

Transnational company agreements and other levels of social dialogue

4th Meeting of the Expert Group on
Transnational Company Agreements

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Brussels, 26 October 2010

Context

Study for the French Presidency of the EU

- Aim: Exploring the links between different levels of transnational social dialogue
- Exploratory study conducted by Audencia Nantes School of Management and the Catholic University of Louvain
- Time frame: September 2008 – March 2009

Literature review

Research rarely covers different levels

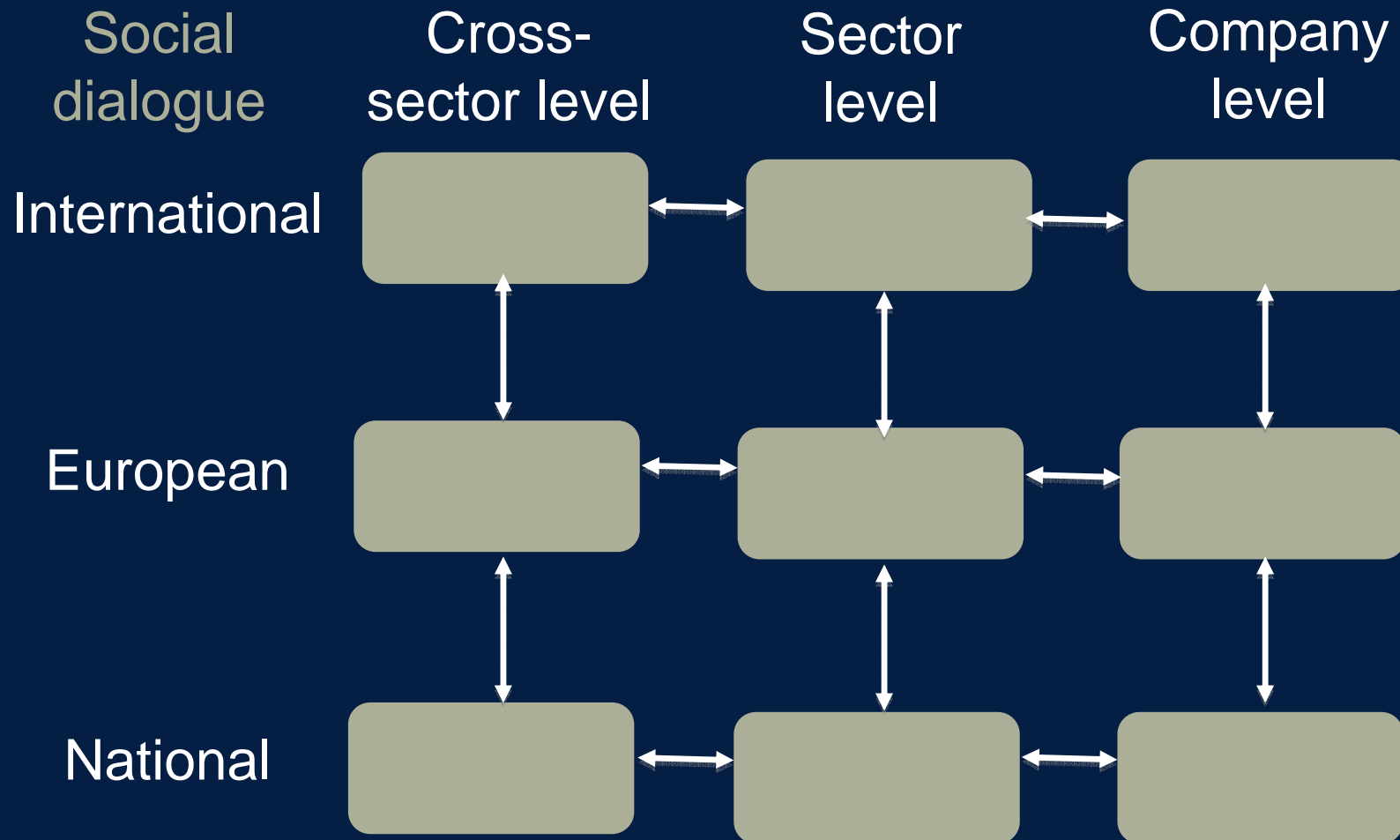
- Research teams are specialized in on particular level of transnational social dialogue
- Practices at each level raise complex questions for research and practice
- Possibly no links between the different levels of transnational social dialogue
- Strategies of the involved actors who may want to separate the different levels

Research hypothesis

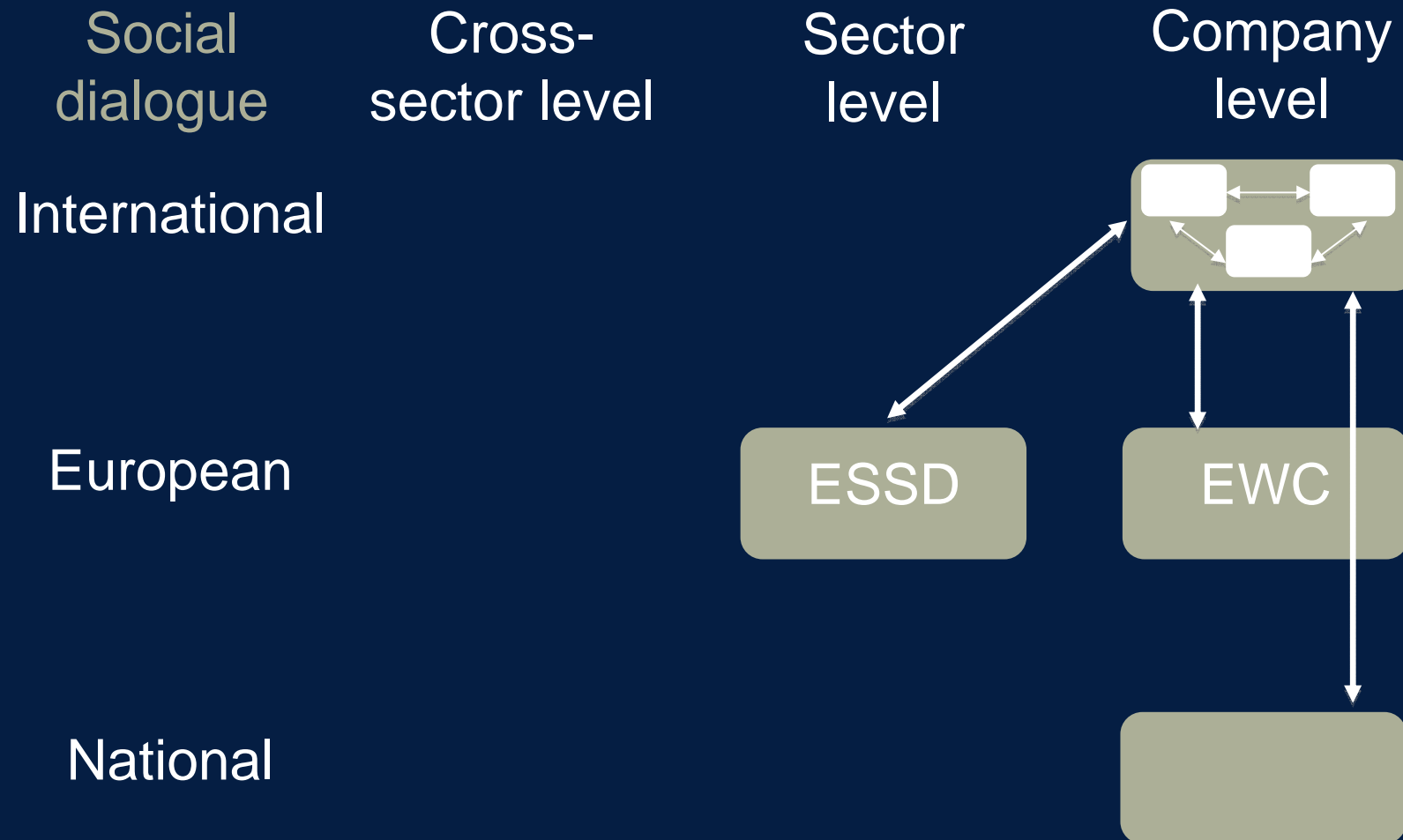
Possible scenarios

- The different levels of transnational social dialogue co-exist next to each other without any current or potential links
- Step by step, the different levels of transnational social dialogue build a structured architecture as in some national systems
- There is a certain convergence between the different levels of transnational social dialogue, but no systematic coordination

Scope of the research



Scope of the research



Research methodology

Different methodologies

- Literature review aiming at covering publications on the different levels of transnational social dialogue
- Content analysis of different agreements negotiated at different levels
- Interviews with experts and actors involved in different levels of transnational social dialogue

Main results

Links between different company agreements

- Some companies have negotiated several transnational agreements
- Employers usually consult other companies or associations before negotiating a transnational agreement
- International and European union federations develop standard agreements and favour coordination

Main results

Legal framework of TCA and ESSD

- No legal framework for transnational company agreements
- Precise legal framework and institutional support in the area of the European sectoral social dialogue (European sectoral social dialogue committees, implementation)

Main results

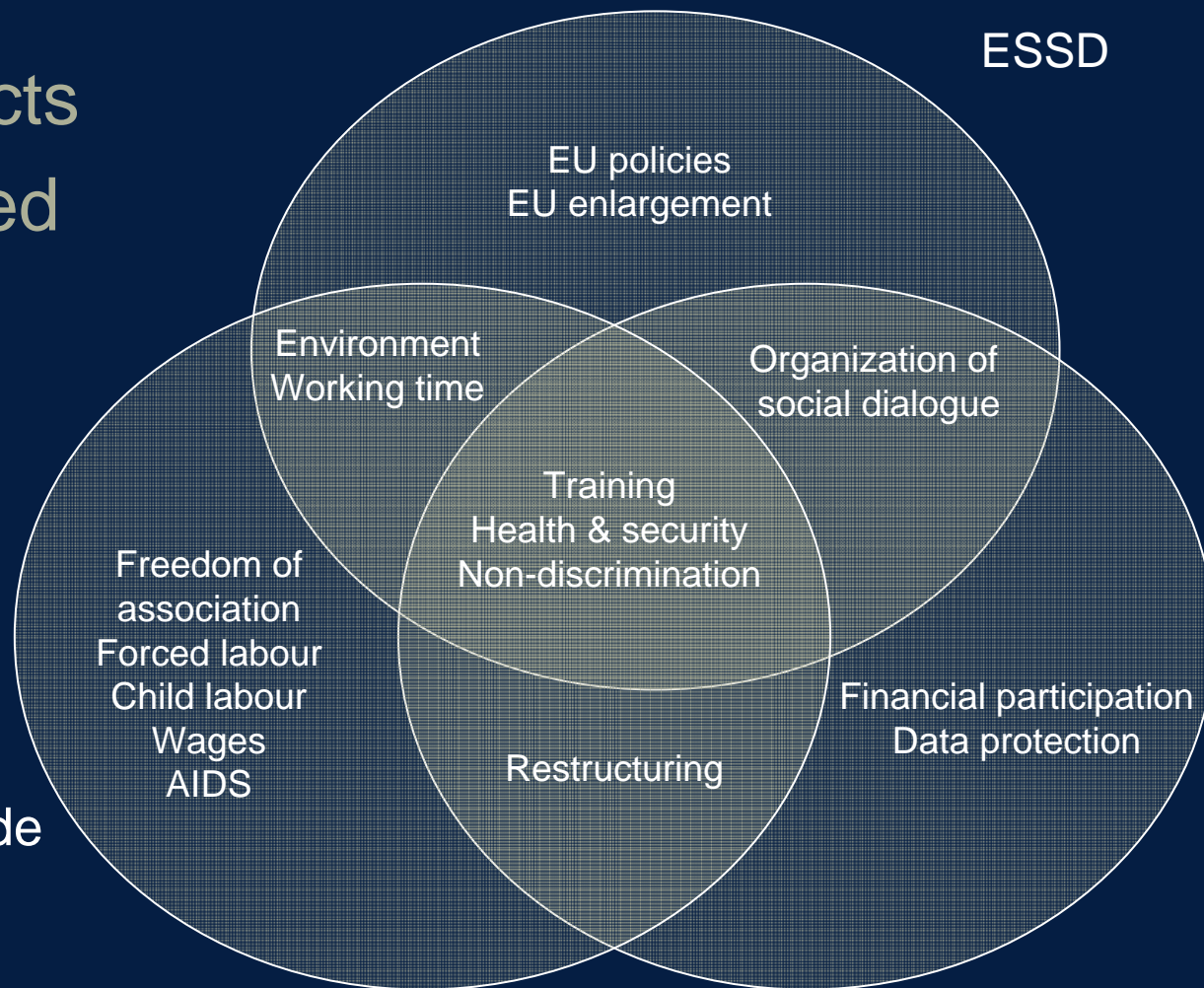
Actors involved in TCA and ESSD

- In principle, the actors on the employer side differ between the company and the sector level
- However, in some sectors, single companies that have negotiated a transnational agreement may have an important influence at the sector level
- Possible coordination via the international or European union federations that negotiate both at the company and the sector level

Main results

Subjects covered

ESSD



Worldwide TCA

European TCA

Main results

Implementation of TCA and ESSD

- Monitoring and follow-up procedures at the different levels often use similar tools: annual meetings among the signatory parties, definition of performance indicators, establishment of reports, conflict resolution mechanisms, implementation through national agreements or unilateral management decisions, ...
- These similar approaches seem to emerge because the actors face similar challenges

Conclusions

Links exist and will probably continue to develop

- The links between the different levels of transnational social dialogue exist
- Since many challenges are similar between the different levels and since some actors are involved in several levels, these links will probably continue to develop
- It seems however unlikely that the different levels will create a structured architecture such as in some national systems

Appendix: Further readings

Further readings

Articles

- Sobczak A. & Léonard E. (2010). « Accords transnationaux d'entreprises et dialogue social sectoriel européen : quelles interactions ? », **Travail et Emploi**, n° 121, 55-60.
- Sobczak A. & Havard C. (2009). « Les syndicats français face aux nouveaux défis de la responsabilité sociale des entreprises : quelles stratégies et quelles actions ? », **Gestion 2000**, No. 4, 195-208.
- Sobczak A. (2008). « Syndicats et responsabilité sociale des multinationales », **Gestion – Revue internationale de Gestion**, Vol. 33(1), 18-26.
- Sobczak A. (2007). « Legal Dimensions of International Framework Agreements in the Field of Corporate Social Responsibility », **Relations Industrielles - Industrial Relations**, Vol. 62(3), 466-491.

Further readings

Reports

- Léonard E. & Sobczak A. (2009). Dialogue social transnational: quelles interactions ? Analyse des interactions entre les accords transnationaux d'entreprise et les autres niveaux de dialogue social transnational, Rapport à la Direction de la Recherche et des Statistiques du Ministère du Travail, Paris.
- Schoemann I., Sobczak A., Voss E. & Wilke P. (2008). Codes of conduct and international framework agreements: New forms of governance at company level, Report to the European Foundation for the Improvement of Living and Working Conditions, Dublin.
- Ales E., Engblom S., Jaspers T., Laulom S., Sciarra S., Sobczak A. & Valdes Dal-Rè F. (2006). Transnational Collective Bargaining: Past, Present and Future, Report to the European Commission, Brussels.

Further readings

Book

- Sobczak A. (2010). La responsabilité globale, moteur du dialogue social, Cahier de la Responsabilité Globale, n° 5, Audencia, Nantes.



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