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**Unions in Germany: Groping to regain the initiative** 

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# **Unions in Germany: Groping to regain the initiative**

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This Discussion Paper "Unions in Germany: Groping to regain the initiative", by Martin Behrens, Michael Fichter and Carola Frege, forms part of a special series of studies on the labour movement in industrialized countries. The other studies in the series are: "Union revitalization in the United Kingdom" by Ed Heery, John Kelly and Jeremy Waddington, and "Reviving the American labour movement: Institutions and mobilization" by Richard Hurd, Ruth Milkman and Lowell Turner. These studies were presented at an international seminar entitled "The Labour Movement: Opportunities and Strategies" held in Geneva on 19-21 April 2001. The seminar, organized by the International Institute for Labour Studies in collaboration with the ILO Bureau for Workers' Activities and Cornell University's Comparative Labour Revitalization Project Team marked the completion of an Institute project: "Organized Labour in the 21st Century" under the Labour and Society Programme. The seminar served as a forum to synthesize the findings from various studies on the labour movement prepared in both developed and developing countries by the Institute, the Workers' Activities Bureau and the Cornell Team, and to draw policy lessons for the movement in a global economy. The Institute wants to place on record its appreciation of the authors of the three studies for having authorized their publication as Discussion Papers.

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## 1. Introduction

The existence of a strong, united, capable and cooperative labour movement was a significant factor in the post-1945 success of the Federal Republic of Germany in its rise from the destruction wrought by National Socialism and war to democracy and economic stability. In the immediate post-war era, the labour movement was staunchly committed to democratization, and its demands for economic reconstruction were formulated with the goal of economic and social democracy. Subsequently, co-determination became the permanent theme, with for the goal of participatory democratic rights for employees. The trade unions mobilized time and again to warn against non-democratic and anti-democratic developments. And in the context of the constitutionally guaranteed right to collective bargaining, the trade unions have made a substantial contribution to the German model of labour relations, i.e. a comprehensive web of institutions and organizations regulating conflicts between the interests of labour and capital. The model has been a source of stability and growth in the Federal Republic, and a key enabling factor in the country's democratization process.

The economic and political success of the German model are an indication of the strategic capacity of the unions to act. Organizationally, this capacity has been defined by the encompassing and dominating importance of unity. Concepts such as "united union federation", "one workplace – one union", "sectoral instead of company contracts" or "comprehensive interest representation of all employees by the Works Council" illustrate the importance attached to unity.

The unions have understood the need to create and define goals for themselves, and for the general public, in relation to the employers. In representing workers' interests, the unions have been able, in the words of Ilse Brusis, to rely "above all on the collective action of their members, on the values and norms of solidarity in interest representation, and on the strong backing within traditional working class milieux" (Brusis 1990, p. 12). At the same time, the German unions have historically presented themselves as a broadly defined social and political movement in the defence of justice.

Over the last decade, this picture of German unions and the German model has lost its clarity. In their 1990 study entitled "Beyond the status of resolutions", academic observers sympathetic to the union cause expressed concern that in the face of new challenges resulting from German unification, the unions were in danger of losing their strategic ability to act and define the options of their politics. They saw the DGB "retreating into a purely defensive position with the intention of protecting existing standards for its core members" (Hoffmann, Hoffmann, Mückenberger and Lange, 1990, p.17). In the same year, historians of the labour movement met to discuss the consequences of German unification for the unions, concluding that they were missing many opportunities to define the issues and shape their strategy to meet new demands. "Indeed, it appears to us that the unions need to recall the basic values and convictions which they have evolved over time" (Hans-Böckler-Kreis, 1990, p. 589).

And today? How do the trade unions define themselves on the threshold of the twenty-first century? What are their goals, their topics and issues? What strategy will they pursue, whose interests will they defend, who are their opponents? Over the past decade have they lost their

Our presentation deals solely with the German Trade Union Federation (Deutscher Gewerkschaftsbund-DGB) and its member unions, which are sectoral or multi-branch organizations. The German Salaried Employees Union (Deutsche Angestellten-Gewerkschaft - DAG) has merged with four DGB-unions to found the new service sector union Ver.di within the DGB. Another major employee organization, the Federation of German Civil Servants (Deutscher Beamtenbund - DBB) does not have the capacity to strike and its collective bargaining activities are very restricted.

<sup>&</sup>lt;sup>2</sup> The term *German model* first came to mean what it does today in the Federal Republic of Germany in the 1980s (Dufour, 1998; Mülle-Jentsch, 1995)

capacity to answer these questions? What is the meaning of unity today and what is the union concept of solidarity?

Over the past decade, a continuously high level of unemployment, globalizing financial and product markets, new forms of employment and new demands on work (especially in the service sector and network structures), together with massive restructuring in the context of German unification and the EU, have undermined the overall economic and political context and weakened the specific institutional structures of the German model of labour relations.

The unions have not been able to prevent this process from continuously eroding their political and organizational foundations. Nor have they developed the kind of input necessary to influence the changes in their environment to the benefit of their constituencies. Despite some partial successes, their activities have been overwhelmingly directed at defending the past, i.e. the structures, institutions and positions which they have built upon and made viable since the founding of the Federal Republic in 1949. Such a defensive strategy is problematical because it fails to generate new perspectives from old strengths.

The situation of the German unions today is complicated and full of contradictions. Within the unions it is difficult to identify any clearly defined political positions or programmes. The ideological camps which set a tone of controversy between the various unions in the past are hardly discernable now. The complexity of new political and socio-economic demands is part of the explanation for this phenomenon but certainly not the whole reason. Of equal importance is the fact that the politics of German unions are dominated by pragmatism. This may have to do with the realism which has always characterized successful union policy. But a policy based solely on realism and pragmatism lacks direction and strength. Union policy needs vision as well, to motivate and mobilize for its goals.

To be sure, the adherents of neo-liberalism have no use for visions of solidarity. But the unions, as Richard Hyman has pointed out, are destined to fight the "battle over ideas" and should never relinquish their vision or allow others to define it (Hyman, 1999, p. 4). Exerting political and economic influence depends on a powerful organization and on a political vision which extends beyond the demands of everyday affairs. The culmination of this power is the ability to integrate these two elements. In other words: "Trade unions have always had two faces, sword of justice and vested interest" (Flanders, 1970, p.15: Quoted in Hyman, 1999, p. 1).

How can unions regain the initiative in the struggle to realize their own goals and rebuff the neo-liberal scenario? There are no easy answers or patent prescriptions. Nevertheless, we regard the combination of a committed and realistic policy of interest representation with the formulation of an overall vision as imaginable and possible.

Are the German unions showing signs of embarking on such a path? In part. The problem is not that they are neglecting to search for answers to the pressing problems they face. That is exactly what IG Metall is seeking to do with the *Debate on the Future* campaign which it recently launched.<sup>3</sup> Likewise, the merger project *Ver.di* is a big step towards consolidating and strengthening union representation in the rapidly growing service sector.<sup>4</sup> DGB headquarters and all the other unions in the federation have their own "revitalization projects" as well, which focus on union organization and politics.

The problem lies elsewhere. It seems that experience gained from innovative activities and special projects is not being evaluated with a view to applying it to the organization as a whole. Unions are incapable of generalizing from the lessons of such projects, within a single organization or from one union to another. Equally detrimental to the revitalization strategy is the failure to use

<sup>&</sup>lt;sup>3</sup> See http://www.igmetall.de/themen/zukunft/index.html

<sup>4</sup> See http://www.ver.di.net.de

the potential of the DGB as an umbrella organization to play an active role in evaluating and spreading "best practices" at regional and local level.

Diversity and grassroots politics were spurned by a movement in which unity was the exclusive principle of organization, historically justified and successful in a particular economic and political environment. Mass production capitalism in the period after the Second World War generated a highly centralized model of union representation: unions were responsible for the political and sectoral arenas, while Works Councils were responsible for the workplace. Reform policies, which are initiated and controlled from the top down, are in danger of overlooking and even ignoring initiatives and independent developments at the regional and local levels of the organization. This is particularly true when such initiatives challenge the existing distribution of resources.

## 2. Union revitalization strategies

The aims of this paper are twofold. First, we want to open a broad discussion on revitalization strategies in the German unions as they are manifested in the six areas which seem to be most significant:

- organizing the unorganized;
- mergers and internal restructuring;
- social partnership (from firm to industry to national level);
- political action (both grassroots and national politics);
- coalition building (with other unions as well as with environmental, consumer, religious, human rights and other community groups);
- cross-border trade union collaboration (including organizing or bargaining campaigns, coordinating activities with other forms of employee interest representation, and the new focus on international bodies such as the World Trade Organization).

Secondly, we assess current developments in each of these areas, describing selected revitalization strategies and identifying gaps where new accents are lacking, but conceivable. The paper concludes with a critical review.

## 2.1 Organizing the unorganized

Despite encouraging signals such as IG Metall's public announcement of its decision to spend DM 12 m. on membership recruitment in 2001, organizing is still the stepchild of German unions. In contrast to American or British unions which are traditionally more dependent on their membership strength, German unions used to rely mainly on their institutional resources (labour laws, industry level bargaining). In addition, since German unions act mostly at industry level, organizing is the primary responsibility of the Works Council. However, the current transformation of the industrial relations system (Europeanization/globalization, decentralization of collective bargaining) weakens the institutional power of unions and there is clearly a need for them to re-emphasize their organizational resources.

Our fieldwork<sup>5</sup> revealed that most unions have not yet succeeded in radically rethinking their organizing strategies. In most cases they still rely on publicity campaigns and public relations. For example, DGB spent DM 4.2 m. on an image campaign<sup>6</sup> for EXPO 2000 in Hanover. There is also a DGB initiative to create a two-year campaign for the millennium, designed by an internationally acclaimed advertisement agency. The campaign focuses on why unions are necessary in the new millennium with the aim of improving their old-fashioned image. As one DGB official (DGB workshop 1999) put it "in the 90s unions began to be seen as 'dinosaurs' because they are not 'innovators' any more but 'preservers' of the vanishing industrial society. Employers on the other hand have become innovators. During the 1980s unions were more in the public eye and they were supported in the famous 35-hour working time dispute. So far, unions have not managed to create a new public debate as a successor to the 35-hour campaign."

The perception of organizing as publicity was also evident in the discussions at the DGB workshops "Publicity, communication and public relations" which we attended regularly over a year. The workshops are attended by public-relations officials of the DGB unions who meet regularly to discuss campaigns and to share experience.

All the unions have a department which is responsible for membership organizing, and their campaigns are conducted in a highly professional manner. As the organizer of this DGB workshop explained "in former times our field was called "membership recruitment", then "membership publicity" and now it is "publicity, communication and public relations". Communication is defined as 'information' but also as 'integration' and 'identification' and is directed towards members, officials, the public, other unions and the non-organized. Unions frequently employ advertising agencies to develop publicity and recruitment campaigns, which is not usually done by British or American unions. The aim is to sell the product "union" to the public and to potential new members, and to establish an identifiable role for unions in the public debate. The current problematic public image of unions is seen as a major hindrance to organizing.

One obvious reason for the emphasis on marketing and public relations is the fact that the political and public role of unions in Germany is traditionally much stronger than in the Anglo-Saxon countries. On the other hand, it indicates that most German unions still have a rather traditional understanding of organizing through publicity campaigns. They are still a long way from a radical redefinition of organizing as a new relationship between members and the union, an approach that has been developed in recent years in several US and British unions.

The empirical research is based on semi-structured interviews (average 3 h) conducted with the chief official of the recruitment/ advertisement/public relations department of six German unions (out of 12 unions) in summer 1999: HBV (banking, insurance, retailing), IGM (metal), IGBCE (chemical, energy, mining), DPG (post/ telecom/ postal banking), GEW (education, higher education) and NGG (food processing, hotels and restaurants). The six were selected in order to obtain a mixture of large and small unions (e.g. IGM - the largest union in Germany and DPG - one of the smallest), a mixture of traditional industrial unions and service sector unions (e.g. IGM vs. HBV, GEW), a mixture between so-called more militant unions (IGM) and more moderate unions (IGBCE), and a mixture of public sector (GEW) and private sector unions. This sample should provide a representative picture of German unions.

Three unions (IGM, DPG, IGBCE) which had recently held organizing campaigns were further selected as intensive case studies (including a study of documentary material of each union). We also participated at various workshops of the DGB on publicity ("DGB Werbeausschuss") which included the chief public relations officials of several DGB unions and the DAG (white-collar union).

This included billboards publicizing the corporatist committee for the reform of the welfare state and labour market (Bündnis für Arbeit). The message was "unions want to secure the German apprenticeship system and want a fair distribution of work". In detail this meant "a guarantee of apprenticeship for each young person entering the labour market, retirement from 60, more jobs instead of overtime, attractive part-time work".

The argument of this new approach is that the traditional methods are not sufficient to organize non-members and retain existing members in the modern, "post-industrial" society. Members should not be treated as passive customers but should be constantly involved in union activities. Organizing has to be a comprehensive strategy which recruits new workers and continuously activates existing members. This requires a thorough organizational restructuring. The union needs to become more decentralized, and individual members need to acquire more skills and assume more responsibilities. There is a need to train professional organizers, and to devote more financial resources to organizing campaigns. In addition, unions need to see themselves less as service providers and more as a social movement which encourages members to become active and identify with a common cause. Traditional bread-and-butter issues should be combined with values of social justice and solidarity. Members should feel that they belong not only to an interest organization which negotiates wages but also to a community which represents certain values. In the United States this is frequently interpreted as a stronger emphasis on militancy.

The intention is to transform large union bureaucracies into more flexible organizations with empowered members who can solve certain problems on their own without approaching the union officials. This seems a promising way to respond to new management practices such as team working and decentralization.

As mentioned above, this American-style organizing model (Bronfenbrenner et al., 1998) has not yet created much interest within the German labour movement. However, some unions have implemented new concepts of organizing, particularly DPG (post/ telecom/ postal bank) and IGBCE (chemical/ mining/ energy/ leather). As a result of privatization in the case of DPG, and merger in the case of IGBCE these two unions have introduced a comprehensive organizational reform which includes organizing as a core strategy. We provide a brief overview of their innovative strategies below.

#### 2.1.1 DPG

The watershed year for DPG was 1992. The union lost more than 100,000 members between 1992 and 2000 (546,906 to 445,390), mainly because of tremendous changes in the industry. DPG was a traditional, very powerful "company union" in the public sector and acted as a closed shop. "If you became an employee for the Deutsche Post you had to join the union" (advertisement, March 1999). The union had good relations with management and was traditionally known for its social partnership approach.

Yet restructuring and privatization of various parts of the Deutsche Post (e.g. Deutsche Postbank), the privatization of Deutsche Telekom and the entry of private competitors in transport and telecoms (UPS, mobile phone companies) all meant job losses and the need for DPG to adapt to dramatically changing conditions in order to survive.

In 1993, DPG introduced a comprehensive organizational reform programme. For example, the four original departments responsible for communications, advertising, public relations, in-house journals and recruitment were merged into two. The department responsible for the advertising, membership journal, and publications is now responsible for organizing. The term 'advertisement' is preferred to 'recruitment'. "We're not an army which recruits people but an organization which promotes itself" (advertisement, March 1999).

Moreover, in 1994 the board of directors decided to implement a comprehensive reform to promote organizing throughout the entire DPG. The central message was that membership organizing is everybody's job. It is no surprise that this created various forms of resistance among full-time officials which has not been entirely overcome.

The first step in the programme was to communicate to all officials that organizing is a top priority. For example, there is no speech of the chief executive which does not include a statement about the organizing efforts of the DPG. Second, it included an image campaign (new logo, new information brochures for members) and new publicity materials to support new organizing

methods at shopfloor level. Third, several organizing campaigns were developed to increase membership in core companies and in greenfield sites. Fourth and most important, it included a thorough structural reform of the union to support organizing. Each of the 17 union districts was asked to select one organizer among its board members (who takes the job for a minimum of 4 years). The head office helped by producing a list of the essential personal characteristics of organizers. "There is no financial incentive to become an organizer, motivation is all that counts" (official advertisement). They had to get their local branches to select one organizer who then had to get the workplace branches to select an organizer for themselves. This network of organizers at each level of the union hierarchy is supposed to establish a firm 'backbone' for the organizing effort. All organizers meet regularly and receive professional training.

Organizing at the DPG has five explicit objectives: (i) to keep members in the union and to provide good services for them; (ii) to recruit new employees and young people; (iii) to recruit employees who are not yet members; (iv) to keep retired members; (v) to prevent members who want to leave the organization from doing so (DPG brochure, June 98).

The emphasis is on systematic planning of the organizing initiative; analysis of membership potential; realistic goal setting; continuing motivation and training of organizers (to prevent fatigue and stress); and monitoring and evaluation of individual campaigns.

So far the union's efforts seem to have paid off. Although membership is still declining, the number of new recruits is increasing. Since 1994, around 12,700 new members have been recruited each year. "This is more than IGM achieves", the head of the publicity department announced proudly. He knows that it will be difficult to reach a positive membership balance within the next couple of years, but in the long run he thinks it is possible.

Another initiative started in 1999 (Offensive 1999) with the declared aim of doubling the annual number of new members compared to the previous year. The initiative includes "members-recruiting-members" programmes (financial incentives). It also encourages local organizers to initiate organizing campaigns and to compete with other workplaces recruiting new members (financial incentives). The explicit aim is to get the local organizers to mobilize the entire workplace. This includes developing organizer teams at local level which are given professional training on team work. So far the emphasis has been on training individual organizers; now the idea is to get them to create teams which discuss individual organizing problems and develop campaigns together. They are supported by information resources, and seminars are held to explain the concept. The initiative will be evaluated at the end of 2001 with the help of a survey of the local branches.

In sum, DPG organizing efforts are relatively successful and top officials are enthusiastic about this development. However, they acknowledge that there is still an urgent need to make organizing more effective. A 1998 DPG survey revealed that only a third of local union officials thought of themselves as active organizers. Yet, the DPG seems to be on the right road. It has managed to make organizing a top priority, and introduced structural reforms to support the effort.

#### 2.1.2 IG BCE

The former chemical union (IG Chemie, Papier, Keramik) has been aware of its membership problems since the 1980s, but unification and the 1997 merger (mining and leather: IG Bergbau und Energie, IG Leder) forced them to neglect this topic for a while.

Soon after the merger the new union started its first systematic organizing initiative (Offensive 2000) which lasted until the end of 1999, and which was accompanied by major organizational changes. The initiative was based on a participative approach and was therefore discussed throughout the organization rather than implemented from above. The structural reform comprised the creation of three subdivisions of the department 'organization and publicity' which are responsible for local campaigns. Group A is responsible for companies which are already organized, where the aim is to increase union density. Two full-time officials are responsible for

organizing and they receive regular assistance in running individual campaigns. All union officials of the IGBCE are required to spend four weeks each year in organizing. Campaigns were held in 112 companies during 2000.

Group E is responsible for non-unionized companies. The group is led by one full-time officer who helps officials of selected districts to organize campaigns in their area (the regional officers are required to spend time in this project). Last year they approached 139 companies and initiated 40 new Works Council elections.

The third group "members-recruit-members", has two full-time trainers who travel from company to company to train workplace activists in individual and collective organizing.

There are various other projects. For example, all shop stewards receive an application form each month from headquarters to remind them to recruit at least one new member each month. Moreover, each district officer has to visit two companies each month and recruit members (without goal setting). The results are sent to the district chief officer and to the head of the publicity department.

At this stage the project is regarded as worth the effort despite membership losses during this period (1,010,555 members in 1997 and 922,783 in 1999). The three groups have recruited around 9000 new members each year. The long-term aim is to consolidate the 1 million membership figure.

There are differences between the organizing models of the two unions. For example, the organizing project of the IGBCE is more centrally planned and controlled than that of DPG: all officers are obliged to work on organizing for an entire month each year. DPG pursues a slightly more voluntary and decentralized approach and tries to empower organizers at every level. DPG headquarters introduces new campaigns which can be taken up by the local branches if they choose, but there is no obligation to do so. Both unions have a coherent, planned approach to organizing. Certainly, all German unions hold organizing campaigns but what distinguishes these two from the rest is their strategic approach which includes a financial and organizational investment in increasing membership.

The above description is supported by a representative survey of works councillors conducted by Frege in 2000 (table 1). Although the works councillors of both unions mostly used traditional organizing tools such as distributing publicity materials, focusing on a successful Works Council activities and talking to non-members at shopfloor level, they are convinced of the importance of organizing. A large majority (72 per cent), for example, disagree that serving members is more important than organizing, or that there are more important problems for the Works Council than organizing. They are also convinced that unions still have a major role to play in todays' society (87 per cent) and half of them think that can sell union success to their workforce.

In short, these findings suggest that the two unions have managed to raise the awareness of their shopfloor activists, i.e. works councillors, about the importance of union organizing. This is particularly interesting with regard to the current debate of the German labour movement on works councillors' assumed tendency to become more independent from unions and more workplace focused.

<sup>&</sup>lt;sup>7</sup> The survey comprises 485 questionnaires, a return rate of 39 per cent. The questionnaire comprised 113 variables on workplace relations and Works Council - union relations. For more information please contact Carola Frege.

Table 1: Which organizing methods were used in your workplace last year? in %

	Yes	No
Special organizing team	28	72
Benchmarking (how many new members should be organized)	14	86
Explicit effort to talk to non-members at shopfloor level	83	17
Planning who addresses which unorganized worker	46	54
Distribution of publicity material	74	26
Union-sponsored leisure activities for non-members and members	28	72
Home visits to non-members	3	97
Financial incentives for members who recruit new members	39	62
Practising good Works Council activities	96	4
Union advertisements on the notice board	62	38
Workplace organizing campaigns during collective bargaining/strikes	34	66
Information campaigns for potential new members of special groups (women, youth, foreign workers)	29	71

## What do you think about the following statements? In %

	strongly disagree	disagree	no view	agree	strongly agree
Organizing campaigns are not worth the money; you only get new members through good Works Council activities	7	42	12	33	6
There are more important problems at this workplace than member organizing	16	42	9	30	4
Success in member organizing is ultimately not important for the bargaining strength of the Works Council	19	44	4	29	5
Management intimidates potential members	33	48	7	9	2

Overall, employees do not need unions as much as in former times	50	37	4	8	2
Our union has an old-fashioned image	16	45	14	22	3
We cannot sell union success anymore	7	46	9	34	5
Officials of our union are not sufficiently engaged in membership organizing	5	35	16	38	6
In the end it is more important to serve existing members than to organize new members	14	60	11	13	2

There are three conclusions. First, our preliminary findings suggest that despite increasing awareness of the importance of the issue and efforts among all unions to improve their recruitment campaigns, an American style organizing model is not widespread within the German labour movement. Out of 12 union only DPG and IGBCE have properly implemented an "organizing approach".

Second, the organizing campaigns of these two unions show that typical "social partnership" unions such as DPG and IGBCE are capable of introducing an organizing approach similar to the US model, but without a militant, mobilizing ideology. This "paradox" might challenge the hypothesis put forward in the American literature that social partnership unions cannot adapt an organizing model.

Third, another difference between the organizing approach of the two German unions and the US model is that the former did not propagate a shift from servicing into organizing. The German unions practice "managerial organizing" as opposed to "grassroots organizing" or participative unionism as the US model suggests. In other words, German unions' continue to be heavily focused on servicing their members, who are to be attracted and retained by well-designed and attractive services. In contrast to Anglo-Saxon managerial unionism (see Heery and Kelly, 1994) collective interests are not displaced by a concern with the interests of individual members. Rather, an attempt is made to "sell" collective interests as individual interests. Thus, organizing is seen as a strategy to advertise union services.

A final question is whether participative unionism is a necessary and feasible condition of organizing as proclaimed in the United States. We are sceptical. There were fierce debates in the German labour movement during the 1980s on how to transform unions into participative or discourse organizations (e.g. Zoll, 1990). Today these debates have practically disappeared. One explanation might be that participative or social movement unionism is only affordable in times of economic growth, and is basically directed at a well-fed, well-educated middle-class. German political unification and the current economic restructuring (globalization) have forced the unions to deal with simple bread-and-butter issues. Unemployment is clearly the first concern. Social movement unionism may be appropriate in the American context with a growing economy and tight labour market supply, but not in the current German situation.

To conclude, an American-style organizing model is not practised in Germany. However, there are indications that the two social partnership unions (DPG, IGBCE) are quite successful with their newly established organizing approach. This raises the question of the extent to which militant ideology and social movement unionism are really necessary for a successful organizing model, and whether they only apply in an Anglo-Saxon setting. Our preliminary findings suggest the latter. To use Turner's (1998, p. 38) words, "the high road of European style labour-management cooperation" might just be as successful as American-style organizing activities which take the "low road of grassroots mobilization".

## 2.2 Mergers and internal restructuring

Internal restructuring is not new to the German trade union federation, DGB. As Streeck pointed out in his seminal study on labour's organizational development in the post-war era (Streeck, 1981), several unions turned to "administrative rationalization" and sought to mobilize additional resources. Such strategies particularly concerned the revenue from dues and included the formalization of membership status. Thus, several unions introduced computerized record keeping as well as direct deposit in order to put the union on a more solid financial footing. While earlier practices required union representatives to get in touch with each and every member simply to collect the monthly contributions, automatic transfer eliminated this chose. The earlier initiatives, however, focused almost exclusively on increasing the resources at the union's disposal. More recent strategies focus on a much broader range of measures for restructuring, notably the switch from a strategy which seeks to extract even more resources from its membership, to the more efficient use of money, staff and volunteers. During the second half of the 1990s unions pursued various forms of internal restructuring, ranging from alterations in the organizations' formal structure, to the introduction of more sophisticated human resource management practices and the implementation of comprehensive and long-term programmes of "organizational development". Throughout the 1990s, restructuring strategies based on introducing state-of-the-art computer technology were still widespread, but unions in particular turned to "soft" strategies based on management practices (Müller, 2001).

In several cases restructuring programmes were introduced in the context of union mergers. Unions either had to adjust their organizational structure in order to integrate a second union, or they used this window of opportunity to break resistance within the organization and to introduce structures which were on the agenda even before the merger.

Surprisingly, there was no union in our sample which did not restructure at all. Although it is sheltered from market competition and protected from rapid membership loss, the Police Union (GdP) initiated internal restructuring as did the Public Services, Transport and Traffic Union, ÖTV. We also found examples of internal restructuring by industrial unions such as the construction workers (Industriegewerkschaft Bauen, Agrar, Umwelt, IG BAU), the metal workers (IG Metall), and the chemical and mineworkers (Industriegewerkschaft Bergbau, Chemie, Energie, IG BCE) which are strongly exposed to market competition.8 Although we could find no uniform pattern of restructuring, certain measures appeared to be very popular among several unions. These included new techniques to spread goals throughout the organization and to commit union bodies at all levels to them. Target agreements, a modified version of management by objectives, were introduced by several state-level union bodies within the GdP, by the national miners' and chemical workers' union and in part by the national headquarters of the construction workers. The general philosophy behind target agreements is that organizations can only be successful when their goals are clearly specified so that they provide all actors with definite guidelines. Goals are to be defined in negotiations between actors at different levels of the hierarchy; they may relate to outcomes, output, use of resources or efficiency. In practice, target agreements are a rather hybrid form of control. On the one hand, they differ from orders because they are based on negotiation; on the other hand they are not egalitarian because of the uneven distribution of power between the parties involved. In addition, there are usually no real sanctions for non-compliance because the concept of a target agreement assumes first, that all actors strive to produce good work and second, that they are goal oriented.

<sup>&</sup>lt;sup>8</sup> While the German metal and chemical industries are traditionally operating on international product markets, the construction workers' union is strongly affected by labour mobility and in particular by the influx of foreign workers.

In practice, such goals concern different aspects of unionism. As part of a comprehensive programme for organizational development<sup>9</sup> the chemical and mineworkers started to experiment with target agreements in 1998. The union negotiated targets for dues revenue and membership development but also considered criteria such as union success in elections for Works Councils and supervisory boards. <sup>10</sup> In the case of the Police Union such agreements had been negotiated between state-level union bodies and locals; they mainly concerned membership activation and participation. <sup>11</sup> The construction workers are considering target agreements as a tool to improve organizing activities by local unions. <sup>12</sup> Because the definition of some of those targets is still causing problems, there is a growing debate about control. According to a statement by the director of the union-owned legal service corporation:

In a truly efficient steering system controlling is supporting political leadership within the organization, is leading to more transparency inside the union, to the professionalization of economic leadership as well as to cost reduction and to concentration on the most important tasks while also being able to better serve the needs of membership (Westermann, 1998, p. 313).

While statements like this are an expression of wishful thinking rather than the reality of organized labour, it is remarkable that parts of the labour movement are considering the use of practices initially invented and implemented in the corporate world. In addition to initiatives which seek to improve union governance, some unions have also turned to more sophisticated human resource management practices. While measures to improve union government structures through target agreements and control seek to pursue more coherent union policies, human resource management strategies first made their way into the union as a means to consolidate budgets and to keep personnel costs under control. The ÖTV was among the first unions to adopt an official policy on this matter. At its special union convention in 1994, a majority of delegates passed a regulation which prohibits the organization from spending more than 45 per cent of its budget on payroll. Once this key parameter was defined, the ÖTV, as well as other unions, faced the difficult task of adjusting its staff to declining membership levels and falling dues revenue without firing union employees.<sup>13</sup> While the public sector and transport workers, as well as other unions, predominantly used staff turnover and generous early retirement plans to adjust their payroll to declining financial resources, later on they increasingly emphasized human resource development as a means to use the full potential of staff. At a more general level this type of internal restructuring leads to revised mission statements which require unions to treat their members as guasi-customers rather than as passive owners. <sup>14</sup> For a while it seemed that "customer-orientation"

<sup>&</sup>lt;sup>9</sup> The programme was called "GEO, Gemeinsame Entwicklung der Organisation".

According to interview IGBCE, 11.28. 2000.

<sup>&</sup>lt;sup>11</sup> According to interview GDP, 12.08.1999.

<sup>&</sup>lt;sup>12</sup> According to interview IG BAU, 12.09.1999.

There is an unspoken and unwritten law within the German union movement, that labour shall treat its employees better than its counterparts within the corporate world. While unions occasionally dismiss staff for misconduct, the rule prevents them from firing union representatives and clerical staff for economic reasons. There was, however, a notable exception when the Banking and Retail Union HBV faced such a severe budged crisis that it was forced to dismiss several union representatives in its East German offices.

Right from the beginning this "customer-orientation" view sparked conflict within the organization. Strong forces within the labour movement maintained that unions are still substantially different from a mere service agency or, to take a frequently used point of reference, for the ADAC, the leading German automobile club.

was only given lip-service but in the second half of the 1990s an increasing number of unions took steps to follow up on this concept. In paraphrasing the proponents' language: To treat members as customers, unions first need to know what customers want and second, need to enable service representatives to deliver exactly these goods. To take only a few examples, the metalworkers asked the POLIS-Institute<sup>15</sup> to survey its membership. The Institute found that 84 per cent of its West German and 76 per cent of its East German members were satisfied with the union's core services such as collective bargaining, legal support and political interest representation but there was also substantial criticism, particularly in relation to the organization's lack of flexibility. The Police Union surveyed its membership twice. In the first survey the GdP commissioned the Institut für empirische Forschung to find out how members value their own organization. A more recent survey conducted by Zimbel und Partner (Heidelberg) analyses why former members have left the union. Similar membership surveys were conducted by the construction workers<sup>16</sup> while the chemical workers commissioned the Frauenhofer Institute to measure the accessibility of the union office for the members. <sup>17</sup> While opinion polls and membership surveys are frequently used instruments, a few organizations have turned to a more professional management of human resources. Increasingly unions realize that full-time representatives are a driving force in their success. Although union activists in Works Councils, union workplace representatives and a limited number of activists are important to keep the organization running it is the responsibility of local representatives to connect the different fields of union activity. With the notable exception of the Police Union<sup>18</sup> paid representatives have to strike a balance between the interests of works councillors and the union locals, to provide important membership services such as legal counselling. They frequently maintain close ties with political actors as well as with social movements. The construction workers, and to a smaller degree also IG BCE and IG Metall, recently turned their attention to improving the performance of those paid representatives. While plans to introduce performancebased pay structures are still at the stage of preliminary consideration<sup>19</sup> all three organizations increased their efforts to improve hiring procedures and staff training; IG BAU also raised the standards for union representatives. During the 1960s and 1970s a majority of union officials came from the rank and file and received only a limited amount of training, but newly hired representatives are now required to graduate from a demanding 23-month training programme. The course consists of 11 months of quasi-academic education, and one year on-the-job training in a local which specializes in training; trainees need to pass a national examination administered by union headquarters. To raise the level of qualification within the ranks of union staff, IG BAU

In contrast, reformers insisted that "customer-orientation" would better fit members' needs and also make the union organization more accessible to the rank and file (See Simon, 1997).

<sup>&</sup>quot;Gesellschaft für Politik und Sozialforschung"

<sup>&</sup>lt;sup>16</sup> By the Sozialwissenschaftliche Forschungsgruppe (SALSS) in 1993 (IG BSE 1995).

<sup>&</sup>lt;sup>17</sup> Interview IG BCE, 11.28.2000

The GDP structure mirrors the different layers of the police administration. Because police affairs are considered the prerogative of the German Länder, the national union headquarters are rather weak compared to the state-level union bodies. In most of the states, there exist binding agreements between the GDP and state level Ministries of Interior Affairs which allow elected union officials to fulfill their duties during work hours. In this system, the state is basically paying for most of the union staff so that, for example, the GDP in Lower Saxony needs to employ only two full-time representatives for servicing some 16,000 members.

<sup>&</sup>lt;sup>19</sup> Plans for performance-based pay have been presented by the union federation DGB. Behind the screens, the construction workers as well as the DGB-owned legal service corporation (DGB Rechtschutz GmbH) are considering the introduction of new pay structures for union staff.

introduced a generous early retirement plan and replaced part of the retiring generation of union officials with representatives trained according to the new standards.

All these initiatives were implemented by the national union headquarters or by state-level union bodies, but they seldom involved locals or union activists at the local level. Some unions, however, discovered that top-down restructuring risks ignoring existing potential in other parts of the organization. Thus, several unions set up more comprehensive programmes of organizational development involving local and regional union bodies and in several cases even bringing outside consultants into the union organization. Such projects are usually long-term, they target units from all parts of the organization, and seek to encourage active participation. Probably the most ambitious programme was the "Projekt OrganisationsEntwicklung" by the metal workers' union which started in November 1993 and lasted for almost six years. In terms of subjects for union restructuring and development the project covered lot of ground. It included rather technical issues such as the distribution of competencies between different units, but also visionary themes such as future fields of union activity. Eight areas for restructuring were defined and union locals as well as regional districts were invited to submit applications for co-funding by the national union. A special committee, comprised of IG Metall headquarters officials, representatives from all seven districts and some selected locals, evaluates the project and visits the local to check if the proposal is realistic and sound. Besides this aspect of quality control the steering committee also ensures that a full range of topics for restructuring are covered and helps union bodies to implement and improve their programmes. In total the union funded some 70 local, eight multi-level and five district-level projects.

In 1997, and on a much smaller scale, IG BCE initiated its GEO Projekt<sup>20</sup> which is designed to initiate a long-term modernization process within the union and which first included ten different project teams. In March 1998 the construction workers followed the lead. IG BAU created a special department for organizational development within the national headquarters and commissioned a national steering committee to launch a number of projects. These projects sought to improve the quality of union services and to enable the organization to use its financial and personnel resources more efficiently. While IG BAU maintained a balance between national leadership and local involvement, an earlier project by the public sector union ÖTV designed the process of restructuring much more from the top down. At its national union convention in 1988 ÖTV set up a campaign for organizational reform which was amended by a more participatory component in 1994 (Frey, 1998). In contrast to the organizational development programmes of IG Metall and IG BCE, the ÖTV approach was initially much more focused on the need consolidate the budget and to streamline its operations. Thus, it was hardly surprising that by 1994 the outcomes of organizational reform had led to a revision of the ÖTV's formal structure. Budget guideline had been introduced and the size of executive boards and committees had shrunk. In addition, the number of separate occupational departments had been cut from forty to six.

But savings programmes are not the privilege of public sector unionism. Partly because of membership decline, many unions found themselves in a situation where organizational restructuring seemed to be inevitable just to keep the organization running. In several cases it is difficult to judge whether restructuring is just a reaction to budget constraints or rather an attempt to develop the organization<sup>21</sup> proactively. However, in all the cases under review internal restructuring was more than a technical adjustment because it always affected the vital interests of

<sup>&</sup>lt;sup>20</sup> GEO is the acronym for "Gemeinsame Entwicklung der Organisation" (joint development of the organization).

<sup>&</sup>lt;sup>21</sup> The most clear cut case of reactive adjustment is probably the restructuring of the German Trade Union Federation DGB, which almost completely depends on financial contributions from its member unions. As a consequence of membership loss and declining dues revenue the DGB had to merge large numbers of local offices and also cut the staff of its research institute by half.

actors within the union. Beyond saving money or developing organizational structures, reform is also political because it frequently changes the distribution of resources and power within the union. For example, when the construction workers planned to use their personnel resources in a more flexible manner by allowing union headquarters to transfer paid representatives between locals, this sparked substantial conflict within the organization. Because hiring and work assignments had long been considered the prerogative of each local, some local leaders considered this proposal as a challenge to their own power as well as to local union autonomy. It took a substantial effort to change the rules for resource allocation and the constitutional amendment was finally passed by a very narrow margin.

In several cases union mergers provided an opportunity for internal restructuring and even accelerated the decision-taking process.<sup>22</sup> As our research indicates, however, there is no standard pattern of union merger and the final outcome in terms of internal restructuring strongly depends on the key characteristic of the unions involved as well as on the power relations between them. As table 2 indicates, merger activity is largely a more recent phenomenon. While the number of independent affiliates of the German Trade Union Federation DGB remained stable at 17 for most of the post-war period, this stability was followed by massive merger activity which brought the number of affiliates down to eight.

Table 2: Union mergers 1950-2001

Union	Merged with	New name	Membership (as of 2000)	Year of merger
IG Druck und Papier	Gewerkschaft Kunst	IG Medien	175,044	1989
IG Bau Steine- Erden (IG BSE)	Gewerkschaft Gartenbau, Landwirtschaft, Forsten (GGLF)	IG Bauen, Agrar, Umwelt (IG BAU)	539,744	1995
IG Chemie, Papier Keramik (IG CPK)	IG Bergvau und Energie Gewerkschaft Leder	IG Bergbau, Chemie, Energie (IG BCE)	891,587	1997
IG Metall	Gewerkschaft Textil - und Bedleidung (GTB)	IG Metall	2,630,620*	1999
IG Metall	Gewerkschaft Holz und Kunststoff	IG Metall	2,763,485	2000

<sup>&</sup>lt;sup>22</sup> According to Müller (2001, p. 110) mergers are just tools which help unions buy time for restructuring.

Gewerkschaft Öffentliche Dienste,	IG Medien	Vereinigte	2,888,482**	2001
Transport und Verkehr	Deutsche Postgewerkschaaft (DPG)	Dienstleistungsg ewerkschaft (ver.di)		
(ÖTV)	Gewerkschaft Handel, Banken, Versicherungen (HBV) Deutsche Angestelltengewerkscha ft (DAG)			

<sup>\*</sup> Excluding membership of the Gewerkschaft Holz und Kunststoff

But when merger is the answer to a problem, what actually is the problem? In a number of cases mergers were considered to be the remedy for membership decline.<sup>23</sup> During the time of low merger activity DGB affiliates faced a split development of membership. While in absolute numbers unions gained strength because membership increased from 5.450 million (1950) to 7.938 million (1990), their relative strength was constantly declining because unionization rates came down from 35.7 (1950) to 29.0 (1990). The process of union mergers picked up speed only in the aftermath of German unification, when absolute membership also started to dip. Smaller unions such as the artists union (29,613 members in 1988), the leather workers (21,929 members in 1996), the garden and forestry workers (82,725 members in 1995), the timber and plastics workers (132,865 members in 1999) and the textile workers (183,349 members in 1997) found it increasingly difficult to maintain union offices in all regions of the country and to provide basic services for their members. While the financial situation of the smaller unions was very heterogeneous,<sup>24</sup> they all expected members to benefit from being part of a larger and potentially more powerful organization. From the perspective of the larger "host" union, there would be economies of scale and increased power relative to the employers as well as within the DGB. A similar rationale could be attributed to the merger between the chemical workers' union (IG CPK) and the mineworkers (IG Bergbau und Energie). Although at the time of the merger the mineworkers were comparatively strong<sup>25</sup> and wealthy, the union could expect to continue losing members because the industry is scheduled to reduce the number and workforce of the coal mines it operates. Thus, the mineworkers acted proactively but did so in the expectation of ongoing decline.

But even in the case of quasi-takeover of a small and weakened union by a comparatively large and powerful organization we frequently found negotiated arrangements and all kinds of unintended side-effects. For example the entire process of merging the chemical workers' union with the mine workers' and the leather union took four years to prepare and in several areas it was not clear who was in charge. The entire process was accompanied and supervised by an external

<sup>\*\*</sup> As of March 2001

<sup>&</sup>lt;sup>23</sup> According to Streeck and Visser (1998) union officials pay little regard to sector and politics but are driven by the search for "organizational viability".

The leather workers were considered to be rather wealthy while the textile workers and the timber and wood workers faced severe budget constraints.

<sup>&</sup>lt;sup>25</sup> In 1996 IG Bergbau und Energie still had 335,317 members who were mostly concentrated in the few German mining regions. In addition, the union also benefited from extensive co-determination rights in the coal, iron and steel industry.

union-friendly research institute (Martens, 1998; Martens and Klatt, 1994) and started with a non-binding "cooperation agreement" which allowed the parties to withdraw from the project at any time if they disagreed with the result of negotiations. Finally all three unions decided to dissolve their old organizations and allowed their members to revoke the transfer of their membership status to the new IG BCE. <sup>26</sup> In other cases, such as the merger between the gardeners' union GGLF and the construction workers, members were transferred automatically.

In both cases, successor organizations inherited more than just members. IG BCE for example was faced with an established tradition of the mineworkers union, which did not only service and involve members at company level but maintained a strong community-based structure at the level of workers' living quarters. The new union discovered that in times of increasing worker mobility and fading ability of unions to reach their members on the shopfloor, this structure makes

it possible to stay in touch with more members. The construction workers had a different experience. While the organization was dominated by male workers, for many years, the merger with GGLF suddenly brought large numbers of women into the organization<sup>27</sup> and forced the union to reconsider part of its culture.<sup>28</sup>

In contrast to mergers between non-equals, chiefly motivated by membership decline, the most recent merger between five public sector unions took place in a different context and thus represents a second type of merger activity. According to a mission statement by the participating unions, Vereinigte Dienstleistungsgewerkschaft (ver.di) was initiated in response to technical, economic and social change within the economy, state and society (Gründungsorganisations Ver.di 2000). The union seeks to end jurisdictional disputes within the growing service economy and thus make labour stronger at the bargaining table. Before the foundation of ver.di three different unions used to organize employees in banking, but ver.di will now have exclusive jurisdiction. The participation of Deutsche Angestelltengewerkschaft (DAG) in the new union is particularly important because DAG remained outside the German Trade Union Federation DGB for many years, and is thus considered to be a competitor for service sector unions such as ÖTV and HBV, and also for the metal workers' union.<sup>29</sup> In addition to reducing inter-union competition the participating unions also plan to benefit from economies of scale by pooling their resources. Below the level of more general goals ver.di also shows the difficulties union face in creating a new organization which is both efficient and legitimate (Keller, 1999, p.622). To provide equal representation for all occupations represented by ver.di, participating unions decided on a "matrix structure". In this matrix, workers' interests will be represented by 13 different branch level units, which cover more than 1,000 different occupations in some 30 industries. In addition, the new union maintains a hierarchical structure composed of local unions, regional/state-level union bodies and the national headquarters. The smaller participants in the merger insisted that all 13 branch level units are to be represented by full-time officials at all three hierarchical levels within the organization. While such a matrix structure is expected to support the active integration of participating actors and to improve equality, there is also the danger of unclear responsibilities, high transaction costs and conflict. Thus, it is hardly surprising that companies only rarely decide to

<sup>&</sup>lt;sup>26</sup> Interview IG BCE 28.11.2000

<sup>&</sup>lt;sup>27</sup> In 1995 28.3 per cent of GGLF members were women while the former construction workers' union IG BSE had only 9.7 per cent female workers in their ranks (Müller-Jentsch/Ittermann, 2000, table C 30, C 32).

<sup>&</sup>lt;sup>28</sup> Interview IG BAU 06.30, 1997

<sup>&</sup>lt;sup>29</sup> Unions affiliated with DGB usually organize along branch boundaries and also obey the concept of "one company one union". The DAG, in contrast, organizes exclusively white collar workers but was doing so in all sectors of the German economy. These two competing concepts of unionism caused substantial strain withing the labour movement.

introduce this type of structure. In the case of ver.di, the matrix appealed to participating unions because it promised a clear-cut, technical solution to a political problem. The small unions were afraid of being disenfranchised by the large and powerful ÖTV and thus insisted on this kind of guarantee to preserve their identity.

While it is still too early to predict how the unique experiment with ver.di might end, it is fair to argue that creating the world's largest single union is a demonstration of the unions' tremendous courage in designing the new organization in a rather eclectic way. While labour's experience with both internal restructuring and union mergers is rather recent and limited, a set of routines is slowly emerging which helps unions select promising strategies for restructuring.

## 2.3 Social partnership

For a long time industry-wide collective bargaining has been a central feature of industrial relations in Germany. Strong, centralized unions and comprehensive employers' associations negotiated collective agreements at national or regional level, and thus removed potential sources of conflict from company-level management and Works Councils. The strength and unity of the key actors, along with the limited exercise of militancy, provided the basis for social partnership. During the last decade, however, there are growing concerns that this so-called "dual system" might be weakened or even replaced by "something else" (Thelen, 2000; Hassel, 1999; Jacoby, 2000). Although it is not clear what this "something else" might be, there are signs that organized labour is facing an uphill battle in collective bargaining. There are three major areas for concern. First is the growing number of companies which choose not to join an employers' association and thus are not covered by an industry-wide collective agreement. In 1999 (see tables 3 and 4) 52 per cent of companies in the West and 72 per cent of the companies in East Germany were not covered by industry-wide agreements. However, those West German companies which apply the standards set by industry-wide bargaining still employ the majority of the workforce.

Table 3: Collective bargaining coverage in West Germany

	Companies (1997)	Employees (1997)	Companies (1999)	Employees (1999)
Industry-wide agreement	49%	65%	44%	65%
Company agreements	9%	n.a.	3%	8%
Without collective agreements	42%	n.a.	52%	27%

Source: IAB Betriebspanel

The situation in the East appears to be worse (see table 4). But we should bear in mind that although they are not legally covered by industry-level agreements, a substantial number of companies are using the wages and hours determined by the industry agreement as reference.

Table 4: Collective bargaining coverage in East Germany

	Companies (1997)	Employees (1997)	Companies (1999)	Employees (1999)
Industry-wide	26%	44%	21%	46%
Company-level agreements	14%	n.a.	5%	11%
Without collective agreements	60%	n.a.	74%	43%

Source: IAB Betriebspanel

A second challenge to social partnership concerns the so-called opening or hardship clauses. Faced by substantial pressures to adjust uniform standards for wages and working time to diverging conditions at company level, almost all German unions negotiated clauses allowing for limited deviations. According to the WSI Works Council Survey (Bispinck, 2001; Dorsch-Schweizer/Schulten, 2001), 22 per cent of all Works Councils reported the use of opening clauses at company level. Most frequently, Works Councils or unions have agreed to the extension or reduction of working time, lower entry-level wages or a reduction of the annual bonus. Finally, there is a growing number of cases where individual employers have cut pay or changed working time in violation of the collective agreement. According to the WSI-survey, 15 per cent of all Works Councils reported that establishments sometimes or frequently violate collective agreements. Given that this survey is based on self-reported data by the Works Councils, the real numbers might be even higher.

#### 2.3.1 Differences between industries

Within the general picture, there are significant differences between sectors which are strongly exposed to international market competition. Collective bargaining in the metal industry traditionally takes place at regional level but agreements are usually quite uniform throughout the country. Part of the reason for this homogeneous structure of bargaining outcomes is the union itself which, after losing a bitter strike in 1954, transferred authority for collective bargaining to the national union headquarters. Although IG Metall still negotiates model agreements which cover a large share of the unions' jurisdiction it increasingly allows individual companies to deviate from the terms and conditions of regional agreements. Although the union did not formally agree to an opening clause, it included a declaration in the industry-wide agreements which signals flexibility to employers.<sup>30</sup> Because such deviant terms and conditions were usually negotiated at the level of IG Metall's district union bodies this new practice signaled a remarkable decentralization of labour's bargaining power.<sup>31</sup> In contrast, collective bargaining in the chemical industry remained largely focused on national level social partnership. Although IG BCE agreed to various opening clauses which allowed for firm-level exceptions from the national agreement, the union did not permit subordinate union bodies to grant more favourable conditions to single companies. National level social partnership between the chemical workers union and BAVC, the highly centralized national

<sup>&</sup>lt;sup>30</sup> "Erklärungen zum Tarifvertrag" usually provide that "the parties to the agreement will continue the prevailing practice and strive to find special solutions that help companies prevent bankruptcy and thus will contribute to saving companies as well as jobs."

<sup>&</sup>lt;sup>31</sup> Interview IG Metall, Frankfurt May 1999; interview Gesamtmetall Hanover, March 1999 and Cologne, June 1999.

employers' association, remained largely intact and the adjustment of key terms and conditions on the national agreement to the changing business environment has gone smoothly so far.<sup>32</sup> Finally, the construction workers are operating in a very unfortunate bargaining environment. Faced with the massive influx of foreign workers, the deregulation of labour-friendly laws in the field of bad-weather allowances and a growing number of contractors who are violating collective agreements, the construction workers' union IG BAU turned away from the two national employers' associations, HDB and ZDB, to appeal to the state for help. With its massive lobbying for a kind of national minimum wage, based on the European level Posted Workers Directive, the union sought to introduce a new, lower minimum.<sup>33</sup> Thus, the social partners in construction not only faced a shift in the level at which bargaining took place, but also lost much of their power to collectively determine wages, hours and working conditions.

With the remarkable exception of the chemical industry, collective bargaining is being decentralized. While in the metal industry the union and individual employers are shifting some bargaining power to district level, the construction workers' union has little control over the process of decentralization. Unbalanced decentralization in the metal industry threatens to weaken social partnership because national and regional employers are bypassed. In construction, labour is seeking to replace the weakened national employers' associations by the state, which is a more powerful actor. As far as strategies for revitalization are concerned, there seems to be little unions can do to maintain peak level social partnership. As long as employers' associations are unable to commit all their members to standards set by industry-wide collective bargaining there is always pressure for decentralization. At least in theory, unions could shift their focus from the industry-to the company- level and thus put pressure on employers who stay on the sidelines. In a limited number of cases unions have actually pursued such a strategy<sup>34</sup> but firm-level pressure tactics generally prove rather costly. They could also change the fragile balance between Works Councils and industry-wide unions.

A second union strategy, however, seeks to adjust the content of collective agreements to the changing needs of workers and companies. Such agreements target new groups of workers who have not previously been the focus of attention. They also include new bargaining topics which have gained importance either because of economic restructuring and the changing needs of companies, or because unions are trying to compensate workers for new risks not covered by the welfare state. Most of these innovative agreements were first negotiated at company level and it remains to be seen whether their provisions will spread throughout the industry. There have been several cases in the recent past where union and company-level management in Volkswagen included innovative provisions in a firm-level agreement which were later extended to the entire industry. In this sense, Volkswagen is something like a "laboratory" for industry-wide collective bargaining in the metal industry. But there are other laboratories as well.

Interview, Hanover, March 1999; interview, Hanover, March 1999 #2

This minimum wage within the construction industry was originally intended to limit wage competition by requiring domestic and foreign contractors to pay their workers minimum wages for the time they are working on German construction sites. Even if the contracts of those foreign workers or collective agreements in their home countries provide for lower standards the "jus loci laboris" entitles them to German minimum wages. Despite the original intention of the law to lift the wages of posted workers, the law also provides a wage floor for German workers. According to calculations by IG BAU, workers in East Germany do not earn more than the minimum wage.

Probably the most impressive case occurred in the construction industry where IG BAU sought to bring rebellious companies back into the national employers' association.

#### 2.3.2 Debis

Debis, the service subsidiary of DaimlerChrysler, operates in a business environment which is completely different from Daimler's blue-collar culture. Most of Debis' employees are highly skilled and they are used to representing their own interests. Consequently, most of them had no contact with IG Metall before the union initiated the election of a general Works Council in 1990. The union, however, still had to learn how to develop a collective agreement which would fit the needs of this special group of employees. In the traditional blue-collar sectors the union's task was to provide decent working conditions and job security at a given workplace. In the case of Debis it had to provide an institutional framework which would encourage employees to be flexible and to take personal risk. Finally, in 1998 IG Metall and company management concluded an additional collective bargaining agreement. Legally considered to be a side letter to the industry-wide agreement for the metal industry, the new Ergänzungstarifvertrag provided for special regulations on pay, working time and training. The new wage scale is based on two major elements. First, Debis employees receive a fixed monthly wage which accounts for about 85 per cent of their annual income. The remaining 15 per cent is determined by individual performance and company profit. On working time regulation the union sought a compromise between the employees' desire to fit working hours to their personal needs and the company's need for more flexibility. Finally, the parties agreed on a schedule which allows the weekly working time to vary. Depending on factors such as age, shift work and individual entitlements, working time now varies between 35 and 40 hours. To increase flexibility the new collective agreement allows for working time accounts. Employees negotiate targets with their superiors individually and collect up to 550 hours of overtime (over a maximum of five years) in their working time accounts. They can cash in these hours for training or sabbaticals, but they are also entitled to transfer their time credit to a lifetime account. This model allows employees to choose between several options. The new agreement also provides for a range of training measures. Once a year all employees meet their superior to discuss further qualifications. If they agree that training is desirable, Debis pays for the tuition and related expenses. Training is usually conducted during working time and Debis pays for at least half of the time taken for training. These provisions recognize the special conditions within the high-tech and service industries, and also give employees considerable scope to shape their own working conditions. While management was generally happy with this new agreement (Donay, 1998) there was some resistance within the ranks of the metal workers' union. Some union officials feared that shifting autonomy back to the employees would make them vulnerable to pressure by company management (Drinkuth, 1999). While the innovative agreement made the union more appealing to the workforce and helped to increase union membership, there are also reports about difficulties in applying it. Line managers are reluctant to negotiate individual working time accounts and training plans, but plant management and the local union are optimistic that this situation will improve.35

#### 2.3.3 Volkswagen: Time is money

VW management and Works Council concluded a works agreement which entered into force in January 1998. The agreement offers VW employees many ways to convert part of their income, bonuses, overtime pay, vacation and other entitlements into "time assets". These time assets can later be used for early retirement or converted into additional retirement benefits. Because time assets are taxable on retirement and are exempt from mandatory contributions to the social insurance system, they provide employees with an attractive investment opportunity. In the first two years of the agreement, workers invested time and wages worth DM 335 million and received

According to Handelsblatt 02.23/24.2001 ("Die Umsetzung des Debis-Tarifwerks fällt noch schwer").

return on assets of 10 per cent. Because the works agreement requires management to guarantee at least the net worth of workers' assets and also to insure workers' assets against insolvency, the company is bearing the lion's share of risk. However, during its first years the VW time asset model proved so popular that about 150 companies were interested in developing a similar arrangement. In collaboration with *Hypo-Vereinsbank*, a major German bank, VW started to sell the concept to others.<sup>36</sup>

Based on the original time asset idea, Volkswagen is now considering an additional company pension to supplement the German pay-as-you-earn system. This new pension plan, administered by the VW-Pension Trust e.V., will enable the company to invest pension fund in stock and bond markets but will also protect employees from the risk of losing even small amounts of their assets in the event of a market downturn. VW intends to spread the risk of investment across different segments of the capital market and also guarantees employees a minimum annual revenue increase of 3 per cent. While the VW's traditional company pension plan was administered by management, the VW-Pension Trust e.V. will be jointly run by management and employee representatives. The Works Council succeeded in negotiating a strong role for workers' representatives in the administration of the pension fund. While representation on the board of directors has not yet been determined, the workers will have equal representation at the general meeting of the trust's membership<sup>37</sup> as well as on the supervisory board.

#### 2.3.4 Equal pay

Although national as well as European law already prohibits wage discrimination based on gender, there seems to be a (slowly) growing consciousness within the ranks of several unions about the discriminatory effects of the standard pattern of wage classifications as industry-wide collective agreements. Many studies commissioned by public sector unions have shown that wage classifications, which are based on general standards instead of on a detailed work analysis, tend to undervalue jobs usually occupied by women. In its recent upgrading campaign, the public sector union ÖTV seeks to change the criteria for work evaluation by demanding more transparent standards. Important dimensions of an evaluation system concern skills, stress at work, leadership requirements and environmental conditions. In addition, the union wants to include criteria originally developed by a team of Swiss specialists on work classification. This new classification scheme, known as ABAKABA, recognizes physical, mental and emotional stress, and thus is a more appropriate way of evaluating service occupations

In collaboration with the municipal government of the City of Hanover, ÖTV initiated a joint project designed to compare pay structures in eight major occupations, four dominated by men and four by women. The results of the project are not yet available but the union has made some progress at the margin of the public sector. Although the public sector master agreement (Bundesangestelltentarifvertrag, BAT) still includes the traditional rather discriminatory contract language, ÖTV has introduced a more favourable terminology in agreements which are just oriented towards the BAT.<sup>39</sup> To raise awareness of gender issues in collective bargaining, the ÖTV created a "gender mainstreaming representative" in the national union headquarters in 1998. This

<sup>&</sup>lt;sup>36</sup> See Financial Times Deutschland, 05.29.2000 ("Anlagetipp der Zukunft"); Financial Times Deutschland, 05.29.2000 ("Mit dem VW Zeitwertpapier für die private Rente sparen").

Each party has 14 votes.

<sup>&</sup>lt;sup>38</sup> Analytische Bewertung von Arbeitstätigkeiten nach Katz und Baitsch.

<sup>&</sup>lt;sup>39</sup> Interview ÖTV, 02.27.2001 (by Eva Katharina Sarter).

new position symbolizes the reorientation of union policy, but the representative has only limited powers.

Outside the public sector IG Metall is making an effort to abolish pay discrimination. In their Berlin-Brandenburg-Saxony district the metal workers first adjusted the ABAKABA concept to the special conditions of manufacturing and tested this new pay classification system (Medea) in some 30 companies. This test showed that Medea raises the pay of jobs which are typically occupied by women (without lowering wages in male occupations). Employers, however, resisted the general introduction of Medea into the collective agreement because the new classification system makes labour more expensive.

#### 2.3.5 Training as a subject for collective bargaining

Although German unions traditionally negotiated collective agreements which covered more than provisions for pay and working time, provisions on training and qualification were patchy at best (Bispinck/WSI Tarifarchiv, 2000). In a situation where low-skilled jobs are getting fewer and where unskilled or semi-skilled workers face an increasing risk of unemployment, some unions have put training on their bargaining agenda. The IG Metall district in the state of Baden-Württemberg is pursuing a revised strategy which combines quality of work life issues with individual training entitlements for workers (IG Metall Baden-Württemberg, 2001a). In a recent resolution of the union's collective bargaining commission the district laid out its demands for the coming collective bargaining round of negotiation in spring 2002. The following demands are included:

- for each worker there should be an individual training plan to determine future training measures;
- at age 40 and 50 workers should be entitled to 3 months off-the-job training to update their general knowledge;
- after working for 7 years or more at a workplace with cycle times of 5 minutes or less employees should be entitled to skill upgrading;
- management and Works Council should be required to develop special training programmes for workers without formal qualifications;
- employees should be allowed to switch to part-time work or to take leave of absence for further training (IG Metall Baden Württemberg, 2001b).

It is still not clear whether the metal workers in the southwest will succeed in pushing their demands through the national bargaining commission, but it is remarkable that after decades of pressing for pay raises and working time reduction<sup>41</sup> qualitative demands are back on the agenda. This initiative reflects certain important aspects of the Debis agreement. By including new institutions and procedures for skill adjustment, the union seeks to advance employees' long-term employment perspectives instead of restricting itself to standards for wages, hours and working conditions.

Taken together, the four examples of innovative agreements and new programmes show that organized labour has the potential to adjust its collective bargaining strategy and goals to the changing needs of its constituency as well as to employers' desire for more flexibility. For many years union did no more than complain about the weak representation of women and white-collar employees within the ranks of their organization, but now the Debis agreement, as well as ÖTV and

<sup>&</sup>lt;sup>40</sup> Interview IG Metall March 2001 (by Eva Katharina Sarter).

During the 1980s IG Metall focused on the reduction of weekly working time, but in the late 1990s the union shifted its attention to early and partial retirement.

IG Metall anti-wage discrimination efforts, may make unions more attractive to those groups. Particularly on issues such as training, education and working time flexibility, there is even some common ground for joint solutions with employers and employers' associations. There is, however, good reason to be cautious. As long as the proponents of a revised bargaining strategy face significant resistance even within their own organization, the number of agreements such as that concluded by Debis will be limited.

#### 2.4 Political action

The German model of labour relations is rightly characterized as the opposite of "bread and butter" unionism. From the very beginning, labour participated in the political and economic reconstruction of the Federal Republic of Germany. Its economic foundation of success, the *social market economy*, spurned exclusion and propagated consensus. To counter labour's bid for a potentially dominating role employers, tainted by their support of National Socialism, offered extended recognition and a share of responsibility and decision-making power. Thus the constraints of history on the employer side and the desire for participation on the union side merged and grew into a mutually beneficial arrangement. Under the aegis of a "reconstruction pact" (Niethammer, 1975, p. 317) in what amounted to a historical compromise labour and capital created a system of negotiated interest regulation that was institutionalized and consolidated during the first three decades of the German Federal Republic.

Politically, this labour-capital pact has been marked by a close relationship between the unions (and the employers) and the political parties. Although DGB officials are predominantly social democratic, the federation's credo has been "party neutrality, but not political neutrality". Since the SPD embarked on the path to becoming a "people's party" in 1959, DGB-SPD ties have steadily weakened, and today, despite the union's influence, there is little evidence that SPD is the party of the unions.

The participatory, regulatory, and negotiated settlement culture of the close-knit web of institutions and organized interests thrived in the post-war Keynesian world of economic policy, giving rise not only to the label "Modell Deutschland" - or German model - but also in more general terms contributing to the neo-corporatist theorem for explaining economic adjustment and crisis management (Schmitter, 1981; Cameron, 1984). Despite recurring class conflicts as well as disputes about how the balance of power should be regulated, there was a general understanding that interest articulation on one side or the other should not escalate and rupture the high level of consensus which had been attained. This was possible because the boundaries of the model's application – the West German state and its social market economy – were clearly defined and accepted.

The most visible expression of this institutionalized consensus structure of Keynesian economic policy is the "Concerted Action" of the late 1960s and early 1970s. Here the government brought the relevant economic interests together to steer the economy out of an impending crisis. Under the guidance of the social democratic Minister of Economics, Karl Schiller, it was the aim of "Concerted Action" to control inflation and reduce unemployment by committing the trade unions to a policy of wage moderation. For their part, the unions regarded "Concerted Action" as a political instrument for the realization of a fundamental policy change. Through their participation they would help stabilize the first post-war government led by the SPD, move towards a more just distribution of goods and attain a new quality of recognition for themselves as a partner in formulating social and economic policy. Their only condition for participating was that "Concerted Action" would not infringe on the constitutionally guaranteed bargaining sphere by dictating wage guidelines (Schroeder and Esser, 1999, p. 4).

While "Concerted Action" helped to polish the union image and contributed to a noticeable increase in membership, there were critical voices within the unions which pointed out the detrimental effects on wage bargaining. Their arguments seemed to be confirmed as the economy

improved while wages remained locked into multi-year contract agreements.<sup>42</sup> The resulting "September strikes" of 1969 broke out of this strait-jacket and set the stage for a series of considerably better wage increases in the years 1970 to 1973 which were above the level recommended by the "Concerted Action" (Schroeder/Esser, 1999, p. 5). Although this tripartite institution officially continued to exist until 1977, it had lost its political relevance for all participants.

Neo-corporatist interest aggregation in the Federal Republic did not die with the end of this particular modus, as both informal cooperative arrangements and numerous formal institutions remained the hallmark of the political bargaining process (Alemann, 1989). The German unions continued to exercise influence, but by the 1980s the political parameters of this system had altered. The demise of Keynesian economic policy in general and the advent of a new conservative-liberal coalition government under Helmut Kohl in 1983 weakened the political position of the unions. Over the next few years, the German unions suffered repeated political setbacks which only abated in the cooperative atmosphere of the immediate post-unification period of the early 1990's.

This experience may have helped pave the way for the first union initiative for a new form of organized political bargaining in the interest of reducing unemployment. At a convention in November 1995, IG Metall leader Klaus Zwickel unveiled a proposal for an "Alliance for Jobs". This programmatic initiative was directed firstly at employers in the metalworking and electrical industries. If they would create 300,000 new jobs over a three-year period, IG Metall would forego wage increases above the level of inflation during the next rounds of contract negotiations (Zwickel, 1995, p. 508). This was an attempt to take up the momentum generated by the "Volkswagen model" and disseminate its structure throughout the industry (Hartz, 1994). The Volkswagen model was a highly respected agreement which went into effect in January 1994 and saved some 30,000 jobs by reducing the average number of weekly hours to 27.5. The government tried to get substantive tripartite negotiations started on the basis of Zwickel's proposal, hoping that this would improve its dismal record on reducing unemployment. The employers' associations went along with this at first, but they refused to negotiate directly with the union on the grounds that the prerogative for job creation lay with their members. Instead, they increased the number of company-level job coalitions. Those which were initiated were not exactly what IG Metall intended (Zeuner, 1996). Instead of giving up a pay increase to create new jobs, Works Councils found themselves negotiating pay cuts (within the limits of the sectoral contract) to secure existing employment and prevent further dismissals.<sup>43</sup> (Rosdücher/Stehle, 1996, pp. 319, 325).

## 2.4.1 The "Alliance for Jobs, Training and Competitiveness" since 1998

Against this backdrop, the German unions mounted a full-scale effort to bring about a change in government in the federal elections of 1998 - and with the victory of the SPD and the Greens they were successful. But the real goal, as Klaus Lang of IG Metall has said, was to effect a substantial "change in politics", i.e. to improve the political climate and the legal framework of union politics, to put union topics on the political agenda and to put the unions back into the political arena. Throughout the election campaign, IG Metall leader Zwickel repeated his call to revive the Alliance, and Gerhard Schröder, once nominated as SPD chancellor candidate, announced his

The unions had succumbed to government pressure and their own fear of recession in signing these contracts. See Schmidt, 1971, p. 109.

<sup>&</sup>lt;sup>43</sup> In their comparison of concession bargaining in the US and "employment securing" collective bargaining in Germany, Rosdücher and Stehle point out that in regard to the extent and intensity of the agreements analysed in both countries, the German unions and Works Councils had to make fewer concessions than their American counterparts.

support (Müller and Wilke, 1999, p. 109). Once elected, Schröder put his own stamp on the project, giving it a name (Alliance for Jobs, Training and Competitiveness), a structure and a direction of his own, which differed significantly from the original IG Metall proposal (Arlt and Nehls, 1999).

In December 1998, the government met with employee and employer representatives to work out the organizational and programmatic dimensions of the Alliance. A comprehensive apparatus was set up with eight working groups and a steering committee under the aegis of the Chancellor, his ministers and the leaders of the most important employers' organizations and trade unions. As originally formulated, the main goals of the Alliance were:

- lower payroll taxes and a structural reform of the social insurance system;
- more working time flexibility and a reduction of overtime;
- lower corporate taxes;
- employment-supportive wage policies;
- new fields of employment and training opportunities for less qualified persons;
- programmes to combat youth-and long-term unemployment (Gemeinsame Erklärung 07.12.98)

Since that first meeting, the Alliance has produced a number of research papers, action catalogues and statements. Among the most important of these for our paper is the declaration published by the Federation of German Employers' Associations (BDA) and the DGB on 6 July 1999, and supplemented on 9 January 2000. The key passages of both statements call for "a medium- and long-term reliable wage policy. Increases in productivity should be used primarily to promote employment" (Gemeinsame Erklärung - 06.07.1999). In the context of the preceding and indeed, ongoing conflicts in Germany and Europe over trade union wage policies, this statement represented a readiness to forego demands for large percentage increases in favour of "qualitative arrangements" such as early retirement, flexible hours, part-time employment and pension schemes.

The political and academic discussion of the Alliance has largely turned on two issues. First is its relevance and effectiveness in finding ways to drastically reduce the high level of unemployment. The debate focuses on whether the unions have achieved any substantial political and/or socio-economic goals via the Alliance and - in the same vein - whether participation in the Alliance has done the unions any good. The Alliance has certainly not produced any spectacular results so far, nor has it initiated a comprehensive set of basic reforms in the system. Union supporters of continued participation in the Alliance, such as DGB national headquarters, the former DAG, and IG BCE (mining and chemicals union) argue, however, that they have been able to improve the institutional and legal framework for union activities and bring union influence to bear on government economic policy. Indeed, according to one union official, much of what the Alliance has produced and turned into official policy has been authored by the unions.<sup>44</sup> Further, the Alliance has committed employers to finding a common ground for agreement, preventing them from continuing to opt out of the German model. Another union official pointed to the effect that the national Alliance has had on the spread of tripartite structures to the regional (Bundesland) and local (Stadt/Bezirk) level. 45 In Bavaria government financing of labour market programmes funnelled through the Bayarian Alliance has buoyed cooperation and in other regions, government, employers and unions are cooperating to match investments with labour markets (on Northrhein-Westfalia see Nettelstroth and Hülsmann, 2000).

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<sup>&</sup>lt;sup>44</sup> Expert discussion, 14 March 2001.

Expert discussion, 15 March 2001.

Nevertheless, there is a broad current of criticism within the unions concerning the Alliance, ranging from a majority in the former<sup>46</sup> HBV (retail, banking and insurance union) and IG Medien (mass media, publishing and communications) calling for a withdrawal from the Alliance to those who want to make union positions more discernable and the Alliance more productive. People who agree with ver.di leader Frank Bsirske argue that the government is taking the role of moderator, which obviates the argument that union moderation is essential to prevent the employers from withdrawing. Moreover, the critics point to the meagre achievements of the Alliance in reducing unemployment. As Bsirske remarked in his acceptance speech at the founding congress, the drop in unemployment is not only minimal, it is more attributable to economic growth than to the Alliance, which means that the Alliance has done "damn little" in solving the problem.

This ongoing debate will presumably extend into the federal election campaign of 2002, when it may have some effect on the strength of union support for continuing the red-green coalition. In the context of this paper, the main issue is whether the Alliance policy of the unions has been an instrument of innovative development or of union revitalization, and if so in what way? The material we have gathered and our discussions with union officials indicate that the value of the Alliance as a source of revitalization is quite limited.

One view is that the Alliance provides the federation headquarters (DGB) with a key political role. The DGB is the official representative of the unions in the political sphere, charged with developing a common position among the individual unions within the federation and conveying this position to the government, the employers and the general public. To be sure, union negotiations with the government and the employers over political issues do not depend on the existence of such an Alliance. But as the DGB has argued, its existence represents a democratization of interest representation in that it makes these negotiations more transparent and comprehensible. And, according to DGB, the Alliance focuses attention on the federation as the primary representative of the unions.

Ther mergers taking place among the DGB unions raise questions about the role of the federation in future. Many observers are hard pressed to define the place of a weak and financially dependent federation vis-à-vis three to five powerful member unions capable of negotiating independently with government and employers to defend their own particular interests. By drawing those negotiations into a formal institutional structure, DGB has gained a bargaining role which it would otherwise not have.

The consequence, however, is that DGB becomes dependent on the Alliance and cannot afford to have it fail. Nor can it watch passively if its most influential member unions (IG Metall, ver.di, IG BCE) decide to withdraw. The Alliance may have given the DGB federation headquarters an impetus in maintaining or expanding its policy role, but this is a rather fragile case of revitalization with no long-term perspective.

Another positive view emphasizes the spread of Alliance-politics to the regional and local levels. This is another argument that came from the federation and not from a member union. But it is rooted in very straightforward regional development strategies which may be more concrete and more limited than the problems being addressed by the Alliance at national level. In this sense and at this level, the role of DGB could be enhanced through such tripartite mechanisms.

A final reference should be made to possible innovative strategies in regard to political action. The unions could use the Alliance to promote women's interests through gender mainstreaming policies. Recognizing that women's interests were being ignored in the male-dominated world of Alliance politics, women from the union-supported Hans-Böckler-Foundation called for an "Equality Group - Women's Interests in Alliance activities for Jobs" to monitor the Alliance regarding women's issues and to publicize policy recommendations. Over 250 women responded

<sup>&</sup>lt;sup>46</sup> On 19-21 March, HBV, IG Medien, DPG (postal union), ÖTV (public services and transport union) and DAG (German salaried employees union) merged to form ver.di with nearly 3 million members.

and are now involved in the eight working committees analogous to those of the Alliance. As an example of their work, the Equality-committee on social security and pension reform raised the gender issue in regard to pension reform, challenging the bill submitted to Parliament by the federal government after consultations in the Alliance (Kerschbaumer and Veil, 2001, p. 11). Another committee dealing with finance and tax policy recently published a paper calling on the government to introduce "gender sensitive budgeting". In regard to the Alliance the paper recommended "that the qualitative and quantitative advancement of women's employment should be an essential part of the work of all working committees and special topical groups" (Knapp, Milde and Buchholz-Will, 2001, p. 109).

Support for gender mainstreaming is still marginal in many parts of the German unions. But as a result of the persistent activities of the Equality Group, the Alliance leadership meeting on 4 March 2001 agreed that the advancement of women's interests and employment for women is a goal which transverses all topical divisions and working committees. Moreover, the federal government committed itself to the presentation of a status report on activities to improve equal opportunity for women and men (Gemeinsame Erklärung, 04.03.2001).

#### 2.4.2 Works Council Reform Act

Mention should be made of the current union campaign for the Works Constitution Act, which is the legal basis of Works Councils in Germany. Since its last revision in the mid-1970s, the law has lost a considerable measure of its regulatory impact. For example, in a growing number of instances, the Act's definition of a "normal" workplace is no longer applicable (Wendeling-Schröder, 1999). Moreover, for a variety of reasons, less than half the enterprises which could have Works Councils, do not have them.

While employers have been urging the unions to accept their goal of weakening sectoral contracts in favour of empowering enterprise-level actors, the unions have been faced with an erosion of their action radius and effectiveness at the workplace. Since early 1998, DGB has been campaigning for a substantial reform of the Act, in order to rebuild the legal framework of interest representation at the workplace. This is essential for the unions, which rely on the existence of Works Councils both as quasi-representatives of the unions and as active recruiters of new members.

The red-green coalition government recently adopted a reform bill, which is being reviewed and debated in the Bundestag; it is expected to pass into law before the summer break. The employers' associations are vehemently opposed to the bill, especially to its provisions extending certain aspects of its coverage to enterprises with less than 300 employees, the threshold of the present law. The unions are not fully satisfied with the bill and are lobbying for more encompassing changes.

Much is at stake for the unions in this controversy. The dual system of interest representation in Germany is based on strong unions which negotiate sectoral contracts with a very high degree of coverage and legally-based enterprise-level interest representation (Works Councils), which are union-oriented and have a close working arrangement with the unions. Works Councils need a legal basis to secure their bargaining position vis-à-vis employers. To be sure, the legal framework alone is insufficient. Both unions and Works Councils need to develop interest representation strategies which go beyond the protective mechanisms of the law. As several cases in recent years have shown (Duschek and Wirth, 1999; Wirth, 1999), there is a serious danger that even an improved legal framework will be ineffective wherever work organization structures are "networked" and "virtualized" (Sydow/Wirth 1999). Successful representation then depends more on cross-enterprise cooperation and collective bargaining, as well as on carrying conflicts to the public. Mixing the dual spheres of interest representation in Germany will be essential for union revitalization.

## 2.5 Coalition building

The hypothesis is that unions should foster coalitions with new social movements (e.g. women, peace, gay, antinuclear, environment, anti-fascism, anti-globalization, unemployed) to express and expand their social responsibility into new societal problems, to tap additional resources for common goals, and to recruit potential activists from different organizations. This view opposes the idea that unions should stick to their last and should not attempt to become more comprehensive organizations. However, we argue that unions do in fact stick to their last when they embrace workers' lives within and outside the workplace, because this is what German unions have always done as political and social actors since they were created in the nineteenth century.

The question is to what extent German unions effectively use these new topics as a revitalization strategy. We selected four social movements which are particularly important in the current German context: environment, anti-fascism, anti-globalization, and the unemployed. The environmental movement was selected because of its overwhelming importance in the German political culture; the anti-fascism movement is particularly relevant in view of the dramatic increase of right-wing organizations, violence and public culture in Germany; the anti-globalization movement was selected because of its growing international importance (especially in the United States); and the unemployed movement was chosen because of the high level of unemployment in Germany.

Overall, we need to distinguish between unions' awareness of the relevance of these topics for their movement (e.g. are there special union departments dealing with environmental issues? do unions debate these issues internally?) and their desire to build coalitions with the new social movements.

Interviews<sup>47</sup> were conducted with officials at headquarters and at the regional/local level of a representative selection of unions: small and large, industry and service sector, private and public sector (IGM, IG BCE, ÖTV, HBV, NGG, IG Bau, Transnet, GdP, GEW) and with DGB.

In a nutshell, we found that a certain awareness among the union movement exists in all four cases, but that the extent to which these topics are institutionalized and the extent to which initiatives and coalitions are developed depend on the size of the individual union and on the topic's relevance to it. There are many initiatives and examples of coalition building, but they differ widely in intensity, purpose and organizational level (local, national, DGB). One needs also to distinguish between innovations in the area of health and safety at the workplace, which have been widely implemented in all unions, and broader environmental issues (such as recycling and pollution).

However, it is evident that the unions are not able to translate awareness of these new movements into a coherent revitalization strategy. The existing initiatives and coalitions are not centrally organized and they do not serve to recruit new members or activists.

#### 2.5.1 The environmental movement

The relationship between unions and the environmental movement has changed dramatically over the last 30 years. Unions had a rather hostile relationship to the green movement when it developed during the 1970s but they became more aware of ecological issues during the 1980s. This was partly because of a broader sensibilization in the German public, and partly because environmentally friendly production was increasingly seen as a niche where German industry could create new jobs. Since then DGB has developed a number of ecological initiatives. Moreover, since the 1990s DGB has been increasingly engaged in building coalitions with the environmental movement.

Within individual unions the importance of environmental issues depends on their relevance for the industrial sectors. IG BCE, for example, is heavily involved with environmental issues since

<sup>&</sup>lt;sup>47</sup> We wish to thank our students, Nina Wichmann and Kevin Dewald for conducting these interviews.

they organize members in the chemical, mining and energy sector (including employees at nuclear power stations). IG BCE strongly opposed the growing green movement during the 1970s, but the environmental disasters of the 1980s (such as Seveso, Sandoz and Tschernobyl) and an increasingly environmentally conscious government changed the unions' attitude. Since the mid 1980s environmental policies have been a key area in the union board. However, IG BCE's main priority is still to pursue a cooperative industrial policy together with the employers and to foster environmental concepts only if they do not endanger the industry (see Ködtler and Hertle,1997). IG BCE has no formal cooperation arrangements with environmental organizations.

Other unions are more innovative. IG Bau, for example, is more open to environmental concerns and regards the environmentally friendly construction industry as a growing job creator. They cooperate with Greenpeace in ecologically sound renovation of buildings (they have initiated an official mark of quality for building companies which includes ecological and social criteria, e.g. health and safety, maintaining of bargaining agreements). IGM is currently working on a joint declaration for the restructuring of industrial society with two environmental groups, BUND and NABU. The train union, Transnet, even initiated a long-term project, "Alliance for trains (and against lorries)" in 1991 which includes 17 environmental organizations and which is now an institutionalized body. However, this is an exception. In most cases engagements with the green organizations are sporadic, short-term and informal, leading to joint declarations or mutual invitations to workshops and congresses at most.

There is, however, a joint interest in communicating with each other. During the 1970s and 1980s there was a fierce debate about the potential conflict between ecological and labour interests but unions today do not see a contradiction between the two interests. They realized that they can and should be complementary and that it is more advantageous to cooperate than to compete. In addition, the ecological reform of the economy is seen as creating jobs in new prosperous industries. Moreover, the environmental organizations know that they need the labour movement to develop a holistic social-ecological reform of the economy. Finally, due to the long tradition and relatively high institutionalization of the ecological movement in Germany, formal contacts and coalitions are potentially easier for the unions than those with other social movements. However, the unions lack the commitment to centralize the various coalitions and create a more coherent revitalization strategy towards the green movement.

#### 2.5.2 Anti-fascism

Anti-fascism has a long history in the German labour movement, dating from the 1930s. However, after the Second World War the topic gradually lost importance until it suddenly reappeared in 1998, when DGB initiated a special commission on right-wing extremism. The background was a planned demonstration of neo-Nazies in May 1997 in Leipzig which caused the DGB regional office to request a commission at its 16th national congress. Moreover, DGB and its unions were increasingly confronted with the growing neo-fascist movement after German re-unification, and felt obliged to react. In addition, a public survey of union members carried out in 1998 found that members are disproportionally right-wing radical; although the validity of the survey was criticized (e.g. there was no control group of non-union members!) it did serve to activate the labour movement. The DGB commission sponsored a research project on neo-fascism in Germany, its causes, and how unions should react (2000). A working group is now designing projects and promoting initiatives at shopfloor level, in union training programmes, in schools and apprenticeship programmes, in the mass media, and in politics. In the short term the aim is to combat racism at the workplace, in the medium term to change fascist attitudes at the workplace, and in the long term to support equal opportunities policies. Moreover, DGB is currently working on a model company collective agreement designed to implement EU directives on anti-discrimination (Florence Agreement 1995). A similar initiative is being pursued by IG Metall. These agreements should for example make it possible to dismiss an employee who persistently shows racist attitudes at the workplace, and they should oblige management to monitor equal opportunities for foreign workers. Some Works Councils have already negotiated workplace agreements on equal treatment for foreign employees (e.g. VW, Ford, Thyssen, Deutsche Bahn).

DGB is also interested in active cooperation with other social movements, which happens mostly at local or regional level but not at national level. An exception is the loose "network against racism, for equal rights" which includes a hundred NGOs and which is formally coordinated by DGB. This network has developed an "action plan against racism in Germany" based on EU proposals for action against racism.

Within individual unions anti-fascism is generally not institutionalized as a topic (e.g. no specific department is responsible) although some of the unions which have a high percentage of foreigners deal with it in their department for "women and foreign employees". Unions are active in the DGB workshop, and in making in political appeals at national level, but most specific action is carried out by voluntary individual officials at local level.

There are, however, some examples of unions practising more centralized initiatives. For example, IG Metall and IG BCE provide special training programmes for their foreign members, as well as workshops on racism and conflict management for foreign and German union members. There are also some promising examples of local cooperation between unions and anti-fascism organizations, especially in eastern Germany (e.g. in Thüringen), but they remain the exception. Moreover, these activities are not really coordinated at headquarters level. An exception is HBV which has a chat site on its internet homepage on the topic of racism/ anti-fascism; it also encourages locals to inform others about their activities. One obstacle to coalition building is the extremely decentralized nature of the anti-fascism movements, in contrast to the much more centralized union movement.

To summarize, German unions feel a historical obligation to play an active public role in condemning and combating racism and neo-fascism. DGB and all its member unions are politically active in making proclamations and in co-organizing anti-fascism demonstrations. They are also aware of the issue within their own organization but are uncertain how to deal with it. Unions are in a difficult situation in that they have to fight for job security for their members but are at the same time politically in favour of immigration. Immigrant workers are often (falsely) believed by the public to be endangering the jobs of German workers. An open discussion on the topic and on the potential conflicts with member interests has not really begun. And although there are some positive examples of action and coalition building with other movements at local level, these are mostly sporadic, short- term developments initiated by individual officials, rather than by union strategy.

#### 2.5.3 Anti-globalization

Although globalization is a catchword in the current public debate, unions are only concerned with certain very specific consequences of the process. There is no basic debate about the advantages and disadvantages of globalization as in the Untied States. German unions do not take a stand against globalization nor do they participate in the anti-globalization demonstrations (Seattle, Washington, Prague, Davos). Unions are primarily interested in international labour standards and social clauses, both of which are dealt with in their departments for "economic policy". The demand for social clauses in international production has been a union interest since the 1970s and is particularly relevant to the clothing and textile industry. Thus, the German textile union, GTB (taken over by IGM in 1999) has established close contacts with organizations such as Terre des Hommes and church organizations in the Third World.

Moreover, DGB lobbied for social clauses in trade agreements (no child labour etc.) at WTO long before Seattle. DGB is also engaged in developing a code of conduct for German multinationals jointly with employers' associations, the government and some NGOs (FIAN, Transfer). It is also lobbying for social criteria in the government securities 'HERMES' concerning

risky foreign investments of German firms. Finally, one should not forget that the unions' concern to financially and organizationally strengthen the labour movement in central and eastern Europe and to support an early EU enlargement is also guided by their desire to avoid social dumping and to avoid putting German jobs at risk because of lower labour costs in the east.

The most prominent union campaign on international labour standards is the "clean clothes campaign" which was initiated in the Netherlands in 1990 and adopted in Germany by the textile union. Since 1997 it has been coordinated by DGB (and includes IGM, HBV, and 17 NGOs). Other initiatives are the "fair flowers campaign" and the "campaign for bananas". Finally, some coalitions have been set up between individual unions and globalization movements such as the cooperation between HBV (retail, banking, insurance) and the French network for democratic control of the international financial markets (ATTAC). HBV also plans a world congress on deregulation with 350 unionists from all over the world and representatives of NGOs.

A problem of these coalitions is a potential conflict between the interests of union members and those of the other social movements. German unions are not against globalization as such but only against social dumping. A major reason is clearly the heavy export-orientation of German industry but also the fact that German multinationals are not yet notorious for their "bad conduct" in the Third World like some American brand-name companies (Nike, Gap).

In sum, globalization is an issue for unions with regard to social dumping abroad. Coalitions are rare and there is no strategy to use anti-globalization to revitalize the labour movement as is currently happening in the United States.

# 2.5.4 The unemployment movement

It is surprising that, despite consistently high unemployment figures in Germany, especially during the 1990s, the topic has so far been neglected within the union movement. Unions' main reaction to high unemployment is to influence the labour market and economic policies of the government and to design employment creation schemes with the employers' associations and government, for example in the tripartite Alliance for Jobs. Yet, there is little concern with the topic within the union organizations. Unemployed members in most unions receive the same services as employed members and there are few specific efforts to keep them in the unions.

Nobody within the union organizations is explicitly responsible for unemployed members; there are only a few individual activists in some unions who have become involved on their own initiative. There is no understanding that it might be beneficial in the long run to keep unemployed members in the union, to assist them in finding training possibilities and new jobs. A potential problem is of course that unemployed workers might find a new job in a different industry and would then have to join a different union.

Some unions such as IG Bau argue that it is difficult to run a centralized programme for unemployed members in a union which covers sectors with very different unemployment rates, while IG BCE argues plainly that the union represents employed members and not unemployed ones. "IG BCE only deals with the problems of unemployed members if they approach the union" (interview with B Möhler, IG BCE). Moreover, some officials admit that although the union's aim is to create new full-time jobs for the unemployed, they see the danger of a low-wage labour market for long-term unemployed which would compete with the unionized sectors (interview with Frau Gehrlich, HBV).

Consequently, coordination with other organizations is extremely rare. If it exists at all, it takes the form of cooperation with the official unemployment agencies or with the organization known as KOS "union unemployment work in Bielefeld (KOS, Koordinationsstelle gewerkschaftlicher Arbeitslosenarbeit Bielefeld) and the European NGO "Euromarsch". KOS was found in 1986 and is financed by IGM, ÖTV and the Länder North Rhein Westfalia and Lower Saxony. Its goal is to improve contacts between the employed and the unemployed, and it serves as a link between unions and unemployed organizations. KOS has close contacts with IGM and ÖTV but other unions

cooperate as well. "Euromarsch" was initiated in 1997 by French and German unemployed workers who felt that their interests were not being adequately represented by the union movement and political parties; it is partly coordinated by KOS. According to Renate Knapper (ÖTV) a potential problem is that Euromarsch is critical of the EU in contrast to the Europe-friendly German unions.

In sum, unemployment is regarded as an economic and social problem but not as an internal matter for unions. As a consequence, cooperation with unemployment organizations is rare. This is also due to the fact that such organizations are a relatively recent development, and there are not many of them.

To conclude, our brief overview of the relationship between German unions and new social movements reveals different degrees of involvement. Unionists have a strong awareness of the environmental and anti-fascism movements, whereas the anti-globalization and unemployment movements seem less relevant.

There are also differences in the degree to which these topics are institutionalized by the unions. Large unions are more likely to have special departments responsible for the topics than smaller ones, and their importance depends on the number of foreign members, the degree to which the sector is export-oriented and faces global competition, the extent to which production causes environmental problems – industrial sectors vs. service sectors, and the number of union members who are unemployed.

Finally, coalition building with other social movements is generally rare and sporadic, and is not integrated into a long-term revitalization strategy. Coalitions are rarely centrally organized. Most activities take place at local level and depend on the initiative of local unionists. One reason for this hesitant approach could be that Germany has a fairly strong tradition of active social movements compared to other industrialized countries (Kriesi et al., 1995). This may be a problem for the old union movement since it has to compete against other strong social movements. On the other hand, this competition makes it even more crucial for unions to cooperate with other social movements, to be open to new societal concerns which affect the workforce and to modernize the unions' role in society.

#### 2.6. Cross-border trade union collaboration

From the perspective of the German unions international collaboration is dominated by the question of their European engagement. Union officials certainly participate in international trade union activities, but with, the few exceptions mentioned above in the previous section on coalition building, there is nothing to report at the global level.

Trade union collaboration at the European level nevertheless, presents a picture of change, development and some innovation. As Jeremy Waddington wrote in a recent article on European trade unions in transition: "trade union activity at supra-national level is required to protect what remains of national trade union embeddedness from the damaging effects of internationalisation" (Waddington, 2000, p.325). German unions have recognized the importance of bilateral and European cooperation and have begun to earmark more resources for activities at these levels. Lowell Turner has argued that over the past decade, a structural framework of regulations, institutions and organizations for labour relations has been created within the European Union which provides the unions with a "political opportunity structure" for action (Turner, 1996, p.339). Indeed, unions have created and have at their disposal a wide variety of instruments to use in pursuing cross-border activities within the EU, the most important of which are the following:

- the European Trade Union Confederation (ETUC), which is the organization of national trade union federations (66 federations from 29 countries) and 12 European industry federations;
- the European Industry Federations which bring national unions together along sectoral lines;
- multilateral cooperation committees such as the Doorn group, which is composed of union representatives from Germany and the Benelux countries;

- regional cross-border wage bargaining partnerships such as that initiated by the district committee of IG Metall in Northrhein-Westfalia in cooperation with union representatives in neighbouring countries;
- multi-country union representation at international construction sites:
- bilateral union exchanges and agreements on membership rights and recognition;
- inter-regional trade union committees; local cross-border cooperation along the national borders of member states as well as between member states and accession countries; European Works Councils.

The paragraphs below present the activities of the German unions as participants in EU-wide initiatives. The aim is to focus on the kind of involvement which extends beyond the traditional context of international trade union activities and offers a basis for possible new developments and constellations. In addition to the informational content we endeavour to evaluate the effectiveness of such activities, their middle- and long-range prospects, and their relevance for union revitalization in Germany. What kind of new activities are the unions developing and why? How do these European-level activities fit in with domestic goals and activities? Is there evidence of integration of European and domestic activities or of cooperation among German unions in their European involvement? And are German unions developing strategies designed to realize a European "transnational social area" (Jacobi, 2000, p.12)?

# 2.6.1. The social dialogue

The social dialogue was first introduced into the EEC treaty in 1987 as a means of stimulating the social partners to develop "contractual relations". It has been used only exceptionally, and up to the present, the number and quality of agreements reached by negotiation between ETUC and UNICE/CEEP for the employers has been minimal (Kuhlmann, 1998). Recently, however, there has been increased interest in the social dialogue as a sectoral instrument of negotiations (Keller and Bansbach, 2000). Nevertheless, the prospects of the social dialogue developing into a major area of cross-border trade union collaboration are slim. Simply stated, the unions have no real means to compel the employers to negotiate. "ETUC has so far developed largely by borrowing resources from European institutions to gain legitimacy with its own national constituents and by using the openings provided by these European institutions to try to elicit changes in employer behaviours" (Martin and Ross, 1999, p.358) This conclusion may be applied at sectoral level as well. Only when the employers have a vested interest in market regulation for their own protection – as in the case of posted workers (Sörries, 1997) – will they be willing to use this instrument.

#### 2.6.2. The Doorn Declaration: A multi-national, multi-branch initiative

The Doorn<sup>48</sup> cooperation group was initiated in 1996 by the Belgian trade union federations in response to a government move to set a wage ceiling based on wage increases in Germany, France and the Netherlands. At a first meeting in 1997, the participants<sup>49</sup> agreed on a regular exchange of information, reciprocal invitations to domestic bargaining rounds and annual meetings. The

<sup>&</sup>lt;sup>48</sup> The name is taken from the town in the Netherlands where the group met in 1998 and signed an agreement.

The French unions did not participate, apparently because the federation representatives from the other countries regarded French union structures and interests as too heterogeneous to be effectively integrated into the group. Eperst discussion, March 09, 2001.

following year, unions from Belgium, Germany<sup>50</sup>, Luxembourg and the Netherlands signed a declaration pledging wage coordination in the interest of preventing "a bidding down of collectively bargained incomes between the participating countries, as sought by the employers. The trade unions see this neighbourly initiative as a step towards European cooperation on collective bargaining." To achieve this goal, the unions agreed to the following principles:

- to achieve collective bargaining settlements that correspond to the sum total of the evolution of prices and the increase in labour productivity;
- to achieve both the strengthening of mass purchasing power and employment creating measures (e.g. shorter work times);
- to inform and consult each other on developments in bargaining policy (Doorn, 1998).

The announcement of this agreement was a surprise to many unionists as multinational wage bargaining coordination had been the responsibility of ETUC until that point. At the follow-up meeting of the Doorn group in September 1999, ETUC was present to hear that the wage bargaining goals agreed the previous year had been achieved in the 1999 round of negotiations. As such, the participants confirmed their interest in continuing their cooperation.

The fact that the 1999 bargaining round in all the participating countries could be regarded as acceptable and in line with the agreed formula probably saved this cooperative initiative from being abandoned before it was settled. If the unions had to face the kind of problems resulting from the 2000 bargaining round they might have decided to cancel the meeting and abandon further efforts at wage coordination. The German unions were criticized at a meeting in September 2000, because their composite wage increases of 2.3 per cent fell far below the 4.1 per cent increase in inflation and productivity (Mermet and Janssen, 2000). The conclusions drawn, however, indicate a readiness to take a longer-term perspective and discuss a variety of factors influencing bargaining outcomes, including trade union strategies.

It is obvious that such a cooperative initiative cannot survive without German participation, but it will not survive if the other national unions feel that the Germans are not seriously adhering to the common goals. As for the importance of the Doorn group for revitalizing the German unions, it can only be said that the existence of the group and its wage formula is part of a set of references at European level and has become a recognized fixed-point in the wage bargaining considerations of union headquarters (Kreimer-de Fries, 1999, p.196). Moreover, the signatures of the largest and most powerful DGB unions to the Doorn Declaration could enable DGB to strengthen its role as internal organizer and coordinator of union wage policy.

## 2.6.3. Wage bargaining coordination at sectoral level

The goal of the European Metalworkers Federation (EMF) is to coordinate the wage bargaining policies of its member unions and prevent wage dumping. EMF is basing its action on the "European Coordination Rule" which is essentially the same formula as used by the Doorn group. While EMF recognizes the autonomy of its members, it attaches to that recognition responsibility for utilizing the full scope of what is determined to be the distributional component. However, according to the EMF annual report for 1999/2000 on collective bargaining policy, the problems associated with the determination of this component and its comparative evaluation are immense. To apply its "European Coordination Rule", EMF needs hard data on productivity gains and inflation as a bottom line. But only IGM and the Austrian metalworkers union have provided the necessary information (EMF, 2000, p.17).

<sup>&</sup>lt;sup>50</sup> The German participants represented the DGB and its member unions IG BAU, IG BCE, ÖTV and IGM as well as the DAG.

The report's conclusion reflects the enormous problems associated with developing a European wage bargaining policy among unions. Not only is wage bargaining still an exclusively national task (Blank, 1997, p.126), but the rules and norms by which unions bargain vary considerably from one EU country to the next (Europõische Kommission, 1999). Lacking any recognition of elementary rights at the supranational level such as the right to strike, European wage bargaining could easily turn into "collective begging". For their part, national unions have refused to cede the power to levy sanctions for non-compliance. Such are the conditions which internationally oriented unionists must recognize and accept in seeking to develop cross-border collaboration, which is clearly the reason why such policies – despite the existence of EMU – are still the exception rather than the rule.

For IG Metall, wage bargaining policy as a European task is currently based on two strategies. First, the union is committed to the EMF policy of coordinating (but not controlling) the dimensions of national bargaining. Second, as early as 1997 IGM initiated a programme of regional cross-border partnerships designed to support information sharing and the exchange of union officials dealing with wage bargaining. In the meantime, the union has taken this approach one step further by proposing that union representatives from all countries participating in the exchange map out their wage bargaining strategy together (Gollbach and Schulten, 1999, p.459). This is far from reality even in the IGM district of Northrhein-Westfalia which has actively supported the programme and probably gone further in cementing cross-border cooperation than any of the other IGM district offices (Schartau, 1998). As Gollbach and Schulten have noted, the exchange of information has been developed and standardized, but the exchange of persons and the active participation of foreign union officials in actual wage bargaining sessions inevitably encounters far greater difficulties, not the least of which are language and an understanding of the bargaining rituals. Their estimate of the prospects of such cooperative structures seems realistic:

Before foreign unionists are able to assume a more 'active' role, the participating unions will above all have to strengthen their mutual 'relationships of trust'. Only then will it be possible to hold controversial discussions over different wage bargaining strategies and work out union differences in an open and solidaristic manner (Gollbach and Schulten, 1999, p.463).

IG Metall is not the only German union which has taken small, but concrete steps towards a European coordination of wage bargaining strategies. As early as 1995, the German construction union IG BAU initiated a research project on the foundations of union cooperation on labour market issues in Europe (Lubanski, 2000, p.106). In March 1999, IG BAU signed an agreement with the Austrian and Swiss construction unions on cross-border wage bargaining coordination. This was followed in June 2000 by a similar agreement with unions from Belgium and Holland to concretize the *Basic Declaration of Principles on Wage Bargaining in the European Building Industry* of the European Federation of Building and Woodworking Industries (Euro-Tarifpolitik der Bau-und Agrargewerkschaften, 2000, p.50; Zagelmeyer, 2000, p.14f.) For its part, IG BCE (mining and chemical union) has set its priorities in developing bilateral partnerships and using these to build a stronger European Mine, Chemical and Energy Workers Federation (Zagelmeyer, 2000, p.15).

These and other initiatives reflect a growing awareness among German unionists regarding the importance of a European perspective in collective bargaining with employers. The lack of more decisive action such as the delegation of bargaining rights to the European-level sectoral union reflects an unwillingness to relinquish control and rights; it is also a realistic assessment of the fact that the European-level union organizations would still be hard pressed to find a bargaining partner on the employers' side that was willing and able to negotiate. Still, union officials need not wait idly for such a bargaining partner to appear. In the meantime, the level and intensity of cross-border collaboration and exchanges can be increased. Within the organization, efforts should be mounted to strengthen the European perspective regarding collective bargaining and to build a solid

understanding of the existing EU and the accession countries. The cross-border opening of union structures and policy making will need to follow the disappearance of internal political and economic barriers in Europe if the unions are to be actively involved in determining the EU's future.

# 2.6.4. German unions and European Works Councils

Over 500 enterprises operating at European level have complied with the EWC-Directive. About 115 of these have their headquarters in Germany, in enterprises covered by one of the DGB unions. It seems that activities on behalf of EWCs are highly concentrated in two unions: IG Metall and IG Bergbau, Chemie, Energie (IG BCE).

While responsibility for EWCs at union headquarters has generally been integrated into the tasks of departmental teams dealing with Works Council matters, unions have mostly kept their distance from EWCs. This is partly a result of limited resources and partly a realistic assessment of the actual role played by EWCs. But at the same time, not all EWCs have actively sought a close relationship with the unions. In short, EWCs do not figure prominently in union strategy perspectives for Europe, and they are certainly not a key element of any union revitalization efforts.

# 2.6.5. Inter-regional trade union committees (IRTUCs)

Inter-regional trade union committees are probably the least known organizational expressions of cross-border trade union collaboration. There are over 35 such committees in existence today and some of the oldest were founded more than 20 years ago. German unions are involved in 13 committees along Germany's borders within the EU and with Poland and the Czech Republic.

The work of most IRTUCs is generally unspectacular, but at the same time essential for furthering the spirit of European cooperation. The founding of an IRTUC is a step towards establishing ongoing cross-border communication and understanding among employees of two or more nationalities. Once functioning, IRTUCs devote their energies to cross-border labour market and regional development questions. Issues such as codetermination in enterprises operating both sides of the border, social insurance for commuters and environmental problems also receive their attention.

Despite their numbers and their cross-border regional structure, IRTUCs have never been regarded as a strategic instrument of European policy by the German trade unions. Nor have they drafted a strategic concept including IRTUCs in a comprehensive plan for revitalization, although such organizational structures could be a core element in the promotion of cross-border union strategies in Europe.

# 3. Summary and conclusions

This paper presents a general picture of the policy development and organizational restructuring facing German unions in the selected strategy areas. We have described union responses and initiatives, evaluating their impact and their potential as instruments of revitalization. Unions are actors. Their policies and politics determine their effectiveness as subjects of change as well as their capacity to react to other actors. Unions are not merely the objects of an inexorable process, in which their decline is programmed and the final act is soon to commence.

We cannot confirm an upsurge of focused revitalization, nor is it true that the organized labour movement is at a standstill. But we do conclude that the development and application of successful strategies in the face of today's challenges will require a clear understanding of what unions represent and what role they need to play in the twenty-first century.

The increasing complexity of this task is evidenced by the two catchwords "globalization" and "atypical". Internationally, markets and multinational enterprises have generally been untouched by the regulatory instruments of democratic governments or by the control measures that powerful national labour movements once had at their disposal. At the same time, union foundations are being undercut by extensive changes in the labour force. The "normal" worker is more difficult to define, while the prevalence of atypical workers is growing. What is more, both catchwords refer to processes which are interlinked, so that unions require a comprehensive understanding and strategy to act effectively on both.

On this point, our paper has pointed out weaknesses in the German unions. Top-down strategies alone are costly and hard to disseminate and anchor throughout the organization. Innovative strategies at local level have the advantage of the organizational unity of competent problem analysis, project planning and project implementation. But without the means and readiness to spread such experiences in order to develop "best practice" scenarios throughout the organization, local initiatives will degenerate into "re-inventing the wheel". In an organization marked by its failure to evaluate the potential of new approaches, both the impetus for innovation and the learning capacity of the organization will wither. <sup>51</sup> This applies equally to the individual member unions of the DGB federation as well as to the relationship between the members and the federation.

Beyond this general problem of organizational learning, we attach special importance to two dimensions of union revitalization which combine action in separate strategy areas: German unions need to expand their strategic vision to the European level and at the same time focus on workplace strategies. In regard to the latter, revitalization depends on more active recruitment coupled with organizational reform delegating more decision making and responsibility to the regional and local/workplace level. As employers initiate change in the work environment, unions need to respond with initiatives of their own and of those they (claim to) represent. Gaining the initiative will strengthen employee/union control of the work environment and shape its fundamental character.

As for the other dimension, a broadening of the union strategy perspective from the national to the European level is inevitable in the context of European integration, and it presents an innovative opportunity if developed prudently. To be sure, the German unions have contributed essentially as much (or as little) as labour movements in other European Union countries, and a further Europeanization of union organizations and politics cannot be initiated unilaterally. But to put the issue into focus as it concerns the German unions, the European perspective has still to be accepted by all union officials and activists, not to mention members. Strategies for union wage bargaining, union political action, union mergers and organizational restructuring have at best only marginally integrated issues with a European dimension. And yet, it is unavoidable that all such strategies, whether they are designed to protect the sectoral contract, to combat unemployment or to eliminate right extremism, will come up short as national approaches. The German unions have a rich history of success and influence to call upon in finding their road to revitalization. Justice and solidarity have always counted as their basic goals and as the building blocks of their identity. But the unions are in danger of betraying this heritage if they fail to redefine such goals in terms of new challenges, i.e. at European level and at the workplace. Will the unions grasp the initiative? The historians of the Hans-Böckler-Circle gave their own answer to this question in reference to the problems which German unification was causing the unions. "The German labour movement has always been able to adapt to new demands and conditions only after experiencing a crisis" (Hans-Böckler-Kreis, 1990, p.590) No one, however, is destined to repeat history.

<sup>&</sup>lt;sup>51</sup> An excellent example of both the development of innovative strategies with measurable revitalization impact and the failure to communicate and anchor this experience throughout the organization is given by Carsten Wirth in his study of the retail trade sector in Germany (Wirth, 1999).

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