

Ten Years of Post-Communist Central Eastern Europe: Labour's Tenuous Foothold in the Regulation of the Employment Relationship

Anna Pollert

University of Greenwich, UK

Ten years on from the 'revolutions' of 1989 which overthrew the state command economies of Central Eastern Europe (CEE), this article explores progress in the democratic reform of industrial relations as a key area of change. Worker interest representation both at state level, at the intermediate industry level and at the workplace level is reviewed and analysed. The competing dynamics of building tripartite and corporatist institutions, encouraged by the ILO, and the neoclassical thrust of the transformation process, which has encouraged deregulation and decentralization, are explored. Trade unions' focus on and faith in this institution-building has arguably deflected attention from developing deeper processes of democratizing industrial relations. This leaves labour with a weak influence over the reregulation of the employment relationship, as the CEE embarks on harmonization prior to accession to an enlarged EU.

Keywords: decentralization, deregulation, labour, organization, union

Introduction

Ten years on from the 'revolutions' of 1989 which overthrew the state command economies of Central Eastern Europe¹ (CEE) may be too soon to assess the development of labour's stake in the democratization which it was hoped would accompany the restoration of capitalism in these countries. Nevertheless, enough time has elapsed to detect emerging patterns of interest representation. Progress in the democratic reform of industrial relations is a key area of

Economic and Industrial Democracy © 2000 (SAGE, London, Thousand Oaks and New Delhi), Vol. 21: 183–210.

[0143–831X(200005)21:2;183–210;012958]

change, and is significant not only in terms of new modes of regulating the employment relationship, but in terms of political representation more widely. This is because trade unions have taken on the mantle of political intervention, partly because of the establishment of tripartism early on in the transformation process, and partly because they fill a gap left by the weakness of political parties as organs of popular representation. In this article, worker interest representation at state level, at the intermediate industry level and at the workplace level is reviewed and analysed.

Labour's attempts to influence its conditions of employment in the context of capitalist change dominated by free market policy has been an uphill task. Its difficulties not only affect the lived experience of the people of CEE, but also impact on Western European workers in terms of creating the opportunity for employers of social dumping. The attraction of CEE for multinational companies (MNCs) lies in the region offering a skilled, but cheap workforce – around one-tenth of its western counterparts. While there is no systematic evidence on the diffusion of practice via MNCs in CEE, research suggests that most western companies prioritize keeping down costs and are not keen to spread regulated industrial relations systems. Even those originating in countries with traditions of strong regulation, such as Germany or Sweden, seem no more likely to perpetuate social partnership than those from elsewhere, such as Japan (Pollert, 1999a, 1999b).²

With the likely entry of the Višegrad countries to an enlarged European Union (EU) within the next ten years, employment regulation and wages in CEE will determine whether there is a levelling up, or down, in European-wide labour organization and conditions. So far, the experience of unified Germany suggests the latter trajectory. Despite formal institutional transfer to the east of the regulated German industrial relations system (Frege, 1999), a process has been observed of competitive pressures from the west leading to de-industrialization in the east, which has weakened labour. Employers have mounted a general attack in both parts of Germany in response to global competition. Together, these two processes have arguably contributed towards the weakening, if not the disintegration, of the 'German model' (Mahnkopf, 1994: 41; Flecker and Schulten, 1999).

Other countries within CEE experiment and borrow, while being pulled in different directions by outside organized interests. International tripartite and trade union bodies such as the International Labour Organization (ILO) and the International Confederation of

Free Trade Unions (ICFTU) have encouraged labour to organize and develop its voice. The EU, while concerned with harmonization of CEE practices in terms of democratic developments, is unlikely to support 'overregulation' of employment, which might harm business interests. And the International Monetary Fund (IMF) and the World Bank press for deregulation of alleged impediments to the free market.

Competing Dynamics: Institution-Building in a Climate of Deregulation

At a formal level, the emphasis on building tripartite institutions, which has been encouraged by the ILO, leans towards a European neocorporatist tradition. National negotiation between the 'social partners' on broad social and employment policy was to be complemented by free collective bargaining at industry and workplace levels. From 1989 onwards, the old Labour Codes and collective labour relations throughout CEE were reformed to harmonize at both constitutional and legislative levels with international principles of trade union freedoms.³ Collective bargaining legislation was reformed first in Czechoslovakia with the Collective Bargaining Law of 1991, then in Hungary with the 1992 revised Labour Code, and in Poland with the 1994 amendment to the Labour Code.

However, the neoclassical thrust of the entire transformation process has encouraged deregulation and decentralization. This has occurred not only in terms of free market policies which eschew regulation, but also at the level of material pressures which have forced governments to renege on commitments made to the 'social partners'. To begin with, the destruction of the Council for Mutual Economic Assistance and the structural adjustment package of deregulation, stabilization and privatization, precipitated deep recession – hardly propitious for maintaining tripartite agreements. CEE's subordination to multilateral financial bodies for loans and legitimacy also limited the room for manoeuvre of national governments. Integration into the EU also began as an asymmetric process disadvantaging CEE, and placing further pressure on governments and employers. The process began at the economic and trade levels in February 1991 at Višegrad, when Czechoslovakia, Hungary and Poland agreed collective trilateral action with European institutions, and concluded at the end of the year the Association

Agreements (Vimercati, 1996: 30).⁴ But these institutional developments maintained important areas of western trade protection, while forcing eastern deregulation. The position of CEE within Europe as Partners in Transition in the Europe Agreements of the early 1990s created a dependency relationship on Western Europe for trade (Gowan, 1995). Competitive pressures on employers were thus likely to undermine institutional developments in favour of regulating or improving labour's position in the transformation.

Added to the economic pressures towards deregulation and fragmentation were ideological ones. Initially, surfeit of command economy regulation ensured the popular welcome of the tenets of individualism and 'personal freedom', and quickly established decentralization as the institutional basis of collective bargaining. The result has been that in most of CEE, a hybrid system of industrial relations has evolved combining formal neocorporatist structures, with heavy leanings on the German model,⁵ and voluntarism and fragmentation. The practice of industrial relations has rapidly become one of enterprise and workplace bargaining. But beneath this hybrid institutional system, a further, much more fundamental duality exists, between the organized sector of bargaining – and 'bargaining' itself is an amorphous term – and autocratic management, breaching of the law (even in unionized workplaces) and a growing number of non-union workplaces and unorganized labour. A key weakness for labour was the early reliance on the formal shell of institution-building – a shell that proved fragile.

The Fragile Shell of Tripartism

Governments recognized early on that it was in their own interest to forestall social upheaval and share the responsibility for major economic sacrifices with 'social partners' (Héthy and Kylvoh, 1995: 6). But tripartism became a disposable political safety valve, excluded when governments felt they had sufficient power to do without it, and brought back in when this was deemed advantageous. Trade unions also embraced tripartism as a step in relegitimization as part of the 'reform' process, but also in a desire to influence it. Furthermore, this type of top-level, state activity was familiar to the former trade unions, reproducing their former party/state involvement, and fitted their new political role in the absence of mass involvement in political parties (Thirkell et al., 1995: 15).

The Hungarian Case – Demise of an Early Pioneer of Tripartism

Bipartite negotiations started in Hungary in 1988, when the Nemeth government recognized the Communist union, SZOT, for consultation purposes. However, it was pressure from labour which forced the post-Communist government's hand, in seeking a settlement to the October 1990 crisis (triggered by a sudden rise in the petrol price) of the taxi and lorry drivers' blockade. Some argue that without this, tripartism would have remained in the shadows (Héthy, 1995: 88). The National Interest Reconciliation Council (NCRI) was formed in 1990. All four successors to the old union, plus the two new ones,⁶ together with nine employers' organizations, were invited onto the Council to enter consultation for the Annual General Agreement (Héthy, 1995: 82). This obliged the government to consult with the social partners on social and economic policy, to deliver the basic features of a 'social safety net' (the minimum wage, social and labour market policy, unemployment benefit) and to formulate the basis of new employment and collective bargaining legislation in the new 1992 Labour Code (Héthy, 1995).

While forced into life by organized labour, the NCRI did not contain real corporatist substance in permitting union intervention in the privatization and economic transformation process (Deppe and Tatur, 1997: 252). It had a role in maintaining social peace, and even brought some labour victories, such as the occasion in May 1991 when MSZOSZ (the main reformed Communist union confederation) threatened the only general strike of the transition years (against price increases in energy, transport and other basic necessities), and put enough pressure on the government to force concessions (Andor, 1996: 71). But the government increasingly controlled tripartism, a tendency helped by divisions between the unions.

Beneath the state's control of the tripartite process was its lack of room for manoeuvre. When the Socialist government more sympathetic to social partnership came into office, it buckled under external pressure to enforce austerity measures, and followed the same neoliberal policies as its forerunner rather than come to a compromise with labour through genuine dialogue. After 1995 tripartism was greatly attenuated, its remit narrowed from general social policy to public sector employment (Deppe and Tatur, 1997: 264). The election in May 1998 of the centre-right Fidesz-Hungarian Civic Party to government spelled the end of what for ten years

appeared to be the star of CEE tripartite social partnership. After ten years during which the unions' energy and faith had been placed in tripartism there was little strength from lower levels to confront a hostile government, and it was now simply marginalized, just as the Czech tripartite body became ignored by the Klaus government earlier on.

The Czech and Slovak Cases – Marginalization and Exclusion

In the former Czech and Slovak Federative Republics (ČSFR), a national tripartite council, the Council of Economic and Social Agreement (CESA), was formed in October 1990 during the liberal phase of the Civic Forum, at federal and republic levels, based on the cooperation of the major union confederation, the Czech and Slovak Confederation of Trade Unions (ČSKOS) and the cultural and professional confederation (KUK). It began as a federal institution, but, after the 1993 split of the ČSFR, separated into Czech and Slovak National Councils.⁷ Like its Hungarian counterpart, the CESA had only an advisory, consultative function with no legal status or real influence on fundamental government policies (Orenstein, 1994: 17),⁸ although in contrast, it was not hampered by union division and rivalry.

The experience of union marginalization came sooner in the Czech case than in the Hungarian. Initially, conditions for social dialogue were more favourable. The Annual General Agreement, first introduced in January 1991, was the forum for the social compromise package for a low-wage, low-unemployment policy. There were struggles over the minimum wage, over a wage tax policy (as with the Polish *popiwek*), wage indexing and social and employment policy. But the unions also had some successes, such as the Law on Collective Bargaining of December 1990, which established the right to free collective bargaining,⁹ the right to strike and protection from dismissal as a result of striking. The government attempted to introduce works councils modelled on the German system here, as in Hungary, but in this case, united union opposition prevented it, on the grounds that such a dual worker representation system would weaken an immature union movement.

The Czech CESA came under increasing strain following the 1992 election victory of the conservative Civic Democratic Party (ODS) under the leadership of Prime Minister Klaus, who was openly

dismissive towards the unions. The government used its constitutional right to override the General Agreement, including the renewal of tight wage regulations, against the wishes of both unions and employers, and failed to honour the 1993 General Agreement to legislate for broadening industry-wide agreement to enterprises which were not themselves signatories to it. This left the unions with no strategy other than to refuse to sign the 1994 General Agreement. Compromises were reached, such as limited broadening of branch agreements, and dilution of legislation to remove civil servants and other public sector employees from union representation rights. However, the system of tripartite bargaining had not picked up strength from lower levels, such as the regional.¹⁰ Regional tripartite bodies had arisen spontaneously in 1992, especially in declining economic areas, such as northern Moravia and Ostrava, but they had no formal links with the national tripartite structures, and if anything, were discouraged (Brokl and Mansfeldová, 1993; Mansfeldová, 1995).

By 1995 it was clear that the government was increasingly keen to dismantle the tripartite structure and to withdraw from future ones. The 1994 General Agreement was the last one signed, following annual deadlocks over major issues; after this, there was failure to agree, the interval between meetings of the tripartite bodies became longer and longer and they lost any operational value, particularly as the government sent low-level officials without the authority to make decisions. The experience for the unions, however, was one of rapid learning, and radicalization. The Czech and Moravian Chamber of Trade Unions (ČMKOS) elected a more radical leader and organized several large and successful demonstrations against the government (Pollert, 1997).

In 1997, Klaus was less cavalier about dispensing with the tripartite system to keep the peace. Faced with deepening economic crisis, a more assertive ČMKOS and pressure from below with strike threats by unions disaffected with falling real wages, the government reinstated tripartism. The new tripartite body established in autumn 1997 had the same scope as its predecessor, but with a renewed structure aimed at reviving its activities.¹¹ Whether the Social Democratic government elected in the June 1998 elections is any more able to establish social dialogue than the Hungarian Socialist Party remains to be seen. The signs were not promising by summer 1999, when both the ČMKOS and the employers' leaders publicly appealed to the prime minister to improve economic policy,

an action which suggested that the tripartite body was no longer functioning even as a forum for debate (RFE/RFL, 1999).

Similar marginalization developed in Slovakia, although in a different political climate. KOZ-SR (the Slovak Confederation of Trade Unions) succeeded ČSKOS after the split of the ČSFR in 1993, and survived in the increasingly authoritarian regime of Mečiar's populist party, the Movement for a Democratic Slovakia (HZDS). Slovakia's industrial relations developments cannot be divorced from its lack of progress in democratization¹² (Carpenter, 1997). Tripartism foundered, as in the Czech Republic, but without the consequences of radicalization. Although it formally continued after 1993, with Annual General Agreements signed similar to those in the Czech Republic (Cziria, 1995: 152), government action became increasingly unilateral with, for example, failure to consult the social partners in 1993 on proposed laws on bankruptcy, state-owned enterprises, privatization, the draft budget for 1994 and retirement benefits (Cziria, 1995: 155). If the Klaus government was dismissive towards the unions in the Czech Republic, there was still enough of a 'civic society' to create opposition and some answerability to the public. In Slovakia even this was dispensed with. For the unions, this meant hearing about legislation after its enactment through the parliamentary press or in the media, with the justification that there had been no time to submit relevant material to the tripartite process (Cziria, 1995: 155).

In the election of September 1998, however, the HZDS was ousted by an opposition coalition. The Slovak Democratic Coalition (SDK) has been engaged in a democratization process, particularly with a view to joining the other front-runners to EU accession. However, research on industrial relations developments in this recent phase is scant to date, and does not allow generalization as yet.

Poland – Late Development and Political Vagaries

In Poland, legislation for national social dialogue was introduced after a period of industrial conflict in the early 1990s, in order to cultivate greater social consent to privatization. The fate of tripartism was closely tied to changes in government and demonstrated how closely trade unions were intertwined with party politics. However, the tale of tripartite marginalization is similar to the others, starting at a slightly later date.

In 1993, the Solidarity-led government edged towards a tripartite consensus on the future of transformation by establishing a 'Social Pact', which offered guarantees of minimum security in return for continuing the economic 'reforms'. The trade unions were sceptical, Solidarity NSZZ preferring to use its privileged political position in direct intervention within the government and the All Polish Trade Union Alliance (OPZZ) fearing loss of credibility with its members if seen to associate too closely with the government.

The government itself was split between those who supported the Pact as a means of yoking Solidarity, which was in a more militant labour phase, to its reforms, and those who opposed it, believing it could weaken parliament and offer the opportunity for an alliance between employers and workers to challenge free market policies by demanding lower taxes, higher subsidies or lower interest rates (Hausner, 1995: 111). Finally, in February 1993, separate agreements were signed in the Pact on State Enterprises in Transformation, between the Confederation of Polish Employers and the minister of labour and social policy on the one side, and three union groups – NSZZ Solidarity, OPZZ and seven remaining unions.

The Pact then lost credibility, since in May 1993 parliament passed a vote of no confidence in the government which had devised it. With the election of the 'left' SLD (Democratic Left Alliance) in 1993, parts were altered, particularly those on privatization, as a result of OPZZ pressure to increase the proportion of shares for employees at preferential rates. The future of tripartism under the SLD-led government was henceforth interwoven with three factors. First, the 'left' government was more favourable to the official face of tripartism, but, as in Hungary, continued with the neoliberal reform programme, and was thus as concerned to protect capital's prerogative as with establishing social peace. Second, Solidarity could now sound oppositional in fighting the 'post-Communists', but was as unwilling to cooperate with the OPZZ in tripartite negotiation as ever. And third, the OPZZ, while more willing to act as 'social partner', frequently put its political role within the SLD before its union role. After the 1993 election, the Pact was relaunched in November 1993, but with Solidarity withdrawing on the grounds of the government's changes to the Pact's privatization clauses. It was reinvented in February 1994 as the Tripartite Commission on Socio-Economic Issues, with Solidarity rejoining, having dispensed with some of its hostility to corporatist intervention after losing its government privileges.¹³ Observers such as

Hausner (1995: 117) have expressed scepticism about the representativeness of the Tripartite Commission, with some influential unions absent because they did not sign the Pact. Following the government swing back to the right in 1997 after the Solidarity Election Action (AWS) victory and its coalition with the neoliberal Freedom Union, the unions again faced increasing hostility and the fate of tripartism again hung in the balance.

The Weak Sectoral Level of Regulation

Further weakening this fragile system of tripartism is the poor development of the intermediate level of industry-level bargaining. Instead of a system of interest articulation between the top and lowest levels of industrial relations, as in European neocorporatist systems such as, for example, Austria or Sweden (Crouch, 1993), there is a gap in the middle which leaves top and bottom (the workplace) operating in isolation from each other.

Poor Support and Declining Coverage

In Hungary by 1994, only 15 multi-employer collective agreements had been signed since 1989, showing a continuing downward trend (Tóth, 1997b: 337). Coverage of employees¹⁴ has declined from 39 percent in 1992, to just 12 percent in 1993 (Kollonay Lehoczky and Ladó, 1996: 144). Obstacles to progress at this level included difficulty in finding social partners on the employers' side, and misunderstandings among both the employers and trade unions about their rights and duties, about how far agreements could depart from the Labour Code, and the relationship between levels of bargaining. While the revised Labour Code of 1992 stipulates that the Ministry of Labour can extend branch agreements to the entire industry or sector in response to a joint request by the contracting parties, this is so only if the parties are 'representative in the industry concerned' (Kollonay Lehoczky and Ladó, 1996: 136). Since most agreements are signed not by employers' organizations, but by loose groupings of employers which are usually brought together by trade union pressure, none of the branch agreements have been extended. Most are also weak. They contain a basic wage for the tariff system, and a minimum wage (usually just above

the national minimum agreed by the NCRI), but rarely provide guidelines on minimum wage increases (Kollonay Lehoczky and Ladó, 1996: 144).

In the Czech Republic, the situation is similar, with branch agreements again only setting minimal standards on pay and conditions, such as holidays. In 1997, 29 industry-wide agreements (KSVS) covered only about 20 percent of Czech employees, and by 1999 there were just 24 (ČMKOS, 1998, 1999). In addition to their declining number, the practice of their extension to other employers has also declined: in 1993, their coverage was extended to 191 employers beyond the scope of relevant employers' federations, but by 1995, this had dwindled to only 12, and by 1996, the practice was entirely abandoned (Pollert, 1998). According to ČMKOS information provided to the ICFTU Central and Eastern Europe Coordinating Committee in February 1999, industry agreements continued to deteriorate, becoming confined to a few actual signatories – mainly those companies which encountered no difficulties with implementing them. This practice contravenes current law, according to which KSVSs should apply to all employers on behalf of whom they are signed.

Creeping Sectoral Deregulation

It thus seems that the trend is very similar in Hungary and the Czech Republic, with trade unions negotiating with loose groups of employers. Attempts to revive the extension of industry agreements to other employers in the branch concerned remain at a standstill. The most recent concerns are that KSVSs could be weakened not only in practice, but in legislation during the redrafting of Labour Codes currently in progress. ČMKOS (1999: 2) voices its concerns and argues:

Therefore, unions have to insist that KSVSs must include meaningful standards and cover all employees on behalf of whom they are negotiated. Rejected should be the efforts to scale down KSVSs to a general statement of intentions and refer the true bargaining process to company levels, as well as attempts to restrict the applicability of KSVSs only to selected employers.

The weakest area for industry-wide agreements continues to be the public sector, where no contractual employers' partner has been defined. But even where there are employers' federations, their

employers insist on KSVs providing only a general framework, and collective bargaining resting primarily at enterprise level.

In Poland, despite the strengthening of legal regulation of industrial relations in 1994, bargaining at any level, including the sectoral, was weak (Casale, 1997: 8).¹⁵ The general trend towards enterprise-level decentralization is greatest here. A comparative survey found that over 90 percent of union representatives reported only local-level basic pay agreements in 1996, compared with 70 percent in the Czech Republic, 65 percent in Hungary and 60 percent in Slovakia (Aro and Repo, 1997: 136).

In summary, throughout CEE, the weakness of intermediary-level industrial relations lies with the underdevelopment of employers' associations and lack of interest by companies, especially MNCs, in industry-wide agreements. Industry-level employers' organizations tend to be chambers providing business support to employers, rather than representing their interests in negotiations with employees. The unions, having concentrated on national relations with the state for the first decade of transformation, are beginning to focus on the workplace to regain numbers (and therefore finances), rather than the industrial branch. This leaves a major organizational deficit of weak coordination and communication between the centres and atomized workplace branches.

Union Fragmentation and Decline

Problems of Multi-Unionism at Enterprise Level

Trade union representation in CEE is fractured along several lines. The first form, the rivalry between the reformed Communist unions and new ones, affects industrial relations in Hungary and Poland (Moerel, 1994: Kyloh, 1995: Pollert, 1999a, 1999b).

In those countries with several union confederations, union representation at the workplace has been beset with legislative difficulties. In Hungary, the amended Labour Code of 1992 regulated the participation rights and electoral rules of the new works council system, which determined trade union representation rights in collective bargaining. Enterprise bargaining, which began quite vigorously after 1989, ground to a halt for over a year after 1992, while these problems were resolved and the works council elections were delayed

until 1993 (Kollonay Lehoczky and Ladó, 1996: 140). The Labour Code stipulates a hierarchy of rights relating to different union representation levels in the works council elections, by percentage of votes. This basically means that the union with the strongest representation has the broadest range of issues open to bargaining, including the annual collective agreement, while the less representative unions have a narrower scope of rights (see Casale, 1997). The works councils themselves formally only have information and consultation functions, although in practice they can usurp the union negotiating role (Tóth, 1997a).

In Poland, with two major union confederations, legislation deals with multi-unionism by measures of national, rather than workplace, representativeness.¹⁶ At workplace level a more voluntarist approach to multi-unionism requires joint agreement on concluding a collective agreement, and legislation is vague as to what happens if there is failure to agree (Aro and Repo, 1997: 25). In the Czech Republic and Slovakia, each with just one national confederation, ČMKOS and KOZ-SR respectively, and the cultural workers' confederation, KUK, the issue of multi-unionism is of less significance for legislation than elsewhere, and where several unions are present in an enterprise, a voluntary system of resolving representation rights operates.

Enterprise Fragmentation, Union Decline

Besides the problems of inter-union rivalry, there are fundamental difficulties for building a unified labour movement when the principles of decentralization of union representation and bargaining have been taken to such an extreme that coordination and organization beyond the enterprise become a problem. Such fragmentation hampers intra- and inter-union coordination across companies, sectors and the whole economy. In CEE, this has developed both because of companies' preference for decentralized bargaining, and the command economy legacy of enterprise-level plan bargaining with the state. Added to this, part of the post-1989 revolt against central control at any level fostered workers' preference for increasing union branch workplace autonomy. Early on in transformation, unions built a system of legally and financially autonomous workplace branches, which generally took around three-quarters of

union dues (1 percent of members' net pay), leaving union centres short on income, in spite of their considerable property assets. A problem of increasing gravity is that of communication, leaving national union headquarters with scant information on their membership and the composition and activity of their officers at workplace level.

Union and bargaining fragmentation and lack of information means unions are in a weak position to diagnose, or remedy, membership loss. Union decline has many causes: the unions can no longer provide enterprise welfare and recreation facilities, these having been sold off and privatized, and in some cases, provided by sophisticated company paternalism. While opinion polls show that these former union functions are no longer considered as important as the new role in the capitalist employment relationship of 'defence at work', my own case studies in the Czech Republic suggest that workers miss these former union benefits, and for some, their absence is a deterrent to joining. Despite the fact that legislation seeks to promote bargaining by providing legal instruments for union recognition,¹⁷ anti-union employers, especially in the small private sector, and widespread union marginalization policies even in unionized establishments, are further causes of union decline. Structural change is a further factor, with shrinkage of the unionized large enterprise state sector, and expansion of small private firms and services, where there were no former Communist unions to form a base for the new bargaining system. In both Hungary and Poland, the marked growth of self-employment, small companies and the informal economy contribute further to deunionization (Deppe and Tatur, 1997: 266).

Non-Unionism and Vulnerable Labour

Everywhere, avoidance or violation of industrial relations legislation is rife. The growing mass of unorganized workers in CEE is one of the major features of capitalist transformation. Along with the vulnerable native workforce there is the growing phenomenon of unprotected migrant labour, moving from further east in Europe, to further west. This has increased both legal and illegal migrant labour, and with it, lucrative labour agencies as well as 'mafias'

organizing migrant work gangs (Wallace et al., 1996: 276). The system supplies a vulnerable, flexible labour force, not covered by local employment protection law, without political rights and liable for dismissal as soon as residence permits are withdrawn.¹⁸ With the four Višegrad countries now a 'buffer zone' between East and West Europe, an estimated half a million workers also commute daily across the border to Western Europe (mainly Germany), while guest workers are drawn in from further east. The economic differences even within CEE are vast: the average Ukrainian wage of US\$10–15 per month is cheap compared with about US\$200 in the Czech Republic (Wallace et al., 1996: 273). The migration movement creates different ethnic groupings of migrants in different countries: in Poland, they are mainly from Ukraine, Belarus and Russia, in the Czech Republic, from Poland, Ukraine, and to a lesser extent, Russia and Slovakia, and in Hungary they are from Romania and Ukraine (Wallace et al., 1996: 274). The increase in *legal* migrant labour in the Czech Republic alone indicates the growth of this phenomenon: in just nine months from 15 March 1993 to 31 December 1993, Czech work permits to foreigners roughly doubled, from 5753 to 10,559 for Poles, and from 2827 to 7745 for Ukrainians (IOM, 1994: 16). This is in addition to the likely much larger *illegal* migrant worker population without permits, which require complex and lengthy negotiation.

It is very difficult to put a figure on the new growth in migrant workers. From the trade union stance, however, they form another group of 'outsiders' who are rarely considered for membership recruitment. There are diverse obstacles to their inclusion in workplace union branches. Apart from language barriers, many migrant workers are extremely transient, as in the construction industry, and have typically short-term goals to earn a maximum in a short period, which may conflict with the long-term interests of local workers. The growing issue of migration is one which has scarcely been addressed, either by the unions, or by the transformation literature, but which will have to be examined and acted upon if further divisions and forms of exclusion are to be prevented.

The foregoing has outlined the different levels at which control and influence has slipped away from trade unions in the transformation process. This requires further analysis in terms of the weaknesses in the two processes, which are supposed to underpin employment regulation: collective bargaining and legislation.

Industrial Relations and Employment Regulation

The intention of employment law reform in the post-Communist transformation of CEE was to shift industrial relations and employment regulation away from the tight state regulation of former times, towards free collective bargaining, and find the right balance between labour law and bargaining autonomy (Seweryński, 1997: 185). However, research on collective bargaining experience (Aro and Repo, 1997; Pollert, 1999a, 1999b) suggests that the practice of real bargaining falls far short of the formal institutional provision, and in many cases, may simply ratify the legislation. Thus, legislation remains the key source of regulation. Yet the legislation is itself unwieldy, and with weak enforcement mechanisms, a poor regulator.

In Hungary, developments suggest two trajectories, one where collective agreements are genuinely negotiated, and another, particularly in the smaller, private firms, where the employment relationship is increasingly individualized and where unions have almost no role (Kollonay Lehoczky and Ladó, 1996: 140). The underdevelopment of bargaining is underlined by research in the Czech Republic which suggests that both workers and their representatives interpret the trade union role as one of upholding the law, with an emphasis on individual grievance representation, rather than collective organization and mobilization (Pollert, 1999a: 225). This is a worrying trend from the perspective of regulation, given the difficulties of understanding and applying the law, and is possibly underestimated by the trade union leaderships in both West and East.

The Law and Public Sector Bargaining

The balance between legislation and bargaining remains especially unresolved in the public sector. A common legal differentiation is between the 'competitive' sector, where bargaining is allowed, and the so-called 'budgetary' sector (the state, public sector), where the position is ambiguous. It is not clear whether it is merely difficult to accomplish collective bargaining because of the lack of an identifiable employer (as with sectoral agreements), or whether it is actually illegal to bargain because the Labour Code treats the two sectors differently. In the Czech Republic, the Labour Code sets out which parties can go beyond the standards provided by legislation and

hence are covered by the 1991 Act on Collective Bargaining, and can reach a collective agreement. This relates only to 'profit-making establishments'. Otherwise,

... it explicitly defines cases when collective agreements can be concluded in non-profit-making organizations. This is because any improvement in the latter increases the burden upon the taxpayer, which cannot be allowed without the approval of the Federal Assembly. (Tomeš and Tkáč, 1996: 86)¹⁹

In Hungary, collective bargaining in the public sector is formally allowed,²⁰ although how far this departs from national wage guidelines is unclear. An ILO-CEET (Central Eastern European Team) report states that bargaining takes place at 'the enterprise level and where feasible at the branch or industry level' (ILO-CEET, 1997: 33) but does not elaborate on whether public sector wages are actually decentralized to enterprise level. Since this would have tax implications, as in the Czech case, it does not seem likely. The main anomaly noted by the ILO requiring harmonization with European standards is the exclusion of civil servants from bargaining rights.

The Complexity of the Law: An Excuse for Deregulation?

The general problem of industrial relations legislation, considering the degree of reliance on it by the social partners, is its complexity. This raises the possibility of a tendency towards a 'Southern European' pattern of prolific and cumbersome legislation and its flagrant transgression in practice. The employers and free market advisers, such as the IMF and World Bank, could use this difficulty as a pretext for deregulation, rather than reregulation so that the laws work. At present (the end of 1999) the applicants to the EU are in the process of reforming their Labour Codes to harmonize with European legislation. At the time of writing, details of these reforms are not available. However, in the case of the Czech Republic, a reading of ČMKOS's initial responses to proposals for changes suggests a number of areas of disagreement where EU pressures for simplification are regarded as employment deregulation (ČMKOS unpublished responses to European Commission recommendations on reforming the Labour Code, May 1999). In view of the weakness of actual bargaining, such deregulation could be dangerous for a labour movement, which at this stage relies on the law, rather than collective organization, to exercise its influence.

Although simply avoiding the law altogether seems the most common practice, deregulation has already occurred in the employment contract. Tracking this process has not been easy, since social security issues often appear more urgent than employment issues for workers, and gain more coverage.²¹ In the Czech Republic, for example, among ČMKOS's grievances during 1994 was the lowering of the pension age and the amalgamation of the social security budget with the general state budget.²² But along with these concerns were other new policies to allow the repeated use of short-term contracts, without the previous provision of conversion to permanent contracts, together with the lowering of severance pay to two months from the previous system linked with length of service (Pollert, 1997: 210). All these new policies were implemented, with the unions powerless to prevent them.

In Poland, it appears that, at the formal level, there has been less deregulation. For example, despite the widespread use of temporary 'work contracts' (a term apparently different from an employment contract), especially in small firms, the legislators did not ratify this practice in law, and the Labour Code provides

. . . that working for pay for an employer at his or her direction constitutes an employment relationship, regardless of the name the parties themselves assign to their contract. Thus, the aforementioned 'work contract' apparently has been eliminated. In addition, the Code provides that completing three consecutive contracts without at least a one-month break converts them into a permanent contract. (Seweryński, 1997: 195)

However, anecdotal reports suggest that this law is commonly ignored.

In Hungary, while the Labour Code stipulates the circumstances and means of termination of employment, the picture appears rather deregulated:

As a general rule, Hungarian labour laws are based on the principle of freedom of the parties to agree on most of the terms regulating their employment relationship.

This applies, in particular, to employees of all private sector employers operating in Hungary, local and foreign. (ILO-CEET, 1997: 44)

There is thus some variation in the national legislative frameworks for the employment relationship across countries. With Labour Codes being again in the process of revision, it is not clear whether there is a pattern of convergence or not both within CEE, and between CEE and any particular European model. The process of

change is likely to be complex from the union perspective, given the inter-union divisions in Poland and Hungary, and the tensions across all post-Communist labour institutions between the desire for decentralization, autonomy and pluralist industrial relations, and the recognition of the need for greater central coordination and regulation at sectoral and national levels.

Conclusions: Labour's Power and Authoritarianism vs Democracy

A hybrid process of industrial relations transformation has emerged across CEE, of national tripartite arrangements at one extreme and decentralized workplace relations at the other. This is a model distinctive to the post-command economies, bearing the marks of the command economy control and bargaining legacies (both control and bargaining concentrated at state level, and plan bargaining relegated to the enterprise), and conflicting pressures in capitalism's restoration between free market interests and attempts to establish a peaceful, negotiated transition.

The appearance of tripartism should not be mistaken for the establishment of social democratic neocorporatism. Everywhere, it has been a weak influence and vulnerable to government manipulation and marginalization. The Polish case suggests a halting, half-hearted embrace of its formal principles. Even in the Hungarian case, with its much longer heritage of bargaining, the government endorsed the formal principles of social partnership, while concentrating efforts on limiting its role to consultation and information, to the exclusion of negotiation and decision-making (Csákó et al., 1994: 68). Finally, it was easily destroyed by a hostile right-wing government. In the Czech Republic, ČMKOS was forced into the pressure group role, and although the status of tripartism rose again under the social democratic government, there is no evidence that it has real influence.

What role has tripartism had? It has not developed along the lines of 'general political exchange' between employers' and labour's interest organizations and the state (Crouch, 1993: 53–5). Rather, it focused unions' attention and communication on centralized lines, without the necessary *articulation* between local and central levels of union power, to encourage 'societal' neocorporatism as a form of regulation (Crouch, 1993: 12). One way to conceptualize this incorporation is in terms of 'paternalist' neocorporatism, in

which trade unions are included in the political process, but under ultimate government control (Tatur, 1995: 165). Tatur argues that this is not to be confused with 'authoritarian state corporatism', although she concedes there are authoritarian implications. This was unequivocally so in the case of Meciar, but also in the behaviour of Klaus, and the socialist Horn governments, when they simply ignored tripartism in order to force through government measures. For Tatur,

Paternalist corporatism does not force manifest class conflict into the discipline of authoritarian rule. It can rather be understood as an institutional means of interest aggregation and regulation, where the preconditions for the organization of class interests are weak. (Tatur, 1995: 165)

This analysis rightly points to the weakness of labour's class interest organization in the 'new' capitalism of CEE, although it does not sufficiently concede the advantage of capital's class development and organization. Employers have power (often assisted covertly by the state) in spite of the poor development of employers' associations – institutions which MNCs do not need in any case.

The authoritarian power of the state in post-Communist regulation has resonances with early industrial capitalism in this region. The combination of centralized tripartism and an otherwise fragmented industrial relations system resembles the Austro-Hungarian Empire and the German Reich in the 1880s. In both, elected commissions of workers were invited to join in the running of various pension and social insurance schemes, while collective bargaining (to the extent that it had developed at all among the skilled trades) was fragmented and localized (Crouch, 1993: 85). The government strategy of inviting labour on board some national institutions was

... clearly intended to go beyond bargaining and to bind workers' representatives into some form of national integration. In no sense did these initiatives amount to anything that might be described as neo-corporatism; there was here no dense network of relations, but a few, isolated, sometimes anomalous initiatives. (Crouch, 1993: 85)

In the 1990s, the governments of CEE were likewise keen to bind labour into the 'reform' process of privatization and the stabilization packages required by international capital. As in the earlier era, there was no proper articulation between the national bodies and the highly fragmented enterprise bargaining system – a system, moreover, where 'bargaining' must itself be questioned.

As Crouch saw it, the early Austrian and German beginnings seemed to augur authoritarian corporatism, which is the sign seen too in contemporary CEE. But I would not wish to push the historical analogy too far. In some instances, this authoritarianism has backfired on governments, as in the Czech case, where ČMKOS was radicalized by frustration at its marginalization (Pollert, 1997). The influence of developed international labour institutions has alerted CEE unions to the goal of independence, even if there are strong pressures for incorporation. On the other hand, the weakness of labour in general is more complex in post-Communism than in early 'organized capitalism'. It is marked not by immaturity, but by the Communist legacy of blurred lines at enterprise level between labour and management interests.

The Communist legacy also calls into question the very term 'corporatism' in CEE. The development of an economically based capitalist class combines established western capitalist interests, mediated particularly by MNCs, with strata of old nomenklatura networks in which the state is politically interwoven (Tatur, 1995: 167). Thus, state-capital relations involve already fused parties in some areas. The position of labour in all this is subordinate. 'Corporatism' is not an appropriate term for post-1989 CEE. The use of tripartism by governments to produce social consensus, and its disposal when it no longer serves this purpose, together with the weakness of intermediate levels of interest representation, and lack of relationship between trade union centres and the workplace, has little in common with the political exchange of societal neocorporatism.

Whatever the governments of post-Communist CEE are labelled, it is evident that the formal machinery of democracy in tripartite and neocorporatist terms has not been translated into practice. To some extent, this can be understood as a reflection of the political and economic subordination of these countries to the 'transition' programmes of the World Bank and global capital more widely (Gowan, 1997; Chandler, 1997). However, to point out that governments have little room to manoeuvre is not to state that they have no room at all. Labour movements and resistance have a more important role than ever in shifting the agenda from passive submission to so-called 'globalization'.

For the first ten years of post-Communism, trade unions have invested much energy into democratic institution-building, persuasion and bargaining. Nevertheless, union confederations' and

leaders' preference for respectability has already confronted more militant behaviour at the grassroots – especially in public sector demonstrations and strikes since 1995. However, there seems a disjunction between the instances of industrial action and the development of more sustained union power in the bargaining process. As Hyman notes,

... serious negotiation involves the overt or implicit threat of collective action, the mobilization of the power of the membership, if a satisfactory settlement is not achieved. (Hyman, 1975: 190)

It is possible that ten years of capitalist restoration may allow unions to develop both improved workplace organization and the language and ideology which legitimizes this. For the first decade, they were so tied to appearing 'pro-reform' and 'anti-Communist', because they were easily branded as enemies of 'progress'. The problem is that even if confidence in dealing with the capitalist employment relationship may be growing, this has not yet entered the bargaining process. Meanwhile, bargaining continues to rely on legislation which is unwieldy, unclear and in the process of change. European 'social dimension' legislation could assist labour's hold over employment regulation, but the danger remains that 'simplification' could be a pretext for deregulation. This would merely legalize already widespread evasion.

Labour movements in CEE have an uphill task in producing a regulated industrial relations system based on a strong trade union system. The future depends on trade unions' ability to reverse membership loss, and consolidate a position of influence at both the intermediate, sectoral and workplace levels. This, in turn, depends on international trade union support, and the success of labour movements in the West in recouping their own decline in the 21st century.

Notes

1. The emphasis is on Poland, Hungary, the Czech Republic and Slovakia – the Visegrad countries – key front-runners in terms of entry into the enlarged EU. The 'Visegrad Four' of the former Czech and Slovak Federative Republics (ČSFR), Poland and Hungary, was a term created after their prime ministers met on 15 February 1991 at Visegrad to pledge cooperation to speed reintegration into Europe.

2. There may be exceptions. At a conference on CEE industrial relations for the 'social partners' in June 1998 (Centre Européen des Relations Industrielles, Montecatini, Italy, June 1998, Seminar on European Enlargement and Industrial Relations), the director of labour relations of Volkswagen presented a paper which emphasized the company's commitment to union negotiation and social partnership. However, the quashing in 1994 of even the tiniest one-hour symbolic strike in Škoda-Volkswagen in the Czech Republic cautions a sceptical interpretation of official policy (Pollert, 1997: 219).

3. These were principally two ILO conventions: the 1948 Convention No. 87 on freedom of association and the protection of trade union rights, and the 1949 Convention No. 98 on the right to organize and bargain collectively – conventions which had already been ratified in the late 1950s and early 1960s, but failed to mean anything without the right to trade union independence (Vimercati, 1996: 32).

4. These only came into force in 1994 for Poland and Hungary, and in 1995 for the Czech and Slovak Republics (Vimercati, 1996: 31).

5. The formal structures of the German model were most explicitly adopted in Hungary, where enterprise-level works councils were adopted in 1992 to operate in parallel with trade union bargaining. Elsewhere, aspects of the German tradition are reflected more widely in adoption of a dual corporate governance system (comprising a board of directors and a supervisory board with workplace representatives), and the formal espousal of developing the intermediate, branch level of bargaining.

6. The six main Hungarian unions represented in the tripartite Interest Conciliation Council are the successors to the former monopolistic union: MSZOSZ (general and the largest), SZEF (public sector), ESZT (white collar) and ASZOK (autonomous trade unions' confederation) and the new LIGA (League of Free Trade Unions) and MOSz (federation of workers' councils).

7. The structures in both the Czech Republic and Slovakia followed the same ČSFR pattern. In the Czech case, the three partners comprised seven government ministers (including the prime minister and the minister of finance as the chair), seven trade union representatives (six elected by the Czech and Moravian Chamber of Trade Unions, ČMKOS, and one by KUK) on the basis of one representative for every 600,000 union members, and seven members of the Council of Business Associations of the Czech Republic (KORP), which brought together the large business associations and private entrepreneurs.

8. The Czech system differed in having fewer other formal tripartite institutions, such as Hungary's Social Security Boards.

9. The Act on Collective Bargaining contains a union recognition clause by giving unions the 'entitlement' to bargain; thus, in an organization which already has a union present from the past (for example, privatized former state enterprises), the union is entitled to initiate bargaining, and the other party must respond 'without undue delay' and enter bargaining. But although the employer must agree to bargain, there is no legal obligation to come to an agreement. Where there is no union in situ, it is much harder for unions to establish recognition for bargaining purposes if the employer is opposed.

10. The Czech system differed in having fewer other formal tripartite institutions, such as Hungary's Social Security Boards.

11. There were now four bodies:

1. The plenary session, with the government, the unions and the employers, each with seven representatives, to meet every two months.

2. The Presidium of the Council – (the executive) consisting of three members, one for the government (the chair), one for the union confederations and one for the employers' federations (the two vice-chairs).
3. Working groups (teams, working parties) to discuss individual subjects, comprising nine members at most – one, two or three appointed by each delegation.
4. The Secretariat of the Council: the executive secretary and one administrative officer – responsible for administrative issues (ČMKOS, 1998: 8).

12. The catalogue of violations of democratic freedom includes the attack on minority rights in the controversial language law of 1995 restricting the use of other languages in public life and making Slovak the only official language in a country with large ethnic minorities, political interference in press freedom, including harassment of other newspapers, intimidation of opponents of government policy, police misuse of authority and interference with electronic media (*OMRI Daily Digest*, 1996).

13. In Poland, the main rivals are the reformed Communist OPZZ (All Polish Trade Union Alliance, claiming some 4 million in 1997 – including retired workers) and Solidarity (claiming some 1.5 million). The small, but more militant Solidarity 80 split off in 1990.

14. This refers to the 'competitive' (i.e. profit-making) sector, since legislation differs for the public service 'budgetary' sector (see later).

15. Legislation on the relationship between sectoral and enterprise agreements is loose in Hungary and Poland. In the Czech Republic, it is formally tighter, specifying that the enterprise level may not conflict with the higher level. It contains the strange anomaly (considering that national wage regulation was formally abandoned in summer 1995), that an enterprise pay and conditions agreement is invalid not only if it is *less* advantageous than the higher level agreements, but also if it is *more* advantageous than a maximum set at industry level (Casale, 1997: 9). This last formality is ignored in practice, since sectoral agreements provide only a minimum floor of pay and conditions.

16. Legislation is still based on the 1974 Labour Code, although amended several times: in 1991, the Act on Trade Unions provided for freedom of association and trade union recognition, while new laws on collective bargaining were passed in 1994.

17. In Poland, the 1994 Act revising the Labour Code, in Hungary, the 1992 Labour Code and in the former ČSFR, the December 1990 Collective Bargaining Act which came into force in February 1991 (Casale, 1997: 3).

18. In the Czech Republic, notice is usually two months. The laws differ for other categories of foreign workers from former arrangements within Communist bloc countries, such as Vietnam. These had special identity cards which gave them the same rights as Czech workers.

19. The reference to 'federal' indicates that the legislation dates back to before the split of Czechoslovakia. However, it appears to still apply at a national level in 1995/6, when this article was written.

20. Hungary ratified ILO Convention No. 151 on Labour Relations (Public Service).

21. The ILO-CEET team in Budapest, like the author, had trouble in finding information on Labour Code reforms during 1999 because the union confederations were in the throes of debate on this issue. There is thus more information on other aspects

of change in the employment relationship and social protection, such as pay, social security, unemployment and pensions, and reflects the main transformation concerns of trade unions and policy-makers (e.g. Ringen and Wallace, 1994; Cichon, 1995; ILO-CEET, 1997; Waughan-Whitehead, 1998).

22. This would allow national insurance contributions to be spent on any state expenditure.

References

- Andor, L. (1996) 'Trade Union in Hungary', *Labour Focus on Eastern Europe* 54: 68–77.
- Aro, P.O. and P. Repo (1997) *Trade Union Experiences in Collective Bargaining in Central Europe* (Bureau for Workers' Activities/Central and Eastern European Team). Geneva: International Labour Organization.
- Brokl, L. and Z. Mansfeldová (1993) 'The Social Partnership, Trade Unions and the Social Consensus', from the Series 'East Central Europe 2000: Czech Republic Background Studies', Academy of Sciences of the Czech Republic, Institute of Sociology, Prague, mimeo.
- Carpenter, M. (1997) 'Slovakia and the Triumph of Nationalist Populism', *Communist and Post-Communist Studies* 30(2): 205–20.
- Casale, G. (1997) *Collective Bargaining and the Law in Central and Eastern Europe: Some Comparative Issues*, ILO-CEET Report No. 20. Geneva and Budapest: International Labour Office Central and Eastern European Team, Budapest and Equality and Human Rights Coordination Branch.
- Chandler, D. (1997) 'Globalization and Minority Rights: How Ethical Foreign Policy Recreates the East–West Divide', *Labour Focus on Eastern Europe* 58(Autumn): 15–34.
- Cichon, M. (ed.) (1995) *Social Protection in the Visegrad Countries: Four Country Profiles*. Budapest: International Labour Organization and Central Eastern European Team.
- ČMKOS (1998) 'Industrial Relations and Social Dialogue in the Czech Republic', mimeo, July.
- ČMKOS (1999) Information sheet for the 15th Meeting of the ICFTU Coordinating Committee for Central and Eastern Europe, Prague, mimeo, February.
- Crouch, C. (1993) *Industrial Relations and European State Traditions*. Oxford: Clarendon Press.
- Csákó, M., A. Simonyi and A. Tóth (1994) 'Hungary', pp. 54–71 in H. Moerel (ed.) *Labour Relations in Transition*. Nijmegen Institut voor Toegepaste Sociale wetenschappen (ITS) van de Stichting Katholieke Universiteit te Nijmegen.
- Cziria, L. (1995) 'Tripartism in the Slovak Republic', pp. 147–63 in R. Kyloh (eds) *Tripartism on Trial: Tripartite Consultations and Negotiations in Central and Eastern Europe*. Geneva: International Labour Organization, International Labour Office Central and Eastern European Team.
- Deppe, R. and M. Tatur (1997) 'Transformation Processes and Trade Union Configurations in Poland and Hungary', *Transfer* (Quarterly Journal of the European Trade Union Institute) 3(2): 242–69.

- Flecker, J. and T. Schulten (1999) 'The End of Institutional Stability: What Future for the "German Model"', *Economic and Industrial Democracy* 20: 81–115.
- Frege, C. (1999) 'Institutional Transfer and Effectiveness of Employee Representation: Comparing Works Councils in East and West Germany', *Economic and Industrial Democracy* 19(4): 475–504.
- Gowan, P. (1995) 'Neo-Liberal Theory and Practice for Eastern Europe', *New Left Review* 213(September–October): 3–60.
- Gowan, P. (1997) 'The Dangers of Façade Cosmopolitanism', *Labour Focus on Eastern Europe* 58(Autumn): 4–14.
- Hausner, J. (1995) 'The State Enterprise Pact and the Potential for Tripartism in Poland', pp. 105–28 in R. Kyloh (ed.) *Tripartism on Trial: Tripartite Consultations and Negotiations in Central and Eastern Europe*. Geneva: International Labour Organization, International Labour Office Central and Eastern European Team.
- Héthy, L. (1995) 'Tripartism in Public Policy Formulation in Hungary', pp. 79–97 in R. Kyloh (ed.) *Tripartism on Trial: Tripartite Consultations and Negotiations in Central and Eastern Europe*. Geneva: International Labour Organization, International Labour Office Central and Eastern European Team.
- Héthy, L. and R. Kyloh (1995) 'A Comparative Analysis of Tripartite Consultations and Negotiations in Central and Eastern Europe' pp. 1–37 in R. Kyloh (ed.) *Tripartism on Trial: Tripartite Consultations and Negotiations in Central and Eastern Europe*. Geneva: International Labour Organization, International Labour Office Central and Eastern European Team.
- Hyman, R. (1975) *Industrial Relations: A Marxist Introduction*. London and Basingstoke: Macmillan.
- ILO-CEET (Central Eastern European Team) (1997) *Hungary: Employment and Sustainable Livelihoods*. Budapest: ILO Central Eastern European Team.
- IOM (International Organization for Migration) (1994) *Transit Migration in the Czech Republic*, Migration Information Programme, May. Geneva: International Organization for Migration.
- Kollonay Lehoczky, C. and M. Ladó (1996) 'Hungary', pp. 101–6 in U. Carabelli and S. Sciarra (eds) *New Patterns of Collective Labour Law in Central Europe: Czech and Slovak Republics, Hungary, Poland*. Milan: Giuffrè Editore.
- Kyloh, R. (ed.) (1995) *Tripartism on Trial. Tripartite Consultations and Negotiations in Central and Eastern Europe*. Geneva: International Labour Organization, International Labour Office Central and Eastern European Team.
- Mahnkopf, B. (1994) 'Ex Oriente Risk: The Impact of Unification on the "German Model" of Industrial Relations', *International Journal of Political Economy* Summer: 39–72.
- Mansfeldová, Z. (1995) 'Tripartism in the Czech Republic', pp. 60–78 in R. Kyloh (ed.) *Tripartism on Trial: Tripartite Consultations and Negotiations in Central and Eastern Europe*. Geneva: International Labour Organization, International Labour Office Central and Eastern European Team.
- Moerel, H. (ed.) (1994) *Labour Relations in Transition*. Nijmegen Instituut voor Toegepaste Sociale wetenschappen (ITS) van de Stichting Katholieke Universiteit te Nijmegen.
- OMRI Daily Digest (1996) electronic news service of Radio Free Europe, Prague, 7 March.

- Orenstein, M. (1994) 'The Czech Tripartite Council and its Contribution to Social Peace', Yale University and Institute of East-West Studies, Prague, mimeo.
- Pollert, A. (1997) 'The Transformation of Trade Unionism in the Capitalist and Democratic Restructuring of the Czech Republic', *European Journal of Industrial Relations* 3(2): 203–28.
- Pollert, A. (1998) 'Industrial Relations, The Czech Republic, Industrial Relations Background', *European Industrial Relations Review* 296(September): 19–25.
- Pollert, A. (1999a) 'Trade Unionism in Transition in Central Eastern Europe', *European Journal of Industrial Relations* 5(2): 209–34.
- Pollert, A. (1999b) *Transformation at Work in the New Market Economies of Central Eastern Europe*. London: Sage.
- RFE/RL (Radio Free Europe/Radio Liberty) (1999) daily electronic news service, 25 May.
- Ringen, S and C. Wallace (eds) (1994) 'Social Reform in the Czech Republic', *Prague Papers on Social Responses to the Transformation*, Vol. 11. Prague: Nad Trati 17.
- Seweryński, M. (1997) 'Prospects for the Development of Labor Law and Social Security Law in Central and Eastern Europe in the Twenty-First Century', *Comparative Labor Law Journal* 18(182): 182–203.
- Tatur, M. (1995) 'Towards Corporatism? – The Transformation of Interest Policy and Interest Regulation in Eastern Europe', pp. 163–84 in E.J. Dittrich, G. Schmidt and R. Whitley (eds) *Industrial Transformation in Europe*. London: Sage.
- Thirkell, J., R. Scase and S. Vickerstaff (1995) 'Changing Models of Labour Relations in Eastern Europe and Russia', pp. 7–13 in J. Thirkell, R. Scase and S. Vickerstaff (eds) *Labour Relations and Political Change in Eastern Europe*. London: UCL Press.
- Tomeš, I. and V. Tkáč (1996) 'Former Czechoslovakia', pp. 59–99 in U. Carabelli and S. Sciarra (eds) *New Patterns of Collective Labour Law in Central Europe: Czech and Slovak Republics, Hungary, Poland*. Milan: Giuffrè Editore.
- Tóth, A. (1997a) 'The Invention of Works Councils in Hungary', *European Journal of Industrial Relations* 3(2): 161–81.
- Tóth, A. (1997b) 'The Role of Multi-Employer Collective Agreements in Regulating Terms and Conditions of Employment in Hungary', *Transfer* (Quarterly Journal of the European Trade Union Institute) 3(2): 329–56.
- Vimercati, A (1996) 'Introduction', pp. 17–57 in U. Carabelli and S. Sciarra (eds) *New Patterns of Collective Labour Law in Central Europe: Czech and Slovak Republics, Hungary, Poland*. Milan: Giuffrè Editore.
- Wallace, C., O. Chmouliar and E. Sidorenko (1996) 'The Eastern Frontier of Western Europe: Mobility in the Buffer Zone', *New Community: Journal of the European Research Centre on Migration and Ethnic Relations* 22(2): 259–87.
- Vaughan-Whitehead, D. (ed.) (1998) *Paying the Price: The Wage Crisis in Central and Eastern Europe*, ILO Studies Series. Basingstoke: Macmillan.