



International
Labour
Organization

▶ Covid-19, Collective Bargaining and Social Dialogue

A report on behalf of ILO ACTRAV



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and Social Dialogue**

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COVID-19, collective bargaining and social dialogue: A report on behalf of ILO-ACTRAV

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Foreword

The global path taken by a previously unknown virus, has shown both the truth and the falsity of the popular claim that the ‘world is now a village’. Certainly, in the last two years the village caught COVID-19. However, some parts were more affected than others and the villagers themselves reacted in quite different ways to the imminent threat of the virus.

The rapid and all-encompassing spread of the Covid-19 virus has in a dramatic and deadly fashion demonstrated the extent to which our world is interconnected. However, the trajectory of the COVID-19 pandemic also revealed the gaps that both differentiate countries and regions and have influenced the ways societal institutions have responded. There has been a growing view that the experience of COVID-19 has restored the leadership and relevance of the ILO tripartite partners as the actors capable of initiating effective strategies to contain and ultimately overcome the virus. At the same time, the extent to which individual states have taken up this challenge has been anything but a uniform experience. Similarly, thus far the roll-out of vaccines has, despite some noble efforts, remained a phenomenon largely confined to high and middle-income countries.

Workers all over the world and the trade unions that organise and represent them have stood in the frontline of national and international efforts to deal with the unprecedented pressures that COVID-19 has created. Collective bargaining in particular and social dialogue more generally, as the report that follows will show, have played crucial roles in negotiating with governments and employers’ associations to ensure that the vital functioning of society and the very sinews of economic life are maintained. Overall, the basic functions of trade unionism seem to have stood up well to the test provided by the pandemic.

The need for social dialogue to be at the centre of national and international efforts to build forward better was highlighted by the three ILO constituents in the ILO’s “Global call to action for a human-centred recovery for the COVID-19 crises that is inclusive, sustainable and resilient” which was adopted at the International Labour Conference in June 2021.

Through the Global Call to Action, the ILO tripartite constituents committed themselves to a) build upon the role that social dialogue, both bipartite and tripartite, has played in the immediate response to the COVID-19 pandemic in many countries and sector, b) promote social dialogue, including through governments consulting with social partners on designing and implementing national recovery plans and policies addressing the need for retention and creation of decent jobs, business continuity, and investment in priority sectors and areas, both public and private, to ensure a job-rich recovery, c) strengthen the capacity of public administrations and employers’ and workers’ organizations to participate in such dialogue.

It is important though, to analyse the various ways in which trade unions have reacted to the challenge of COVID19 and to learn from the lessons of this very difficult time. But going forward greater efforts are needed to promote the implementation of the Global Call to Action as there is still much to do before the threat posed by COVID-19 and related pandemics has been at least contained.

This report is part of a broader agenda of the ILO Bureau for Workers' Activities (ACTRAV) to assist worker's organizations through evidence based guidance to further analyse the strength and resilience of trade unions nationally and globally in building forward better. I would like to thank the main authors Denis Gregory, Maarten Van Klaveren and Kea Tijdens as well as my colleagues in the Bureau for Workers' Activities (ACTRAV), particularly Ariel Castro and Melanie Jeanroy who coordinated the work.

I invite trade unions, policy makers and other stakeholders to read, reflect, internalize and discuss this important and insightful report.

Maria Helena André

Director, ILO Bureau for Workers' Activities (ACTRAV)

Executive summary

This report attempts to shed light on the impact of the COVID-19 pandemic on the process and outcomes of collective bargaining in particular and social dialogue more generally. It is based upon the responses of more than 200 trade union officials to an online global survey carried out between March and May of 2021 and includes the insights of frontline union negotiators who were subjected to in-depth interviews by the authors.

The results generated by the survey were classified and analysed according to the locus of bargaining experience of the respondents. Thus, three union groupings were identified: unions operating at the level of (sub)sector, company or public organization; union confederations operating at national level as “peak” organizations of affiliated trade unions; and unions operating at national level but not as (con)federations. Following the OECD classification of national collective bargaining systems, the survey results were also grouped according to whether the bargaining system of the respondent’s country was either: predominantly centralized and coordinated; organized decentralized and coordinated; or largely or fully decentralized.

Our survey data and interviews showed that for most unions operating at the level of (sub) sector, company, or public organization the onset of the COVID-19 pandemic had significant impact on both the frequency, the procedures and the coverage of collective bargaining. In three out of four regions, the frequency of formal collective negotiations was reduced as the pandemic progressed, though interestingly for Europe, this frequency increased. By contrast, the incidence of informal negotiations showed an increase in all four regions as well as within the three different bargaining systems.

The shift from traditional, “face to face” negotiations and dialogue to strongly screen-based procedures was universally recognized both in our survey and by interviewees. Plainly, this was easier to achieve for unions in high- and middle-income countries where IT infrastructure and competence could usually be relied upon. It was not so easy in low-income countries, as respondents from such nations pointed out. A fairly common complaint from respondents drew attention to not being able to read the body language of their opposite numbers during screen-based negotiations and dialogue. Moreover, the lack of opportunities for informal discussions away from the formal bargaining table was also seen as a drawback. Yet the shift to screen-based negotiations and dialogue was not wholly freighted with negative consequences. A smaller group of respondents pointed to the advantages that had emerged: these ranged from the absence of “small talk” and more focused discussions to the cost savings, as the need to travel to meetings was removed, as well as the fact that more meetings than usual could be fitted into their working days.

The particular nature of the pandemic, together with the emergency actions that both employers and governments took to minimize risks at the workplace, inevitably had an effect on the priorities that unions took to the bargaining table. It was perhaps no surprise that our data showed that “occupational safety and health” and “sickness and disability” were the two items raised to the top of the unions’ bargaining priorities, closely followed by “job security and employment guarantees” and “working hours and leave/holidays”. Less welcome was the downgrading of gender equality issues apparent in responses from the Asia and Pacific region and Europe.

Insofar as safety and health were concerned, it is clear that much union activity at workplace level in the early (and sometimes even later) stages of the pandemic was focused on the supply and use of personal protective equipment (PPE). Similarly, healthcare unions, in particular, were involved in ensuring that the willingness of their members to pitch in and help out in these times of emergency was not exploited. Guarding against fatigue and burnout became a major concern in many essential service occupations.

Flows of information concerning COVID-19 were inevitably influenced by the unfamiliarity that surrounded the virus and, apart from those countries who had had prior experience with SARS-Covid-1 outbreak in 2002-04 most countries were unprepared for either the speed of transmission or the scale of risk posed by COVID-19. Responses to our survey suggest that those countries with well-established systems of tripartite social dialogue were more successful in ensuring that social dialogue participants at industry or company levels were kept abreast of salient information. However, there was evidence of confusion and contradictory advice coming through in the early stages of the pandemic, irrespective of bargaining regime.

The survey and interviews picked up evidence of opportunistic behaviour by some employers who sought to take advantage of the pandemic to restructure their workforce. Unions were actively engaged in both calling out and opposing, for example, the “fire and re-hire” tactics that were reported during the pandemic.

At national level, around three quarters of the respondents to our survey reported that their union organizations had been involved in a social dialogue with governmental bodies concerning initiatives aimed at offsetting the impact of the pandemic on employment. This was particularly the case in Europe and rather less so in Africa. The frequency of meetings echoed this differentiation, with unions in Europe much more likely to record weekly meetings with governmental bodies than was the case for unions in Africa, in particular for those unions operating at national level but not being a confederation. This frequency hardly differed across national bargaining systems.

Opinions on the successes and failures of this type of high-level dialogue were mixed, as perhaps could be expected given the wide range of government responses to the pandemic. Flexible working arrangements and short-term working schemes, together with (re)training

schemes and support measures for enterprises were widely appreciated, although with regard to these latter schemes some abuses were also reported. Survey respondents from low-income countries frequently drew attention to the failure of governments to take on board the issues raised by their union bodies. Only a few respondents operating at national level reported any form of dialogue concerning the need to make proof of vaccination a precondition for (re)employment.

Nearly three quarters of the respondents at national level reported that their organizations had been involved in contacts with employers' central bodies to develop initiatives aimed at offsetting the impact of the pandemic on employment. Again, this share was highest in Europe, and rather low in the Americas. By region, the frequency of contacts with employers' associations showed the same pattern. As regards the issues discussed, flexible working arrangements and short-term working schemes generated the largest share of positive answers, followed by support measures for enterprises, with (re)training schemes in third place. Also, the frequency of contacts with employers' associations hardly differed by national bargaining system.

We found that three fifths of the responding union organizations at national level had maintained tripartite contacts, as regards the pandemic, with both governmental bodies and employers' central bodies. A quarter reported to have had bipartite contacts with one or another of these bodies. By contrast, one in seven respondents (14 per cent) reported that their organization had had no contacts whatsoever with their potential social partners regarding the pandemic. This zero-contact metric came in at 4 per cent for Europe, 16 per cent for both the Americas and the Asia and Pacific region, and as much as 20 per cent for Africa. In Africa and the Americas especially, the neglect of any social dialogue, or even outright union repression, seemed to be the long-standing root cause of this outcome.

Finally, the "build forward better" question in the survey provoked comments from all three union groupings, and focused on problem areas coming to (more) prominence during the pandemic for two categories of workers in particular: teleworkers/telework(ing), and more generally, labour migrants/labour migration.

On a global scale, the experience of the pandemic seems to have shone a rather more positive light on trade unions than has hitherto been the case. The importance of frontline workers, whether healthcare workers, teachers, cleaners, retail or distribution workers, has been particularly well demonstrated and understood by the general public. Recently too, there has been widespread support for union campaigns striving to ensure that these groups of workers are given the appreciation and financial rewards they deserve.

The ability of unions to meet particular demands during the pandemic was evidently dependent upon a whole host of factors. However, at its most basic, it required the existence of well-resourced union bodies operating within supportive political and legal frameworks. As a number of respondents emphasized, such primary conditions were not always available

to trade unions in many parts of the world. Moreover, it should also be remembered that before the COVID-19 virus appeared, trade unions had typically already endured some difficult decades. Notwithstanding these constraints, the report shows significant evidence of creativity and innovative endeavour by negotiators working in highly pressurized and uncertain conditions.

Going forward, unions will be amongst the best-placed organizations to provide evidence-based guidance on what policy actions have proved to be the most effective in helping to cope with the pandemic. For instance, our survey clarified that the overall shaping of short-time working schemes and support measures for enterprises as well as telework practices benefited from trade union inputs – whilst the experience unions have gained working with frontline workers through the pandemic will have generated an invaluable store of knowledge that should be neither underestimated nor wasted.

To build forward better, the report contends that there is a strong case for the worker's voice to be given much more prominence and recognition in future planning to deal with shocks like COVID-19. In this respect, the experience of moving parts of the social dialogue onto screen-based platforms may help to facilitate a better utilization of the intellectual capacity and knowledge base of the workforce in the future. The report makes the point that trade unions are the only credible group to ensure that such opportunities are not missed.

Building on the experience of the pandemic and the specific views of respondents to the survey, a number of recommendations are made, namely:

- ▶ Legislation should be developed to clarify both the rights of teleworkers (including temporary ones) and the employer's responsibility for such workers. The ILO Home Work Convention, 1996 (No. 177) should be reviewed in the light of recent experience, particularly with regard to the use of electronic monitoring and control systems.
- ▶ A basic survival kit should be provided for migrant workers in times of pandemic and catastrophe. To this end, the relevant ILO instruments, notably the Migration for Employment Convention (Revised), 1949 (No. 97) and Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) should be reviewed with a view to strengthening migrant workers' rights to income protection, secure accommodation and the possibility of training and education.
- ▶ Governments and the social partners should be encouraged to recognize the impact a pandemic is likely to have on the physical and mental health and well-being of workers. In tandem with the World Health Organization (WHO), the ILO should promote regular tripartite reviews of the provisions made to ensure that such dangers are acknowledged and minimized.
- ▶ ACTRAV should encourage and support the urgent development of a freely accessible global database of collective labour agreements and examples of innovative collective bargaining practices conjured up during this current pandemic. To this end ACTRAV

should promulgate the use of the worldwide collective bargaining agreements (CBA) database built by the WageIndicator Foundation.

- ▶ ACTRAV should investigate ways and means to ensure that the various union newsletters designed to keep union negotiators abreast of collective bargaining developments are extended to reach unions in low- and middle-income countries.
- ▶ ACTRAV should work with the appropriate union bodies to explore and coordinate the most effective ways of integrating social dialogue to overcome weaknesses in international planning frameworks. In effect, it should create a union-based “early warning system” designed to assist trade unions in countries where governments were either slow to recognize the severity of risks in a coronavirus outbreak or were in outright denial of such risks.

The report concludes that the interconnectedness of global economic and social systems played an unwitting but nevertheless crucial role in enabling the COVID-19 virus to spread. It would be fitting if the trade union movement could exploit its own connectedness to build an effective means to repel such challenges in the future.

Acknowledgements

This report is the product of many hands, not least over two hundred trade unionists who took time out of their busy schedules to complete our online survey. We thank you all for your help. We are also indebted to Ariel Castro and his colleagues at ACTRAV for commissioning this piece of research and for helpful feedback on earlier drafts. We would like to record our appreciation for the invaluable assistance we received from colleagues at the WageIndicator Foundation (WIF) who made the online survey workable in four languages, in particular Paulien Osse, director, and Niels Peuchen, communication manager. We are grateful to the following individuals who all provided us with crucial support at country and regional level: Martin Chembe, Garry Elliott, Juan Guilarte, Ken Koomson, Salvo Leonardi, Moses Makau, Jose Perfeito, Jakob Pocivavsek, Nelly Takla-Wright, Alan Tomala, and Peter Virant. Special thanks are due to Kiu-Sik Bae who went well beyond the call of duty in contacting trade unions for us in the Republic of Korea.

All remaining errors are our sole responsibility.

Denis Gregory, Maarten van Klaveren and Kea Tijdens

Oxford / Amsterdam, August 2021

Acronyms and abbreviations

- ▶ **BMA** British Medical Association
- ▶ **CBA** collective bargaining agreement
- ▶ **CDC** Centers for Disease Control (United States)
- ▶ **CLA** collective labour agreement
- ▶ **EPSU** European Public Service Union
- ▶ **ETUI** European Trade Union Institute
- ▶ **GDP** gross domestic product
- ▶ **GUF** global union federation
- ▶ **HEE** Health Education England
- ▶ **ILO** International Labour Office/Organization
- ▶ **IMO** International Maritime organization
- ▶ **ITF** International Transport Workers' Federation
- ▶ **IUF** International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco, and Allied Workers' Associations

- ▶ **KCDC** Korea Centers for Disease Control
- ▶ **LFD** largely or fully decentralized
- ▶ **MoU** Memorandum of Understanding
- ▶ **NHS** National Health Service (United Kingdom)
- ▶ **ODC** organized decentralized and coordinated
- ▶ **OECD** Organisation for Economic Co-operation and Development
- ▶ **OSH** occupational safety and health
- ▶ **PCW** predominantly centralized and coordinated
- ▶ **PPE** personal protective equipment
- ▶ **PSI** Public Service International
- ▶ **SOP** standard operating procedure
- ▶ **SPA** supporting professional activity
- ▶ **WHO** World Health Organization
- ▶ **WIF** WageIndicator Foundation



1. Introduction: COVID-19 and the world of work

This report was commissioned by ACTRAV in early 2021 following preliminary discussions late in 2020. The overall brief was to investigate and assess the impact the COVID-19 pandemic had had, and was likely still to be having, on collective bargaining activities across a range of countries both developed and less developed. To this end, an online survey (EXCOL) was developed and deployed between the end of March and the end of May 2021. The researchers responsible for the survey and this report are Denis Gregory, Maarten van Klaveren and Kea Tijdens. They were supported by staff from the WageIndicator Foundation in Amsterdam.

1.1 Collective bargaining in a pandemic context: A delicate balancing act

Alongside the devastating worldwide impact of the COVID-19 pandemic on health and well-being, there can be no doubting the unprecedented challenges it has also posed for workplaces and workforces all across the world. The speed with which the pandemic spread was unparalleled. The scale and extent of the disruption caused to economic and social activity would have been unthinkable a little more than a year and a half ago. In order to restrict the deadly impact of the virus, most national administrations were initially compelled to adopt a range of crisis measures aimed at responding to immediate public health imperatives. At the same time, they could not lose sight of the need to preserve the viability of their national economies. Striking a delicate balance between these two demands saw the widespread deployment of various forms of “lockdown” on the one hand, combined on the other hand with a variety of offsetting measures to soften the impact of massive reductions in both social freedoms and economic activity.

Such actions inevitably disrupted established working patterns and put a stranglehold on domestic income flows. To ameliorate these social and economic downside-risks, most national administrations in developed nations soon recognized and responded to the need to ensure that neither their citizens nor their business communities should suffer too much from these dramatic falls in economic activity. Hence, government-funded schemes to support workers sent home during lockdown, or put on shorter hours, became commonplace in many countries. Businesses too, of all stripes and sizes, were recompensed by soft loans and grants to tide them over the dramatic falls in demand that many suffered. In some instances, this also extended to support for the self-employed.

Given the speed with which the COVID-19 virus has spread and the scale of its impact, it is important to assess how the systems of economic governance and regulation that apply at all levels to the world of work have responded since the outbreak of the virus in February 2020. A key part of this assessment, and the central focus of this report, is to evaluate the

roles played by trade unions and collective bargaining in helping to maintain the delicate balance of public health needs in the short term and economic viability in the medium and long term. In the initial stages of the COVID-19 pandemic, trade union actions and pressures were largely focused on how to protect their members from the potential ravages of the COVID-19 virus at the workplace. In very short order though, these public health needs were joined by an equally urgent set of economic questions as governments locked down their nations. Ever since the onset of the first wave of the pandemic, trade unions have found themselves fighting on these two fronts. With varying degrees of success, they have used social dialogue and tripartite mechanisms to pressurize governments to provide financial support for workers hampered by lockdowns. At the same time, they have been pitched into struggles to ensure that the safety and health of frontline workers compelled to work through lockdowns has been properly protected and the magnitude of their efforts suitably rewarded. Similarly, they have had to deal with the rapid expansion of telework as significant numbers of workers were asked to carry on working but from the safety of their homes.

Whilst in many cases, as this report will show, the pandemic has disrupted established patterns of formal collective bargaining, it has alongside of this led to an increased incidence in many countries and sectors of informal negotiations. Such activity has embraced agreements for temporary measures to preserve the rights and conditions of those remaining at work, or, at the other end of the spectrum, pressures to ensure employment security and appropriate rights and conditions for teleworkers. Thus, trade unions in most of the countries we have surveyed can be seen to have been active and innovative both in their social dialogue and in their negotiations at national, sectoral and local levels.

Moreover, in some important respects the experience of the COVID pandemic has underlined the credibility of a number of long-standing trade union demands. Notable here is the much wider appreciation of how poorly paid and badly treated are many jobs now rated as “essential” to ensure the basic functionality of national economies, and/or “frontline” in terms of coping with public health needs. The extent to which this greater public awareness will convert into durable and significant improvements in the pay and conditions of these frontline workers remains to be seen. We return to this prospect in our final chapter, with some additional thoughts on the implications for nurses and seafarers as prime examples of workers whose economic premiums have seemingly been on the rise as their value to society has increasingly become apparent.

At this point, it is important to recognize that, notwithstanding the universality of the threat COVID-19 poses, the nature and extent of trade union involvement in the struggle to contain it are likely to differ from country to country. Indeed, neither trade unions nor practices of collective bargaining can be regarded as homogenous factors for comparative purposes at either industry, national, regional or international levels. The need to allow for such differences played an important part in the way in which we designed our online survey instrument.

At the start of the survey, respondents were asked to cite the name of their union and their function within it. Thereafter, they were asked whether the union was either active at the level of (sub)sector, company or public organization, or at national level. Depending on the options chosen, respondents were redirected to one of two sets of survey questions covering these respective levels. We could reasonably expect the lower-level grouping to cover predominantly union negotiators whose main experience during the pandemic was derived from collective bargaining at (sub)sectoral or company/public organization levels. Concerning the national-level responses, we distinguished two groupings of trade union organizations. We identified union confederations operating at national level as “peak” organizations of affiliated trade unions; separate from these were the single union organizations for whom respondents had chosen the option “active at national level”. The latter grouping contained unions directly at national level representing specific (sub) sectors, professional groups, occupations or trades. Both groupings would most likely have experience of COVID-19-related dialogues with either governmental bodies or employers’ central bodies, or both. Thus, in this report we differentiate between three distinct trade union groupings:

1. Unions operating at the level of (sub)sector, company, or public organization
2. Unions operating as (con)federations at national level
3. Unions operating at national level but not as (con)federations

Due to a variety of socio-economic, political and legal factors, the scale and scope of union involvement vary considerably between countries. Significant here are national variations in trade union density and collective bargaining coverage as well as in the established practices and procedures of collective bargaining, social dialogue and tripartite activity. Accordingly, we analysed respondent countries according to the main characteristics of their collective bargaining system and then allocated them into one of three categories where collective bargaining can be seen to be either:

- ▶ predominantly centralized and coordinated (PCW); or
- ▶ organized decentralized and coordinated (ODC); or
- ▶ largely or fully decentralized (LFD).

Since reliable information on the national bargaining systems for 2020/21 was available only for a limited number of countries, we were not able to allocate all the countries represented in our survey into one of these groupings. We are, nevertheless, confident that the analysis this distinction permits provides a reasonable indication of the differences the COVID-19 pandemic might have made to the outcomes of collective bargaining under various bargaining systems. It might, for example, be assumed that ODC national bargaining systems, in countries with strong and established practices of social dialogue, would be more effective at facilitating (or negotiating about) COVID-related workplace change than would be the case for countries with LFD regimes and low levels of social dialogue. One of the intentions of the research set out in this report was to explore whether this assumption holds.

1.2 Organization of the report

Chapter 2 concentrates on the relationship between the COVID-19 pandemic and bargaining for trade union grouping 1, presenting and analysing survey outcomes on the frequency of formal and informal collective negotiations; the procedures of such negotiations; the priorities and substance of unions' bargaining agendas; and the use of information and social dialogue practices. Chapter 3 examines union involvement in social dialogue for groupings 2 and 3, concerning governmental policy initiatives to offset the impact of COVID-19, and/or contacts with employers' central bodies to develop similar initiatives. The chapter looks at the frequency of such contacts and makes some assessment of the successes and failures of such activity. It concludes with suggestions on how to ensure that "building forward better" takes on board the experience of workers and their unions. In both chapters the survey questions, in bold, are cited as a lead-in to the analysis that follows. In Chapter 4 we put forward a number of conclusions and recommendations.

Appendix 1 covers the development of the EXCOL web survey and the questionnaire; the search for respondents; the invitations to complete the web survey and the response rates by trade union level, region and language used. We also indicate the job titles and functions the respondents held in their union organization.

Appendix 2 focuses on the questionnaire outcomes for the unions of two categories of frontline workers: nurses and seafarers. The bargaining experience in the pandemic of the trans-boundary seafarers' union, Nautilus International, is covered here as well.

The next four appendices present three case studies, concerning: the British Medical Association (BMA) (Appendix 3); industrial relations and collective bargaining experiences in the Republic of Korea (Appendix 4); and the response to the pandemic of the hotel workers' trade union in Uganda (Appendix 5). To offset the weak survey return we received from unions in the United States, we carried out a desk-based review of the main union websites in that country. The common experience of unions in the United States during the pandemic derived from this research is presented in Appendix 6.

Suggestions for further reading can be found in Appendix 7.

Finally, Appendix 8 contains an overview of the responses by country.

2. The pandemic and bargaining at union level

2.1 Frequency of negotiations

What difference did the onset of the COVID pandemic make to the frequency of formal collective negotiations with employers (same, more, less)? Give details where possible.

Table 1 presents the outcomes from this first question, drawn from 61 trade unions. As can be seen, the union respondents were remarkably evenly split when assessing the impact the COVID-19 pandemic has had on the frequency of their formal negotiations. Slightly more than a third (36 per cent) recorded that it had led to more formal negotiations whilst just under a third (31 per cent) responded it had caused a decline in such negotiations. Whilst a number of causal factors could be in play here (not the least being the very existence and strength of formal negotiating structures), one important explanation can probably be found in the relative severity with which the pandemic struck a particular country. Countries that have been less affected by the pandemic might be thought to be less likely to have suffered from disruption to the formal framework of negotiations. The data from Europe (which as a region was relatively hard hit by the pandemic) shown in table 1 tends to support this view, but the same cannot be said of the results shown for either Africa, the Americas or the Asia and Pacific regions. At 2.32, the mean score for Europe was the only mean value higher than 2.00, indicating a shift to a higher overall negotiation frequency.

Table 1. Trade unions: Impact of the pandemic on the frequency of formal negotiations, by region

Impact of pandemic on frequency of formal negotiations	Africa	Americas	Asia & Pacific	Europe	Total	%
1 Less	5	6	5	3	19	31
2 Same	0	6	1	13	20	33
3 More	4	2	4	12	22	36
Total	9	14	10	28	61	100
Mean (Less=1, Same=2, More=3)	1.89	1.71	1.90	2.32	2.05	

Note: N=62, of which missing 1.

In Chapter 1 we referred to the assumption that some national collective bargaining systems would be more effective at facilitating (or negotiating about) COVID-related workplace change than others. We derived a country grouping that allowed us to test this assumption by adapting an analytical framework published in the 2019 report of the Organisation for Economic Co-operation and Development (OECD), *Negotiating Our Way Up: Collective Bargaining in a Changing World of Work*. In this report, OECD researchers identified the features of bargaining systems that proved to be important for labour market outcomes, in so doing distinguishing five groupings of countries that were valid in 2015, namely:

1. Countries with predominantly centralized and weakly coordinated collective bargaining systems, such as, in Europe: France, Iceland, Italy, Portugal, Slovenia, Spain and Switzerland.
2. Countries with predominantly centralized but coordinated collective bargaining systems; Belgium and Finland are mentioned here.
3. Countries with coordinated, organized decentralized bargaining systems; in Europe: Austria, Denmark, Germany, the Netherlands, Norway and Sweden.
4. Countries with collective bargaining systems where firm-level bargaining is dominant but sectoral bargaining or some forms of regulation also play a role, such as Australia, Japan and Slovakia.
5. Countries where bargaining is essentially confined to the firm/establishment level: Canada, Chile, Czechia, Estonia, Hungary, Ireland, Republic of Korea, Latvia, Lithuania, Mexico, New Zealand, Poland, Turkey, United Kingdom and the United States.

In order to make the OECD distinction operational for our research, we regrouped the five groups into three categories of national bargaining systems or regimes:

- a. predominantly centralized and coordinated systems (PCW), covering groups 1 and 2 from the OECD scheme;
- b. organized decentralized and coordinated systems (ODC), similar to OECD group 3;
- c. largely or fully decentralized systems (LFD), covering the OECD groups 4 and 5.

We applied this framework to 32 countries associated with 136 EXCOL respondents for which reliable information on their bargaining systems for 2020/21 was available. Thus, we were able to allocate 21 countries in Europe, four in the Americas, and seven in the Asia and Pacific region into one of the three classifications. Among the 136 respondents, 48 represented trade unions as covered in this chapter. The other 88 respondents represented either (con) federations or other union bodies operating at national level, to be discussed in Chapter 3.

As table 2 shows, organized decentralized and coordinated (ODC) bargaining regimes seem to have been associated with a higher overall frequency of formal negotiations during the pandemic. This was also true in countries with largely or fully decentralized regimes (LFD), but to a lesser extent. It does not seem to have been the case in countries with predominantly centralized and coordinated (PCW) systems.

Table 2. Trade unions: Impact of the pandemic on the frequency of formal negotiations, by bargaining regime

Impact of pandemic on frequency of formal negotiations	Predominantly centralized and coordinated (PCW)	Organized decentralized and coordinated (ODC)	Largely/ fully decentralized (LFD)	Total	%
1 Less	1	1	9	11	23
2 Same	2	6	11	19	40
3 More	1	5	12	18	37
Total	4	12	32	48	100
Mean (Less=1, Same=2, More=3)	2.00	2.33	2.09	2.15	

Note: N=48.

What difference did the COVID pandemic make to the frequency of informal collective negotiations or contacts with employers (same, more, less)? Give details where possible.

Based on the responses to this question, table 3 shows the impact the COVID-19 pandemic made on the frequency of informal collective negotiations. The table suggests that the onset of COVID led to an increase in informal negotiations; exactly half of all respondents answered in this vein. This seems strongly marked in Europe as well as in the Americas and Asia and Pacific regions, and to some extent also in Africa: all four mean scores were higher than 2.00.

Table 3. Trade unions: Impact of the pandemic on the frequency of informal negotiations, by region

Impact of pandemic on frequency of formal negotiations	Africa	Americas	Asia & Pacific	Europe	Total	%
1 Less	4	2	2	3	11	18
2 Same	0	6	3	11	20	32
3 More	5	6	6	14	31	50
Total	9	14	11	28	62	100
Mean (Less=1, Same=2, More=3)	2.11	2.29	2.36	2.39	2.32	

Note: N=62.

As table 4 shows, the increased frequency of informal negotiations also held up if we looked at the three bargaining regimes we distinguished. In all three a higher frequency of informal negotiations could be noted, although the outcomes for largely or fully decentralized regimes were less marked than for the other two. It is worth noting that in all three systems the increase in the frequency of informal negotiations was higher than their respective scores for their experience with formal negotiations.

Table 4. Trade unions: Impact of the pandemic on the frequency of informal negotiations, by bargaining regime

Impact of pandemic on frequency of formal negotiations	Predominantly centralized and coordinated (PCW)	Organized decentralized and coordinated (ODC)	Largely/ fully decentralized (LFD)	Total	%
1 Less	0	1	5	6	12
2 Same	2	3	13	18	38
3 More	2	8	14	24	50
Total	4	12	32	48	100
Mean (Less=1, Same=2, More=3)	2.50	2.58	2.28	2.38	

Note: N=48.

Whilst tables 1 and 3 provide aggregate scores by region, they do not provide a guide as to what has been happening at a country or sectoral/company level. For this we have to cross-tabulate the 61 individual responses posted by trade unions with bargaining power as in table 5. This table shows, rather surprisingly, that 38 respondents (9+13+16), that is 62 per cent, noted that the change in the frequency of negotiations (far from moving in opposite directions) moved in the same direction. For instance, 13 respondents (21 per cent) indicated that the frequency of both formal and informal negotiations remained the same; 16 (26 per cent) responded that the frequency of both became higher, whereas nine (15 per cent) stated that the frequency of both formal and informal negotiations lessened due to the pandemic. Far fewer respondents recorded these orientations moving in opposite directions. Eight respondents (13 per cent) indicated a decreasing frequency of formal collective negotiations combined with an increase of informal negotiations, and six (10 per cent) responded that the frequency of formal negotiations remained the same whereas that of informal negotiations increased. Similarly, five (8 per cent) respondents indicated that the same frequency of informal negotiations had been observed alongside an increase of more formal negotiations. It is worth noting that nearly half (47 per cent) of the respondents reported that the incidence of negotiations both formal and informal either stayed the same or had increased. Conversely, just nine respondents (15 per cent) noted a decline in the incidence of both formal and informal negotiations. These outcomes strongly suggest that negotiations of whatever stripe have played an important role in the ways in which governments and employers (public and private) have responded to the COVID-19 pandemic.

Table 5. Trade unions: Impact of the pandemic on the frequency of formal and informal negotiations

Impact on frequency of formal negotiations/informal negotiations	Less formal	Same formal	More formal	Total formal
Less informal	9	1	1	11
Same informal	2	13	5	20
More informal	8	6	16	30
Total informal	19	20	22	61

Note: N=61.

Typical comments by survey respondents to three questions inquiring what impact the COVID pandemic had made on collective bargaining enable us to add human voices to the data shown in tables 1 to 5. These comments have been derived from the responses on the request in the two questions “What difference did the COVID pandemic make ...?” to give details where possible, as well as on the responses to the question:

Were formal negotiations for the renewal of collective agreements postponed because of the pandemic?

These three questions generated respectively 17, 11 and six answers.

It is notable, as the first three comments below illustrate, that even within the same union different negotiating experiences prevailed:



We have been in negotiations since before COVID started on the provincial construction agreement. I would say we had a short distance to go but due to COVID, meetings are impossible and the agreement is still outstanding.

▶ Trade Union (TU) respondent from Canada



I had several employers (retirement homes) request we postpone negotiations, more so in 2020. I also did two rollovers for one year.

▶ TU respondent from Canada



COVID moved the process online. A few agreements I service were rolled over, but that would be the exception. Most of the contracts I service were able to continue to negotiate terms to new agreements.

▶ TU respondent from Canada

Other unions evidently took a pragmatic but responsible approach, tempering their need for negotiation with a recognition that the exceptional circumstances of the pandemic required them to suspend their normal expectations:

As the pandemic hit passenger ferry traffic and tourism industry very hard and our members work on board passenger ferry vessels, we started negotiating terms and conditions of the employment contract as soon as Estonia and our neighbour countries closed their borders (...) Because almost all passenger traffic was stopped, regular wage increases were postponed one year.

▶ TU respondent from Estonia

The renewal of collective bargaining was due in April 2019. Negotiations usually carry for a few months (...) But with the COVID pandemic there was no appetite for continuing the negotiations. The shipping industry was already badly hit logistically and financially and so the justification to have formal negotiations was difficult. But informal contacts were ongoing.

▶ TU respondent from India

Employers were preoccupied in preventive measures and either partially or completely shut-down operations. It made no sense to force collective agreement negotiations on employers in the face of the pandemic.

▶ TU respondent from Ghana

Negotiations have been postponed en masse and/or are being conducted digitally. A lot of informal contact was/is necessary to involve each other in the importance of postponement or the conclusion of a contract/collective agreement.

▶ TU respondent from the Netherlands


Private sector: stalled in first wave; in the second wave collective agreements were normally signed. Public sector normal.

▶ TU respondent from Slovenia


At the informal level it seems clear that many unions have been heavily involved in putting in place temporary arrangements to deal with the exigencies of the pandemic and the variety of official guidance that emerged as the pandemic progressed. This holds in particular for those unions organizing healthcare staff:

Far more contact with employers because of the urgency of the need to deal with the first wave of COVID.

▶ TU respondent from the United Kingdom

 **Increase in meetings with employers re paid leave and PPE; lockdowns created additional issues and work with the employer.**

▶ TU respondent from New Zealand

 **More contacts almost everywhere, mostly by telephone or online, usually in a smaller group, e.g. between spokespersons for trade unions and employers per sector. In large sectors even weekly meetings (sometimes even more frequently in the beginning), given the situation and current events constantly changing.**

▶ TU respondent from Belgium

2.2 Negotiation procedures

Did negotiating procedures change due to the COVID pandemic? For example, were face-to-face negotiations replaced with zoom calls or some other form of socially distanced dialogue?

If yes: how effective were such new practices? What were the strengths and weaknesses?

Table 6 shows a rather varied pattern in the perceived effectiveness of the new negotiating practices although it is worth noting that only 10 per cent out of 40 respondents answering this question thought screen-based negotiations had proved to be more effective than traditional face-to-face methods. In contrast, 50 per cent of respondents felt that remote negotiations were less effective.

Table 6. Trade unions: Effectiveness of new practices for negotiations, by region

Effectiveness of new practices	Africa	Americas	Asia & Pacific	Europe	Total	%
1 Less	1	7	2	10	20	50
2 Same	1	6	2	7	16	40
3 More	0	0	2	2	4	10
Total	2	13	6	19	40	100
Mean (Less=1, Same=2, More=3)	1.50	1.46	2.00	1.58	1.60	

Note: N=40.

The following quotation demonstrates the extreme end of the negative view on the effectiveness of the new practices:



Totally ineffective. You don't have proper interaction to understand the other side's points. Body language and feeling for response is a large part of negotiations and that is mostly lost over zoom, etc. I also find that most people are distracted in these calls due to being at home or other location. So, the attention to the issue isn't there.

▶ TU respondent from Canada

Nevertheless, the experience of screen-based bargaining seemed for many negotiators evidently more balanced than either this view or the data in table 6 would suggest. Other detailed answers we received to these questions mostly painted a more nuanced picture. Consider, for instance, this comment from a seafarers' union:



The ambience was more relaxed and the urgency was not felt in a virtual environment. While discussions continued, the focus was lost sometimes in the new environment. The union side missed the banging of the tables and the tempers running high which used to be part of tactics and enjoyed in physical and face-to-face meetings. The reading of minds and face was difficult in the virtual environment. The strength was that the screen sharing made the meetings more focused and parties were more prepared.

▶ TU respondent from India

Whilst this last respondent clearly missed the theatre of traditional negotiations: "banging of the tables" and "tempers running high which used to be part of the tactics (...)", the fact that meetings were "more focused" and the parties "more prepared" would have to be acknowledged as a benefit. A similar comment came from a less outspoken respondent who contended that screen-based negotiations were:




(...) less effective than face-to-face as the groups were not in a room together and emotion is removed from the virtual process. The one benefit to moving virtual from a personal perspective is it required the parties to exchange proposals via email. This helped in recording and tracking of the exchanges between the parties.

▶ TU respondent from Canada


The inability to “read the room” or indulge in informal side meetings (off the record) was clearly identified by a number of respondents as a critical weakness of screen-based meetings. Also, the variable quality of IT provisions has repeatedly been an issue, as the following responses make clear:

 They are ‘ok’; sometimes it is better to see the person face-to-face so you can read the room and have a more natural discussion.


▶ TU respondent from Canada

 Highly dependent on the problems per collective bargaining table; the lack of physical opportunity for informal consultation and the accompanying emotions make digital forms of negotiation less desirable. Yet, results have not suffered under digital forms.


▶ TU respondent from the Netherlands

 New negotiation practices were not at the same quality level as before the pandemic. Weaknesses: technical problems on computers, inability to express clear proposals and views, no informal conversations before and after meetings. Advantages: no waste of time, concrete conversations, no intrusion on other social partners.

▶ TU respondent from Croatia


 Negotiations were handled without physical contact, and that was more difficult. Strengths: that there was no need to travel. Online meetings still can’t replace face-to-face contact. Exchanging documents is not the same as to talk with your partner.

▶ TU respondent from Finland

 Yes, mostly virtual meetings but delayed bargaining collective agreements due to high workload re PPE and leave payments and also preference to bargain collective agreements face-to-face. Strengths: more meetings in some cases and combination of face-to-face and virtually. Weaknesses: delayed bargaining was surprisingly successful yet preference for face-to-face bargaining; difference in tactics and pressure applied also more difficult in break outs with union team.

▶ TU respondent from New Zealand

For some respondents the strengths and weaknesses of moving to screen-based negotiations were evidently finely balanced:

 More focused discussions, easier access to officials, however frequency of meetings and in some instances the lengthy duration has resulted in fatigue and burnout.

▶ TU respondent from St Lucia



Strengths: less time on the road travelling, convenient. Weaknesses: weakened interaction, weakened direct contact, created a void when advancing your argument.

▶ TU respondent from the United Kingdom



It works fine in most respects. On a national sector dialogue we see that the informal time before and after negotiations are missed and difficult to replace online.

▶ TU respondent from Sweden



Yes, mostly virtual meetings but delayed bargaining collective agreements due to high workload re PPE and leave payments and also preference to bargain collective agreements face-to-face. Strengths: more meetings in some cases and combination of face-to-face and virtually. Weaknesses: delayed bargaining was surprisingly successful yet preference for face-to-face bargaining; difference in tactics and pressure applied also more difficult in break outs with union team.

▶ TU respondent from New Zealand

For other respondents the advantages appeared to outweigh perceived disadvantages:



Very effective, allowed more meetings to be carried out in a day. Cut out time-consuming travel and meetings were more focused. There was very little wasted time with the 'small talk' that inevitably occurs in face-to-face meetings.

▶ TU respondent from the United Kingdom



Strengths are less wasted time travelling, lower fuel use, etc. Weaknesses are a slight loss of personal interaction, however this is not as bad as I first suspected.

▶ TU respondent from the United Kingdom


What do you consider to be the strengths and weaknesses of social dialogue carried out by zoom or other remote communication platforms?

This particular question asked respondents to comment about the impact screen-based engagement was having on their wider practices of social dialogue. Again, the 16 detailed responses we received provided insights into the ways in which various counterbalancing factors were enabling trade unions to at least mitigate some of the obvious disadvantages of "remote" social dialogue.

A minority here emphasized (or only mentioned) negative aspects:

 **Weaknesses: lack of means, non-compliance with agreements, excessive postponements, negotiation delays. Strengths: none.**

▶ TU respondent from Angola


 **The only positive impact is to save time, but otherwise we are just firefighting online. We do not see the partners' face/moves as it is, we do not have the coffee/lunch breaks that support our getting to know each other and to smooth the arguments.**

▶ TU respondent from Hungary


 **It is time saving, but misses bargaining atmosphere; also: less interactivity among the workers' representatives, less influence and less possibility to convince counterparts.**

▶ TU respondent from Slovakia


For a larger group of respondents, the weaknesses and strengths were more balanced:

 **(+) Possible to meet at short notice, even shorter meetings without relocations. (-) Insufficient knowledge among representatives in companies, so employers could escape consultation. (...) In-depth consultation on sensitive issues is almost impossible.**


▶ TU respondent from Belgium

 **Strong points are the agility of simultaneous communication in multiple instances and the reduction of travel costs. However, the virtual meetings were limited to negotiations whereas few assemblies with members were held in this format.**

▶ TU respondent from Brazil

 **The strength is that we are able to reach those who wouldn't typically attend a face-to-face meeting. The difficulty comes with the mechanics of the virtual platforms. It's very difficult to hear what people are sharing when multiple conversations take place.**

▶ TU respondent from Canada

 **Strengths: meetings decreased and the employer was better pressured. Weaknesses: little possibility of analysis between union boards.**

▶ TU respondent from Chile



The strengths were flexibility and more audience. Weaknesses were the difficulties in establishing personal relationships and or negotiate off the record.

▶ TU respondent from Italy



When things get tense, one misses body language and informal contacts in the hallway. The advantage is that there is little delay per meeting and it saves a lot of travel time.

▶ TU respondent from the Netherlands



Enabled more meetings to be carried out and ensured that meetings were very focused. Occasional tendency to try to fit in too many meetings.

▶ TU respondent from the United Kingdom

The comments cited above, covering both the specific practice of collective bargaining and the wider experience of social dialogue, suggest that union representatives all over the world have been adaptable and innovative in the ways they have dealt with the COVID-compelled shift to largely screen-based dialogues with employers. The limitations of this development are clear and commonly identified above, but so too are some significant advantages in terms of cost savings and reductions in travel time. Plainly, the theatricalities of face-to-face bargaining cannot be replicated easily on screen. For some, this might be considered a positive development as excessive table thumping can often be counterproductive. However, the inability to read body language and the difficulty of setting up spontaneous “side meetings” to clarify and explore options when negotiations hit a tricky patch are, perhaps, more serious deficits associated with screen-based bargaining.

It remains to be seen to what extent their experiences to date will lead to any long-lasting changes in the way unions carry out various forms of social dialogue in the future. Much of this of course will depend upon their access to high quality IT, but in the light of the comments cited here it would appear that more complex, high-value processes such as bargaining over pay and conditions will be amongst the first activities to revert to more traditional modes of operation once the threat of COVID has receded.

2.3 Collective bargaining agendas and priorities

We turn now to consider the impact the COVID pandemic has had on the priorities and substance which make up trade union collective bargaining agendas. In the survey we included the question:

How did COVID impact on collective bargaining agendas? Were these topics given greater/ the same / less emphasis than before the onset of the COVID pandemic?

We asked respondents to indicate the impact on agendas COVID had had on ten potential collective bargaining items. Using a simple scoring of Less=1, Same=2 and More=3 we were able to calculate mean scores for each of the bargaining items. We present outcomes by region and by bargaining regime. The results by region are shown as mean scores in table 7A and figure 1, while table 7B indicates the percentage of “more” scores.

Table 7A. Trade unions: Mean scores for the impact of the pandemic on collective bargaining agendas, by region

Impact on collective bargaining agendas	Africa	Americas	Asia & Pacific	Europe	Total
Wages and benefits	1.67	2.36	2.18	2.04	2.08
Working hours and leave/holidays	2.56	2.36	2.55	2.36	2.42
Social security and pensions	1.89	2.00	2.00	2.04	2.00
Job security and employment guarantees	2.33	2.14	2.09	2.42	2.28
Job descriptions and job classification systems	1.67	2.21	2.00	1.85	1.93
(Re)training	1.78	2.00	2.00	2.04	1.98
Occupational safety and health (OSH)	2.50	2.36	2.55	2.75	2.59
Sickness and disability	2.75	2.43	2.91	2.46	2.58
Gender equality	2.13	2.07	1.91	1.74	1.90
Work-family arrangements	1.88	2.29	2.64	2.30	2.30

Notes: Less (=1), Same (=2), More (=3). N between 59 and 62.

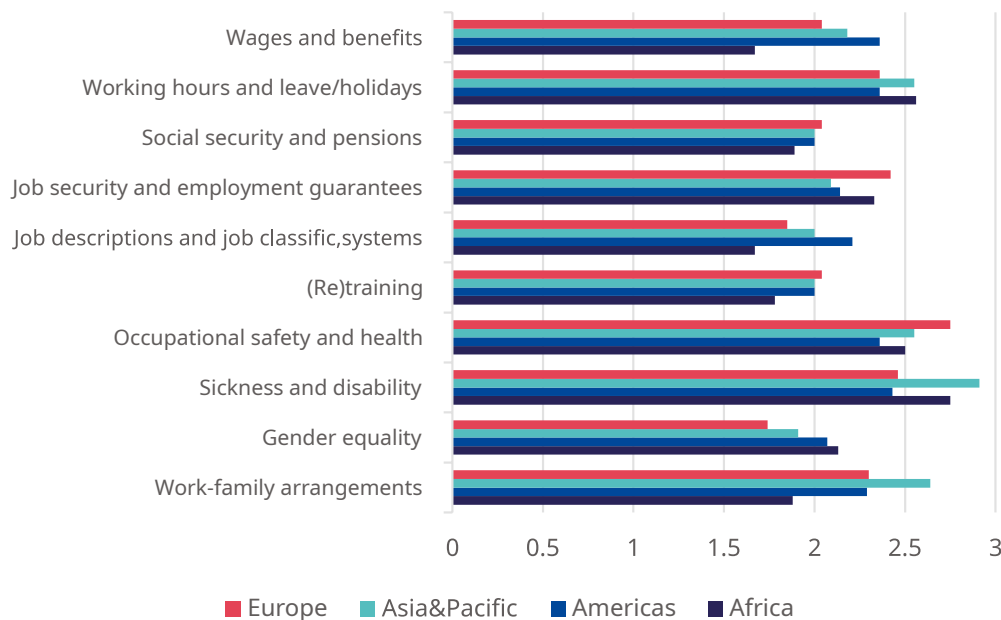


Table 7B. Trade unions: Percentage scores on answers “more” for the impact of the pandemic on collective bargaining agendas, by region

Impact on collective bargaining agendas	Africa (%)	Americas (%)	Asia & Pacific (%)	Europe (%)	Total (%)
Wages and benefits	22	50	45	29	35
Working hours and leave/holidays	67	43	55	46	50
Social security and pensions	33	7	30	18	20
Job security and employment guarantees	56	29	36	50	43
Job descriptions and job classification systems	22	21	27	7	16
(Re)training	22	14	27	37	28
Occupational safety and health (OSH)	75	43	73	79	69
Sickness and disability	75	43	91	54	61
Gender equality	25	14	27	0	12
Work-family arrangements	25	36	82	37	43

Note: N between 59 and 62.

Figure 1. Trade unions: Mean scores for the impact of the pandemic on collective bargaining agendas, by region



Note: Less (=1), Same (=2), More (=3).

Looking at the overall position shown in the far right-hand column of tables 7A and 7B, one can see that occupational safety and health (OSH) as well as sickness and disability got the largest aggregated mean scores, respectively 2.59 and 2.58 in table 7A and over 60 per cent “more” in table 7B, suggesting that the pandemic had pushed these two bargaining items to a substantial higher priority in most union bargaining agendas. Working hours and leave/holidays similarly were also clearly given a higher priority. Policy items that seemingly suffered some downgrading as bargaining priorities were: gender equality; job classifications and descriptions, and (re)training – all of which got mean scores equal to or less than 2 and “more” scores equal to or less than 30 per cent. There are, however, some notable differences if we look at the scores by region. The responses from Africa show the greatest volatility with wages and benefits being surprisingly downgraded to a mean score of 1.67 along with (re)training (mean 1.78), and social security and pensions (1.89), all three items showing only 22 per cent “more”, as well as work and family arrangements (1.88, 25 per cent “more”). In the main these are significantly different results from those posted by respondents in the other regions. The top priority slots indicated by respondents from Africa were sickness and disability (mean 2.75, 75 per cent “more”) followed by working hours and leave (2.56, 67 per cent “more”) as well as occupational safety and health (2.50, 75 per cent “more”). In these top priorities respondents from Africa did not differ that much from the global picture. It should be noted that remarkably high mean scores were posted for the Asia & Pacific region regarding sickness and disability (2.91, 91 per cent “more”) and for Europe regarding occupational safety and health (2.75, 79 per cent “more”).

The downgrading of gender equality as a bargaining priority in both the Asia & Pacific region (mean score 1.91, 27 per cent “more”) and Europe in particular (1.71, and even nil “more”) is noteworthy and a cause for concern. It is possible that gender equality as a specific bargaining objective might have suffered in these two regions, as work–family arrangements were conversely given enhanced bargaining priority scores: means of 2.64 for the Asia & Pacific region (and no less than 82 per cent “more”) and 2.30 (37 per cent “more”) for Europe. It is too soon to tell whether or not the pursuit of gender equality has fallen away in the lists of union bargaining priorities, or the current outcome is simply a short-term consequence of the reshuffling of priorities that COVID has brought about. Either way, it is a development that needs careful scrutiny.

Table 8A and figure 2 show by bargaining regime the impact COVID has had on ten potential collective bargaining items, while table 8B indicates the percentage of “more” scores.

Table 8A. Trade unions: Mean scores for the impact of the pandemic on collective bargaining agendas, by bargaining regime

Impact on collective bargaining agendas	Predominantly centralized and coordinated (PCW)	Organized decentralized and coordinated (ODC)	Largely/ fully decentralized (LFD)	Total
Wages and benefits	2.00	2.42	2.13	2.19
Working hours and leave/ holidays	2.00	2.67	2.41	2.44
Social security and pensions	2.25	1.83	2.06	2.02
Job security and employment guarantees	3.00	2.27	2.28	2.33
Job descriptions and job classification systems	1.50	2.09	1.94	1.94
(Re)training	1.75	1.91	2.03	1.98
Occupational safety and health (OSH)	2.75	2.83	2.56	2.65
Sickness and disability	2.75	2.45	2.58	2.57
Gender equality	1.50	1.91	1.88	1.85
Work–family arrangements	2.25	2.09	2.44	2.34

Notes: Less (=1), Same (=2), More (=3). N between 46 and 48.

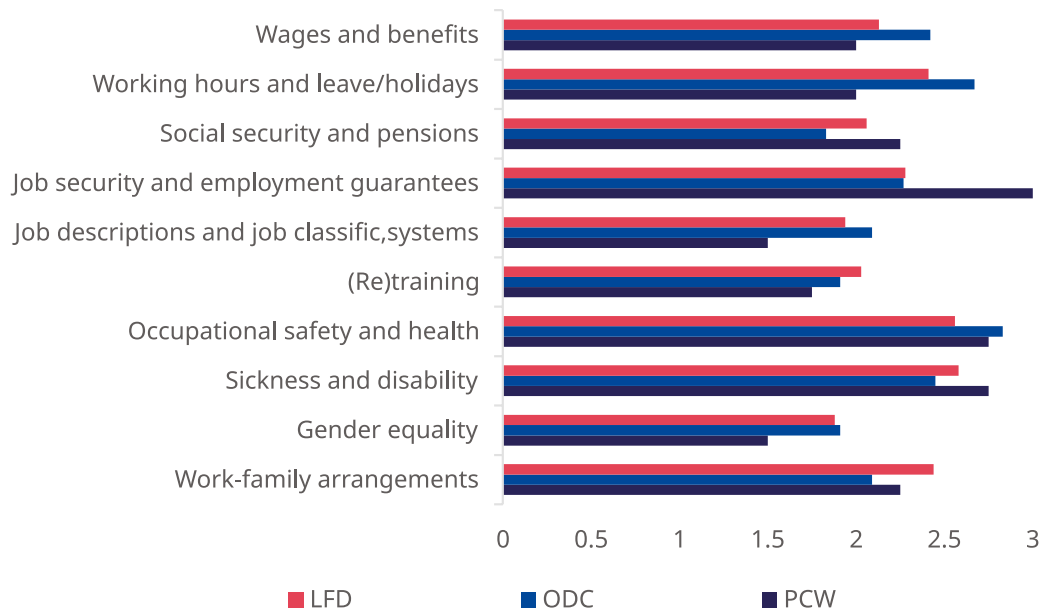
Table 8B. Trade unions: Percentage scores on answers “more” for the impact of the pandemic on collective bargaining agendas, by bargaining regime

Impact on collective bargaining agendas	Predominantly centralized and coordinated (PCW) (%)	Organized decentralized and coordinated (ODC) (%)	Largely/fully decentralized (LFD) (%)	Total
Wages and benefits	38	50	25	40
Working hours and leave/holidays	44	75	25	50
Social security and pensions	23	0	25	17
Job security and employment guarantees	44	27	100	43
Job descriptions and job classification systems	13	18	0	13
(Re)training	28	18	25	26
Occupational safety and health (OSH)	66	83	75	71
Sickness and disability	65	45	75	61
Gender equality	9	9	0	9
Work-family arrangements	53	18	50	45

Note: N between 46 and 48.

First of all, it should be noted that the outcomes for the 46 to 48 trade unions with responses totalled in the far right-hand column of tables 8A and B remain rather close to those for the 59 to 62 unions captured in tables 7A and B. For seven bargaining items the mean scores were higher (with the largest difference 0.11 for wages and benefits); for two items they were somewhat lower; and for one item ((re)training) the mean scores were exactly the same.

Figure 2. Trade unions: Mean scores for the impact of the pandemic on collective bargaining agendas, by bargaining regime



Note: Less (=1), Same (=2), More (=3).

Focusing on the differences between bargaining regimes, tables 8A and B and figure 2 reveal that organized decentralized and coordinated regimes (ODC) had the highest scores on five items, with wages and benefits and working hours and leave/holidays much to the fore. In contrast, the lowest scores here were posted for four items: social security and pensions; job security and employment guarantees; sickness and disability, and work-family arrangements. Part of the explanation here may be that within this particular type of bargaining regime, trade unions in quite a number of countries rely on welfare state principles and regulation to deal with these aspects and hence they get less attention from negotiators. We should add that largely/fully decentralized systems (LFD) followed with three highest scores, and predominantly centralized and coordinated regimes (PCW) with two. Remarkable are the high scores of the decentralized regimes on job security and employment guarantees (even 3.00 and 100 per cent “more”), on occupational safety and health, and on sickness and disability. Obviously, under decentralized regimes unions felt a great need to bring just these issues to the negotiating table. Under all three regimes, however, the downgrading of gender equality as a bargaining priority was visible, adding urgency to our earlier remarks on this issue.


Given the rapid and very widespread impact of the COVID-19 pandemic on labour markets all over the world, we could reasonably expect a high level of trade union focus on achieving employment security for workers unable to work as a result of either lockdown provisions and/or market collapse. We posed the direct question to see if collective bargaining had played a key role here, namely:

What role did collective bargaining play in preserving employment security for those workers on flexible working arrangements and temporary short-time work schemes, or on other support measures?


This question generated 13 responses. It is important to recognize that much of the early negotiation activity that secured temporary short-time working or furlough schemes for workers has been carried out at national level, usually involving union confederations in dialogue with governments and representative employer bodies. It is more accurate to see this as an extension of a broader social dialogue rather than specific collective bargaining arrangements. We deal with the various experiences of such high-level social dialogue in Chapter 3. In what follows here we focus on actual bargaining experience either at sectoral or company level.

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 We have managed to negotiate over fifty Memorandums of Understanding with employers in our sector as a way to mitigate the effects of the COVID pandemic on employment, labour and businesses. For example, my union has signed a collective bargaining agreement with one of the hotels (...), with a 10% salary increase that has made many people wonder how we made it but I can say it is because of negotiation expertise.

▶ TU respondent from Uganda


 Negotiated short-term agreements for doctors who were called out of retirement to help out. UKP 12,000 death benefit negotiated as an incentive for returning doctors. Similarly, negotiating agreements for final year medical students who were drafted in to help out during the first wave as well as extra pay negotiated for junior doctors who could not take annual leave.

▶ TU respondent from the United Kingdom

For other unions opportunities at local or sectoral level enabled them to raise their profile and extend their organizational reach, as the next two examples illustrate:


 In the chemical and pharmaceutical industry, we managed to negotiate collective agreements that prioritized the preservation of jobs, although with reduced working hours and wages. Also noteworthy is the progress represented by our collective teleworking and home office convention in the pharmaceutical sector, considering that in this matter Brazilian law allows for an individual agreement negotiated without the presence of the union and without the provision of guarantees of rights and achievements.

▶ TU respondent from Brazil


 Assisted workers in the informal sector to access Government's Relief Fund and organized them to form seven unions in agriculture, animal husbandry, tapa-making, weaving, handicrafts and small tourism, small trading and small fisheries.

▶ TU respondent from Tonga


In various European countries a mix of company/public organization and sector-level agreements played an important role in ensuring a rapid response to the first wave of COVID, as the comments below indicate:

 Since March 2020 a special Corona short-time working scheme has been operational with an extension to June 2021 as a fast response to COVID to retain jobs during the ongoing crisis. As the short-time working schemes are based on a social partner agreement with trade union and works council involvement in terms and conditions as well as replacement pay and retainment period, sectoral collective agreements do not provide for specific regulations to enhance employment security for workers on short-time work.

▶ [TU respondent from Austria](#)


 Long-term partial activity agreements at the level of the professional branches (better compensation for the employees concerned), the establishment of a continuity activity plan at the company level (including measures on teleworking), the resumption of activity protocol after the 1st confinement, the national inter-professional agreement on teleworking and that concerning professional security contracts (financial aid and training for dismissed employees in addition to legal rights).

▶ [TU respondent from France](#)


 We made central agreements on temporary short-time work schemes for the private sector. In the beginning of the pandemic, we signed a “crisis agreement” with the public sector. The terms are quite harsh, with an average working week of 48 hours and a “non-stop stand by” mode. The upside is that you get 200 per cent pay, from the first hour.

▶ [TU respondent from Sweden](#)

It was evident that some unions have taken a wider and more pragmatic approach to ensuring support was forthcoming to their members:


 The employment support measures were implemented after discussions and with consensus. Certainly, we have objections on the timing and the amount of money for workers, but most necessary for us was to safeguard jobs and incomes.

▶ [TU respondent from Bulgaria](#)


 The union took part in negotiations aimed at easing the conditions of payment of taxes and setting up an Economic Recovery Fund to help companies overcome the effects of COVID-19.

▶ [TU respondent from Rwanda](#)

Whilst the issue of employment security was an obvious top priority for most unions where lockdown measures forced major but seemingly temporary reductions in labour inputs, it was soon joined by an equally pressing need to deal with what can only be termed as opportunistic tactics by some employers who saw the pandemic as an opportunity for the permanent restructuring of their workforces. The following two examples illustrate the nature of this challenge:

 **The pandemic has drastically slowed the progress on many issues and there has been a shift in tactics from employers who are demanding liberalization of employment standards and social programs that have been in place for decades all under the guise of necessity for economic recovery. Labour has been engaged to ensure we do not see roll backs of conditions that would harm workers, roll back hard-fought wins in employment conditions and would disproportionately harm women, young workers and others who are more likely to be engaged in precarious work.**


▶ [TU respondent from Canada](#)

 **A weakness arising was that many employers tried to use the pandemic and the consequent crisis of corporate sustainability to license, fire and actually make working conditions and salaries more flexible. The strength was the government measures to support companies, the prohibition of dismissals and support for respecting the clauses in sectoral agreements.**

▶ [TU respondent from Argentina](#)


What role did collective bargaining play in developing training and retraining for workers threatened with job loss as a result of the pandemic?

In contrast with the support measures as just discussed, opportunistic initiatives regarding training and retraining for workers whose jobs were threatened by the pandemic were not strongly marked by survey participants. Though we only received ten detailed responses on this question, they did highlight both the complications involved and the differences between well-endowed unions and their less fortunate counterparts in low-income countries. There was a stark reminder from one respondent in this respect:

 **There was no such time for retraining. Parties were preoccupied with the survival of companies more than anything else**

▶ [TU respondent from Ghana](#)

whilst another pointed to the governmental constraints designed to help curb the spread of COVID:

 **The government restricts the conduct of training and gathering, so we cannot conduct more training; also less retraining.**


▶ TU respondent from Cambodia

Even well-resourced unions noted the impact of spatial restrictions, for example:


 **Training was more difficult because it used to all be done in a classroom.**

▶ TU respondent from Canada

More positive was the experience of some union respondents from Europe:


 **(Our union) has started an intensive process aimed at training and guidance from work to work.**

▶ TU respondent from the Netherlands

 **(Our union) negotiated the restoration of study leave for junior doctors which had been dropped during the first wave. (...) is still negotiating appropriate training schedules for junior doctors whose circulation through clinical specialities had been disrupted by the deployment needs of the pandemic.**

▶ TU respondent from the United Kingdom


And the response from an Asian trade union provides something of an exemplary approach to using pandemic downtime to prepare for “building forward better”:

 **There were more discussions on how to develop online learning and encouraging people to make the effort. The public service recruited ahead of demand and provided trainee internships for people out of jobs and fresh graduates seeking jobs.**


▶ TU respondent from Singapore

What role did collective bargaining play in helping devise safe systems or facilities of work for those workplaces where work continued through the pandemic?

The seven issues this question embraced were all related to the necessity of protecting workers compelled to continue working throughout the pandemic, as was the case for many essential frontline workers. The first issue, regarding the provision of personal protective equipment (PPE), prompted 27 answers. The experience of respondents varied but plainly, in the exposed but vital hospital and social care sectors, unions have been involved in sometimes painstaking efforts to ensure that PPE was both adequate and in good supply:

 **Considerable amount of negotiations at local and national level to organise appropriate supply of PPE. There are still supply issues with masks of surgical quality.**

▶ TU respondent from the United Kingdom


 **Most healthcare workers had PPE but there were some cases of not providing it for people at elderly care facilities or people working in specialised parts of hospitals who did not directly come into contact with COVID-19 patients.**

▶ TU respondent from the Republic of Korea


Other respondents reported more positive experiences:

 **PPE is now supplied at most schools after collective bargaining.**

▶ TU respondent from Sweden

 **Good engagement on this issue – new forums set up with more frequent meetings. To some degree driven by national health and safety legislation.**

▶ TU respondent from Ireland

 **(...) met regularly with client/employer to discuss and review PPE requirements, which were quickly implemented.**

▶ TU respondent from the United Kingdom



Still others cited a more mixed set of bargaining outcomes:

There were sectors where PPE was negotiated for and in others it was only through judicial intervention. Where collective bargaining was possible, rules could be put in place, but this was not the case in most instances.

▶ TU respondent from Brazil

Almost none; often a matter of consultation with the Works Councils. Trade unions have spoken out at national level in collaboration with employers and the government about targeted measures and regulations.

▶ TU respondent from the Netherlands

In the early stage at national level we had problems with the provision of PPE, at the level of individual employers though there were either no problems, or additional arrangements were negotiated.

▶ TU respondent from Slovenia

The second issue related to the necessity of protecting workers, providing COVID-testing carried out at or near the workplace. This issue generated 24 answers. One respondent stressed the important role the union played in monitoring the implementation of local testing:

Framework at national level but in specific sectors (e.g. meat processing) that we watch over the rights of employees, e.g. voluntariness, privacy, role of the occupational physician.

▶ TU respondent from Belgium

Another respondent drew attention to the practical difficulties created by the requirement for the regular testing of employees, at least for seafarers:

Yes, a fool-proof, expensive, extensive, logistic nightmare Standard Operating Procedure (SOP) was followed to ensure COVID safe seafarers both coming down from and joining the ships.

▶ TU respondent from India

The third issue, concerning social distancing measures at the workplace, generated 25 answers. These mostly confirmed that such measures had been taken, although in a few cases they were taken to some unusual lengths:

(...) measures at canteens or uniform-changing rooms were taken; meetings at nearby restaurants or singing Karaoke were strongly discouraged; meetings with only less than 5 people were allowed.

▶ TU respondent from the Republic of Korea

(...) this was subject to continuous review at local level although quite difficult to achieve given the nature of the jobs being done. Some doctors moved out of the family home into temporary hospital accommodation to protect their families.

▶ TU respondent from the United Kingdom

Two respondents from the same union in the United Kingdom had contrasting experiences – which nevertheless suggested that union engagement on this issue was inevitably highly localized and seen as the responsibility of lay representatives rather than full-time officers:

Union reps and Health and Safety reps involved in ensuring measures in place, restricting numbers in meetings and also one-way systems to maintain social distancing.

▶ TU respondent from the United Kingdom

Some employers engaged, others refused to engage with elected officials.

▶ TU respondent from the United Kingdom

The final four issues covered the extent to which bargaining had played a role in improving hygiene standards at the workplace by enhancing opportunities for handwashing at the workplace; the provision of sanitizers; adequate bathroom facilities, and any other hygiene measures. They prompted 27, 25, 15 and eight responses respectively. As the following comments suggest, it was mainly unions in the healthcare and transport sectors that were likely to have been involved directly at both sectoral and company/public organization level in negotiating such improvements:

(...) hygiene is an issue in professional goods transport and public transport due to the closure of roadside restaurants and public toilets.

▶ TU respondent from the Netherlands


The confederations and trade union centres have also, through sensitization sessions on barrier gestures, provided alcoholic hand gels, nose wipes and hand washing materials to worker activists.

▶ TU respondent from Benin


The absence of more detailed comments on these issues possibly indicates the need to ensure that strict hygiene procedures were followed and that appropriate provisions were in place, that these particular issues were not pressing, or that they were dealt with by local safety and health procedures.

Were you involved in any social dialogue concerning the need to make proof of vaccination a precondition for employment or re-employment? What was your position on this? What were the outcomes?


As COVID-19 continued to spread it soon became apparent that effective vaccines, if they could be produced and distributed, would most likely be the best way to defeat the pandemic and enable a resumption of some semblance of normality in day-to-day living. The successful production and testing of a handful of vaccines towards the end of 2020 raised the question of whether a return to the workplace might be conditional on having been vaccinated against COVID. Our survey suggests that very few unions had been involved in such discussions; we recorded just nine responses to this question. In part, this could be expected since the availability of vaccines and the prospect of mass vaccination has largely been a prospect confined to high-income countries. However, whilst recognizing the importance of vaccination for frontline workers it was evident that union respondents were wary of endorsing the notion of vaccine “passports” as a precondition for workers returning to their jobs:

 **There was a discussion about this within our federation between various sectors. It has been decided to press the government for clear rules and urgency about clarity, but we have not commented on the issue of a vaccination certificate. The division about whether or not to vaccinate is just as great in our constituency as in the whole of the Netherlands. Have emphasized that it must be possible to work safely, without the risk of contamination from colleagues or customers and that non-vaccination cannot be a reason for dismissal, but reassignment to another job is possible.**

▶ [TU respondent from the Netherlands](#)

 **Yes, I was involved, yet we were not able to enforce the vaccination of critical infrastructure in the company.**

▶ [TU respondent from Slovakia](#)

 **(Our union is) not in favour of a COVID vaccination being a precondition for employment or re-employment because a vaccinated person could still be a carrier of the virus.**

▶ [TU respondent from the United Kingdom](#)

A common feature of the pandemic has been the widespread recognition of the key roles played by what have been termed “frontline” or “essential” workers. Such labels were readily attached to workers in the health and social care sectors but also came to embrace workers in transport, retail and essential services. At the same time as the efforts of such staff were being lauded, it also became clear that many of these frontline workers were low paid and worked in challenging conditions. The need to improve their terms and conditions as well as provide some short-term recognition of their efforts became a feature of much public

discourse as the magnitude of their contribution in dealing with the first and subsequent waves of the pandemic became clear. Accordingly, we included the following question in our survey:

What role did collective bargaining play in achieving specific incentives/rewards for frontline workers?

This question yielded 24 answers. Only eight of these referred to regular wage increases laid down in collective agreements. As the following responses show, the success unions have had in turning public sympathy into an appropriate uplift in the pay of frontline workers has proved to be fairly elusive:



A monetary recognition was requested for the frontline workers, without success.

▶ TU respondent from Argentina



No role in collective agreements for incentive/reward for frontline workers.

▶ TU respondent from Indonesia



Nurses received an additional one-month bonus in 2020 in recognition of their unique role and sacrifices during the pandemic. In addition, salaries of nurses will receive increases of 5–14 per cent within the next two years, while allied healthcare professionals and pharmacists will receive increases of 3–7 per cent.

▶ TU respondent from Singapore



We agreed on a bonus on the salaries of healthcare workers.

▶ TU respondent from Croatia



“In addition to the regular bonuses (holiday and Christmas bonus, referred to as 13th and 14th month), special Corona bonuses were agreed to offer a reward for those that have been keeping the system running by doing their job outside of their home and thus exposing themselves to risk for health and life. In metalworking, electro and other industries, our union achieved a Corona bonus of Euro 150 in 2020.

▶ TU respondent from Austria

Trade union negotiators at all levels were heavily involved in negotiating leave and flexible working arrangements to suit the particular workplace needs the pandemic had created. They appear to have had somewhat more success here, and clearly some innovative approaches have been taken, as the following examples from respondents illustrate:

 **Continuous full paid leave negotiated for any doctors or other medical staff who were off sick with COVID including those with 'long' COVID. Junior doctors compensated for leave not taken. Flexible working arrangements for many carrying out temporary jobs on zero hours contracts.**


▶ TU respondent from the United Kingdom

 **Successful in recognizing mandatory quarantine period as paid sick leave.**


▶ TU respondent from St Lucia

 **A contingency agreement was negotiated with special remuneration for participation in COVID-19 contingency.**

▶ TU respondent from Denmark


 **In cooperation with the ILO, a project in the fashion sector has been implemented, paying a month wage for the fired workers in cash, also paying bonus for the employers for buying disinfectant, disposable facemasks, alcohol et cetera.**

▶ TU respondent from Albania

 **We took the step to negotiate at sector level, and in some rare instances employer level, agreements to deal with work stoppages and other work disruptions associated with COVID-19 responses.**

▶ TU respondent from Australia

At the same time, as the next quotation indicates, not all union efforts to improve working conditions during the pandemic were met even with any understanding let alone any genuine attempts to negotiate:

 **The President of the Doctors' Union was suspended for more than nine months because he denounced working conditions and insecurity. He is at home and unable to exercise his profession just because he gave an interview to the Social Commission media.**

▶ TU respondent from Angola

2.4 Information and social dialogue

With the exception of those countries that had previous experience of a virus outbreak, the rapid onset and spread of the COVID-19 virus found many countries wholly unprepared for what was about to follow. Once the likely scale and severity of the pandemic had been fully realized, though, the need for social partner engagement and a focused social dialogue at both national and company/public organization levels soon became apparent. The extent to which such dialogue has in fact taken place has of course depended upon a number of variables: most obviously the existence of a dialogue infrastructure to support the custom and practice of employer and trade union consultation.

The need to rapidly raise awareness to the dangers of the pandemic in the first place, and then to discuss and agree the best ways to adapt workplaces to minimize workplace risks associated with COVID-19, plainly dominated the initial debate. The fact that so little was known about the specifics of the virus was clearly a major stumbling block to effective communication. Such uncertainty inevitably influenced both the speed and extent of governmental responses, with some countries (particularly those that had experienced an earlier virus outbreak) reacting rapidly and forcefully with lockdown measures whilst others vacillated before putting lockdown measures in place. The speed and focus of social dialogue at country level was generally determined by the position taken in the early stages of the pandemic by respective governments.

In order to gain a measure of the extent to which unions had played a role in a wider social dialogue we posed the following question:


Did the experience of the COVID pandemic lead to greater social dialogue with worker representatives involved in order to implement the workplace changes needed to cope with the pandemic?

A couple of respondents indicated that the social dialogue they had been involved in was both urgent, important and detailed in its outcomes:



In a fast response to cope with the immediate consequences of the pandemic as implementing short-time regulation, the social dialogue at sectoral and national level proved to be crucial. Companies that established such an agreement needed the approval of workers' representatives to apply for the subsidy and to implement the scheme and thus the involvement has been greater. In companies with workers' representatives COVID-protective measures could be better implemented.

▶ TU respondent from Austria

 It has been negotiated at sectoral level that consultations within the companies should be respected when applying the measures from the 'Generic guide'. Consultations may not have gone through equally well in every company, delegations more limited, difficulties with electronic meetings, etc.

▶ TU respondent from Belgium

It should be noted that the two EU Member States cited above both have well-established systems and procedures of social dialogue. Unions in many other countries are not so well endowed and accordingly will have struggled to be as influential as the experiences cited here.

Flows of information about the dangers of COVID-19 were constrained by the fact that it was a relatively "new" virus surrounded by much uncertainty insofar as the severity of its threat was concerned. This was clearly reflected in the four detailed answers we received to the following question:

Was the information about the impact of the COVID pandemic available to worker representatives sufficient to enable them to contribute to tackling the employment and workplace challenges raised by the pandemic?

The answers were:

 Not in the beginning. People were not informed. The union provided much of the information.


▶ TU respondent from Canada

 Yes, but the information changed as the pandemic progressed and sometimes mixed messages confused local level responses.

▶ TU respondent from the United Kingdom

 Government advice was confused and often contradictory.

▶ TU respondent from the United Kingdom

 It was very difficult to support workers when the information was constantly changing and the whole world was on 'fire'. Constantly having to triage the needs of the members.

▶ TU respondent from Canada

It is stating the obvious, but effective social dialogue is critically dependent on the quality and consistency of information that passes between the social partners. One clear lesson to be drawn from the COVID-related social dialogue experience is that a more open discussion about uncertainty is needed when data and knowledge are developing behind the first wave of a pandemic.

To ascertain what other lessons respondents drew from their experience of COVID we included the following question:

What were the main problems faced by worker representatives in terms of protecting the workforce from the impact of the COVID pandemic? Based on the answers to this question: do you have suggestions what changes need to be made in ensuring that we can build forward better?

From the 24 detailed answers we received, the following are most noteworthy. They range from fairly straightforward calls for wider recognition of trade unions:


 **A globally supported social contract between workers and employers that ensures the rights and responsibilities of both sides.**

▶ TU respondent from Jordan

 **Please, more meetings with government to think about the workers, providing more bonuses.**


▶ TU respondent from Cambodia

through to more COVID-specific suggestions such as:


 **We must ensure that frontline workers are afforded in tangible terms the respect and reward commensurate to the level of verbal recognition that was levelled at them during the past year. With these words comes a responsibility and we must constantly remind government and employers of this.**

▶ TU respondent from Ireland

with some related ideas on vaccinations, for example:


 **The biggest problem has been workers' mistrust of vaccination effectiveness and the possible side effects of vaccines. I don't know how to support it in the future.**

▶ TU respondent from Estonia


 **We need to establish an international framework for an international vaccination program for seafarers wherein they can have access to vaccines in other ports/areas and not just in their country of domicile. We must prioritize the health and well-being of seafarers and ensure that their rights and welfare are protected based on the Maritime Labour Convention (MLC) 2006 standards.**

▶ TU respondent from Philippines

and the importance of wider agreements and enhanced IT systems in order for unions to build forward better, such as:


 (...) negotiating work at home agreements is key, for those who can. But that raises all sorts of issues related to a healthy work environment, separation of work and life.

▶ TU respondent from Canada


 (...) limited possibility of meeting people, in the future we must build digital networks.

▶ TU respondent from Czechia

Two respondents drew similar conclusions in terms of the way in which the pandemic had exposed long-standing problem areas:


 Passing on of responsibilities when it comes to migrant labour – temporary workers. Work-through sectors where too few distance rules were observed and action was only taken in cases of COVID outbreaks that had already been observed (meat industry, distribution centres). Store staff forced to work with customers who don't care. COVID has once again magnified the dependence on the employer and the uncertainty of (labour migrants) temporary workers.

▶ TU respondent from the Netherlands

 Nobody was prepared for the speed with which the pandemic took hold and the scale of the challenge it posed in both the first and second waves. The basic lack of information or experience of dealing with a virus of this type caused a great deal of stress and subsequent mental ill health amongst frontline medical staff. The mental and physical exhaustion felt by staff has to be avoided in the event of future pandemics. Significant resource and organizational lessons are to be learned.

▶ TU respondent from the United Kingdom

Finally, there was a criticism of unilateral decision-making:

 Contrary to the recommendations of the ILO, we cannot say that the government has embarked on real consultations and collective negotiation of the problems posed by the pandemic to the world of work. Decisions taken were always taken unilaterally. Employer and union organizations being faced with a fait accompli. This is undoubtedly what explains the ineffectiveness of a large number of measures taken, as well as the mistrust they arouse among the population.

▶ TU respondent from France



3. The pandemic and negotiating at confederation and national level

This chapter concentrates on responses to the EXCOL survey from national-level trade union bodies. These comprised 77 responses of union organizations we identified as trade union confederations, that is, as “peak” organizations or “umbrellas” of affiliated trade unions all operating at national level. Added to these were 74 responses from other organizations which identified themselves as national trade union bodies, thereby creating a total of 151 responses. The latter included organizations representing specific (sub)sectors, professional groups, occupations or trades directly at national level. Section 3.1 examines the involvement of both categories of organizations in any social dialogue aimed at developing governmental policy initiatives to offset the impact of the COVID pandemic on employment. Section 3.2 covers the contacts of both categories with employers’ central bodies to develop similar initiatives. Section 3.3 assesses whether national-level trade union bodies during the pandemic have maintained either tripartite contacts with both governmental bodies and employers’ central bodies, or bipartite contacts, or no contacts whatsoever.

3.1 Social dialogue and government policies

Was your organisation involved in any social dialogue to develop governmental policy initiatives aimed at offsetting the impact of the COVID pandemic on employment? (yes/no)

Tables 9 to 12 present the survey outcomes from this question; tables 9 and 10 do so by region. Overall, three out of four union organizations (75 per cent) operating at national level indicated some form of involvement in a social dialogue to develop governmental initiatives on employment related to the COVID pandemic. Table 9 shows that this percentage was highest in Europe at 88 per cent, followed by the Asia and Pacific region (80 per cent) and the Americas (72 per cent), with Africa (59 per cent) closing the ranks. With shares of 77 and 73 per cent respectively, it can be seen that there was hardly any difference between the outcomes for the confederations and the other union organizations operating at national level. Even more surprising, perhaps, were the (considerably) higher shares posted by the “no confederation” union respondents from the Americas and the Asia and Pacific region. By contrast, in particular for Africa and to a lesser extent for Europe, the outcomes will not surprise most students of labour relations in that trade union confederations were more likely to be involved in policy-shaping social dialogue with their respective governments.

Table 9. Confederation/national: Involvement in social dialogue in governmental policy initiatives, by region

Was the organization involved in social dialogue in initiatives aimed at offsetting the impact of the COVID pandemic on employment?	Africa	Americas	Asia & Pacific	Europe	Total	%
No	20	7	5	6	38	25
Yes	29	18	20	46	113	75
Total number of responses	49	25	25	52	151	100
Job security and employment guarantees	32%	17%	17%	34%	100%	

Note: N=151.

Table 10. Confederation/national: Involvement in social dialogue in governmental policy initiatives, "Yes" percentages, by region

Was the organization involved in social dialogue in initiatives aimed at offsetting the impact of the COVID pandemic on employment? Yes	Africa %	Americas %	Asia & Pacific %	Europe %	Total %
National level – confederation	71	44	73	93	77
National level – no confederation	43	88	86	83	73
Total	59	72	80	88	75

Note: N=151.

While allocating respondents' countries into the three bargaining regimes as explained in Chapter 2, section 2.1, here we applied this division to the responses of the national-level trade union bodies. This enabled us to utilize 88 out of 151 responses. Table 11 shows that on this basis even larger majorities showed up than those found in tables 9 and 10 (for all 151 respondents) for involvement in the social dialogue with government bodies. Insofar as involvement with governmental policy initiatives was concerned, 88 per cent answered "yes", with respondents in largely/ fully decentralized regimes even reaching 90 per cent.

Table 12 divides the “yes” answers between union confederations and other union organizations operating at national level and according to bargaining regime. This captured respectively 38 respondents from 29 countries and 50 respondents from 25 countries. Hardly any differences were visible here, albeit that in the organized decentralized and coordinated systems, confederations remained behind the national-level single organizations.

Table 11. Confederation/national: Involvement in social dialogue in governmental policy initiatives, by bargaining regime

Was the organization involved in social dialogue in initiatives aimed at offsetting the impact of the COVID pandemic on employment?	Predominantly centralized and coordinated (PCW)	Organized decentralized and coordinated (ODC)	Largely/ fully decentralized (LFD)	Total	%
No	3	4	4	11	12
Yes	17	24	36	77	88
Total	20	28	40	88	100
	85%	86%	90%	88%	

Note: N=88.

Table 12. Confederation/national: Involvement in social dialogue in governmental policy initiatives, “Yes” percentages, by bargaining regime

Was the organization involved in social dialogue in initiatives aimed at offsetting the impact of the COVID pandemic on employment? Yes	Predominantly centralized and coordinated (PCW) (%)	Organized decentralized and coordinated (ODC) (%)	Largely/ fully decentralized (LFD) (%)	Total	N
National level – confederation	82	79	92	86	38
National level – no confederation	89	93	87	89	50
Total	85	86	90	88	88

Note: N=88.

To amplify the “involved in any social dialogue” question for respondents who had answered in the affirmative, the survey asked whether their involvement had covered one or more of the following four options:

- a. flexible working arrangements and temporary short-time work schemes or other support measures for workers;
- b. training and retraining schemes;
- c. support measures for enterprises; or
- d. other issues.

Option (a) generated a total of 102 positive responses of which 43 respondents simply had answered “yes”, whereas 59 respondents added some further detail. From these we have selected six answers as being of particular interest:



Temporary changes to legislation to allow for limited stand downs, employer directions regarding duties, work locations, taking annual leave by agreement.

▶ TU respondent from Australia



Especially short-time work schemes (...); we were able to increase the unemployment benefit in the existing Belgian system of temporary unemployment and to add a so-called ‘protection premium’ in case of long-term temporary unemployment.

▶ TU respondent from Belgium



We endorsed federal government’s initiatives including the National Plan of Action for COVID-19 and the special funds allocation and measures to cope with the economic impact on the general public, industries and investors. We emphasized the need for extending support for low-income labourers/daily-wage earners.

▶ TU respondent from Pakistan




Temporary changes in the unemployment insurance to increase benefits and make it easier to qualify. Changes in sickness benefits including a temporary suspension of waiting days and compensation to employers for sick pay.

▶ TU respondent from Sweden




For example, provision of transport facilities for workers, reduction of routine shift hours and facilitating working from home.

▶ TU respondent from Uganda


 **The major success was the establishment and then extension of a short-time working /job retention scheme for the first time in the UK, and a parallel scheme for self-employed workers, at an 80 per cent replacement rate for wages.**

▶ TU respondent from the United Kingdom


Option (b), on the involvement in dialogues on training and retraining schemes, generated a total of 79 positive responses with 36 respondents simply stating “yes” and 43 respondents adding specific information on the (re)training subject. We cite here four particularly relevant answers on this subject:

 **A roll out is planned through the Ministry of Labour, the National Transformation Initiative and our (union).**


▶ TU respondent from Barbados

 **The (union) has organized training programs for workers and government officials.**

▶ TU respondent from the DR Congo


 **Training and retraining programs incentivized by the government and collectively bargained.**

▶ TU respondent from Italy

 **Have been working with partners to carry out training for unemployed and laid off workers since the beginning of the pandemic.**

▶ TU respondent from Samoa


With regard to option (c), “support measures for enterprises”, the survey recorded a total of 88 positive responses, with 35 respondents posting a simple “yes” and a further 53 respondents adding specific information. Three of these latter responses are in particular noteworthy:

 **(...) many companies used wage subsidies to subsidize management and other executive-level employees while laying off others. In addition, many companies continued paying dividends and executive bonuses while taking advantage of government subsidies.**

▶ TU respondent from Canada


 **Government should quickly develop and implement a comprehensive Economic Response Strategic (ERS) to deal with the economic impact of the pandemic (...) Government should identify and support local enterprises that produce raw materials that can feed local industries.**

▶ TU respondent from Ghana


 **At the Malta Council for Economic and Social Development Committee we discussed various schemes to help both employees and employers. We also held various bilateral meetings with the government to help industries and enterprises to avoid redundancies.**

▶ [TU respondent from Malta](#)


Finally, coming to option (d), "other issues", 44 responses were recorded of which the following five are typical of the heterogeneity that characterized the experiences posted here:

 **The union is involved in establishment of protocols for tourism as a key sector. Also, plans are underway toward the establishment of a Prices and Incomes Protocol.**

▶ [TU respondent from Barbados](#)

 **Proposal for the introduction of an OSH Regulations specific to the COVID pandemic and also to recognise COVID-19 as an Occupational Disease.**


▶ [TU respondent from Belgium](#)

 **Social measures for the poorest. Financial transfers in particular. Measures to reduce charges to public schools, for example payment of water bills.**

▶ [TU respondent from Benin](#)

 **Relief packages, livelihood linkages, health & awareness linkages, mental health and activities with the children.**

▶ [TU respondent from India](#)

 **Creation of jobs which include conversations about the green economy and the blue economy.**

▶ [TU respondent from Samoa](#)


Overall, 113 of 151 respondents (75 per cent) indicated some experience of at least one of the four response options for governmental policy dialogues. Fifteen respondents turned out to have provided specific information on all four options, and 23 respondents did so on three of the options.

Was your organization involved in any social dialogue concerning the need to make proof of vaccination a precondition for employment or re-employment? What was your position on this? What were the outcomes?


This question generated 19 responses. Five answers contained an unequivocal “no”, while eight respondents contended that the issue of vaccination proofs were not relevant or “lay outside our influence”. Six answers indicated some forms of collective negotiations or related discussions on this issue:

 **More recently we have advocated members be vaccinated and for employers to also play an active role here.**


▶ [TU respondent from Guyana](#)

 **On 6 April 2021 we signed a tripartite (government and social partners) National Protocol to implement vaccination against COVID-19 on a voluntary basis in the workplace.**

▶ [TU respondent from Italy](#)

 **The COVID restrictions were developed in social dialogue as was the vaccination rollout with priority to border workers.**

▶ [TU respondent from New Zealand](#)

 **Education and support were the outcome though there is an ongoing discussion about (vaccination as a) precondition for employment.**

▶ [TU respondent from New Zealand](#)

 **(...) currently negotiating a framework agreement for the clothing industry on vaccination rollout.**

▶ [TU respondent from South Africa](#)

 **We have been involved in these discussions but outcomes are not yet determined. We have not supported mandatory vaccination.**

▶ [TU respondent from the United Kingdom](#)

It may be that for some respondents the likelihood of a widespread vaccine rollout was a fairly distant prospect at the time of the survey, and hence not a pressing issue. For others though, in most developed nations the onset of mass vaccination was becoming an issue and, as the limited evidence cited above reveals, had begun to attract the attention of union negotiators.

How frequent were the contacts of your organization with governmental bodies tasked with addressing the economic and labour market challenges posed by the pandemic?

The following tables are based on the responses to this question and show the numbers and percentages with regard to the frequency of contacts. Table 14 illustrates that for the period March 2020–February 2021, overall, weekly contacts were noted by one quarter of respondents, and monthly contacts by just over one in five. The category mostly mentioned was “incidental”, whereas 18 per cent of the respondents ticked “otherwise” – which, as respondents clarified, should be read as “(virtually) absent”. The table shows that weekly and monthly contacts were most widespread in Europe, followed by the Americas and the Asia and Pacific region. For Africa, the joint shares of the “weekly” and “monthly” categories were below one in five.

By attaching values “1” for “weekly” through to “4” for “Otherwise”, we calculated the mean values for frequency of contacts by type of organization. These are shown in table 15 and figure 3 where the lowest means represent the most frequent contacts. The outcomes underline that the most frequent contacts with governmental bodies were achieved by union organizations in Europe (mean: 1.72), in particular the confederations, followed by “no-confederation” organizations in the Americas (mean: 2.00). Conversely, with mean values of 3.00 or higher, in Africa the frequency of contacts was much lower, for both groupings of union organizations.

Table 13. Confederation/national: Frequency of contacts of organization with governmental bodies, by region, numbers

Frequency of contacts of organization with governmental bodies	Africa	Americas	Asia & Pacific	Europe	Total
1 Weekly	3	7	6	21	37
2 Monthly	6	5	4	16	31
3 Incidental	21	10	9	11	51
4 Otherwise	17	2	5	3	27
Total	47	24	24	51	146

Note: N=151, of which 5 missing.

Table 14. Confederation/national: Frequency of contacts of organization with governmental bodies, by region, percentages

Frequency of contacts of organization with governmental bodies	Africa (%)	Americas (%)	Asia & Pacific (%)	Europe (%)	Total (%)
1 Weekly	6	29	25	41	25
2 Monthly	13	21	17	31	21
3 Incidental	45	42	38	22	35
4 Otherwise	36	8	21	6	18
Total	100	100	100	100	100

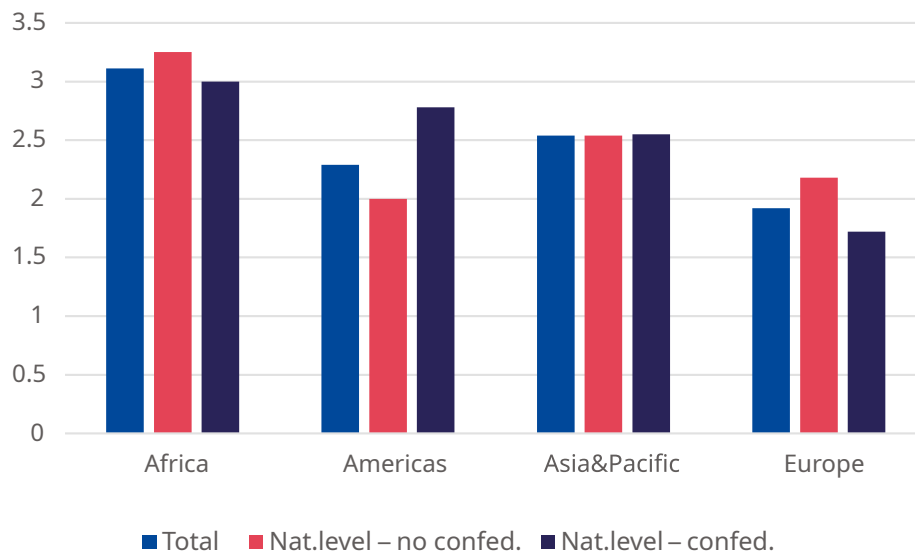
Note: N=151, of which 5 missing.

Table 15. Confederation/national: Frequency of contacts of organization with governmental bodies, by organization type and region, means

Frequency of contacts of organization with governmental bodies	Africa	Americas	Asia & Pacific	Europe	Total
National level – confederation	3.00	2.78	2.55	1.72	2.42
National level – no confederation	3.25	2.00	2.54	2.18	2.51
Total	3.11	2.29	2.54	1.92	2.47
N	47	24	24	51	146

Note: N=151, of which 5 missing.

Figure 3. Confederation/national: Frequency of contacts of organization with governmental bodies, by organization type and region, means



Note: Less (=1), Same (=2), More (=3).

Table 16 shows that unions within the organized decentralized and coordinated bargaining regime (ODC) had the most frequent contacts with governmental bodies: on average half of these contacts took place weekly. Table 17 and figure 4 add the further refinement that such a high frequency for this regime type was particularly marked for the peak union confederations, which posted a mean score of 1.57. Similarly with a mean of 1.78, peak union bodies operating under a predominantly centralized and coordinated system (PCW) evidently also enjoyed frequent contacts with governmental bodies. In both regime types, the national-level single union organizations lagged behind in frequency of contacts – although, with a mean of 2.04, this latter grouping under a largely or fully decentralized regime (LFD) maintained more frequent contacts with governmental bodies compared to peak union confederations which ended up with a mean score of 2.27.

Table 16. Confederation/national: Frequency of contacts of organization with governmental bodies, by bargaining regime, percentages

Frequency of contacts of organization with governmental bodies	Predominantly centralized and coordinated (PCW) (%)	Organized decentralized and coordinated (ODC) (%)	Largely/ fully decentralized (LFD) (%)	Total
1 Weekly	37	50	38	41
2 Monthly	32	18	22	23
3 Incidental	21	25	30	26
4 Otherwise	11	7	10	9
Total	100	100	100	100

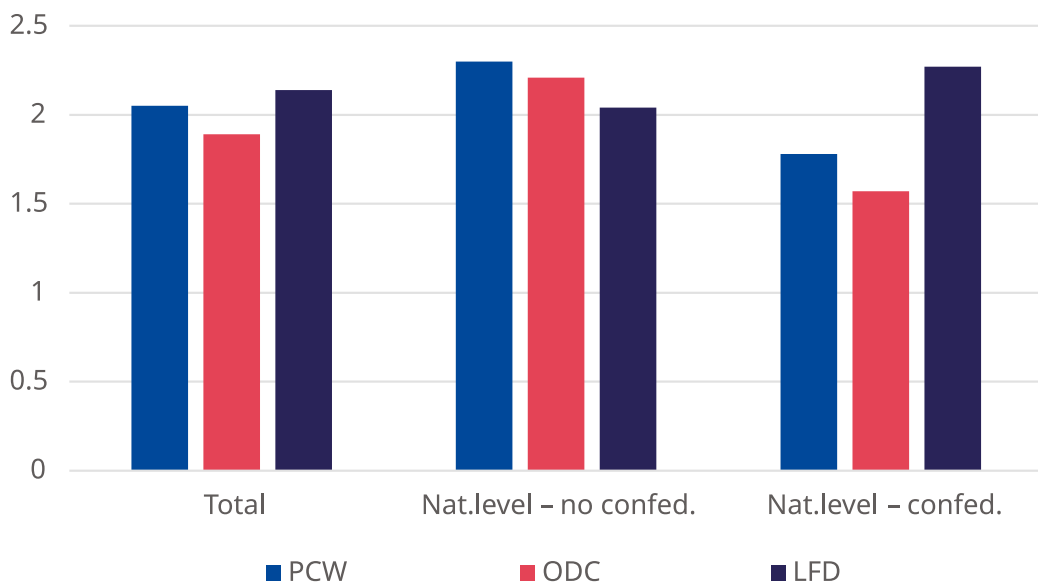
Note: N=88, of which 1 missing.

Table 17. Confederation/national: Frequency of contacts of organization with governmental bodies, by organization type and bargaining regime, means

Frequency of contacts of organization with governmental bodies	Predominantly centralized and coordinated (PCW) (%)	Organized decentralized and coordinated (ODC) (%)	Largely/ fully decentralized (LFD) (%)	Total	N
National level – confederation	1.78	1.57	2.27	1.89	38
National level – no confederation	2.30	2.21	2.04	2.14	49
Total	2.05	1.89	2.14	2.03	87
N	19	28	40	87	

Note: N=88, of which 1 missing.

Figure 4. Confederation/national: Frequency of contacts of organization with governmental bodies, by organization type and bargaining regime, means



Note: Less (=1), Same (=2), More (=3).

What do you consider were the successes and failures of the contacts with governmental bodies?

This question sparked 70 responses, which we have grouped into three categories:

- ▶ 29 (41 per cent) in which successes dominated and were specified, though rarely without some qualifications;
- ▶ 16 (23 per cent) in which specific failures dominated, and
- ▶ 25 (36 per cent) in the “in between” category, with both successes and failures suggested to be rather balanced, or yet undecided and conditional on further decision-making.

Below we show some examples of the three categories. If anything, various examples clarify how subtle differences between the categories can be. This is particularly the case if two elements are taken into the equation: changes over time, notably surfacing after the first “unifying” effects have faded away, and limitations of the scope or outreach of trade union influence.

We mention four examples of the “successes” category:



Regulations for short-time work were a success, as were regulations which originated from a negotiation process between the Chamber of Commerce (representing employers) and the trade unions.

- ▶ [TU respondent from Austria](#)



Creation of the Youth Employment Program which saw 800 young people employed in a cadet ship in the Public Service (...) and the negotiation of paid pandemic leave and a ‘working from home’ cash allowance.

- ▶ [TU respondent from Australia](#)



As a coalition of other artists’ unions, very successful. It drew the needed attention to our sector, resulting in amendments and extension of the CERB [Benefit fund for those affected by COVID-19].

- ▶ [TU respondent from Canada](#)



From the beginning of the pandemic the social dialogue rapidly was transferred into virtual space. The classical social dialogue instruments, for instance, regular national tripartite cooperation council and its sub-subcommittee meetings were replaced by virtual working groups. This ensured opportunities to quickly discuss COVID-19-related measures and pass decisions. However, the quality of social dialogue deteriorated (...) Discussions on various social-economic matters are taking place via various working groups, where classical composition and representation was and is not always respected.

- ▶ [TU respondent from Latvia](#)

The next six responses can be categorized as “in between”:



(Providing food and face masks) We have let the government and the (factory) owners know this is a success; failure is that workers are still working at risk.

▶ TU respondent from Bangladesh



The successes lie in the fact that employers and unions improved their collaboration and were able to produce joint memoranda submitted to the government. Failures are sadly in the fact that not all commitments have been kept.

▶ TU respondent from Benin



The government has set up a national commission in charge of the fight against COVID-19 in which the workers' representatives are not part. However, the [union] organized awareness-raising meetings as part of the fight against COVID. Some government representatives responded.

▶ TU respondent from Burundi



Success is to demonstrate to the government that as an organization we have got expertise and good proposals. A failure is that the government does not respect unions in the sense to consider union proposals.

▶ TU respondent from Gabon



We achieved some of our requests, on PPEs and Risk Allowances as well as recruitment of more staff.

▶ TU respondent from Malawi



The tripartite National Protocol to implement vaccination against COVID-19 on a voluntary basis in the workplace (...) was an example of success. Some failures depended on different political views and lack of social dialogue.

▶ TU respondent from Italy

The next responses may be regarded as indication of failures:



No appreciation and respect for labour representatives.

▶ TU respondent from Bahamas



The contacts were sometimes a rubber-stamping programme as the government in most instances would have taken a position already.

▶ TU respondent from Eswatini



The government declared relief packages (...) There was total failure on the part of the government to tackle the issues of the informal sector's social protection (...) The revival packages for the informal workers were not declared/implemented.

▶ TU respondent from India



The government did not take the union's proposals into consideration.

▶ TU respondent from Morocco

3.2 Social dialogue and employers' central bodies

Was your organization involved in any contacts with employers' central bodies to develop initiatives aimed at offsetting the impact of the COVID pandemic on employment?

Tables 18 and 19 present the outcomes from this question by region. Overall, nearly three in four union organizations (72 per cent) operating at national level indicated they had been involved in contacts with employers' central bodies to develop initiatives to offset the impact of the COVID pandemic on employment. Table 18 shows that the overall percentage was highest in Europe (83 per cent), followed by Africa (69 per cent) and the Asia and Pacific region (68 per cent), with the Americas (56 per cent) in the rear. Table 19 reveals that this latter outcome was the result of a high percentage (81 per cent) posted by the single national unions being dragged down by an extremely low (11 per cent) score posted by union confederations in that region. The confederations from the Americas that responded seemingly had hardly any contacts with the national employers' bodies as regards the employment impact of the pandemic. It should be added that at 44 per cent their involvement in the social dialogue related to governmental policies in this field was also rather low.

Table 18. Confederation/national: Contacts of organizations with employers' central bodies, by region

Was the organization involved in contacts with employers' central bodies?	Africa	Americas	Asia & Pacific	Europe	Total	%
No	15	11	8	9	43	28
Yes	34	14	17	43	108	72
Total	49	25	25	52	151	100
Percentage	32%	17%	17%	34%	100%	

Note: N=151.

Table 19. Confederation/national: Contacts of organizations with employers' central bodies, by region, "Yes" percentages

Was the organization involved in contacts with employers' central bodies? Yes	Africa %	Americas %	Asia & Pacific %	Europe %	Total %
National level - confederation	75	11	73	83	70
National level - no confederation	62	81	64	83	73
Total	69	56	68	83	72

Note: N=151, of which 12 missing

Tables 20 and 21, analysing by bargaining regime, show that under an organized decentralized and coordinated bargaining system (ODC), 82 per cent of national-level union organizations had maintained contacts with employers' central bodies: slightly more than under the two other regime types, which posted respectively 75 and 73 per cent "yes" scores. Though ending up with the same overall score (76 per cent), the confederations were more likely to have maintained contacts with employers' bodies than national single union bodies, whether in predominantly centralized bargaining systems (PCW) or in organized decentralized and coordinated systems (ODC), respectively posting 15 and 7 percentage points higher outcomes. The opposite was the case in largely or fully decentralized regimes (LFD), where the confederations' score was 12 percentage points lower.

Table 20. Confederation/national: Involvement in social dialogue with employers' central bodies, by bargaining regime

Was the organization involved in social dialogue in initiatives aimed at offsetting the impact of the COVID pandemic on employment?	Predominantly centralized and coordinated (PCW)	Organized decentralized and coordinated (ODC)	Largely/fully decentralized (LFD)	Total	%
No	5	5	11	21	24%
Yes	15	23	29	67	76%
Total	20	28	40	88	100%
	75%	82%	73%	76%	

Note: N=88.

Table 21. Confederation/national: Involvement in social dialogue with employers' central bodies, by bargaining regime, "Yes" percentages


Was the organization involved in social dialogue in initiatives aimed at offsetting the impact of the COVID pandemic on employment? Yes	Predominantly centralized and coordinated (PCW) (%)	Organized decentralized and coordinated (ODC) (%)	Largely/fully decentralized (LFD) (%)	Total	N
National level – confederation	82	86	68	76	38
National level – no confederation	67	79	80	76	50
Total	75	82	73	76	88

Note: N=88.


For those respondents who indicated they had been involved in a dialogue with employers' associations, the survey enabled further differentiation by asking whether this contact had covered any of the four options:

- a. flexible working arrangements and temporary short-time work schemes, other support measures for workers;
- b. training and retraining schemes;
- c. support measures for enterprises; or
- d. other issues.


In total, some 83 positive responses could be noted with regard to option (a), support measures for workers, 34 respondents simply answered "yes" whereas 49 added a specific explanation. Five answers, spread over the four regions, were particularly interesting:

 **There were adjustments made to contractual agreements to offer more flexible travel and financial support options to workers travelling to/ from vessels in the marine sector.**


▶ TU respondent from Canada

 **The suspension of short-term employment contracts with the right of 70% of the remuneration shared equally between social security and employers.**


▶ TU respondent from Cabo Verde

 **Long-term partial activity agreements at sectoral level; the establishment of a continuity activity plan at company level (including measures on teleworking); the resumption of the activity protocol after the first lockdown, the national agreements on teleworking and on contractual employment security.**

▶ TU respondent from France


 **Declaration of relief/welfare packages during the pandemic for informal sector workers; issuing guidelines for the restart and regularisation of their work, including waste recyclers and street vendors.**

▶ TU respondent from India


 **Secured gazetted [officially published] collective agreements in the textiles and clothing industries with employers' wage support contributions, as well as (...) customised COVID-19 workplace plans.**

▶ TU respondent from South Africa


With regard to option (b), training and retraining schemes, in total 61 positive responses were posted with 32 respondents only ticking "yes" while 29 respondents added specific information on retraining. Five answers on this subject are noteworthy:

 **Established a worker training program, COVID or training committees and extension of CHSSTs [OSH committees] where they exist, implementation of a B plan in companies in the event of the situation worsening (...).**

▶ TU respondent from Burundi

 **We have signed a lot of agreements at local and national level (...), issues related to training were contained in these agreements.**


▶ TU respondent from Italy

 **Our federation in partnership with CNV [Dutch union confederation] has organized training series on the impact of COVID-19 on jobs and solutions for exiting crises.**

▶ TU respondent from Mali


 **We made a proposal to the government and to some construction companies. One construction company has already accepted to train women as machine operator/crane operator.**

▶ TU respondent from Mauritius

 **Training in cereal processing professions for workers in the informal economy.**


▶ TU respondent from Senegal

In contrast to such positive messages, one seafarers' union seized the opportunity to point to negative developments as regards training related to the pandemic, stating that:


 **Training was effectively cancelled and has been for over a year now. There will need to be substantial conversations occur in the immediate future to determine training needs to ensure workers are maintaining their certifications and have not elapsed the intervals necessary to safely continue in their respective positions.**

▶ TU respondent from Canada


Concerning option (c), support measures for enterprises, in total 68 positive responses were posted. A small majority (35) of respondents only ticked "yes" while 33 respondents added specific information on the (re)training issue. In this latter group, 12 respondents explicitly mentioned measures that were taken through tripartite social dialogue or through cooperation with employers' organizations. We cite three interesting answers in this regard:

 **We have jointly proposed a permanent universal measure to protect the employment and income of workers, as well as in the event of a decline in the income of enterprises by more than 20%.**

▶ TU respondent from Bulgaria


 **Provide assistance or a tax deduction to companies that have adopted total or partial unemployment to maintain jobs, regulate the technical unemployment system.**

▶ TU respondent from Burkina Faso


 **Measures for the tourism and restaurant sector were prepared closely with the employers' organization, effecting joint influence on the government.**

▶ TU respondent from Finland


Finally, turning to the last option, (d), other issues, nearly half (14) of the total of 31 responses here were related to negotiations on occupational safety and health issues, like COVID testing. In most other answers, respondents cited issues they obviously felt had so far remained underexposed. We selected three relevant comments:

 **In the beginning of the pandemic, we signed a 'crisis agreement' with the public sector. The terms are quite harsh, with an average working week of 48 hours and a 'non-stop stand by' mode. The upside is that one gets 200% paid (...) There are some local agreements, with some extra work and a little extra pay.**

▶ TU respondent from Sweden

 **Many healthcare funds deriving from collective agreements have established forms of support/compensation for workers affected by COVID-19.**

▶ TU respondent from Italy

 **The [union federation] has taken measures to step up awareness program for workers so that they fully cooperate with the employers and governments in taking precautionary measures and using all protective instructions necessary for their health and safety at the workplace.**

▶ TU respondent from Pakistan

Overall, 96 of 151 respondents (64 per cent) from national trade union bodies indicated involvement with central employer bodies discussing at least one of the four response options. Five respondents turned out to have provided specific information on all four response options, and 14 respondents did so on three options.

How frequent were the contacts of your organization in this regard with employers' central bodies during the COVID pandemic?

The following three tables set out the responses to this question. Tables 22 and 23 show numbers and percentages as regards the frequency of contacts with employers' central bodies. Table 23 clarifies that, overall, weekly contacts were noted by just over one in five respondents, and monthly contacts by nearly a quarter. However, at 34 per cent the category mostly mentioned was "incidental", whereas 21 per cent ticked "otherwise". Here too, clarifications by respondents confirmed that this latter category should be read as "(virtually) absent". Similar to the contacts with governmental bodies discussed earlier, weekly and monthly contacts with employers' central bodies were most commonly recorded in Europe, followed by the Americas and the Asia and Pacific region. For Africa, the joint share of the "weekly" and "monthly" categories was below 25 per cent.

Again, by attaching values "1" for "weekly" through to "4" for "otherwise", we were able to calculate mean values for frequency of contacts by type of organization where the lowest means indicate the most frequent contacts. The outcomes shown in table 24 and figure 5 underline that on average, union organizations in Europe, and confederations in particular, most frequently maintained their contacts with employers' central bodies -- though this was somewhat less than for their contacts with governmental bodies, as noted in table 15 (means 2.00 against 1.72). The European confederations were closely followed by the single national union bodies in the Americas (mean: 2.07). The high mean outcomes in our sample for the confederations in that region seemingly reflect their inertia in this policy field. The results for Africa and the Asia and Pacific region were very similar to those for these regions shown in table 19.

Table 22. Confederation/national: Frequency of contacts of organization with employers' central bodies, by region, numbers

Frequency of contacts of organization with employers' central bodies	Africa	Americas	Asia & Pacific	Europe	Total
1 Weekly	4	5	5	15	29
2 Monthly	6	6	3	19	34
3 Incidental	20	5	9	13	47
4 Otherwise	17	5	4	3	29
Total	47	21	21	50	139

Note: N=151, of which 12 missing.

Table 23. Confederation/national: Frequency of contacts of organization with employers' central bodies, by region, percentages

Frequency of contacts of organization with employers' central bodies	Africa %	Americas %	Asia & Pacific %	Europe %	Total %
1 Weekly	9	24	24	30	21
2 Monthly	13	28	14	38	24
3 Incidental	43	24	43	26	34
4 Otherwise	35	24	19	6	21
Total	100	100	100	100	100

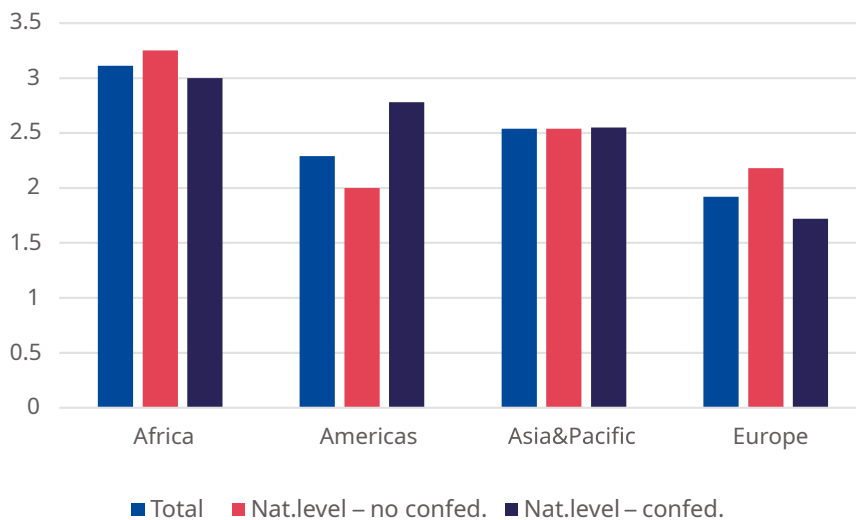
Note: N=151, of which 12 missing.

Table 24. Confederation/national: Frequency of contacts of organization with employers' central bodies, by organization type and region, means

Frequency of contacts of organization with employers' central bodies	Africa	Americas	Asia & Pacific	Europe	Total
National level - confederation	2.89	3.29	2.60	2.00	2.53
National level - no confederation	3.30	2.07	2.55	2.19	2.56
Total	3.06	2.48	2.57	2.08	2.55

Note: N=151, of which 12 missing.

Figure 5. Confederation/national: Frequency of contacts of organization with employers' central bodies, by organization type and region, means





Taken together, tables 25 and 26 as well as figure 6 indicate that the contacts of union organizations with employers' central bodies varied only slightly across the three bargaining regime groupings. With 2.21, the mean value of the frequency of contacts under an organized decentralized and coordinated system was somewhat higher than under the two other systems (both 2.16). However, table 25 shows varying patterns for those two organization groupings. Whereas the confederations maintained more frequent contacts with their counterparts on the employers' side under largely/fully decentralized conditions (means 2.05 versus 2.33), the opposite was the case under predominantly centralized and coordinated regimes, where the single national union bodies took the lead in frequency of contacts, with means of respectively 1.89 and 2.40. Both organization groupings, however, ended up with exactly the same frequency means (2.21) under organized decentralized and coordinated regimes. Comparing these outcomes with those in tables 16 and 17, which depict the frequency of contacts with governmental bodies, reveals an almost complete reversal of results for both centralized and coordinated as well as decentralized regimes.

Table 25. Confederation/national: Frequency of contacts of organization with employers' central bodies, by bargaining regime, percentages

Frequency of contacts of organization with employers' central bodies	Predominantly centralized and coordinated (PCW) (%)	Organized decentralized and coordinated (ODC) (%)	Largely/ fully decentralized (LFD)	Total	N
1 Weekly	32	32	31	32	25
2 Monthly	26	36	31	32	25
3 Incidental	37	11	28	24	19
4 Otherwise	5	21	9	13	10
Total	100	100	100	100	79

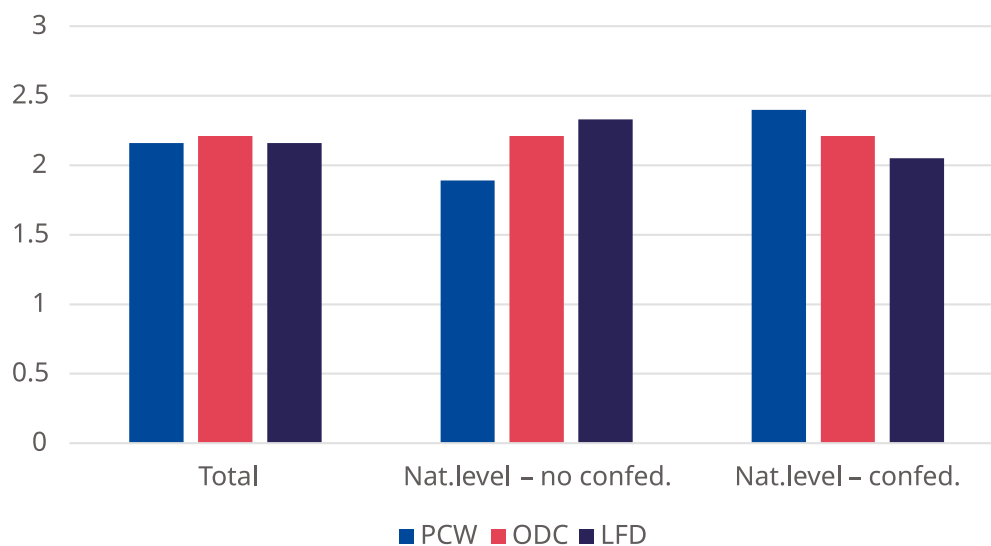
Note: N=79.

Table 26. Confederation/national: Frequency of contacts of organization with employers' central bodies, by organization type and bargaining regime, means

Frequency of contacts of organization with employers' central bodies	Predominantly centralized and coordinated (PCW)	Organized decentralized and coordinated (ODC)	Largely/ fully decentralized (LFD)	Total	N
National level – confed.	2.40	2.21	2.05	2.18	44
National level – no confed.	1.89	2.21	2.33	2.17	35
Total	2.16	2.21	2.16	2.18	79
N	19	28	32	79	

Note: N=79.

Figure 6. Confederation/national: Frequency of contacts of organization with employers' central bodies, by organization type and bargaining regime, means



What do you consider were the successes and failures of the contacts with employers' central bodies?

This question led to 32 answers, less than half of the similar question in section 3.1 on contacts with governmental bodies that sparked 70 answers. As with these answers, we grouped them into three categories:

- ▶ nine answers (28 per cent) in which successes dominated and were specified, though rarely without qualifications;
- ▶ eight answers (25 per cent) in which specific failures dominated; and
- ▶ 15 answers (47 per cent) representing the "in between" category, where successes and failures seemed to be rather balanced.

Below, examples of the three categories are shown. Again, these examples emphasize how subtle were the differences between the two categories.

Consider, for example the following three examples in the 'successes' category:

▶▶ The successes lie in the fact that the employers and the unions improved their collaboration and were able to produce joint memoranda submitted to the government.

- ▶ TU respondent from Benin

▶▶ Improvement of working conditions in meat production; extra payment for care workers, extension of social security schemes for the self-employed.

- ▶ TU respondent from Germany


 **Unions and employers had very successful arrangements at the beginning of the crisis. As employers suffered more losses, our arrangements became less significant.**

▶ TU respondent from Jordan


Compare these with the next six examples of the “in between” category:

 **Success: establishment of a dialogue between employers and trade unions. Failure: lack of adoption of a strategic plan.**


▶ TU respondent from Cameroon

 **In particular the joint proposals of the social partners had a big impact (...) At the same time, negotiations on labour market reforms not related to the pandemic have not advanced, and the employers have even taken steps to refrain from collective bargaining.**


▶ TU respondent from Finland

 **Success is the development of crisis exit policies of unions and employers' organizations, failure is to have the policy but if the means are lacking for its application, the impact is weak.**

▶ TU respondent from Mali

 **For successes, reduction in redundancies while for failures, we were unable to press for collective negotiations due to the effects of the pandemic.**

▶ TU respondent from Nigeria


 **Successful process of reaching agreements at the central level, failure due to lack of coordination of the different administrations and efficiency and speed in implementing the agreements.**

▶ TU respondent from Spain

 **(...) the contacts have managed to minimise loss for employment due to COVID-19 however, on the downside contacts has had little impact on collective bargaining.**

▶ TU respondent from Zambia

As indications of failures may be regarded the following three responses:

 **This contact only concerned the signing of a protocol, which has never been evaluated.**

▶ TU respondent from Cameroon



There was no dialogue with the employers' federations.

- ▶ TU respondent from Colombia
-



Not being able to extend the TERS [Support package providing lifeline for many workers] for longer and provide social support to a larger audience.

- ▶ TU respondent from South Africa

3.3 Social dialogue: Tripartite or bipartite?

In this section we attempt to ascertain, based on our survey, the extent to which trade union organizations at national level, mindful of the impact of the COVID pandemic, have maintained either tripartite contacts with both governmental bodies and employers' central bodies, or bipartite contacts with one or the other of these bodies. Bilateral interaction may of course be embedded in existing forms of tripartism in the national labour relations, but they may also be subject to ad hoc policies established by the social partners under pressure of the extraordinary conditions of the pandemic.

In order to facilitate our analysis, we map out the responses presented in the two preceding sections against the following questions:

- ▶ the "yes/no" questions on whether the organization was involved in any social dialogue to develop governmental policy initiatives, along with any contacts with employers' central bodies to develop initiatives aimed at offsetting the impact of the COVID pandemic on employment (see tables 7/8 and 13/14);
- ▶ the questions on the frequency of these respective contacts (see tables 13/14/15 and 18/19/20);
- ▶ the follow-up questions that embraced four options: flexible working arrangements/ temporary short-time work schemes or other support measures for workers; (re)training schemes; support measures for enterprises, or other issues; and
- ▶ the questions on the respondents' assessments of the successes and failures of these respective contacts.

Following on from this, we cover the responses of respondents from union organizations at national level to the questions related to their contacts with both government and employers' central bodies, namely, whether these included any discussion about the preconditions for state support to firms, and the lessons they noted have been learned from their involvement with both bodies. Finally, we report on the respondents' suggestions as to what changes will need to be made to ensure that "we can build forward better in the future".

Table 27 presents the basic information on whether union organizations at national level had maintained tripartite or bipartite interaction aimed at offsetting the impact of the pandemic. Overall, 91 out of 151 national organizations (60 per cent) showed that they had maintained tripartite contacts (indicated by ticking “yes” on the horizontal and vertical axis). In this respect hardly any difference could be seen between the two groupings of organizations: tripartite contacts were maintained by 43 of 74 national-level organizations/ no confederations (58 per cent) and by 48 of 77 national confederations (62 per cent). By contrast, 21 organizations (14 per cent) reported they had had no contacts whatsoever with their potential social partners as regards the pandemic: nine national-level organizations/ no confederations (12 per cent) and 12 confederations (16 per cent) (twice “no”). Overall, 39 organizations (26 per cent) reported bipartite contacts: 22 with governmental bodies and 17 with employers’ central bodies.

Table 27. Confederation/national: Matched contacts of organization with governmental bodies and/or with employers’ central bodies, numbers

Organization grouping	Involved in contacts with	Employers’ central bodies			
		0 No	1 Yes	Total	
National level - confederation	Governmental bodies	0 No	12	6	18
		1 Yes	11	48	59
	Total		23	54	77
National level - no confederation	Governmental bodies	0 No	9	11	20
		1 Yes	11	43	54
	Total		20	54	74
Total		0 No	21	17	38
		1 Yes	22	91	113
	Total		43	108	151

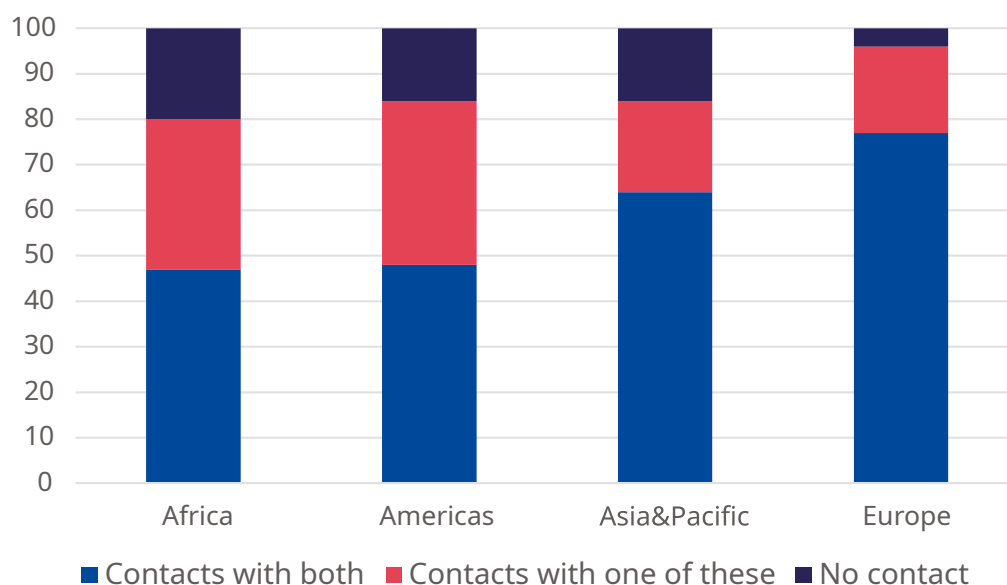
Note: N=151.

Table 28 and figure 7 show the distribution of these matched contacts by region. They indicate that union organizations in Europe maintained the largest share of tripartite contacts as regards the employment effects of the pandemic (77 per cent), followed by the Asia and Pacific region (64 per cent). In Africa (47 per cent) and the Americas (48 per cent) less than half of all respondents reported they had had tripartite contacts. In stark contrast, only 4 per cent of the European respondents posted that they had neither been in contact with governments nor with employers’ central bodies as regards the impact of COVID-19. This zero-contact metric came in at 16 per cent for both the Americas and the Asia and Pacific region, and even 20 per cent for Africa.

Table 28. Confederation/national: Matched contacts of organization with governmental bodies and employers' central bodies, by region, numbers and percentages

Organization involved in contacts with governmental body and employers' central body?		Africa	Americas	Asia & Pacific	Europe	Total
Both	abs.	23	12	16	40	91
	%	47%	48%	64%	77%	60%
One of these	abs.	16	9	5	10	40
	%	33%	36%	20%	19%	27%
None	abs.	10	4	4	2	20
	%	20%	16%	16%	4%	13%

Note: N=151.

Figure 7. Confederation/national: Matched contacts of organization with governmental bodies and employers' central bodies, by region, percentages

The “no contacts at all” response (20 answers) deserves particular attention. In the Asia and Pacific and the Europe regions, this position, at least to an extent, seemed to flow from genuine union decisions, as exemplified by the case study on the Republic of Korea (Appendix 4). However, in Africa and the Americas it seems likely that more direct political neglect of any social dialogue, or even outright union repression, may be the long-standing root cause that even the social and economic hardships associated with the pandemic have failed to ameliorate. The following responses may contain indications in this direction:



We are a downright repressed union.

▶ TU respondent from Algeria



Our government does not take social dialogue and the issues of nurses seriously (...) Central (employers') bodies only came in when there was a dispute.

▶ TU respondent from Kenya



We are often consulted informally.

▶ TU respondent from Madagascar



My organization was not contacted on any issues.

▶ TU respondent from Mauritius



The South African Government led by the ANC has shown preferential treatment for COSATU and excluded SAFTU in engagements even at NEDLAC [National Economic Development and Labour Council].

▶ TU respondent from South Africa



Due to the country's economic crisis, the scope of government intervention is very limited.

▶ TU respondent from Tunisia



The economic situation is very critical (...) the signing of agreements is not respected in most cases.

▶ TU respondent from Tunisia



The pandemic and the isolation restrictions have served as a pretext to avoid social dialogue.

▶ TU respondent from Colombia



(...) the Humanitarian Support Law was enacted that has served to make labour relations more flexible and caused a setback in existing labour rights.

▶ TU respondent from Ecuador

As a second set of indications in tackling the “tripartism or bipartism?” issue we used the responses regarding the frequency of the respective contacts with governmental bodies and employers’ central bodies. Table 29 shows considerable coincidences: jointly the 76 responses in the matched “weekly/weekly”, “monthly/monthly” and “incidental/incidental” cells accounted for 78 per cent of all responses to these three categories. (We did not include

the rather undetermined “otherwise/otherwise” cell.) As for regions, with 16 of 25 matches Europe predominated in the “weekly/weekly” cell. With nine of 22 matches in the “monthly/monthly” cell, Europe’s dominance was smaller but still there. Possible explanations can be found in the positive roles played by labour relations systems, good facilities for socially distanced dialogue and, beyond lockdowns, the relatively short physical distances and good road and rail connections that characterize much of Europe. Much of this was less available for the other three regions, resulting in an over-representation of all three – in different combinations – in the “incidental/incidental” and “otherwise/otherwise” cells.

Table 29. Confederation/national: Matched frequency of contacts with governmental bodies and employers’ central bodies

Frequency of contacts with		Employers’ central bodies				
		1 Weekly	2 Monthly	3 Incidental	4 Otherwise	Total
Governmental bodies	1 Weekly	25	7	2	2	36
	2 Monthly	1	22	7	0	30
	3 Incidental	1	4	29	11	45
	4 Otherwise	1	0	7	16	24
	Total	28	33	45	29	135

Note: N=135.

We now turn to the positive responses to options (a), (b) and (c); see table 30 for an overview. (In view of the complexity of the responses on option (d) we have left out this residual category.) The table indicates that most “yes” responses, towards both governmental bodies and employers’ central bodies, rated “flexible working arrangements/temporary short-time work schemes or other support measures for workers” as the most likely subject of discussion, followed by “support measures for enterprises”, with “(re)training schemes” in third place. The considerable number of respondents adding specific information to their “yes” response (columns “yes + spec.info”) was encouraging to note.

Table 30. Confederation/national: Matched contacts of organization with governmental bodies and employers’ central bodies, by three response

Options	Governmental bodies			Employers’ central bodies		
	Yes	Yes + spec.info	Total	Yes	Yes + spec.info	Total
(a) Flexible working arrangements/ temporary short-term work schemes or other support measures	43	59	102	34	49	83
(b) (Re)training schemes	36	43	79	32	29	61
(c) Support measures for enterprises	35	53	88	35	33	68

Finally, we turn to the assessment of the contacts of union organizations at national level with governmental and employers' central bodies, based on the response to both questions about the perceived successes and failures of these contacts. Table 31 shows that only a limited number of cases (22) could be traced where the assessments of both contact types matched. Since the "no match" categories turn out to be dominant, our conclusions based on these outcomes are necessarily limited in scope. What we can say is that the eight matched successes were double the four matched failures. However, the few matches we obtained hardly allow any room for further interpretation or comment.

Table 31. Confederation/national: Matched assessment of contacts of organization with governmental bodies and employers' central bodies

Involved in contacts with		Employers' central bodies				Total
		Successes	In between	Failures	No match	
Governmental bodies	Successes	8	2	2	17	29
	In between	1	3	1	20	25
	Failures	0	1	4	11	16
	No match	3	5	1	8/48	
	Total	12	11	8		31/70

Did contacts with government and employers' central bodies include any discussion about the type of preconditions that firms should satisfy before qualifying for state support related to the COVID pandemic?

Obviously union organizations have largely been left (or kept themselves) outside discussions about preconditions for state support. This seems surprising in view of the considerable number of answers that covered support measures for enterprises as such and the fact that "conditionality" became a hot topic as the pandemic unfolded and experience of governmental support measure became more available. Just eight answers touched upon the conditionality issue, of which four contained general observations. Another four answers pointed at union involvement:




While we obtained participation in the monitoring committee for public aid to businesses, it did not obtain conditionality.

▶ TU respondent from France




Our central demand was to make public aid to companies conditional on respect for social rights and non-layoffs.

▶ TU respondent from France

 **Yes. One of the main preconditions was payment of a Single Social Contribution for its workers.**

▶ TU respondent from Ukraine

 **Yes. We set out a plan for preconditions, however these proposals have not been adopted.**

▶ TU respondent from the United Kingdom


What lessons have you learned from these involvements with both government and employers' central bodies (strengths and weaknesses)?

We found 45 answers on this key question. They could be divided into three categories: answers emphasizing strengths were dominant (11 responses); a large middle group with answers in which strengths were mentioned but nuanced or made conditional of improvements, the latter often in terms of the social dialogue (26 responses); and answers emphasizing weaknesses (8 responses).


The following citations contain examples from these three categories, respectively, where strengths were emphasized:

 **That the search for a dialogue is fruitful and indispensable.**

▶ TU respondent from Argentina


 **Tripartite social dialogue is the necessary and suitable framework to get out of the crisis.**

▶ TU respondent from Morocco

 **Frequent exchanges with the government and employers' organizations ease social tensions, especially among workers.**

▶ TU respondent from Togo

where strengths were nuanced or made conditional:

 **The dialogue would have been more fruitful and in the best interests of the workers if the government had put in place the tripartite framework proposed by employers and workers.**


▶ TU respondent from Benin

 **Strength: we have been able to make alliances with other organizations. Weakness: union organizations are not listened to.**

▶ TU respondent from Chile

 **Weakness: lack of follow-up to tripartite decisions.**

▶ TU respondent from Congo


 **Cooperation with central authorities has almost always been characterized by openness and a willingness to accept input. But shop stewards report varying degrees of cooperation (...) more people experience being informed, but not included in real discussions.**

▶ TU respondent from Norway

 **Strength: the unions are basic pieces in the balance of labour relations. Weakness: much work remains to be done to continue organizing workers.**

▶ TU respondent from Spain


and where weaknesses predominated:

 (...) there is an attitude to circumvent established mechanisms of social dialogue and to take individual decisions, both by public authorities and employers, with an excuse for lack of time and the complex epidemiological situation.


▶ TU respondent from Bulgaria

 (...) many categories of workers are not covered by the social protection system. PPEs and Health and Safety protocols are often ignored by the employers.

▶ TU respondent from Bulgaria

 **More than one lesson. We have seen that especially employers distance themselves from objectives that should be common eg. occupational safety, health and income protection.**

▶ TU respondent from Italy

 **For our country it is necessary to increase the administrative capacity of the social partners in order to allow them to better formulate public policies.**


▶ TU respondent from Romania

Do you have suggestions what changes need to be made in ensuring that ‘we can build forward better in the future’?


This similarly crucial question generated 44 responses. About half of these could be read as connected and mostly in line with answers on the preceding “strengths and weaknesses” question. Overall, the 44 responses fell into two categories:

- ▶ on (improving, launching) the social dialogue: 33 answers, of which eight explicitly mentioned the need to strengthen the role of trade unions;
- ▶ on (improving, intensifying) the fight against COVID-19 and future pandemics, including better labour protection, improved physical protection of workers, and better telework regulation: 11 answers.


Some 15 responses, the majority stemming from the first category, stressed the urgent need for far-reaching social, political and economic changes. Most of these answers mentioned (global) social dialogue as a key vehicle for such changes. The small selection of citations below should give an impression in this regard:

 **We endorsed the government letter as of 1 May 2020 to the Director General of the ILO, stressing the need for initiating a global dialogue to develop a way forward.**


▶ TU respondent from Pakistan

 **A new world order seems to be the way things will be and a new social dialogue system must be manufactured taking into consideration the 'new normal' with COVID as the great disruptive intervention.**

▶ TU respondent from South Africa

 **A global problem needs a global response of trade union solidarity; look at vaccine distribution and the injustice suffered by developing countries.**

▶ TU respondent from Tunisia

 **We need a new social contract and an efficient social dialogue. The imposed neoliberal trends should be revised (...) because they risk success in fighting the pandemic and ensuring social peace and economic recovery.**

▶ TU respondent from Ukraine


The “build forward better” question provoked comments as regards two categories of workers in problem areas that have come to (more) prominence during the pandemic: teleworkers/telework(ing) and more generally labour migrants/labour migration. Concerning teleworking, respondents emphasized the need for adequate legislation and/or negotiated improvements:

 **The absence of legislation for teleworking, lockdown without rules and without duration ...**


▶ TU respondent from Angola

 **Deregulated homeworking is a serious social problem.**

▶ TU respondent from Italy


 **Regulate the teleworking regime, essentially through collective bargaining and also regulate digital platforms.**

▶ TU respondent from Portugal

 **The absence of regulations for telework or technical unemployment of this magnitude needs to be corrected.**

▶ TU respondent from Senegal

though progress could also be seen:

 **(...) noteworthy is the progress represented by our collective teleworking and home office convention in the pharmaceutical sector.**

▶ TU respondent from Brazil


 **(...) the national inter-professional agreement on teleworking.**

▶ TU respondent from France


It should also be noted that with all three groupings of union organizations, worrying conclusions prevailed as regards the position of migrant labour of various kinds, emphasizing the need for (legal) improvements for these vulnerable groups of workers. We cite just three examples here:

 **The issues of the migrant workers were not adequately dealt with.**

▶ TU respondent from India

 **(...) when it comes to labour migrant-temporary workers: work-through sectors where too few distance rules were observed and action was only taken in cases of COVID outbreaks that had already been observed (meat industry, distribution centres).**

▶ TU respondent from the Netherlands

 **For commuting labour migrants (who could not reach their jobs due to closed borders) we have fought to ensure that they get their rights – but this has been an up-hill struggle, although with some results lately.**

▶ TU respondent from Norway

In the final chapter we consider how these suggestions can be drawn together into some overall recommendations for the ILO.



4. Conclusions and recommendations

4.1 Introduction

The overall objective of this final chapter is to translate the key lessons emerging from recent social dialogue and collective bargaining experience into recommendations that can feed into the policy discourse surrounding the need to “build forward better”. The pandemic-related activities of trade unions have varied from high-level dialogue with governments on lockdown measures, such as short-time working through to negotiating with employers to preserve the health and terms and conditions of employees, whether in work, temporarily furloughed or laid off. All of this has demonstrated both creativity and innovative endeavour by negotiators working in highly pressurized and uncertain conditions. It is important therefore, to analyse the conditions that have either advanced or constrained the achievement of beneficial outcomes from these types of union action. Using the empirical evidence gathered for this report we can begin this process. Plainly, there will be major differences between countries and sectors in terms of the applicability of such analyses. However, it may also provide some general guidance as to what will be necessary for building the additional resilience and adaptability into systems of labour relations in order to meet the challenges likely to arise in the coming decades.

The second objective of this chapter is to consider the propositions we initially identified in the light of the evidence gathered by our research. For example, does the evidence support the contention that organized and coordinated systems of labour relations are likely to be more effective at facilitating COVID-related workplace change than a decentralized system with low levels of social dialogue? We also need to assess the extent to which the growing public support for frontline workers has been translated into lasting and meaningful enhancements in their pay and working conditions.

4.2 The failure to plan for the COVID pandemic

With the notable exception of those predominantly Asian countries with prior experience of the SARS virus outbreak in 2002–04, the widespread failure of individual nations to plan for either the speed, scale or severity of an event like COVID-19 has been a striking characteristic. Despite the clear lessons from the SARS outbreak and the long-standing warnings from epidemiologists about the future likelihood of virus-based pandemics, many nations were seemingly caught unawares by the onset of COVID-19. In a few other countries, this initial lack of preparedness was compounded by an official denial of the severity and health risks posed by COVID-19, seemingly in defiance of the advice and guidance being issued by the World Health Organization (WHO). Such variations in governmental response at the onset

of the pandemic soon began to influence and hamper international cooperation, even within the European Union. The differences in international travel restrictions imposed by individual countries are an obvious case in point. So too, were the problems encountered later on with regard to the manufacture, approval and distribution of vaccines. All of this has naturally made decisive and coherent planning much more difficult to achieve and has left crucial space for the COVID-19 virus to replicate and spread with disarming rapidity and fatal consequences.

Plainly, if we are to build forward better and develop more effective anticipatory planning, such cavalier attitudes as displayed in the last few years cannot be permitted to continue. Moreover, there is a strong case for ensuring that the worker's voice and experience, through the medium of trade unions, is given a much more prominent place at the various planning tables such that "catastrophe" planning in the future at whatever level is, in equal parts, comprehensive, coherent and credible.

There are two principal lines of argument to support this contention –both of which have been boosted by the real-world experience of the COVID-19 pandemic. In the first instance, we can point to the constructive role unions at national level have played in helping respective governments shape and implement emergency labour market policies. Short-time working, furlough schemes, and telework options have all benefited from trade union inputs. Unions have also been rock-solid in supporting mask wearing and social distancing measures, and latterly many have been prominent in encouraging vaccine roll-out programmes. In addition, many union websites have carried valuable and constantly updated advice to their members on how to both avoid COVID-19 and comply with current advice and guidance on the subject. Going forward, unions will be amongst the best-placed organizations to provide evidence-based guidance on what type of policy actions have proven the most valuable in helping to cope with the pandemic. Such knowledge should neither be underestimated nor wasted.

This brings us to the second line of argument, namely the parallel need to ensure that the knowledge and experience embedded in the workforce is also valued and utilized in shaping future strategies to confront unforeseen challenges such as those posed by the COVID-19 virus. The experience of working through the pandemic in constrained circumstances will be commonplace for most frontline workers. Similarly, the experience of telework will have greatly increased for significant groups of workers during the pandemic. All of this will have generated additions to existing stores of knowledge and competences that should not be overlooked as societies emerge onto a more normal footing. Trade unions have a clear role to play here in terms of galvanizing these newly acquired experiences into robust inputs to the social dialogue at both national, sectoral and local levels.

Objections that pandemics (or any other type of catastrophe) need the sort of quick and unequivocal decisions that, to some observers, are incompatible with joint decision-making

are, in our view, wide of the mark. Indeed, the evidence from our survey shows that for many trade union organizations the incidence of both formal and informal meetings during the pandemic has increased. Moreover, a significant number of respondents, whilst critical of the shift to screen-based dialogue and negotiations, have nevertheless pointed to the advantages that have accrued from this change. They highlighted the ability to hold meetings at short notice and pointed to big cuts in travel time and hence the possibility to fit more meetings than usual into their working days. At the same time, some respondents also noted, with approval, how screen-based meetings tended to be more focused and less prone to wasted time on small talk. It would seem, therefore, that the experience of moving some parts of the social dialogue onto screen-based platforms has opened the way to increasing the frequency of such interactions at local and national level. Actively following through on this will increase the prospect of the intellectual capacity and knowledge base of the workforce being better utilized in the future. It hardly needs saying that trade unions are the only credible group to ensure that such opportunities will not be missed.

4.3 Collective bargaining during the pandemic: Background context

Before we review the impact of the COVID-19 pandemic upon the practice and outcomes of collective bargaining it is, by way of context, appropriate to consider some longer-term factors that have shaped bargaining activity prior to the outbreak of COVID-19. After 2000 the majority of high- and middle-income countries saw a decline in trade union density and a consequent reduction in the coverage of collective bargaining. At the same time, a number of these countries manifested a shift away from sectoral or multi-employer collective agreements towards more decentralized bargaining where collective agreements became increasingly company-specific. This was by no means a universal shift: a minority of countries retained both high levels of union density and a significant influence of sectoral bargaining. However, in particular for union density, disturbing trends are clear, in Europe and in many other developed and middle-income countries (see Van Klaveren and Gregory (2019); Van Klaveren et al. (2020); and Visser (2019) in Appendix 7).

A number of possible explanations have been put forward for these changes –the most notable, perhaps, being the long-term impact of the move away from Keynesian economic policies in the 1970s in favour of more market-driven, neo-liberal approaches which tended to regard trade unions as having unwarranted influence on the labour market. Privatization strategies have frequently played an important part in this neo-liberal turn and have been a factor in reducing the size of the public sector in many countries. In so doing, they have undermined trade union strongholds and imposed further decentralizing pressures on collective bargaining activity. Alongside of this, notably in Europe, many unions have also struggled to maintain their influence in the face of demise of manufacturing industry, the internationalization of supply chains and the emergence of “finance-dominated capitalism” with an attendant polarization and flexibilization of labour markets.

The point to emphasize here is that prior to the current pandemic trade unions and their collective bargaining activities had already endured some difficult decades. In other words, in many countries trade unions and collective bargaining had taken a battering before the COVID-19 virus made its unwelcome appearance. That said, it seems possible that the experience of the pandemic has shone a rather more positive light on trade unions than has hitherto been the case. The importance of frontline workers, whether healthcare workers, teachers, cleaners, retail or distribution workers, has been particularly well demonstrated and understood by the general public. Recently there has been widespread support for union campaigns striving to ensure that these groups of workers are given the appreciation and financial rewards they deserve. In the longer term, it remains to be seen if this public support can be utilized to secure a lasting uplift in their wages and longer-term improvements to their overall conditions of service.

Elsewhere, union struggles to prevent employers from exploiting the pandemic downturn to restructure their workforce (for instance the “fire and rehire” tactics that have been used by some employers) are widely seen as a reasonable pursuit of social justice in the face of such sharp practices. Similarly, the pressures that union confederations have put on governments to stop state aid being used to maintain corporate profits have generally found favour in the court of public opinion.

It may be that the nature of the pandemic has caused the critics of the trade union movement, temporarily at least, to look elsewhere although public opinion remains fickle. For the time being though, unions in many countries seem to have escaped the level of criticism that hitherto has typically accompanied much of their work.

4.4 Social dialogue and collective bargaining: The response to COVID-19

As might be expected, the COVID-19 pandemic has had a significant effect on both the incidence of collective bargaining and the priorities given to items under discussion. Our survey suggests that although the frequency of both formal and informal meetings has shown a tendency either to stay the same or increase during the pandemic, the underlying position with regard to collective bargaining is rather more nuanced. The severity of the downturn in economic activity forced some unions to agree to suspend scheduled negotiations on pay and conditions. Other unions though, mostly bargaining with employers less affected by falling demand, have managed to continue negotiations. In some instances, existing agreements were agreed to be continued (rolled over) until such time as the pandemic had retreated sufficiently to allow a return to something closer to normality. In others, unions negotiated a variety of temporary “fixes” that dealt with the immediate needs of both employers and their members. Whether these temporary adjustments could be consolidated into regular collective agreements is an open question. For a small number of respondents, mostly from low-income countries, the pandemic evidently made little difference. Unions in

these countries have always struggled to gain negotiating traction with governments and employers before COVID-19, and they have continued to struggle after it arrived.

As the pandemic took hold at national level, the social dialogue that supported collective bargaining took two distinct pathways. Union confederations and other unions operating at national level were increasingly drawn into discussions with governmental bodies and employers' associations to agree country-wide actions to mitigate the worst effects of lockdowns. In some high-income countries unprecedented public transfers, to offset the income losses of laid-off workers and shore up the finances of the business community, represented a dramatic reversal of austerity policies.

Around 40 per cent of the respondents in our survey who commented on the results of this level of dialogue with governmental bodies reported that such discussions had been beneficial as regards three of the four policy options we highlighted. A somewhat lower proportion (30 per cent) of respondents held a similar opinion of their discussions with employers' associations. At workplace level in the first few months of the pandemic, both social dialogue and negotiations understandably focused, first of all, on the risks to the health of employees, and thereafter, on the income maintenance and job security needs of those workers laid off or working from home. In a number of low-income countries though, it was evident that both these stages were likely to have occurred concurrently.

For single union bodies the need for an increased number of informal meetings was clearly caused by the huge uncertainties which surrounded many workplaces in the early weeks of the pandemic. This demand was particularly acute in healthcare settings where the basic organization of work and working patterns had to be radically revised to deal with both the velocity and scale of the pandemic. Unions appear to have played an important role here both in supporting their members as well as in helping to meet the overriding need for an emergency mobilization of resources. Negotiations around the provision of protective personal equipment (PPE) were commonplace, though in some cases were slow to be resolved. As the pandemic progressed, unions became increasingly concerned to ensure that healthcare workers – who tended to be working long shifts in emotionally draining circumstances – were given appropriate support to help them deal with the disproportionate impact COVID-19 was having on their general health and wellbeing.

The experience of unions in healthcare, who were the first to feel the effects of the pandemic at the workplace, was quickly replicated in other essential services. For instance, unions in the education sector, in social and elderly care, and in retail and distribution were soon engaged in dialogues and negotiations to interpret COVID-19 guidance and develop local applications to suit particular circumstances. At the same time, unions representing workers who were laid off, furloughed or converted to telework had much on their plates to ensure that such workers were not being exploited or purged by employers who saw opportunities to restructure their labour force. The fate of thousands of seafarers, many of whom were

effectively trapped aboard ships for months on end or who found repatriation at the end of a voyage severely constrained, was the subject of intense union activity at national and international levels. In short, wherever we looked we could see that the pandemic had generated a huge demand for the services of trade unions.

The ability of unions to meet this demand is dependent upon a whole host of factors, some of which we have highlighted in this report. Most obviously is the existence of well-resourced union bodies operating within a political and legal framework that enables them to respond to the challenges posed by the Coronavirus. As a number of respondents have emphasized, such conditions are not always available to trade unions in many parts of the world. Going forward, these lacunae have to be addressed as a first priority. Plainly, this is not a quick fix and we should also be mindful of other factors that might be more readily addressed in the shorter term. In this respect, it is worthwhile returning to the question posed in Chapter 1, namely: Did the type of national collective bargaining system make much difference? In other words, would some systems be more effective at facilitating social dialogue and collective bargaining during the pandemic than others?

Given the primacy of collective bargaining to the ILO, as exemplified by the Right to Organise and Collective Bargaining Convention, 1949 (No. 98) and the Collective Bargaining Convention, 1981 (No. 154), this is a question of considerable importance. In light of the relatively small numbers of respondents who answered the questions we included in our survey to illuminate this issue, we have to proceed here with some caution. However, we can point to recent analysis of European experience (Van Klaveren and Gregory 2019, 156–7) showing that multi-employer collective agreements have dealt with wage differentials, sickness, disability and labour market issues more often than agreements struck at company level. It is then reasonable to assume that more centralized and coordinated bargaining arrangements might be more effective in dealing with the challenges of COVID-19 than arrangements in largely or completely decentralized systems.

Our survey showed that the arrival of COVID-19 did have some differential impact on bargaining priorities according to the type of bargaining regime in operation. During the pandemic, unions in centralized systems found their bargaining agendas putting more emphasis on job security and employment guarantees than in either organized decentralized and coordinated systems or in decentralized systems. In contrast, in the more decentralized regimes, concerns over hours and leave/holidays appear to have been moved to a higher bargaining priority than in centralized and coordinated systems. In all three regime types, occupational safety and health, and sickness and disability, were lifted in bargaining agendas, as was, to a lesser extent, the case for work–family arrangements. At the same time and rather ominously, all three regimes posted a bargaining priority downgrade for gender equality.

The differential bargaining regimes appear to have made rather little difference to the frequency with which peak union bodies had social dialogue contact with either governments or employers' central bodies. Relatively frequent contacts with governments, for instance, were recorded by national-level union confederations, whether working in predominantly centralized and coordinated systems or in decentralized systems, although we were rather surprised to see that the confederations within decentralized systems maintained the most frequent contacts with employers' central bodies. It may well be that national-level confederations in this regime were, in effect, being pressed into filling the gaps in particular bargaining patchworks that the lack of central coordination had hitherto created.

We have to conclude, though, that the question concerning the relative merits of different bargaining systems in responding to the COVID-19 pandemic largely remains open. We picked up some glimpses of differential behaviour, but the picture is far from complete; a longitudinal view, in particular, is missing. Research over a longer time period is needed to be able to formulate more robust assessments. Perhaps of greater importance, in terms of building forward better, is to focus on the development of more resilient systems of social dialogue drawing upon the best experiences in nations and sectors where such practices are well established and effectively resourced.

The various experiences we have set out in this report strongly suggest that social dialogue has proved to be vital in enabling trade unions to protect their members whilst also making a significant contribution to ensuring COVID-related responses have been effectively implemented. Collective bargaining – in whatever form – has proved to be a flexible instrument to focus on the immediate needs of the workforce. We should congratulate all those negotiators who, in unusually difficult circumstances, have managed to navigate their engagements with employers and governments both on and off their computer screens.

Finally, to return to the needs of frontline workers: there is no doubt that the status of many occupations crucial to maintaining the lifeblood of our society during the pandemic has been greatly enhanced in the eyes of the general public. Equally apparent has been the accompanying realization that many such job-holders are woefully underpaid and labour in very trying conditions. The groundswell of public appreciation and support has for some led to one-off bonus payments for their endeavours. We are yet to see, though, the extent to which public approval will translate into significant and permanent improvements in the pay and conditions of these groups of workers. Again, this will to a considerable extent depend upon how strong the collective bargaining infrastructures that underpin their claim prove to be.



Herbs
ATOS

4.5 Recommendations

Our survey respondents highlighted a number of issues that were, in their view, germane to any “building forward better” policies.

There was evidently much shared concern over the rapid spread of unregulated telework during the pandemic and the need to pre-empt possible exploitation of workers in this situation. Developing targeted legislation to ensure the rights of teleworkers (including temporary ones) and building in greater transparency with regard to employer responsibility for teleworkers, are obvious avenues to explore. It would be timely for ACTRAV to review ILO Convention No. 177 in the light of recent experience. For instance, employers’ options for electronic monitoring and control may be worth assessing and, where needed, be counterbalanced through this Convention. At the same time, encouraging collective agreements to cover the terms and conditions of teleworkers is a step that already could be taken within a very short time frame.

The treatment of migrant workers during the pandemic was also an area of concern. The already precarious labour market position endured by many migrant workers was plainly worsened during the pandemic. There is a clear need for an international re-writing of the rules to provide a suite of rights that migrant workers can invoke in times of pandemic and catastrophe. At a minimum, this should provide income protection, secure accommodation and the possibility of training and education to form a basic survival kit. Against this backdrop it would make sense for ACTRAV to review the contents of the relevant ILO instruments, notably Conventions Nos. 97 and 143. Extending the notion of basic protection should also be considered in particular for mobile workers who, as the pandemic has shown, are frequently threatened by lay-offs with little prospect of repatriation.

Overall, ACTRAV should encourage governments and the social partners to recognize the impact that both working and not working during a pandemic is likely to have on the physical and mental health and well-being of workers. More generally, and perhaps in tandem with the WHO, the ILO should promote regular tripartite reviews of the provisions made to ensure that, going forward, such dangers are acknowledged and minimized.


The uncertainties and mixed messages that characterized the early stages of the COVID-19 pandemic were clearly problematic for workers and their union representatives worldwide, even in high-income countries. To this end, and in anticipation of such events in the future, ACTRAV should encourage the urgent development of a freely accessible database drawing together collective labour agreements and examples of innovative collective bargaining practices conjured up during this current pandemic. Where such databases already exist (for example, the worldwide collective bargaining agreements (CBA) database built by the WageIndicator Foundation), it would make sense for ACTRAV to connect with and support such an initiative to avoid any duplication of effort. This would underpin a general

strengthening of the sinews of social dialogue and be an aid to the rejuvenation of collective bargaining, particularly (but not exclusively) in low-income countries.

Major trade union education and training programmes are needed to ensure that the lessons learned from the pandemic are firmly embedded in the processes of social dialogue. The point of departure of such programmes may well be the contention that collective labour agreements can play a vital role in developing the extra resilience that society will need to overcome similar challenges. In terms of future capacity-building it is important to recognize that, in the main, unions operating in high-income countries have coped rather effectively (although not necessarily easily) in adapting their collective bargaining efforts to the exigencies of the pandemic. The same cannot be said (with some notable exceptions, as we have shown in this report) of trade unions in low-income countries. Thus, going forward, any allocation of ILO training and development resources to trade unions, should be aimed at redressing this imbalance which, although longstanding, has been given additional urgency by the experience of the current pandemic. If well organized, direct contacts between confederations and single unions from high-income countries, and their counterparts from low-income countries, are likely to have added value here, and thus may also be recommended.


Workers of the world unite...

Finally, let us turn to the need to acknowledge and build upon the enormous potential that could be released from a better global organization of workers' experience and knowledge. We have already cited calls that were made by respondents to our survey for the initiation of:

 **a global dialogue to develop a way forward.**

▶ TU respondent from Pakistan

and that

 **a new social dialogue system must be manufactured taking into consideration the 'new normal'.**

▶ TU respondent from South Africa

A Tunisian respondent put it even more simply:

 **A global problem needs a global response of trade union solidarity...**

In part, what is being recognized here are the gaps in international planning infrastructures that we referred to in section 4.2. There is little doubt that the continuing lack of policy coordination in the face of the rapid spread of COVID-19 has put millions of workers and citizens at risk and added considerably to the pandemic's toll of mortality and morbidity. Two questions obviously arise: How can this be avoided in the future? What can the trade union movement, and in particular ACTRAV, contribute in this regard?

We contend that a start can be made by encouraging a global social dialogue that will enable a rapid harnessing of the insights and experience to be found among union representatives all over the world. Workers and their organizations are amongst the first to feel the effects of a pandemic such as we are currently experiencing. They are and will be frequently in the frontline of efforts to mitigate its impact with socially acceptable solutions. Trade unionists know from first-hand experience the stress points and what does and doesn't work from a practical point of view. As we have already stated, this is hugely valuable knowledge that should neither be overlooked nor wasted. Workers and their unions in countries where the pandemic may arrive relatively late should not have to "reinvent the wheel" when it comes to collective bargaining and workplace responses. Nor would they have to, if appropriate, evidence-based information and guidance were readily available to them.

There is already much that could be built upon in terms of both union structures and specific initiatives to help in building forward better. The monthly *Collective Bargaining Newsletter* compiled by a research team at the University of Amsterdam in cooperation with the European Trade Union Institute (ETUI) is a case in point. This newsletter keeps union negotiators across Europe abreast of collective bargaining developments. Similarly, several international trade union bodies publish newsletters devoted to collective bargaining on a regular basis; examples can be seen in the work of the IndustriAll Global Union, the IndustriAll European Trade Union and the European Public Service Union (EPSU). We recommend that ACTRAV investigate ways and means to scale up such newsletters in order to extend the reach of their information into low- and middle-income countries.

Finally, we believe that ACTRAV, along with the appropriate union bodies, should explore the most effective ways to develop and integrate social dialogue in efforts to overcome weaknesses in international planning frameworks. National unions, either through peak organization linkages, global union federations (GUFs) or union-to-union contacts, could provide a formidable integrated approach to dealing with future pandemics, or climate change events. Had it existed, a union-based "early warning system" would, for instance, have been of great assistance to trade unions in countries where governments were either slow to respond or in denial about the severity of the pandemic. Moreover, it would be foolish to suppose that such differentiated governmental responses will not still be a problem when the next global challenge comes around.

Moving forward, it is crucial to recognize that the unbalanced and inequitable ways whereby globalization has distributed work opportunities, risks, rewards and life chances are not going to fundamentally change anytime soon. Hence, the compelling need for unions to rejuvenate and build new global social dialogue frameworks that can stiffen union resolve and improve collective bargaining capacity to deal with such challenges in the future.

There is little doubt that the interconnectedness of our economic and social systems played an unwitting but nevertheless crucial role in enabling the COVID-19 virus to spread. It would be fitting if the trade union movement could exploit its own connectedness to build an effective means to repel such challenges in the future. We believe ACTRAV is well positioned to play a crucial role in facilitating such a development.

Appendices

APPENDIX 1

The EXCOL questionnaire and response rates

As the aim was to gather opinions of trade union respondents through a web survey, the first preparatory step was to search for email addresses of trade union (con)federations, their affiliates and individual trade unions worldwide in as many ILO Member States as possible. Such addresses, as far as possible, needed to use the names of potential respondents. As described in Chapter 1, we recognized we had to distinguish between three trade union levels:

- ▶ unions operating at the level of (sub)sector, company, or public organization;
- ▶ unions operating as (con)federations at national level; and
- ▶ unions operating at national level but not as (con)federations.

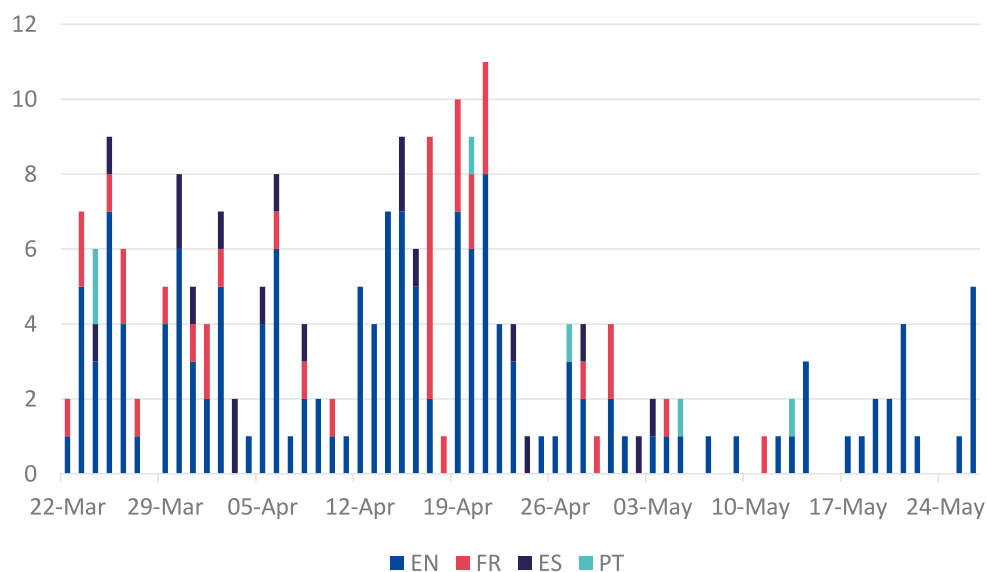
The search for trade union (email) addresses turned out to be an intensive activity. The data available to us from ILO ACTRAV had to be supplemented with the address data of affiliates of the International Trade Union Confederation (ITUC) and the main global union federations (GUFs): IndustriALL, IUF, ITF, and PSI/EPSU. To these we added address data that had been gathered in earlier WIBAR-2 and WIBAR-3 research projects undertaken by the University of Amsterdam in cooperation with the WageIndicator Foundation (WIF) plus other address data gathered by the WIF. Ultimately, after cleaning for “bounced back” emails and inconsistencies, we were able to build a database of 1,292 functioning union email addresses covering 170 countries.

In the meantime, together with members of the WIF staff, we developed a questionnaire to be used through the web, available in four languages: English, French, Spanish and Portuguese. It was estimated that completion would take around 15 minutes. Respondents also were given the option of using their own language when responding. After five preliminary questions to identify the role of the respondent, the questionnaire contained 27 main questions: 15 questions for trade union respondents active at the level of (sub) sector, company, or public organization, and 12 questions for those active at national level. As usual, the questions were tested for consistency. WIF staff members prepared and tested the web links to be used through the invitation emails. Similar to the questionnaire, these invitations were formulated and circulated in the four languages just mentioned, containing links to the survey in the respective languages.

Between 21 and 31 March 2021, invitations to complete the web survey were sent out to some 1,250 addresses. Initially, the deadline was set at 11 April. On 2 and 7 April, we circulated another 250 invitations, in which 14 April was set as the deadline for responses. Overall, slightly over 200 email messages bounced back. We undertook two rounds of reminders: between 11 and 14 April, with 21 April as the deadline and on 29 April, mentioning 3 May as the deadline. It should be noted here that the responses were grouped into four regions: Africa, the Americas, Asia and the Pacific (including the Arab States), and Europe. In early May, in consultation with ILO ACTRAV, we concluded that the response from the Americas lagged behind the other three groupings; thus, on 13 May ACTRAV sent out a reminder to contacts in this region, mentioning 26 May as the deadline. We also used 26 May as the final deadline.

Figure A1.1 presents an overview of the timeline of the daily response by language. It can be seen that the last two reminders were not particularly effective.

Figure A1.1. Daily responses to the EXCOL survey



The overall survey response as registered by 26 May ended up at 213, or 16.5 per cent of 1,292 invitations. Below, we present tables in which we compare the responses with the number of invitations sent, by region, trade union levels, and languages used.

Table A1.1 contains a breakdown of responses and invitations by region and numbers of countries involved. It shows that trade unions from 96 countries responded, or 56 per cent of the 170 countries covered by our invitations. Europe leads with 70 per cent country coverage, followed by Africa (65 per cent) and Asia and Pacific (50 per cent), while with 37 per cent the Americas lagged behind in terms of overall responses.

Table A1.1. Invitations and responses, by number of countries and by region

		Africa	Americas	Asia & Pacific	Europe	Total
Number of countries	Response	33	14	19	30	96
Number of countries	Invitations	51	38	38	43	170
Number of countries - %	Resp./Invitat.	65%	37%	50%	70%	56%

Table A1.2 details the response by region and trade union levels. It shows that 62 responses, or 29 per cent, stemmed from unions operating at the level of (sub)sector, company, or public organization; 74 from unions operating at national level not being (con)federations (35 per cent), and 77 from (con)federations at national level (36 per cent). The answers from the first category are analysed in Chapter 2; those of the two latter categories, jointly 151 responses, are the subject of Chapter 3.

Table A1.2. Responses, by trade union level and by region

	Africa	Americas	Asia & Pacific	Europe	Total	%
1. Level: (sub)sector, company, public organization	9	14	11	28	62	29
2. National level – no confederation	21	16	14	23	74	35
3. National level – confederation	28	9	11	29	77	36
Total	58	39	36	80	213	100
%	27%	18%	17%	38%	100%	

Table A1.3 shows the trade union/regional division in greater detail, whereas figure A1.2 provides a simplified overview. The table shows that the confederations at national level reached a response rate of 21 per cent, while the joint rate for the union level of (sub) sector, company and public organization and for other union organizations operating at national level (not confederations) was 15 per cent. Notable here were the response rates for confederations in Europe (32 per cent) and Africa (27 per cent).

We should also add that the response rate for confederations from the Arab States was also considerable, with 25 per cent, in contrast to the joint rate as described above (6 per cent) we found for these States.

Table A1.3. Invitations and responses, by trade union level and by region

		Africa	Americas	Asia & Pacific	Europe	Total
1. Level: (sub)sector, company, public organization	Response	9	14	11	28	62
2. National level – no confederation	Response	21	16	14	23	74
Subtotal levels 1 and 2	Response	30	30	25	51	136
Subtotal levels 1 and 2	Invitations	232	187	227	286	932
Subtotal levels 1 and 2 - %	Resp./Invitat.	13%	16%	11%	18%	15%
3. National level – confederation	Response	28	9	11	29	77
Subtotal level 3	Invitations	104	93	72	91	360
Subtotal level 3 - %	Resp./Invitat.	27%	10%	15%	32%	21%
Total	Response	58	39	36	80	213
Total	Invitations	336	280	299	377	1 292
Total - %	Resp./Invitat.	17%	14%	12%	21%	16.5%

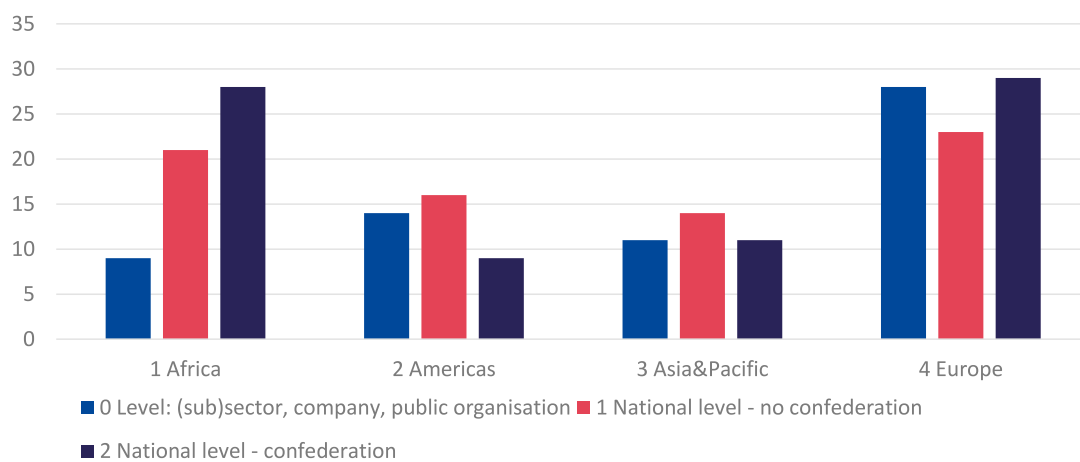
Figure A1.2. Responses, by trade union level and by region

Table A1.4 shows an overview of the response by survey language and region. Clearly, the use of English was dominant, though this outcome is somewhat biased due to the 14 responses we received in the national languages that were then translated into English. If we subtract these responses, English was used in 65 per cent of all cases, French in 16, Spanish in 9, and Portuguese in 3 per cent of cases.

Table A1.4. Responses, by language and by region

	Africa	Americas	Asia&Pacific	Europe	Total	%
English	26	21	36	70	153	72
French	29	0	0	6	35	16
Portuguese	3	2	0	1	6	3
Spanish	0	16	0	3	19	9
Total	58	39	36	80	213	100
%	27%	18%	17%	38%	100%	
Of which national language	0	0	1	13	14	

Note: N=213.

Table A1.5 details the functions of the respondents in their union organizations. The table shows the noteworthy level of seniority (and, by implication, experience) of the respondents: around half (46 per cent) of all respondents were at the President or General Secretary level whilst a quarter described themselves as either negotiators or bargaining experts. It should also be noted that 26 per cent of the respondents were female: 34 per cent in Europe, 26 per cent in Africa, 25 per cent in Asia and the Pacific, but only 10 per cent in the Americas.

We think it safe to say that with this level of response the survey results provide a reliable indication of the impact COVID has been having on bargaining activity and outcomes in those countries of the world where collective bargaining is an accepted practice. We have to express some reservations, though, with regard to the position of collective bargaining in the United States, because of the absence of responses to our survey. In Appendix 6 we have tried to overcome this to some extent through a review of the contents of websites on which main US union organizations have published their policies and problems regarding the pandemic.

Table A1.5. Function of respondent in the organization

	Frequency	%
1 President/Vice president	42	19.7
2 General/National Secretary	56	26.3
3 Legal officer	7	3.3
4 Regional Officer	13	6.1
5 International officer	21	9.9
6 CB Negotiator	16	7.5
7 Expert	38	17.8
8 Communication officer	6	2.8
9 Other	14	6.6
Total	213	100.0

APPENDIX 2

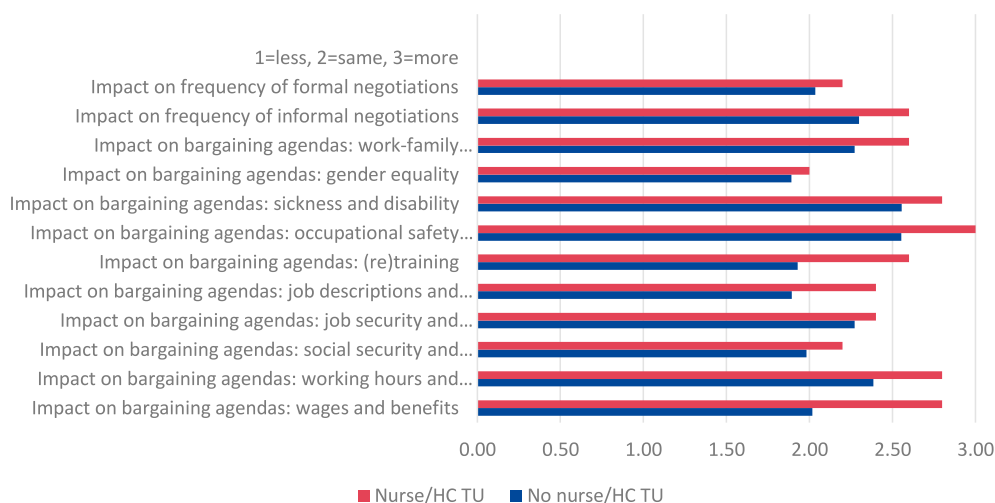
Impact of the COVID-19 pandemic on healthcare and seafarers' unions

Nurses and healthcare unions

The onset of the COVID-19 pandemic had huge consequences for workers in hospitals and healthcare generally. Thus, it is no real surprise that collective bargaining in the sector soon reflected the intensity of the unprecedented extra efforts that were called for and the extent of the organizational adaptations that were required to deal with successive waves of the pandemic. If we compare the rating of typical bargaining priorities, one can see (top two rows of figure A2.1) that nurses' and healthcare unions as a group indicated that the pandemic had a more significant effect on bargaining frequency compared to the other unions. With regard to the frequency of formal negotiations (1=less, 2=same and 3=more), for example, the nurses' and healthcare unions' mean score of 2.30 as a group was considerably higher than the mean score of 2.04 for the other unions as a group. The same was true of the impact of the pandemic on the frequency of informal negotiations, with the nurses' and healthcare unions posting a mean score of 2.60 whilst the other unions scored a mean of 2.32.

The outcomes on the next 10 rows of figure A2.1 compare the information for the nurses' and healthcare unions with that for all other unions responding on the items on the bargaining agendas, as covered in the main text by table 7 and figure 1. The consistently higher outcomes for the nurses' and healthcare unions are already visible at a glance. The largest differences are those on wages and benefits (means 2.80 against 2.02), (re)training (2.60 vs 1.93) and job descriptions and job classification systems (2.40 vs 1.89); the smallest those on job security and employment guarantees (2.40 vs 2.27), gender equality (2.00 vs 1.89), and social security and pensions (2.20 vs 1.98).

Figure A2.1. Impact of the pandemic on collective bargaining frequency and items, nurses' and healthcare unions compared with other unions, mean values



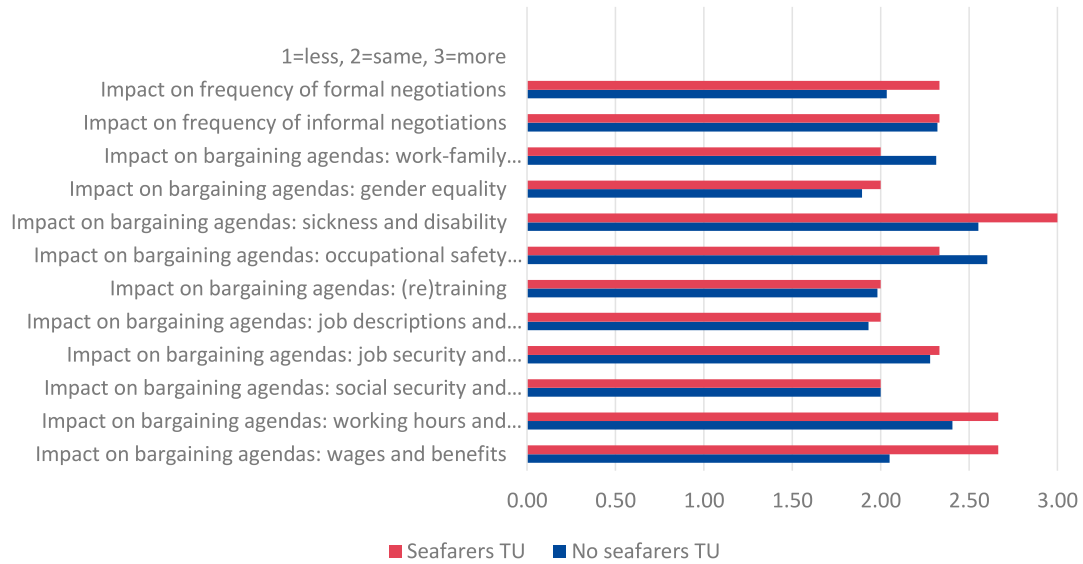
Seafarers' unions

Seafarers as a major occupational group have made massive sacrifices throughout the pandemic. Due to travel restrictions and COVID outbreaks particularly on passenger vessels, large numbers of seafarers were stuck on board ships for many months, and were unable to sign off after long tours of duty to go home. Among them were many in need of immediate medical care ashore. Numerous others were prevented from returning to their ships, with dire implications for their earnings. All the seafarers' unions responding to our survey pointed to the lack of international procedures and tools for solving such logistic nightmares, including international vaccination programmes for seafarers. In line with these new realities they have had to cope with, seafarers' unions as a group indicated that the pandemic had had a bigger impact on bargaining frequency, and bargaining agendas than was the case for other union groupings, as shown in figure A2.2.

The first two lines compare respective outcomes as regards the frequency of formal negotiations, (shown in the main text in table 1) as well as those of informal negotiations (as shown in table 2). With a mean of 2.33 for the frequency of formal negotiations, the seafarers' unions score was considerably higher than the mean of 2.03 other unions attained. The differences for the frequency of informal negotiations, however, were minimal: once more 2.33 for the seafarers' unions, against 2.32 for all other unions.

The next 10 rows of figure A2.2 show how the outcomes for the seafarers' unions compare with those for all unions when considering specific items on the bargaining agendas, as indicated in the main text in table 7. Figure A2.2 reveals that the impact of the pandemic was larger for the seafarers' unions on seven items, the largest being the differences for wages and benefits (means 2.67 against 2.05), sickness and disability (3.00 vs 2.55), and working hours and leave/holidays (2.67 vs 2.41), with small differences for four other items; one item had the same result (social security and pensions, both 2.00). Interestingly, the two items that appeared to have had less impact for the seafarers' unions, namely: occupational safety and health (2.33 vs 2.60) and work-family arrangements (2.00 vs 2.32) were rather counter to expectation. Given the problems many seafarers experienced with repatriation at the end of voyages during the pandemic, we might have expected work and family arrangements to have posted a higher mean score.

Figure A2.2. Impact of the pandemic on collective bargaining frequency and items, seafarers’ unions compared with other unions, mean values



The experience of Nautilus International

Reflecting the global nature of the industry, Nautilus International was set up as a trans-boundary trade union for officers and professionals operating at sea and ashore, and in all sectors of the global maritime industry. Currently it has over 20,000 members drawn in the main from the Netherlands, Switzerland and the United Kingdom. Nautilus differs from other international union bodies such as the global union federations (GUFs), by virtue of the fact that it functions as a conventional trade union using collective bargaining to reach agreements with shipping and maritime service companies. It also offers its members individual support that ranges from representation in grievance and disciplinary cases to guidance on professional training. It differs from a typical seafarers’ union in that its membership base transcends national boundaries.

Our interview with a senior Nautilus official who had direct negotiating experience during the pandemic revealed the incidence of collective bargaining for most of the industry had been unaffected by the pandemic. The notable exception was the cruise sector which suffered an almost total collapse in demand during the first year of the pandemic. Here, collective bargaining was in effect suspended. Elsewhere in the maritime sector most negotiations leading up to the signing of a new agreement had moved to online platforms. This had evidently not proved to be much of a constraint. Our interviewee evidenced this with the fact that the union had signed more collective labour agreements (CLAs) in 2020 than in any previous year. Moreover, some recent CLAs in the offshore energy supply sector had been negotiated and signed without any direct face-to-face contact between the parties at any stage of the process.

The first year of the pandemic also saw a big increase in the union's membership (up by 10 per cent) as individuals reacted to COVID-related uncertainty. Moving everything to screen-based platforms had latterly increased participation and activism, with a much bigger involvement of members in the technical forums the union was running remotely. Similarly, conference and council meetings had been massively oversubscribed since going online, suggesting that the future for such involvement will be more of a blend of in-person and online activity. In this regard, it should be noted that the cost savings the union had made as a result of the shift to online meetings were said to be considerable.

The union had identified three potential problem areas at the start of the pandemic:

- ▶ members getting stuck on cruise liners (amongst the first workplaces to be badly hit by the spread of COVID-19);
- ▶ employers using the pandemic as a pretext to either avoid any uplift in terms and conditions of employment or, worse still, to try and ratchet them down; and
- ▶ redundancies coming through as a result of ship lay-ups as the demand for shipping fell away.

There has been evidence of the first two fears and the third has latterly started to filter through and seems likely to increase as furlough schemes unwind. North Sea supply companies had tried to cut back using the pandemic as an excuse. More recently, the union was in dispute with a ferry company which in effect had tried to bring a vessel back into operation on a key route using fire and re-hire tactics. Needless to say, Nautilus was strongly resisting such tactics.

Social dialogue

Given the crucial input the maritime industry makes to the functioning of the global economic system on the one hand, and the risks and dangers that a highly infectious virus posed to an equally highly mobile workforce on the other, the need for an informed social dialogue between all the key parties was very much a priority. So too, was a flow of reliable information and guidance. Right from the arrival of the pandemic in the United Kingdom, Nautilus officials had been actively involved in an almost daily dialogue with two tripartite groups set up by the UK Department of Transport. The first was a transport steering group set up to oversee the United Kingdom's strategic response to the pandemic, whilst the second was a working group aimed at finding practical solutions to the immediate problems the pandemic was creating for the transport sector. Nautilus senior officials were also involved in the social dialogues set up by the International Maritime Organization (IMO) and the ILO.

Inevitably, given the unprecedented nature of the pandemic together with the velocity with which the virus was spreading, information and advice in the early stages of the pandemic lacked the precision and clarity that was needed. Where social dialogue did succeed was


in providing a reliable indication of the stresses and strains the pandemic was causing for the various transport workforces and their daily working practices. The practice of a screen-based social dialogue was not without its problems and frustrations, though. Where more than 50 participants were involved, some “grandstanding” took place as individuals aired, at great length, their specific grievances. In the early days, such actions appeared to have advanced the needs of the aviation sector to the top of the government’s priority list. Plainly, the importance of being able to chair or direct such meetings to ensure an even-handed dialogue is a consideration that has perhaps been overlooked. Should screen-based dialogue become a regular feature of social dialogue in the future (as seems likely given the cost savings and relative ease of organization), the need to ensure that this important skill set is available ought to be a priority for those involved.

Building forward better

As the risks posed by COVID-19 begin to recede, Nautilus expects the demand for shipping services to pick up and in most sectors to return to pre-pandemic levels. The exception is the cruise sector where passenger confidence remains very low. The majority of Nautilus members employed by the major cruise companies had been protected by furlough schemes although, as these began to unwind, the possibility of redundancies could not be ruled out. However, it was the ordinary seafarers working in the cruise sector (predominantly Filipino and Indonesian) who had suffered most. Many had simply been laid off at the start of the pandemic with very little by way of compensation. Equally, their chances of finding alternative shipboard employment were poor whilst there was depressed activity in the sector and so many unemployed seafarers were simultaneously looking for work. In effect, the pandemic has ruthlessly exposed the differentials in employment security and terms and conditions that have characterized the working lives of ordinary seafarers compared to their professional colleagues.

APPENDIX 3

Case study: British Medical Association (BMA)

 We received a tidal wave of guidance and instruction nationally. We reviewed and made sense of it all, climbing an incredibly steep learning curve in the process. We all adopted new working practices, grappled with technology, arranged local redeployments, learned a whole new COVID-19 language – and all this, whilst also adapting to a new normal at home; supporting family members, keeping children occupied and worrying about older relatives who we couldn't see. This applied to us as TU officials and our members.

► BMA Industrial Relations Manager, April 2021

Background

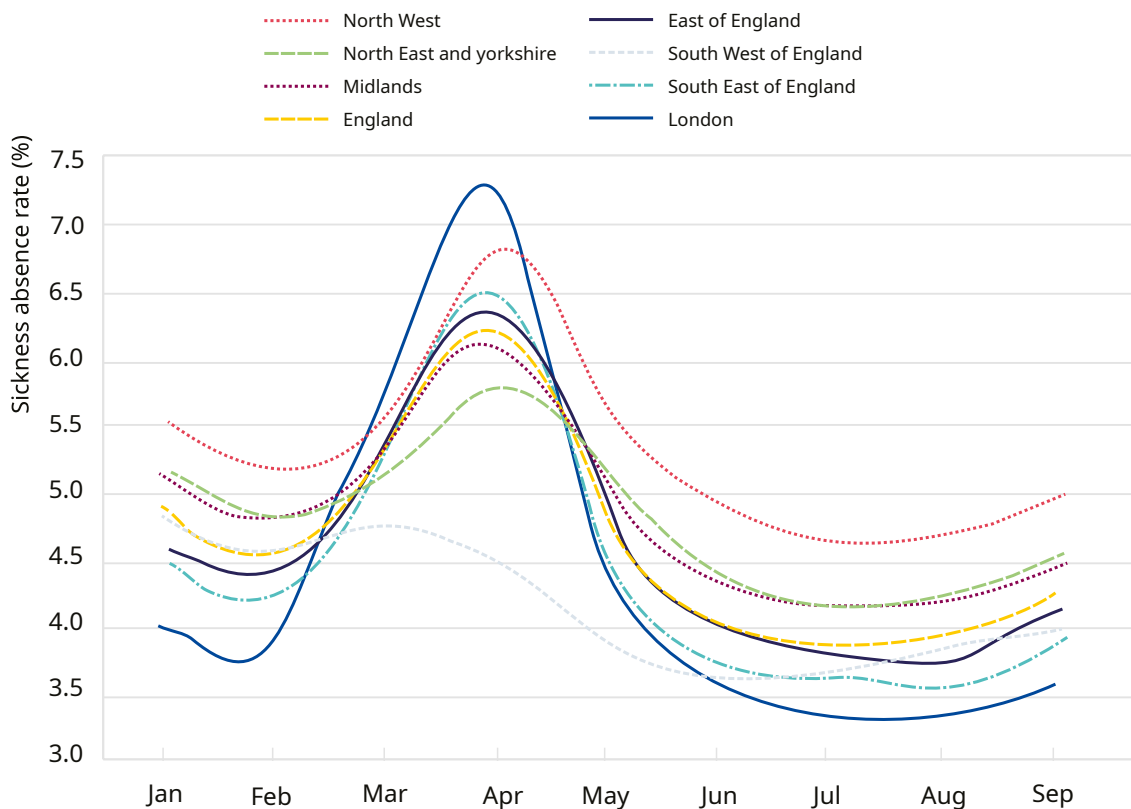
In the United Kingdom, the BMA is commonly referred to as the “doctors’ trade union”. As such it has been at the forefront of looking after its members as the rapid spread of the COVID-19 virus in the country put the National Health Service (NHS) under intense and increasing pressure. It is worth noting that the NHS, prior to the outbreak of COVID, had for more than a decade experienced major organizational change and economic pressures that had caused persistent staff shortages throughout the medical profession. Brexit has latterly added a further dimension to this problem as many EU nationals, hitherto employed in a range of medical occupations in the NHS, have returned to their countries of origin. At the same time, increasing privatization of parts of the NHS has been a characteristic of the last decade, and has provided a complicating and controversial factor that reportedly has impacted upon morale and staff turnover. In short, the NHS, insofar as its workforce is concerned, was already struggling to deal with staff shortages well before the COVID pandemic arrived.

The impact of the pandemic on sickness absence is shown in figures A3.1 and A3.2, which respectively show general sickness absence rates by English regions of the NHS in 2020 and the specific sickness absence by occupational grouping, again in the English regions of the NHS, comparing April 2019 with April 2020. We should point out that in England the NHS is administered in eight distinct regions, one of which is London – reflecting both the population size of the capital and its general significance (the administration of the NHS in Scotland and Wales is a devolved responsibility carried out respectively by the Scottish Parliament and the Welsh Assembly). The impact of COVID-19 on rates of sickness absence is readily apparent in all the English regions, some of which saw absences virtually double between February and April of 2020 as the first wave of the pandemic took hold (figure A3.1). The South West region was the notable exception here due to lower rates of infection there during the first wave of the pandemic. However, it is equally worth noting that these

lower rates of sickness absence in the South West did not hold up in the second wave of the pandemic; after June 2020 the rising sickness absence trend in the region appears to have been much closer to the general experience of the other regions in the second wave.

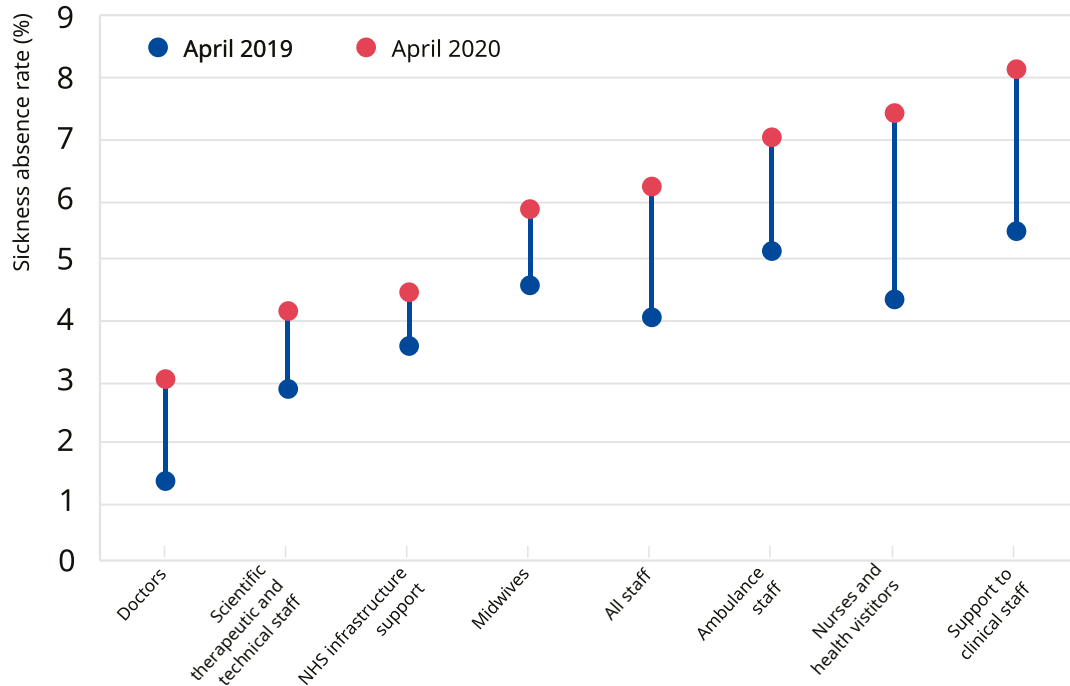
Figure A3.2 shows that, at the height of the first wave, across the NHS in the English regions occupational groupings experienced significantly higher levels of sickness absence than they had one year previously. Nurses and health visitors were particularly badly hit, with April 2020 absence rates rising from just over 4 per cent to around 7.5 per cent. Doctors were seemingly the least affected, as measured by sickness absence, but even here their reported April rate jumped from less than 1.5 to 3 per cent between 2019 and 2020.

Figure A3.1 Sickness absence in NHS English regions, 2020



Source: Appleby 2021.

Figure A3.2. Sickness absence in NHS England, by occupational group, April 2019 and April 2020



Source: Appleby 2021.

What follows is taken from a structured interview on 4 March 2021 with a BMA Industrial Relations Manager who has throughout the pandemic been an active local negotiator with two NHS trusts in the North of England.

The impact on collective bargaining

The pandemic did not impact on the frequency of formal pay negotiations for much of the NHS because of the way in which collective bargaining has been circumvented since the setting up of the Doctors and Dentists Pay Review Body in 1971. This government-appointed body takes submissions from the appropriate health trade unions and the NHS employer’s organization in the United Kingdom and thereafter provides guidance to the government of the day on the level of any uplifts in pay and conditions it deems to be appropriate. The Government is not legally bound to accept these recommendations but normally has done so. Junior doctors in 2020 were covered by a four-year agreement which still had a year to run, although it is important to note that the contractual arrangements for established doctors were undergoing a major overhaul during 2020. That apart, it was the rapid changes in work organization at hospital level that really boosted the frequency of negotiations and social dialogue at both local and national level as the BMA sought to ensure that their members’ health and well-being were not being compromised and that the efforts and flexibility of frontline medical staff were properly recognized.

The first wave of the COVID pandemic generated an urgent need to reorganize hospital facilities in order to cope with the growing number of patients admitted with COVID symptoms. Initially this required a rapid ramping up of intensive care facilities. Doctors and other medical professionals inevitably found themselves working long hours as COVID patient numbers surged. To boost their numbers and expand hospital facilities, recently retired doctors were encouraged to return on short-term contracts and the BMA negotiated an enhanced death benefit payment for retirees. In addition, many current staff were switched from other clinical specialities to support their colleagues in COVID-intensive care (IC) units. Despite the additional staff, considerable amounts of overtime continued to be worked by medical staff during the first and second waves of the pandemic. The BMA was obliged to negotiate overtime pay rates at local level, as NHS England (the “employer”) refused to engage in such activity at national level. It also negotiated rates of pay for both retirees coming back to help out and final year student doctors who were also pressed into action during the first wave

Ironically, given the Brexit timetable, the BMA invoked the European Working Time Directive (still in force during the transition period that ended on 31 December 2020) to ensure the application of appropriate rest periods. Early negotiations (outside of the normal cycle of national pay negotiations) also agreed that holiday provision not taken up would be compensated by extra pay and/or the carry-over of additional holiday leave entitlement.

A considerable amount of local and national negotiation and social dialogue was aimed at addressing shortfalls in the supply of personal protective equipment (PPE), which proved to be very problematic in the first months and continued to raise issues throughout the later period of the pandemic. For example, even as late as March 2021 the supply of high-grade masks to frontline staff remained a concern. It is plain that the mixed messages about PPE that characterized official communications during the early period of the pandemic were not at all helpful in terms of providing clear guidance or in helping to resolve the supply problems.

Throughout the pandemic, face-to-face negotiations and dialogue were replaced by remote, screen-based meetings. According to our interviewee this brought significant benefits: no travel time and meetings that were better focused with little or no small talk and other “social” distractions. The downside was a tendency to try to fit too many such meetings into the working day.

Bargaining agendas

To a great extent, bargaining agendas and priorities reflected the exigencies of the time and changed as experience of the pandemic unfolded. The initial need to increase staffing levels was soon bolstered by the further pressures that arose as frontline staff succumbed to COVID or were deemed to be vulnerable and obliged to shield at home. The BMA negotiated

risk health assessments for all staff who returned to work following sickness absence or shielding. Similarly, death benefits and continuous full pay for those falling sick were negotiated as special COVID leave, particularly pertinent for those without much service. It is worth noting that currently there is a question mark over whether or not full pay will be extended to those off sick with “long” COVID. Latterly too, the BMA has been in exploratory talks concerning the contracts that some salaried and locum GPs (general practitioners) have accepted for work in clinical assessment centres, giving vaccinations or staffing 111 “COVID” phone lines. Seemingly, such temporary work has been assigned using zero hours contracts issued by the South Coast Ambulance Service, the complication here being that this particular employer body does not formally recognize the BMA.

Although annual increases in pay for junior doctors were covered by the ongoing four-year agreement, the annual clinical excellence awards – in effect an incentive scheme that rewards outstanding consultants – were converted at the BMA’s behest to become a flat award paid to all consultants.

The impact of the organizational changes on the deployment and training of junior doctors was profound. The normal training rotation of junior doctors through a range of hospital specialities was disrupted as resources were focused on COVID patients at the expense of other specialities. In the meantime, examinations scheduled to be taken by junior doctors were cancelled. Discussions about the appropriate ways and means to restore the training routines and career progression of junior doctors are currently paused awaiting proposals from Health Education England (HEE).

The supporting professional activities (SPA) time that consultants/SAS doctors normally get, to keep up with changes in medicine and deal with the process of revalidation and appraisals, was an early casualty of the demands on staff time imposed by COVID. The BMA has negotiated the restoration of this SPA time and are seeking to have it back-dated to cover what has been lost.

Information flows

Given the urgency of the situation and the fact that most medical teams in hospitals in the United Kingdom had had very little experience of a virus like COVID-19, there was a clear need for efficient information flows to inform both the clinical and organizational response to the pandemic. In the first weeks of the pandemic these crucial flows of information were hampered by the timing and confusion that surrounded decision-making by central government. Thereafter, at trust level, social dialogue with the BMA increased significantly as the urgency of the situation became clear.

Vaccination and employment

The BMA (at the time of our interview) was not in favour of COVID vaccination status being used as a precondition for either employment or re-employment. It took the view that since there seems to be no hard evidence that the vaccination prevents the potential transmission of the virus, there is little point in making it a condition of employment.

Lessons learned: Building forward better

The principal message here was the need to ensure that the NHS as a whole reflects and learns the key clinical and organizational lessons, in particular how to deal with the physical and emotional effects upon staff. Of relevance here is the lingering effect of Brexit on the supply of key medical and nursing staff.

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APPENDIX 4

Case Study: Republic of Korea


Background

In this case study we attempt to trace the links between the problems raised by the spread of the COVID-19 virus in the Republic of Korea and subsequent developments in the country's industrial relations and collective bargaining experiences. In this, we mainly build on the survey responses received from four trade unions. The first three, namely, the Korean Health and Medical Workers Union (KHMU), the Korean Metal Workers' Union (KMWU) and the Korean Public Service and Transport Workers Union (KPTU) were all included in our main analysis. The fourth union, the Korea Financial Industry Union (KFIU) responded after the survey deadline so was excluded from that analysis. All four unions are affiliated with the Korean Confederation of Trade Unions (KCTU), one of the two national union centres, the other being the Federation of Korean Trade Unions (FKTU). The centres, whilst reporting roughly similar membership sizes, nevertheless exhibit quite different characteristics in that the KCTU emphasizes militancy and union independence whereas the FKTU stresses moderate bargaining strategies and partnerships with business (for more details, including union histories, see Van Klaveren and Kim 2015, 62–64).

The initial national response

Located at a rather short distance from the Chinese trade centres of Shanghai and Qingdao, the Republic of Korea was, after China, the next country to be hit by COVID-19. At an early stage, by late February 2020, again after China, it was the nation with the highest count of new COVID-19 infections. The initial reactions of both the Korean Government and the country's social partners were rapid and resolute. To enhance the Government's response, the Korean parliament passed a set of bills amending three existing acts, which the country's president promulgated on 4 March 2020, laying the legal foundations for a comprehensive border quarantine system, an aggressive pursuit of infections and the prevention of shortages of goods for medical use. At the same time, the Government announced a massive fiscal stimulus package for businesses worth US\$228 billion, some 14 per cent of the Korean gross domestic product (GDP).

A few days later, on 6 March 2020, a tripartite national agreement was signed, mainly implying further obligations for the authorities:

 **The government pushes the infrastructure for public or national healthcare and expands the health workforce to cope with COVID-19 pandemic. (...) The government develops measures to improve and supplement the Employment Retention Subsidy and shortens the time taken to apply for and receive payment from the subsidy program.**


▶ [Korea Financial Industry Union](#)

While one KCTU affiliate regarded this national agreement as a clear sign of tripartism,


 **Yes, social dialogue at the national level (at the Economic, Social and Labour Council) to cooperate between trade unions and employers and the governments to fight against COVID-19 and to keep jobs through a joint agreement.**

▶ [Korean Metal Workers Union](#)


two other answers revealed some background that put a different slant on this view:

 **Our national centre decided not to participate in the tripartite social dialogue (...) due to lack of consultation and sincerity from both the government and employer representatives.**

▶ [Korean Public Service and Transport Workers' Union](#)

 **KCTU, as the more militant confederation, was absent from the tripartite agreement on tackling COVID-19 despite its leader's initial suggestion to have a tripartite response because this leader failed to persuade its membership to join the tripartite dialogue,**


while recognizing here a classical example of free-ridership:

 **However, KCTU's affiliated union branches or enterprise unions enjoyed the benefits of the tripartite agreement and the government support programmes and schemes.**

▶ [Korea Financial Industry Union](#)


Bargaining at union level

Contacts and negotiations with employers at union level intensified during the first wave of the pandemic in March–April 2020. Two of the four unions, the Health and Medical Workers Union and the Financial Industry Union, provided details when asked what difference the onset of the COVID pandemic had made to the frequency of both formal and informal negotiations. The other two unions just answered “more”. Combining various answers, it is reasonable to conclude that amongst the officials of the Health and Medical Workers Union, the national agreement was regarded as a stimulus for greater engagement in negotiations at lower levels:

 **More – more frequent contacts and consultations with government officials and employers – frequent informal meetings with officials from the Health and Welfare Department, following the emergencies such as spread of COVID-19 and hospitalization of serious COVID-infected patients.**


▶ [Korean Health and Medical Workers Union](#)

This is hardly a surprise, given that the members of this union would have been amongst the first to have felt the impact of the pandemic at their workplace, both in terms of contact with COVID-19 patients and also through the intensifying pressure on their working patterns. By contrast, the bargaining frequency increase noted by the Financial Industry Union was perhaps less easy to anticipate:

 **More – collective bargaining and consultations each week at the working level and once a week or every other week at national level (...) financial support for enterprises and financial emergency lending schemes that were made available by national financial authorities in April–June 2020 added more work to the normal operations of banks and other financial institutions (...) so many tiny or small business owners were lining up with many local branches, had to work much longer hours despite the risk of being infected by COVID-19 possibly coming from much more frequent contacts with their customers.**

▶ [Korea Financial Industry Union](#)

In consequence, this union emphasized the value of informal contacts:


 **(...) through informal contacts and consultations a declaration together with employers had to be hammered out on how to protect employees and customers from COVID-19 and how to support businesses in the economic crisis (...) Another declaration by five parties (the union, employers, Financial Services Commission, Financial Supervisory Service, and Economic, Social and Labour Council) was drawn up in April 2020**

(...) included a commitment that both employers and employees in the finance industry would (1) do their best to process packages stabilizing corporate finance as quickly as possible; (2) allow special overtime exceeding current labour law provisions and probably flexible working, and (3) temporarily suspend or simplify assessment of management performance.

▶ Korea Financial Industry Union


Healthcare

Initially, the KCTU's healthcare union's assessment of the COVID-19-related social dialogue was highly positive:

 Many labour and safety issues of workers are closely related not just to employers but also to the government and working and having dialogues with employers and government officials has been very effective in sharing information and right policy making as well as inducing measures needed for tackling COVID-19 and thereby protecting healthcare workers.


▶ Korean Health and Medical Workers Union

This union in particular appreciated the digital communication infrastructure they had put in place themselves:

 Very effective in avoiding the spread of COVID-19 and cost- and time-saving as well. The national union and its regional offices have set up good facilities for zoom meetings and various union meetings took place via zoom facilities (...) Yes, the network for disseminating and sharing information set up at nearly all levels has been quick and effective.

▶ Korean Health and Medical Workers Union


Moreover, the union obviously took initiatives:


 The Health and Medical Workers' Union has written the guideline for preventive measures for healthcare workers and negotiated with employers (hospitals)


although they had to recognize:

 (...) this attempt was only partially successful.

When taking a broader view of developments, in 2021 the response of the union under scrutiny was clearly less optimistic and more defensive. As the next three citations show, the standard caveat “partially” was invoked when assessing outcomes. Moreover, the third citation suggests that cost considerations from the side of the (private) employers had explicitly entered negotiations:

 **The union has asked the government and employers to give paid leave to healthcare workers who have become exhausted during longer than year-long intensive work and to increase the number of healthcare workers in hospitals dedicated to treatment and hospitalization of COVID-19 patients, which was partially accepted by the government and relevant hospitals.**

 **(...) emotional labour and night work that female healthcare workers have to endure especially during the COVID-19 crisis – special measures have been asked for by the union and partially met by employers (hospitals).**

 **Some less costly provisions of the guideline for preventive measures were accepted and realized but other more costly provisions were not accepted.**

▶ [Korean Health and Medical Workers Union](#)

These more cautious assessments from the healthcare union cannot be disconnected from the recurrent waves of COVID-19 that the Republic of Korea has had to deal with, or from the overall situation in the country's healthcare, notably in the hospital sector. In spite of the early successes, in August 2020 new COVID-19 outbreaks were noted in the capital, Seoul, foreshadowing a second wave. The head of the Korea Centers for Disease Control (KCDC) even stated that the Republic of Korea's first wave had never really ended. Subsequently a third wave of the pandemic reached its peak in December 2020, again hitting in particular the greater Seoul area. Under these conditions the rather poor state of the nation's healthcare has been a major factor with which healthcare unionists had to cope. OECD reports and figures for the Republic of Korea depict a highly privatized hospital sector, with 90 per cent of beds in private hospitals; large shortages of nurses, with an already low nurse density (in 2019 ranking no. 28 of 34 OECD countries), and – reflecting the general features of the Korean labour market – a preponderance of nurses with long working hours and significant numbers of nurses employed on temporary contracts. Against this backdrop, it can be seen that female healthcare workers in particular are likely to have carried a disproportionate share of the burden of emotional labour so characteristic of frontline healthcare. That this has been maintained over a long period of time for many nurses, with only quite limited financial compensation, makes a compelling case for collective bargaining to redress this imbalance.

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APPENDIX 5

Case Study: Hotel workers in Uganda


Background

The Government of Uganda was quick to react to the threat of the COVID-19 virus. At the end of March 2020, the country registered the first case of COVID-19 and shortly afterwards restrictions were imposed on travel that included the closure of the international airport at Entebbe and all borders to passenger travel. Following WHO (World Health Organization) advice, better hygiene was encouraged as was social distancing. Schools were shut down, public gatherings prohibited and employees, except those delivering essential services, were encouraged to work from home. The impact of these measures was to limit the impact of the pandemic such that by the end of January 2021, some 39,600 virus cases had been recorded along with 320 deaths.

Whilst the measures taken by the Ugandan Government were seemingly effective in reducing the impact of the COVID-19 virus on the population of Uganda, the effects they had on the economy and the environment were severe and a cause of great concern. As the World Bank has noted:

 **The pandemic has slowed economic activity. Real gross domestic product (GDP) growth fell to 2.9% in 2020 from 6.8% in 2019 as major trade partners faced a recession, travel restrictions choked the tourism industry, and the sharp decline in world oil prices stifled foreign direct investment inflows.**

Some of the unforeseen consequences of this were set out in June 2021 by the Bank's senior manager in Uganda:

 **Following the job losses and closure of small businesses, many people returned to agriculture and other natural resources dependent activities to manage and survive the crisis. This further strains natural resources, which were already under pressure from rapid population growth, urbanization, a refugee influx and the country's drive for industrialization.**

▶ [Tony Thompson, World Bank Country Manager for Uganda](#)

The closure of the country's borders effectively stopped the flow of tourists into Uganda, thereby severely constraining the operation of the hotel and hospitality sector which normally plays a significant role in an economy heavily reliant on the service sector.

The response of the hotel workers' trade union

The Uganda Hotels, Food, Tourism, Supermarkets and Allied Workers union (HTS) reported that in the first four months of the pandemic around 80 per cent of hotels in Uganda were virtually closed. This improved from August 2020 when tourism, to an extent at least, began to recover. However, with a continued limitation on flights into Uganda, hotels were operating at between 20 and 50 per cent of capacity. Moreover, the operation of a 9 p.m. curfew both constrained business recovery and also added a further complication for workers in the sector travelling back home at the end of their working day. This compelled employers to either provide accommodation for some employees or to deploy only those who could work within the operational curfew limitations.

During the first wave of the pandemic the union reported that the renewal of around 150 collective labour agreements (CLAs) operating in the sector was suspended. In their place, the union agreed temporary memorandums of understanding (MoU) that recognized the exigencies the pandemic had created. By the end of 2020, HTS had negotiated and signed 57 MoUs/CLAs with a number of hotels to mitigate the effects of COVID-19 in the workplace. One such MoU, agreed in June 2020 between HTS and the Speke group of hotels, acknowledged that the COVID pandemic:



(...) has led to severe economic crisis worldwide and especially in the hotel and tourism sector (...) which has taken a severe economic hit and loss of business due to several restrictions and directives of HE the President of Uganda, like but not limited to:

- 1. imposition of curfew and lockdown effected from 1 April onwards and still continuing;**
- 2. cancellation of all inbound and outbound flights from Uganda and closure of all entry/exit borders including land and sea;**
- 3. restrictions on gatherings of not more than 10 for weddings and other functions;**
- 4. continual closure of bars, health clubs and swimming pools;**
- 5. restrictive measures on the movement of private cars, taxis and Boda-Bodas which are yet to be permitted to operate."**

As a result of these factors the group was forced to take:



(...) mitigating measures in order to survive and secure itself from possible insolvency whilst taking all possible steps to protect the interests of its employees."

As the restrictions eased, union negotiators turned their attention to engaging with employers to agree temporary measures to mitigate the workplace risks and dangers posed

by the COVID-19 virus as well as dealing with the consequences of lockdown and reduced activity, such as the widespread lay-offs of staff. Amongst other things this covered the furloughing of some staff and dealing with the need to accommodate workers who could not return to their homes as a result of the evening curfew.

By the first quarter of 2021 some of the bigger hotel chains in Uganda had returned to a level of operation that enabled new CLAs to be negotiated. Notable here was the three-year deal struck between HTS and the Protea Hotel Entebbe, part of the Marriott hotel chain, which saw a pay increase of between 5 and 10 per cent achieved for the permanent staff. One novel and noteworthy feature of this particular CLA was the addition of a substantive clause which reflects well on the innovative and forward thinking approach the union has adopted, namely:

- ▶ Section 54. Pandemic or Epidemic or Calamity situations:
 - a. That in cases of outbreaks of pandemics and or epidemics which adversely affect part(s) of this agreement, the parties hereto agree that they shall with written notice by either party, mutually engage to review any such aspects of this agreement which may require to be reviewed.
 - b. That such changes shall be done to address or mitigate the effects of the situation as caused by the pandemic, epidemic and or calamity as a temporary responsive measure.

The HTS union has learned from experience; as well as including re-opener clauses such as this, triggered by “calamity situations”, they have also highlighted the need for ring-fenced “calamity funds” at both company and national level. As the acting General Secretary of the union has acknowledged, the lack of financial reserves shown by many companies in Uganda has undermined their ability to provide decent levels of support for furloughed workers.

In a further radical move, the HTS union has recently broadcast a clarion call to their members, employers and the Government which warns of the insidious nature of the Coronavirus whilst advocating a range of practical actions:



COVID-19 came to steal kill and destroy lives, jobs, businesses as well as economies and cognizant of its ramifying effects on labour, employment and business that affect employees and employers in almost equal proportions, the HTS union advises government, employers and employees:

- Governments must develop mechanisms to sustain and create alternative forms of employment;
- Always observe the government’s Standard Operating Procedures;
- Consider COVID-19 as an OSH matter at work;

- **Amicably negotiate on the terms of employment through representation;**
- **Avoid gender-based violence (GBV) at work;**
- **Control personal expenditures during this time;**
- **Workers be more flexible and diligent;**
- **Employers please do not use COVID-19 effects to manipulate workers.**

Notwithstanding the loss of around 60 per cent of its membership in the hotel sector, the HTS union is plainly battling on to ensure the workers' voice is heard and not ignored. Collective bargaining, whether negotiating temporary understandings with employers who are struggling to survive, or building forward better with new agreements as hotels begin to emerge on to more solid economic ground, is a vital and vibrant process in this important corner of the Ugandan economy.

At the time of writing this case study (July 2021), Uganda had witnessed a renewed surge in COVID-19 infections which had led to a lockdown that included restrictions on public and private transport within the country. Inevitably this added further constraints on the hotel and hospitality sector's ability to recover. Whilst hotels remained open for business, the lockdown forced many to send employees home – compelling HTS to redouble their efforts to preserve their members' employment security. At national level they have continued to press the Government for targeted action to revitalize the tourism sector, a sector that remains the leading foreign exchange earner in the Ugandan economy.

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APPENDIX 6

The experience of unions in the United States during the COVID-19 pandemic

In common with other high-income countries, trade unions in the United States have been both engaged and innovative in the ways they have responded to the rapid spread of COVID-19 in their country. It is worth noting though that prior to the pandemic, unions in the United States had been caught up in a bitter political struggle against a raft of anti-union policies the then President was intent on implementing. The arrival of the Coronavirus, in effect, imposed another battlefield on unions already stretched by these aggressive labour relations policies. Equally, it soon became painfully clear that the slow and at times contradictory messages and policy responses from federal and state administrations in the early stages of the pandemic were exposing millions of US workers to risks that could probably have been reduced with more consistent and timely actions. In short order, this led to the United States posting COVID-19 infection and mortality rates that were, until August 2021, the highest in the world.

Compared to the United States, very few unions in other high- and upper-middle income countries (with the exception of Brazil) have had to struggle as hard and as long to get their national administration and official agencies to acknowledge the seriousness of the COVID-19 outbreak. Furthermore, very few unions have been confronted with quite such targeted attempts to weaken trade union bargaining and social dialogue activity as was happening during the first nine months of the pandemic. Such were the pressures on the unions in the United States that the AFL-CIO federation and the Service Employees International Union (SEIU) took the unprecedented step in October 2020 of bringing a complaint to the ILO's Committee on Freedom of Association, charging the Trump administration with the violation of global labour standards in its handling of the COVID-19 crisis. The complaint pointed out that the federal Government, along with anti-union employers, had both exploited longstanding flaws in US labour laws and introduced new ones to undermine organizing and bargaining rights. This, it was claimed, had left millions of workers in the United States without the ability to defend their health and livelihood in the face of the spread of Coronavirus at their workplaces.

The AFL-CIO and SEIU emphasized that pre-existing legal prohibitions on collective bargaining undermined the position of farm workers, household domestic workers, independent contractors and public employees in most states. All these workers were denied coverage by the National Labor Relations Act, meaning that private sector employers could fire such workers for union activity, while public sector employers could refuse to recognize or bargain with their unions.

Since the COVID-19 crisis began, the Trump administration has made it easier for companies to discriminate against workers who protest unsafe conditions, and made it harder for workers to organize and bargain for safer conditions.

▶ [AFL-CIO President Richard Trumka](#)

The unions called upon the ILO to consider if employers' use of the President's executive orders as the basis for forcing workers to return to unsafe workplaces or lose their jobs was tantamount to forced labour and therefore clearly in breach of ILO Conventions. This was particularly germane since the United States had signed a trade deal in July 2020 with Canada and Mexico (the revised NAFTA) whereby it pledged to uphold ILO Conventions on freedom of association.

The continuing difficulties posed by official COVID advice being slow to align with scientific advice were well illustrated by the coalition formed by the National Nurses United (NNU) in February 2021. Along with 44 other union bodies representing 14 million members, the NNU demanded "that the US Centers for Disease Control and Prevention (CDC) update its COVID-19 guidance to embrace the scientific evidence regarding SARS-CoV-2 transmission through aerosols that infected people emit when they breathe, speak, cough, sneeze, or sing". Amongst the many messages that accompanied the petition presented by the NNU to the CDC, the following amply illustrate both the first-hand knowledge that trade unions can bring to the table and the intense frustration generated by the "tin ear" of official agencies who refuse to listen:

Nurses know this virus is spread through the air. We are literally face-to-face with our patients, and we have to continue working with masks, gloves, and gowns that have been contaminated after hours with patients. We even have to watch how we put on and take off our equipment so we don't infect ourselves. We need the law to follow the science that shows the virus is an airborne threat. We need the CDC to make sure our nurses and healthcare workers are safe.

▶ [Mary C. Turner, ICU nurse and Minnesota Nurses Association \(MNA\) President](#)

For the past year, the CDC guidance on COVID-19 has been ignoring science and health experts. The ATU has been saying aerosol transmission of SARS-CoV-2 is a problem on public transit as evidenced by our 135 brothers and sisters killed by this deadly virus and more than 4,600 infected. The ATU has been pushing for better airflow, more effective filtration systems on buses and trains, and improved PPE for transit workers and riders to help stop the spread of COVID-19 along with other safety measures. We are encouraged by the Biden Administration's CDC Director Dr. Walensky's call for a comprehensive review of all CDC guidance on COVID-19. We hope the CDC acknowledges the danger of aerosol transmission of this deadly virus and makes serious safety recommendations that will help save the lives of transit workers, riders and the public. (John Costa, International President of

the Amalgamated Transit Union (ATU), the largest union representing “transit workers” in the United States and Canada: bus and coach drivers and support workers in passenger transport across a range of public and private providers)

It’s critical that the CDC recognize that COVID-19 can spread via infectious aerosols. For our members, the implications of the CDC not accepting aerosolized COVID-19 transmission poses grave risk as employers rely on the CDC’s guidance to implement appropriate mitigation measures. We must follow the science and acknowledge how the virus spreads to adequately protect communities, particularly as the virus mutates and potentially more virulent strains spread.

► [Stuart Appelbaum, president of the Retail, Wholesale and Department Store Union \(RWDSU\)](#)

In many respects, the day-to-day experiences of unions in the United States when dealing with the dangers of COVID-19 appear to have been similar to their counterparts in other high-income countries. Familiar struggles have been reported to ensure PPE was available and of the right quality. Unions have likewise warned of the dangers of frontline workers being exploited and under-protected in terms of both health and safety and job security. In other words, the pandemic has generated common problems that have called for similar union responses. A review of the websites of the main North American unions reveals a wide range of initiatives taken to ensure that union members have been kept informed; also, whilst local negotiators have been supplied with advice and guidance on how to use their bargaining influence to help mitigate the impact of COVID-19.

What differentiated the US union experience from that of many of its counterparts elsewhere in the world, at least until January 2021, was a combination of the political context against which much of the first waves of the pandemic were played out alongside the legal frameworks that have for many years constrained the bargaining power of US unions. With the election of a more responsible President, the political context should improve and the signs of a more consistent policy approach have latterly been apparent. However, there are few indications of any movement towards the sort of tripartite social dialogue that ACTRAV, for example, could recognize as being fundamental to trade union effectiveness. Notwithstanding the efforts of US unions, collective bargaining in this important country remains largely decentralized and uncoordinated. The extent to which this has undermined the ability of unions in the United States to respond effectively to the challenges posed by COVID-19 (and whatever follows it) remains a question that should be fully discussed.

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APPENDIX 7

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APPENDIX 8

Response by trade union level and country

Country	(sub)sector, company, public organisation	national level - no confederation	national level - confederation	Total
Albania	0	0	1	1
Algeria	0	1	0	1
Angola	1	0	0	1
Argentina	2	2	1	5
Armenia	0	1	1	2
Australia	1	2	1	4
Austria	1	1	1	3
Bahamas	0	0	1	1
Bahrain	0	0	1	1
Bangladesh	1	3	0	4
Barbados	0	1	1	2
Belgium	1	1	1	3
Benin	1	0	2	3
Bosnia and Herzegovina	1	0	0	1
Brazil	2	1	0	3
Bulgaria	0	0	4	4
Burkina Faso	0	0	2	2
Burundi	0	1	1	2
Cabo Verde	0	0	1	1
Cambodia	1	0	0	1
Cameroon	0	1	1	2
Canada	8	6	0	14
Chile	1	0	1	2
Colombia	0	2	1	3

Country	(sub)sector, company, public organisation	national level - no confederation	national level - confederation	Total
Congo	0	0	1	1
Croatia	1	0	0	1
Czechia	4	0	0	4
Dem. Rep. of the Congo	0	0	1	1
Denmark	2	1	0	3
Ecuador	0	0	1	1
Estonia	2	0	1	3
Eswatini	0	0	1	1
Ethiopia	0	1	0	1
Finland	1	1	1	3
France	0	2	4	6
Gabon	0	3	1	4
Germany	0	0	1	1
Ghana	1	0	1	2
Guyana	0	0	1	1
Hungary	1	0	0	1
Iceland	0	0	1	1
India	1	0	1	2
Indonesia	1	0	1	2
Ireland	1	2	0	3
Italy	1	3	1	5
Japan	0	0	1	1
Jordan	0	1	1	2
Kenya	2	2	0	4
Latvia	0	0	1	1
Madagascar	0	0	2	2
Malawi	0	1	0	1
Mali	0	0	2	2
Malta	0	0	1	1

Country	(sub)sector, company, public organisation	national level - no confederation	national level - confederation	Total
Mauritania	0	0	1	1
Mauritius	1	1	2	4
Mexico	0	2	0	2
Montenegro	0	1	1	2
Morocco	0	0	1	1
Mozambique	1	0	0	1
Namibia	1	0	0	1
Netherlands	2	0	0	2
New Zealand	1	2	0	3
Niger	0	0	1	1
Nigeria	0	1	0	1
Norway	0	3	1	4
Pakistan	0	0	1	1
Panama	1	0	0	1
Philippines	0	2	1	3
Poland	0	1	1	2
Portugal	0	1	1	2
Republic of Korea	2	1	0	3
Romania	0	0	2	2
Rwanda	0	0	1	1
Saint Lucia	1	0	1	2
Samoa	0	0	1	1
Senegal	0	0	2	2
Singapore	1	0	0	1
Slovakia	2	1	0	3
Slovenia	1	0	0	1
South Africa	0	3	0	3
Spain	0	3	0	3
Sri Lanka	0	1	0	1

Country	(sub)sector, company, public organisation	national level - no confederation	national level - confederation	Total
Sweden	1	2	2	5
Tajikistan	1	0	0	1
Tanzania	0	1	0	1
Togo	0	0	3	3
Tonga	0	1	0	1
Tunisia	0	2	0	2
Turkey	1	0	1	2
Uganda	1	2	0	3
Ukraine	0	0	2	2
United Kingdom	6	0	1	7
Uruguay	0	1	0	1
Venezuela	0	0	1	1
Zambia	0	0	1	1
Zimbabwe	0	1	0	1
TOTAL	62	74	77	213

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