



TCFL Textiles, Clothing, Footwear and Leather



WORKSHOP GUIDE



**ASSESSMENT OF INDUSTRIAL
RELATIONS AND THEIR
CONFORMITY WITH THE
PRACTICES AT SECTORAL AND
COMPANY LEVEL**

EUROPEAN COMMISSION
Employment, Social Affairs and Inclusion DG
BUDGET HEADING 04-03-01-05
Information and training measures for workers' organisations

"To reinforce Social Dialogue and sectoral corporate Collective Bargaining for continued improvement in employment and productivity in the Textile, Clothing, Leather and Footwear industries"

Grant Agreement - VS/2015/0234

PARTNERSHIP



FESETE

Federation of Portuguese Trade Unions of Workers in the Textiles, Wool, Clothing, Footwear and Furs Industries

Portuguese Trade Union Organisation in the sector

Porto – Portugal | +351 22 600 23 77

fesete@netcabo.pt | www.fesete.pt



ACV CSC METEA

Belgian Trade Union Organisation in the sector

Bruxelas - Bélgica | +32 (0)2 244 99 90

metea@acv-csc.be | www.acv-csc-metea.be/



OS TOK

Czech Trade Union Organisation in the sector

Praga - República Checa | +420 222 721 372

ostok@cmkos.cz | <http://www.ostok.cz/>



DISK Tekstil

Turkish Trade Union Organisation in the sector

Istanbul – Turquía | +90 212 637 2900

international@disktekstil.org | www.disktekstil.org

FRAMEWORK

This workshop script for use with trade unions to prepare negotiators for current changes and new challenges in collective bargaining was developed 'to reinforce Social Dialogue and corporate Collective Bargaining in the sector to promote continued improvement in employment and productivity in the Textile, Clothing, Leather and Footwear industries', and was financed by the European Commission. The project is coordinated by FESETE, the Federation of Portuguese Trade Unions of Workers in the Textiles, Wool, Clothing, Footwear and Furs Industries, in partnership with ACV-CSC METEA, the Belgian trade union organisation, DISK Tekstil, the Turkish trade union organisation and OS-TOK, the Czech trade union organisation, all national organisations in the sector.

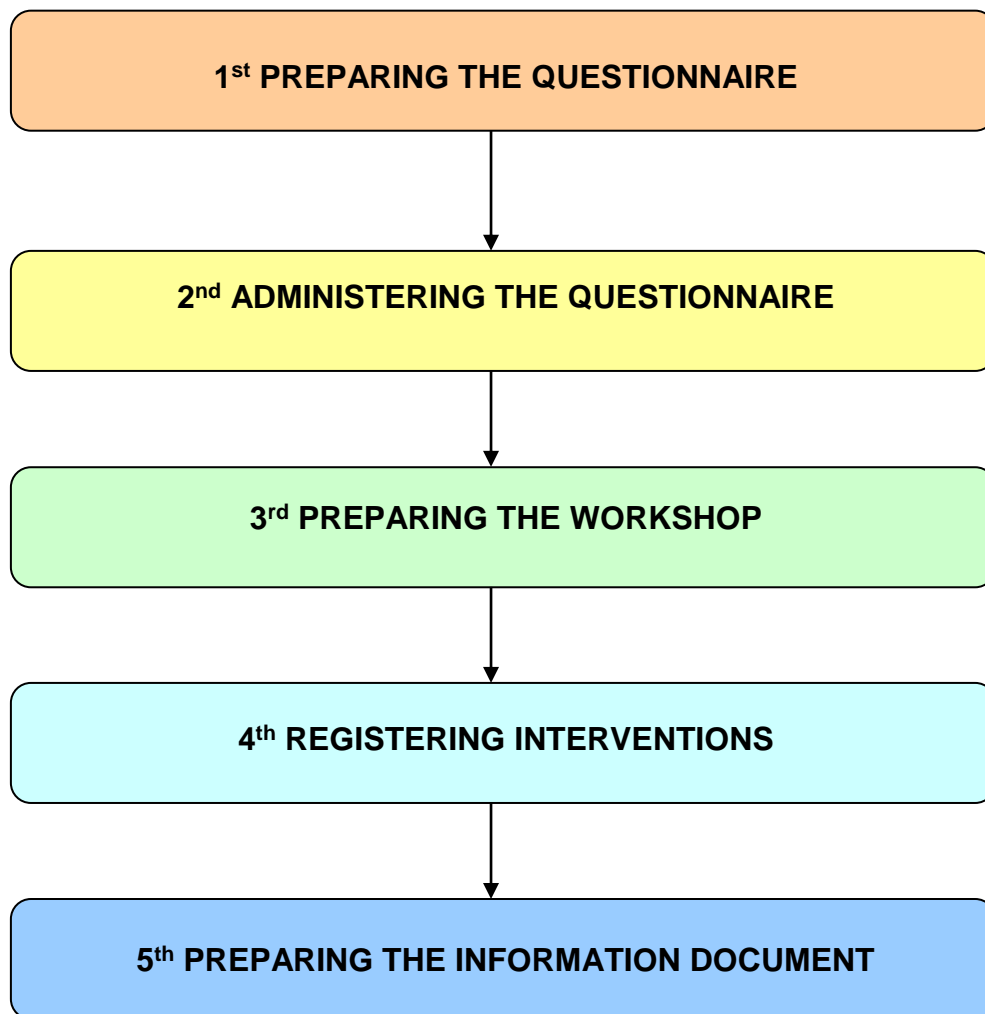
The objective of this project is to promote participation of sectoral partners in these industries in Social Dialogue in order to transform sectoral and corporate collective bargaining into an instrument guaranteeing the viability of companies and the protection of employment in a changing global and national environment.

Therefore, acting on the Information and Awareness of Trade Union Organisations lends importance to reinforcing Social Dialogue, namely in the framework of collective bargaining in the sector and in business, in the sub-dimensions: organisation of working time, health and safety in the workplace, gender equality, while endeavouring to tailor Collective Labour Conventions to the needs of companies and their re-structuring, with a better work and family life balance and leisure.

This instrument was developed with the aim of collecting empirical data and promoting the debate between the major stakeholders in the processes of Collective Bargaining.

PREPARATION AND DEVELOPMENT OF THE METHODOLOGY

To prepare, develop and apply this instrument in order to achieve the objective proposed, the planning and directing work in the partnership was divided into five stages, as outlined below:



1st PREPARING THE QUESTIONNAIRE

In order to define objectives and activities for the workshop, the partnership conducted a survey, through a questionnaire, on the structure and organisation of bipartite and tripartite Social Dialogue in each of the countries. The following indications were identified for evaluation:

- **Organisation of Social Dialogue and Collective Bargaining**
 - Structures of Social Dialogue at national, regional, sectoral and corporate level
 - Intervention of the Government and/or Ministry of Labour in Social Dialogue
 - Government intervention in inspecting standards and conflict mediation
 - Legal framework regulating Social Dialogue and Collective Bargaining
 - Frequency of meetings
 - Bipartite and/or tripartite Social Dialogue
 - Collective Bargaining in the national, regional, sectoral and/or corporate levels
 - Frequency of Collective Bargaining (yearly / other)
 - Mechanisms of termination in Collective Recruitment
 - Involvement of workers in preparing and/or monitoring proposals for negotiations and in situations of negotiation blockage
- **Contents of Social Dialogue:**
 - Themes discussed (conditions of work, different components of payment, social conflicts in the company, situation of the sector, positions with the Government, union freedom, health and safety in the workplace, gender equality, organisation of working time, work-life and leisure balance, apprenticeship and professional careers, nature of work, others).
- **Activities of social dialogue between 2008 and 2015:**
 - Reflections/consequences of the capitalist financial crises in Social Dialogue in the sector
 - Intervention of the Government and its institutions in Social Dialogue and Collective Bargaining
 - Evaluation of Collective Bargaining for the period under analysis
 - Results obtained during the period under analysis (positive, negative)
 - Practice of termination of collective contracts and their impact on rights
 - Evaluation of the consequences of unfair competition generated by the WTO, where there are no social and environmental regulations.
 - Company re-structuring and protection of employment
 - Economic support to companies for modernisation and innovation
 - Programmes on protection of health and safety in the workplace
 - Environmental control measures
 - New professional profiles for the purposes of professional training
 - Studies on gender discrimination in occupations and in payment.

2nd ADMINISTERING THE QUESTIONNAIRE

After approval by the partnership, each of the organisations was sent the questionnaire and asked to complete it according to their specific circumstances.

3rd PREPARING THE WORKSHOP

After data on the questionnaire was collected, we proceeded to prepare the workshop in which we proposed to promote the discussion on the topics raised on the questionnaire and at the same time to explore some issues which may have been left unresolved.

- **For the workshop, it was established that in the debate we could involve social partners, the major stakeholders in collective bargaining processes:**
 - Union leaders of the organisation at national and sectoral level
 - Representatives of the employers' association
 - Representatives of the Government, from the Ministry of Labour
- **The following structure was considered to permit the greatest possible involvement of all the stakeholders:**
 - Brief presentation of the functioning of structure of Social Dialogue in the sector
 - Presentation of good practice in Collective Bargaining in the sector and in companies
 - Participation of members linked to the preparation and creation of proposals raised for negotiation
 - The most important issue for different partners in the processes of the Collective Bargaining
 - Observance of Collective conventions on questions of Gender Inequality
 - Evaluation of the consequences of unfair competition generated by the WTO
 - SWOT analysis on Strengths, Weaknesses, Opportunities and Threats, identified by the partners, that could influence the future development of these sectors in the coming years in their countries.
- **With regard to the issues raised, we were of the opinion that the workshop should not extend beyond a half day.**

4th REGISTERING INTERVENTIONS

Registering interventions of the participants was done using an analysis grid which served to support conclusions of the work.

- During the process of registering the interventions, we also used audio data collection as well as the registering on the grid.

5th PREPARING THE INFORMATION DOCUMENT

A brochure containing the register of the SWOT analysis carried out was published to disseminate the results of the workshops in order to identify the priorities in Collective Bargaining.

ANNEXES

- **Questionnaire on Development of Social Dialogue**
- **Questionnaire on the Characterization of Labour Relations**

- Questionnaire on Development of Social Dialogue

Organisation	Designation of the Organisation:	
Sectors	What sectors does the organisation cover?	TEXTILE: <input type="checkbox"/> CLOTHING: <input type="checkbox"/> FOOTWEAR: <input type="checkbox"/> FURS: <input type="checkbox"/>

INDICATORS	QUESTION	RESPONSES
ORGANISATION OF SOCIAL DIALOGUE AND COLLECTIVE BARGAINING		
- Structures of Social Dialogue at national, regional, sectoral and corporate level:	What structures of Social Dialogue are used at national, regional, sectoral and corporate level?	
- Intervention of the Government and/or Ministry of Labour in the Social Dialogue:	In what way do Government and/or Ministry of Labour intervene in Social Dialogue?	
- Government intervention in inspecting standards and conflict mediation:	What mechanisms does Government have in intervention and inspection of standards and conflict mediation?	
- Legal framework regulating Social Dialogue and Collective Bargaining:	How does the legal framework fit in and regulate Social Dialogue?	
- Frequency of meetings:	How often do Social Dialogue meetings take place?	
- Bipartite and/or tripartite Social Dialogue:	Is the Social Dialogue bipartite or tripartite?	
- Collective Bargaining in the national, regional, sectoral and/or corporate levels:	Is Collective Bargaining at national, regional, sectoral and/or corporate levels?	
- Frequency of Collective Bargaining (yearly / other):	How often does Collective Bargaining take place?	
- Mechanisms of termination in Collective Recruitment:	Does the law provide for mechanisms of termination in Collective Recruitment? If so, describe how this mechanism is actioned	
- Involvement of workers in preparing and/or monitoring proposals for negotiations and in situations of negotiation blockage:	How are workers involved in preparing and/or monitoring proposals for negotiations? How do workers intervene in situations of negotiation blockage?	
CONTENTS OF SOCIAL DIALOGUE		
- Themes discussed (conditions of work, different components of payment, social conflicts in the company, situation of the sector, positions with the Government, union liberties, health and safety in the workplace, gender equality, organisation of working time, work-life and leisure balance, apprenticeship and professional careers, nature of work, others).	What issues are mostly debated in Social Dialogue meetings? (ex. conditions of work, different components of payment, social conflicts in the company, situation of the sector, positions with the Government, union liberties, health and safety in the workplace, gender equality, organisation of working time, work-life and leisure balance, apprenticeship and professional careers, nature of work, others).	

INDICATORS	QUESTION	RESPONSES
ACTIVITIES OF SOCIAL DIALOGUE BETWEEN 2008 AND 2015		
- Reflections/consequences of the economic crisis in Social Dialogue in the sector:	What reflections/consequences did the 2008 economic crisis have in processes of Social Dialogue in the ensuing years?	
- Intervention of the Government and its institutions in Social Dialogue and Collective Bargaining:	How does the Government and its institutions intervene in Social Dialogue and Collective Bargaining?	
- Evaluation of Collective Bargaining for the period under analysis:	How would you evaluate Collective Bargaining during the period from 2008 to 2016?	
- Results obtained during the period under analysis (positive, negative):	Identify some of the results (positive/negative) obtained in Collective Bargaining for the period 2008 to 2016.	
- Practice of termination of collective contracts and their impact on rights:	During the period between 2008 and 2016 were there terminations of any collective contracts? If so, what were the consequences on the rights of workers?	
- Evaluation of the consequences of unfair competition generated by the WTO, where there are no social and environmental regulations	What were the consequences in situations generated by the WTO of unfair competition in countries where there are no social and environmental regulations?	
- Company re-structuring and protection of employment	How is company re-structuring and protection of employment introduced in the Social Dialogue?	
- Economic support to companies for modernisation and innovation	How is the topic of economic support given to companies for modernisation and innovation introduced in the Social Dialogue?	
- Programmes on protection of health and safety in the workplace	How are programmes on health and safety in the workplace introduced in the Social Dialogue?	
- Environmental control measures	How are environmental control measures introduced in Social Dialogue?	
- New professional profiles for the purposes of professional training	How are new professional profiles for the purposes of professional training introduced in Social Dialogue?	
- Studies on gender discrimination in occupations:	How are topics on gender discrimination introduced in the Social Dialogue?	

- Questionnaire on the Characterization of Labour Relations:

Organisation	Designation of the Organisation:	
Sectors	What sectors does the organisation cover?	TEXTILE: <input type="checkbox"/> CLOTHING: <input type="checkbox"/> FOOTWEAR: <input type="checkbox"/> FURS: <input type="checkbox"/>

INDICATORS	QUESTION	RESPONSES
INSTRUMENTS OF COLLECTIVE EMPLOYMENT REGULATION		
- Business	What instruments of collective regulation are used by your union?	
- Non-Business	Are the collective regulatory instruments covered by extension laws and/or compulsory arbitration	
NATURE OF EMPLOYMENT		
- Type of contracts	What type of contracts are used in your country? At a sectoral level which is more frequently used?	
EARNINGS		
- Basic earnings	Does the Collective Employment Agreements (CEA) provide for basic earnings for all categories and workers in the sector? (attach salary grid)	TEXTILE:
		CLOTHING:
		FOOTWEAR:
		FURS
- Sub. Food	Does the CEA provide for food allowance? How much?	TEXTILE:
		CLOTHING:
		FOOTWEAR:
		FURS
- Sub. Christmas / Holidays / Sub. Holidays	Does the CEA provide for a Christmas allowance, Holidays and holiday allowance? If yes, how are they calculated?	TEXTILE:
		CLOTHING:
		FOOTWEAR:
		FURS:
- Overtime work	Does the CEA provide a special scheme for overtime work? If yes, in what form?	TEXTILE:
		CLOTHING:
		FOOTWEAR:
		FURS:

INDICATORS	QUESTION	RESPONSES
- Night work	Does the CEA provide a special scheme for night work? If yes, in what form?	TEXTILE:
		CLOTHING:
		FOOTWEAR:
		FURS:
- Other incentives and awards	Does the CEA provide for payment of other incentives and awards by way of earnings?	TEXTILE:
		CLOTHING:
		FOOTWEAR:
		FURS:
LENGTH AND ORGANISATION OF WORKING HOURS		
- Length of working hours	Does the CEA set the number of weekly / monthly / yearly working hours? If yes, how many hours?	TEXTILE:
		CLOTHING:
		FOOTWEAR:
		FURS:
- Limits for annual overtime work	Does the CEA set limits for overtime work done? If so, in what way are these limits organised?	TEXTILE:
		CLOTHING:
		FOOTWEAR:
		FURS:
- Flexibility of working time	Does the CEA establish how flexible working time should be organised? If so, how is it organised?	TEXTILE:
		CLOTHING:
		FOOTWEAR:
		FURS:
- Shift work	Does the CEA establish how shift work should be organised? If so, how is it organised?	TEXTILE:
		CLOTHING:
		FOOTWEAR:
		FURS:
- Compulsory weekly break	How is workers' compulsory weekly break organised?	TEXTILE:
		CLOTHING:
		FOOTWEAR:
		FURS:
- Period of annual holidays	How is workers' holiday time organised?	TEXTILE:
		CLOTHING:
		FOOTWEAR:
		FURS:
QUALIFICATIONS		
- Continuous training of workers:	Does the Collective Employment Agreement (CEA) provide for hours or days that workers can invest in their professional training? If yes, in what form?	TEXTILE:
		CLOTHING:
		FOOTWEAR:
		FURS:

INDICATORS	QUESTION	RESPONSES
HEALTH AND SAFETY IN THE WORKPLACE		
Protection of workers in occupational health and accidents in the workplace:	Does the CEA provide mechanisms for the protection of workers with occupational health problems and/or accidents in the workplace?	TEXTILE:
		CLOTHING:
		FOOTWEAR:
		FURS:
- Worker consultation:	Does the CEA provide for consultation with workers on Health and Safety at work?	TEXTILE:
		CLOTHING:
		FOOTWEAR:
		FURS:
- Worker Information:	Does the CEA provide for compulsory information on Health and Safety to be given to workers?	TEXTILE:
		CLOTHING:
		FOOTWEAR:
		FURS:
- Health and Safety Executive:	Does the CEA provide for the creation of Health and Safety Executives (HSE)?	TEXTILE:
		CLOTHING:
		FOOTWEAR:
		FURS:
- Worker Representatives:	Does the CEA provide for the election of work representatives on the Health and Safety Executive (HSE)?	TEXTILE:
		CLOTHING:
		FOOTWEAR:
		FURS:
- Training in Health and Safety for workers:	Does the CEA provide for compulsory training for workers in Health and Safety? If yes, in what form?	TEXTILE:
		CLOTHING:
		FOOTWEAR:
		FURS:
FREEDOM OF ASSOCIATION		
- Right to organise and to unionisation	Do workers have the right to organise and to unionisation?	TEXTILE:
		CLOTHING:
		FOOTWEAR:
		FURS:
- Union activity in the company	Does the CEA provide for the right of workers to union activity in the company? If yes, in what form?	TEXTILE:
		CLOTHING:
		FOOTWEAR:
		FURS:
- Time off for trade union duties:	Does the CEA provide for workers getting paid time off for union duties? If yes, in what form?	TEXTILE:
		CLOTHING:
		FOOTWEAR:
		FURS:
GENDER EQUALITY		
- Application of international standards in Gender Equality:	Does the CEA incorporate international standards in Gender Equality? Briefly describe the principles that are incorporated.	TEXTILE:
		CLOTHING:
		FOOTWEAR:
		FURS:

Partnership



Co-funded by:



European Commission-Employment,
Social Affairs & Inclusion