or promoting, precarious employment
- Transnational regime competition
- Limited or weak opposition

Who is precarious and what are the dimensions of precariousness

- Main affected: young, women, migrants, low skilled, combination of the afore
- Dimensions: low pay; limited legal protection; high insecurity; limited control; limited social security and pension entitlements; limited collective representation; limited access to loans and mortgages; limited possibilities for family planning, low birth rates; etc.

Possible trade union strategies towards precarious jobs and workers

- Towards precarious jobs:
 - Rejection of such jobs, trying to eliminate them
 - Improving quality, enforcing regulations, bridging the gap

- Towards precarious workers:
 - Inclusion
 - Exclusion
 - Separate strategies for precarious workers

Available instruments

- Collective agreements (general or specific)
- Organising of precarious workers/sectors
- Mobilising precarious workers
- Providing services and information
- Influence law and politics
- Litigation
- Media

- Often combinations

Actual union strategies in EU (1)

- Few broad strategies or debates on precarious employment, although links with ILO decent work strategies
- But rising attention because of rising level and fear of social dumping
- Strategies strongly dependent on problems faced, resources available and institutional context

Actual union strategies in EU (2)

- From rejection towards improvement of quality (e.g. TAW, FT, PT, dependent SE)
- From exclusion towards inclusion (e.g. migrants, self-employed); rise of organising strategies, especially in certain sectors (e.g. cleaning, retail)
- Inclusion varies: general and specific collective agreements, general and specific unions

Collective agreements and precarious employment: different roles

- Key role:
 - Inclusionary: extending regulations to precarious workers
- But in some cases also:
 - Exclusionary: provides additional benefits and advantages only to covered
 - Flexibilising: sometimes used to create more flexibility and insecurity
 - Divisionary: not always same rights to all covered

Limits to collective bargaining based strategies

- Limited coverage in many countries
- Also dependent on legal context (what is possible?)
- Limited negotiation power, concession bargaining, distant headquarters
- Unions representatives of insiders?



Influencing legislation also necessary

- For those not covered;
- For those covered by weak unions or agreements;
- To address transnational company strategies



Legal initiatives promoted by unions

- The EU temporary agency work Directive: equal conditions on many (though not all) elements of working conditions
- Slovakia: criteria to convert bogus self employment into a normal employment relationship
- The Netherlands: extending social security rights to atypical jobs (but at a price)
- UK: adjust qualification periods of employment rights
- Etc.

Conclusions

- Need for firm labour standards, not subject to (domestic or international) competitive pressures or budgetary fluctuations;
- Key role for collective bargaining, aim to extend and strengthen
- Complement by national and international legal instruments: key role ILO and other international labour standards