How do trade unions interact with the European Parliament?

A descriptive analysis

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1. Introduction

Over the past 50 years, the European Union has evolved into an economic and political superpower, having a substantial impact on most areas of significance for trade unions, including social policy, industrial relations and labour legislation.

This integration process has gone hand in hand with a constant increase in the powers of the European institutions. Accordingly, the upcoming Lisbon Treaty will further strengthen the competences of the European Parliament and so more than ever require the attention of the European trade unions.

The aim of this paper is to investigate the current relationship between the European Parliament and the European trade unions and to point out the main tasks and challenges from the trade union point of view.

We shall show why the EP is currently perceived by the European trade union movement as the most important arena in which to influence the European legislative process.

Furthermore, after analysing the role of national and international trade unions we shall describe the significance of political ideologies and the trade unions' dependence on the allocation of seats between the political groups inside the Parliament.

In addition, we shall illustrate the wide variety of different strategies and specific trade union approaches to influencing decision-making processes inside the EP and look at how traditional political ties have slowly eroded in recent years.

We shall investigate why the trade unions need to build networks on a cross-party level and establish close relations with as many representatives as possible, while on the other hand they have to be ready to organise public campaigns and take their protests to the streets.

We shall consider what trade unionists agree to be the key to influencing MEPs and who are the relevant stakeholders and key players on both sides.

We shall conclude our analysis with a critical evaluation of the topics presented and personal recommendations for future cooperation.

2. Methodology

The research was conducted in three main phases. The first phase consisted in gathering background information about the different forms of cooperation between the trade unions and the Parliament in the form of academic texts and introductory interviews with several trade unionists; it soon became apparent that few academic texts focus specifically on the interaction between trade unions and the EP.

Therefore, in the second phase of the research we conducted seven in-depth interviews with three MEPs, one political group staff member and one ETUC and two national trade union representatives who are in charge of cooperating with the European Parliament.

The third phase consisted of data gathering, the analysis of general lobbying textbooks and several informal interviews with lobbyists and EP staff.

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Finally, participation in the AGORA forum, as well as in one trade union intergroup meeting allowed us to obtain further information.

In conclusion, the gathered data were helpful and made possible a variety of different perspectives and opinions, but unfortunately no representative of the EPP-ED or the Greens/EFA responded to our interview requests.

The main focus of this paper is an examination of the cooperation between the European Parliament and the trade unions.

We make some mention of the different approaches to European issues, as well as to the division of labour inside the trade union movement, but in order to facilitate understanding and highlight general relationships the European labour movement's lack of a strategic common interest, as well as many stakeholders, such as industry federations, work councils and national parliaments, are excluded.

To my knowledge, this paper is the first general summary of the key factors and relevant influences in the lobbying and cooperation processes between the trade unions and the European Parliament. Consequently, it is not case- or issue-orientated, but aims to be a descriptive analysis.

3. The significance of the EP

Throughout the 1960s and 1970s the limited significance of Community policy for national industrial relations and the 'intergovernmental mode of decision-making meant that trade unions paid little attention to European interest representation' (Dolvik 1999, 29). With the new acceleration of European integration from the 1980s, the picture changed. In order to 'compensate for domestic losses and recapture power at the European level', trade unions apparently had no option but to 'reinforce their capacity to influence Community policies' (Dolvik 1999, 29).

Political decision-making at the European level has constantly evolved through 'complicated, multifaceted and time-consuming processes of negotiation and consultation' (Dolvik 1999, 30). While the supranational Commission has initiated new legislation, the Council of Ministers has taken the decisions. Hence, in order to influence the direction of Community policy, interest groups have primarily had to target the Commission, while in order to have an impact on the final outcome they have had to target representatives of national governments, in consequence 'giving rise to a dual track of interest articulation at the European level' (Dolvik 1999, 30).

Due to the steady integration process, this picture became more complicated, reflecting the enhanced role of the directly elected parliamentary body of the European Union, namely the European Parliament. Successive treaty amendments have granted the EP increasing formal significance (see Warleigh 2002, 75). It has been empowered by the co-decision procedure to act as a co-legislator with the Council of Ministers in more and more areas. As a result, the European Parliament has increased in stature and has become an important and influential EU institution 'with the power to amend legislation, act as a joint budgetary authority, grant discharge of the budget, appoint EU actors and dismiss the Commission' (Warleigh 2002, 75).

Consequently, organised interests have begun to put greater emphasis on influencing the EP. Accordingly, also because of the EP's power of co-decision on social policy legislation, the European trade unions have become conscious of their vital role in

representing working people in Europe, ensuring that MEPs are aware of the trade union point of view (see ETUC 2006, 5).

In contrast to most national legislative branches, the legislation process in the EP is not a superficial, formal procedure. As a result of the rather small secretariats, as well as the lack of necessary in-house evaluation and information-gathering capacity, MEPs from all political groups are willing to receive in-depth analyses from stakeholders and are not reluctant to cooperate with different political parties. MEPs are, in the majority of cases, independent and bound neither by the constraints of their political groups, nor by the decisions of the Commission or the Council.

For that reason, as well as due to the conservative-liberal majorities in all the main European institutions and the trade unions' resultant difficulties in having their arguments considered, compared to the Council and the Commission the EP is currently perceived by the European trade union movement to be the most important arena for influencing the European legislative process (Kowalsky 2007).

The trade union movement must therefore focus constantly on the upcoming plenary and committee meetings and allocate its forces accordingly. All represented trade unions fulfil the dual function of gathering information and representing the workers' interests by pursuing different strategies but with shared responsibilities, as demonstrated in Section 4.

4. Cooperation inside the trade union movement

The European trade union movement is embodied in Brussels by the European Trade Union Confederation (ETUC), which represents 82 trade union organisations in 36 European countries, plus 12 industry-based federations and many offices of national trade unions (ETUC 2006, 6). One of the main functions of the trade unions represented in Brussels is to keep track of ongoing European legislation, monitoring political trends and so operating as an early warning system to their affiliates at home.

Furthermore, they try to lobby MEPs in order to campaign for an EU with a strong social dimension and a balanced macroeconomic framework that takes full account of its people's needs and aspirations (ETUC 2007). The European trade union movement believes that workers' consultation, collective bargaining, social dialogue and good working conditions are key to promoting innovation, productivity, competitiveness and growth in Europe (ETUC 2007).

The European Trade Union Confederation is powerful in its own right, but at times it needs to mobilise its affiliate organisations. Therefore, the interests of workers vis-à-vis the Parliament are represented by both the national trade unions and the ETUC. While there is no official division of labour, they try to coordinate their activities in order to have a harmonised strategy to influence decision-making inside the EP.

Nevertheless, the extent of the cooperation between the ETUC and the national trade unions depends on the given issue. Most reports in the Parliament do not need the involvement of the national trade unions, as the ETUC usually possesses all the necessary information and is able to take the appropriate decisions. In other cases – usually also very ideological issues – the ETUC has to rely on the support of the

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national trade unions to influence both European and national Members of Parliament (Kowalsky 2007).

The national trade unions meet regularly and try to coordinate their lobbying efforts, dividing responsibilities and tasks according to capabilities. There are also ad hoc groups and task forces organised in the ETUC, concentrating on current topics, in which the national trade unions coordinate and exchange views and information.

Consequently, there is usually a logical division of responsibilities. While the national trade unions mainly lobby their nation's MEPs, the ETUC's lobbying efforts focus on the key Parliamentarians, such as rapporteurs or shadow rapporteurs. Depending on their contact persons in specific committees of the Parliament, generally the organisation with the strongest, most influential ties will take a central role in the lobbying effort and share information with the others.

Depending on the issues, the national trade unions have different priorities and different strategies. While French trade unions mostly oppose the idea of political lobbying, British trade unions, for instance, openly sponsor some trade-union-friendly MEPs (Kirton-Darling 2007). In light of these heterogeneous approaches, the ETUC has put in place consultation and coordination mechanisms in order to reach a common position and to foster cooperation between trade unions whose national systems are more strongly affected by upcoming legislation.

In consequence, unless there are conflicting interests, the trade unions and the ETUC combine their efforts to influence the EP in order to have a joint bargaining position and to achieve a sustainable compromise.

A common approach is also of great importance due to the political balance of power inside the Parliament; although the ETUC is a non-party umbrella organisation many member associations have strong ties with political groups in the EP (Röpke 2007). Consequently, the trade union movement's bargaining power and impact on decision-making depend strongly on seat allocation between the political groups inside the Parliament. In Section 5 we will therefore investigate the significance of political ideologies as regards cooperation between the political groups and the trade unions.

5. The role of political ideologies

Due to the fact that EP party groups are far more heterogeneous than parties in national parliaments, no general view regarding trade unions can be identified; MEPs, as already mentioned, are more likely to seek alliances across parties around specific issues and interests than to stick strictly to their political group's line.

Nevertheless, faced by a neo-liberal majority in the Parliament, it has become more and more difficult for the trade union movement to find enough partners who can exercise a political majority.

Being a non-party umbrella organisation, the ETUC does not support individual parties. In advance of elections to the European Parliament it might occur that a list indicating the priorities of the European trade union movement will be sent out to affiliates; but the ETUC – in contrast to many national trade unions in the member states – does not campaign for or endorse any candidates (Kowalsky 2007).

Evidently, political groups on the Left have stronger ties to the trade union movement, but even these groups are made up of several different strands and political traditions (Ettl 2007).

Inside the Socialist Group in the European Parliament, for instance, there are significant differences among the national parties regarding not only practical but also ideological decisions. The traditional close relationship with the trade union movement is still present, and the views of the ETUC on any subject are taken seriously, but the constant move to the political centre by some national Social Democratic parties, in pursuit of neo-liberal economic and social policies, has slowly eroded mutual trust in recent years.

On the other hand, the Confederal Group of the European United Left/Nordic Green Left (GUE/NGL) has evolved as the toughest defender of trade union rights and trade union positions in the Parliament. As a passionate advocate of mobilisation, along with stronger political involvement on the part of the trade union movement, the GUE/NGL's point of view is often more far-reaching than the ETUC leadership's position (Kirton-Darling 2007).

The same diverse picture is true of the parties of the centre right. While trade union demands are unlikely to be endorsed by the majority of MEPs in these groups, in both the European People's Party and the Group of the Alliance of Liberals and Democrats for Europe some MEPs are closely associated with the trade union movement (Attwooll 2007).

As a consequence, no matter how well the trade unions' strategies are organised or how thoroughly the arguments are presented, the impact of the trade union movement will depend strongly on the political views of individual MEPs.

This obviously makes it very difficult for the trade unions to estimate the outcome of their attempts to influence the EP. It is therefore almost impossible to predict what strategy will succeed and which issues will be controversial.

For this reason, the trade unions must apply different approaches and forms of cooperation with the EP, as Section 6 will demonstrate.

6. Interaction with the EP

The form of interaction between the trade unions and the EP depends strongly on the issue concerned. Beneficial interest representation – as for every pressure group – is possible only by means of long-term cooperation and close partnerships. On the one hand, trade unions need to build networks at cross-party level in order to establish strong relations with as many representatives as possible; on the other hand, they have to be ready to organise public campaigns and take their protests to the streets. Trade unions have to be able to deal with both rival interest groups and like-minded, trade-union-friendly stakeholders.

THE CASE OF THE SERVICES DIRECTIVE

Convinced that the draft directive on services in the internal market, published by Commissioner Bolkenstein in 2004, would constitute a significant attack on the European Social Model, the European trade union movement launched its most successful lobbying campaign yet, preventing adoption of the draft's most detrimental principles.

Faced with the stubborn determination of the Council and the Commission, the trade unions concentrated on the European Parliament and brought the issue to the attention of the European public. Due to their united rejection of the directive, the trade unions were able to cooperate effectively and to divide their internal labour according to their strengths; while the ETUC coordinated general strategy, the national trade unions focused on campaigning amongst the wider public by mobilising their bases and informing the media. Trade-union-friendly MEPs tabled amendments, while the national trade unions concentrated on persuading their national MEPs and the ETUC lobbied the main actors in the Committee for Employment and Social Affairs, as well as in the Committee for Internal Market and Consumer Protection. In addition, several so-called 'Euro-demonstrations' with several thousand participants were organised in Brussels and Strasbourg, ensuring that both the general public and MEPs were aware of the directive's highly controversial content.

This combination of tough public campaigning, effective internal cooperation and intensive networking led in the end to the modification of the directive in favour of many trade union demands, and proved that the trade union movement can have a significant impact on the European legislative process.

Nevertheless, despite the – even for many trade union representatives – surprisingly successful outcome, the services directive campaign remains a positive exception to the rule. In most cases, the European trade union movement has tried to defend its concerns with similar efforts, but due to diverging national interests, political circumstances or opposing interest groups, has failed to have a comparable impact.

Typically, trade unions have two ways of influencing the EP:

- 1. The most visible and direct way is to apply direct pressure, for instance by means of mobilisation, demonstrations and online petitions. This approach is of great importance in focusing the public's attention on Brussels in order to put pressure on MEPs (Dräger 2007). Nevertheless, this strategy is rarely applied as the ability to organise Europe-wide campaigns or strikes is still regarded as limited due to the fragmentation of European trade unions and the low awareness in member states of decisions at European level.
- 2. The more common strategy is the indirect, 'diplomatic' approach. It can be summarised as persistent efforts to persuade the relevant stakeholders in the legislative process by subtle formal or informal lobbying methods, as well as by joint actions with other interest groups.

'Formal' cooperation can take the following forms:

- Hearings: The typical formal way of participating in the legislation process is to attend official party and committee hearings and to present the trade union movement's view and concerns.
- Intergroup: Due to the abovementioned difficulties with finding enough partners who can exercise a political majority, the so-called 'trade union coordination group', a cross-party intergroup1 of MEPs, has been created.

The trade union intergroup consists of a steering committee, the so-called intergroup bureau and plenary sessions (Dräger 2007). The intergroup bureau meets once a month in Brussels to discuss two topical issues at the highest level between representatives of the political groups,² the ETUC – as the exclusive representative of the trade union movement – and, usually, the relevant rapporteur.

In the plenary sessions, organised by the intergroup bureau in Strasbourg, a broader range of MEPs can discuss topical issues (such as the services directive, the European constitutional treaty, gender balance, flexicurity, labour law, and so on) or simply liase with the trade union representatives.

But while the intergroup plenary sessions provide the ETUC with an efficient short cut to privileged access to a number of MEPs, the intergroup bureau is of crucial importance for obtaining a proper and accurate assessment of how upcoming votes in the Parliament are likely to work out (Hughes 2007).

The intergroup bureau's coordinators from the political groups are representatives with well-established trade union contacts. They also have a good grasp of the political makeup of their own political groups and follow internal debates closely. Consequently, they are usually able to make a good assessment of the direction in which their parties are heading (Hughes 2007).

With that knowledge, the trade union movement can accurately direct its lobbying efforts at the right targets to secure the necessary majorities for the trade union standpoint in the EP. That leads to a cascade effect in which the national trade unions get involved (Hughes 2007).

Accordingly, the intergroup not only has a fundamental role in arranging contacts at the highest level, but is also a good starting point for planning forthcoming lobbying efforts.

'Informal' cooperation can take the following forms:

• One-to-one conversations: The usual procedure in lobbying the Parliament is, on the one hand, to contact the MEP writing the opinion or report on a relevant issue and to try to persuade him or her to take on board the trade union movement's view (Kowalsky 2007). On the other hand, trade unions try to persuade members of

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¹ Intergroups are informal bodies of MEPs with members from different political groups from within the European Parliament. These intergroups enable MEPs to form cross-party coalitions on specific issues of interest, which can foster wider political friendships and consensus building within the European Parliament. Currently, 25 intergroups are registered and officially recognised (Corporate Europe Observatory 2006).

² Group of the European People's Party (Christian Democrats) and European Democrats; Socialist Group in the European Parliament; Group of the Alliance of Liberals and Democrats for Europe; Group of the Greens/European Free Alliance; Confederal Group of the European United Left-Nordic Green Left.

particular committees to vote in their favour. Trade union officials agree that one-to-one conversations are the key to influencing MEPs successfully, but they are likely to be successful only if contacts are maintained for a long period, mainly through informal meetings in the course of organised events and ongoing public relations (Röpke 2007).

• *Trade unionist MEPs*: By having political allies in the Parliament, trade unions have a clear advantage over most other lobby organisations.

The trade unions' traditionally close relationships with political parties in a number of member states frequently mean that they can propose candidates for European Parliament election lists. Such MEPs cooperate closely with their national trade unions and also maintain good relations with the ETUC. For many national trade unions these MEPs represent a direct link to EP committees and therefore to the necessary information on the upcoming legislation. Many trade unions also try to put forward amendment proposals through them, while due to the smallness of their secretariats some MEPs receive background information, analyses and legislative support from the trade union movement (Kirton-Darling 2007).

Joint actions may include:

- Random allies: To be successful, trade unions cannot rely solely on their own lobbying efforts; to have more chance of effecting a far-reaching compromise, trade unions also need to collaborate on particular issues with selected NGOs and employer representatives to present joint statements and organise joint actions.
- Analytical support: Many trade unions, as well as the European Trade Union Institute, often cooperate with the European Economic and Social Committee to obtain background analyses that can be used to influence MEPs (Röpke 2007).

A mixture of methods and approaches is therefore more likely to influence the legislative process successfully. A coordinated strategy among national trade unions and the ETUC is again of crucial importance, as is a readiness to mobilise and to organise Europe-wide demonstrations. All these things are interrelated; there are no single, clear-cut, cause-and-effect relations. It is always the combination of direct and indirect forms of influence that makes a powerful and successful campaign (Kowalsky 2007).

However, lobbying efforts are likely to be in vain if the trade unions are unable to identify the key players; obviously, the significant stakeholders vary depending on the given issue. Still, some key figures as well as key positions can be identified in both the EP and the trade union movement, as described in Section 7.

7. Key players

It would require a monumental effort on the part of the trade union movement to lobby every single one of the 785 MEPs. Moreover, as trade unions seek to achieve lasting resolutions by making compromises, it would be a short-sighted strategy to aim simply at convincing MEPs to vote in favour of or against specific decisions in plenary sessions.

For this reason, trade unions need to influence the parliamentary legislation process from the outset. The committees therefore represent the key lobbying arena in the EP as they are responsible for preparing the Parliament's plenary session work. Their task is to 'draw up reports on legislative proposals that have been referred to Parliament or on which Parliament has been consulted and on own-initiative reports' (Neuhold 2001).

The formal officeholders within each committee are its chairs and several vice-chairs. 'The chairman presides over the meetings of the committee, speaks for it when sensitive votes are held in plenary and can contribute considerably to shaping legislation' (Neuhold 2001). The role of the vice-chairs is mainly to stand in for the chairs when they are not available.

'Once a committee has decided to draw up a report or an opinion it nominates a rapporteur or a draftsman' (Neuhold 2001). The rapporteurs are immensely important as they are the leading persons through the whole preparatory negotiation and legislative process. The shadow rapporteurs are appointed by opposition political groups, primarily to monitor the work of the rapporteur.

Apart from the official officeholders the group coordinators play an important role. 'Each political group selects a coordinator who is responsible for allocating tasks to the group members as its main spokesperson' (Neuhold 2001).

The main representatives on the Committee for Employment and Social Affairs, one of the most significant committees from the trade union point of view, are currently Jan Andersson (Chair, PSE), Lehideux Bernard (ALDE coordinator), Stephen Hughes (PSE coordinator), Jean Lambert (Greens/EFA coordinator), Gabriele Zimmer (GUE/NGL coordinator) and Philip Bushill-Matthews (EPP-ED coordinator).

Also of great significance for the trade union movement is the composition of the abovementioned intergroup. Usually a member of the Socialist Group convenes and chairs the intergroup bureau for the first half of the five-year mandate and then a member of EPP-ED for the second half. At the moment, Csaba Öry (EPP-ED) chairs the intergroup, while Stephen Hughes is the co-convener. They plan the forward agenda of the intergroup together with Wolfgang Kowalsky, who represents the trade union movement in the intergroup bureau and takes the leading role in coordinating cooperation between the ETUC and the Parliament.

Other regular representatives of the political groups at intergroup meetings are Gabriele Zimmer (GUE/NGL), Elspeth Attwooll (ALDE), Harald Ettl (PSE) and Jean Lambert (Greens/EFA).

As far as the trade union movement is concerned, the supervisor of the ad hoc task force set up at the ETUC to deal with urgent matters also plays a significant role (Röpke 2007); this representative becomes the relevant contact-person for the national trade unions, as he or she coordinates the general strategy for the trade union movement on the given topic and stays in touch with the relevant committees in the Parliament.

In conclusion, the trade unions have to be able to address the appropriate institution, divide their labour accordingly, assess the political possibilities, apply the right strategies and, finally, identify the relevant stakeholders. The trade unions have been quite successful in this respect, but more must be done, as we shall see in the concluding section.

8. Evaluation

Generally, the trade union movement is eager to exert as much influence as possible to represent workers' interests at European level. In assessing trade union efforts, however, it should not be forgotten that lobbying is only an attempt to exert influence, not influence per se. Furthermore, due to the informal nature of their policy input, the real impact of the trade unions' lobbying efforts is not measurable.

The trade union movement has generally been successful in identifying the relevant issues and in organising its lobbying strategy. The trade union intergroup has evolved in many cases into an important starting point for lobbying efforts, and in the field of 'diplomatic' lobbying the trade unions have established an impressive network.

Unfortunately, all these efforts do not achieve much more than a modest debate with limited reflection in the ratified reports (Dräger 2007).

Without doubt, many disappointing results can be traced back to the political balance of power inside the Parliament. Faced with a neo-liberal majority in the main institutions, it has not only become more and more difficult to convince a sufficient number of MEPs, but also to put social policies on the agenda in the first place (Kowalsky 2007). Consequently, no matter how well organised the trade union movement might be, sometimes it cannot prevail in the given political circumstances and against opposing interest groups.

Nevertheless, there is still room for improvement for the European trade unions.

One basic problem is the reluctance of national member organisations (which often face financial difficulties) to delegate more power and therefore more resources to the European level. Due to a lack of adequate funding, insufficient legal and intellectual manpower, a restricted negotiating mandate and the inability to oblige its members to implement a common strategy, the ETUC has only limited capacity to organise a successful campaign.

In addition, the heterogeneous concerns inside the trade union movement often hinder adoption of a common position and therefore prevent a clear-cut Europe-wide lobbying strategy.

Both the ETUC and the member associations are often ineffective in putting across the direct relevance of measures adopted at European level to EU citizens (Dräger 2007). Often the ETUC has been active at European level to lobby MEPs, while in the member states almost nothing has been done to address the same issue. National trade unions are often unable to recognise relevant issues on time and need more assistance from the ETUC (Kirton-Darling 2007).

In consequence, the trade union movement must strengthen its internal cooperation and be ready to pass on more responsibilities to the European level. The trade unions are already able to address the relevant concerns and have established the appropriate channels for dialogue. The formal powers of the ETUC are very strong, but they must be used more effectively at the political level.

Until there are no mechanisms or frameworks for collective bargaining at European level, the European trade unions need not only to improve their ability to get the public's attention but also to put together a systematic strategy for wide-ranging mobilisations. Particularly because MEPs are elected at national level and are more

likely to react to public action in their constituencies, a more coherent public pressure strategy in Brussels and the member states would be advisable.

Finally, faced with neo-liberal majorities, the trade union movement must attempt to overcome its limitation to interest representation and to be more open to political engagement at European, as well as at national level. Instead of being forced to depend on the goodwill of the political groups, the trade unions should be ready to present a clear political and ideological alternative. This would help counter the danger that, as a staff member in the EP has put it: 'The Parliament will politely continue listening to what the trade unions are saying. That's it' (Dräger 2007).

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