Experimenting for union renewal: challenges, illustrations and lessons

Edited by
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European Trade Union Institute (ETUI)

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Foreword

The European Trade Union Institute (ETUI) is the independent research and training centre of the European Trade Union Confederation (ETUC) and a centre for European knowledge and competence on matters pertaining to the world of labour. It is a central European networking hub in the domain of labour and socio-economic studies, conducts research, organises training, develops expertise and provides scientific and technical support for European trade unions. The ETUI engages in intensive exchanges and cooperation with trade union representatives, as well as with academics, other research institutions and policymakers, with a view to supporting collective bargaining and social dialogue, and promoting Social Europe. Its expertise is acquired through its own research and education teams, and through links with universities, and academic and expert networks.

One such network is that of the Interuniversity Research Centre on Globalization and Work (CRIMT) and its *CRIMT Partnership on Institutional Experimentation for Better Work*, with which the ETUI research team has enjoyed an ongoing relationship. Since 2017, the ETUI has been a partner centre in its major project on experimenting for better work and recently published thematic issues of its journal *Transfer: European Review of Labour and Research* on both experimentation (volume 26, issue 2 in 2020) and on making work better (volume 29, issue 3 in 2023).

It is no doubt with this in mind that the CRIMT research team on experimenting for union renewal, led by Professors Mélanie Laroche and Gregor Murray (both at the School of Industrial Relations at Université de Montréal), approached the ETUI about publishing a collection of original case studies of union experimentation with a focus on trade union renewal. We were immediately enthusiastic because it responded so perfectly to our core mandates and promised a conceptually rich and empirically driven contribution to one of the key union challenges of our time: union renewal for building worker power.

This innovative book offers original, comprehensive and highly useful ways of thinking about renewal processes in trade unions. The lens of experimentation connects with the iterative and often uncertain processes of trial and error in which many unions are engaged. This is not experimentation in the sense of experimental research designs that control for a variety of factors and conditions, but rather ongoing experiments in which union (and other) actors face often intractable problems, know that existing solutions do not necessarily respond to their changed circumstances and engage, often tentatively and sometimes collaboratively, in problem-solving, with a view to assessing the degree to which these new solutions (practices, strategies, structures) respond to their changed

circumstances and could be replicated or scaled up, or both, beyond the specific set of circumstances to which their experimentation sought to respond. It is precisely such processes that give rise to the title of this collection *Experimenting for union renewal*.

It should be emphasised that the highly talented group of researchers contributing to this volume work closely with trade unions, sometimes as observers and chroniclers, sometimes as co-innovators and co-experimentalists, sometimes as educators, sometimes as unionists themselves engaged in experimentation. They are also deeply committed to making the results of their work as accessible as possible. This is both a feature of the design of the studies (working from a common template likely to facilitate understanding and to spark comparative thinking) and their desire to work from the ETUI publication platform, which makes outputs available online to as wide an audience as possible. Particularly important for the research team is to make each chapter available to readers so that each individual case study can be readily downloaded and used by union organisations who might be inspired by a particular experience.

Those looking for magic fixes are likely to be disappointed. But all of the cases in this collection will inspire, many will intrigue, and some will surprise. This is a book rich in good and practicable ideas. What is very clear is that there is no one best way to renew but rather a variety of circumstances and approaches from which key lessons can be drawn. That is exactly what the editors skilfully seek to achieve in the concluding chapter, in which they identify 12 lessons emerging from this wide range of experiments, many of which also inform the forward-looking research, education and training, networking and events of the ETUI.

These lessons are likely to make an important contribution to trade union thinking and strategic learning about the sustainable renewal of their organisations, made all the more pertinent by the launch of the ETUC's Trade Union Renewal Centre[1] in 2025, a forum for reflecting on and sharing new and existing union strategies, tools and innovative tactics, and for creating coalitions that effectively navigate a dynamic environment in which unions encounter evolving challenges at European, national and sectoral levels. This volume is without doubt a very welcome and timely work for fostering new ideas and stimulating debate in the Trade Union Renewal Centre. It also underscores the significance of the ETUI's partnership with CRIMT, support for which the Institute looks forward to continuing.

Bart Vanhercke
Director of the ETUI Research Department

1. See https://www.etuc.org/en/document/en-adopted-resolution-roadmap-establish-trade-union-renewal-centre

Introduction

Mélanie Laroche and Gregor Murray

This study aims to engage trade unions, researchers and other societal actors in thinking about trade union futures. The focus is on renewal, ranging from innovative organising tactics and services to inclusive and effective social dialogue, enhanced greater resilience, internal governance, and the promotion of better work, equality and solidarity for the common good. The novel approach advanced here is that of experimentation, a lens through which trade unions are engaged in 'a period of rigorous democratic experimentalism, through which new organisational forms and new types of collective action will emerge, along with renewed union vigour, whatever its shape' (Murray 2017: 23).

Multiple sources of disruption are transforming the world of work. Drivers include globalisation and de-globalisation, technological transformations, the climate crisis, demographic and migratory pressures and, of course, pandemic health pressures, such as that of Covid-19. To this list, we can add firm strategies to reconfigure supply chains and fissure work into a variety of precarious forms. There are also multiple pressures on equalities and inequalities, social and occupational identities, democracy and transparency, not least in the form of a populist backlash against many of the institutions long promoted by trade unions. These interconnected drivers of change have exercised profound effects on labour markets and labour market actors. Trade unions are being challenged on their ability to organise and service workers, to speak legitimately on their behalf, and to engage in inclusive and effective collective bargaining and social dialogue about the changes affecting the workers they represent and seek to represent.

So, how might we think about union futures? Jelle Visser (2019, 2023) helpfully laid out four scenarios for the future of trade unions. These scenarios involve: first, their increasing marginalisation as manifested in decreasing rates of unionisation and aging organisational practices; second, a stark dualisation whereby existing unions defend current positions and service insiders or existing membership, largely to the exclusion of so-called outsiders; third, the gradual replacement of trade unions by other organisations, such as NGOs, social movements, state agencies, employers or other intermediary agencies which take on or replace traditional union functions; and, finally, renewal or revitalisation whereby innovative tactics and coalitions strengthen trade unions as strong, relevant, democratic and representative actors in organising and servicing workers in both the Global North and the Global South.

The link with this vision of trade union futures is through this fourth scenario. Because the editors and authors of the current collection (*Experimenting for Union Renewal*) were engaged in a longer term project on *Institutional Experimentation for Better Work*,

there was a natural bridge to our ongoing work on experimentation and union renewal, notably through multiple projects involving union actors and their organisations. Moreover, in the European context and with the support of the European Trade Union Confederation, the research programme of the European Trade Union Institute (ETUI) was already committed to collecting examples of renewal strategies, drawing lessons from them as regards best practices, and working with trade unions to disseminate, scale up and replicate such practices.

The researchers featured in this collection share a similar commitment through their involvement in an international collaborative project, the CRIMT Partnership on Institutional Experimentation for Better Work. Led by researchers in the province of Quebec in Canada and financed by both the Social Sciences and Humanities Research Council of Canada (Partnership Grants) and the Fonds de recherche du Québec – Société and Culture (programme de Regroupements stratégiques), this partnership brings together 20 partner centres and approximately 180 researchers (affiliated through these centres and directly through their involvement in the project). The ETUI is one of these partner centres.

Over the past several years, we have cross-interrogated dozens of cases of experimentation in the regulation and re-regulation of work and employment, covering a wide range of work disruptions, from new technologies to outsourcing to changes in actor repertoires, and across a range of regulatory arenas. In developing a template for cross-case analysis, we have asked what makes the work at the heart of these experiences better or worse. While this study is an initiative within that larger project, it is essential to emphasise the importance of worker collective voice in the kinds of strategic and institutional change required to meet the current challenges facing the labour movement and to make work better for all.

Moreover, all the researchers documenting the case studies featured in this collection work closely with trade unions in different national, sectoral and regional contexts. Indeed, all the cases highlighted here have been co-constructed with union actors. This scenario of renewal constitutes a powerful and challenging narrative, which is willingly taken up by the union members, activists, officials and leaders contributing to these many different vignettes of union experimentation across the globe.

Through a wide range of case studies, this collection therefore seeks to explore the potential for trade union renewal. Our objective, shared with ETUI initiatives, is to support trade unions in dealing with uncertainty, anticipating change, exploring possible futures, allowing for experimentation and enabling transformative action. Our case studies of experimentation and the lessons drawn from them espouse these objectives. We hope that this initiative offers a valuable learning platform that may enable other unions to engage in their own experimentations for renewal.

In the first part of this volume on experimenting for union renewal, we set out the framework (Chapter 1) and provide an overview of the 18 case studies in union experimentation (Chapter 2). Subsequent parts of the volume feature these case studies. They are varied in focus, ranging from contending with neoliberal states (Chapters 3–5),

dealing with the fissured gig economy (Chapters 6–8), value chain initiatives between South and North and back again (Chapters 9–11), expanding the trade union agenda (Chapters 12–14), innovations in union repertoires and methods (Chapters 15–17), and initiatives centred on new forms of inclusion and solidarity (Chapters 18–20). The case studies also ensure a fairly wide geographical spread, ranging from Benin, China, Sri Lanka, India and Mexico among emerging economies to cases of experimentation in Australia, Belgium, Canada, Spain, the United Kingdom and the United States. Of course, it is always possible to add more cases and more national contexts. This possibility should be considered an invitation to other researchers, in our project and beyond, to explore yet more cases of experimentation, to compare and contrast these cases, and to draw lessons from them, not least through direct exchange and co-construction with union actors themselves. Indeed, that is exactly the purpose of the concluding part of the volume (Chapter 21), which looks at what experimentation teaches us about union renewal and the implications for the future.

Such a collective effort requires many hands and much goodwill.

We should emphasise first that the possibility of this publication project arose during the transition at the European Trade Union Institute (ETUI) between the retirement of Philippe Pochet, its former General Director, and the arrival of Bart Vanhercke, its new Research Director. The steadfast, enthusiastic and insightful support of both these colleagues was pivotal in bringing this project to fruition.

Second, beyond the support of these two colleagues at the ETUI, it's important to highlight the very existence of the ETUI and its wide-ranging and highly innovative research and outreach programmes. We particularly want to thank the team of the ETUI Documentation Centre and Publications and Communication Unit for their meticulous work and diligent support. We also wish to emphasise the exceptional accessibility of ETUI publications. This is unusual in the realm of academic publishing and we believe it is essential to ensure the impact of research partnerships such as experimenting for union renewal.

Third, this particular initiative and its conceptual framework are inspired by our international collaborative project the *CRIMT Partnership on Institutional Experimentation for Better Work*. While this study on experimentation and union renewal is just one initiative within that larger, multifaceted project, we wish to acknowledge the contribution of many colleagues to the co-construction of the theoretical approach and the methodological tools used to develop our case studies. We especially wish to highlight the contributions of our close CRIMT colleagues (Christian Lévesque, Nicolas Roby, Francine Jacques and Dalia Gesualdi-Fecteau), among many others in this international consortium. For continuing updates on the CRIMT Partnership and its outputs on experimentation for better work, please consult the CRIMT Partnership on Institutional Experimentation for Better Work website.

Fourth, the contributing authors of the case studies have been absolute champions. It's not always easy to adapt one's work to the demands of a common template, but we were committed to providing an accessible and readily comprehensible format. To their

credit, the contributing authors were keen to share their insights on experimentation and union renewal, and absolutely committed to the importance of such collective thinking around the topic. This project required commitment to a vision of the importance of collective actors and worker voice through their union organisations and the authors featured in this collection share this objective.

Fifth, because the cases featured here have been co-constructed with union actors and organisations, it's very important to emphasise their willingness to share their strategies and subject them to critical scrutiny in the interest of identifying avenues of renewal on a continuing basis. While there can be no guarantees of positive results – such is the uncertainty of democratic experimentalism – this renewal scenario constitutes a powerful narrative, which has been readily taken up by the union members, activists, officials and leaders contributing to these many different vignettes of union experimentation across the globe. We truly hope that this initiative offers a valuable learning platform for other unions to engage in their own experimentations for renewal.

Sixth, Rafael Peels, at ILO ACTRAV, originally prompted us to pursue this link between our studies on union renewal and the work being done by the CRIMT Partnership on Institutional Experimentation for Better Work. We wish to thank him for his insight and encouragement.

Finally, Julie Hagan, research professional at CRIMT, Université de Montréal (the Interuniversity Research Centre on Globalization and Work), has been indispensable in helping us to transform this collection of case studies into a coherent and accessible manuscript. Her work has gone above and beyond the call of duty.

References

Murray G. (2017) Union renewal: what can we learn from three decades of research?, Transfer, 23 (1), 9-29. https://doi.org/10.1177/1024258916681723

Visser J. (2019) Trade unions in the balance, ACTRAV Working Paper, ILO.

Visser J. (2023) Will they rise again? Four scenarios for the future of trade unions, Economic and Industrial Democracy. https://doi.org/10.1177/0143831X231178850

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Part 1

Experimenting for union renewal

Chapter 1
Experimentation and union renewal

Gregor Murray

Union renewal involves processes of change to reinvigorate the labour movement by rebuilding organisational and institutional strength. Over recent decades, there has been a proliferation of trade union efforts to renew their organisational fortunes and a vast array of studies seeking to make sense of those efforts by identifying and understanding these processes and the shifts in strategy required. The result is a virtual laboratory of some of the avenues of union experimentation attempted. This book documents these processes of trade union experimentation and asks what we can learn from such experimentation for the prospects of union renewal.

Union experimentation focuses on the disruption of existing trade union practices; how trade unions are dealing with the resulting uncertainty to navigate and shape change; how they are experimenting with and learning from innovation in their practices, and the implications of this experimentation for union renewal, including attempts to scale up and scale out these experiments.

Many trade unions in the world are involved in such processes of experimentation, using different approaches, tools and methods in a variety of contexts to deal with a range of challenges. This chapter sets out a framework for understanding these processes, so that we might mobilise this understanding in a range of case studies.

1. Union renewal

Recent decades have raised real concerns for trade unionists, and indeed for everyone convinced that unions play a fundamental role in the defence of worker dignity and greater equality of opportunity. Many union movements are dealing with marked declines in union density. They also have to contend with a hostile or, at best, indifferent employer and public policy environment. Many workers who are not trade unionists can also feel distanced from union organisations. These symptoms converge in a vicious circle: secular declines in union membership, reduced effectiveness of collective bargaining and political action, an apparent weakening of membership engagement, difficulty in connecting with new constituencies, and the emergence of alternative and less institutionalised forms of collective action.

Union renewal involves processes of change to 'put new life and vigour' in the labour movement and to rebuild organisational and institutional strength (Kumar and Schenk 2006). Over recent decades, there has been a proliferation of efforts by trade unions to renew their fortunes and a vast array of studies seeking to make sense of those efforts

by exploring these processes and the shifts in strategy required. Successive generations of researchers have endeavoured to understand these processes. The result is a virtual laboratory of the avenues of experimentation attempted in the face of growing uncertainty. This book seeks to document these processes of experimentation, to ask what we can learn from them, and to explore the implications for union renewal.

Some recent overviews of union renewal identify key themes in these debates. Murray (2017) singles out four such themes. A first generation of union renewal literature was more technical in nature, often inspired by literature on firms and organisational innovation, and tended to look at issues centred on organisational modernisation strategies, such as strategic planning, technology, the types and blend of services offered to members, better human resource management and conditions for innovation. The focus was on innovations and on how to implement them.

A second generation of renewal was concerned with structures and organising. Whether it looked at mergers or structures more conducive to a changed industrial architecture, the focus was on recruitment and organising. The belief was that reengineering representative spaces and new strategies to occupy those spaces would ensure a pathway to renewal.

A third generation of renewal strategies focused on union collective action repertoires and their relative efficacy. By diversifying and enlarging the range of trade union actions, it was argued that unions could reinforce their membership and political presence. As well as questioning the efficacy of existing union repertoires, these approaches considered a broad range of strategies: from workplace and industry partnerships to different types of campaigning (comprehensive, transnational, community or political).

Finally, a fourth generation of renewal strategies were more concerned with the growing gaps between union insiders and outsiders. At issue was connectedness, when the values, identities and legitimacy of existing union practices seemed out of sync with so-called outsiders. The challenge for union renewal was to weave the interests and identities of so-called 'outsiders' into a larger narrative about the role of unions in society and associated practices. In particular, this entailed initiatives to integrate specific groups into union practice and strategy (women, young people, LGBTQ+, intersectional identities, precarious workers) and also to introduce new concerns such as digital and climate transformations, regional development and social upgrading.

Murray (2017) argues that these four larger themes typically overlap. One theme can lead to another. If each theme is necessary, no theme is sufficient on its own. Their uneven results lead to a tapestry of experimentalism in which unions are compelled to innovate and experiment.

Ibsen and Tapia (2017) make a similar argument for renewal as a necessary counter-mobilisation strategy, despite the many constraints trade unions face and the uneven results of their renewal strategies. They argue that neoliberal state policies are unlikely to change in the absence of forceful worker mobilisation. The focus must therefore be on building coalitions and recasting repertoires of contention, where the relevance of

different strategies, such as social partnerships with employers and political alliances, is likely to vary by context. Their analysis also points to a rich terrain for comparative study of union renewal strategies and, by extension, according to our core supposition, through the lens of union experimentation.

There are many other studies of individual union organisations seeking renewal paths. While too numerous to systematise in this overview (see Murray 2017), they also offer a rich terrain for further comparative investigation. In the wake of successive crises and the drift in many different contexts away from institutional support for union membership and collective bargaining, a focus on renewal is increasingly relevant for unions in a wide variety of circumstances. This is especially the case in contexts in which organising new members has hitherto not been central to their strategies but where interest in organising and other organisational innovations is increasingly evident (Lind 2009; Ibsen and Tapia 2017). Indeed, minor but real successes in ensuring worker organisation and dignity give regular cause for celebration and highlight the potential of some of the avenues of experimentation being pursued. But they also highlight the limits of such renewal strategies and the need for a better understanding of the processes involved.

The argument advanced in this collection is twofold. First, the fundamentals of union purpose, in terms of the defence of worker dignity, of better work, and of advancing economic and social citizenship, remain as important as ever. Second, the lens of experimentation offers a theoretical and methodological approach for understanding the processes of renewal under way.

For Murray et al. (2020), a focus on experimentation stems from a larger shift in understanding of the possibilities for institutional change. They identify key weaknesses in approaches to institutional change: a tendency to underplay the extent of crisis and uncertainty in contemporary capitalism; an overemphasis on the coherence of neoliberalism as a viable economic and social policy; and insufficient attention to the resilience of social agency as actors in many different contexts contest, resist and strategise relative to their changed environmental circumstances. In the larger debate about the dynamics of social change, there can be tensions between those who emphasise the determinative importance of structural power and those who wish to highlight the importance of actor resilience and agentic power. The focus on experimentation and its limits is meant to provide a window onto both as it pertains to union renewal.

2. Experimentation for union renewal

For those making the case for social resilience, a framework is needed in which tools can be developed to understand how actors at different levels in the world of work are strategising relative to the disruptions they face. These actors are evident in multiple organisational contexts and institutional arenas in the world of work, and they are likely to draw on a variety of capabilities and resources in the development and pursuit of their strategies. For Murray et al. (2020), this involves contrasting an institutional-change approach (generally based on the efforts of organised collective actors to rebuild

institutions from the top downward in order to shift the established rules of the game more in the direction of their own interests) to a more grounded, often bottom-up, organisational and institutional experimentation approach. The key question, and this relates to union experimentation, is how, in the context of considerable uncertainty, union actors, like other actors, in the world of work experiment with new ways of organising and sometimes then seek to institutionalise them into new understandings, norms and rules.

Our approach to experimentation more generally and union experimentation more specifically involves, first, cognitive challenges and real-world changes in response to which a vast range of experiments in the world of work have been generated (see Murray et al. 2020). We identify below key fault-lines of disruption in the regulation of work and employment, with special emphasis on the uncertainties generated by these processes and their implications for the reordering of different regulatory arenas. Many of these sources of disruption are evident in the case studies featured in this volume.

Secondly, these fault-lines invite responses to these uncertainties: how actors are seeking new strategies in their repertoires to regain control by building on existing institutions and modifying or renewing their organisations, networks and alliances, by mobilising new identities, by promoting new understandings of the meanings of work and employment and, among other things, by using technology to create new forms of solidarity. Murray et al. (2020) label this *organisational experimentation*. Such organisational experimentation typically characterises many union renewal strategies focused on new strategies and structures for the reregulation of work. The case studies featured in this collection provide multiple examples of such experimentation as union actors reflect on, assess, learn from, and modify their experiments in the changing circumstances and sources of disruption with which they must contend.

Thirdly, these responses to crises and uncertainty raise the question of the degree to which they can be scaled up and out, and sustained over time. This entails their institutionalisation through more general understandings, norms and rules in particular social settings (local, regional, national, international, interorganisational, sectoral). Scaling up and out requires what Murray et al. (2020) label *institutional experimentation*. Union actors will navigate the interface between their organisational and institutional contexts to try to find the appropriate institutional conditions to facilitate and enable their organisational experiments, while overcoming constraining institutional conditions.

Our understanding of union experimentation is part of a longer term project to comprehend how union actors engage with, circumvent or change constraining and facilitating institutional conditions. Institutional conditions may not change, and organisational experimentation may remain limited, impeded or isolated. While our focus here is more typically on organisational experimentation, the interface with institutional experimentation is critical to understanding how experiments are sustained (or not) and scaled up or out (or not). Advancing such an understanding is an objective of the larger CRIMT Partnership on Institutional Experimentation for Better Work. It is also a task to which trade unionists and researchers should apply their energies.

3. Challenges to the regulation of work and employment: sources of disruption

Murray et al. (2020) identify seven sources of disruption where, as a result of changes over recent decades in multiple industries and national contexts, existing institutions appear to be out of sync with traditional modes of regulation of work and employment. They argue that these disruptions compel actors in the world of work to come up with strategies as best they can, but also open up spaces for experimentation in the major arenas for the regulation of work and employment.

Crouch (2005) points to the recombination of rules and modes of governance; Campbell (2004) to the importance of policy bricolage and entrepreneurship. In an important contribution, Kristensen and Morgan (2012) make the case for an understanding of experimentalist institutions in which, faced with institutional crises, collective actors draw on institutional legacies to innovate and make new combinations in the regulation of work, sometimes changing their own identities in the process.

Understanding collective actor responses to the challenges that flow from these fault-lines, and most notably as regards unions and other collective labour actors, is essential to understanding the ensuing experimental processes. Are they demobilised and constrained by the uncertainties they have to contend with or are they empowered by opening up alternative scenarios of collective responses, renewed resources and enhanced capabilities? Given the challenges and uncertainties that these fault-lines of disruption entail, union actors are engaged, or likely to be engaged, in a prolonged period of experimentation within and between different arenas for the regulation of work and employment.

The case studies of experimentation in this collection will highlight some of these challenges. Drawing on Murray et al. (2020), we briefly consider these sources of disruption and the challenges they pose for trade unions.

1. Disruptive technologies. Increased technological intermediation means that many types of work are being disarticulated and performed virtually across work sites, firms, supply chains and borders. Technological platforms such as Uber and Amazon Mechanical Turk are rewriting the structure of firms, the nature of work organisation and the frontiers of the employment relationship, highlighting the limits of existing forms of work regulation and public policy (Bergvall-Kåreborn and Howcroft 2014; Daugareilh et al. 2019). What results is a blurring of boundaries between: paid and free labour (Burston et al. 2010); work and non-work (Bittman et al. 2009); jobs performed by robots and AI (Ford 2015) and those requiring enhanced skills, and high rewards; and exclusion from labour markets and paid employment. As will be evident in the case studies dealing with gig work in this collection (Gebert 2024; Peetz and Boutros 2024; Vandaele 2024) and with the use of technology for mass mobilisation (Pasquier 2024), these new technologies also open up space for new forms of resistance, deliberation, collective organisation and mobilisation (Zuboff 2019).

2. Climate crisis and transition. The global response to climate change entails profound modifications in industries and communities, for which the governance of work appears ill equipped (Laurent and Pochet 2015). This transition creates opportunities for policy innovation on green jobs, new skills and sustainable communities (Stroud et al. 2018; Klein 2019). But many actors struggle to embrace the possibility of increased, if contested, collaboration to promote decent and socially useful jobs. The institutions and regulatory legacies needed to facilitate such dialogue have yet to be invented or are, at best, embryonic. Moreover, as is evident in the case of global production networks, sustainable development cannot be divorced from modes of consumption, the drive for profit extending value chains around the world and firms' ethical behaviour (Carbo et al. 2014). The case study by Peters (2024) highlights one example of union experimentation in relation to this source of disruption.

3. Pandemic health threats. The economic and social effects of the Covid-19 pandemic are still unfolding. This global health crisis, which was first manifested in China in December 2019 and then spread rapidly across continents, constitutes one of the most significant disruptions to the world of work in living memory. It provoked massive turmoil in both the supply of and demand for goods and services as entire countries and regions were locked down and quarantined because of the transmissibility of this respiratory illness. What immediately became evident was the return of the role of the state on a massive scale to protect workers against threats to their health, to ensure labour supply in essential services, to stimulate labour demand in response to the economic downturn, and to support the incomes of a wide range of workers (ILO 2020). So much of neoliberal dogma over recent decades lies in ruins before the scale of the intervention required to meet the emergency. The asymmetric effects of this crisis on different categories of workers, for example the total lack of protection available to gig workers (Rasche 2020) or the intersectional impacts on the poor and persons of colour, underscore the vulnerability of so many workers (Stanford 2020) and the many dimensions of their poor working conditions. Some also suggest that this crisis may represent a point of inflection for the physicality of work as many workers reconfigure the relationship between life and work through technological intermediation and the possibility of working remotely (Pawel 2020). For a number of the cases in this volume, however, pandemic health threats have proved to be a source of renewal in their repertoires and modes of intervention (Dufour-Poirier and D'Ortun 2024; Hickey 2024).

4. Unbundling the firm. Financialisation, pressures associated with globalisation and the liberalisation of markets have prompted the reorganisation of the internal and external boundaries of the firm (Appelbaum and Batt 2014; Marchington et al. 2005). The outsourcing of work, the recourse to more elaborate production networks, the offshoring and reshoring of work, the externalisation of services, the transformation of some employers to deployers of labour (Haiven 2006) and the fissuring of the workplace into multiple strata of contractors (Weil 2014) modify the dynamics of power relations, undermine the efficacy of traditional labour law frameworks and challenge actors' strategic repertoires in the governance of work. However, this also opens up new space for different kinds of stakeholder representation and advocacy (Bonner and Carré 2013), as well as demands for new forms of participation and democracy in corporate

governance (Ferreras 2017; Ferreras et al. 2024; Blasi et al. 2014). The challenges of this unbundling, in both the public and private sectors, have prompted multiple forms of experimentation, as is evident in both the public sector (Connolly and Looker 2024; Johnson 2024) and the private sector (Laroche and Jalette 2024; Pasquier 2024).

5. Reconfiguration of global production networks. New technology and free trade facilitate the organisation of production across borders, rescaling the governance of work, with a displacement towards both trans- and subnational levels (Dicken 2011; Almond et al. 2014). This is further complicated by the extension of market capitalism to a whole range of developed and emerging economies, thus opening up ongoing possibilities for spatial dislocation of jobs and services. Policymakers and union actors are challenged, but also empowered, in their search for new forms of transnational regulation (Banks 2011; Daugareilh 2012; Fairbrother et al. 2013; Lévesque et al. 2018). Competition for jobs is often subnational, with worksites, firms, industries and regions pushing to engage in various forms of collaboration and community development through ecosystems for skill development, firm upgrading and innovation (Almond et al. 2017; Coe and Yeung 2015). Several cases of experimentation featured in this volume explore innovations in union organising along the value chain, including tea plantation worker representatives in Sri Lanka (Thomas 2024), garment workers in India (Jenkins et al. 2024) and manufacturing workers in Mexico (Alsadi et al. 2024).

6. Redefinitions of the role of the state. The postwar decades unfolded within the optimistic framework of a protective state geared towards expanding freedoms, including at work (Arthurs 2014). Over recent decades, what Peck (2010) labels the 'free market project' has increasingly asserted its pre-eminence, in terms of market liberalisation, the reduction of social welfare (Crouch 2014), 'new public management' for state services (Bach and Givan 2011), and the internalisation of neoliberal norms by social, not least union, actors (MacDonald 2014). The accelerated transfer of this neoliberal state governance between jurisdictions has challenged the narrative of the protective state, favouring the dismemberment of social rights and worker protections (Clauwaert and Schömann 2012; Peck and Theodore 2015). But a powerful counternarrative now points to the resurgence of a preeminent state role for health and well-being, as illustrated by the Covid-19 pandemic (ILO 2020), industrial policy (Mazzucato 2018), the environment (Rodrik 2014; Stroud et al. 2018), equality through fiscal and social policy (Bourguignon 2015), and equity for women, migrants and persons of colour (Connell 2011). This can create opportunities for enhancing voice, deliberation and actor capabilities (Bowman et al. 2014; Salais and Villeneuve 2004; Wainwright 2009). Such forms of experimentation are evident in several case studies in this volume, notably as regards workers affected by neoliberalism in Benin (Adanhounme 2024), privatisation and subcontracting in the public sector in the United Kingdom (Connolly and Looker 2024; Johnson 2024), or regulatory restructuring of minimum wages and working conditions in Wales (Gooberman and Hauptmeier 2024).

7. Transformations in identity, solidarity and values. The construction of insiders and outsiders challenges the legitimacy of prevailing institutions in the governance of work. This separates those who benefit from institutional legacies from those who are excluded from channels of union representation, whether because of

greater precariousness among young workers or intersectional inequalities (Prosser 2016; Lee and Tapia 2023). These shifts are not unidirectional, however: the purported rise in individualism is also a space for new collective identities (Peetz 2010), and social media is not merely disruptive of solidarities but a medium for new ones (Heckscher 2015; Wood 2015). The affirmation of a more varied civil society and stakeholder interests moves beyond classic triads (worker, employer and government), giving rise to multiple institutional forums (Murray 2013; Tapia et al. 2015), challenging social actors on social and ethical issues (Williams et al. 2017), opening up new possibilities for equality (Acker 2012), and highlighting the role of civic engagement and dialogue (Fung and Wright 2003; Della Porta and Rucht 2013). But these movements can also produce right-wing populist movements critical of traditional labour institutions (Dukes and Streeck 2023). Several cases of experimentation in this volume explore shifts in identity, solidarity and values. In drawing Chinese factory workers into a stronger identification with the union as representatives of their interests and identity, a Chinese workplace union has experimented successfully with forging a new collective union identity (Bao 2024). Other good examples include the pursuit of equity between different categories of a previously fissured unionised workforce by a metalworking union in Quebec (Laroche and Jalette 2024) and the way that a metalworking union in Asturias, Spain, reinvigorated social dialogue to promote youth employment (González Menéndez and Tejero 2024). This is also illustrated by the way the ELA union confederation in the Basque Country in Spain sought to forge new links between precarious female workers in the private sector and traditional full-time male manufacturing workers (Emilien et al. 2024).

4. Experimentation as a conceptual framework

Murray et al. (2020) argue that from the mid-1980s growing interest in the idea of post-Fordism and in identifying more carefully how different forms of work organisation were socially constructed and embedded in institutions (for example, Piore and Sabel 1984; Sorge and Streeck 1987; Sabel and Zeitlin 1997) evolved into an increased effort to understand varieties of capitalism, and their capacities for adapting to changes in markets, technologies and regulation, including the link between employment systems and embedded institutional legacies.

Over the past decade, this line of research has shifted more explicitly to the analysis of how neoliberalism – associated with the changing nature of the state, the deregulation of markets, the growing financialisation of firms, new technologies and the internationalisation of production networks – has restructured work and employment systems and undermined collective bargaining institutions (Baccaro and Howell 2017; Thelen 2014).

This agenda has sparked multiple empirical studies of change in the regulation of work and employment across a wide variety of forms of capitalism. As argued by Murray et al. (2020), however, it tends to underestimate the degree of crisis and uncertainty and overestimate the coherence, stability and commonalities in the manifestations of neoliberalism. Labour is therefore often depicted as either defeated or incorporated

into a neoliberal reform agenda in what is depicted as the triumphant ascendancy of a new neoliberal era. It also neglects the extent to which these multiple sources of disruption are spawning new forms of social agency – what Hall and Lamont (2013) describe as 'resilience' (see also Culpepper 2017). These actors are seeking out new ways to contend, resist and survive, looking for innovative paths to improve their conditions and working to redefine the organisational and institutional spaces in which they operate. This literature also tends to minimise how social actors are seeking to renew their power resources and collective capabilities (Lévesque and Murray 2010).

For Murray et al. (2020), a framework is needed that complements previous efforts to understand institutional change but shifts the focus to how actors at different levels, in multiple organisational contexts and institutional arenas (for example, at local and regional levels, through formal and informal transnational linkages and exploiting new social media and community spaces) are experimenting in response to the disruption of traditional sources and forms of regulation. This involves a shift from an institutional-change approach to one of organisational and institutional experimentation. Whereas institutional change generally focused on the efforts of organised collective actors to rebuild institutions from the top downward in order to shift the established rules of the game more in the direction of their own interests, an organisational and institutional experimentation approach explores how social actors experiment with new ways of organising and sometimes then seek to institutionalise this experimentation in the form of understandings, norms and rules that transcend particular organisations.

The emphasis is therefore on how social actors contend with uncertainty through the generation of solutions to problems through 'a process of iterative adaptation to new circumstances and experiences that entails a certain idea of progress… as a continuous reconstruction of experience' (Ansell and Bartenberger 2016: 65).

In contrast to the notion of an experimental research design, typical in the natural and social sciences, the approach to experimentation we are proposing (Murray et al. 2020) refers to a pragmatist tradition. According to this pragmatist experimental approach, social actors seek to alter their practices when faced with challenges to their knowledge and understanding caused by the changing nature of the world and their limited cognitive capacities. These actors must balance what they thought they knew, what they are capable of doing in light of existing path dependencies, and what they would like to achieve (Sabel 2012). The language of experimentation emphasises tentative moves towards new forms of knowledge and practice, provisional solutions to practical problems, and how new organisational strategies might lead to desired social outcomes in the face of disruptions and uncertainty.

For Dorf and Sabel (1998: 314), experimentalism can be seen as 'a form of collective problem solving suited to the local diversity and volatility of problems that confound modern democracies'. Sabel and Zeitlin (2012) present experimentalism as a response to strategic uncertainty 'where the parties face urgent problems, but know that their preferred problem-solving strategies fail, and therefore are willing to engage in joint, deliberative (potentially preference-changing) investigation of possible solutions'. Kristensen and Morgan (2012: 415) point to 'the mutual constitution of actors and

institutions' in a context of globalisation, heightened competition and uncertainty, where actors engage in an 'experimental search for new institutions and governance principles'.

Murray et al. (2020) note that a range of authors have identified the importance of experimentation: Stone (2017: 305) examines the 'green shoots' of policy experimentation in different national settings as globalisation's destabilising tendencies open up space for policy experimentation in the area of employment regulation; and Fine (2015) looks at the emergence of new combinations in the governance of work, where policy entrepreneurship and worker agency are intertwined between different regulatory arenas, which she aptly describes as a 'bricolage of organisational forms'. Institutional experimentation is certainly not unidirectional: multiple experiments can as often lead to worse outcomes (Peck and Theodore 2015). Experimentation can also be a transitional strategy, where local experimentation explores alternatives to blockages in laws and policies at other levels (Arthurs 2014; Dean and Reynolds 2010; Kalleberg 2011). Kuznetsov and Sabel (2014) emphasise that such recombinations occur because of the absence of ex ante solutions, which means that governance strategies to reshape institutions need to connect existing institutional frameworks with out-of-the-box solutions. Without guarantees of desirable results, such approaches point to the importance of understanding actor strategies in the face of disruption.

Work reregulation is taking place, at multiple scales, sometimes within a single arena, often through new combinations of arenas and with intersecting fields in finance, trade, industrial policy and the environment. The literature increasingly highlights the importance of agency as both global and local actors seek to redefine the spaces in which they operate through processes of experimentation. Be it in terms of identities, framing, strategic repertoires, resources, capabilities or skills, the understanding of collective actors and, more particularly, union actors is central to understanding the outcomes of such experimentation (Fligstein and McAdam 2014; Ganz 2004; Kristensen and Morgan 2012; Lévesque and Murray 2010; Mahoney and Thelen 2010; Turnbull 2006; Williams et al. 2017). That is an important justification for bringing together this collection of cases of union experimentation.

5. Processes of experimentation

Drawing on the literature on experimentation highlighted above, how might we characterise such experimentation from the standpoint of trade union actors in the world of work? The sources of disruption outlined above challenge traditional or predominant forms of regulation of work and employment and the strategies actors deploy in that context. Faced with strategic uncertainty, union actors seek to respond to these challenges to their institutional and regulatory legacies.

Their responses typically entail a shift in strategic repertoires, often something new or some recombination of these actors' institutional legacies. The choices may reflect a power struggle among different actors. The strategies may operate at different levels (workplace, firm or organisation, sector or industry, region or society) and they may

take different forms (individual and collective actions, policies, agreements, legislation). The experimentation is typically deliberate, but it may also be emergent as actors come to realise that they are engaged in such experimentation. Experimentation may be permanent but can also be temporary. It can be categorised as a success or a failure or somewhere in between. Experimentation is necessarily deliberative and reflexive where trade union actors are assessing the nature and results of their experimentation and seeking to draw lessons from this process as they face the continued uncertainty and perturbation of traditional repertoires and forms of regulation.

Figure 1 **The process of union experimentation**

Source: adapted from Murray et al. (2020).

Adapted from Murray et al. (2020), Figure 1 presents a highly idealised version of such a process as regards trade unions. Proceeding clockwise from the top, cognitive real-world challenges, as encapsulated by various sources of disruption, prompt union actors to develop new strategies and combinations of strategies in the regulation

of work. This further requires a search for various organisational and institutional resources and allies in terms of labour, finance, technology, the law, and so on in order to carry out their experiment. Such resources may not be available, and experiments may collapse very early due to institutional constraints, just as institutional resources may enable experimentation. If, however, resources are available, then actors put them together in new ways or add new resources from elsewhere to engage in organisational entrepreneurship and bricolage. This stage of experimentation may be deliberate, but it might also be emergent in that the nature of the experimentation emerges only in the process of generating and implementing new strategies. The next stage concerns seeing whether the new strategies and forms of regulation produce the desired outcomes (or not). Experimentation therefore requires a final stage of monitoring and assessing outcomes, reflecting on them, and learning about how to modify or abandon the new strategies or seek to overcome obstacles, institutional and otherwise, in pursuit of the experiment.

Alongside such organisational experimentation, actors may also engage with a second level of experimentation, that is, whether there needs to be institutional experimentation to facilitate new organisational practices and forms. Do new institutions need to be created or old ones reconfigured in order to make the organisational experiments more feasible? Do formal/informal rules need to change? Do new understandings of relationships need to be formulated and communicated? Do new types of organisations and technologies need to be developed?

The key insight of this approach is that the impetus for experimentation at the organisational level, which derives directly from union actors' experience of disruption and their resilience in responding to this, is likely to draw them into a wider effort to rewrite institutional rules and create new frameworks for understanding the challenges they face. In turn, this brings them into confrontation with other actors defending existing institutions or aiming to reshape them in different ways. So organisational and institutional experimentation take place within a context of power dynamics and conflicting interests at multiple levels. For example, in the case of a trade union faced with such challenges, some officials and activists are likely to be heavily invested in traditional strategic repertoires and therefore prove quite resistant to experimentation. Alternatively, other union actors might emerge on the basis of experimentation with new strategies or a combination of old and new ones. The capacity to mediate such conflicts is likely to prove quite important for varying degrees of success and failure.

An understanding of union experimentation therefore requires an analysis of how union actors mobilise their resources and capabilities, as well as of their strategies for maintaining, disrupting and transforming organisations and institutions at different levels, arenas and contexts, not to mention what we can learn from these processes. It also raises the question of crosscutting variables that might influence the importance of specific capabilities in particular contexts. These capabilities might vary by social, regional and urban locations (hence the importance of an analysis that is comparative not only across countries, but also across locations within countries and that considers the intersection of multiple social constituencies, such as social class, gender, race and migration status), by organisational context (hence the analysis of different types

of organisations), by institutional context (hence the analysis of different types of institutional configurations, notably emerging versus developed economies, and liberal market versus coordinated economies), by the specificity of particular regulatory arenas (hence the need to take account of different regulatory traditions) and by the attributes and identities of different collective actors who might prove to be more or less adept in these experimentation processes. The wide variety of cases featured in this collection and the lessons we seek to draw from them hopefully offer multiple insights into these processes of experimentation for union renewal.

6. Types of experimentation

One predominant type of experimentation over recent decades can be associated with the extension of neoliberalism, marketisation, outsourcing and the individualisation of employment (for example, Peck 2010; Thelen 2014; Baccaro and Howell 2017; Greer and Doellgast 2016; Greer and Umney 2022). As argued by Murray et al. (2020), first movers in processes of organisational experimentation have often been entrepreneurs taking advantage of deregulation, changing production networks and new technologies to establish new and highly exploitative forms of work and employment or governments seeking to undermine collective representation and regulatory protections. The union responses to such deregulation processes have often included weak forms of accommodation, such as concessions in the form of disparities of treatment to differentiate between groups of workers with longer tenure and protected working conditions, and new groups of workers who are subject to less advantageous conditions, whether in terms of wages, benefits or status.

The focus in this collection is on another type of experimentation, namely responses and resistance to neoliberalism (Murray et al. 2020). These are characterised by much greater diversity or as Peck (2015:164) describes it 'irreducible complexity, limitless variety, grassroots creativity and effervescent potential'. Murray et al. (2020) label this 'hybrid experimentation' to emphasise that these efforts often involve a process of bricolage and building, bringing new and old elements together, as previously discussed. These experiments involve a combination of old practices that are institutionally embedded and new processes and rules that are in some ways different and are being developed by actors under pressure from disruptive forces. As Kristensen and Morgan (2012) argue, rather than the old simply being replaced by the new, hybrid experiments involve efforts to create new forms of organisation and institution. As the variety of cases featured in this collection show and consistent with the argument that experimentation results in better and not worse work (Gesualdi-Fecteau et al. 2023), these experiments may not merely stave off neoliberal pressures but also offer the possibility of reshaping the regulation of work and employment.

Hybrid experiments are developed, according to Murray et al. (2020), in relation to the disruptions occasioned by the sources of disruption outlined above. Following Figure 1, organisational experimentation often starts from an awareness of a cognitive mismatch between existing practices and real-world challenges. It is focused on how union actors look to modify or develop new forms of organisation and organising in order to

respond to disruptive challenges. Such experimentation might take place in different institutional arenas for the regulation of work and employment and vary across national contexts. Political agency (including political parties and local and national political governance structures), the composition of members, and legacies embedded in local institutions are all factors that may bear on union experimentation. Some institutional settings encourage more experimentation and/or allow more diversity by facilitating actor autonomy.

A key issue is that organisational experimentation may or may not lead to institutional experimentation. There are multiple approaches to understanding institutions (Morgan and Hauptmeier 2014). For Murray et al. (2020), who draw on the insights of historical institutionalism, institutions are less the product of rational design than an aggregation of the agency of multiple actors with their varying sources of power, contestation and creativity, and come to frame and constrain individual and collective agency (see, for example, Djelic 2010). Institutions can thus be seen as temporary agreements between actors over formal and informal rules. Of particular interest is how factors of disruption affect power relations and feed into institutional change through processes of experimentation.

Scott's definition of institutions usefully highlights what he sees as the central ingredients of this equation. These 'regulative, normative and cultural-cognitive elements' ensure a degree of stability in their transmission, but also a degree of resistance to change (Scott 2008: 48–49). This neat analytical distinction helps to clarify changes by degree along a continuum for each dimension (regulation, norms, cognition). This is likely to be a messy and uneven process, however, characterised by agency and conflicting power relations. This is the analytical strength of the lens of experimentation. While institutional experimentation may be broadly similar to organisational experimentation, the move to the institutional level requires a change in scale and degree as the level of analysis shifts to the shared understandings, norms and rules that, formally and informally, shape actor and organisational behaviour. Arguably, it is through these processes of organisational experimentation around union renewal that clearer lines of institutional experimentation might emerge, thus facilitating further organisational experimentation.

Institutions thus enable or constrain the experimentation undertaken by actors. Organisational experiments can work singly without need for recourse to institutional experimentation. This is the case with many experiments documented in this collection. But, as suggested by Murray et al. (2020), actors may feel that they can work better and their experiments spread if enabling institutions are developed and/or constraining ones loosened or changed. Organisations may engage more easily in a life-cycle of experimentation: from start-up to dissolution or absorption into another organisation. In contrast, institutions are more diffuse, their effectiveness may ebb and flow. While the concept of institutionalisation suggests a degree of embeddedness and fixed understandings, norms and rules, the movement from organisational to institutional experimentation is likely to be fluid, uncertain, contested and often subject to failure, which underscores the interest of an agenda looking at both types of experimentation

and the importance of putting organisational experimentation on the part of trade unions in their institutional contexts.

7. Conclusion

Drawing on the CRIMT Partnership on Institutional Experimentation for Better Work, this collection of cases uses experimentation as a frame for understanding how, in the context of multiple sources of disruption and the resulting strategic uncertainty, trade unions are experimenting with new ways of organising and seeking to institutionalise these changes. We believe that these processes are essential for understanding trade union renewal.

Note

The approach outlined in this chapter draws on two primary sources: first, the work of the CRIMT Partnership on Institutional Experimentation for Better Work; second, our own continuing work on union renewal. For this first source, we particularly wish to acknowledge the contributions of Christian Lévesque, Glenn Morgan and Nicolas Roby, as well as of the many other researchers involved in this larger project. A first thematic issue of Transfer: European Review of Labour and Research in 2020, notably the articles by Gregor Murray, Christian Lévesque, Glenn Morgan and Nicolas Roby (2020) and by Isabelle Ferreras, Ian MacDonald, Gregor Murray and Valeria Pulignano (2020), offers an overview of the framework by which this presentation of the process of experimentation is directly inspired. A recent book on trade unions and regions by Lévesque et al. (2022) offers complementary insights on experimentation as a lens for understanding union renewal. A second thematic issue of Transfer in 2023, notably the articles by Gregor Murray, Dalia Gesualdi-Fecteau, Christian Lévesque and Nicolas Roby (2023) and the introduction to this issue by Gesualdi-Fecteau, Lévesque, Murray and Roby (2023), link the methodology of experimentation to the objective of better work. Regarding the second source, both the editors of this collection (Mélanie Laroche and Gregor Murray) work closely with a wide variety of trade unionists on processes of experimentation and renewal. This is also true of the contributing authors to this collection. Among the many contributions on union renewal, an overview by Murray entitled 'Union renewal: what can we learn from three decades of research?' (Murray 2017) advances an argument for democratic experimentalism as a pathway to union renewal. That article is also a source for arguments developed in this chapter.

References

Acker J. (2012) Gendered organizations and intersectionality: problems and possibilities, Equality, Diversity and Inclusion, 31 (3), 214–224. https://doi.org/10.1108/02610151211209072

Adanhounme A.B. (2024) Challenging neoliberal labour law reforms with moral agency: the response of the Confédération Syndicale des Travailleurs du Bénin to a contested institutional change, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 57-65.

Almond P., Gonzalez M.C., Gunnigle P., Lavelle J. Balbona D.L., Monaghan S. and Murray G. (2014) Multinationals and regional economies: embedding the regime shoppers?, Transfer, 20 (2), 237–253. https://doi.org/10.1177/1024258914526101

Almond P., Gonzalez M.C., Lavelle J. and Murray G. (2017) The local in the global: regions, employment systems and multinationals, Industrial Relations Journal, 48 (2), 115-132. https://doi.org/10.1111/irj.12150

Alsadi M., de la Cueva H., DiCaro A., Payne L., Rodriguez L.B. and Wilson F. (2024) Promoting independent, democratic trade unionism in Mexico: how the CALIS project leverages a continental trade agreement and Canada-Mexico trade union solidarity, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 127-136.

Ansell C.K. and Bartenberger M. (2016) Varieties of experimentalism, Ecological Economics, 130, 64-73. https://doi.org/10.1016/j.ecolecon.2016.05.016

Appelbaum E. and Batt R. (2014) Private equity at work: when Wall Street manages main street, Russell Sage Foundation.

Arthurs H. (2014) From theory and research to policy and practice in work and employment – and beyond?, Relations industrielles/Industrial Relations, 69 (2), 423-446. https://www.jstor.org/stable/43187956

Baccaro L. and Howell C. (2017) Trajectories of neoliberal transformation: European industrial relations since the 1970s, Cambridge University Press.

Bach S. and Givan R.K. (2011) Varieties of new public management? The reform of public service employment relations in the UK and USA, The International Journal of Human Resource Management, 22 (11), 2346-2366. https://doi.org/10.1080/09585192.2011.584399

Banks K. (2011) Trade, labor and international governance: an inquiry into the potential effectiveness of the new international labor law, Berkeley Journal of Employment & Labor Law, 32 (1), 45-142.

Bao X. (2024) Reinforcing employee union identification in a Chinese workplace trade union: how greater union democracy makes a difference, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 181-187.

Bergvall-Kåreborn B. and Howcroft D. (2014) Amazon mechanical Turk and the commodification of labour, New Technology, Work and Employment, 29 (3), 213-223. https://doi.org/10.1111/ntwe.12038

Bittman M., Brown J.E. and Wajcman J. (2009) The mobile phone, perpetual contact and time pressure, Work, Employment and Society, 23 (4), 673-691. https://doi.org/10.1177/0950017009344910

Blasi J.R., Freeman R.B. and Kruse D. (2014) The citizen's share: reducing inequality in the 21st century, Yale University Press.

Bonner C. and Carré F. (2013) Global networking: informal workers build solidarity, power and representation through networks and alliances, Women in informal employment globalizing and organizing, WIEGO Working Paper 31. http://wiego.org/sites/default/files/publications/files/Bonner-Global-Networking-Informal-Workers-WIEGO-WP31.pdf

Bourguignon F. (2015) The globalization of inequality, Princeton University Press.

Bowman A., Froud J., Sukhdew J., Law J., Leaver A., Moran M. and Williams K. (2014) The end of the experiment? From competition to the foundational economy, Manchester University Press.

Burston J., Dyer-Witheford N. and Hearn A. (2010) Digital labour: workers, authors, citizens, Ephemera, 10 (3/4), 214-221.

Campbell J.L. (2004) Institutional change and globalization, Princeton University Press.
Carbo J., Langella I.M., Dao V.T. and Haase S.J. (2014) Breaking the ties that bind: from corporate sustainability to socially sustainable systems, Business and Society Review, 119 (2), 175-206. https://doi.org/10.1111/basr.12029
Clauwaert S. and Schömann I. (2012) The crisis and national labour law reforms: a mapping exercise, European Labour Law Journal, 3 (1), 54-69. https://doi.org/10.1177/201395251200300105
Coe N.M. and Yeung H.W.C. (2015) Global production networks: theorizing economic development in an interconnected world, Oxford University Press.
Connell R. (2011) Confronting equality: gender, knowledge and global change, Polity Press.
Connolly H. and Looker G. (2024) Union renewal in the reregulation of local government in the United Kingdom: how the collapse of a county council led to the (re)assertion of union influence, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 67-73.
Crouch C. (2005) Capitalist diversity and change: recombinant governance and institutional entrepreneurs, Oxford University Press.
Crouch C. (2014) Introduction. Labour markets and social policy after the crisis, Transfer, 20 (1), 7-22. https://doi.org/10.1177/1024258913515142
Culpepper P.D. (2017) Structural power and political science in the post-crisis era, Business and Politics, 17 (3), 391-409. https://doi.org/10.1515/bap-2015-0031
Daugareilh I. (ed.) (2012) Le dialogue social dans les instances transnationales d'entreprises européennes, Presses universitaires de Bordeaux.
Daugareilh I., Degryse C. and Pochet P. (2019) The platform economy and social law: key issues in comparative perspective, Working Paper 2019.10, ETUI. https://www.etui.org/publications/working-papers/the-platform-economy-and-social-law-key-issues-in-comparative-perspective
Dean A.B. and Reynolds D.B. (2010) A new New Deal: how regional activism will reshape the American labor movement, Cornell University Press.
Della Porta D. and Rucht D. (2013) Meeting democracy: power and deliberation in global justice movements, Cambridge University Press.
Dicken P. (2011) Global shift: mapping the changing contours of the global economy, The Guilford Press.
Djelic M.-L. (2010) Institutional perspectives: working towards coherence or irreconcilable diversity, in Morgan G., Campbell J., Crouch C., Pedersen O.K. and Whitley R. (eds.) The Oxford handbook of comparative institutional analysis, Oxford University Press, 13-40.
Dorf M.C. and Sabel C.F. (1998) A constitution of democratic experimentalism, Columbia Law Review, 98 (2), 267-473.
Dufour-Poirier M. and D'Ortun F. (2024) The network of social delegates of the Fédération des Travailleurs et des Travailleuses du Québec: peer support at the heart of a unionism of proximity, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 173-179.
Dukes R. and Streeck W. (2023) Labour law after neoliberalism?, Journal of Law and Society, 50 (2), 165–184. https://doi.org/10.1111/jols.12423
Emilien B., Hege A. and Dufour C. (2024) Strategic disruption and the quest for permanent union renewal through continuous experimentation: the case of ELA, a Basque union confederation, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 205-211.

Fairbrother P., Lévesque C. and Hennebert M.A. (2013) Transnational trade unionism: building union power, Routledge.
Ferreras I. (2017) Firms as political entities: saving democracy through economic bicameralism, Cambridge University Press.
Ferreras I., MacDonald I., Murray G. and Pulignano V. (2020) Introduction. Institutional experimentation for better (or worse) work, Transfer, 26 (2), 113-118. https://doi.org/10.1177/1024258920926444
Ferreras I., Malleson T. and Rogers J. (eds.) (2024) Democratizing the corporation: the bicameral firm and beyond, Verso.
Fine J. (2015) Alternative labour protection movements in the United States: reshaping industrial relations?, International Labour Review, 154 (1), 15-26. https://doi.org/10.1111/j.1564-913X.2015.00222.x
Fligstein N. and McAdam D. (2014) The field of theory, Contemporary Sociology, 43 (3), 315-318. https://doi.org/10.1177/0094306114531283a
Ford M. (2015) The rise of the robots: technology and the threat of mass unemployment, Basic Books.
Fung A. and Wright E.O. (2003) Deepening democracy: institutional innovations in empowered participatory governance, Verso.
Ganz M. (2004) Why David sometimes wins: strategic capacity in social movements, in Goodwin J. and Jasper J. (eds.) Rethinking social movements: structure, meaning and emotion, Rowman & Littlefield Publishers, 177-198.
Gebert R. (2024) Return to sender: how a Canadian postal union renewed its strategic repertoire to reach out to platform workers, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 85-91.
Gesualdi-Fecteau D., Lévesque C., Murray G. and Roby N. (2023) Introduction. Making work better, Transfer, 29 (3), 277-284. https://doi.org/10.1177/10242589231206362
González Menéndez M.C. and Tejero A. (2024) Experimenting with Dual vocational education and training in Asturias, Spain: the role of regional social dialogue in an unfavourable climate, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 191-196.
Gooberman L. and Hauptmeier M. (2024) Building bridges: forming a union coalition to improve working conditions for agricultural workers in Wales, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 75-81.
Greer I. and Doellgast V. (2016) Marketization, inequality, and institutional change: toward a new framework for comparative employment relations, Journal of Industrial Relations, 59 (2), 192-208. https://doi.org/10.1177/0022185616673685
Greer I. and Umney C. (2022) Marketization: how capitalist exchange disciplines workers and subverts democracy, Bloomsbury Academic.
Haiven L. (2006) Expanding the union zone: union renewal through alternative forms of worker organization, Labor Studies Journal, 31 (3), 85-116. https://doi.org/10.1177/0160449X0603100305
Hall P.A. and Lamont M. (2013) Social resilience in the neoliberal era, Cambridge University Press.
Heckscher C. (2015) Trust in a complex world: enriching community, Oxford University Press.

Hickey R. (2024) Mainstreaming workplace mental health in the union repertoire: a unique union campaign by the Ontario Public Service Employees' Union, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 157-164.

Ibsen C.L. and Tapia M. (2017) Trade union revitalisation: where are we now? Where to next?, Journal of Industrial Relations, 59 (2), 170-191. https://doi.org/10.1177/0022185616677558

ILO (2020) COVID-19 and world of work: impacts and policy responses. https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/briefingnote/wcms_738753.pdf

Jenkins J., Blakely H., Davies R. and Huxley K. (2024) The quest for cleaner clothes... using more systematic data collection to promote worker organizing and advocacy in the international garment sector, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 119-126.

Johnson M. (2024) Social value procurement and labour standards in the United Kingdom: the UNISON 'ethical care' campaign for outsourced public services, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 149-155.

Kalleberg A.L. (2011) Good jobs, bad jobs: the rise of polarized and precarious employment systems in the United States, 1970s to 2000s, Russell Sage Foundation.

Klein N. (2019) On fire: the burning case for a Green New Deal, Alfred A. Knopf Canada.

Kristensen P.H. and Morgan G. (2012) From institutional change to experimentalist institutions, Industrial Relations, 51 (1), 413-437. https://doi.org/10.1111/j.1468-232X.2012.00685.x

Kumar P. and Murray G. (2006) Innovation in Canadian unions: patterns, causes and consequences, in Kumar P. and Schenk C.R. (eds.) Paths to union renewal: Canadian experiences, Broadview Press, 79-102.

Kumar P. and Schenk C.R. (eds.) (2006) Paths to union renewal: Canadian experiences, Broadview Press.

Kuznetsov Y. and Sabel C. (2014) New open economy industrial policy: making choices without picking winners, in Dutz M.A., Kuznetsov Y., Lasagabaster E. and Pilat D. (eds.) Making innovation policy work: learning from experimentation, OECD and World Bank, 35-48.

Laroche M. and Jalette P. (2024) Recentring equity at work: the Quebec steelworkers' fight to bring the outsiders 'back in', in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 197-204.

Laurent E. and Pochet P. (2015) Towards a social-ecological transition: solidarity in the age of environmental challenge, ETUI.

Lee T.L. and Tapia M. (2023) Intersectional organizing: building solidarity through radical confrontation, Industrial Relations, 62 (1), 78-111. https://doi.org/10.1111/irel.12322

Lévesque C. and Murray G. (2010) Understanding union power: resources and capabilities for renewing union capacity, Transfer, 16 (3), 333-350. https://doi.org/10.1177/1024258910373867

Lévesque C., Hennebert M.A., Murray G. and Bourque R. (2018) Corporate social responsibility and worker rights: institutionalizing social dialogue through international framework agreements, Journal of Business Ethics, 153, 215-230. https://doi.org/10.1007/s10551-016-3370-9

Lévesque C., Fairbrother P., Emilien B., González M.C. and Morissette L. (eds.) (2022) Trade unions and regions: better work, experimentation, and regional governance, Routledge.

Lind J. (2009) The end of the Ghent system as trade union recruitment machinery?, Industrial Relations Journal, 40 (6), 510-523. https://doi.org/10.1111/j.1468-2338.2009.00543.x

MacDonald I.T. (2014) Towards neoliberal trade unionism: decline, renewal and transformation in North American labour movements, British Journal of Industrial Relations, 52 (4), 725-752. https://doi.org/10.1111/bjir.12040

Mahoney J. and Thelen K. (2010) A theory of gradual institutional change, in Mahoney J. and Thelen K. (eds.) Explaining institutional change: ambiguity, agency, and power, Cambridge University Press, 1-37.

Marchington M., Grimshaw D., Rubery J. and Willmott H. (2005) Fragmenting work: blurring organizational boundaries and disordering hierarchies, Oxford University Press.

Mazzucato M. (2018) The value of everything: making and taking in the global economy, Public Affairs.

Morgan G. and Hauptmeier M. (2014) Varieties of institutional theory in comparative employment relations, in Wilkinson A., Wood G. and Deeg R. (eds.) The Oxford handbook of employment relations: comparative employment systems, Oxford University Press, 190-221.

Murray G. (2013) Can multiple weak ties reverse the social regulation deficit: multinational companies and labor regulation, Comparative Labor Law and Policy Journal, 33 (4), 715-747.

Murray G. (2017) Union renewal: what can we learn from three decades of research?, Transfer, 23 (1), 9-29. https://doi.org/10.1177/1024258916681723

Murray G., Lévesque C., Morgan G. and Roby N. (2020) Disruption and re-regulation in work and employment: from organizational to institutional experimentation, Transfer, 26 (2), 135-156. https://doi.org/10.1177/1024258920919346

Murray G., Gesualdi-Fecteau D., Lévesque C. and Roby N. (2023) What makes work better or worse? An analytical framework, Transfer, 29 (3), 305-322. https://doi.org/10.1177/10242589231207967

Pasquier V. (2024) The 'Fight for 15' movement: an experimental mobilisation at the crossroads of the 'old' labour and 'new' social movements, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 167-172.

Pawel M. (2020) Is the Coronavirus shaping the future of how we work?, The New York Times, 20.03.2020. https://www.nytimes.com/2020/03/20/opinion/coronavirus-california.html

Peck J. (2010) Constructions of neoliberal reason, Oxford University Press.

Peck J. (2015) Cities beyond Compare?, Regional Studies, 49 (1), 160–182. https://doi.org/10.1080/00343404.2014.980801

Peck J. and Theodore N. (2015) Fast policy: experimental statecraft at the thresholds of neoliberalism, University of Minnesota Press.

Peetz D. and Boutros J. (2024) Regulating and organising 'gig workers' since the 1970s: the case of owner-drivers in New South Wales, Australia, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 101-108.

Peters J. (2024) Climate Jobs New York: a labour-led climate coalition, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 139-148.

Piore M.J. and Sabel C.F. (1984) The second industrial divide: possibilities for prosperity, Basic Books.

Prosser T. (2016) Dualization or liberalization? Investigating precarious work in eight European countries, Work, Employment and Society, 30 (6), 949-965. https://doi.org/10.1177/0950017015609036

Rasche M. (2020) Coronavirus highlights sick pay void for platform workers, Eurofound. https://www.eurofound.europa.eu/en/resources/article/2020/coronavirus-highlights-sick-pay-void-platform-workers

Rodrik D. (2014) Green industrial policy, Oxford Review of Economic Policy, 30 (3), 469-491. https://doi.org/10.1093/oxrep/gru025

Sabel C.F. (2012) Dewey, democracy and democratic experimentalism, Contemporary Pragmatism, 9 (2), 35-55.

Sabel C.F. and Zeitlin J. (1997) World of possibilities: flexibility and mass production in Western industrialization, Cambridge University Press.

Sabel C.F. and Zeitlin J. (2012) Experimentalist governance, in Levi-Faur D. (ed.) The Oxford handbook of governance, Oxford University Press, 169-183.

Salais R. and Villeneuve R. (2004) Europe and the politics of capabilities, Cambridge University Press.

Scott W.R. (2008) Institutions and organisations: ideas and interests, 3rd ed., SAGE.

Sorge A. and Streeck W. (1988) Industrial relations and technical change: the case for an extended perspective, in Hyman R. and Streeck W. (eds.) New technology and industrial relations, Blackwell, 19-57.

Stanford J. (2020) Economic response to pandemic: go big, go fast. http://www.progressive-economics.ca/2020/03/13/economic-respone-to-pandemic-go-big-go-fast/

Stone K.V.W. (2017) Green shoots in the labor market: a cornucopia of social experiments, in Fineman M.A. and Fineman J.W. (eds.) Vulnerability and the legal organization of work, Routledge, 34-56.

Stroud D., Fairbrother P., Evans C. and Blake J. (2018) Governments matter for capitalist economies: regeneration and transition to green and decent jobs, Economic and Industrial Democracy, 39 (1), 87-108. https://doi.org/10.1177/0143831X15601731

Tapia M., Ibsen C.L. and Kochan T.A. (2015) Mapping the frontier of theory in industrial relations: the contested role of worker representation, Socio-Economic Review, 13 (1), 157-184. https://doi.org/10.1093/ser/mwu036

Thelen K. (2014) Varieties of liberalization and the new politics of social solidarity, Cambridge University Press.

Thomas H. (2024) Worker power in the Sri Lankan tea Sector: how trade unions have shifted scale from the national to the global (and back again) in their pursuit of better work, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 111-117.

Turnbull P. (2006) The war on Europe's waterfront: repertories of power in the port transport industry, British Journal of Industrial Relations, 44 (2), 305-326. https://doi.org/10.1111/j.1467-8543.2006.00499.x

Vandaele K. (2024) When 'micro-syndicalism' meets 'macro-syndicalism': emergent and deliberative experimentation enriching union strategies towards app-based food delivery couriers in Belgium, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 93-100.

Visser J. (2023) Will they rise again? Four scenarios for the future of trade unions, Economic and Industrial Democracy. https://doi.org/10.1177/0143831X231178850

Wainwright H. (2009) Reclaim the state: experiments in popular democracy, Seagull Books.

Weil D. (2014) The fissured workplace: why work became so bad for so many and what can be done to improve it, Harvard University Press.

Williams S., Abbott B. and Heery E. (2017) Civil governance in work and employment relations: how civil society organizations contribute to systems of labour governance, Journal of Business Ethics, 144 (1), 103-119. https://doi.org/10.1007/s10551-015-2812-0

Wood A.J. (2015) Networks of injustice and worker mobilisation at Walmart, Industrial Relations Journal, 46 (4), 259-274. https://doi.org/10.1111/irj.12103
Zuboff S. (2019) The age of surveillance capitalism: the fight for a human future at the new frontier of power, Public Affairs.

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Chapter 2
Case studies in union experimentation

Mélanie Laroche and Gregor Murray

This chapter provides an overview of the range of themes and the case studies of experimentation that illustrate them. These cases are drawn from a larger project, the CRIMT Partnership on Institutional Experimentation for Better Work, which has developed methodologies and templates for documenting cases of experimentation across a range of world-of-work situations.

While this larger CRIMT Partnership project provides a federating principle for interrogating multiple cases of experimentation by different types of actors, this study features case studies of experimentation involving trade unions and their potential renewal. As highlighted by these case studies, trade unions have been severely impacted by multiple kinds of regulatory disruption, whereby traditional structures, strategies and practices are called into question. As argued above (Chapter 1), these disruptions provoke great uncertainty but also highlight the resilience of social actors (Hall and Lamont 2013). To draw on Murray et al.'s overview of the processes of experimentation: 'These actors are seeking out new ways to contend, resist and survive, looking for innovative paths to improve their conditions and working to redefine the organisational and institutional spaces in which they operate' (2020: 141).

This is indeed an accurate description of the case studies in this volume, which offer examples of contention, resistance and survival and illustrate a continuing effort to experiment and innovate for union renewal. Our purpose in the following pages is to document a highly varied set of cases (n = 18) and thereafter to draw some lessons from them. Necessarily incomplete, this collection should be understood as an invitation to document yet more cases, while expanding their thematic and geographical range, integrating both success and failures, as well as replicating types of experimentation in order better to understand the dynamics and conditioning factors of their relative success or failure.

To make these studies accessible to a wide audience, we have pursued several strategies. First, as developed below, we have adopted a common template for presenting the cases. This facilitates ready access and comparative thinking about the dynamics of union renewal in quite different circumstances. Second, we have emphasised the importance of flat empirical descriptions and short pithy analysis of the cases, thus avoiding too many forays into literatures likely to be unfamiliar to many readers and, to some degree at least, forcing the authors outside their academic comfort zones. Third, and consistent with the ETUI mandate, we have asked the authors to make their presentations succinct and accessible, so that readers can easily capture the essence of the cases and their relevance to their particular situations. Finally, we have sought to make the cases free

standing, so that union actors can extract particular cases from this collection and introduce them into their deliberations over policy and strategy.

In the next part of this chapter, we provide an overview of the analytical template used to document the cases and then in subsequent parts we introduce the cases by thematic groupings.

1. The analytical template for cases of experimentation and union renewal

All the cases of experimentation are based on a common template to facilitate comprehension and comparison.

Each starts with a brief introduction. Readers interested in acquiring a rapid understanding need merely to consult the summary.

The cases then offer a brief overview, both of what the experiment is and why it is relevant for thinking about union renewal.

The next section presents the union and/or other actors involved in the case. This includes a quick time-space check as regards when the experimentation took place, what union and other actors were involved, in what national context and industry, as well as any other relevant historical or conditioning factors.

Given that the impetus for experimentation typically involves some form of disruption in the regulation of work and employment, the next section highlights the types of disruption and the resulting uncertainty the union faced. Authors were asked to identify fault-lines of disruption, with particular emphasis on the uncertainties generated by these disruptions and their implications for the unions involved. Murray et al. (2020) have highlighted different types of disruption prompting experimentation. As set out in the previous chapter (Murray 2024), these might be technological, climate or pandemic related, linked to the unbundling of the firm or the reconfiguration of supply chains, related to state policies or concerned with transformations in identities, solidarities and values.

The following two sections outline the type of experimentation, notably where it originated and how it broke with previous strategies or patterns, and the process of experimentation, in terms of whether there were different phases and whether it was deliberate or emergent in nature.

The next section explores the effects of the experimentation. In particular, it considers the effects on the union, on forms of work regulation, on the nature of work and whether it led to better or worse work. With regard to better and worse work, we are particularly interested in the impact of risk, autonomy/control, and the expressive or democratic dimensions of work (Murray et al. 2023).

The concluding section focuses on the main takeaways from the case and the questions it raises for union renewal. Authors were given free rein to discuss what is most important about the case they are documenting, what factors explain the results, and why they are important for thinking about union renewal. These takeaways will give rise in Chapter 21 to a comparative overview of the lessons to be learned from these diverse experiments in union renewal (Laroche and Murray 2024).

Finally, two complementary sections provide basic information on the case initiators and authors and further links. This is an opportunity to acknowledge who has contributed to the documentation of the case and how the information was collected and documented. It also provides an opportunity to thank anyone or acknowledge other contributions to the documentation of the case. The section on further links provides key bibliographical references, as well as any relevant hyperlinks and/or references to the union organisation or the case itself.

In adopting this common template, we hope to facilitate access to the cases and allow readers to gain their own insights into this rich variety of union experimentation.

2. Contending with neoliberalism

A major impulsion for union experimentation over recent decades has been the need to contend with neoliberal states and public policies. Many of the cases in this volume are prompted by such disruptions. We select three cases to illustrate how neoliberal public policy approaches, themselves a form of experimentation (see Murray et al. 2020), give rise to forms of 'hybrid experimentation', where actors combine 'old practices that are institutionally embedded and new processes and rules that are in some way different and are being developed by actors under pressure from disruptive forces' (2020: 144). Such experiments involve efforts to create new forms of organisations and institutions that 'may well mitigate neoliberal pressures and offer the possibility of reshaping the regulation of work and employment' (ibid.).

In 'Challenging Neoliberal Labour Law Reforms with Moral Agency: The Response of the Confédération syndicale des travailleurs du Bénin to a Contested Institutional Change', Armel Brice Adanhounme (2024) documents the pressures exerted on unions in many developing countries by neoliberal structural reforms. Adanhounme describes how, in the West African country of Benin, the CBST (Confédération syndicale des travailleurs du Bénin) has developed a response to disruptive, neoliberal public policies. Breaking with the predominant clientelist practices of many unions, the CSTB draws on an older oppositional repertoire to promote moral agency and industrial democracy in opposition to neoliberal structural reform, notably labour law reform. This alternative framing of the role of unions in society, combining both older and new repertoires, provides an effective counterargument to neoliberal institutional change and the importance of an alternative framing of social justice through union rights and in opposition to the kinds of autocratic legal change so prevalent in sub-Saharan Africa. Moreover, this more encompassing union narrative in opposition to structural reforms may open the floodgates for more effective union actions at a variety of levels.

Since the election of Margaret Thatcher in 1979, the United Kingdom has been seen as the archetype of neoliberalism, notably in the reorganisation and privatisation of public services. Such reorganisation has had a hugely destabilising impact on trade unions. In 'Union renewal in the reregulation of local government in the United Kingdom: how the collapse of a county council led to the (re)assertion of union influence', Heather Connolly and Gerry Looker (2024) consider how the collapse of a local government (county council) that had prided itself on its embrace of privatisation and outsourcing provided the local union branch of UNISON with an opportunity to experiment in other than a reactive mode. This was achieved notably by a strategic local leadership able to take advantage of the opportunities to improve representation and create the conditions for better work. The union was thus able to reassert its influence and promote better work through a reharmonisation of previously fragmented working conditions, and, importantly, it began to shift back to the national determination of standards for work and employment. This is again a case of combining old and new, where the reversal of neoliberal policies has led to a reregulation of employment and working conditions. This was achieved by a reassertion of the role of collective bargaining through experimentation with local union structures and a proactive union leadership.

Neoliberal initiatives originating from central government in Westminster (London) are not necessarily received with enthusiasm in other parts of the United Kingdom. This is notably the case in Wales and its regional government. In 'Building bridges: forming a union coalition to improve working conditions for agricultural workers in Wales', Leon Gooberman and Marco Hauptmeier (2024) explore the creation of a new regulatory body in Wales, the Agricultural Advisory Panel, whose mandate is to determine minimum wages and other working conditions for all agricultural workers in that territory. This new institution was the result of experimentation by the union UNITE which, in a context of declining union power, engaged in coalitional work with subnational/regional state actors to frame solutions and create a new regional institution to improve the working conditions of agricultural workers. The case is unique because, through its subnational coalitional work with other actors in Wales, UNITE took advantage of an opportunity to diverge from the prevailing neoliberalism in other parts of the United Kingdom and to frame and mobilise other actors in favour of the creation of a collective, industry-specific body to regulate wages and working conditions for all agricultural workers, unionised or not, in Wales.

These three cases all illustrate how unions were able to contend with the neoliberal policy agenda and experiment with their repertoires to reverse neoliberal policies. In so doing, they reasserted union strength and influence. Of particular note is how they were able to mobilise their members around a narrative founded on collective mechanisms to contest legal reforms (Benin), reintroduce the unifying and regulatory role of collective bargaining (England) and develop new, industry-specific regulatory mechanisms for agricultural workers (Wales). In all three cases, the unions involved emerged strengthened from these typically uncertain experiments and, in so doing, were able to promote the centrality of workers' organisations in resolving labour market problems and issues raised by the neoliberal turn.

3. Dealing with the fissured gig economy

The 'gig' economy, with its predominant model of purportedly self-employed gig workers, breaks markedly with traditional forms of standard employment and raises huge challenges for collective organisation and for existing forms of union organisation. Predominant models of worker representation seem ill suited to deal with these new work configurations. This technological and organisational disruption has nonetheless prompted significant efforts to experiment with new organisational and organising models. The next three cases – in Canada, Belgium and Australia – aptly illustrate such experimental efforts.

In 'Return to sender – how a Canadian postal union renewed its strategic repertoire to reach out to platform workers', Raoul Gebert (2024) focuses on how the Canadian Union of Postal Workers (CUPW) experimented with its strategic repertoire to win a first ever unionisation vote at a major multinational food delivery platform in Canada (Foodora). This entailed leveraging its stable membership base to experiment with creative organising tactics through a local community union and an overarching litigation and communications strategy that innovated while drawing on both the union's resources and its tradition of reaching out to other types of workers. Once again, this hybrid experimentation involved both older and newer repertoires, combining classic forms of unionism with new community union narratives to connect with new collective identities. While such experimentation requires significant resources, the cost of not engaging in such experimentation, Gebert argues, is likely to be much higher.

In 'When "micro-syndicalism" meets "macro-syndicalism": emergent and deliberative experimentation enriching union strategies towards app-based food delivery couriers in Belgium', Kurt Vandaele (2024) also looks at experimentation for new forms of representation by app-based food delivery workers. This Belgian experiment entails what Vandaele labels 'micro-syndicalism' to support the organising and mobilisation efforts of gig workers in their collective resistance to the organisational model of food delivery platforms. These efforts at micro-syndicalism take place at the point of production or of service provision and are founded on a proximity to these gig workers' concerns and identities. These micro-syndicalist initiatives have been buttressed by more traditional strategies characteristic of macro-syndicalism, notably legal strategies, political advocacy and, of course, as in the previous Canadian case, the resources available to traditional union organisations. This case offers a genuine laboratory for experimentation by Belgian unions, with the meeting of two types of organising giving rise to a unique fusion for union renewal. In particular, a new organisational form has emerged for the representation of gig workers, the United Freelancers, and meets some of the requirements of platform-like union structures more readily adapted to platform work. Moreover, it is both a democratic expression of the wishes of freelance gig workers and a challenge to bogus self-employment. While it remains a form of organisational experimentation in search of more enduring institutional solutions, it points the way to new forms of collective capacity for this otherwise unrepresented workforce.

In 'Regulating and organizing "gig workers" since the 1970s: the case of owner-drivers in New South Wales, Australia', David Peetz and Jack Boutros (2024) recount how,

in a context of declining union density, the New South Wales Branch of the Transport Workers Union of Australia (TWU) organised and mobilised owner-drivers of heavy vehicles, such as lorries or trucks, to protect and promote these drivers' pay and working conditions, notably safety. This union branch was able to do so by experimenting with and repurposing much older legislative and regulatory tools, dating from the 1970s, which were designed to prevent a race to the bottom on the basis of deteriorating wages and conditions of employment in the trucking industry. The paradox of this experiment concerns how these older regulatory mechanisms were repurposed to respond to the emergence of the gig economy. Moreover, a key insight, again similar to the two preceding cases, was sensitivity to the prevailing entrepreneurial identity of these workers, namely that they do not wish to be considered employees but rather entrepreneurs, who nonetheless identify multiple concerns about their safety, working conditions and contractual arrangements. The Transport Workers Union of Australia has subsequently sought to adapt this model to other contract and gig workers. While there are multiple challenges to regulating working conditions for workers who are not employees in the classic sense, clearly a number of cross-cutting concerns, such as safety and sectoral standards, have emerged from these efforts.

These three cases provide good illustrations of organisational experimentation in search of institutional experimentation. The technological companies behind platform work have proved adept at limiting and impeding institutional reforms, so worker organisations have tended to concentrate on experimenting with new organisational forms for collective representation. While there are few examples of top-down institutional reforms that provide a ready-made solution to the challenges of gig work for unions, there are clearly multiple experiments in bottom-up organising, yielding new organisational forms. These experiments offer both a pathway to the future and many lessons about the adaptation of union structures and strategies. Particularly important is the need to take account of gig worker identities in developing collective union-based solutions to the problems associated with their work.

4. Freedom of association in global value chains: from South to North and back again

Unions in the Global South often face huge obstacles in exercising the most basic trade union rights and freedoms. Not only must they deal with the disparities of power along global value chains, in which multinational companies are dominant, but they also face local states inclined to limit the most basic forms of worker rights. Where, typically, unions are confined to their local territories, the workers they represent must deal with the ability of global firms to shift production and to engage in coercive comparisons in so-called bargains to maintain jobs in one locality rather than another. Moreover, few states seem to promote a robust understanding of the role of trade unions and social dialogue in protecting and advancing working conditions in these contexts. Such cases illustrate the problem of information and voice beyond local and national boundaries and the challenge of finding effective mechanisms at the multiple levels required to tackle working conditions along global value or supply chains. The next three cases illustrate how unions in emerging economies of the Global South (Sri Lanka, India,

Mexico) have experimented with South-North-South solidarities to enhance their representativeness and bargaining power.

In 'Worker power in the Sri Lankan tea sector: how trade unions have shifted scale from the national to the global (and back again) in their pursuit of better work', Huw Thomas (2024) explores the case of tea plantation workers in Sri Lanka, with a focus on how the unions in this sector have been able to experiment with and mobilise their different sources of power, and shift the scale of their actions from national to international level and back again in this highly internationalised tea production value chain. To secure improvements in living conditions, housing, education and dignity at work, classic forms of associational power at the local level were essential, as were alliances with political parties in Sri Lanka. But the international dimension was also essential, in terms of international union alliances with other tea producers and recourse to ILO mechanisms to put pressure on national institutional arrangements. This case illustrates how Sri Lanka unions experimented with multiple strategic levers in increasingly internationalised industries to defend and advance working conditions in their home country.

In 'The quest for cleaner clothes… using more systematic data collection to promote worker organizing and advocacy in the international garment sector', the international team led by Jean Jenkins, Helen Blakely, Rhys Davies and Kate Huxley (2024) highlights the obstacles grassroots worker organisations in emerging economies must overcome to translate the lofty objectives of freedom of association in the international realm into tangible action on the ground. They focus on the role of data collection, analysis and mobilisation in improving union capacity in organising and advocacy at the grassroots and internationally. Faced with typically weak state enforcement of labour standards and with increasing recourse to voluntary 'soft' regulation of worker rights in international supply chains, this experiment took the form of an international research partnership for gathering and analysing data on violations of worker rights. The more systematic use of data improved the ability for local and international actors to connect in highlighting worker grievances and improving often dire working conditions. It also illustrates the hostile environment for freedom of association and collective bargaining in a context of rampant labour rights violations. The more systematic documentation of such violations also facilitates international NGO campaigning, such as that of the Clean Clothes Campaign in the Global North, on behalf of union rights and working conditions in emerging economies, such as India.

In 'Promoting independent, democratic trade unionism in Mexico: how the CALIS project leverages a continental trade agreement and Canada-Mexico trade union solidarity', the international team of Mohamad Alsadi, Hector de la Cueva, Angelo DiCaro, Lana Payne, Luci Bueno Rodriguez and Fred Wilson (2024) documents a unique cross-border organising initiative in the wake of the 2020 revamped North American Free Trade Agreement (NAFTA 2.0). The original NAFTA 1.0 had very weak mechanisms to protect labour rights. One important reproach concerned the ability of multinational companies to locate production in Mexico where they could sign agreements with unrepresentative labour organisations (yellow contracts), often unbeknownst to the workers concerned. The 2020 NAFTA 2.0 agreement included a specific and more demanding chapter on

labour, as well as commitments by the Mexican, US and Canadian governments to provide financial and technical assistance for the enforcement of labour rights. This opening led to an experiment known as CALIS (Centro de Apoyo a la Libertad Sindical or Center for the Support of Trade Union Freedom). With the support of the Canadian Government and the active organisational involvement of the Canadian union Unifor, this led to the creation in Mexico of a national centre (CALIS) and a network of regional worker action centres to support the representation of Mexican workers by independent unions. While this experiment is still in its infancy, it has resulted in some significant organising victories for independent unions supported by these centres. It offers an example of cross-border, public-private support for freedom of association. In international terms, such an initiative directly in support of freedom of association in the context of a free trade agreement represents an important experiment from which many lessons can be drawn.

Traditional union organisations in emerging economies face a dual challenge: how to deal with the asymmetries and disparities of power in the global supply chains of which their work is an integral part, and how to deal with the many restrictions on freedom of association and collective bargaining in their home countries? In Sri Lankan tea production, Indian garment production and Mexican manufacturing – all fully integrated into international supply chains – the unions faced basic problems of disparities of power and legal and political limits on their capacity to act. Each of these cases involved experimentation to reinforce their local capacity but also drew on solidarities and mechanisms from the Global North through NGO campaigns (India), international union alliances and ILO mechanisms (Sri Lanka), as well as new solidarity initiatives with unions in Canada in the context of the revamped provisions of the North American Free Trade Agreement (Mexico).

5. Expanding the union agenda

The repertoires of collective union action are profoundly ingrained, rooted as they are in union practice and internalised by successive generations of trade unionists. However, disruptions can raise doubts about their efficacy, and the protection and improvement of working conditions can be decoupled from the classic mechanisms of union actions, such as collective bargaining. Experimentation for union renewal has increasingly focused on expanding the union agenda to embrace other aspects of working lives, as well as of lives beyond work. The next three cases concern efforts to expand the union agenda to broader concerns, such as climate change, social value in the procurement of public services and mental health and well-being at work. Such experiments reflect new strategies to build collective union power by connecting with the concerns of union members and of society as a whole and ensuring a better alignment of these concerns.

The climate crisis is no doubt the existential dilemma of our era. Failure to tackle carbon emissions points to catastrophic futures, but the job security of union members, particularly those dependent on fossil fuels, can be perceived as a threat and makes many union leaders uneasy when it comes to tackling this issue. In ‘Climate jobs New York: a labour-led climate coalition’, John Peters (2024) focuses on the climate crisis

and a union-led response – the 'Climate Jobs New York' coalition – to develop good union jobs as a response to climate change. This is a tangible example of a union drawing on a university partnership (with the Worker Institute at Cornell University) to develop a multi-faceted coalition around labour responses to climate change. These initiatives were both inward-facing, bringing members on board for a climate agenda, and outward-facing, securing public investment in green energy projects, training people to work on these projects and maintaining a commitment to labour standards in them. Peters explores how this initiative has reversed the negative narrative about the impacts of climate change on unionised private sector workers. Moreover, it is an experiment with real potential for scaling-up, as it has been emulated in numerous other states and cities across the United States.

Faced with the continuing fragmentation and marketisation of public services and long-standing challenges to – often unsuccessful – organising and bargaining for outsourced workers (as well illustrated by the other case involving the same large public sector union in the United Kingdom [see Connolly and Looker 2024]), the next case features experimentation with a new type of social campaigning to deal with the neoliberal turn. In 'Social value procurement and labour standards in the United Kingdom: the UNISON "ethical care" campaign for outsourced public services', Mat Johnson (2024) documents the development of a campaign centred on the idea of an Ethical Care Charter to regulate procurement and ensure better standards of care to obtain decent working conditions for outsourced workers in care services. This was developed with the support of an employer body and leading figures in the Labour Party. Moving from a position of outright opposition to outsourcing, the pragmatic focus of this experiment is on making tools available to local governments and union locals to focus on standards of care and better work in tendering processes and to improve visibility and organising in this sector. It is especially meaningful for the workers involved because it makes an obvious connection: between the finality of their work, namely the quality of care they offer to those in need, and decent working conditions through the regulation of better work, as inscribed in calls for tendering of such service work.

The Covid-19 pandemic exacerbated existing pressures on care work in the public services. In particular, mental health at work – for example, burnout – became a key concern among workers, most often women, subject to acute pressures in their workplaces because of both the nature of their work and continuing cutbacks to the services they provide. In 'Mainstreaming workplace mental health in the union repertoire: a unique union campaign by the Ontario Public Service Employees' Union (OPSEU)', Robert Hickey (2024) explores how workers in the community and social service sectors in Ontario, represented by the Ontario Public Service Union (OPSEU), faced severe pressures on their well-being at work. This case charts how this union revamped its approach to the identification and elimination of psychological health and safety hazards at work – an aspect of health and safety until then largely neglected – and developed a toolkit for dealing with these issues. In so doing, it generated new forms of activism by making mental health a collective rather than an individual issue, put a more comprehensive understanding of better work at the forefront of its agenda, and connected with larger debates about workplace well-being and the importance of the work performed by care workers.

In each of these cases, the enlargement of the union agenda to embrace climate change, ethical care and mental health offers new areas of union intervention beyond traditional collective bargaining concerns, strongly connects with member concerns, and illustrates how worries about work are part of larger societal debates about well-being and the future. In this respect, experimentation around the union agenda and repertoires breaks with past practice and generates both new forms of activism and an emphasis on the role of unions in society.

6. Innovations in union repertoires and methods

Changes in the union agenda also highlight the need to innovate in union collective action repertoires and methods. Once again, as in the case of enlarging the union agenda, experimentation with new ways of doing things and new forms of organisation challenge traditional routines and open up new possibilities of collective action. The next three cases focus on experimental forms of mobilisation, the role of peer support in tackling psychological well-being and, just as importantly, the role of internal democracy in reinforcing union capacity.

In 'The "Fight for 15" movement: an experimental mobilisation at the crossroads of the "old" labour and "new" social movements', Vincent Pasquier (2024) explores how the Service Employees International Union (SEIU) in the United States experimented with new forms of labour mobilisation through the development of its 'Fight for 15 movement'. This campaign aimed to increase the minimum wage of often precarious workers in fast food, security and homecare to 15 dollars an hour. Drawing inspiration and organising techniques from new social movements, such as #Occupy Wall Street, #Blacklivesmatter and #Metoo, 'Fight for 15' emphasised horizontally led, often spontaneous performative actions designed to raise the visibility of the plight of the low-paid and the need to address this issue through an increased minimum wage. In what Pasquier labels a 'stunning success', this experiment, notably propelled by the resources and organisational capacities of the traditional labour movement, has heralded new forms of mass mobilisation centred on the defence and promotion of the working conditions of the unorganised workforce. Many would see this as a prelude to the current upsurge in union organising in private and public services in the United States.

In 'The network of social delegates of the Fédération des travailleurs et des travailleuses du Québec (FTQ): peer support at the heart of a unionism of proximity', Mélanie Dufour-Poirier and Francine D'Ortun (2024) report on the implantation and evolution of networks of social delegates by the Fédération des travailleurs et travailleuses du Québec. This experiment involves the creation of a new type of activist focused on peer support for workers experiencing difficulties and psychological problems at work. In so doing, this experiment embodies a return to unionism's roots through 'a unionism of proximity' (in other words, a unionism embedded in workers' everyday concerns). In ways similar to the broadening of the union focus on mental health and well-being at work, as documented in the case presented by Hickey (2024) in Ontario public services, this focus on health at work in the network spawned by the FTQ in Quebec illustrates

both an enrichment of the union agenda and also a new type of union action through peer support. For Dufour-Poirier and D'Ortun (2024), this multiphase experiment in many ways embodies 'the ideals of solidarity, social affiliation, democracy, and social justice in the workplace', which, they argue, are ideals consistent with the origins of the labour movement itself.

A predominant view of workplace unions in China, for which there is much empirical support, is that they are a virtual extension of management, in which senior managers play a key role in determining and representing worker interests. Moreover, in such situations, workers might well either be indifferent to the fact that they are union members or feel that such representation, which is often indistinguishable from management, serves little purpose. In 'Reinforcing employee union identification in a Chinese workplace trade union: how greater union democracy makes a difference', Xiaoming Bao (2024) explores how a Chinese workplace trade union experiments with its own internal democracy to reinforce worker identification with their union. This is a huge issue for trade unions in China, where workers tend to manifest a weak identification with the union that ostensibly represents their interests. In this case, and in contrast to a number of other workplace unions in the same industrial zone, increased union democracy, through the election of local union officials and the creation and training of a network of workplace representatives, is a key factor in increasing union instrumentality and thereby workers' union identification. Such experimentation with the basic mechanics of workplace representation, which is just as important in workplace trade unionism in the rest of the world, is an important reminder of the role of union democracy as a core dimension of union renewal.

These three innovations – from the highly performative mobilisation of the 'Fight for 15 campaign' to increase minimum wages in the United States, to the innovative development of peer support mechanisms for mental health at work in a Quebec provincial union confederation, and to the salutary reminder of the beneficial effects on union performance and relevance through the development of elected workplace representatives in a Chinese enterprise union – underscore the importance of innovation in collective action repertoires and methods. Each of these experiments points to the possibility of scaling for further change, although the authors argue that they also present challenges for institutionalising these innovations and new routines in union practice.

7. New inclusion initiatives – new solidarities

One of the scenarios envisaged by Visser (2023) (see Introduction) is that of dualisation. This means that unions focus on existing membership and their concerns, irrespective of the growing gap between those members, who are most often in secure standard employment, and the growing proportion of the labour force that is excluded from such representation and whose concerns centre on their vulnerability to risk and lack of control, and the absence of mechanisms for collective self-expression – what Murray et al. (2023) define as 'worse work'. The next three cases focus on attempts to bridge the gap between such insiders and outsiders. Although these experiments take different

forms – young unemployed workers in Spain, multi-tiered working conditions and categories of members in the metal-working industry in Quebec, private service workers as opposed to manufacturing workers in the Southern Basque Country in Spain – they all represent an effort to overcome the fracture between existing union members and new categories of worker who increasingly embody the new labour market.

In 'Experimenting with dual vocational educating and training in Asturias, Spain: the role of regional social dialogue in an unfavourable climate', Maria C. González Menéndez and Aroa Tejero (2024) explore how unions in the Asturias region drew on traditions of tripartite social dialogue in their region to develop new institutional approaches (a dual vocational education and training scheme) to train unemployed young people and thus solve labour market shortages in their region's metalworking sector. This experiment was union-initiated, combining traditional methods of social dialogue to tackle a new problem (labour shortages in metalworking) while highlighting both the continuing importance of social dialogue in solving economic and social problems, such as youth unemployment, and the pivotal role of unions in both social dialogue and policy initiatives.

In 'Recentring equity at work: the Quebec steelworkers' fight to bring the outsiders "back in"', Mélanie Laroche and Patrice Jalette (2024) explore a case of experimentation in which a major union in the province of Quebec, the Steelworkers, seeks to 'bring the outsiders back in', namely to recentre equity among its members at the centre of the union's strategic agenda. Over previous decades and faced with employer demands for flexibility and cost-cutting, the increasing differentiation of wages and conditions for union members doing the same jobs was deeply corrosive of union solidarity. Moreover, new groups (agency workers, outsourced workers, student workers) were increasingly fragmented and fissured and thereby distanced from the institutional space of unions. This experiment illustrates how this union mobilised multiple strategic levers at different levels (bargaining, coalitions, politics, legal reform, judicial activism, education) to repair the fractures between insiders and outsiders. By emphasising the common and enduring objective of equality, it connected different generations of union members and potential union members. Moreover, initial experiments spawned yet further initiatives in seeking to bring yet other outsiders back into the union orbit.

For the ELA (Euskal Sindikatua), a Basque union confederation, the gap between a union membership centred on male workers in standard employment in manufacturing in the Southern Basque Country (Spain) and the burgeoning precarious and largely female and unrepresented workforce in private and public services constituted an existential dilemma and social blockage for union renewal. In 'Strategic disruption and the quest for permanent union renewal through continuous experimentation: the case of ELA, a Basque union confederation', Blandine Emilien, Adelheid Hege and Christian Dufour (2024) highlight the incremental experimentation pursued by this trade union confederation over three decades (since the 1990s). With the primary objective of reaching out to integrate new categories of worker, notably precarious and female, this union has experimented with a series of strategic breaks with its own structures and past practices, a process that might be described as 'permanent union renewal through continuous experimentation'. In so doing, this union has sought to cultivate a

culture of strategic transformation and permanent experimentation through processes of continuing work on its existing membership, multiple initiatives to reach out to new membership groups and self-reflexivity. It is an exemplary tale of union renewal through continuous experimentation.

These last three cases highlight the continuing challenges of connectedness and disconnectedness from unions as union organisations seek to cope with greater workforce and value heterogeneity and the challenges that, unmet, they pose to union legitimacy. In Spanish metalworking through social dialogue, in Quebec metalworking through multiple initiatives to promote the centrality of equality as a union value, and in the Southern Basque (Spanish) case of continuous experimentation to repair labour market fractures in their policies, structures and strategic repertoires, these cases highlight the importance of constructing rather than assuming commonality of purpose. They also underscore the possibility of using different opportunities to nurture internal dialogues and deliberation around union purpose and how to achieve that purpose. This, in turn, is potentially transformative in the understanding of those values.

We turn now to the exploration of these most informative cases of experimentation (Chapters 3–20), before seeking to draw key lessons from these processes of experimentation and their results (Chapter 21).

References

Adanhounme A.B. (2024) Challenging neoliberal labour law reforms with moral agency: the response of the Confédération Syndicale des Travailleurs du Bénin to a contested institutional change, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 57-65.

Alsadi M., de la Cueva H., DiCaro A., Payne L., Rodriguez L.B. and Wilson F. (2024) Promoting independent, democratic trade unionism in Mexico: how the CALIS project leverages a continental trade agreement and Canada-Mexico trade union solidarity, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 127-136.

Bao X. (2024) Reinforcing employee union identification in a Chinese workplace trade union: how greater union democracy makes a difference, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 181-187.

Connolly H. and Looker G. (2024) Union renewal in the reregulation of local government in the United Kingdom: how the collapse of a county council led to the (re)assertion of union influence, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 67-73.

Dufour-Poirier M. and D'Ortun F. (2024) The network of social delegates of the Fédération des Travailleurs et des Travailleuses du Québec: peer support at the heart of a unionism of proximity, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 173-179.

Emilien B., Hege A. and Dufour C. (2024) Strategic disruption and the quest for permanent union renewal through continuous experimentation: the case of ELA, a Basque union confederation, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 205-211.

Gebert R. (2024) Return to sender: how a Canadian postal union renewed its strategic repertoire to reach out to platform workers, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 85-91.

González Menéndez M.C. and Tejero A. (2024) Experimenting with Dual vocational education and training in Asturias, Spain: the role of regional social dialogue in an unfavourable climate, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 191-196.

Gooberman L. and Hauptmeier M. (2024) Building bridges: forming a union coalition to improve working conditions for agricultural workers in Wales, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 75-81.

Hall P.A. and Lamont M. (2013) Social resilience in the neoliberal era, Cambridge University Press.

Hickey R. (2024) Mainstreaming workplace mental health in the union repertoire: a unique union campaign by the Ontario Public Service Employees' Union, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 157-164.

Jenkins J., Blakely H., Davies R. and Huxley K. (2024) The quest for cleaner clothes… using more systematic data collection to promote worker organizing and advocacy in the international garment sector, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 119-126.

Johnson M. (2024) Social value procurement and labour standards in the United Kingdom: the UNISON 'ethical care' campaign for outsourced public services, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 149-155.

Laroche M. and Jalette P. (2024) Recentring equity at work: the Quebec steelworkers' fight to bring the outsiders 'back in', in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 197-204.

Laroche M. and Murray G. (2024) What does experimentation teach us about union renewal?, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 215-239.

Lévesque C. and Murray G. (2010) Understanding union power: resources and capabilities for renewing union capacity, Transfer, 16 (3), 333-350. https://doi.org/10.1177/1024258910373867

Murray G. (2017) Union renewal: what can we learn from three decades of research?, Transfer, 23 (1), 9-29. https://doi.org/10.1177/1024258916681723

Murray G. (2024) Experimentation and union renewal, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 17-38.

Murray G., Lévesque C., Morgan G. and Roby N. (2020) Disruption and re-regulation in work and employment: from organisational to institutional experimentation, Transfer, 26 (2), 135-156. https://doi.org/10.1177/1024258920919346

Murray G., Gesualdi-Fecteau D., Lévesque C. and Roby N. (2023) What makes work better or worse? An analytical framework, Transfer, 29 (3), 305-322. https://doi.org/10.1177/10242589231207967

Pasquier V. (2024) The 'Fight for 15' movement: an experimental mobilisation at the crossroads of the 'old' labour and 'new' social movements, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 167-172.

Peetz D. and Boutros J. (2024) Regulating and organizing 'gig workers' since the 1970s: the case of owner-drivers in New South Wales, Australia, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 101-108.

Peters J. (2024) Climate Jobs New York: a labour-led climate coalition, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 139-148.

Thomas H. (2024) Worker power in the Sri Lankan tea sector: how trade unions have shifted scale from the national to the global (and back again) in their pursuit of better work, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 111-117.

Vandaele K. (2024) When 'micro-syndicalism' meets 'macro-syndicalism': emergent and deliberative experimentation enriching union strategies towards app-based food delivery couriers in Belgium, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 93-100.

Visser J. (2023) Will they rise again? Four scenarios for the future of trade unions, Economic and Industrial Democracy. https://doi.org/10.1177/0143831X231178850

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Part 2

Contending with neoliberal states

Chapter 3
Challenging neoliberal labour law reforms with moral agency
The response of the Confédération syndicale des travailleurs du Bénin to a contested institutional change

Armel Brice Adanhounme

Introduction

This case illustrates how the Confédération syndicale des travailleurs du Bénin (Confederation of Benin Workers' Unions) (CSTB), the most representative trade union confederation in the country, has challenged the labour law reforms initiated by the Talon administration, following his election to the presidency in December 2016 under the so-called 'Programme d'action du gouvernement' (Government Action Programme). This neoliberal governance mechanism was aimed at implementing new disruptive public policies, via far-reaching privatisation of the economy and unprecedented institutional and legislative reforms. Against these reforms, which appear to be 'an inadmissible diktat in a democracy', the CSTB proposed to frame resistance in terms of its socio-historical Marxist repertoire of beliefs and norms. While instructing us about the conditions (and limits) under which normative and cognitive ideas shape institutional change, the CSTB case exemplifies the importance of trade union moral agency over state structural change in a typical sub-Saharan African context in which liberalism opposes democracy.

1. A brief overview of the case of experimentation

This case concerns how a union organisation developed a response to disruptive, neoliberal public policies in Benin. Drawing on its socio-historical Marxist repertoire of beliefs and norms, the CSTB sought to contest this institutional reform. This case illustrates the importance and legitimacy of trade union moral agency over an autocratic legal change in a typical sub-Saharan African context in which economic liberalism is opposed to industrial democracy. This case draws on four types of ideas (paradigms, public sentiments, programmes, and frames) to document how this union confederation has resisted neoliberal institutional change in the labour law regime in Benin.

2. The union and other actors involved in the case

The case involves three groups of actors: the CSTB as main protagonist, other trade union confederations that support, more or less, the reforms, and the Talon administration, which initiated them under the so-called 'Programme d'Action du gouvernement' (the Government's Action Programme) (PAG). These two groups of trade unions evidence the main difference as far as trade unions and government relationships are concerned in Benin: the CSTB, which vehemently opposes the reforms, and the

other six confederations, affiliated in what they call 'the charter of trade union unity', which defend what they characterise as progressive and developmental unionism. These affiliated confederations, whose collaboration and partnership with successive governments the CSTB has denounced since 1990, are: la Confédération des Syndicats Autonomes du Bénin (CSA) (created in 1991), la Confédération des organisations syndicales indépendantes du Bénin (COSI-Benin) (created in 1997), la Confédération générale des travailleurs du Bénin (CGTB) (created in 1993), l'Union nationale des syndicats des travailleurs du Bénin (UNSB) (re-created in 1994), and, to a lesser extent, la Centrale des syndicats unis du Bénin (CSUB) (created in 1999) and la Centrale des syndicats des secteurs privé et informel du Bénin (CSPIB) (created in 1999).

In its own words, 'the CSTB follows the footsteps of the Union générale des travailleurs d'Afrique noire, which stood against colonisation and mobilised workers in the fight for the decolonisation of Black Africa alongside the organisations of young revolutionaries and political organisations' (*La Voix des travailleurs du Bénin* 2020, 17: 3). Thus, in its public discourse the CSTB identifies itself as lying in the Pan-Africanist tradition of the liberation fight against the former colonial state and the current neocolonial and postcolonial state. At the Francophone West African level, the CSTB has developed partnership links with fellow anti-imperialistic confederations such as the CGTB in Burkina Faso, the CSA in Senegal, and the CGT in Côte d'Ivoire. While the CSTB is not affiliated to the Parti Communiste du Benin, its leaders acknowledge the influence of their Marxist ideas. CSTB leaders have opposed successive governments since the country's liberal turn in 1990. For CSTB leaders, only workers' interests matter; they are strongly committed to safeguarding and defending. Before 1990, the CSTB, created clandestinely eight years earlier, contributed to the fall of the Kérékou administration in 1989, in leading mass resistance. Most of their leaders were jailed and others exiled. Thus their fundamental and historical position is to oppose neoliberal policies. Their Statutes stipulate that,

> 'Since its creation in April 1982, the CSTB has endeavoured to consistently defend, with an anti-imperialist and revolutionary line, against opportunist and reformist positions, the unionism of participation, collaboration or so-called development, the capitalist system and its various policies elaborated by the international financial institutions, in particular the World Bank and the International Monetary Fund.' (CSTB, Congress statutes of 25 June 2010)

3. The types of disruption and resulting uncertainty faced by the union

Following Patrice Talon's election to the presidency, his administration undertook a series of controversial neoliberal reforms called the Government's Action Programme (PAG) in December 2016. This neoliberal governance mechanism is a five-year structural plan aimed at developing the full economic potential of the country (http://revealingbenin.com). The PAG thus implemented new disruptive public policies via far-reaching privatisation of the economy and unprecedented institutional reforms. The Talon administration argued that after 26 years of democracy, poverty remained

a concern as 40.1% of the population were living below the poverty line and the human development indicator was estimated at 0.48, which ranks Benin 166th out of 188 in the world. At the outset, this structural change was hailed by the defendants of the charter of the trade union unity as the panacea that would bring the country out of underdevelopment. However, CSTB leaders observed very quickly that the PAG was aimed at codifying arbitrariness and dictatorship, the enrichment of a private clan and the impoverishment of workers.

In the realm of labour relations, the new legislative framework jeopardised constitutionally recognised rights such as the right to work, the right to strike, protection against unjustified or arbitrary dismissal, and the right to elect trade union leaders democratically. As far as labour relations are concerned, the PAG was implemented through a draconian reform of the labour laws, which opposed the economic liberalism the Talon administration preached to the industrial democracy the trade unions were defending. For instance, the labour law of 27 January 1998 was amended by the law of 29 August 2017, which laid down very flexible conditions for hiring, placement and termination. On 4 September 2018, another draconian law reduced the right to strike to a maximum of ten days per year for civil servants and private sector workers. Before these reforms, labour law authorised the conclusion of a fixed-term contract for a maximum of two years, renewable only once. The reform will allow unlimited renewal of fixed-term contracts. Some 84.1% of jobs became vulnerable because of these reforms. In September 2020, the administration issued a new restrictive law on trade union elections whereby workers elect their trade union representatives on the basis of five-year terms. This change in the electoral system also imposed an electronic vote in a country where the majority of workers do not have access to smartphones, computer and internet facilities. For the CSTB, which used to rank first in union elections, this change represents a stratagem to steal the elections from them. As a result of this structural change in trade union organising and labour law policies, the CSTB launched a campaign to denounce injustice.

4. The type of experimentation

Faced with these reforms, the CSTB proposed to frame resistance in terms of its socio-historical Marxist repertoire of beliefs and norms. The neoliberal reforms exacerbated injustice and poverty and violated workers' rights. The labour law reforms restricted strikes and favoured employers, who can now easily dismiss workers and prevail in their grievances against them. The CSTB union leaders criticised these reforms as ‘an inadmissible diktat in a democracy’ (Vidjingninou 2018) and called upon other confederations to join them in contesting what they regarded as autocratic and tyrannical. This is why the CSTB rediscovered its Marxists roots to fight against the PAG’s neoliberal reforms, first by self-identifying its unionism as revolutionary in the sense that it is typically opposed to liberalism and then by calling the ‘people of workers’ to join them in gaining legitimacy against the state’s arbitrary treatment of the law.

The CSTB leadership defines its unionism as ‘revolutionary’ and does not believe in the political neutrality other confederations advocate to justify their support of the

PAG reforms. Furthermore, the CSTB leadership suspects other trade unions, which preach collaboration with employers in either the public or private sectors in a context in which they exploit and abuse workers, of being the puppets of the political and managerial authorities. According to the CSTB, these trade unions are defending the neoliberal economic policies imposed by foreign powers and implemented by the Talon administration, either by openly supporting them or by keeping quiet. According to them, political neutrality in the fight for social change is tantamount to supporting the powers-that-be against the workers. They argue that those who collaborate with the Talon administration are following the 'colonial pact' of subjugation and exploitation, the very opposite of what a trade union should do. This first form of union identity whereby the CSTB emphasised their Marxist roots to fight neoliberal reforms is the paradigm the leaders adopted to experiment with legitimate change.

The second paradigm comprises the CSTB's efforts to establish their legitimacy by reflecting public sentiments, as the CSTB seeks to contest the legality of the PAG. This approach is what distinguishes the CSTB and its commitment to change from the confederations of 'the charter of trade union unity', which prefer to uphold the legality of the PAG against the workers' resentment of it. According to its leaders, the bulk of the Beninese people adhere to the CSTB vision of revolutionary unionism, which they share and believe in. Many workers and even members of rival confederations acknowledge the CSTB's moral legitimacy in terms of democratic support from the majority of workers. The workers have consistently voted for the CSTB list in the professional elections, ranking it first in the country. The last union election in 2021, following those of 2001 and 2006, gave credence to the CSTB's pre-eminence as the most representative trade union confederation in Benin. Even if they are not all affiliated to the CSTB, many workers recognise themselves in it, as it portrays the values of integrity and equity. It is commonly admitted in Benin that workers' collective interests are safeguarded more by the CSTB than by any other confederation, because the CSTB leaders see themselves as part of the workers they never betrayed, and not as corrupt bureaucrats.

5. The process of experimentation

The process of the revolutionary change initiated by the CSTB following the PAG reforms in December 2016 needs to be situated in the larger context of the structural adjustment programmes imposed by the Bretton Woods institutions on sub-Saharan African economies since the 1980s. The economic privatisation and political liberalisation (plurality of political parties and proliferation of trade union confederations) imposed in the 1990s subjected African trade unions to a 'dynamics [which] have profoundly affected their field of action, their repertoire of protest, even the content of their demands – in short, their way of practicing trade unionism' (Rubbers and Roy 2015: 11). The processes of employment casualisation have forced the unions to choose between a strategy of opposition or participation in neoliberal reforms. The majority of unions, who choose to collaborate with liberal governments in the context of national and social dialogue, have been weakened and have seen their legitimacy contested by their membership. The few who have tried to oppose neoliberal change, such as the CSTB, have often failed to satisfy their members' interests in terms of socio-

economic protections. In Benin, Lavigne Delville and Saïah (2015) give the example of the failure of the advocacy strategy, centred on media coverage and denunciation, adopted by Synergie paysanne (Synpa), a farmers' trade union, which sought in vain to modify articles of a draft code favourable to foreign owners and investors. The CSTB is the only confederation that has opposed the reforms vigorously, first by rejecting the collective trade union call to participate in social dialogue, and second, by designing its own programmes to denounce injustices based on its Marxist repertoire of protest.

Before opposing the PAG, the first step was to criticise a trade unionism focused on participation. Following implementation of the PAG, which the other trade union confederations largely supported in the Conseil national du dialogue social (CNDS), the CSTB leadership criticised what they called the 'dialogism' of the confederations of the charter within the framework of 'social dialogue'. Consistent with the PAG reforms, this new structure aimed at facilitating social dialogue nationwide, before it was dismantled last year, after its first mandate, mainly for financial reasons. According to the CSTB, which has opposed this structure from the beginning, the CNDS was established to favour the administration and not to serve the workers, whom it has weakened. The question is how to negotiate in a context of 'collective distraction' or a 'simulacrum of negotiation'. While the CSTB leadership acknowledges the importance of trade union negotiation, they argue that, when the rules are set against workers' interests, they have to engage in communications outside the legal setting of the CNDS. The point is to have a favourable balance of power before initiating any dialogue with the employers and the Talon administration. The CNDS's failure to meet workers' demands has prompted the CSTB to frame the trade unions' struggle elsewhere, in direct communications with the workers and the citizens, bypassing centralised and ineffective structures. CSTB communications are channelled through frequent political statements, breaking news and mass meetings, as well as in an information bulletin called *La voix des travailleurs du Bénin*, which appears twice a month. According to one leader, the CSTB motto is 'to defend those who cannot speak for themselves and demand their rights in the face of violations'. To defend integrity and probity, the CSTB anchors its fight in evidence-based truth, no matter what the cost to its leaders. The CSTB is thus the only organisation that enables the victims of the reforms to express their frustrations and discontent.

To give credence to their campaign to denounce injustices, the CSTB initiated actions, continuing the freedom fighting of the 1990s. After five years of reforms, many workers felt unjustly treated in a country in which poverty had increased. This deterioration of the situation motivated their commitment to fight for justice in their own 'revolutionary' way. Taking the example of the mass protests in late February 2022, while at a common rally endorsed by the Talon administration the other confederations addressed the hunger afflicting the people of Benin, the CSTB went further, spelling out that the root of workers' poverty was the system of injustice stemming from the reforms. During their mass mobilisation meetings, which the Talon administration did not approve of, the CSTB denounced the many forms of injustice the reforms had imposed on the workers. Among the placards displayed at the 25 February marches, one said 'The workers protest against the destruction of state companies (SONACOP, SONAPRA, Benin Telecom, Libercom, COTEB, etc.), and those under proxy management (SBEE, Port Autonone de Cotonou, etc.)'. This is why the CSTB demanded the restitution of state companies

destroyed or under proxy private management and the rehiring of dismissed workers. As the majority of its members come from the public sector, notably education and health care, the demands of these two groups have been proclaimed particularly loudly. They also protested for the reinstatement of 305 arbitrarily dismissed teachers, and the reinstatement of workers who had been arbitrarily expelled, cuts in teachers' salaries, the failure to maintain real wages, overcrowding in classrooms, and so on.

At a general social level, the CSTB also called on the workers to protest against the high cost of living and the imposition of Covid-19 vaccination passes for workers, but also to demand improvements in their living and working conditions. They also want a 100% salary increase. As for private sector workers (for example, hotels and restaurants), who are the most vulnerable, the protest was against the privatisation of their rights, the non-payment of overtime and low wages, among other things. With regard to union rights, they denounced the violation of their freedom and demanded the liberation of politically detained trade union officials. They also recalled and advocated for their political and international agenda: 'The workers say no to the landing in Benin of the Barhkane and Takuba contingents vomited by Mali and demand the departure of the French troops from the territory'. Workers evoked their collective historical memory as descendants from kings such as Bio-Guera, Kaka and Behanzin, who fought colonialism and forced labour, to protest the alleged establishment of French military bases in the North of the country caught up in terrorist conflicts.

To sum up, these examples of the motives of contestation echo the CSTB's fight for political freedom since 1990, when the country opted for a liberal economic programme. Since then, the CSTB has kept on denouncing corruption and mismanagement. In their strategy of denunciation, the CSTB leaders have succeeded in building coalitions and unifying all the dissatisfied. One leader gave the example of the 1 May celebration (Workers' Day), which is not a day of celebration, according to him, but an annual opportunity to take stock of the workers' situation in the country in terms of improvements in rights. This is why workers should be in the streets celebrating.

6. The effects of the experimentation

In a situation in which they keep denouncing injustices and mobilising workers, it is too early to assess the effects of the CSTB's criticisms and opposition to the PAG on workers and trade unionism in terms of practical changes in labour policies. However, the campaign the CSTB leaders are engaged in to contest, through their moral agency, the institutional changes is promising as far as the future of work in the country is concerned. In a dire political context in which strikes and protests are limited and almost prohibited, opposition parties and associative groups intimidated, and workers outraged, the very fact that the CSTB leaders stand up and dare to say 'no' offers a possibility of an alternative. People believe that change is still possible while the CSTB continues union experimentation in line with workers' aspirations to dignity and justice. For example, following what the Beninese people regard as a historic intervention by the CSTB leadership on 8 June 2022, at the plenary of the 110th International Conference of Labour in Geneva, the delegation led by the CSTB was triumphantly welcomed in

Cotonou on 13 June by a very large crowd of citizens calling for justice and freedom. In his address to the entire international community, the CSTB spokesperson strongly criticised, as he often does at mass meetings in Benin, the PAG's restrictions on union's rights and called for international condemnation of the Talon administration. This was an international appeal concerning what the CSTB calls an autocratic and tyrannical dictatorship.

However, the CSTB leaders are open to a constructive dialogue with the Talon administration, as long as they are willing to do so for the benefit of the workers, whose voices must be heard. They claim they are not jingoistic. One leader gave the example of a strategic negotiation the CSTB undertook with an employer in the cotton industry, in which they advocated for transformation, not only of production in Benin but elsewhere as well. Other successful practical examples of changes following the CSTB public denunciations include an end to the violence on workers perpetrated by foreign company managers, notably from India and China who practise corporal punishment of workers, as during colonial times and under forced labour. Sometimes, CSTB leaders call upon the labour inspectorate to make these violations known and to punish them. As they are the most trusted trade union confederation in the country, employers are forced to listen to them.

7. Conclusion

In the debate over institutional change and opposition to such change in authoritarian regimes, there is a tendency to downplay the importance of moral agency relative to the impact of structure. In the case of the Talon administration's neoliberal labour law reforms in Benin, the CSTB drew on its existing repertoire of Marxist-based assumptions to oppose such change and propose an alternative based on its core ideas. By rejecting the clientelist 'favours' other trade union confederations enjoy, the CSTB instead relied on the strength of mass mobilisation and its own moral legitimacy. This opposition to a disruptive legal reform is, in fact, common to many trade union confederations under state autocratic tutelage. In contrast to the acceptance of neoliberal labour law reforms typical of the majority of union confederations, the CSTB favoured a moral and popular legitimacy by experimenting with resistance. The CSTB's opposition to the Benin government's neoliberal reforms offers an interesting case study of how moral agency can resist imposed structural change, from both a normative and a cognitive perspective.

What can we learn from this case as regards union renewal in postcolonial autocratic societies, and for trade unions elsewhere facing unjust neoliberal labour law reforms? While instructing us about the conditions and limits under which normative and cognitive ideas may reshape contested institutional change, the CSTB case illustrates the importance of legitimate trade union moral agency over an autocratic legal change in a typical sub-Saharan African context in which economic liberalism opposes industrial democracy. In light of the CSTB's moral agency in response to the PAG's economic liberal reforms and drawing on Campbell's (2004) distinction between how

cognitive and normative ideas affect institutional change, this case suggests four main implications for union renewal.

First, a paradigmatic shift is needed if trade unions want to contest institutions that are more than likely responsible for their misfortunes and problems. Co-optation to neoliberal economic policies is unlikely to help trade unions in advancing workers' rights and protections and the cause of social dialogue and industrial democracy.

Second, where state legal reforms run counter to popular legitimacy, citizens can still make a big difference. This is an important message of hope. In Benin, public sentiments, as manifested through the workers' massive adhesion to the CSTB's call for resistance, strengthened collectively shared expectations.

Third, new programmes of trade union activism can be anchored in protests and demands for freedom. In denouncing injustices, the CSTB leadership offered new avenues for the resolution of problems outside the legal framework of neoliberal reforms.

Fourth, alternative frames exist outside prevailing legal and formal discourse. In contrast to the emphasis on 'dialogism' characteristic of social dialogue, in which trade unions often appear trapped, innovative means of communication can help progressive trade unions to voice the concerns of the voiceless.

Overall, the main lesson to be drawn from this CSTB case of experimentation is that to challenge coercive institutional change, moral agency still matters when structural reforms are opposed to workers' rights to freedom and justice.

Case initiators and authors

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References

CSTB publications include: La Voix des travailleurs du Bénin (VTB), CSTB's newsletter, and La Flamme, the newspaper of the Communist Party of Bénin.

Comité Culturel pour la Démocratie au Bénin (2014) Confédération syndicale des travailleurs du Bénin (CSTB). https://www.ccdb-benin.org/informations-cstb

Communist Party of Bénin (2023) Confédération syndicale des travailleurs du Bénin (CSTB). https://www.la-flamme.org/index.php/la-democratie-revolutionnaire/27-la-cstb

Campbell J.L. (2004) Institutional change and globalization, Princeton University Press.

Lavigne Delville P. and Saïah C. (2015) Fonder sa légitimité par le plaidoyer? Synergie paysanne et lutte contre les accaparements fonciers au Bénin, Revue Tiers Monde, 224 (4), 103-122. https://doi.org/10.3917/rtm.224.0103

Rubbers B. and Roy A. (2015) Entre opposition et participation, les syndicats face aux réformes en Afrique, Revue Tiers Monde, 224 (4), 9-24. https://doi.org/10.3917/rtm.224.0009

Vidjingninou F. (2018) Bénin : bras de fer général après le retrait du droit de grève à certains secteurs, Jeune Afrique, 05.01.2018. https://www.jeuneafrique.com/507739/societe/benin-bras-de-fer-general-apres-le-retrait-du-droit-de-greve-a-certains-secteurs/

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Chapter 4
Union renewal in the reregulation of local government in the United Kingdom

How the collapse of a county council led to the (re)assertion of union influence

Heather Connolly and Gerry Looker

Introduction

In this case study, we consider how the financial collapse of a county council (hereafter: the County Council) – a tier of local government responsible for providing public services – in the United Kingdom provided an opportunity for the (re)assertion of trade union bargaining influence. Countries adopting neoliberal approaches to public service provision, privatisation and outsourcing weaken worker representation and trade union organisation through the fragmentation of workers among various employers. The County Council in this study, which was governed by the UK Conservative Party, consistently avoided raising taxes and was therefore ill prepared to deal with the central government's austerity policies in the wake of the 2008 economic crisis. Taking UK neoliberal policy to a new extreme, the County Council outsourced the majority of its employees. The insolvency of the Council two years later led to a policy reversal, bringing employees and services back under public control. In the restructuring process, we observed a reassertion of the union's role and the crucial involvement of the full-time union officer in the transition process. The case shows how the failure of the neoliberal project provided an opportunity for rebuilding and renewing local union structures and servicing. This involved experimentation with a strategy to improve working conditions through negotiating a 'positive harmonisation' of pay and conditions, an end to local pay bargaining, and a return to national collective bargaining.

1. A brief overview of the case of experimentation

In this case study, we consider how the financial collapse of a County Council – a tier of local government responsible for providing public services – in the United Kingdom provided an opportunity for the (re)assertion of trade union bargaining influence. The case shows how union strategy in response to disruptions in employment relations affected union organisation, democracy and, more broadly, the potential for union renewal. The case also demonstrates the potential for 'better work' through the improvement of working conditions. The case needs to be understood as it evolved over time and we identity four different phases in the disruption and reorganisation of employment relations and the union responses to the local government's reconfiguration of public services in Table 1.

Phases I and II (see Table 1) show the trigger for the restructuring and the timing of the outsourcing of public services. Phases III and IV saw a reversal of this policy with a further reconfiguration of local government structures, bringing services back in-house. Each phase required an adjustment in union structures, strategies and services. Phases III and IV of the disruption created opportunities for improving working conditions through a 'positive harmonisation' of pay and conditions, reversing the previous outsourcing of services, and returning to national collective bargaining arrangements. The role of the union's full-time union officer (known as its Regional Organiser) was pivotal in setting the agenda and adopting a more traditional, 'hands-on' servicing approach to member support (see Looker 2019). Whereas the union became quite marginal in the governance of employment relations during Phases I and II, Phases III and IV saw a reassertion of its influence. This led to significant changes in a range of industrial relations and human resource policies, such as job evaluation, pay bargaining and the management of sick leave. A key factor in the success of the union response was the full-time union official's knowledge advantage with regard to terms, conditions and procedures across different employers in ongoing negotiations and consultation meetings with employers and in the merger of local union branches.

Table 1 **Disruption and reorganisation in four phases**

Phase I	Phase II	Phase III	Phase IV
August 2013 inspection declared council had lost control of its budget.	2015–2016 outsourcing and transfer of majority of services and personnel into standalone, private Community Interest Companies (CICs).	September/October 2017 chief executive resigns; review signalling financial difficulties for the Council.	December 2020–March 2021 union negotiations with employers on terms and conditions in new structures.
December 2013 'Council plan 2014' agreed move to outsource core council services.	December 2015–June 2017 full-time officer involvement in local branch leads union branch to respond to outsourcing and representation issues.	'Best Values' report March 2018 – recommended merging councils into 'two unitary authorities' by May 2020.	April 2021 creation of new employer structures, including bringing services back into the public sector.
Lack of response of local union to outsourcing plans and press reports of local union support for outsourcing.	Renewal of branch leadership and democracy (see Connolly 2020).	Merging of councils and negotiations with union delayed by 1) Brexit and 2) Covid-19 crisis.	Merging of union branches from 10 branches to 2.

Source: authors.

2. The union and other actors involved in the case

The reorganisation in Phase IV involved the abolition of a County Council (approximately 10,000 employees) and the absorption of seven smaller District and Borough Councils into three newly constituted local authorities. This case study focuses on the responses of the largest UK public service union, UNISON. The County Council branch had more than 5,000 union members and the seven District and Borough branches had memberships varying between 100 and 300. In Phase II, the outsourcing of local government services

triggered a process that led to a renewal of union leadership and democracy within the County Council union branch. The union leadership adopted a more confrontational approach with management and focused on improving membership engagement and deliberative democracy. This meant that the County Council union branch and the full-time UNISON officers were at an advantage when faced with the subsequent disruption in Phase III and IV. The restructuring entailed significant organisational disruption for local union branches with a need to develop structures more relevant to the reconfiguration of public services.

3. The types of disruption and resulting uncertainty faced by the union

Over a relatively short period, the County Council union branch faced two major disruptions. In 2013, the County Council was deemed to have lost control of its finances. There followed a radical plan to reorganise remaining in-house services into four separate stand-alone organisations, called Community Interest Companies (CICs). After some internal disagreement, the unions opposed the CICs, given their failure to address central government austerity measures and the continuing freeze on council taxes (see Figure 1 above and Connolly 2020). This opposition was well founded, given the subsequent County Council bankruptcy. In contrast with earlier neoliberal policies, the second disruption (Phase III) brought services back in-house, with a structure of two new unitary authorities and a separate Children's Services Organisation.

These disruptions presented significant challenges to existing union organisation in a context of extreme financial constraints. In Phase II, the County Council branch, which had developed around a single employer, was faced with fragmentation of representation, with an increase in the number of employers and changes to employment status.

In Phase IV, reflecting the new employer structure, two new branches replaced the existing ten. For the smaller branches, the loss of a workplace union community raised concerns over union democracy, representation at union conferences and availability of resources. The relationship between the sometimes different priorities of the previous branches represented a significant challenge in a County Council branch that had itself been the subject of democratic renewal (Connolly 2020).

The bankruptcy of the County Council, which was a legacy of Phases I and II, raised three types of uncertainty. First, while some public services remained in-house, others had been outsourced and trade union organisation and membership had become fragmented and weakened as a result. Second, the scope of collective bargaining coverage was uneven. The much larger County Council had opted out of national collective bargaining arrangements, but the smaller District and Borough branches remained within them. Third, the arrangements for the provision of services meant that the new unitary authorities created in Phase IV would have services delivered by both in-house and outsourced staff (for example, refuse workers). This raised both the threat of further privatisation and an opportunity to re-establish in-house services.

4. The type of experimentation

The first experimentation in Phases I and II involved a radical outsourcing of most public services, with the redeployment of employees to Community Interest Companies. Despite opposition within the union branch, the then UNISON Branch secretary acceded to this new structure in the hope that it would help to address financial problems and secure jobs. However, the creation of new outsourced layers of employees exacerbated internal challenges for union organisation. The subsequent Phase II union experimentation entailed important changes. The full-time officer facilitated a process that saw a change of local leadership and internal union culture, as well as, crucially, an oppositional position to the outsourcing process. Unable to prevent the establishment of the Community Interest Companies, the UNISON branch nevertheless took a constructive but critical approach to its dealings with the new organisations, which was crucial in light of the subsequent collapse of the Phase II disruption. This repositioning gave greater credibility to the UNISON branch and an ability to influence subsequent events.

Phase IV entailed a wholesale reversal of the outsourcing policy through the termination of the Community Interest Companies, the establishment of two new Unitary Authorities and the transfer back in-house of services outsourced over many years of rounds of privatisation. Rather than having the challenge of maintaining union membership and organisation in increasingly fragmented service delivery structures, the challenge for UNISON and the experimentation it had undertaken was then to try to use the new direction to bring employees back under collective bargaining coverage. This became an important priority but a real challenge, given that the majority of employees were now covered by local bargaining arrangements.

5. The process of experimentation

The disruption in Phases III and IV represented both a threat and an opportunity for the UNISON branch. The opportunity for the union was the desire of the new employers to avoid industrial strife as they had enough challenges to deal with. But there were many issues on the table and the challenge for the union was having the capacity to take its agenda forward.

Highlighting previous research on the role of full-time officials (see Looker 2019), the Regional Organiser was pivotal to the process of experimentation by the local union branches during the restructuring. The full-time officer adopted a traditional approach to organising by both supporting and managing sometimes conflicting internal interests and, crucially, helping to front up negotiations with the new employers. The Regional Organiser, working closely with branch officers, emphasised the importance of bringing collective bargaining back into national arrangements and extending the coverage.

6. The effects of the experimentation

The process of restructuring and (re)centralising local government and union structures in the Phase IV experimentation had multiple positive effects.

First, seizing the opportunity early in negotiations with one of the new Unitary employers, UNISON was successful in bringing former County Council employees back into national collective bargaining arrangements. Rather than strengthening local unions, local collective bargaining had led to the withering away of union membership and growth of the use of agency staff (particularly in the social work area) and more casualised work arrangements. The Regional Organiser played a key role in the negotiation process and in communicating with the County Council and the seven smaller branches before they were officially merged.

Second, UNISON also negotiated the end of outsourced services if such services could be provided in-house. These negotiating successes put pressure on the other employers to do likewise.

Third, this created opportunities for improving working conditions through a 'positive harmonisation' of pay and conditions, the harmonisation of terms and conditions, and the fusion of policies such as job evaluation, sickness absence and disciplinary procedures, different bargaining arrangements and contractual obligations. In essence, UNISON was able to set the negotiating agenda, particularly as there was a lack of knowledge and oversight of employee terms and conditions on the employer side.

Fourth, the previous marginal union influence was reversed, thus facilitating significant changes to key human resources policies, including job evaluation, pay bargaining and sickness absence management. In particular, the role of the Regional Organiser and their comparative knowledge advantage were critical in negotiations with employers and in the merger of union branches.

Challenges remain for this union branch, notably how to harmonise pay and conditions further and take advantage of the extension of collective bargaining with the recruitment of staff into the union when transferred back into public sector employment. However, its experimentation with its strategic repertoire and local structures has put it in a much stronger position.

7. Conclusion

In direct contrast to nearly 40 years of outsourcing public services, this case study shows a reversal of neoliberal policy and a process of reregulation of employment relations. A former County Council that had adopted neoliberal policies enthusiastically, fragmenting services and staff terms and conditions, and weakening trade unions in the process, bankrupted itself through a combination of reduced national funding and a failure to raise sufficient funding through local taxation. The form of reorganisation or experimentation involved the establishment of a new local government employer

structure which, if successful, could be a blueprint for a wider reorganisation of public services.

The case study demonstrates the importance of union leadership. In Phases I and II, with the move to further outsourcing of local government services, our research showed the importance of (politicised) leadership in the framing of the reconfiguration of public services as being detrimental to employees' terms and conditions. Phase IV demonstrates the key role of full-time officers in the negotiation of terms and conditions, and in supporting local branches through transitions.

There are four key takeaways from this case.

First, public service provision was subject to neoliberal ideology, using market-based solutions to provide local public services. Public services have at various times over the past 40 years been outsourced or privatised. Arguably this case study represents a unique example of neoliberal 'extremism' and a reversal in the direction of travel of public service provision.

Second, the reversal of neoliberal policies led to a process of reregulation as collective bargaining was extended to previously outsourced services. The aim was for all employees eventually to come back under national collective bargaining.

Third, the importance of local leadership, combined with the involvement of a proactive full-time officer enabled legitimate positioning on bargaining demands and the management of internal union challenges from branch reorganisation.

Finally, the case demonstrates the importance of union strategy and leadership that takes advantage of mutations in public services, mobilising the moral, political and legal levers available for improving representation and for creating the conditions for 'better work'.

Case initiators and authors

The documentation of this case is the result of a unique partnership between the two researchers and the union. Gerry Looker was both a participant and a researcher in this study. Prior to becoming a researcher, he was a full-time union official in the United Kingdom, with first-hand experience of the detrimental impact of neoliberalism on worker power and trade unions. His participation in this case led directly to the more critical stance on partnership and deregulation taken by the local UNISON branch. His subsequent research on the role of full-time officers highlights the dangers of a retreat from workplace industrial relations under an organising model that can work to the detriment of unions. Upon finishing his PhD in 2015, Gerry began a new role as the UNISON Regional Organiser responsible for supporting the County Council highlighted in this study. Heather Connolly was a member of Gerry Looker's PhD supervisory team. Heather and Gerry developed an away-day training for the branch executive. Heather also began a period of participant observation in branch executive meetings and interviewed union lay officers, shop stewards and union members. In addition, Heather accompanied Gerry in his role as Regional Organiser over an 18-month period until June 2017. After Phase I the research ended, and as the union branches adapted to the new Phase II context, the research team began a new period of ongoing research from April 2021.
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References

Association for Public Service Excellence (2023) Rebuilding capacity: the case for insourcing contracts. https://www.apse.org.uk/apse/index.cfm/research/current-research-programme/rebuilding-capacity-the-case-for-insourcing-contracts/

Connolly H. (2020) We just get a bit set in our ways': renewing democracy and solidarity in UK trade unions, Transfer, 26 (2), 207–222. https://doi.org/10.1177/1024258920920822

Looker G. (2019) Union organising and full-time officers: acquiescence and resistance, Industrial Relations Journal, 50 (5-6), 517-531. https://doi.org/10.1111/irj.12266

UNISON (2023) UNISON news and campaigns on outsourcing in public services. https://www.unison.org.uk/tag/outsourcing/

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Chapter 5
Building bridges: forming a union coalition to improve working conditions for agricultural workers in Wales

Leon Gooberman and Marco Hauptmeier

Introduction

This case of experimentation concerns the creation of a new wage regulatory body for agricultural workers in Wales: the Agricultural Advisory Panel. The Panel specifies statutory minimum wage floors and other terms and conditions of employment for all agricultural employees in Wales. Its establishment was the result of a coalition involving the union Unite, the Welsh government and two political parties (the Labour Party and Plaid Cymru). It is the only sub-national wage-setting institution created in the United Kingdom (UK) since 1999. In a context of declining union power and membership, this case illustrates how it can be meaningful for unions to pursue goals beyond their own organisational reach by building coalitions with resource-rich actors, including sub-national state actors such as the Welsh government.

1. A brief overview of the case of experimentation

This case focuses on the creation and activities of a coalition, formed by a union (Unite), the Welsh government and two political parties (the Labour Party and Plaid Cymru). This coalition resulted in the creation of a new employment relations institution: the bipartite Agricultural Advisory Panel for Wales. The Panel specifies statutory minimum wage floors and other employment terms and conditions that apply to all agricultural employees in Wales. The case explores how Unite framed and mobilised shared interests to build this coalition.

This case of experimentation is important for three reasons. First, it demonstrates how unions, in certain circumstances, can form coalitions with subnational political institutions to revitalise aspects of employment relations. Second, the Agricultural Advisory Panel for Wales is the first collective, industry-specific institution to regulate wages to be established in the United Kingdom for many decades. Finally, this case demonstrates how institutions in Wales contribute to an increasingly divergent political and institutional context in the United Kingdom, which can offer territorial opportunities for union renewal.

The result of this case of experimentation is the only sub-national employment relations wage-setting institution to be created in the United Kingdom following the establishment of sub-national assemblies and parliaments in 1999. Agricultural employment relations in Wales are now regulated using bipartite approaches more commonly found in 'coordinated' business systems. Meanwhile, similar industry-wide

protections have been abolished in England, where this same industry is subject to more 'liberal' regulation.

2. The union and other actors involved in the case

Despite accounting for only 3% of the workforce in Wales, agriculture is politically salient for three reasons. The first is the importance of state subsidies to the industry; these are administered by the Welsh government. The second is its localised importance. Most of Wales is rural and sparsely populated, and agriculture accounts for up to 12% of employment in some areas. The final reason is cultural as almost half of the agricultural workforce is Welsh speaking, compared with around a fifth of the general population, and Welsh speakers are often more likely to support greater institutional autonomy. As an example, there are two farming unions in Wales. One, the NFU (National Farmers' Union) Cymru is an autonomous branch of a larger organisation covering England and Wales. The other, the FUW (Farmers Union of Wales) was established many decades ago as some farmers felt that their Wales-specific issues were not being represented adequately by the NFU.

The specific context for this experimentation was the UK government's decision in 2010 to abolish the Agricultural Wages Board. This bipartite board had featured employee and employer representatives who determined minimum hourly wages for agricultural workers in England and Wales across six grades, with progression depending on an individual's skills and experience. The Board was important as it was the last survivor of the wages councils that once regulated employment conditions within sectors throughout the United Kingdom, where low union density precluded effective collective bargaining.

Unite is a union that represents workers in many industries and sectors, including agriculture. It is UK-wide but has a regional/country structure that includes an office in Wales, where Unite operates within a specific environment featuring autonomous political institutions. They formed a coalition, primarily with the Labour Party, which led the Welsh government. This government is formed from members elected to the National Assembly for Wales (now known as the Welsh Parliament). The National Assembly was responsible for policy areas devolved from the UK Parliament, including agriculture, health, education and the environment. The coalition aimed to retain agricultural wage fixing in Wales, despite the UK government's abolition of the wage-fixing board covering England and Wales.

3. The types of disruption and resulting uncertainty faced by the union

In 2010, the Conservative-led UK government announced the abolition of the Agricultural Wages Board. Abolition was justified based on a classic set of deregulatory arguments: namely that the Board duplicated the statutory National Living Wage that set hourly minimum levels for all workers across all industries, burdened the industry, and

reduced industrial efficiency. Abolition was a classic neoliberal disruption, signalling a continuing emphasis on deregulation in state policy orientations.

In response, the Unite union argued that few agricultural employees were subject to the grade-one wage-floor equivalent of the statutory National Minimum Wage, with most benefiting from the higher floors of grades two to six. The union framed its case as a social justice issue by arguing that the abolition of the Agricultural Wages Board and the associated removal of all wage floors and their replacement with the statutory National Minimum Wage would result in a 'dash to the bottom', prompted by farmers passing on price pressures from supermarkets and food processors to converge on wage levels around the statutory minimum. The framing of abolition as a social justice issue was tailored to the general political context in Wales, where the Labour Party has gained a majority of the votes cast and seats gained at every general election to the UK Parliament since 1922, and at every election to the Welsh Parliament since the creation of a devolved political institution in 1999.

4. The type of experimentation

The experimentation was (i) building a coalition that could (ii) obtain a new Wales-only wage regulatory institution for the agricultural industry. Although the main coalition actor was the resource-rich Welsh government, Unite was key in persuading this government to reverse its initial indifference to the abolition of the UK government's wage setting in Wales, and instead to oppose it and support the creation of a new Wales-only institution.

When the UK government announced its intention to abolish the Agricultural Wages Board in 2010, Unite campaigned to persuade it to change its mind, or to persuade the Welsh government to attempt to maintain agricultural wage regulation in Wales. Unite initially formulated a social justice frame, opposing abolition of the Agricultural Wages Board. The union pointed to poor working conditions and wages in agriculture, arguing that abandoning joint regulation exposed workers to a 'race to the bottom' as regards pay and conditions. They also argued for the retention of collective regulation to secure wage levels, while its motivational framing emphasised fairness and social justice for farm workers. But neither goal was achieved. The Welsh government was formed from a coalition between the Labour Party and the nationalist Plaid Cymru, and it initially declined to oppose the abolition of wage setting in Wales.

However, a new Welsh government was formed after elections in 2011 solely from the Labour Party. Unite targeted this new government. Its aim was to mobilise a pre-existing frame within Labour, namely attaining political solutions distinct from those of Conservative-led UK governments. This frame was rooted in long-running political disputes between both governments prompted by ideological differences concerning the role of the state, as well as what the Welsh government perceived as the high-handedness of the centralised UK government.

Unite launched a campaign to retain minimum wage setting that aimed to gain the attention of the Labour Party by arguing that the Conservative-led UK government's abolition of agricultural wage regulation symbolised conflict between the two governments. The campaign had two elements. One involved social and other media channels, such as when Unite's Welsh Regional Secretary argued publicly that abolition symbolised the UK coalition government's disrespect for devolution and disregard for Welsh workers. The other, and more important, element was the process by which Unite activists were active within the Labour Party. Their activists attended Labour Party conferences to highlight the existence of, and threat to, agricultural wage-fixing and build support for its retention.

The purpose of such calls was to raise awareness of minimum-wage setting within the context of both frames: social justice and attaining political solutions in Wales that were distinct from those of Conservative-led UK governments. This prompted the mobilisation of Labour Party politicians and activists behind retaining such regulation through the creation of a new institution. These efforts were successful, and as support grew, so did awareness of the social justice implications of abolition.

While Unite's campaigning after 2011 was aimed primarily at the Labour Party, it also appealed to Plaid Cymru's frame of gaining Welsh independence by offering a deepening of political devolution, and this party changed its stance to support wage regulation.

Unite engaged in frame-bridging that exploited intersections and common ground between its own frame, focused on social justice, and those of its coalition partners: namely, the Labour Party in Wales, which focused on attaining distinctive political solutions; and Plaid Cymru, which focused on gaining independence. This entailed an intersection between these three frames, which once mobilised through a Unite campaign, motivated coalition partners to pursue the creation of the Panel through advancing different primary interests drawn from their own respective frames.

5. The process of experimentation

Unite and the Welsh Labour Government were the core of the coalition, but the coalition goal of creating an agricultural wage setting institution was also supported by Plaid Cymru, which further enabled support and muted opposition. Unite created the coalition through its bridging and alignment of different actor frames. Plaid Cymru and the Welsh government helped marshal support for coalition objectives and mute opposition, while the latter deployed its resources in pursuit of coalition goals.

Once mobilised by Unite's frame-bridging, coalition members embarked on a process of experimentation that had three main phases.

The first phase involved muting opposition from employers. The NFU Cymru, the employers' organisation, opposed the retention of agricultural minimum wages in Wales, arguing that these had been made 'obsolete' by the UK government's statutory minimum wage. However, Unite's frame-bridging meant that after 2011 the Welsh

government and Plaid Cymru prioritised wage setting. The importance of Welsh government subsidies to many farms also made sustained opposition to the coalition less attractive, a dynamic bolstered by Plaid Cymru's support, as much of its electoral base is rural. These dynamics meant that while the employer organisation, the NFU Cymru, remained opposed to wage setting, it was politically isolated and incentivised to follow a pragmatic approach. Meanwhile, the FUW consistently supported minimum wage-setting, and its support of a new institution in part reflected its support for the principle of devolution.

The second phase involved legal action. Once the coalition was operational, the Welsh government took the leading role as it mobilised to challenge the UK government in the UK Supreme Court. By mid-2013, two conflicting acts governed agricultural employment relations in Wales: one, passed by the National Assembly for Wales, preserved wage setting machinery; the other, passed by the UK Parliament, abolished such machinery. The dispute was considered by the Supreme Court, which found in favour of the Welsh government, concluding that the National Assembly's powers over devolved topics, such as agriculture, took priority over those of the UK Parliament, such as employment relations, in the absence of a specified exclusion.

The third and final phase was the creation of a Wales-specific institution, the Agricultural Advisory Panel for Wales.

6. The effects of the experimentation

The effects of the experimentation are threefold.

The first, on Unite, is that the union has retained its role in agricultural wage-setting in Wales, although not in England. The Welsh government appoints the seven members of the Agricultural Advisory Panel; two represent Unite, two represent employer bodies, and three are independent. The Panel uses pendulum bargaining where both sides present offers, one of which is eventually accepted.

The second effect of the experiment is higher minimum wages for most of the agricultural workforce in Wales compared with England. Data on the impact of the wage floors have not been released by the Welsh government but some 13,600 farm workers are regulated by the new structure. Most of these are at grade two or above, while workers in England are regulated only by the UK government's National Living Wage, whose hourly minimum wage is similar to that set in Wales for grade one workers.

The third effect is subnational institutional divergence within agricultural employment relations across the United Kingdom. Agricultural employment relations in Wales are now regulated using bipartite approaches, as are activities in Scotland and Northern Ireland, where long-existing institutions were left untouched by the abolition of the Agricultural Wages Board. The pattern in England, however, is different, as industry-wide employment relations protections have been abolished. The Panel is the first

collective, industry-specific wage regulatory institution to be established in the United Kingdom since the now-abolished wages councils were created in the 1940s.

This divergence forms part of what the Welsh government is keen to promote as a different approach to governance in Wales in comparison with that of the London-based UK government. This divergence first appeared in public discourse in 2002 when Welsh First Minister Rhodri Morgan argued that 'clear red water' existed between his government and the then Labour UK government. But divergence has been stressed further under the post-2010 Conservative-led UK governments, and both the Welsh government and Unite view the creation of the Agricultural Wages Panel as emblematic of such divergence.

7. Conclusion

This case demonstrates that in a context of declining union power and membership, it can be meaningful for unions to pursue goals beyond their own organisational reach by building coalitions with resource-rich actors, including sub-national state actors, such as the Welsh government. It also demonstrates that unions can build bridges between their own frames and those of others in a way that is sensitive to the primary interests of the other actors, enabling the union to change the policy preferences of partners to form a coalition sufficiently powerful to achieve the union's key objective.

Although the circumstances enabling such experimentation in Wales were related in part to distinctive constitutional loopholes that have since been closed, the case outlines the potential for union experimentation in a context of often declining union power and membership to catalyse new sub-national regulatory institutions against the prevailing trend of liberalisation in states such as the United Kingdom.

Finally, 'small state' environments, such as that in Wales, often feature two dynamics. One is a perception of vulnerability to external forces, helping to generate social partnership ideologies across different actors; and the other is how their small scale prompts greater intra-elite interaction and negotiation. Both are present in Wales, where many actors emphasise more collective approaches to social issues, while the small scale of Wales combines with institutional clustering in its capital, Cardiff, to create an environment featuring strong social ties. Both dynamics helped to facilitate coalition-building efforts.

Case initiators and authors

The case authors are Leon Gooberman, Senior Lecturer in Employment Relations, Cardiff University, and Marco Hauptmeier, Professor of Work and Employment, Cardiff University. The case was assembled from (i) data collected when assisting the Welsh government to prepare a regulatory impact assessment of an Interim Agricultural Wages Order, (ii) collection of documentary data and (iii) semi-structured interviews with representatives of the Welsh government, employer organisations, Unite, other labor organisations, farm managers and other organisations active within agriculture.

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References

Farmers' Union of Wales (2023) Farmers' Union of Wales. http://www.fuw.org.uk/en/

Gooberman L. and Hauptmeier M. (2023) Union coalitions and strategic framing: the case of the agricultural advisory panel for Wales, Work, Employment and Society, 37 (5), 1226-1243. https://doi.org/10.1177/09500170211069787

NFU Cymru (2023) NFU Cymru. https://www.nfu-cymru.org.uk/

Unite Wales (n.d) Unite Wales. https://www.unitetheunion.org/what-we-do/unite-in-your-region/wales/

Welsh Government (2022) Farming facts and figures, Wales 2022. https://www.gov.wales/sites/default/files/statistics-and-research/2022-08/farming-facts-and-figures-2022-732.pdf

Welsh Government (n.d.) The Agricultural Advisory Panel for Wales. https://gov.wales/agricultural-advisory-panel-wales

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Part 3

Dealing with the fissured gig economy

Chapter 6
Return to sender – how a Canadian postal union renewed its strategic repertoire to reach out to platform workers

Raoul Gebert

Introduction

In 2019, the Canadian Union of Postal Workers (CUPW) won the first-ever unionisation vote at a major multinational food delivery service in Canada (Foodora). It did it by combining creative organising tactics, implemented by a local community union, with an overarching litigation and communications strategy. Although Foodora eventually left the Canadian market, a precedent was set for union certification of other mobile platform workers and the community union Foodsters United lives on to provide a mutual help network to delivery couriers in Toronto.

1. A brief overview of the case

In the fall of 2019, the Canadian Union of Postal Workers (CUPW) was instrumental in winning the first-ever unionisation vote at a major multinational food delivery service in Canada (Foodora). Accepting a challenge that other, more traditional trade unions had baulked at, CUPW combined creative organising tactics, implemented by local community union activists, with an overarching litigation and communications strategy to deal a serious blow to the business model of platform companies relying on so-called independent contractors as couriers. Although Foodora eventually withdrew from the Canadian market altogether, the litigation strategy is about to bear fruit for applications for union certification by other mobile platform workers. Meanwhile, the community union Foodsters United lives on to provide a much-needed mutual help network to bike delivery couriers in Toronto, thereby permanently altering CUPW's strategic repertoire (Tilly 2006). Another successful organising drive in the Canadian platform economy should only be a matter of time.

2. The union and other actors involved in the case

CUPW originated in 1965 as a public-sector trade union representing mail handlers or 'inside' postal workers at Canada Post. Originally a government department, Canada Post became a Canadian Crown corporation in 1981. Through a subsequent succession of forced mergers in the 1980s, CUPW expanded its membership to include letter carriers and technical personnel (mechanics and electricians) and later organised rural and suburban mail carriers. More recently, CUPW started organising cleaners, couriers, drivers, vehicle mechanics, warehouse workers and other workers in the private sector. CUPW now represents about 60,000 members. There remains a separate trade union

for rural postmasters, representing about 12,000 workers at Canada Post. CUPW has consistently been one of the more progressive unions in Canada, engaging in strike action, achieving significant gains in collective bargaining and making the argument for rank-and-file unionism and progressive social policies.

In this case of experimentation, CUPW measured its strength against the multinational food delivery service Foodora, a subsidiary of the German multinational Delivery Hero. It entered the Canadian food delivery market in July 2015 with the acquisition of the Toronto-based company Hurrier, and then embarked on an aggressive marketing campaign under its well known, fuchsia-coloured brand, expanding its business to Montréal, Vancouver and Ottawa. By 2019, the company had established a network of over 3,000 restaurants and captured about 15% of the Canadian market, a share similar to Uber Eats but still far behind the homegrown Skip the Dishes (now a division of the UK multinational Just Eat), at about 29%. The total Canadian market for platform-assisted food delivery was estimated in 2018 (in other words, pre-pandemic) to be 1.5 billion Canadian dollars (CAD).

Beyond the technological, health and safety, and legal challenges (to be discussed below) that the app-based food delivery industry poses for Canadian unions, the onset of the 2020 pandemic fell in the middle of this case of experimentation. In the context of the pandemic, the food delivery market essentially doubled almost overnight, and additional health and safety concerns about deliveries to quarantined customers added to the long list of disruptions for workers that prompted the organising drive.

3. The types of disruption and resulting uncertainty faced by the union

The nature of the disruptions caused by the arrival and expansion of app-based food delivery in the Canadian market are threefold: first, a business model dictating the organisation of work and payment structure; second, significant gaps in the coverage of occupational health and safety (OHS); and third, the (mis-)classification of workers as 'independent contractors'.

The main disruption for Canadian workers is technological in nature: app-based food delivery companies use technology to exert tight control over all key aspects of delivery couriers' working conditions. It sets delivery fees for each route; it automatically schedules routes and schedules for the workers; and it exerts pressure, or even discipline, over workers who opt out of the app for a period of time (or for individual deliveries). This disruption is similar to that affecting workers in the taxi industry (Uber and Lyft). Additionally, by retaining significant markups of 15 to 30% on each delivered dish, the business model also represents a significant disruption for restaurant owners. But the focus here is on delivery.

Two important legal disruptions further aggravate this technological one. First, the delivery workers may or may not be covered by the public occupational health and safety regime. Canadian worker compensation (a collective, no-fault insurance scheme

that all employers must pay into) is not compulsory for independent contractors. Some companies in the food delivery sector have chosen to contribute nevertheless, probably to shield themselves from potentially expensive lawsuits. The nature of work and the Canadian climate make this occupation highly risky. Food delivery on bikes, especially during the Canadian winter, is a very dangerous job, frequently leading to severe injuries.

While the health and safety concerns are specific to bike couriers (car-based delivery by taxi services, of course, requires compulsory road accident insurance), the second, more fundamental legal disruption is the same for both types of app-based workers. These platform companies interpret Canadian labour law as enabling them to classify their delivery workers as 'independent contractors' rather than salaried employees. This disruption is not unique to Canada. Companies such as Uber and Doordash, as well as many other platform giants routinely consider gig workers to be independent contractors, thereby undercutting their access to collective representation and bargaining rights in the Canadian legal context.

4. The type of experimentation

This case entails two types of experimentation. First, and not surprisingly, the classification of delivery workers as independent contractors is at the heart of one of the two key examples of experimentation in our case. While there tends to be a strict distinction between the respective definitions of 'salaried employees' and 'independent contractors', Ontario labour law (as well as Canadian federal law) actually recognises a third category of workers, namely that of 'dependent contractors'. Although labour union leaders deeply mistrust this category, as their traditional repertoire is deeply rooted in the salaried employee status of the industrial era, the Canadian unions now representing workers at both Uber and Foodora decided to attempt reclassification into this intermediate category. If successful, these workers would then enjoy collective bargaining rights and better occupational health and safety coverage, while still technically being on individual contracts as 'suppliers' of contract services and filing their taxes as autonomous workers.

The second set of experimentations concerns the organising model. Early on, CUPW decided to take a very decentralised approach to the practical forms and narratives at the heart of the unionisation drive at Foodora. Supporting a grassroots organisation called Foodsters United, it opted to provide resources and expertise, while leaving a lot of room for creativity regarding the specific actions undertaken (examples discussed below). Foodsters United started out within a core group of bike couriers transferring over from the previous start-up company, Hurrier. It was inspired by the philosophy of a community union without collective bargaining rights and focused its efforts on mutual aid and self-help, acting as more of an informal support network than a labour union.

5. The process of experimentation

The critical mass of the more formal organisation drive in 2019 was anchored among the bike couriers, who shared a strong common identity (as well as many demographic traits – mostly recent immigrants, young and male). Serious work accidents involving some couriers, as well as Foodora managers' blatant neglect of the issue, had brought the issue of misclassification to the forefront, and provided the main impetus for becoming more serious about getting organised. Support therefore went beyond Foodsters United's original mission to include self-help seminars on winterising a bike or filing one's taxes as an autonomous worker, or disseminating information on which restaurants would allow workers to use their bathrooms.

A first attempt with another, more traditional industrial union failed. The union did not want to invest its resources in an unorthodox group of grassroots organisers, who, in turn, did not trust the traditional union to see their fight through to the end. However, opinion was divided more on organising tactics than the issue of misclassification. Note that the traditional industrial union represents taxi drivers in some Canadian cities and was thus very much aware of a potential legal middle ground in terms of classifying the workers it represents as 'dependent contractors'.

After CUPW came on board, it maintained a very decentralised organising model, providing resources and advice to grassroots activists in order to experiment with combining old and new tactics, but without imposing its own priorities. This proved successful, as it mobilised the strong collective identity of bike couriers and quickly signed up a large majority of them. The main task at hand, then, was to reach out beyond the core group of bike couriers and branch out to delivery drivers, both in the city of Toronto and in the suburbs. Eschewing a more traditional approach, Foodsters United were able to redefine and expand their community union approach to fit the needs of car drivers. For instance, they organised self-help seminars on how to contest traffic tickets. It also became evident that their shared grievances about technological disruptions, such as control over schedules, payment schemes and discipline, were in fact uniting the different types of workers despite their obvious differences in age, location and exposure to safety risks.

CUPW's main role was to provide organisational resources (full-time staff and campaign materials) and to help with the more traditional communications initiatives (such as public relations), while leaving a lot of leeway over tactics and branding to Foodsters United. CUPW also provided the resources and know-how to set up a unique legal strategy, starting with the official request for certification on 31 July 2019, and to see the case through its various challenges before the Ontario Labour Relations Board (OLRB), where they scored their main victory on 25 February 2020, when it ruled that the workers had to be classified as dependent contractors, thereby gaining the right to collective bargaining.

A final element of the 'transformation experience' (Hyman 2007) was the conscious linking up, on all levels, with other workers in the field. This started at the local level in Toronto with mutual organising support by and for Uber drivers (albeit represented by

a rival union in the private sector, the UFCW). It was then extended to the creation of a national platform for app-based workers ('Gig Workers United') and even to connecting with gig workers internationally (such as the NGG union in Germany, Delivery Hero's home country).

6. The effects of experimentation

Because Delivery Hero immediately challenged the certification request based on its conception that Foodora workers should be classified as independent contractors, the Ontario Labour Relations Board did order a vote on unionisation in the fall of 2019, but sealed the ballot boxes, awaiting its final decision on classification. There was also a challenge to the size of the bargaining unit: Foodora insisting on including suburban delivery drivers, among whom they felt they had a more reasonable chance of defeating the union.

When the results of the unionisation vote were finally revealed on 16 June 2020, however, that assumption proved to be false. Workers in both locations, and regardless of driver or courier status, voted overwhelmingly to certify the union. The overall vote was 88.8% in favour of union representation. Regrettably for CUPW and for the workers, as soon as the Ontario Labour Relations Board had reclassified the workers as dependent contractors, Foodora already announced its departure from the Canadian market. Having filed a complaint for unfair labour practices, however, CUPW was able to negotiate and conclude a settlement with the company on 25 August 2020. For now, at least, that is the last chapter of CUPW's successful legal strategy centred on reclassification.

On the organisational side, the community union Foodsters United is still active and continues to receive support from CUPW. The organising drive has also catapulted a new group of organisers into the ranks of that union. CUPW is now regarded to be at the forefront of trade union organising in Canada, thus creating somewhat of a Cinderella story. It would only seem to be a matter of time before new organising drives commence in the gig economy, led by grassroots organisations and supported by CUPW.

7. Conclusion

A first takeaway from this case of experimentation is that creative branding and narratives that are in tune with gig workers' core identity are key to breaking through into such previously unorganised sectors of the economy. The community union approach, through the development of mutual support networks and practical value-added for the very different needs of a very different kind of workforce, is a page for future playbooks when private sector trade unions seek to reach out beyond their traditional industrial base.

A second takeaway is that a departure from more traditional institutional arenas and legal frameworks (namely that of 'dependent contractors' instead of 'salaried employees')

need not be to the detriment of trade unions. In this case, CUPW actually drew on its own historical repertoire, notably when it had fought for and won collective representation for rural letter carriers. This was a case in which, much like contemporary Uber drivers and car-based Foodora couriers, individuals on service contracts used their private cars to deliver mail in the vastness of the Canadian countryside.

Finally, and beyond the 'resourcefulness' (Ganz 2002) described above, this case of experimentation highlights the importance of resources that can be redeployed in new, creative ways. Without CUPW's important and relatively stable membership base and impressive organisational and legal resources, Foodsters United would not have been able to achieve lift-off. In other words, you can 'teach an old dog new tricks', provided it still has some teeth, meaning that trade unions should not and cannot stand aside while their traditional resources are being reduced through retrenchment in traditional sectors and repertoires because they may hit a point at which they can no longer afford expensive institutional or organisational experiments. Even if experimentation of the kind we have witnessed here is expensive for trade unions, the alternative of not experimenting is far less palatable, and new groups of workers brandishing novel collective identities are not going to push themselves into traditional unions all by themselves.

Case initiators and authors

The author is Raoul Gebert, Assistant Professor at the School of Management of the Université de Sherbrooke. The case study is based on news articles and documentary research, as well as semi-structured interviews with five local and national organisers who took part in the Foodora organising drive in 2019. It is part of the author's ongoing, larger research project into collective representation in the platform economy, both in Canada and elsewhere.

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References

Canadian Union of Postal Workers (2023a) Canadian Union of Postal Workers. https://www.cupw.ca/

Canadian Union of Postal Workers (2023b) News and Events. https://www.cupw.ca/en/news-and-events?search_api_views_fulltext=Foodora

Ganz M. (2002) Why David sometimes wins: strategic capacity in social movements, Harvard University.

Gebert R. (2021) The pitfalls and promises of successfully organizing Foodora couriers, in Drahokoupil J. and Vandaele K. (eds.) A modern guide to labour and the platform economy, Edward Elgar Publishing, 274-289.

Hyman R. (2007) How can trade unions act strategically?, Transfer, 13 (2), 93-210. https://doi.org/10.1177/102425890701300204

Ontario Labour Relations Board (2020a) Canadian Union of Postal Workers v. Foodora Inc. d.b.a. Foodora, 2020 CanLII 25122.
Ontario Labour Relations Board (2020b) United Food and Commercial Workers International Union (UFCW Canada) v. Uber Canada Inc., 2020 CanLII 3649.
Tilly C. (2006) Regimes and repertoires, University of Chicago Press.

News releases about the Foodora organising drive.

Canadian Union of Postal Workers (2023) Justice for Foodora couriers. http://www.foodstersunited.ca/

Gig Workers United, an initiative to rally Foodora and Uber drivers (and beyond) in the province of Ontario:

Canadian Union of Postal Workers (2021-2023) App-based delivery workers are organizing for change: join gig workers united. https://gigworkersunited.ca
Article about the Foodora organizing drive in Rank and File, a Canadian grassroots labour news website: Rank and File (2021) Gig workers, unite! Inside the Foodora union drive. https://www.rankandfile.ca/gig-workers-unite/

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Chapter 7
When 'micro-syndicalism' meets 'macro-syndicalism'
Emergent and deliberative experimentation enriching union strategies towards app-based food delivery couriers in Belgium

Kurt Vandaele

Introduction

The advent of app-based food delivery platforms in Belgium has challenged established labour regulations and prompted reflections among the trade unions. This case study examines and analyses their initiatives and responses to the emergence of app-based food delivery couriers. Results show that Belgian unions have supported couriers and their association(s) in many ways, logistic and otherwise. In turn, this 'micro-syndicalism' has influenced 'macro-syndicalism' in terms of respecting existing legal social rights and developing new, dedicated ones at the policy level. In conclusion, the pressure exerted on the food delivery platform companies by both 'micro-syndicalism' and 'macro-syndicalism' will be necessary to strengthen and enforce the regulations.

1. A brief overview of the case of experimentation

This case study examines and analyses the initiatives and responses of trade unions in Belgium towards app-based food delivery couriers, in an evolving regulatory context, between late 2017 and early 2022. Belgian unions have been supporting the couriers and their association(s) in various ways. 'Micro-syndicalism' refers to day-to-day union work connecting with the couriers and organising them. As a result of this 'micro-syndicalism', unions have provided logistic and other assistance to the couriers' mobilising efforts, geared to their collective resistance to the organisational work model of food delivery platforms.

Trade unions have also turned to more familiar strategies of 'macro-syndicalism', such as litigation and political advocacy, as means of improving couriers' terms and conditions of employment. The unions' interest lies less in recruiting than in mobilising and organising them (Vandaele 2020). The regular payment of union subscriptions is, for many couriers, unlikely as long as the labour market in app-based food delivery is marked by weak attachment to the job or a precarious labour market status, especially in the case of migrant labour.

Nonetheless, the 'novelty' of food delivery platforms and their symbolic nature within the platform economy means that they are serving as a 'laboratory' for Belgian trade union organisations. This is shown by organising tactics, as well as organisational change and innovation. The latter is demonstrated by 'United Freelancers'. As an outcome of deliberative experimentation, this newly established platform-like union structure was launched in 2019 primarily to represent and service the solo self-employed

and freelancers. Importantly, however, this structure is also challenging bogus self-employment, as in the case of the couriers.

2. The unions and other actors involved in the case

While little is known about the actual size and scope of the platform economy in Belgium (see, however, Statbel 2022), app-based food delivery platforms, together with 'ride-hailing', are dominating public perception and the debate. Deliveroo and Uber Eats, both international app-based food delivery platforms, arrived on the Belgian market in 2015 and 2016, respectively, thereby putting competitive pressure on a home-based food delivery platform that quickly went bankrupt, while the Dutch platform Takeaway.com, originally embedded in the conventional economy, is also active in Belgium.

The failure of the home-based platform in 2016 kindled an awareness of their precariousness among a critical mass of food delivery couriers. As a consequence, their bottom-up, informal network-like association, labelled the 'Couriers Collective' (Koerierscollectief/Collective des courier.e.s) (henceforth: Collective), shifted its focus from sharing an enjoyment of cycling to discussing and improving terms and conditions of employment. The Collective has remained autonomous, but the couriers relied on union experience in negotiating a collective agreement with Deliveroo. Negotiations for this broke down, however, because Deliveroo took advantage of regulatory change to shift to a contractor relationship from February 2018, and to switch from hourly-paid wages to a pay-per-delivery system.

As the couriers' delivery job and employment status touch upon the membership domains of several trade unions, internal consensus was needed on which union would represent them. This seems now to be fairly well crystallised and the following union organisations, in particular, are relevant: the Belgian Transport Workers' Union (BTB/UBT, Belgische Transportbond/Union Belge du Transport), affiliated to the socialist General Federation of Belgian Labour (ABVV/FGTB, Algemeen Belgisch Vakverbond/Fédération générale du travail de Belgique); and the joint platform 'United Freelancers' transversally organising the solo self-employed within the Confederation of Christian Trade Unions (ACV/CSC, Algemeen Christelijk Vakverbond/Confédération des syndicats chrétiens). This new union structure can be considered the product of deliberative experimentation in the representation of the solo self-employed, but also platform workers and thus app-based food delivery couriers.

3. The types of disruption and resulting uncertainty faced by the union

As elsewhere in Europe and across the globe (Vandaele 2023), the advent of app-based food delivery platforms has challenged the established regulation of work and employment in Belgium. Trade unions have come to be concerned about platforms' organisational work model, especially their asset-light approach, framed and advanced

as 'micro-entrepreneurship'; the opaque algorithmic management used to monitor and control their workforce; and regulatory arbitrage aimed at reducing labour costs.

At Deliveroo, regulatory arbitrage was initially restricted by the 'SMart arrangement'. This operated from May 2016 until February 2018 and could itself be considered a regulatory-institutional experiment (Charles et al. 2020), although it was received by unions as only a second-best solution (Vandaele 2020). Here, a labour market intermediary, the member-owned and member-governed cooperative SMart (Société mutuelle des artistes) was the couriers' legal employer. As an employer, SMart had to comply with minimum employment rights under Belgian labour law. Deliveroo thus, although in an unusual way, was in line with the predominant form of work and employment regulation in Belgium. SMart simultaneously acted as a kind of 'quasi-union' by articulating the couriers' interests and needs vis-à-vis Deliveroo. However, state policies promoting the so-called 'collaborative' or 'sharing' economy encouraged Deliveroo unilaterally to abandon the arrangement. Consequently, like Uber Eats couriers – and in contrast to Takeaway.com couriers – most Deliveroo couriers have been in a contractor relationship since March 2018. While the SMart arrangement combined flexibility and income security to the satisfaction of most couriers (Piasna and Drahokoupil 2021), contractor status has basically meant the reverse with the installation of piece-rate remuneration, while occupational health and safety risks, including injuries due to traffic accidents, now fall upon the couriers.

4. The type of experimentation and the process of experimentation

Deliveroo's announcement in 2017 that it would terminate the SMart arrangement provoked short-lived protests by the couriers, mainly in Belgium's capital. Couriers do possess some workplace bargaining power (if no delivery robots are operating) (Vandaele 2021): without them it is impossible to deliver food ordered from restaurants to customers at the arranged time. The couriers' action repertoire was wide, including street parades, strikes, sabotage and the occupation of Deliveroo's headquarters. Some restaurants also boycotted the food delivery platform.

The protests nevertheless became ephemeral as demobilisation quickly set in: courier resistance did not change Deliveroo's mind and the federal government then in power, known as 'Michel I' (2014–2018), composed of economic liberals, Flemish nationalists and Flemish Christian Democrats, also remained unresponsive to the demands of the couriers and trade unions. To the surprise of the latter, however, the couriers' discursive power has been considerable, and the food delivery platforms have suffered reputational damage in the press and media. At the same time, trade union involvement has offered them an opportunity to be portrayed as organisations that have gone on the offensive to achieve better employment terms and conditions for a vulnerable workforce.

Deliveroo's shift away from the predominant form of work and employment regulation also meant that the unions needed to drop negotiations on a collective agreement and to shift strategies. Some individual full-time union officials had previously engaged with

the couriers and the Collective (Vandaele 2020), showing a strong commitment to the couriers' case. Courier resistance then provided the circumstances for what could be labelled 'improvisational unionism' (Oswalt 2016).

As the protests unfolded in winter 2017–2018, emergent organisational experimentation centred around (innovative) organising tactics in the public space. This involved establishing contact with the couriers, informing them of their rights and listening to their interests and needs, conducting small-scale surveys and leafleting. Those tactics have been dubbed 'micro-syndicalism'. This is not a new label; this sort of day-to-day union work obviously takes place in unionised workplaces in the conventional economy as well, although its orientation is predominately towards service provision. In the case of couriers, unions were careful not to lead and 'own' the protests, even though survey research revealed no overt anti-unionism among the overall majority of couriers (Vandaele et al. 2019a).

The more organising-oriented approach taken in a 'greenfield' sector such as app-based food delivery is noticeably different from the prevailing approaches within Belgian unions. They are oriented mainly towards political advocacy on the part of the union leadership and mobilising by union activists, while existing organising tactics have been confined largely to identifying candidates for the quadrennial 'social elections' for the purpose of setting up representative bodies in larger companies. While the ABVV/FGTB launched a dedicated website for platform workers in February 2020 (see also Kelemen and Lenaerts 2022), the platform-like union structure United Freelancers of the ACV/CSC can be considered an example of deliberative organisational experimentation, in which platform workers are located within more general labour market developments. Partly inspired by similar service-oriented union initiatives in Germany and the Netherlands, United Freelancers was set up in June 2019. This new transversal union structure is the outcome of an internal process triggered by a decision taken by the ACV/CSC Congress in 2015 in response to increasing solo self-employment (either as a secondary job or a main job) and to freelancers in the Belgian labour market contributing to a 'fissuring' of workplaces (Weil 2014). United Freelancers aims to represent and support them in cooperation with ACV-CSC affiliated unions. Most platform workers are considered to be in bogus self-employment, however. But given the considerable press and media coverage, courier resistance has enabled this new union structure to be framed additionally as a response to platform work, and app-based food delivery couriers are indeed part of its current focus. A project launched by ACV/CSC Innovation, linked to the ACV/CSC itself, was set up in 2020 to explore new complementary services for platform workers; current initiatives include the development and testing of an app and a web tool for measuring unpaid labour (Franke et al. 2023) and adequately informing couriers of their rights and their contingency on their employment status. Mapping accidents at work, where the data will feed into union campaigns, is also foreseen at a later stage.

5. The effects of the experimentation

Regulation on employment status has changed several times since the SMart arrangement. Belgium was among the first countries to design specific regulations for platforms in seeking to stimulate the so-called 'collaborative' or 'sharing' economy. The De Croo Act of 2016, which came into force in March 2017, laid down a favourable tax regime for platform workers. Although food delivery platforms cannot be considered part of the 'collaborative' or 'sharing' economy, the Ministry of Finance admitted them as licensed platforms. The De Croo Act introduced de facto a third employment status for platform workers with no social protection. In addition, a 'moonlighting scheme' was set up in 2018 for the conventional economy, although it also applied to the platform economy in respect of licensed platforms. But this scheme only lasted until the end of 2020 because trade unions successfully brought an action before the Constitutional Court and most couriers thereafter reverted to the De Croo Act.

Couriers' contractor status has been investigated by the labour auditor since Deliveroo's termination of the SMart arrangement, while trade unions continued to support couriers, back then mostly students, who had been called before hearings and also helped them with tax issues because of regulatory uncertainty about their employment status. The Brussels labour court ruled in December 2021 that the Deliveroo couriers are self-employed, and thus not in bogus self-employment, although this was appealed. The appeals court duly overturned the labour court in December 2023 and the 28 Deliveroo couriers who had gone to court were to be considered employees. Conventional 'macro-syndicalism' has thereby been informed by 'micro-syndicalism', capturing couriers' experiences of food delivery platforms' organisational work model. Deliveroo has announced that it will take this crucial ruling to the court of cassation.

Against this background, an unusual process of consultation (https://platformwork.be) regarding employment terms and conditions and social protection for platform workers has been held by the federal government to inform upcoming regulation.

The federal De Croo government (from 2020), composed of economic liberals, socialists, greens and Flemish Christian Democrats, agreed on a package of labour market reforms on 15 February 2022. Inspired by the European Commission's Proposal for a directive on improving working conditions in platform work (European Commission 2021), one of the reforms introduced a list of eight criteria to determine whether a platform is an 'employer'. Thus, in theory, couriers should be reclassified as having genuinely dependent employment status, but a rebuttable presumption of an employment relationship has not been foreseen in the law. The law came into effect in January 2023. It introduced compulsory insurance against accidents at work for independent couriers, although not for those employed under contractor status. For the latter nothing has changed so far: the food delivery platforms continue their regulatory arbitrage as before by offering the contractor employment status. Time will show whether food delivery platforms will adhere to possible stricter regulation in the future.

After Deliveroo's decision to terminate the SMart arrangement, trade unions continued reaching out to couriers with, for instance, bike repair services and provision of cycling

gloves, but also by organising a 'day of the courier' and informing them of their social rights on the street or campaigning on campuses to target students (as potential couriers). In addition, there have been some short, 'spontaneous' strike actions against low wages in some cities, which have also allowed unions to connect with the couriers. No representative data are available, but unions have noticed a shift in the social composition of the courier workforce. Students continue to perform delivery jobs, but platforms have come to rely intensively on migrant labour, with 'app-renting' prevalent especially among undocumented migrants or even minors (Vandevenne 2021).

App-renting, combined with contractor status, enables undocumented migrants to establish themselves in a 'formal job'. The new law has not prevented the practice. Undocumented migrants are a hard-to-reach workforce for unions and, indeed, maybe also the Collective. Therefore, they set up a 'Maison des livreurs' in Brussels in late 2022, acting as a physical meeting place for (undocumented) couriers and enabling the unions and Collective to inform them about their social rights.

6. Conclusion

This case of app-based food delivery platforms in Belgium demonstrates how diverse union responses could be complementary for union renewal: service provision with organising and 'micro-syndicalism' with 'macro-syndicalism'. Providing services, in the case of United Freelancers, thus goes hand in hand with mapping couriers' needs and issues based on organising tactics. With its earmarked budget linked to deliberative experimentation, United Freelancers can be contrasted with emergent experimentation driven by dedicated individual full-time officers after Deliveroo's termination of the SMart arrangement. A certain autonomy within union structures, also in terms of budget, seems to be a prerequisite for this type of experimentation, with autonomy prevailing over budget, as organising tactics have generally been fairly inexpensive for the unions. Although this phase of 'improvisational unionism' has, all in all, been geographically limited and short in duration, it has probably set an example for a 'micro-syndicalism' approach in other cities across Belgium. Responsive leadership is therefore needed to anchor and develop tactical experimentation within union strategies and thus organisational learning.

Moves towards the regulatory embeddedness of platform work in Belgium cannot be detached from the trade unions' 'micro-syndicalism'. Couriers' experiences with platforms' organisational work model have fed into unions' legal knowledge for litigation to challenge the couriers' contractor status, and into their experience in political advocacy with a view to lowering their economic and social risks. Put differently, 'micro-syndicalism' has encountered and influenced 'macro-syndicalism', respecting existing legal social rights and building new, dedicated ones at policy level.

Although to date the latter approach has not been successful in challenging couriers' contractor status, political advocacy aligned with a more conducive political structure seems to have made some progress. While reforms promise to improve the regulatory field for most app-based food delivery couriers and platform workers in general in

Belgium, the devil has been in the detail, as a result of which platforms have not altered their organisational work model so far (United Freelancers 2022). Pressure on the food delivery platforms from 'micro-syndicalism' combined with 'macro-syndicalism' will therefore be further required to bring about regulatory change and enforcement, while continued 'micro-syndicalism' is also needed to engage with a highly transient (migrant) workforce.

To conclude, app-based food delivery is not only a symbolic industry within the platform economy (Vandaele 2023), but it might also act as a learning space for trade unions to develop organising strategies within other industries affected by algorithmic management or non-standard work arrangements, often composed of young (migrant) labour.

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References

Belgische Federale Overheidsdiensten (2017) Werken via digitale platformen. https://statbel.fgov.be/nl/themas/datalab/werken-digitale-platformen#figures

BTB-ABVV (2016) ABVV-BTB. https://www.btb-abvv.be/en/

Charles J., Ferreras I. and Lamine A. (2020) A freelancers' cooperative as a case of democratic institutional experimentation for better work: a case study of SMart-Belgium, Transfer, 26 (2), 157-174. https://doi.org/10.1177/1024258920919686

CSC Nationale (2022a) Accord travailleurs de plateforme du gouvernement fédéral: une bonne intention mais un flop au final. https://www.lacsc.be/united-freelancers/actu/2022/03/09/accord-travailleurs-de-plateforme-du-gouvernement-federal-une-bonne-intention-mais-un-flop-au-final

CSC Nationale (2022b) United Freelancers. https://www.lacsc.be/united-freelancers

Dufresne A., Leterme C. and Vandewattyne J. (2018) Les mobilisations du Collectif des coursier.e.s contre Deliveroo, Courrier Hebdomadaire du CRISP, 2383-84, 45-58.

European Commission (2021) Proposal for a directive of the European Parliament and of the Council on improving working conditions in platform work. https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=COM:2021:762:FIN

Franke M., Pulignano V. and Marà C. (2023) Workers' contentions over unpaid labour time in food delivery and domestic work platforms in Belgium, Work in the Global Economy, 3 (1), 6-30. https://doi.org/10.1332/273241723X16803276410614
Kelemen M. and Lenaerts K. (2022) Break up to get back together: the impact of unionisation through innovative service provision on union membership and industrial relations (BreakBack): Country Report Belgium, CISL.
Loos H. (2021) Homo deliveroo: dwangarbeider van de weg, EPO.
Oswalt M.M. (2016) Improvisational unionism, California Law Review, 104 (3), 35-156. http://www.jstor.org/stable/24758719.
Piasna A. and Drahokoupil J. (2021) Flexibility unbound: understanding the heterogeneity of preferences among food delivery platform workers, Socio-Economic Review, 19 (4), 1397-1419. https://doi.org/10.1093/ser/mwab029
Statbel (2022) Werken via digitale platformen (15-64 jaar). Retrieved from: https://statbel.fgov.be/nl/themas/datalab/werken-digitale-platformen#figures
Vandaele K. (2017) Les syndicats sur le qui-vive pour soutenir les travailleurs des plateformes: l'exemple des livreurs de repas, Chronique internationale de l'IRES, 160, 85-100. https://doi.org/10.3917/chii.160.0085
Vandaele K. (2020) From street protest to 'improvisational unionism': platform-based food-delivery couriers in Belgium and the Netherlands, Friedrich-Ebert-Stiftung. https://library.fes.de/pdf-files/iez/16608.pdf
Vandaele K. (2021) Collective resistance and organizational creativity among Europe's platform workers: a new power in the labour movement?, in Haidar J. and Keune M. (eds.) Work and labour relations in global platform capitalism, Edward Elgar, 205-234.
Vandaele K. (2023) Vulnerable food delivery platforms under pressure: protesting couriers seeking 'algorithmic justice' and alternatives, in Ness I. (ed.) Routledge handbook of the gig economy, Routledge, 205-219.
Vandaele K., Drahokoupil J. and Piasna A. (2019a) Unwilful ignorance: attitudes to trade unions among Deliveroo riders in Belgium, Policy Brief 2019.06, ETUI. https://www.etui.org/publications/policy-briefs/european-economic-employment-and-social-policy/unwilful-ignorance-attitudes-to-trade-unions-among-deliveroo-riders-in-belgium
Vandaele K., Piasna A. and Drahokoupil J. (2019b) 'Algorithm breakers' are not a different 'species': attitudes towards trade unions of Deliveroo riders in Belgium, Working Paper 2019.06, ETUI. https://www.etui.org/publications/working-papers/algorithm-breakers-are-not-a-different-species-attitudes-towards-trade-unions-of-deliveroo-riders-in-belgium
Vandevenne E. (2021) Measuring employment precariousness among platform-based food couriers in Brussels: a pilot study combining fieldwork with survey data, Vrije Universiteit Brussel.
Weil D. (2014) The fissured workplace: why work became so bad for so many and what can be done to improve it, Harvard University Press.
Willems M. (2021) Le piège Deliveroo : consommer les travailleurs, Investig'Action.

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Chapter 8
Regulating and organising 'gig workers' since the 1970s
The case of owner-drivers in New South Wales, Australia

David Peetz and Jack Boutros

Introduction

Union responses to the rise of the 'gig' economy have focused on remedying misclassification of 'gig' workers as contractors rather than as employees subordinated to large technology companies through platform work. In this case of experimentation, the New South Wales (NSW) Branch of the Transport Workers Union of Australia (TWU) has succeeded in organising contractors (that is, workers who are not formally employees). The two central elements of the TWU's relative success were its 'safe rates' campaign, which sought to link drivers' safety to their rates of pay, and the use of this campaign to push for protective legislation in state and federal jurisdictions. The experimentation around this approach to organising contractors provides a model of regulation that could be extended to other parts of the 'gig' economy.

1. A brief overview of the case of experimentation

Union responses to the rise of the 'gig' economy and contractor work have focused on remedying misclassification. Union representation tends to be predicated on the representation of employees. When 'gig' workers are deemed to be contractors rather than employees, they do not easily fit into the established legal categories for union membership. According to the misclassification argument, these so-called 'contractors' exhibit all the characteristics of employees subordinated to large technology companies through platform work. However, some unions have succeeded in organising contractors (workers who are not formally employees). This case of experimentation involves one such union, namely the New South Wales (NSW) Branch of the Transport Workers Union of Australia (TWU). Through a particular form of campaigning over a long period of time, it has developed a model of organising owner-drivers of heavy vehicles or trucks ('lorries' in some countries). It has succeeded in doing so by promoting and making use of an aspect of state regulation of pay and conditions in New South Wales. The experimentation around this approach to organising contractors has been further extended to a range of 'gig' workers, thus providing a model of regulation that can potentially be extended to other parts of the 'gig' economy. The case illustrates how experimentation with legacies from previous forms of the regulation of work and employment can yield forms of regulation to be applied in new ways.

2. The union and other actors involved in the case

The Transport Workers Union, which originated as the Federated Carters and Drivers' Industrial Union, was registered in 1906 as a union of mainly self-employed carters, an early twentieth-century version of 'gig workers'. Indeed, many unions founded in nineteenth-century Australia can trace their origins to associations of self-employed workers. However, over the following century, these contractors tended to become employees, as corporations found it easier to manage workers through the employment relationship and unions also found it easier to organise these workers as employees. As the Federated Carters and Drivers' Industrial Union expanded and went through numerous mergers, the majority of its membership came to be employees. By the 1970s, the Transport Workers Union was one of the most powerful unions in Australia; for example, setting the pace for a wages 'explosion' in 1973–1974. This union was organised along federal lines, with a branch in each Australian state. The New South Wales branch was the largest. The Transport Workers Union was affiliated to the Australian Labor Party (ALP), which formed governments at various times at state and federal levels. This political link was crucial to the initial legislative impetus to provide a model of industry regulation for contractors in the trucking industry. The Australian system of 'awards', a way of specifying minimum wages and conditions for an industry as a whole, was also an important factor in the development of this model.

3. The types of disruption and resulting uncertainty faced by the union

In the 1970s, in order to minimise costs, corporations in the trucking industry began to switch from employees to owner-drivers. The industry, like many others, has exhibited a form of what can be called 'not-there employment' (Peetz 2019): large firms (the 'core' capital in an industry) avoid employment responsibilities by contracting out work to individuals, franchises or subcontracting forms. In this case, major wholesale, retail, and logistics firms use both owner-drivers (independent contractors who own their own trucks) and employees of both core capital and peripheral firms (contract distribution firms) to transport goods. This phenomenon is not restricted to Australia. The trucking industry in many other countries is also characterised by a predominance of contractors, many of whom can be deemed to be misclassified employees. In the United States, for example, this process began in the early 1980s and the Teamsters Union, which represents truckers, is now a mere shadow of its former self (Meyerson 2022).

The consequences of this change in employment regimes include 'worse work'. This is characterised by: poor driver safety, including a high occupational fatality rate (Safe Work Australia 2021); long working hours and low wages among employees (Australian Bureau of Statistics 2019); low incomes, high debt and insolvencies among owner-drivers; and incentives to drive fast, skip breaks and engage in other risk-taking behaviours. Yet regulation was made difficult, both by the contractor status of many workers, and by Australia's federal system of industrial relations regulation, which meant that many employees were subject to different state laws (rather than a unified federal system).

4. The type of experimentation

The two central elements of the Transport Workers Union's relative success were its long-standing 'safe rates' campaign, which sought to link drivers' safety to their rates of pay, and the use of this campaign to push for protective legislation in state and federal jurisdictions. Under pressure from the Transport Workers Union, the New South Wales Parliament legislated in 1979 to allow the New South Wales Industrial Relations Commission (NSW IRC) to regulate minimum terms of contracts for owner-drivers of trucks and other 'contract carriers'. Now known as 'Chapter 6' of the New South Wales Industrial Relations Act, this statute enables the NSW IRC to issue 'contract determinations' that specify minimum standards for the workers concerned. These are analogous to 'awards' in Australian labour regulation, namely minimum terms and conditions set by industry – these are somewhat like a decree regime, often found in continental Europe, extending the terms and conditions to the industry as a whole. For example, the 'General Carriers Contract Determination 2017' establishes, for various types of owner-drivers of trucks, minimum rates of remuneration, comprising a per-kilometre rate, an hourly rate (both varying by truck size and type), allowances and a minimum earnings guarantee, and formulae for their adjustment, plus entitlements to annual leave, rest breaks and various minimum standards of work and obligations. That Determination also establishes union representation rights, where sought by workers. The NSW IRC can also approve 'contract agreements', which are analogous to 'collective agreements' in labour regulation, between owner-drivers and firms.

In pursuing this 'new' form of regulation, the union has avoided having the owner-drivers treated as employees and thereby making assumptions about the model to which its members should correspond, namely that of employment. This was important for obtaining buy-in from the owner-drivers, many of whom identify as entrepreneurs rather than employees. That is why the regulation does not seek to classify owner-drivers as employees, as this would likely be resisted by both the owner-drivers and the corporations.

The union instead kept the focus on safety and working conditions. For example, the homepage of the 'safe rates' campaign highlights that, in 2019, '58 transport workers were killed' and '318 transport companies went bankrupt'.

The focus on owner-drivers also opened up other avenues for organising.

First, it proved important in organising groups of migrant workers for whom their status as independent contractors was a way to circumvent other barriers to employment. Visa restrictions on working hours provide just one example of this.

Second, the union has been able to build forms of solidarity that otherwise would not exist. For example, owner-drivers and employees working for the major transport and logistics company 'Toll Group' simultaneously took industrial action in support of the common need for better conditions. Strong solidarity was also shown in owner-driver ranks when the Chapter 6 framework came under threat.

Third, the Chapter 6 framework has also helped the Transport Workers Union to organise and protect 'gig economy' workers hired by firms such as Amazon Flex. In February 2022 the NSW IRC extended its coverage to encompass drivers of small trucks, including those hired through apps as contractors. This led to an increase in hourly pay of around 40% for many workers and made Amazon Flex workers in New South Wales the first internationally to have enforceable minimum pay, bargaining and dispute resolution rights.

Finally, in another part of the 'gig economy', the Transport Workers Union has been working with food delivery and rideshare workers to research and lobby on conditions for on-demand transport workers. These campaigning efforts, like earlier ones for owner-drivers, have highlighted the need to ensure 'safe rates' for on-demand transport workers regardless of employment status. While food delivery workers are presently explicitly excluded from coverage by Chapter 6, these groups are lobbying hard to enable its coverage to be extended to them.

But regulation in this area has not been without pitfalls. An attempt by the Transport Workers Union at national level to use the 'safe rates' principle to push for a national Road Safety Remuneration Tribunal for long-haul trucks was initially short-lived. Established by an Australian Labor Party government at the federal level in 2012, it was abolished four years later by a conservative government after major national trucking and logistics organisations (more right-wing than their counterparts in New South Wales) and the federal Liberal Party opposed it. Focusing on weaknesses in the Tribunal's first critical determination, large corporations exploited a narrative promoting 'freedom' to great effect and mobilised opposition from owner-drivers. A new model (the 'Closing Loopholes' provisions) has recently taken its place.

5. The process of experimentation

The union showed it could engage in a strategic reading of the institutional mechanisms available to it. The Chapter 6 legislation ensuring the application of minimum wages and conditions to owner-drivers in New South Wales has survived changes of government and sustained periods of conservative rule, including from 1988 to 1995 and again from 2011 until 2023. Chapter 6 has also survived a conservative federal government's 2006 takeover of industrial relations, which would effectively have put an end to the system by rescinding the state governments' jurisdictional power to regulate standards for independent contractors. The Chapter 6 framework survived because it was able to appeal to the 'small business' ethos of some conservative politicians, while mobilising owner-drivers along with employee transport workers to protect the legislation. Indeed, in 1994 its scope was extended to encompass owner-drivers using other vehicles (including bicycles), and goodwill provisions were inserted.

The Chapter 6 system, which was developed over time, would not have delivered benefits to the union in the absence of alliances. These include shared interests among unions and those transport operators who would otherwise be forced to contract work out to compete against unsustainable contracting practices and low rates. The parties

(the union, firms, employer bodies) prepare submissions to the NSW IRC as issues arise (for example, contract determinations). They seek agreement on some matters, but on others disagreement leads to arbitration. Once a contract determination is issued, they work together in maintaining it (for example, in applying the formula to keep minimum remuneration up to date). As a result, support for the system has come from key companies that are able to obtain certainty through minimum standards and, to a certain degree, remain protected from unfair competition.

This shared interest was emphasised further in the latest disruption emanating from gig transport, against which Chapter 6 mobilising has proved a valuable weapon. The Transport Workers Union has been able to effectively mobilise transport workers, including owner-drivers, in support of Chapter 6 at moments when the system has come under threat. An example was the 2006 conservative federal government's move – already mentioned – to take over industrial relations (and limit the system's scope to those workers classified as employees). Chapter 6 was ultimately exempted from this move.

Successive conservative governments in New South Wales have traditionally supported Chapter 6. Indeed, it was a conservative government that most recently brought positive amendments to the legislation by introducing the contract of carriage tribunal to deal with disputes over goodwill. When the Chapter 6 system was under attack in 2016 following abolition of the Road Safety Remuneration Tribunal (at the same time as the parties were trying to update the General Carriers Contract Determination), the players within the system worked together to seek agreement on a new fit-for-purpose instrument. They also sought to show that the entire system worked, as there was pressure on the (conservative) state government to intervene and perhaps abolish it. Major transport companies and employer organisations were involved in a three-week conciliation before the NSW IRC. Most 'good' employers wanted to retain the system to avoid unscrupulous operators taking advantage of an unregulated system and appreciated the relative degree of certainty that was provided them. Even when the 2016 attack was under way, the NSW government vowed not to touch the system as it realised some of those reliant on it were its natural constituency, namely small business owner-drivers.

There are limits, however. The Chapter 6 framework provides little supply chain accountability, which would otherwise have shaped corporate decisions at the initial contracting stage. This issue was addressed in the short-lived Road Safety Remuneration Tribunal model and in the more recent 'Closing Loopholes' provisions.

6. The effects of the experimentation

The Chapter 6 experiment has led to a demonstrable improvement in occupational safety for road transport drivers (and other road users) in New South Wales (Peetz 2022), along with improvements in pay (through the raising of the floor). Drivers have greater control over working time because there is less pressure to deliver goods within a defined period, and in that sense they have more autonomy. The maintenance of

contractor status has also avoided the losses of autonomy that owner-drivers feared (and about which corporations fear-mongered) could accompany employee status.

For the union, the main effect has been to enable its reincorporation of a substantial number of owner-drivers. In New South Wales, owner-drivers account for approximately one-quarter of the TWU membership, whereas in other state branches the figure is more typically one in ten. One of the major reasons is that it is easier to sign workers up when there is something the union can definitely do for them – whether it be to bargain a collective agreement, resolve disputes in an enforceable way, or run an unfair termination of contract case – rather than taking risks outside the system. (For example, collective action outside the system may result in a worker being sacked for breach of contract or other uncertain outcomes). The union is able to enforce, protect and enhance the instrument (Kaine and Rawling 2010). However, there is no bargaining stream which can either compel bargaining or allow owner-drivers to take 'protected' industrial action and some firms have been able to sack participating owner-drivers for breach of contract.

Regulation in this industry should also be seen in the context of power. Here, economic power is predominantly in the hands of the construction, wholesale, retail and logistics firms, while the small firms, especially the single-person owner-driver businesses, have very little power. Union power was once relatively strong, but it has fallen along with the decline in union density since 1979 (it has slipped to less than half of what it was). The union has tried to reverse the decline in unionised employee-based firms (for example, by building delegate structures) but it has been threatened further by the fragmentation and use of not-there employment. The move to contract distribution, and the decline in union density over many years, have increased the power of large firms. The decline in union power may have been offset at least partially by the operation of Chapter 6 in New South Wales, as the instrument has increased the union's ability to organise owner-drivers in that state. However, there are horizontal attacks on the Chapter 6 model from emerging platforms operating outside it. Some firms have taken advantage of this and sought to increase unilateral determination of terms, conditions and resource allocation. These various factors have probably shifted power against the union more than the changes arising directly from Chapter 6 favoured it.

7. Conclusion

There are five key lessons to be drawn from the New South Wales experience:

First, protection can still be afforded to 'gig economy' workers even when they remain contractors.

Second – and this apparent paradox is key to understanding union experimentation in the 'gig economy' – contractors and 'gig economy' workers will often prefer to retain that status, and resist efforts to turn them into employees and undermine their 'entrepreneurialism' or their perceived ability (for example, as temporary migrants)

to access any work at all. At the same time, they will support and even campaign for protection and can be mobilised by unions.

Third, safety is an issue that can mobilise contractors, the public and political support and be strongly connected to demands for other industrial rights and conditions (including pay rates).

Fourth, major advances can be made by building an alliance of support for a model. Some employers may see advantages in legitimising a model that prevents a 'race to the bottom' and simultaneously protects their own interests.

Finally, finding appropriate methods of determining minimum entitlements for people who are not employees is a complex task. Solutions should not be too broad-brush, but tailored to the industry or sector in question. But they must also be consistent with and driven by broader national standards. This is no doubt a key element in the way that the Transport Workers Union has embedded the protection of contract workers and sought to extend that protection to other 'gig' workers in the Australian industry awards system.

Case initiators and authors

The case initiators and authors are David Peetz, Distinguished Research Fellow at the Centre for Future Work and Professor Emeritus at Griffith University, Australia, and Jack Boutros, strategic campaigner for the Transport Workers Union of Australia. Data for this case analysis were collected through examination of secondary sources, interviews with officials and, most importantly, the second-named author's work as an employee of the Transport Workers Union.

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References

Australian Bureau of Statistics (2019) Employee earnings and hours, Australia, ABS. https://www.abs.gov.au/statistics/labour/earnings-and-working-conditions/employee-earnings-and-hours-australia/may-2018

Kaine S. and Rawling M. (2010) 'Comprehensive campaigning' in the NSW transport industry: bridging the divide between regulation and union organizing, Journal of Industrial Relations, 52 (2), 183-200. https://doi.org/10.1177/0022185609359444

Meyerson H. (2022) Why trucking can't deliver the goods, The American Prospect, 07.02.2022. https://prospect.org/economy/why-trucking-cant-deliver-the-goods/

Peetz D. (2019) The realities and futures of work, Australian National University Press.

Peetz D. (2022) Regulation of remuneration and safety in the road transport industry in Australia, Submission to the National Assembly Committee on Land, Infrastructure and Transport, Republic of Korea.

Safe Work Australia (2021) Work-related traumatic injury fatalities, Australia 2020. https://www.safeworkaustralia.gov.au/sites/default/files/2021-11/Work-related%20traumatic%20injury%20fatalities%20Australia%202020.pdf

The links below are to the TWU's campaign sites most relevant to this case. Other pages of interest can also be found on the TWU website.

TWU Australia (n.d.) Safe rates. https://www.twu.com.au/campaigns/safe-rates/
TWU Australia (2019) Fighting for rights in the gig economy. https://www.twu.com.au/on-demand/fighting-for-rights-in-the-on-demand-economy/

Cite this chapter: Peetz D. and Boutros J. (2024) Regulating and organising 'gig workers' since the 1970s: the case of owner-drivers in New South Wales, Australia, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 101-108.

Part 4

Value chain initiatives from South to North and back again

Chapter 9
Worker power in the Sri Lankan tea sector
How trade unions have shifted scale from the national to the global (and back again) in their pursuit of better work

Huw Thomas

Introduction

The rise of global value chains and increasing national labour market deregulation have challenged many trade unions' ability to represent and bargain for their members. In the Sri Lankan tea sector unions have been effective in promoting better work by experimenting with different forms of worker power. Unions have exercised structural power via their strategic position in the value chain and leveraged associational power through links with political parties and residual ethnic ties within and between nation-states. Through close collaboration between the International Labour Organization (ILO) and the tea-sector unions, workers have been able to leverage institutional power through both national and international labour standards to promote better work. Further experimentation will be needed, however, in order to secure improvements in living conditions, housing, education and dignity at work.

1. A brief overview of the case of experimentation

The rise of global value chains and increasing national labour market deregulation have challenged many trade unions' ability to represent and bargain for their members. Trade unions must rethink their strategies and repertoires of action to experiment with new opportunities in light of these new constraints. Export-oriented industries, such as the Sri Lankan tea sector, face the particular problem of capital mobility and the enhanced ability of multinational enterprises (MNEs) to take advantage of more lenient or relaxed labour regimes. The question therefore is how do unions shift scale from the national to the global (and back again) in their pursuit of better work?

The Sri Lankan tea sector is unusual for an agricultural sector in the Global South, having both high union density and significant collective bargaining coverage. Trade unions in this sector have been instrumental in providing a bulwark against the devastating impact of globalisation and MNEs' ability to play one country off against another. Better work has been promoted via corporatism and through an industry-wide collective agreement, which has been maintained despite international competition.

Three factors have enabled tea trade unions to promote better work in Sri Lanka. First, unions' strong associational power, which refers to the power of the collective organisation of workers, namely representation by sectoral and national unions or links with political parties or unions in other countries. Second, the structural power of workers, which refers to workers' position in the value chain and their ability to

(immediately and effectively) disrupt it. Finally, unions in the tea sector have mobilised institutional power. Institutional power is a supplementary form of power, which is defined most simply as leveraging the 'rules of the game', which create expectations of one another's behaviour. This may manifest in the invocation of the national legal and institutional framework, or through international standards, such as the ILO Conventions.

2. The union and other actors involved in the case

The main union actors in this case are the signatories of the collective agreement: the Ceylon Workers' Congress (CWC), the Lanka Jathika Estate Workers' Union (LJEWU), and the Joint Plantation Trade Union Centre (JPTUC). The CWC was established in 1939 and is also a political party, representing the mostly Tamil population on the plantations. It emerged as a dominant union following Sri Lanka's move towards an export-oriented economy in 1977 with its links to the major political parties. The LJEWU similarly retains affiliation to the United National Party (UNP), one of the country's key ruling parties. Political and economic unionism remains a dominant trade union strategy for these two unions. The JPTUC is slightly different in that it is independent and is made up of a coalition of 10 unions and plantation NGOs, representing thousands of workers in the central hills. While there are some ideological differences between the three unions – CWC and LJEWU supported privatisation in 1992 whereas the JPTUC did not – they typically work together when the collective agreement comes up for renewal.

Employers are represented by the Planters' Association, which includes the 23 regional plantation companies created following privatisation. The Planters' Association is affiliated to the Employers' Federation of Ceylon (EFC). The Sri Lankan Government is a key player in the sector through its political connections to the union and involvement in wage-setting in the sector whenever an impasse is reached between the unions and employers.

It is also important to highlight two key points about Sri Lankan tea production. First, Sri Lanka is one of the largest tea exporters in the world and is renowned for its high quality. Tea is more akin to wine than it is to other agricultural commodities in terms of the variability of quality parameters. Under this analogy, Ceylon tea is the Champagne of the sector, commanding the highest prices on the international market. Second, we must recognise the political history of tea plantations. Tea plantations were first established in 1867 under British colonial rule and workers were brought over from the state of Tamil Nadu (India) as indentured servants. Following independence, the tea plantations were nationalised in 1971. Under state sponsorship, tea plantation workers were paid higher wages on the basis of political expediency rather than the viability of the plantations as a source of export revenues. Despite privatisation in 1992, the state continues to play a strong role in setting wages and resolving disputes as a result of the plantation unions' affiliation to major political parties.

3. The types of disruption and resulting uncertainty faced by the union

The rise of global value chains, which now account for 80% of world trade, has challenged the effectiveness of traditional forms of work regulation at the level of the nation-state. Driven by intense cost competition, many have argued that a race-to-the-bottom in labour standards is under way. In particular, this disruption impacts trade unions' ability to represent and bargain for their members as MNEs engage in international whipsawing and countries deregulate their labour markets.

For many tea workers across the globe, working conditions have always been deplorable, partially as a result of the industry's colonial roots and history of discrimination. History is only part of the story, however. Increasing competition promoted by MNEs, and facilitated by governments, has led to wage cuts for many tea workers internationally, severe cases of poverty, malnutrition and sometimes starvation. Child labour is common in many countries. Workers often lack the leverage and organisation needed to engage in collective bargaining. With the growth of supermarkets in Europe and North America, the tea value chain dramatically changed towards the centralisation of tea buying, increased buying by individual companies and the bypassing of auction houses and wholesalers through direct links between the tea buyers and the tea packers. As a result, individual producers and workers have very little say over the conditions of trade and consequently the conditions of work.

Concomitantly, as a result of the 'governance gap', whereby the capacity of traditional forms of labour governance to steer and constrain transnational business activity has diminished and the power and capabilities of MNEs have expanded, private regulation by MNEs has thrived. These private MNE-led initiatives seek to 'bridge the gap' left by ineffective national labour regulation, the declining power of unions and weak enforcement of the ILO Conventions. Overwhelmingly, however, these initiatives have failed to secure decent work for those toiling at the lowest echelons of the value chains.

Trade unions in this sector therefore face a quadruple salvo of disruption. First, the continuing history of discrimination and deprivation. Second, the increasing power of MNEs in determining the price of tea and thus the conditions of work on the ground. Third, competition between countries in producing the lowest price tea, which may lead to labour market deregulation. And fourth, the rise of private initiatives that rarely include trade union representation but may displace, crowd out or even weaken their role.

4. The type of experimentation and the process of experimentation

Trade unions are well aware of the causes of poor working conditions and have experimented with different ways to improve these conditions by exercising different forms of worker power (structural, associational and institutional power) at the national and global level to maintain conditions and promote better work.

At the national level, the greatest threat has been a reduction (or stagnation) of wages as a result of international competition, and the direct pressure exerted by MNEs to cut costs. For decades, the tea trade unions have exercised structural and associational power at the national level to promote better work. Workers possess strong structural power through their key position and potential to impact the value chain, given that even localised stoppages can substantially lower tea quality. The production of tea has a tight turnaround and trade unions have effectively employed 'go-slow' strategies when the collective agreement comes up for renegotiation to force the employers to the table. Unions wield considerable power in part because of the product characteristics of tea – high quality, export value and perishability.

Likewise, unions have exercised their associational power, which is deeply rooted in the historical context of Sri Lanka and the unions' alliances with major political parties. As up to one million Sri Lankans live on tea plantations (5% of the total population), the trade unions wield significant political (voting) power, well beyond their paid membership. When collective agreement impasses have occurred between the three trade unions and the 23 regional plantation companies, the government has often stepped in. For example, the new daily wage of 1,000 Sri Lankan rupees (LKR) was enshrined in the election manifesto of the major political party that contested the election in 2019 and the newly formed government accepted it with the inclusion of a budget allowance to bring wages up (from LKR 700 per day). The unions have been fighting for this policy since 2015. This form of corporatism has been the mainstay of tea plantations since their privatisation in 1992, but this is not to suggest that the unions have not reinvented their strategies in line of changes in the global economy.

At the international level, the tea trade unions have had to adapt to thwart attempts by MNEs to exploit international differences in labour conditions. For example, in 1998, citing the India–Sri Lanka Free Trade agreement (which reduced tariffs on tea), Unilever Ceylon tried to instigate a strategy of divide and conquer, pitting Indian and Sri Lankan tea workers against each other and threatening to stop all tea sourcing from Sri Lanka as a direct result of the establishment of the collective agreement. Unions in South India and Sri Lanka, drawing on long-standing ethnic ties, cooperated under the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' (IUF) to call Unilever's bluff and became the nucleus of an international campaign. This instance of cross-border associational power was able to stop Unilever's actions on this occasion.

The unions did not have the same success in trying to operate across borders when experimenting with international forms of private governance, in this case, tea certification schemes such as Rainforest Alliance and Utz Certified. This is perhaps not surprising given that the standards included in the certification schemes were far below those established in Sri Lankan law, as well as the collective agreement, which left little room for unions to activate these certifications to lead to improvements in terms and conditions of work. Whereas private forms of governance have been found to grant leverage to workers in some countries, in Sri Lanka, trade unions were indifferent to the prevalence of these certificates or felt threatened by new forms of labour regulation that did not have a well-defined role for their organisations or an effective avenue for remedy

if/when labour rights were breached. Finally, the trade unions have also experimented with institutional power through the ILO, both nationally and internationally, in order to boost the protection of workers and improve their own skills. At the national level, the unions have taken advantage of ILO involvement in the sector through the regional office in Colombo and opportunities for advice, training and capacity-building of union officials. At the international level, the trade unions have engaged with the ILO's supervisory mechanisms (Committee on the Application of Standards) in order, in this case, to draw comparisons between the rhetoric of ratification of Conventions and workers' reality on the ground. For example, the LJEWU raised a complaint that the ratified Maternity Protection Convention (C. 103) was being applied incorrectly in the Sri Lankan plantations sector. This garnered active support from the EFC and resulted in the government changing national labour legislation.

5. The effects of the experimentation

The upshot of this experimentation has been a major success in increasing nominal wages in the sector, which are comparatively higher than those in many other South Asian countries. In addition, maternity protections remain strong, and workers are afforded a degree of social protection. The international cross-border campaign against Unilever was able to thwart the divide-and-conquer strategy and level the playing field, at least for the time being.

Having said that, working conditions in the Sri Lankan tea sector leave much to be desired. Poor living conditions, strenuous labour-intensive work, discrimination, and the fact that the up-country Tamils often lag behind the rest of the population on many development measures should be seen in stark contrast to improvements in wages. Because the plantation companies are responsible for all aspects of workers' lives, including the provision of housing, utilities, health care, religious activities, and support for education, to name but a few, investment has often been poor. This has been exacerbated by the comparatively high cost of labour on Sri Lankan tea plantations and their low productivity – the best quality tea is handpicked, whereas in many other countries it is mechanised. The employers have used these arguments to fight against wage increases and shirk their responsibilities towards their workers' living conditions.

The unions have typically focused their mobilisation strategies on the collective agreement and a strategy of economic unionism rather than a broader agenda of social reform in the plantation sector. In recent years, this has sometimes led to a disconnect between the actions of the unions (for example, accepting the collective agreement) and the desire for workers to have dignity at work (beyond wages). This is one of the main downsides of the prevailing corporatism. Although this strategy may enable workers to maximise their strength and pursue wage increases on the basis of workers' and employers' mutual interest, more radical aspirations, such as improvements on a range of socio-economic measures, may be abandoned.

6. Conclusion

This case clearly shows the effectiveness of union experimentation at different levels along the global value chain and success in drawing on different sources of power at different points. In understanding their strategic location in the value chain, the unions were able to leverage structural power to put pressure on the employers to accept improvements in the wages laid down in the collective agreement. Structural power is a necessary condition for workers to realise decent work, but it is not sufficient to actuate employment rights. The agency of workers, via associational power, is needed to leverage their structural power. Again, the tea trade unions were effective in harnessing the power of the collective through strong union membership and connections with political parties to force the employers to accept wage increases when an impasse was encountered.

Having said that, the manifestation of worker power at the national level is not always effective in combating the impact of value chains and the increasing power of MNEs. If capital goes global, union organisation must follow if labour costs and other (in)decent conditions of work are to be taken out of competition. New strategies will therefore need to be invented and experimented with. In this case, connections with unions in other countries with the support of global union federations (GUFs) was particularly effective in taking the fight to MNEs at their level. If it had not been for the widespread issues affecting tea plantation workers globally, the close connections between unions in Sri Lanka and South India might not have held broader relevance. In this case, there was clearly a need to mobilise extensively across borders. The strength of the ethnic ties between the Indian and Sri Lankan unions indicates the importance of collaboration rather than contestation between unions operating in the same sector across different countries.

Similarly, leveraging institutional power at the international level at the ILO was effective in putting pressure on the government when all else had failed at the national level. The ILO has a role to play not just in providing the 'rules of the game' for domestic bargaining but also in providing strategic capabilities for trade unions through capacity-building, which then ensures that those unions have the skills needed to activate other power sources. This has clear implications for other countries and sectors that lack structural or associational forms of worker power. While the realisation of institutional power may not compensate for the absence of other forms of structural and associational power, new sources of institutional power have the potential to enhance workers' associational capacities. Unions therefore need to consider the different strategic action fields in which they operate and where the sources of power are most readily available.

One must be careful, however, not to ignore the fact that improvements need to be made in the structure of union organisation in the Sri Lankan tea sector. Much more must be done to leverage these different forms of power at national and international levels to tackle poor living conditions and investment in education and health care. While wages may have been improved, dignity at work remains weak. The labour shortages in the sector are indicative of a mass exodus of young people to the cities to find work that they believe will lead to a better life. The future of the tea sector is uncertain as tea

exports are at their lowest level in 23 years. It is also impossible to predict what impact the economic crisis in Sri Lanka will have on the tea workers. Wages will need to be increased dramatically to account for the surging cost of living. However, it is clear unions have played and will continue to play a role in a sector. This role is intimately connected to the global economy but shows promising signs of resistance against the often-devastating impact of value chain expansion.

Case initiators and authors

Dr Huw Thomas is Assistant Professor of Employment Relations at University College Dublin (UCD). This case study was initially part of a project with the ILO and then continued as part of Huw Thomas's PhD research. Data was collected through questionnaires, focus group discussions and interviews with employers, unions and government officials.

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References

Thomas H. (2016) Good practices by multinational enterprises in the promotion of decent work in the global tea supply chain, in ILO (ed.) Sectoral studies on decent work in global supply chains, ILO, 101-138. https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---sector/documents/publication/wcms_467295.pdf

Thomas H. (2020) Governing global production networks in the new economy, in Wilkinson A. and Barry M. (eds.) The future of work and employment, Edward Elgar, 189-203.

Thomas H. (2021) A 'decent cuppa': worker power and consumer power in the Sri Lankan tea sector, British Journal of Industrial Relations, 59 (1), 114-138. https://doi.org/10.1111/bjir.12489

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Chapter 10
The quest for cleaner clothes

Using more systematic data collection to promote worker organising and advocacy in the international garment sector

Jean Jenkins, Helen Blakely, Rhys Davies and Katy Huxley

Introduction

We highlight two cases of experimentation designed to improve working conditions at sites in the international garment sector. Each case involves systematic data gathering and analysis to reinforce union organising and advocacy. The first concerns the representation of worker grievances by a small grassroots union in Southern India. The second concerns transnational calls for urgent assistance made to the Clean Clothes Campaign (CCC), which is a leading international NGO in the garment sector. These two cases highlight how exploitation happens, and the challenges to freedom of association at the local, national and international levels in garment supply chains. By juxtaposing workplace data with broader trends, it is possible to identify barriers to collective organisation. A key takeaway is the importance of rigorous data management for the credibility, efficacy and status of local and international actors in their advocacy. Despite multiple obstacles, these two cases illustrate the importance of active promotion of the rightful place of organised labour at the local and global bargaining table.

1. A brief overview of the case of experimentation

The international garment sector is generally feminised and production sites are largely concentrated across South Asia and South-east Asia, although the industry is again on the move. It truly is a global industry. As new shifts occur, production sites in Europe's former Eastern bloc and former locations in mature economies are also reappearing. Irrespective of location, working conditions are notoriously poor. The collective representation of workers' interests is generally resisted and suppressed. Activism is particularly risky for workers' leaders and those who identify as trade unionists or labour activists. Nevertheless, despite the many barriers to collective representation and freedom of association, workers continue to organise.

Methods of organisation need to be sensitive to local context and take account of workers' gender, ethnicity, poverty and attendant vulnerability to exploitation. That said, the international supply chain provides an international arena of contention in which some leverage may be available to workers at the base of buyer-driven, labour-intensive supply chains through appeals to international NGOs and trade unions. This arena of experimentation is fraught with risk. While international partners may be vital in supporting local struggles, national political rhetoric around 'foreign interference' can be used to target local activists and portray them as being 'captured' by foreign interests, disloyal to the state by implication, and a threat to the retention of work in

the context of mobile capital. There is therefore a complex, risk-laden experimental exchange across local, national, and international space.

We report here on two cases of experimentation for improvements in working conditions through the free and independent collective representation of garment workers. The first case seeks to document how a small grassroots union in South India has experimented with the formalisation of information in representing workers and resolving their grievances. This initiative is linked to a second case, that of the Urgent Appeal mechanism of the Clean Clothes Campaign (CCC), under which appeals are made to the CCC about violations of worker rights. The two cases of experimentation involve greater formalisation of procedures, both at local grassroots level and at the level of the international NGO. Through a research partnership involving the authors, each case involves the use of data collection and analysis as a tool for achieving credible outcomes and mitigating barriers to worker organisation.

Taken together, these data-gathering experiments highlight the multiple violations of worker rights in garment workplaces. So-called soft regulation by means of voluntary codes is clearly no guarantee of safe workplaces free of abuse, compulsion and intimidation. Despite their separation in transnational space, these local and international actors are very much united by common objectives, be it through advocacy along global supply chains or alternative forms of organising and connecting with workers on the ground.

2. The union and other actors involved in the case

Our first case analyses grievances handled by a small, grassroots, female-dominated garment workers' union in Bangalore, India. Drawing on a research partnership (see section below on Case Initiators and Authors), the research team systematically recorded and analysed worker grievances reported to the union over a two-year period. The initiative registered findings in a new digital format, allowing for the archiving and analysis of work on the ground. Detailed case notes on more than 350 workplace grievances were compiled between 2018 and 2021. Case notes were supplemented by information gathered from 20 respondents in interviews conducted away from the workplace to ensure confidentiality and safety. The research also involved observation of workers' forums and meetings, and review of documentary evidence.

The second case focused on the international dimension of the garment sector through a collaboration with the Clean Clothes Campaign (CCC), which is a network of civil society actors including trade unions, multi-stakeholder initiatives and others. The Clean Clothes Campaign is recognised as one of the leading international NGOs in the sector. It is 'brand-facing' in the sense that it uses its campaigning to call on international brands to honour core principles regarding business and human rights in their supply chains. The objective was again to create a database in order to analyse and learn from the Urgent Appeals submitted to the CCC by its network of partners and associates around the globe. The result is a user-friendly database that can be used by Urgent Appeals Coordinators within the CCC Network.

The combination of these two cases provides an overview of sectoral trends in the international garment sector. They also illustrate, however mammoth the challenge, how experimentation with data gathering and learning from this data can contribute to worker organisation and advocacy.

3. The types of disruption and resulting uncertainty faced by the union

Workers in the garment sector, at every production site, face the constant threat of disruption to their lives. This takes the form of factory closures, arbitrary dismissal, abuse and non-payment of wages. The informality characteristic of working arrangements is combined with the limited protection provided by formal labour standards. Garment workers typically also suffer multiple layers of socio-economic disadvantage in their own societies. Workplace regulation therefore depends entirely on de facto leverage and power. As employers seek to maximise their dominance, union activists and identifiable union members face multiple risks. They may be physically attacked, targeted with false allegations of criminal offences, or placed under surveillance. Even the laws governing their role and right to exist are subject to change.

Despite this hostility, workers are experimenting with collective representation. Their efforts chime with many of the earliest aims of trade unionists around the world, namely the struggle for collective bargaining and the joint regulation of the terms and conditions of employment. The achievement of these aims has to contend with both the constraints of employer economic power and states keen to narrow the scope for even familiar forms of social reformism and trade union formation. Experimentation by labour actors has therefore turned to the reordering of regulation among different regulatory arenas, linking local conditions and activists directly to leverage, by way of the international supply chain, international standards and international support for collective representation. The experiments documented in this case study seek to achieve, in however limited a way, an articulation between these different arenas.

4. The type of experimentation

The predominant form of regulation in the global garment sector is unilateral employer decision-making, usually market-driven and price-focused. In practice, irrespective of location, workplace power relations will mirror local societal context. It follows that gender, race and class are defining conditions for a worker's experience of (in)justice at the workplace. Workers are commodified and silenced by the intersection of state, corporation and societal pressures and their agency is constrained by poverty.

Meanwhile, large, politically affiliated (usually) male-dominated trade unions have not adapted well to the needs of garment workers. They do not necessarily resonate with the female-dominated workforces that characterise 80% of the sector's international workforce. Furthermore, traditional organising is challenged in the informal opaque and shifting network of buyers and supplier factories in the supply chain. Conversely,

while the more fluid solidarity that workers achieve on the ground has great strengths, its fluidity can also have limitations. The available pathways to remedy on 'labour issues' are everywhere characterised by a demand for 'evidence'. This can seem redundant to workers who live their exploitation on a daily basis, but documenting and systematising data is a cornerstone of advocacy that grassroots organisations must engage with if they are to establish relationships, credibility and networks both within and beyond the local arena.

5. The process of experimentation

The two partnership projects entailed experimentation around grassroots organising and advocacy on the part of local and international actors situated in different arenas. They speak to the same broad issue: how may access to remedy be assisted by robust bodies of evidence? Thus, this experimentation is supported by the formalisation of research processes, data input and analysis that the two projects involved. This formalisation, often in its infancy, was integral to each of the research initiatives.

In the international case, experimentation with formalising data input and analysis began with a pilot research project in 2018 and developed from there. The Urgent Appeals process is a core element of CCC's mission and strategy. Their involvement in this project sprang from their recognition that the reservoirs of tacit knowledge held in the network are at risk of being lost if not catalogued in a way that facilitates ease of access and the sharing of collective experience.

In the case of the grassroots union in India, engagement with this form of experimentation was initiated by analysis of past activities. This analysis underpinned a recognition that with success and some growth come new expectations. In order to fulfil growing obligations and workers' hopes for representation, representatives recognised the need for greater formalisation. For example, advocacy in the Labour Court demands robust evidence. Also, in the interests of the organisation itself, it is risky to rely on the knowledge resources of individuals. Furthermore, credibility and engagement with international advocates for labour rights demand robust data.

The experimentation associated with collating and archiving worker grievances was an initial cause of anxiety in both case study organisations. As the experimentation proceeded, however, key grassroots activists came to value the new elements of bureaucracy and formality. International campaigners also reported the rewards of systematising access to knowledge and information.

In the case of the union, in addition to aiding preparation of cases for the Labour Court, some activists also commented on the impact for their own personal development. This development went beyond bureaucratic protocols. Through the course of the project (in total around 30 months), some activists found new confidence in their own talents as 'managers' of their activities, and also explored new means of establishing social networks as grounds for organising and communicating. They engaged with creative

arts, such as traditional folk songs, and used the data tool to maintain contact with workers during the Covid-19 pandemic.

The internal work pursued by the Clean Clothes Campaign on systemising and sharing data continues but is subject to confidentiality given the sensitivity of the information held in their complaint process. Suffice to say that greater formalisation facilitates the sharing of core knowledge.

6. The effects of the experimentation

As experimentation by local and international actors in our cases is ongoing and the scale of the challenges so significant, the effects on local bargaining and regulation of transnational production are necessarily limited. The autonomy of the typical garment worker remains very low, while control remains largely in the hands of employers. Voice at work and democratisation are practically non-existent. Faced with such enormous challenges, however, organising and advocacy persist and points of leverage are crucial. To borrow a cliché, knowledge really is power and in this sense our experimentation is helping with capacity-building.

In the context of a sector notorious for its informality and neglect of worker records, the benefits of formalisation among international and local activists lie in its capacity to challenge employers on their legal and contractual obligations. The sands of negotiation are constantly shifting, but robustly recorded data can deliver good outcomes both locally and internationally. Thus, for example, even small wins at the Labour Court boost the credibility of local unions on their home ground. Similarly, campaigns at the international level – for example, on wage theft, freedom of association or health and safety – demand reliable data from the grassroots as a basis for international advocacy and campaigning. In this respect, local and international organisational capacity is further strengthened by robust evidential and strategically relevant information that is organised and accessible.

Finally, the need for robust data highlights the interrelationships between the actors in our two cases: local bargaining power is frequently dependent on international visibility. Without rigorously presented data, employer groups typically dismiss accounts of workplace violations as unreliable, unrepresentative and anecdotal, which can thus be discounted as aberrations. In order to have any chance of effecting change, their local action must be understood and recognised further up the supply chain, where brand discomfort can be leveraged in order to deliver change in local bargaining dynamics. It is therefore important to locate such experimentation in the larger context of the challenge of achieving effective labour regulation for better work in the garment sector.

7. Conclusion

In light of data from both local and international actors, it is clear that freedom of association in the garment sector is universally under attack. This has major implications

for worker autonomy and our understanding of democratic processes in the regulation of work. Top-down commitments to labour standards and social dialogue are welcome and necessary, but our data shows that soft law is insufficient to engender real change in the face of powerful vested interests at local, national and international levels.

In short, the actions of various state and corporate actors make it impossible to assert in practice the principles of basic human rights signed up to on paper. For example, almost every corporate code one might wish to peruse will commit to 'employee voice' to signal broad acknowledgement of freedom of association as a fundamental human right. However, experimentation with the systematic collation of data exposes that, in reality, such commitments are not only going unfulfilled, but are positively blocked by state and corporate actors.

In this context, the activities of the CCC are renowned for their innovative campaigning. Similarly, in their activities, grassroots unions are seeking to represent and involve women (and men) previously unfamiliar with organising. The world around such organisers is in constant flux and they are challenged daily to respond to changing regulatory, political, economic and social challenges. However, while such organising may emerge organically to begin with, avenues to remedy are embedded in institutions and forms of collective organisation that look traditional and familiar, such as trade union recognition, collective bargaining and the courts.

Thus, new forms of activism are channelled into old structures of remedy. In this space of informal and organic forms of worker organising, it is essential to meet the need for formalised presentation of evidence. In conditions of grossly uneven power, workers and activists are experimenting with the use of institutions as pathways to greater social justice. The imperfections of such institutions are many, but this does not mean they can be ignored. The systematic collection of data is therefore essential to experimentation with organising and advocacy. In a sense, deriving maximum benefit from being a better and more organised record keeper than your employer is key to the experimentation being undertaken here.

Our experimentation with the benefits of rigorous data collection as a contribution to organising and advocacy is still in progress. We hope that it will yield meaningful outcomes, even if they will be many years in the making.

Case initiators and authors

These case studies were conducted by a joint research team bringing together researchers from Cardiff University/WISERD, Cividep India and the Clean Clothes Campaign (CCC) Amsterdam. The team at Cardiff University/WISERD comprises Jean Jenkins, Helen Blakely, Rhys Davies, Catriona Dickson and Katy Huxley. The team at Cividep India is composed of Rekha Chakravarthi, Kaveri Thimmaiya and Gopinath Parakuni. The Clean Clothes Campaign is represented by Sam Maher and Noa Serban-Temisan. The research was funded by the ESRC Global Challenge Research Fund in the UK.

The cases were documented by two research partnerships centred on working conditions in the international garment sector. The first brought together researchers at Cardiff University and Cividep-India, a leading local NGO in the field of business and human rights in Bangalore. It involved an inquiry into workplace grievances. This qualitative project used an ethnographic approach sensitive to the socio-economic characteristics of the respondents working in the factory.

The second partnership, the Urgent Appeal (UA) Database Project, involved the analysis of transnational data on calls for urgent assistance made to the Clean Clothes Campaign, recognised as a leading international NGO in the sector. Entirely based on secondary data over more than a decade, this analysis was built on years of shared learning, for which we all thank one another!

In response to the major disruption of the Covid-19 pandemic, our Indian project was temporarily brought to an abrupt halt in March 2020. Data collection was adapted for a short period to support humanitarian work by Cividep and other local stakeholders, and to investigate workers' needs and experiences. Taken as a whole, our entire data set comprises a strong evidential basis of actual conditions of work and employment across the garment sector. It also documents changes in employment conditions and organising prior to, during and after the pandemic. We anticipate that such data may be useful for sharing and for local and international advocacy.

A final methodological note concerns our focus on workers, labour activists and civil society. To develop and maintain deep relations of trust with workers and activists and to mine the hidden depths of workplace realities, the ethics of our research preclude any significant direct engagement with corporate actors in the supply chain, the risk being that such engagement could otherwise undermine those bonds of trust. Only after the completion of the research process may we disseminate findings to a wider range of actors, including the corporate sector. In the absence of due care to protect the parties involved, it is difficult to overstate the myriad risks of sanctions from a range of local and national actors at the sites of production. We have therefore anonymised all research results.

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References

The methods we experimented with in these two projects were later put to further use in a study of health and safety in Pakistan, completed in 2022. The data formed part of CCC's evidential base in favour of the extension of the International Accord on Fire and Building Safety to Pakistan. The anonymised report of workers' concerns and experiences of health and safety in three urban centres in Pakistan (Lahore, Faisalabad and Karachi) was published by the Clean Clothes Campaign in July 2022. It is available at: https://wiserd.ac.uk/news/a-decade-after-deadly-ali-enterprises-fire-pakistans-garment-workers-report-shocking-lack-of-fire-exits/

Research team

At the time the research was undertaken, members of the research team were Catriona Dickson from Cardiff University/WISERD; Rekha Chakravarthi, Kaveri Thimmaiya and Gopinath Parakuni from Cividep India; as well as Sam Maher, Noa Serban-Temisan and Thiruvalluver Yovel from the Clean Clothes Campaign. To contact members of the research team, please write to: Jean Jenkins, Cardiff University/WISERD at Jenkinsj1@cardiff.ac.uk.
Cividep works in the area of business and human rights and engages directly with a range of India's export sectors: the garment, leather and electronics industries, coffee and tea plantations. In its efforts to advance corporate accountability, Cividep research, educate, support and advocate.
Clean Clothes Campaign is a global network of over 235 organisations operating in over 45 countries. It connects actors across the garment and sportswear industry, linking home-based worker organisations, grassroots unions, women's organisations and trade unions to labour rights and feminist organisations, CSOs and activists in both garment-producing and consumer market countries. All members, partners and associates of CCC are dedicated to empowering workers to improve the working conditions of the global garment and sportswear industries.

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Chapter 11
Promoting independent, democratic trade unionism in Mexico

How the CALIS project leverages a continental trade agreement and Canada-Mexico trade union solidarity

Mohamad Alsadi, Hector de la Cueva, Angelo DiCaro, Lana Payne, Luis Bueno Rodriguez and Fred Wilson

Introduction

The CALIS project – Centro de Apoyo a la Libertad Sindical (Center for the Support of Trade Union Freedom) – is a four-year joint solidarity project led by Unifor in partnership with the Centro de Investigación Laboral y Asesoría Sindical (Center for Labor Research and Union Counseling) (CILAS), a Mexican civil society organisation that advocates on behalf of the country's independent labour movement. This project was launched in November 2021 to establish a network of worker action centres in Mexico City and industrial export regions of Mexico, and provides critical support and resources for the independent labour movement during the implementation of Mexico's labour law reform. The project is new and noteworthy for its leveraging of the provisions of the 2020 Canada–United States–Mexico Agreement (CUSMA) on trade and its novel labour provisions, which require recognition of freedom of association and free collective bargaining, and subsequent funding for the CALIS project, provided by Canada's International Labour Program. CALIS is also distinguished by its high level of international solidarity and cooperation, and its action and organising model. In its first year, the CALIS project and its network of Casas Obreras (Worker Centres) provided important support to the democratic and independent Mexican labour movement, with a meaningful impact for Mexican workers. Notably, the CALIS project's National Centre and the Casa Obrera del Bajío in Guanajuato were at the core of the decisive struggle by the Sindicato Independiente Nacional de Trabajadores y Trabajadoras de la Industria Automotriz (National Independent Union of Automobile Industry Workers) (SINTTIA) to dislodge the former corrupt 'protection union' and achieve a new collective agreement at the General Motors truck assembly complex in Silao, with significant gains for workers. In 2023, Mexico's labour reform entered a new stage when the four-year process to 'legitimise' existing collective agreements came to an end, leaving tens of thousands of agreements without recognition by Mexico's new labour relations institutions. The new circumstances will require the partners in the CALIS project to react, adjust and redirect priorities within its organising and action model towards its goals. These dynamic qualities are essential to the success of labour experimentalism.

1. A brief overview of the case of experimentation

The implementation of a new North American trade agreement on 1 July 2020 created an historic opportunity for independent Mexican trade unions to organise and challenge the corrupt labour relations regime that for generations had denied Mexican workers genuine freedom of association. The new trade agreement, known by different names in Mexico (T-MEC), Canada (CUSMA) and the United States (USMCA), introduced groundbreaking provisions to reinforce and advance the constitutional labour law reforms introduced by the Mexican government in 2019. The new trade agreement also represented an opening for Canadian workers to tackle one of the main reasons for capital flight in export industries, namely by raising the floor for Mexican labour standards. The Canadian union, Unifor, and its partners in the independent Mexican labour movement made a bold decision to seize these opportunities together through an organising and worker action project to win greater freedom of association in Mexico and fulfil the promise of labour reform.

The CALIS project – Centro de Apoyo a la Libertad Sindical (Center for the Support of Trade Union Freedom) – opened a National Worker Action Center in Mexico City in November 2021 and in 2022 opened five regional worker centres or Casas Obreras in Jalisco, Querétaro, Guanajuato, Baja California and Tlaxcala. The CALIS project opened a sixth Casa Obrera in San Luis Potosi, subsequently transferred to the independent General Tire Union in that city with the support of the US Solidarity Center.

This four-year joint technical assistance project is funded through an agreement between the Labour Funding Programme of the Government of Canada and the Canadian union Unifor. On the ground, CALIS is a joint project between Unifor and the Centro de Investigación Laboral y Asesoría Sindical (Center for Labor Research and Union Counseling) (CILAS) and independent Mexican unions, which sit on a governance committee.

By the end of its first year, this unique project had provided significant support to the democratic and independent Mexican labour movement, with a meaningful impact for Mexican workers. Notably, the National Center and the Casa Obrera del Bajío in Guanajuato were at the centre of an historic struggle to obtain an independent union for 6,000 auto assembly workers at General Motors's Silao truck plant. The decisive struggle by the Sindicato Independiente Nacional de Trabajadores y Trabajadoras de la Industria Automotriz (National Independent Union of Automobile Industry Workers) (SINTTIA) to dislodge the former corrupt 'protection union' was a crucible for Mexican labour reform and the new labour chapter of USMCA/CUSMA/T-MEC, including its novel 'rapid response labour mechanism' (RRLM). This landmark victory for SINTTIA also earned recognition for the CALIS project as a significant player in the Mexican labour reform process, providing essential resources for organising and action.

2. The union and other actors involved in the case

The organisational centre of CALIS in Mexico is the Mexican organisation Centro de Investigación Laboral y Asesoría Sindical (CILAS). For over 30 years, CILAS has been a coordinating research centre for independent Mexican unions. Through CILAS, the project is representative of key Mexican independent unions and federations. CALIS's governance structure includes a Comité Orientador (Steering Committee), which includes representatives of the Sindicato Mexicano de Electricistas (Mexican Electricians Union) (SME) from the Nueva Central de Trabajadores (New Central Workers' Union) (NCT), the Sindicato de Telefonistas de la República Mexicana (Union of Telephone Operators of the Mexican Republic) (STRM) and the Sindicato de Trabajadores de la UNAM (UNAM Workers Union) (STUNAM) from the Unión Nacional de Trabajadores (National Union of Workers) (UNT), the Sindicato de Trabajadores de General Tire de México (General Tire de México Workers' Union) (STGTM), the Sindicato Independiente de Audi (Audi Independent Union) (SITAUDI) from the Federación de Sindicatos Independientes de la Industria Automotriz, Autopartes, Aeroespacial y del Neumático (Federation of Independent Unions of the Automotive, Autoparts, Aerospace and Tire Industries) (FESIIAAAN) and the Unión Nacional de Técnicos y Profesionistas Petroleros (Unión Nacional de Técnicos y Profesionistas Petroleros) (UNTYP).

Unifor is the contracting party for CALIS with the Labour Funding Programme of Employment and Social Development Canada (ESDC). Unifor was founded in 2013 and is Canada's largest private-sector trade union. The CALIS project was made possible in significant part by Unifor's participatory and advisory role in the USMCA/CUSMA/T-MEC negotiations and its lengthy relationships with CILAS and Mexican independent unions, which had pre-established trust and common purpose. Through the Unifor Social Justice Fund Unifor had partnered with Mexican unions and social organisations in 14 previous projects.

3. The types of disruption and resulting uncertainty faced by the union

The CALIS project arose from pursuit of the goal of fair-trade relations between Mexico and Canada and the wage and employment disparities long considered to be Mexico's 'comparative advantage' within the North American supply chain, particularly in trade-dependent sectors of the economy.

These disparities for Mexican workers are a result of worker repression, a failed system of industrial relations, and the decades-long denial of fundamental labour rights as a result of which the vast majority of unionised workers in Mexico belong to so-called 'yellow' or 'charros' unions, primarily affiliated to the Confederación de Trabajadores de México (Mexican Confederation of Workers) (CTM). Also known as 'protection unions', the CTM unions in Mexico have been widely denounced by global labour advocates, including the International Labour Organization (ILO). Under these protection unions, collective agreements are generally negotiated outside democratic oversight or membership participation, and workers are generally unaware of the union's existence,

do not know who their leaders are and do not ratify the collective agreements signed on their behalf.

The most recent ILO reports (2022) acknowledge the intentions of the Mexican labour law reforms, but also point to the criticisms raised by independent unions. Indeed, global unions such as IndustriAll point out the reforms' very limited achievements. The CALIS project's overarching goals are to alter these conditions by supporting democratic workers' groups and independent Mexican unions to organise and displace corrupt unions, secure global standards for the rights of free association, and fulfil the promises of Mexico's labour reforms.

4. The type of experimentation

The origins of the CALIS project were forged in the 2018 renegotiation of the North American Free Trade Agreement (NAFTA). Unifor provided strategic advice to the Canadian negotiators while maintaining an ongoing dialogue with independent unions in Mexico. In March 2018, Unifor brought representatives of eight independent Mexican labour organisations to Ottawa to meet with Members of Parliament and Canada's NAFTA Negotiations Team. Worker-centred dialogues between Unifor and leaders of Mexico's independent trade union movement were held, leading to a better understanding of the challenges facing Mexican workers and the needs and concerns of Canadian workers. This resulted in the establishment of the CALIS project by Unifor, in close collaboration with CILAS, to make use of the labour provisions of the new trade agreement to support and advance workers' rights and union organising.

The USMCA/CUSMA/T-MEC signalled a change in the treatment of workers' rights in contrast with the NAFTA treaty that preceded it. Specifically, the main body of the agreement incorporates a dedicated chapter on Labour (Chapter 23) and an annex on workers' representation. Notably, these provisions allow Mexican workers to freely choose their union, a goal long advocated by the authentic, independent trade unions of Mexico (and consistent with the objectives of the 2019 labour reform). The agreement requires approximately 80,000 collective agreements in Mexico to undergo 'legitimisation votes' before May 2023. An important new feature of the labour chapter provides for 'rapid response labour mechanisms' when violations of worker rights are alleged.

The USMCA/CUSMA/T-MEC also provides new forms of support from trade unions and non-governmental organisations (NGOs) in Canada and the United States to promote labour freedom and democracy in Mexico. Canada committed 27 CAD million in technical assistance to the Mexican labour reform, including 9.4 million Canadian dollars (CAD) for Canadian labour projects, shared between the four-year, CAD 5 million CALIS project and a separate worker education project sponsored by the Steelworkers Humanities Fund and affiliates of the Canadian Labour Congress (Employment and Social Development Canada, 15 December 2021). The United States US Bureau of International Labor Affairs (ILAB) has also committed 50 million US dollars (USD) over four years to labour-sponsored projects in Mexico in cooperation

with organisations such as the AFL-CIO's Solidarity Center and the Partners of the Americas, plus an additional USD 130 million in technical assistance and cooperation with state and business actors.

Technical assistance, particularly education and skills training, are standard elements of international development and labour solidarity. However, the CALIS project began with a different purpose and recognition that a much stronger presence and role for the independent and democratic unions, particularly in the trade-dependent and export regions and economic sectors of Mexico, is a necessary precondition to breathe life into the promise of transformational change in Mexican labour relations. This called for an organising and action-oriented project supported by strategic research, communications, legal services, education and skills development and political action. Such an international project also necessarily required governance structures to meet the sovereign needs and interests of Mexican workers and unions. Not least, it also required rigorously structured goals and accountability measures in relation to funding arrangements from the unlikely source of the Government of Canada, in the context of a continental trade agreement that hitherto had been at the centre of the problem rather than an instrument of change.

At the heart of the CALIS project is a network of worker action centres in close coordination with independent partner unions. Project leadership is based in a National Center in Mexico City, where the Mexican coordinators and research, communications, education and legal and organising teams are based. The national office supports six regional worker centres or Casas Obreras in selected regions where Mexico's trade-sensitive export industries are found. Each Casa Obrera has full-time coordinators and organisers. Significant resources are allocated to outreach teams working out of the Casas Obreras tasked with worker engagement, gathering information on worker rights and organising directly in priority workplaces. The Casas Obreras are community-based and work with local community associations to host educational workshops and activities on worker rights, gender and social equality, and skills training for union activists.

5. The process of experimentation

The CALIS project required almost one year of preparation to define goals that met both the needs and interests of Mexican independent unions and the programme funding requirements of the Canadian government. For the Canadian and Mexican trade union activists engaged in this strategic planning, it required the use of unfamiliar programme evaluation tools, notably the adoption and adaptation of results-based management processes and logic models, which some in the labour community considered highly bureaucratic. While the ultimate results of the strategic framework remain to be seen, the discipline imposed by the logic model and Funding Agreement with Canada proved to be useful in carefully defining ultimate and intermediate transformational goals with comprehensive and specific outputs and actions towards these goals.

The Project's foundational phase involved the organisation of governance structures. Executive functions are carried out by a Canadian coordinator and Mexican coordinator working with staff at the National Center and Casas Obreras. The coordinators co-chair the Project Comité Orientador, or Steering Committee, composed of representatives of independent partner unions in Mexico. The Comité Orientador meets twice a year to advise on project priorities and operations. A five-person International Advisory Committee of Canadian and Mexican labour and academic advisors has been established. The committee meets prior to Comité Orientador meetings and advises on organising and educational best practices and a performance-management framework process.

The Project's operational phase commenced in September 2021, somewhat delayed and complicated by the Covid-19 crisis. The National Center and two Casas Obreras in St Luis Potosi and Silao, Guanajuato were opened in the first 60 days of operations. Four other Casas Obreras were opened in 2022 at Querétaro, Tijuana in Baja California, Guadalajara in Jalisco and Tlaxcala, while the San Luis Potosi Casa was transferred to the independent General Tire Union in that city.

6. The effects of experimentation

The results of the CALIS project with regard to transformational goals are still quite preliminary. Moreover, the scope of the problems in the Mexican labour relations system calls into question the ability of any one project to have a measurable impact. However, the CALIS project is uniquely positioned as an organising and action project closely connected to the independent labour movement. The CALIS organising model has made it possible to respond in real time to developing situations and to self-organising worker initiatives that can have national significance. This was the case at the General Motors plant in Silao, Guanajuato.

In Silao, early contact had been established with CALIS organisers prior to the launch of the Project. When the Casa Obrera del Bajio in Guanajuato was established in October 2021, it immediately became an organising centre for the insurgent SINTTIA union, following significant voting irregularities that transpired during the initial legitimisation vote. In the first vote at the plant, the incumbent CTM unions claimed victory, but numerous unfair labour practices came to light. The first RRLM complaint under the USMCA/CUSMA/T-MEC labour chapter (filed by the US Trade Representative) led to a judicial decision to hold a new vote, with stricter rules and oversight to ensure democratic integrity. This time, the Silao workers decisively rejected the existing collective agreement. Organising continued and in early February 2022 SINTTIA won a representation vote, winning 4,192 votes out of 5,389 valid ballots, in an election with a 90% turnout. In May 2022, a new collective agreement was achieved between SINTTIA and General Motors and was subsequently ratified by 85% of Silao workers. The contract made substantial wage and benefit gains, far exceeding other negotiated automobile contracts in Mexico at that time. A subsequent negotiated agreement in March 2023 brought total compensation increases to 26.3% over the 10-month period.

Throughout this process, the CALIS project was closely connected to the work of SINTTIA, providing essential communications services and legal advice, training for organisers and newly elected negotiators, and mobilising Mexican and global solidarity. During preparations for negotiations with General Motors, the new SINTTIA negotiating committee and the Unifor General Motors Master Bargaining Committee met to strengthen relations and share experiences of dealing with the company. The assessment of the CALIS coordinators that the Silao GM struggle was pivotal to the Mexican labour reform overall and would influence outcomes in all sectors and regions proved correct. The SINTTIA victory altered expectations of Mexican workers and activists and inspired new organising efforts in multiple regions and sectors.

The CALIS project had other accomplishments in its first year. The San Luis Potosi Casa Obrera organised rapid responses to assist worker organising and widely distributed information to workers in the San Luis Potosi region. It also convened strategic planning meetings with independent trade unions of the region to support organising initiatives at several export-oriented corporations. Dozens of skills training and education sessions were conducted, including sessions for women workers. The project research and legal teams published a comprehensive monitoring review of labour reform on matters such as the election of union leaders, gender equity and membership ratification of wages and working conditions. The report has been a key source of information for partner unions and Mexican and international media (see link below). A substantial start was made on the ambitious communications goals of delivering information on worker rights directly to some 400,000 workers and through general communications and social media to 30% of all workers in Mexico's priority industrial export regions and sectors.

7. Conclusion

The CALIS organising and action model must have the capacity to respond and adjust to changing contexts, especially in Mexico. As the CALIS project entered its second year, it was overwhelmed with organising demands beyond its capacities and these demands only became more intense in the run up to and after the 1 May 2023 deadline for the legitimisation of Mexico's entire catalogue of collective agreements. A report by the Secretaría del Trabajo y Previsión Social (Ministry of Labor and Social Welfare) (STPS) with just 100 days remaining to the deadline reported 12,641 contracts ratified, out of some 80,000. In March the Centro Federal de Conciliación y Registro Laboral (Federal Center for Conciliation and Labor Registration) (CFCRL), the government agency responsible for registration of unions, extended the voting period to the end of July 2023, provided that a request for a vote was submitted by the 1 May deadline, tens of thousands of existing agreements lost their registration with the CFCRL, creating a new situation with opportunities and dangers for both the protection unions and the independent labour movement.

In the wake of the legitimisation process, the independent unions' focus will necessarily shift to direct organising. Since the launching of the Casas Obreras, relations have been established with dozens of workers' groups that are seeking to organise independent

unions in their workplaces, most of them in industrial companies directly linked with North American trade.

The labour chapter of USMCA/CUSMA/T-MEC will continue to make mechanisms available to Mexican organisers. In December 2022, the CALIS project facilitated a meeting of labour, legal and government representatives in Mexico City to explore more effective use of the RRLM mechanisms that can provide direct remedial assistance to workers seeking to exercise rights of free association. The mechanism had already been employed several times by the United States and in March 2023, responding to a claim from Unifor and SINTTIA, Canada launched a formal investigation under the mechanism in support of workers seeking to establish an independent union at the Fränkische auto parts facility in Silao, Guanajuato. The Canadian initiative resulted in the rehiring of fired organisers and agreement on a protocol with the company. In June, SINTTIA ousted the former CTM union in a representation vote.

Perhaps one of the first conclusions suggested by the CALIS experiment is that while instability often mitigates against experimentalism, meaningful trade union experimentalism is rarely played out in stable circumstances. Projects such as CALIS occur in dynamic political contexts. They require the labour leadership and its partners to adjust their strategies in real time and mobilise their power resources accordingly. The CALIS project itself is the product of a particular configuration of political developments in three countries and required swift action from union leaders to seize the opportunity. However, the opening for union organising that arose from USMCA/CUSMA/T-MEC could quickly close as a result of political change in any or all these countries. Given the high degree of uncertainty for Mexican unions, CALIS's organising and action model will be called upon to react, adjust and redirect priorities and pathways towards its goals.

The CALIS organising and action model also underscores the fundamental realities of work and economic systems. Mexico is a vivid contemporary example of exploitative work and denial of worker rights held in place by a structure of social inequalities, institutional corporatism and global trade. Corrupt and ineffective unions are a by-product of this structure. Mexican workers will achieve freedom of association and dignity at work through their own organising and struggle. This is all the more likely given recent proposals from state and CTM actors to divert change through the reconfiguration of the labour relations system into a new type of corporatism. A campaign is already well under way to rehabilitate the protection unions. On the other hand, the deregistration of protection contracts opens the door to the re-establishment of protection unions without 'legitimisation'.

Without doubt, CALIS has already demonstrated the potential power of global trade union and working-class solidarity. For the participants in this unique project, it has also revealed the complexities and problems of effective leadership and management of an international project in one country. The collaboration of Unifor and Mexican labour leaders and organisations in the governance and leadership of an action project on the frontlines of Mexican labour relations was inevitably impacted by cultural and language differences affecting project operations. In the case of CALIS, a strong history

of shared experiences and values has been instrumental in providing a foundational basis on which further solidarity could be built in practical and respectful ways. CALIS's activists and supporters in Mexico and Canada recount shared experiences dating back to the free trade struggles of the 1980s and the many projects involving Unifor and its predecessor Canadian unions.

One important feature of the CALIS project is the objective of creating relationships and structures that will continue the work towards the transformational goals of freedom of association and social justice beyond the four-year funding agreement. The early successes of the Casas Obreras suggest that the CALIS experiment may well have lasting importance for Mexican workers.

Case initiators and authors

The case initiators and authors of this study are Mohamad Alsadi, Unifor CALIS Canadian coordinator; Hector de la Cueva, CALIS Mexico coordinator and general coordinator of CILAS; Angelo DiCaro, Unifor director of research; Lana Payne, Unifor national president; Luis Bueno Rodriguez, professor of organisational theory, Metropolitan Autonomous University and CALIS director of research; and Fred Wilson, Unifor, chair of the CALIS International Advisory Committee. This case study is based on CALIS documents and records and exchanges between the authors and with Project activists.

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References

Centro de Apoyo para la Libertad Sindical (n.d.) Centro de Apoyo para la Libertad Sindical. https://calisnacional.com/

Centro de Apoyo para la Libertad Sindical (n.d.) Centro de Apoyo para la Libertad Sindical - Facebook. https://www.facebook.com/CalisNacional

Centro de Investigación Laboral y Asesoría Sindical (2022) GM Silao: crónica de los días decisivos. http://cilas.mx/gm-silao-cronica-de-los-dias-decisivos/

Government of Canada (2020) Canada-United States-Mexico Agreement (CUSMA) - Labour chapter summary. https://www.international.gc.ca/trade-commerce/trade-agreements-accords-commerciaux/agr-acc/cusma-aceum/labour-travail.aspx?lang=eng

Government of Canada (2023) Guidelines for Denial of Rights claims under the Canada-Mexico Facility-Specific Rapid Response Labour Mechanism. https://www.canada.ca/en/employment-social-development/services/labour-relations/international/agreements/guidelines-denial-rights-claims.html

ILO (2022) Application of international labour standards 2022: report of the Committee of experts on the application of Conventions and Recommendations, International Labour Conference 110th Session, 2022. https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_836653.pdf

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Part 5

Expanding the union agenda

Chapter 12
Climate Jobs New York: a labour-led climate coalition

John Peters

Introduction

Climate change is a major challenge for trade unions. Workers' short-term interests in jobs often override their long-term common interests in climate protection and a sustainable planet. But in recent years, unions have begun to consider more seriously how the transition to a low-carbon future can be beneficial for workers, as well as to evaluate the climate action plans required to win good union jobs and secure strong worker protections and decent labour standards. This case study examines one such initiative, 'Climate Jobs' coalitions in the United States. Initiated in the wake of Hurricane Sandy in 2012, New York unions and labour federations, along with Cornell University's Worker Institute established an inter-union partnership to broaden their political influence and address economic and racial inequalities through actionable climate plans that created good union jobs. The efforts of this coalition helped spur new climate and labour legislation in renewable energy, transportation, building efficiency and manufacturing in New York State. Most notably, the recent success of 'Climate Jobs New York' (the first labour-led coalition on climate) has spawned further municipal and state-level coalitions across the United States, as well as the establishment in 2020 of a new national labour organisation, the Climate Jobs National Resource Center.

1. A brief overview of the case of experimentation

Over the past two decades, labour movements in many countries have either opposed – or ignored – climate policies that would transition economies away from fossil fuels for fear of their impact on jobs. International and national trade union confederations have put forward resolutions in support of 'Just Transition' and 'Green Jobs'. But despite recognising the need to deal effectively with climate change and the required transitions, few unions at local or regional levels have actively developed climate policies that would achieve new jobs, spur new training and advance union renewal (Brecher 2017; Thomas and Pulignano 2021).

In recent years, however, a number of new labour initiatives have emerged that prioritise building a clean energy economy and winning high-quality union jobs that spur community development (Master 2020; Ytterstad 2021). One such initiative is 'Climate Jobs New York', a labour-led coalition in New York that has successfully secured some of the most progressive climate policy and investments, as well as fostered further municipal and state-level coalitions across the United States.

This example of direct union experimentation with climate action and public policy highlights the importance of organised labour actively engaging with the climate crisis and climate policy. The case of Climate Jobs New York well illustrates the importance of unions developing effective and long-lasting coalitions that directly influence government officials. But its success also demonstrates how organised labour can take the lead on climate issues, engaging with economic policy and the renewable energy industry, identifying key workforce needs and subsequently advocating for the good job standards and public investment required to decarbonise economies and tackle inequality.

2. The union and other actors involved in the case

Unions have typically sought to innovate, forge wider coalitions and expand their political power when they lack expertise or the necessary financial and organisational resources to influence employers or government officials. In the United States, coalition building has long been a part of the American labour movement, with unions actively participating in the civil rights and anti-war movements (Tattersall 2010). In recent decades, American unions have founded several coalitions, such as living wage, fair trade and union organising campaigns to exert wider influence.

But inter-union or labour-only coalitions have been rare outside public sector contract negotiations, and there have often been serious tensions between the labour and environmental movements over the priorities of 'jobs' or the 'environment, which has limited the ability of labour and environmental organisations to work together (Stevis 2019). The development of Climate Jobs coalitions has begun to move beyond such constraints by developing a unique 'labour-only' coalition directed towards gaining new climate policies that advance public and private projects and secure union jobs.

Initiated in the aftermath of Hurricane Sandy in 2012, New York-based construction and public service unions in coordination with the Worker Institute of the ILR School at Cornell University launched a union-led coalition in 2017 that developed climate plans, drew up job and investment proposals to transition New York's economy, and initiated outreach and education programmes to spur political campaigns intended to win new climate investments at both the state and city levels. Working alongside other community coalitions at the state and municipal levels, Climate Jobs New York was instrumental in obtaining legislation that laid out the framework for the state to begin confronting the climate crisis, while also supporting the creation of millions of good-paying union jobs in the decades to come.

In Climate Jobs New York, construction trade unions (electrical workers, plumbers and pipefitters, and insulators), as well as energy, transit, building service, and nursing unions were convened as a working group by the Worker Institute of Cornell University, a labour-focused research and education institute that advocates for workers' rights, democracy and a just society. They were joined by the presidents of the New York City Central Labor Council, as well as the Building Trades Council of Greater New York. The support of these federations brought important resources to the coalition.

The Building Trades Council is one of the largest in the United States, representing more than 200,000 tradespeople in New York State, and has extensive experience in negotiating 'project labour agreements' with state officials that ensured collective agreement coverage and apprenticeship programmes. The New York City Central Labor Council is also the country's largest labor federation whose public and private sector union affiliates have more than 1.3 million members, as well as extensive academic and cultural links across New York.

3. The types of disruption and resulting uncertainty faced by the union

Until recently, tensions and divisions between American unions over climate change, renewable energy and green industrial policy have often limited the development of a cohesive political response. On one hand, unions such as the United Steel Workers have formed alliances with environmental organisations, creating the Blue Green Alliance. On the other, many construction unions have openly and actively supported fossil fuel development. And only a few unions – primarily in public services – have developed policies and supported coalitions that promote new energy infrastructure, as well as the mitigation of fossil fuels (Brecher 2017; Stevis 2019).

In this context of fundamental political differences between unions, the emergence of the union-led Climate Jobs New York coalition was unique, based on the convergence of several issues, and the emergence of improved long-term employment prospects. These included:

Direct impacts of climate change: in 2012, Hurricane Sandy struck New York State, as well as neighbouring states causing billions of dollars of damage. The hurricane was the worst to strike the New York City area in more than two hundred years. The impact of the natural disaster led to lost jobs, the destruction of residential housing, and massive damage to electrical, sewer, wastewater and transport infrastructure.

New political and policy opportunities: the Paris Climate Agreement and US Federal and State Government Climate Commitments. Over the course of the 2000s, the United Nations Framework Convention on Climate Change (UNFCCC) and the Intergovernmental Panel on Climate Change (IPCC) continued to construct a consensus among scientists, government leaders and UN officials around the implementation of climate adaptation and mitigation policies to limit global warming. This resulted in the adoption of the Paris Agreement, an international climate accord that committed countries to reduce global greenhouse gas emissions and limit the global temperature increase in this century to two degrees Celsius above preindustrial levels, while pursuing the means to limit the increase to 1.5 degrees. After refusing to sign on to previous climate treaties, the United States signed on to the Paris Agreement, committing to cut climate pollution and strengthen its commitments over time.

The subsequent policy priorities of climate change, energy security, energy access and air pollution put a renewables-based energy transition at the forefront of the New York

State and New York City government agendas, forcing unions to engage with issues of environmental protection and economic transition. Equally important, New York State has had Democrat majorities at all levels of state government – Governor, Senate, and State Assembly – for the past 14 years. This has provided an opening for organised labour to meet with public officials and discuss public policy.

New job opportunities: green jobs and the Clean Energy Transition. Since 2012, worldwide energy employment has grown steadily with more than six million jobs in renewable energy and other industrial sectors (IRENA 2021a). Estimates of the job creation potential of transiting economies to renewable energy and electrifying the economy by 2050 exceed 40 million and far surpass the job losses that will occur with the phase out of fossil fuels and fossil fuel infrastructure (IRENA 2021b). To transition economies to low carbon energy, jobs are needed across all sectors, from energy and manufacturing to building heating and cooling to transport and associated infrastructure, as well as agriculture and construction. Such a transition to a low-carbon sustainable economy offers workers the possibility of good jobs, as well as a decline in energy costs and health problems associated with air pollution. In the United States, climate and energy research has demonstrated that transforming the energy system and economy consistent with limiting the temperature rise to 1.5 C, would potentially bring large socio-economic benefits. At the same time, the AFL-CIO (the US national labour federation) has also backed the development and support of Green climate jobs for workers and the American economy.

Well resourced unions: New York has among the strongest and largest union locals in the United States, in both the private and public sectors. It has also the nation's largest labour federations at both the city and construction and building trade levels.

Availability of a research partner: the Worker Institute at Cornell University. Developing new policies, education materials, and policies that would help unions tackle the climate crisis is a challenge for all labour movements, not least because of member worries about job losses, but also because of the lack of expertise and scarce resources inside unions to address emerging labour market, employment and energy transition issues. The Worker Institute is one of the leading labor research and education institutes in the United States. Backed by substantial financial resources, the Institute offers research and policy advice, leadership training, and education to unions across New York and the United States. In collaborating with leading New York unions, the Worker Institute developed a 'Labor Leading on Climate' programme prior to the development of the climate jobs coalition. This programme engaged leading New York unions in a three-year research, education and training effort, aimed at helping unions to identify and address climate change problems. The Institute also acted as a bridge builder to new priorities for unions, helping officials link the climate crisis to other issues, such as inequality, union decline and renewal, and the potential for new organising. In these ways, the Worker Institute acted as a key innovator, introducing unions to the job possibilities that could arise from the energy transition, as well as the strategies that could be used to secure good union jobs.

Union decline and labour market challenges: growth of non-union renewable energy jobs and infrastructure jobs. Over the course of the 2010s, new 'green' jobs in the United States expanded dramatically. However, the vast majority of these jobs were non-union, paid low-wages and offered few benefits. To counter this trend, as well as to boost declining union density, private sector unions (and construction unions in particular) were interested in discussing new measures to best organise these new sectors and what legislative and employer problems would have to be overcome to organise new members.

Related policy failures: initial state-level proposals for building renewable energy infrastructure did not include wage and labour standards. In 2017, New York's governor began to launch proposals for the development of new renewable energy projects. However, initially these proposals did not include any wage or labour standards to ensure high-quality jobs or that jobs and training were unionised. Climate Jobs Coalitions then responded by launching a political campaign intended to secure labour involvement and ensure that labour standards were included in all public procurement projects at the state and city levels.

To seek out new strategies and actively engage in innovative renewal efforts, unions have traditionally been 'pushed' and 'pulled' by wider sets of internal and external pressures. In New York, both the pressures to innovate, as well as the opportunities to forge new strategies were strong. Unions realised that if they were to make the most of these opportunities, new strategies and new public policies were necessary to ensure that the next energy revolution would benefit everyone and uphold basic rights and democratic consultation.

4. The type of experimentation

Rapidly mounting climate concerns, rampant economic inequality and simmering social justice issues, as well as employer and government opposition, have all led many American unions to engage in experimentation and innovation in recent decades (Madland 2021; McAlevey 2020). Seeking to broaden their goals beyond immediate workplace concerns, unions have frequently attempted to forge coalitions with faith, community and student groups in an effort to influence government agencies and political parties. Unions have used living wage campaigns, the mobilisation of community support on behalf of striking workers and more to enhance their voice in the political process and make gains in employment-related legislation, most typically by adopting 'outsider' strategies that use collective action such as protests to pressure politicians, alongside lobbying to secure legislative change.

Climate Jobs New York is an innovative union-based coalition that is unique in two respects. First, led by building trade, energy sector, transport, and building service unions, the coalition formed solely around trade union partners, who provided both organisational resources and powerful messages on why and how workers could effectively tackle climate change, protect jobs, and win new union jobs. Second, unlike many coalitions that American unions are involved with, the Climate Jobs New York

strategy has primarily used an 'insider' strategy to dialogue with state-level public officials to commit to climate mitigation investments, as well as to strong labour standards and union involvement (Skinner 2020).

Union participants made the choice to be a labour-only coalition and to focus on state-level officials for two reasons.

First, having private sector unions (such as those from the building trade, energy and transit sectors) directly involved in the decision-making and leadership of the pro-climate, pro-worker coalition helped them to develop a jobs-focused agenda that spoke to broader worker concerns about long-term employment and community improvement. With key private sector unions in the lead, the expectation was that the coalition would have wider legitimacy among union members, as well as with government officials, and that it would present a clear and cohesive perspective.

Second, the decision to focus on state-level legislators and policy was made because of the United States' highly decentralised federal political system, and the leading role of state and municipal governments in energy and transit systems, as well as building standards. The decentralised nature of policymaking in the United States provides more opportunities for coalitions to exert influence on public officials. Thus by prioritising state-level investment and transition policies, the coalition has sought to develop proactive agendas that resonate with public officials and the wider public alike.

5. The process of experimentation

Initially convened by the Worker Institute at Cornell University in the wake of Hurricane Sandy, key unions engaged in discussions on the climate crisis and what policies could spur the energy and infrastructure transition and result in good sustainable union jobs. After a three-year period of discussion and consultation, the coalition set out a series of recommendations for a pro-union, pro-worker climate plan.

From this initial plan, the coalition developed an agenda and campaign strategy, initially organising an education campaign to share its goals and priorities with members and secure broad membership support across the coalition. Once approved, the unions and labor federations then moved to create a full-fledged coalition with financial resources, staff and an action plan to pressure state-level Democrat officials. The coalition's overarching goals were twofold: first, to create an energy system and an economic infrastructure that would effectively transition New York's energy system to meet current science targets; and second, to ensure that policies and labour laws would be put in place to secure good union jobs from any investments or programmes developed to achieve a sustainable, low-carbon economy.

Unions and coalition partners strategised on which outreach and political advocacy strategies would effectively pressure government officials on climate and job policy. The coalition subsequently developed innovative solidaristic framing, emphasising that progressive and ambitious climate policy could generate jobs, and that strong, pro-

worker climate policies could be key tools for union and community renewal, generating new union members, new jobs and newly trained workers, all of which reduce inequality and build worker power.

From this base, leading unions devoted significant staff and financial resources to various campaigns at the state and local levels. In New York City, a number of unions committed to working with 'Climate Works for All', a coalition of labour, community and environmental groups convened to call for – and win – a new 'Climate Mobilization Act' (2019) that committed to building efficiency, the phase out of fossil-fuel power plants, and the electrification of school buses.

At the state level, the Climate Jobs New York coalition campaigned alongside other community coalitions in calling for and then achieving new public commitments to build offshore wind and energy efficiency projects with good wages, new training and education programmes, as well as new administrative bodies, including a Climate Action Council and the Environmental Justice Advisory Board. Focused on influencing then Democratic Governor Andrew Cuomo – who had long-standing good working relations with several construction unions – the Climate Jobs Coalition successfully pushed for new legislation and the inclusion of strong labor standards in all state procurements of offshore wind power. Subsequently, unions and coalition partners pushed the state government to pass a 'labor peace agreement' for all the suppliers of components for the offshore wind project. Such agreements are intended to help unions organise new workers in developing industries, with unions giving up their right to picket, strike or otherwise engage in conduct that interferes with business operations in return for employers giving up their right to lock out organising employees, run anti-union campaigns, or make negative statements to employees about the union.

6. The effects of experimentation

In launching Climate Jobs New York, New York unions built a coalition that effectively shifted the balance of power and policy agenda at the state legislature. Since it started, New York Climate Jobs has actively engaged state-level officials to secure energy and climate mitigation policies, while at the same time advocating for strong labour standards. At the state level, Climate Jobs New York sought to secure new commitments to the building of offshore wind, offshore wind manufacturing and maintenance of platforms and infrastructure. Working with New York Renews and others, Climate Jobs New York helped push the state government into passing several pieces of climate legislation, including two of the United States' most ambitious state-level climate policies, the Climate Leadership and Community Protection Act (2019) and Clean Climate Careers initiatives (2017).

The coalition continues working today to advance the implementation of the state's climate, public investment, and labour policies with a renewed focus on the electrification of end-use sectors, as in transportation, as well as new efficiency standards for schools and hospitals, all with good labour standards and union-based training and apprenticeships. Such actions have also spurred coalition partners, as well

as other union locals to join concurrent labour/community/environmental coalitions such as 'New York Renews' and 'Climate Works for All.'

Just as important have been the wider ripple effects of the coalition on wider labour strategies across the United States. Cornell University's Worker Institute and leading New York unions then took the further step of creating a national organisation that could assist unions across the United States, the Climate Jobs National Resource Center (2023). This new initiative has worked with labour-led coalitions in several states, including Illinois where Climate Jobs Illinois won several new pieces of climate, labour, and just transition legislation, including the Climate and Equitable Jobs Act in 2021. The Climate Jobs National Resource Center currently provides research, strategic and technical support for all unions interested in building state-level coalitions and effective advocacy and mobilisation campaigns.

7. Conclusion

Despite the more than thirty years of efforts to address climate change and protect the environment, carbon emissions have continued to rise, and citizens' efforts at successfully winning over government officials to tackle the climate crisis effectively have been ignored. Climate scientists have made it clear that to stay within the Paris target of 1.5 C in global warming, worldwide carbon neutrality must be achieved by 2050 and renewable energy must make up more than 70% of total energy use. However, states are not committing the resources necessary to build the renewable energy projects and other clean energy infrastructure required to decarbonise their economies. Nor are international agreements, carbon taxes or other market incentives cutting greenhouse gas emissions or making real progress towards a rapid transition to renewable energy.

Unions, too, have been reluctant to take on a leadership role in climate debates. In part, this reluctance has been due to the potential job and employment losses that unions and their members will have to cope with as a result of the phasing out of fossil fuel industries. But labour movements have also struggled to develop proactive climate action strategies because many industrial unions have continued to defend fossil fuel energy and associated infrastructure as critical for jobs, and to assert that steps to mitigate climate change and improve environmental protection will inevitably lead to job losses and greater economic insecurity. Making matters more difficult is that many labour movements have viewed climate change – and associated transition policies – as 'costs' that they will have to bear or adjust to. Consequently, unions have typically focused their efforts on advocating for a variety of 'just transition' policies intended to protect workers' livelihoods and well-being from the negative side effects of climate protection.

But to move climate policy forward requires a more proactive engagement of workers, unions and citizens, as much inside workplaces and trade unions as in communities and everyday politics. In parallel with earlier fights for workplace rights, unions that can detail the clear material benefits that will come from a successful energy transition will have the greatest chance of success (Huber 2022). Such a strategic reorientation around climate change can take advantage of the fact that workers still make up the vast

majority of the population, which makes them essential to any democratic approach. Moreover, the prevalence of widespread economic insecurity, low wages and precarious employment makes working people open to appeals to make fundamental changes that will improve their lives. However, without clear strategies and effective climate political actions, workers will not be able to overcome the power and influence of the fossil fuel industry, nor ensure that governments will make the required public climate investments that will pay off in good union jobs.

Building effective labour coalitions – and powerful political strategies – is potentially one powerful method of broadening workers' perspectives and turning union climate agendas into real jobs and shared prosperity policies that will benefit workers and their communities. By developing clear and effective public campaigns that name the causes and outline the solutions to rising GHG emissions, a labour-led climate coalition can influence public debates and be a galvanising social force in advocating for the policies and investments necessary to secure clean energy industries and good union jobs.

One of the many innovative features of Climate Jobs New York – and of current Climate Jobs coalitions across the United States – is its emphasis on positive public policies that provide easy to understand material gains for working people. Focusing on how workers can gain new jobs from renewable energy, benefit from cleaner transportation, and secure better housing and schools, Climate Jobs coalitions have begun to reverse this narrative, and offer workers the possibility of a better life by transforming the key sectors that touch their daily lives (Huber 2022).

Climate Jobs coalitions also demonstrate the benefits of private-sector unions in key sectors of the economy – such as energy, construction, transportation, housing, and manufacturing – taking the lead in developing a new politics that may appeal to the vast majority of people. With these unions calling for effective solutions to climate change and outlining the potential benefits that will come from new jobs, the coalition showed a way forward, not simply to address climate change, but also to protect union members and ensure that new jobs would be unionised. The success of this Climate Jobs coalition approach offers a leading example of successful experimentation. It demonstrates how labour unions can build a broader politics that recognises people's common interest in a liveable planet and realise the necessary goals for working people to achieve better work and a more equitable society.

Case initiators and authors

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References

Brecher J. (2017) Climate solidarity: workers vs. warming, Labor Network for Sustainability and Stone Soup Books. https://www.labor4sustainability.org/wp-content/uploads/2017/06/Climate-Solidarity.pdf

Climate Jobs National Resource Center (2023) Climate Jobs National Resource Center. https://www.cjnrc.org/

Climate Jobs New York (n.d.) Climate Jobs New York. https://www.climatejobsny.org/

Huber M.T. (2022) Climate change as class war: building socialism on a warming planet, Verso.

ILR Worker Institute (2023) The Worker Institute at Cornell University. https://www.ilr.cornell.edu/worker-institute

IRENA (2021a) Renewable energy and jobs: annual review 2021, International Renewable Energy Agency. https://www.irena.org/publications/2021/Oct/Renewable-Energy-and-Jobs-Annual-Review-2021

IRENA (2021b) World energy transitions outlook: 1.5C pathway, International Renewable Energy Agency. https://www.irena.org/publications/2021/Jun/World-Energy-Transitions-Outlook

Madland D. (2021) Re-union: how bold reforms can repair, revitalize, and reunite the United States, Cornell University Press.

Master B. (2020) Reviving labor, in new deals old and green, in Prakash V. and Girgenti G. (eds.) Winning the Green New Deal: why we must, how we can, Simon & Schuster.

McAlevey J. (2020) A collective bargain: unions, organizing, and the fight for democracy, HarperCollins Publishers.

Skinner L. (2020) Building a pro-worker, pro-union climate movement, in Kerrissey J., Weinbaum E., Hammonds C., Juravich T. and Clawson D. (eds.) Labor in the time of Trump, Cornell University Press, 131-148.

Stevis D. (2019) Labour unions and green transitions in the USA: contestations and explanations, Adapting Canadian Work and Workplaces to Respond to Climate Change. https://yorkspace.library.yorku.ca/xmlui/handle/10315/39419

Tattersall A. (2010) Power in coalition: strategies for strong unions and social change, Cornell University Press.

Tattersall A. (2018) How do we build power in coalition? Rethinking union-community coalition types 12 years on, Labour and Industry, 28 (1), 68-81. https://doi.org/10.1080/10301763.2018.1427422

Thomas A and Pulignano V (2021) Challenges and prospects for trade union environmentalism, in Räthzel N., Stevis D. and Uzzell D. (eds.) The Palgrave Handbook of Environmental Labour Studies, Palgrave Macmillan, 517-538.

Ytterstad A. (2021) Climate jobs plans: a mobilizing strategy in search of agency, in Räthzel N., Stevis D. and Uzzell D. (eds.) The Palgrave handbook of environmental labour studies, Palgrave Macmillan, 249-270.

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Chapter 13
Social value procurement and labour standards in the United Kingdom

The UNISON 'ethical care' campaign for outsourced public services

Mat Johnson

Introduction

In a context of sustained fragmentation and marketisation of public services, trade unions increasingly see the regulation of procurement processes as a pragmatic way to set decent minimum standards for outsourced workers. This approach hinges on building alliances with local politicians and employers to increase investment in the social value resulting from public sector contracts, while also leveraging media coverage and wider campaigning strategies to raise awareness of entrenched problems of low pay and precarious work in care services. In the absence of any significant prospect of insourcing, deprivatisation or re-municipalisation, the significant challenge is to scale up and sustain these localised agreements to improve both social value and labour standards in order to cover as many private sector contractors as possible, while also building capacity among outsourced workers from the bottom up.

1. A brief overview of the case of experimentation

In response to long-term trends of outsourcing core public services, such as care for older people, trade unions in the United Kingdom (UK) have begun to experiment with pragmatic strategies to improve pay and conditions for subcontracted workers. Localised agreements around key standards such as the 'living wage' have been expanded to encompass terms and conditions, minimum working hours, and agreements on training and development. This coincides with the increasing willingness of the local authorities commissioning these outsourced contracts to experiment with what are labelled 'social value clauses' in external contracts that commit businesses to delivering specific environmental, social and employment objectives over and above straightforward value-for-money considerations. While these soft partnership deals between unions, service commissioners and private-sector employers are important to protect decent minimum standards, they have yet to provide a platform for significant ripple and spillover effects to other groups of low-paid, outsourced workers. The evidence suggests that social value procurement is an important but only partial solution to the issue of low pay and precarious work among outsourced workers. Social value procurement has not yet paved the way for the significant organising of workers, or the insourcing of services. Higher minimum standards across a range of employment dimensions – including trade union recognition, decent pensions and sick pay provision – are required to significantly narrow the gap between public and private sector workers near the bottom

of the ladder for pay and working conditions. Narrowing this gap might further provide a better platform to bring services back under full public ownership and management.

2. The union and other actors involved in the case

The campaign around ethical care commissioning was led by the UK's largest public sector trade union, UNISON. This union formed a loose alliance with the national employer's representative body the UK Home Care Association (UKHCA) and drew on the support of leading figures within the national Labour Party. Agreements have been reached with approximately 25% of UK commissioning bodies responsible for providing and/or procuring care for older people. These are typically individual municipal authorities, usually under the control of the Labour Party through local elections.

3. The types of disruption and resulting uncertainty faced by the union

The privatisation of public services in the UK has proved a major disruption for trade unions. The incremental but sustained outsourcing of public services poses significant challenges in terms of protecting decent minimum standards for subcontracted workers, as well as organising and mobilising a highly precarious and dispersed workforce. While UK local government has long relied on private sector contractors for ancillary services, such as cleaning and catering, the 1980s saw a marked increase in the number and range of services put out to tender. This neoliberal disruption started with building maintenance and highways, but private sector contractors steadily expanded into core services such as domiciliary care for older people. In the 2000s, many care homes were outsourced to large private sector chains. This trend was further driven by the desire of many municipal authorities to avoid equal pay claims arising between internally segmented groups of largely male and female workers.

The outsourcing of labour-intensive services put increasing numbers of workers outside sectoral collective bargaining agreements and weakened trade unions' overall influence on pay, terms and conditions, staffing levels and work schedules. While trade unions initially attempted to contest or block outsourcing, the limited success of this strategy led them to shift their focus to a more defensive position of scrutinising tender bids for evidence of labour cost savings and attempting to follow members into the private sector. However, this shift in strategy also met with comparatively little success.

The overall result of this large-scale outsourcing is low pay and precarious work for a predominantly female workforce. In domiciliary care in particular, the non-payment of travel time and costs between client visits means that many workers are not paid an equivalent of the national minimum wage. In addition, an intense time-and-task model of commissioning and fragmented work schedules mean that many workers are effectively on-call for up to 10 or 12 hours per day but are often paid for only six 'contact hours'. The geographical dispersion and isolation of care workers, who often work alone or in pairs with no fixed place of work, makes it difficult for trade unions to engage with

and organise these workers. Many private sector employers are also resistant to union organising. Moreover, these outsourced workers may fear a loss of their working hours if they attempt to challenge employers about their low pay and insecure contracts.

4. The type of experimentation

In response to these long-standing challenges, trade unions have begun to experiment with hybrid strategies of social campaigning and building pragmatic alliances with both the commissioning authorities that put contracts out to tender and the employers engaged under these contracts. The objective is to codify higher standards for outsourced workers in the contracts being signed. In particular, the development of 'employment charters' for specific service areas and sectors such as construction and care for older people is an historical departure. Union strategies had previously focused on a blanket opposition to outsourcing, and campaigning, notably by lobbying politicians, to bring these services back under public control. The use of charters also signals a change of approach in terms of organising and mobilising workers and the redesigned framework contracts are typically not contingent on significant collective worker action. But the adoption of a living wage and a move away from zero-hours contracts can be presented as tangible 'wins' delivered up front as a result of this new strategy.

5. The process of experimentation

UNISON's ethical care campaign was launched in 2012 following a national survey of care workers that revealed the true extent of low pay, zero-hours contracts, unpaid travel time, and highly fragmented work schedules that undermine quality care. UNISON published the findings of the survey and a call for increased investment at national level, along with their recommendations for how domiciliary care services could be better commissioned at local level to improve both standards of care and working conditions. The linking of commissioning practices, the quality of care for vulnerable people, and working conditions was a novel approach. It was clear that commissioning practices such as the endemic use of spot contracts (that is, contracts for a package of care for a specific individual client), and intense cost competition, had a negative effect on both the quality of care and working conditions. As important as it was to move beyond the argument to increase investment in this sector, the real innovation was to identify a clear set of procedures that could be followed by local commissioners to strengthen standards in the short term.

At national level, UNISON engaged with the Local Government Employers' Association (LGA), as well as the private sector employers' association the UK Home Care Association (UKHCA) to build a broader case for increased investment and to highlight the multiple problems associated with fragmentation and cost competition. Although not a formal coalition, this cross-class 'alliance' had more legitimacy than just the trade unions or employers acting in isolation. In turn, this helped raise the issue of social care within the wider political discourse.

At local level, UNISON branches also sought to develop 'alliances' with (mostly left-wing) politicians and commissioners to emphasise local political agency (for example, to challenge what private providers were claiming was affordable, and what legal officers were telling them was within existing procurement rules). Engaging with politicians also helped build wider public support for investment in social care and achieved significant improvements in pay, contracts and work schedules. Part of the approach was to increase hourly 'charge rates' for external providers in order to cover the living wage and travel time. The redesigned frameworks also tended to reduce spot contracting and to consolidate commissioned hours with a smaller number of providers, which facilitated the stabilisation of staffing levels, working time and rotas.

In order to scale-up and sustain the charter, UNISON officers at national and local level are engaged in ongoing processes of experimentation and innovation. This includes working with sympathetic politicians and service commissioners and identifying the topics and issues that are likely to resonate most. This can range from issues of market stability and sustainability to gender equality and reducing precarious work, through to the quality of care delivered to vulnerable older people in their own homes. UNISON branches also have to find ways to engage with private providers working under contract to municipal authorities over issues of workforce representation. For example, in some cases UNISON officials have provided free training on the care certificate, introduced in 2015 to 'define the knowledge, skills and behaviours expected of specific job roles in the health and social care sectors'. For UNISON this was a means to engage private providers and their employees around issues of training and workforce development, and for providers it was a cost-effective means of delivering basic training courses.

The ethical care charter has also evolved to incorporate new standards such as occupational sick pay in order to enable workers to take time off work when they are sick, which previously they could not afford (a problem highlighted by Covid-19), along with opportunities for homecare workers 'to regularly meet co-workers to share best practice and limit their isolation'. The addition of these standards reflects the ongoing process of identifying specific risks and vulnerabilities faced by care workers, as well as the strong platform that the ethical care campaign and charter established for UNISON to lobby and negotiate on behalf of outsourced workers. Although there are additional challenges of monitoring and enforcement (particularly for soft standards such as 'opportunities to meet'), it is a reflection of UNISON's increasingly expansive agenda around regulating the homecare market.

6. The effects of the experimentation

The ethical care charter guarantees minimum standards that are higher than prevailing pay and conditions within private sector care services, which are generally set with reference to legal minima. For example, the charter commits providers to paying the true living wage, along with payment for travel time between clients (which can add around 20% to a care worker's overall take home pay), and payments for travel costs such as public transport passes or fuel (which is increasingly problematic for care workers in rural areas where distances between clients can be significant). Workers

are also offered guaranteed hours contracts as standard and will be put on zero-hours contracts only by choice (for example, where workers have other jobs or commitments that mean they prefer a flexible work schedule).

Across the sector, the charter and campaign delivered improvements in pay and conditions for outsourced workers in around 25% of commissioning areas of the UK. These achievements were mostly in local authorities controlled by the Labour Party. Moreover, they applied to all care workers engaged under contract to the local authority whether they were employed by private sector firms, or charitable/not-for-profit organisations, and whether they were an existing trade union member or not. This was a significant achievement of the social value campaigns for the workers affected.

However, not all domiciliary care workers are engaged on local authority contracts as outsourced providers have a mixture of publicly and privately funded clients. Furthermore, persistently high vacancy rates across the sector (including in those areas that have adopted higher standards) have tempered the progress in rolling out the benefits of the living wage and guaranteed hours contracts. Even within those areas with higher rates of pay and guaranteed hours contracts, private providers have struggled to scale up their operations to take on a larger volume of contracted hours.

The main lesson from this experimentation is that union actors have to pursue a combination of strategies at both national and local level in order to regulate working conditions in public supply chains for care services. UNISON's national campaign around home care emerged as a result of its engagement with branches around the difficulties of successfully lobbying politicians and influencing commissioning processes, combined with a sector-wide survey that revealed the numerous challenges and risks faced by care workers. This campaign was generally well received by senior figures within UNISON, as well as activists and organisers on the ground. The campaign also helped build political awareness of chronic problems of underfunding and fragmentation across the sector, and UNISON officers were successful in tabling motions to improve care commissioning both within internal union democratic processes and within the Labour Party. This, in turn, helped build a platform for engagement with national employer and industry representatives, who were also lobbying central government for increased funding.

At local level, the ethical care charter provided a clear roadmap for branch officials and activists to approach local politicians and commissioners (many of whom were well aware of the many challenges faced by care providers and care workers) and ensured that the trade unions were more closely involved in processes of re-tendering and contract design in order to ensure that the higher standards were properly funded and codified. Given local authorities' limited capacity to monitor and enforce the implementation of charter standards, local branches were also increasingly involved in identifying non-compliance.

The challenge now is to leverage these localised successes to ensure that workers across the homecare sector benefit from higher standards. While chronic staff shortages in some areas have driven up wages, the weakness of collective bargaining in the private

sector and a lack of trade union membership density means that such wage gains are not strongly 'institutionalised'.

Similarly, the unions hoped that the narrowing of the gap between public and private sector hourly wages as a result of the adoption of the living wage might provide a platform for the 'insourcing' of services, but the focus on improving pay and conditions for care assistants and care workers may also have narrowed wage differentials to supervisors and managers, which in some areas has contributed to a loss of more senior staff (who take on more responsibility for only a small salary premium).

There is some evidence that the charter standards, and the involvement of UNISON at a local level in leading the campaign, helped with infill recruitment within existing unionised services (public and private), although the role of the charter in isolation to drive significant organising of outsourced care workers in non-unionised private sector workplaces is more difficult to evidence. The addition of standards within the charter that enable homecare workers to meet and to reduce their isolation may provide some opportunities for collectivisation and solidarity building among a highly disparate workforce. Some regions within UNISON (such as the north-west of England) have also recruited organisers and activists specifically for the social care sector, which will help sustain long-term organising.

7. Conclusion

The case study points to the increasing separation of traditional trade union organising strategies based on workplace capacity building and the achievement of short-term 'wins' for outsourced workers, such as the living wage and guaranteed hours contracts. The achievement of these higher standards is commendable given the near-total lack of progress in the previous decade for outsourced workers (other than increases in the minimum wage). The ethical care campaign and charter also point to new forms of social campaigning within the trade union movement, and an increasingly pragmatic approach to building alliances with politicians, commissioners and private-sector employers (at both national and local levels). However, the long-standing challenge of organising precarious outsourced workers remains, and it is perhaps too early to say whether the improvement of standards within contracts at a local level will create a significant platform for coordinated upward pressure on wages and working conditions across the sector.

Case initiators and authors

This case study was carried out by Mat Johnson and Stephen Mustchin, with support from Jill Rubery and Matthew Egan (UNISON). The research was undertaken in collaboration with UNISON officers at national and local level, and involved interviews with service commissioners and managers, trade union officials, and independent care providers from

across several local authorities in England. The interview data were supplemented with secondary data on pay and conditions published by Skills for Care.

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References

Johnson M., Rubery J. and Egan M. (2021) Raising the bar? The impact of the UNISON ethical care campaign in UK domiciliary care, Transfer, 27 (3), 367-382. https://doi.org/10.1177/10242589211028460

Skills for Care (2022) Skills for Care. https://www.skillsforcare.org.uk/home.aspx

UNISON (2013) Time to care: a UNISON report into homecare. https://www.unison.org.uk/content/uploads/2013/11/On-line-Catalogue220152.pdf

UNISON (2023) UNISON. https://www.unison.org.uk/

UNISON (2023) The Ethical Care Charter. https://www.unison.org.uk/care-workers-your-rights/the-ethical-care-charter/

Cite this chapter: Johnson M. (2024) Social value procurement and labour standards in the United Kingdom: the UNISON 'ethical care' campaign for outsourced public services, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 149-155.

Chapter 14
Mainstreaming workplace mental health in the union repertoire

A unique union campaign by the Ontario Public Service Employees' Union

Robert Hickey

Introduction

Workers in Ontario's community and social services sectors face severe pressures on their well-being at work. Compounded by continuing public service cutbacks and the multiple effects of the Covid-19 pandemic, their unions have sought to innovate in the identification and elimination of psychosocial health and safety hazards at work. While Canadian employers have started to embrace efforts to support employee wellness and eliminate stigma, approaches to workplace mental health remain contested terrain. This case involves innovations to union approaches to workplace mental health and its traditional repertoire on this issue. Whereas most employer efforts too often focus on secondary and individually focused interventions, such as meditation, exercise and other health promotion activities, this case documents how unions and the Occupational Health Clinics for Ontario Workers developed the Mental Injury Toolkit to help workers identify and eliminate psychosocial hazards in their workplace.

1. A brief overview of the case of experimentation

The Covid-19 global pandemic amplified concerns of employee burnout and other health impacts of chronic, work-related stress. Concerns over workplace mental health existed well before the pandemic, but most employer responses were limited to personal counselling and individual accommodations. Unions have therefore experimented with new approaches that focus on a collective, organisational response. Union health and safety activists at the Ontario Public Service Employees' Union (OPSEU) were instrumental in the development of tools to help workers tackle workplace mental health.

These comprehensive campaigns to support psychosocial health and safety reflect an important and impactful case of experimentation. First, union activists are using the well-established framework of occupational health and safety to shift the focus from the mental health profile of individual workers to social and environmental hazards known to cause mental strain and stress. Second, these campaigns represent new ways to negotiate work practices and extend collective employee voice into the social domain of organisational culture. Third, union activism on psychosocial health and safety has impacts beyond the workplace, affecting broader institutions governing occupational health and safety and worker compensation programmes.

2. The union and other actors involved in the case

The key actors in this case include health and safety representatives at the public service union (OPSEU) and staff at the Occupational Health Clinics for Ontario Workers (OHCOW). In addition to these key actors, the study of this case involved dozens of elected leaders in OPSEU local unions, as well as their counterparts in human resource (HR) management roles at local service providers and hundreds of direct support workers who participated in the psychosocial health and safety survey.

The community and social service workers involved in this campaign worked at dozens of non-profit service providers. These agencies provide residential support, employment coaching, and community participation programmes for people with intellectual and developmental disabilities. The Ontario Ministry of Children, Community and Social Services funds these services through a network of more than 200 non-profit organisations. The workforce is predominantly women (84%), part-time (64%), and unionised (74%).

3. The types of disruption and resulting uncertainty faced by the union

Concerns over workplace mental health had already been increasing for over a decade before the emergence of Covid-19. In 2013, the Canadian Standards Association issued a set of voluntary standards to develop and sustain psychologically healthy and safe workplaces. The promotion of these standards reflected an important inflection point leading to greater public awareness and concern over the impacts of mental health on the economy and society as a whole. The trajectory of these concerns, reflected both in public awareness campaigns and employer initiatives over workplace mental health, followed a business case model focused on reducing the costs of absenteeism through secondary and tertiary mental health interventions.

Employers therefore expanded workplace health promotion efforts to mitigate the negative effects of stress. For example, employers might sponsor workplace mindfulness practices or activities to boost resilience. Policymakers highlighted the need for better and more accessible psychological services for people experiencing mental illness. Largely absent from these initiatives were primary interventions to identify and eliminate psychosocial hazards.

Direct support workers in general, and union health and safety activists in particular, increasingly saw psychosocial safety as an important, but unaddressed concern. Collective bargaining strategies had traditionally addressed mental health concerns through language on accommodations and insured benefits. Such union strategies were limited to secondary and tertiary interventions. Likewise, health and safety committees generally did not focus on psychosocial hazards. Historically, occupational health and safety standards have been slow to include psychosocial hazards as part of the regulatory standards.

Union activists and occupational health and safety experts recognised the gap in traditional union strategies. These health and safety activists and mental health advocates organised to shift the focus of union practices to include primary interventions aimed at organisational factors, such as workload and respect. The impacts of Covid-19, especially on health-care workers, have heightened awareness of organisational factors and accelerated efforts to enact primary interventions.

Chronic underfunding in the community and social services sector has exacerbated psychosocial hazards. The non-profit service providers have increasingly relied on a part-time, contingent workforce. Government efforts to introduce cost savings and other market-based approaches to the provision of social services were a driving factor in the deterioration of working conditions. Direct support workers reported serious concerns over the lack of recognition and career advancement opportunities. While unions have been strong advocates for adequate funding of the sector, activists realised that the union needed to develop new strategies to address psychosocial hazards.

4. The type of experimentation

Experimentation in this case has involved a worker-driven campaign to identify and address organisational sources of workplace stress. This is done in several ways, which mark unique developments in the way the union campaigns on this issue. First, the campaign leverages well-established health and safety principles, such as the hierarchy of hazard controls, and extends them into the domain of psychosocial well-being. Second, the campaign is based on a scientifically validated survey instrument, the Copenhagen Psychosocial Questionnaire (COPSOQ). Finally, and this marks two interesting innovations, the campaign is not limited to a single union and can be adopted by non-union workers as well. In the case of community and social service workers in Ontario, and perhaps not surprisingly given what we know about effective joint health and safety committees, the most active committees were formed at unionised workplaces. Given the unique features of this form of experimentation, unions were able to leverage existing joint health and safety committees and foster a more collaborative approach with employers.

5. The process of experimentation

The campaign template outlines a five-step approach to identifying psychosocial hazards and preventing mental harm in the workplace. It is worth detailing these five steps which, in themselves, indicate a form of experimentation in the way the campaign unfolds through local union action.

Learn – This stage of the campaign involves introducing key participants to basic concepts and resources to support the campaign. Using familiar occupational health and safety frameworks, the key objective of this stage of the campaign is the focus on proactive (primary interventions) approaches to eliminate hazards rather than just reactive steps to help people who have experienced mental harm at work.

Organise – Central to any union campaign is the role of organising and developing collective support and engagement. In some cases, this involved recruiting members of the existing joint health and safety committee to add psychosocial hazards to the agenda. However, organising also involved identifying and developing new union activists who were especially concerned about workplace mental health.

Assess – The online survey instrument (StressAssess.ca) provides the main data collection tool for gathering input about workplace stressors from workers. By using an internationally validated tool, union activists can compare local results with a Canadian reference group.

Change – Based on the local results of the survey, local committees can identify strategies to address the most prevalent or serious hazards identified in the workplace. This could involve workplace changes ranging from improving scheduling practices to changes in work procedures, and to efforts to improve employee recognition. Some changes may have mutual support from the union and the employer. Other changes, such as improving job security by reducing temporary employment positions, may require a negotiated path forward.

Evaluate – The last stage in the campaign closes the loop by analysing the impact of the changes and interventions.

6. The effects of experimentation

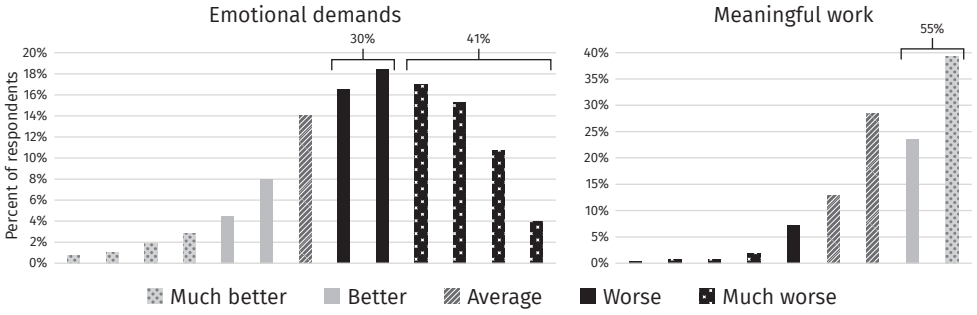
The public service union (OPSEU) and the occupational health clinics (OHCOW) have catalogued a range of outcomes across over 150 local campaigns using this model. The current case of experimentation involved dozens of non-profit organisations that provide community-based social services in Ontario. Over the course of nearly a year (February 2019 to February 2020), OPSEU and the author of this case focused on the first two steps of the campaign. This included presentations at union conferences on the difference between a psychological approach focused on the individual and a psychosocial perspective that includes organisational factors and social interactions. Union activists were recruited to champion the campaign on a local level and engage their employer in a collaborative approach to psychosocial health and safety. Given the broader context of public awareness and the business case supporting efforts to address mental health at work, the author recruited employers, including non-union employers, to support the initiatives.

We launched the survey stage of the campaign at the end of February 2020. Although we collected nearly 1,400 completed surveys, the Covid-19 pandemic ultimately derailed the campaign and forced a delay in progressing to the ‘change’ stage.

Nevertheless, survey responses both confirmed what workers knew from their lived experience and provided evidence that helped the parties focus on organisational factors that could improve workplace well-being. For example, as shown in Figure 1, survey respondents reported that they found their work much more meaningful when

compared with the Canadian reference group. At the same time, respondents also reported experiencing much higher emotional demands when compared with the Canadian reference group, which are related to the nature of the support work being surveyed.

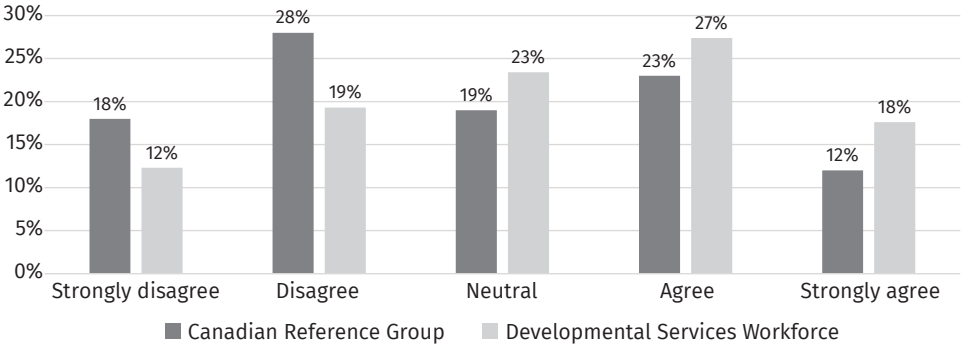
Figure 1 **Workplace well-being: emotional demands and meaningful work**



Source: Hickey R. (2020).

Another important insight from the surveys revealed an apparent shortcoming of the dominant employer approach focusing on the individual, often to the exclusion of organisational factors causing mental harm. Figure 2 shows that when compared with the Canadian reference group, community-based social service workers were more likely to feel that their organisation tolerated behaviours harmful to mental health.

Figure 2 **Organisational tolerance of behaviours harmful to mental health**



Source: Hickey R. (2020).

There were three key findings from the psychosocial health and safety surveys. First, in general among these non-profit organisations, work organisation and employment relations were central to psychosocial health. Second, there are distinct experiences by job class and employment status. For example, supervisors were much more likely to identify excessive workload as a stressor compared with a unionised, direct support worker. Third, organisational leadership appeared to be regarded nearly universally as

important with regard to organisational factors, ranging from feelings of recognition to perceptions of the safety climate.

7. Conclusion

Despite growing public awareness of and sensitivity to workplace mental health, there remain contested frameworks for addressing the problem. The employers' dominant approach has tended to focus on the individual. HR managers have implemented health promotion programmes and other wellness practices to build resilience and mitigate harm at the individual level. This case of experimentation shows the importance of a union-led effort, supported by occupational health and safety advocates, to leverage and extend existing occupational health and safety frameworks to the domain of psychosocial health and safety. There are several key lessons from this case.

First, in this mode of experimentation for better work, union activists and health and safety advocates effectively applied strategies for hazard identification and elimination from physical health to psychosocial risks. Trained health and safety representatives were able to draw on expertise from physical health and safety practices to challenge the shortcomings of employer-led approaches that tended to focus on individual responsibilities and post-incident treatment rather than hazard elimination. The expansion of health and safety strategies to include psychosocial well-being required the union to confront stigma towards mental illness. In some cases, this involved recruiting new activists to the union as workplace mental health became a strategic priority for it.

Second, the legal frameworks regulating psychosocial hazards continue to lag behind changing social norms over workplace mental health. For example, worker compensation laws in many jurisdictions have moved towards default acceptance of claims for trauma-induced mental injury for first responders. However, compensation of lost time for chronic stress resulting in mental injury remains very limited. As a result, employees still carry most of the economic risk for mental injuries. For employers, the financial and regulatory risks posed by psychosocial hazards remain limited. Employers are motivated to reduce absenteeism, lost productivity, and short-term disability leaves, but do not face the same level of risk and responsibility for mental injuries as they do for physical hazards. For unions, advancing their strategic approach to workplace mental health requires advocating at the workplace and pushing for legislative changes.

Third, the case shows that the old fault lines in union and employer approaches to occupational health and safety remain contested terrain. Employer approaches to workplace mental health emphasise individual responsibilities and behaviour-based approaches to reduce the negative impacts of workplace stressors. Situating the responsibility for workplace mental health at the individual level reflects an assumption that workplace mental health is determined by pre-existing psychological conditions. This attribution of risk and responsibility to individual employees echoes similar arguments before the development of contemporary health and safety practices for the physical environment. Frameworks that emphasised individual responsibility held that incidents result from workers who are 'accident-prone,' not from unsafe environments.

Fourth, another point of contention involved the subtle but important addition of social relations at work as a health and safety matter. Including social interactions as part of a psychosocial health and safety programme, the union campaign again highlighted the organisational factors that may form hazards at work. The union campaign saw health and safety models focused solely on 'psychological' safety as reflecting this limited approach to individual factors.

Finally, the case shows the importance of community partners with expertise in the area of psychosocial health and safety. In this case, the Occupational Health Clinics for Ontario Workers provided the clinical expertise for a scientific, evidence-based approach to identifying and eliminating psychosocial hazards at work. Leveraging the power of clinical experts in occupational health and safety provided the campaign with legitimacy and influence that the union would not have had on its own.

Case initiators and authors

This case of community service workers in Ontario reflects a broader and longer campaign by unions and health and safety advocates around workplace mental health. Union activists and staff from OHCOW were involved in the development of the CSA standards for psychological safety at work. Recognising that employer-led efforts were often limited to individualised approaches, unions and their allies set out to create an alternate approach based on the hierarchy of controls for physical hazards.
The current case study emerged as part of a community service-learning project in an occupational health and safety course in the Master of Industrial Relations programme at Queen's University. Terri Szymanski, the director of health and safety at OPSEU, played a central role in developing the stress assess toolkit. Ms Szymanski spoke with graduate students about her work with OHCOW and the years of efforts to influence mental health standards and give workers and their unions tools to address psychosocial hazards at work. The author has collaborated with OPSEU on multiple research projects that examined a variety of industrial relations issues facing the workforce in Ontario's community and social services. The timing coincided with increasing concerns among rank-and-file workers over the level of mental stressors and the rise of incivility in the workplace. The author worked with OHCOW to adapt the stress assess survey instrument for workers in the sector. For nearly a year the author and Terri Szymanski worked with local union leaders, employers, and OHCOW to create joint labour–management teams at each organisation. These union–management teams would lead survey collection and implement changes based on that feedback. Unfortunately, we launched the campaign at the beginning of March 2020. Within two weeks, while we had received hundreds of completed surveys, Covid-19 had become a global pandemic and the psychosocial health and safety campaign had to be suspended.

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References

CCOHS (2023) Healthy minds at work, Canadian Centre for Occupational Health and Safety. https://www.ccohs.ca/healthyminds/

COPSOQ (2023) Welcome to the network for scientific research and risk assessment with the Copenhagen Psychosocial Questionnaire (COPSOQ). https://www.copsoq-network.org

Hickey R. (2020) Developmental Services Psychosocial Health and Safety Survey, Queen's University.

OHCOW (2021) Preventing mental harm in the workplace, Occupational Health Clinics for Ontario Workers. https://www.ohcow.on.ca/wp-content/uploads/2021/05/mini_mit_lrg_FINAL.pdf This manual outlines the campaign template and provides additional background and resource materials.

OHCOW (2023) Welcome to StressAssess, Occupational Health Clinics for Ontario Workers. https://StressAssess.ca This is the online survey tool designed to identify the psychosocial hazards associated with workplace stress. The original survey is available online in English and French.

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Part 6

Innovations in union repertoires and methods

Chapter 15
The 'Fight for 15' movement
An experimental mobilisation at the crossroads of the 'old' labour and 'new' social movements

Vincent Pasquier

Introduction

In the early 2010s, the Service Employees International Union (SEIU) strategised and implemented an unprecedented plan to increase wages in the low-paid service industries in the United States and to organise their largely non-unionised workers. This movement, which became known as 'Fight for 15', drew its inspiration from new and highly connected social movements such as #OccupyWallstreet and #Blacklivesmatter. Thanks to its highly innovative mobilisation strategies, the 'Fight for 15' movement managed to achieve significant pay increases for millions of workers by forcing minimum wage increases at state, city and company levels. Despite these epic victories, the movement has largely failed, thus far at least, to unionise low-paid workers.

1. Overview of the case of experimentation

'Fight for 15' was born on the premise that unions have no other choice than to radically innovate or disappear. With this imperative in mind, at the beginning of the 2010s the Service Employees International Union (SEIU) conceived and implemented an unprecedented plan to reverse trade unionism's declining trend. The goals of this ambitious experiment in union renewal were twofold: first, to unionise the growing precarious workforce in the service industries; second, as the full slogan 'Fight for 15 and a union' suggests, to lead a political campaign to raise the minimum wage to 15 dollars per hour. To achieve these objectives, the SEIU aimed for a massive mobilisation of low-paid service industry workers through original forms of collective action. The Fight for 15 strategists drew extensively on the inspiration of contemporary social movements such as #OccupyWallStreet, #BlackLivesMatter and #MeToo. Overall, the Fight for 15 movement has experienced stunning successes, notably by propelling a new type of mass labour mobilisation and by raising the wages of 22 million workers in the United States. Nonetheless, the movement has not succeeded in establishing unions in the low-paid service industries in that country.

2. The union and other actors involved in the case

The SEIU is the pivotal actor of the Fight for 15 movement. This union of two million members initiated, strategised and lent significant financial support to the movement. The SEIU is active mainly in the service industries, including health care, home care, cleaning, security, and public services. The SIEU is known for its long track record of

organising innovations, probably best exemplified by the Justice for Janitors campaigns in the 1980s and 1990s. This campaign led to the spectacular unionisation of the highly precarious cleaning and caretaker workers and to the significant improvement of their working conditions. It is to be noted that while the SEIU is the main orchestrator of Fight for 15, the movement has expanded well beyond the union's base. It indeed involved many other civil society organisations, including student, community and religious groups, as well as other labour unions.

3. The types of disruption and resulting uncertainty faced by the union

Congruent with its service-sector orientation, the SEIU launched the Fight for 15 movement to organise the precariat in industries such as fast food, security and home care. These industries have been experiencing steady growth over the past 30 years in terms of job creation, coming to represent the new face of the US working class.

Nonetheless, workers in these sectors are confronted with many barriers when it comes to unionisation. First, endemic job precariousness makes it very challenging to run a months-long unionisation campaign. Second, these workers are less likely to engage in unionisation for fear of retaliation, as the workforce in these sectors tends to be strongly discriminated against on the labour market (over-representation of ethnic minorities, young people, women and migrants). Third, the unionisation of these legally highly fragmented entities (franchising, outsourcing) is often considered a never-ending Sisyphean task.

Within the low-wage service industry, the SEIU started the Fight for 15 movement by targeting the fast-food sector, which is almost a union desert (a mere 1.2 % of the workforce is unionised). McDonald's quickly became a strategic focal point for the mobilising drive, as the multinational corporation is known to be the second-largest private employer in the world, fiercely anti-union, the infamous creator of 'McJobs' and a highly profitable corporation.

4. The type of experimentation

The Fight for 15 movement can be defined as an experimental form of labour mobilisation, aiming both at organising the unorganised in the service industries and at raising their minimum wage.

This experiment is best understood as a continuation of the SIEU's previous experimentation, rather than a radical shift in its union agenda. The SEIU has been at the forefront of innovative mobilisations in the United States for three decades. Among the examples of these past innovations in its repertoire one might mention the now famous 'Justice for Janitors' campaign in the 1980s and its role in the creation of the Change-to-Win coalition which sought to re-engineer the US labour movement.

In many respects, however, Fight for 15 marks a departure from previous SEIU mobilising campaigns. Starting from its sources of inspiration, Fight for 15 drew extensively on new and connected social movements such as #OccupyWallStreet, #BlackLivesMatter and #MeToo. These new social movements all share a key feature, notably their leaderlessness, horizontality, spontaneity, and the creation of a sense of togetherness through individual expression, notably on social media. SEIU strategists deliberately tried to create a new type of labour mobilisation by transposing these different facets to Fight for 15.

5. The process of experimentation

The Fight for 15 experiment has been described as improvisational inasmuch as the strategists set key milestones but leave lots of leeway to their partners on the ground to improve freely according to the inspiration and opportunities of the moment. The innovative logic of the Fight for 15 movement may be summarised under four headings.

First, it entails an original division of labour between strategising at the top and mobilising on the ground. Intriguingly, the pivotal role of the SEIU has been kept in the shadows. Most front-stage activities of the movement have been performed by a myriad of allies, including worker centres, community organisations, student and faith groups, and political parties. This wide-ranging and relatively heterogenous network of organisations has been largely solicited to perform the mobilising field work. Indeed, the SEIU strategists considered that these organisations were better positioned to reach the 'hard-to-reach' workers targeted by the movement.

Second, communications are centred on workers and their experience of bad work. In this Fight for 15 has deployed an innovative communications strategy by focusing its messages on the poor work experience of fast-food workers rather than on the union and its political messages. This strategy was compelling in that it incarnated the need to organise these low-wage sectors. Framed as a movement 'by workers and for workers', the communications strategy appeared to be much more appealing for the public and the news media than an action propelled by a union for its own sake.

The third salient characteristic of this innovative movement was its viral propagation as a grassroots movement. While planned at least two years in advance, the Fight for 15 movement started in November 2012, with a first rally of 200 fast-food workers in the streets of New York City. The movement then progressively expanded to other cities and grew in visibility. Over time, the movement also expanded to other economic sectors and even went international. This progressive spread enabled the movement to scale up while still being perceived as a grassroots, spontaneous and locally led worker initiative. At its peak in 2015, the movement managed to gather tens of thousands (probably around 60,000) of protesters in hundreds of US cities.

The fourth distinctive feature of Fight for 15 is its flexible coalition strategy with other social movements. Started shortly after the #Occupy movement, Fight for 15 borrowed from this social movement many of its mottos to legitimise its claim about burgeoning

inequalities (for example, 'We are the 99%'). In 2014, when the #BlackLivesMatter movement emerged, Fight for 15 also connected with it both discursively and strategically to highlight the commonalities between the #BlackLivesmatter fight for racial justice and Fight for 15's demand for social justice. By 'allying' with these progressive and new social movements, Fight for 15 could then benefit from the legitimacy of these movements and could also expand to their base of supporters.

6. The effects of experimentation

A first assessment of the effects of this Fight for 15 experimentation suggests that it is certainly successful as a mobilisation strategy. Indeed, it was described by journalist Steve Greenhouse, then of the *New York Times*, as 'the largest low-wage protest in US history' (Greenhouse and Kasperkevic 2015). Its success can also be gauged by its impressive and mostly positive media attention. Its popularity can further be illustrated by its online footprint. For example, drawing on estimates in August 2022, mainstream labour organisations such as the AFL-CIO (314,000 followers) and the SEIU (155,000 followers) both had fewer Facebook followers than Fight for 15 (406,000).

The effects of this mobilisation success are a study in contrasts, with spectacular results in terms of working conditions but disappointing results in terms of the implantation of unions in low-wage services.

On one hand, Fight for 15 achieved significant breakthroughs in increasing minimum wages. At the peak of the campaign, between 2014 and 2016, numerous cities and states adopted legislation to increase the local minimum wage. These locations included the cities of Seattle and Washington, DC, and the states of California, Illinois, Maryland, Massachusetts, New Jersey and New York. According to the NELP Institute, Fight for 15 led to wage increases totalling 150 billion dollars a year for 26 million workers (NELP 2021). Fight for 15 can also be said to have dramatically shifted the national conversation about the acceptability of minimum wage increases. While then-presidential candidate Joe Biden was originally opposed to such increases, he subsequently made a federal minimum wage increase to 15 dollars an hour one of his key campaign promises during the 2020 presidential elections. Note that, despite two attempts, to date, to legislate this change, this electoral promise has yet to be realised.

On the other hand, it is not unfair to say that the organising objective of the Fight for 15 movement has been a failure. While the movement's organisers remain very discreet regarding increases in fast-food union membership, as well as in other low-wage service industries, the data suggests that union density in fast food in the United States has continued to stagnate at roughly 1.2%.

7. Conclusion

The success and failure experienced by the Fight for 15 movement as an experimental form of mobilisation raises four important challenges for our thinking about union renewal and collective worker action.

First, the Fight for 15 experiment points to the need to redefine the role of unions within broader progressive movements. While unions tend to consider themselves at the forefront and adopt an overarching, even paternalistic attitude in their coalition work, Fight for 15's successes suggest the need for unions to redefine their role in relation to their partners in such coalitions. It notably entails a move from a top-down command-and-control model towards a more networked and flexible one. This repositioning, within and behind rather than above the progressive forces at play, offers many advantages, notably enhanced legitimacy for labour actions. It also helps unions to renew their repertoire of actions and to develop more appealing mobilising tactics.

Second, regarding union approaches to mobilisation, Fight for 15 suggests moving from a warfare to a performance approach. Collective action on the part of labour continues to be conceived predominantly as a state of war against employers, as an 'art of damage'. But Fight for 15's success indicates that the success of labour mobilisation also depends on the sympathy that it manages to arouse among participants, the media, and the public at large. This also invites labour strategists to consider mobilisation as a series of performances whose success will depend to a large extent on the 'art of surprise and of seduction'.

Third, Fight for 15 also raises the issue of the extent of resources and expertise required for successful labour mobilisation. It must be emphasised that the FF15 mobilisation model is resource-intensive and expert-centric. While the model developed by the SEIU is inspired by new social movements that are 'resource-poor' and 'people-rich', the new mobilisation model developed through the experimentation of the Fight for 15 is quite different. It is estimated that about 70 million US dollars were invested in this movement between 2012 and 2015. These resources were spent notably to support the movement's expert-based structure. This aggregation of various types of expertise certainly contributed to the movement's success, notably as regards public relations, field organising and legal actions. But as we shall see next, this expert-centric model does raise questions as regards the movement's long-term financial sustainability.

Fourth, and finally, the failure of Fight for 15 to achieve significant breakthroughs in unionisation raises the question of whether this model is fit to sustainably organise the labour movement in precarious industries. The model proved very effective in creating a series of media 'coups' and viral effects that fed its political objectives. But with its emphasis on episodic mobilisation, this model did not manage to involve, over the long run, a significant mass of low-paid and precarious workers. While the movement substantially improved the lives of millions of workers at the bottom of the labour-market pyramid, it was unable to translate this political victory into a unionisation victory. It follows that workers' short-term engagement with Fight for 15 did not translate into a longer-term commitment within the organised labour movement. This conundrum

certainly raises the issue of the 'return on investment' of this type of experimental strategy for union renewal.

Case initiators and authors

The present case study of the Fight for 15 movement was carried out by Vincent Pasquier, Assistant Professor, Department of Human Resources Management, HEC Montréal. It largely derives from the author's doctoral dissertation (Pasquier 2019). This investigation is based mainly on interviews with participants and on analysis of the movement's communications on social media, notably Twitter and Facebook.

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References

Fight for 15 (2023) Fight for 15. https://fightfor15.org

Fight for 15 (n.d.) Fight for 15 – Facebook. https://www.facebook.com/Fightfor15/

Greenhouse S. and Kasperkevic J. (2015) Fight for $15 swells into largest protest by low-wage workers in US history, The Guardian, 15.04.2015. https://www.theguardian.com/us-news/2015/apr/15/fight-for-15-minimum-wage-protests-new-york-los-angeles-atlanta-boston

NELP (2021) Quantifying the impact of the Fight for $15: $150 billion in raises for 26 million workers, with $76 billion going to workers of color, National Employment Law Project. https://s27147.pcdn.co/wp-content/uploads/Data-Brief-Impact-Fight-for-15-7-22-2021.pdf

Pasquier V. (2018) Lost in translation : la délicate importation de la campagne Fight for 15 en France, Mouvements, 3, 116-125. https://doi.org/10.3917/mouv.095.0116

Pasquier V. (2019) Changing the state of the unions: from solid to liquid unionism. Three cases in North America, Doctoral dissertation, Université Clermont Auvergne.

Pasquier V., Daudigeos T. and Barros M. (2020) Towards a new flashmob unionism: the case of the Fight for 15 movement, British Journal of Industrial Relations, 58 (2), 336-363. https://doi.org/10.1111/bjir.12507

Pasquier V. and Wood A. (2018) The power of social media as a labour campaigning tool: lessons from OUR Walmart and the Fight for 15, Policy Brief 10/2018, ETUI. https://www.etui.org/publications/policy-briefs/european-economic-employment-and-social-policy/the-power-of-social-media-as-a-labour-campaigning-tool-lessons-from-our-walmart-and-the-fight-for-15

Cite this chapter: Pasquier V. (2024) The 'Fight for 15' movement: an experimental mobilisation at the crossroads of the 'old' labour and 'new' social movements, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 167-172.

Chapter 16
The network of social delegates of the Fédération des travailleurs et des travailleuses du Québec

Peer support at the heart of a unionism of proximity

Mélanie Dufour-Poirier and Francine D'Ortun

Introduction

The Network of Social Delegates (Réseau des délégués sociaux) of the Fédération des travailleurs et des travailleuses du Québec (Quebec Federation of Labour, FTQ) is an innovative case of institutional experimentation. It situates peer support and, by extension, a unionism of proximity, as vectors for union renewal. The social delegates support workers who are experiencing difficulties and manage psychological problems at work. Through their interventions, these delegates embody the ideals of solidarity, social affiliation, democracy and social justice in the workplace – ideals that are consistent with the union movement itself.

1. A brief overview of the case of experimentation

This case of experimentation focuses on the creation of an alternative actor in Quebec labour relations, the Social Delegates' Union Support Network of the Fédération des travailleurs et des travailleuses du Québec (Québec Federation of Labour) (FTQ). This unusual initiative has contributed to a people-centred union activity that attempts to fill the void of humanity that persists in so many workplaces. The Network's mission is to support workers in difficulty and intervene through the management of psychological problems in the workplace.

The social delegates act as sentinels in their local environment. Based on a relationship of equals, and irrespective of occupation, age, gender, or experience, they draw on and share their experience with their colleagues in distress. They advocate active, non-professional listening and peer support directly in the workplace, a support which is free, confidential and accessible at all times. This approach responds to multiple needs, be they problems related to work organisation, personal problems (for example, drug addiction or family) or various disorders requiring a form of crisis intervention (threat of suicide, chronic depression, burnout, and so on).

More generally, the social delegates are seeking to rebuild social cohesion, a sense of belonging to a community of shared destinies, between humans who have become disassociated through work and at work. These delegates innovate in their own way by mobilising a variety of resources to limit psychological damage at work and put psychological well-being back at the forefront of organisational and union priorities. While social delegates have not yet succeeded in becoming veritable actors of primary

prevention, they have nevertheless managed to rejuvenate the values of fraternity and solidarity on which the labour movement was founded. Moreover, the existence of social delegates prompts their unions to view mental health problems at work as an area in which they must act and, above all, as an opportunity to renew their strategies, to broaden their field of action and to return to their original union mission and identity.

2. The union and other actors involved in the case

The FTQ is the largest central labour body in the province of Quebec. Its affiliated unions are present in all sectors of the economy.

The Network of Social Delegates offers a form of union peer support. They are tolerated by employers in many workplaces, supported in others, but also prohibited in yet others. In 2022 there were approximately 3,000 active social delegates in Quebec. Of this number, some 1,800 are in the major metropolitan centre of the Greater Montréal area. The actions of these delegates are coordinated by the Metropolitan Montréal Regional Council (CRMM), which is a leader in the field of union support and management of mental health problems within the central labour body.

3. The types of disruption and resulting uncertainty faced by the union

The FTQ's Network of Social Delegates is a case of union experimentation that spans several decades. Its development can be broken down into three phases, each of which is marked by a significant disrupter.

First, the creation of the Network of Social Delegates in 1983 is rooted in the global economic recession of the early 1980s. This recession brought to light mental health problems in the workplace, as well as the significant lack of union proximity to these problems and to the members affected by them. The magnitude of the crisis prompted the FTQ to train union activists to provide technical assistance to union members affected by unemployment, as well as moral support for members in difficulty.

Second, the growing precariousness of jobs and the exponential growth of work-related burnout and depression in the 2000s led the Network of Social Delegates to intensify efforts to integrate social delegates into formal union structures. In particular, the objective was to overcome the reluctance of certain union representatives, particularly at the local level, for whom the peer support role provided by social delegates was not part of the union movement and even represented a threat of distancing unions from their core mission.

Finally, the Covid-19 health pandemic accentuated problems already well known to social delegates. These problems included the use of performance drugs, relational and even physical violence between coworkers, and work stoppages. Moreover, they were further complexified by issues related to telework, such as the porosity of working

hours and the reconciliation of work and family life. To make matters worse, both the workers in difficulty and the social delegates had to contend with a significant reduction in key resources such as therapy facilities, food banks, shelters for abused women and children, and so on. Other new issues also emerged, notably including a loss in the sense of belonging at work, alienation from the union, the weakening of the union role, and increased feelings of loneliness. Moreover, this crisis also raised important challenges for the role of social delegates and the conditions under which that role is performed, exacerbated by the need to work in close proximity to others.

More generally, and beyond the impact of the pandemic, social delegates have long felt the harmful consequences for the mental health of workers of new individualistic modes of work organisation. Among the consequences observed are the acute deterioration of collective identities and solidarities and of the social fabric in workplaces. However, and this is one of the main strengths of the networks of social delegates, employer efforts to implement employer-initiated employee assistance programmes have never managed to call into question the relevance of the social delegates nor the proximity of the union support they offer.

4. The type of experimentation

We identify three phases over this multi-decade process of experimentation.

Phase one was between 1983 and 2000 when the Network was created and the union activists, who were to become social delegates, were mandated to support workers in difficulty. The severity and extent of the economic recession at the time prompted the FTQ to train union activists capable of providing technical assistance to union members affected by unemployment, but also to workers facing mental health problems of all kinds. This first phase of experimentation revealed the full extent of the unions' distance from these types of problems and from the members experiencing them.

Phase two of the experimentation with social delegates began at the turn of the 2000s. In a context of increasing job insecurity and an explosion in cases of work-related burnout and depression, the role of the social delegates became more formalised, particularly the support relationship, management of stress and listening to people in distress. The official discourse of the central labour body suggested, as Louis Laberge put it, who was central labour body president from 1967 to 1991, that the Network of Social Delegates was the heart of the FTQ. However, it was clear that this innovation still faced considerable resistance, both from members and from local union structures. The Network of Social Delegates redoubled its efforts to overcome such resistance; far from distorting the union mission, the support role performed by social delegates constituted a return to the very nature of trade unionism.

Phase three of the Network's experimentation stems from the Covid-19 pandemic. As the problems already well known to social delegates were exacerbated by the individualisation of work relations, the weakening of union capacity to regulate working conditions (for example, addictions, absenteeism, presenteeism, work–life balance),

and the decrease in essential resources (for example, therapy houses), the health crisis posed major challenges to the social delegates, both in terms of their role and the conditions under which they carry out their duties. This was manifested in the increasing distance between workers and their union, as well as in the weakened solidarities that the union was supposed to foster in the workplace. It is against this backdrop, and in the context of the publicly mandated health measures related to the pandemic, that the social delegates saw their in-class and face-to-face training switch to distance learning. This third phase of experimentation sparked action-research conducted in collaboration with the Network, with two key objectives. The first objective was to favour the potential of self-learning by the delegates in this new context, by focusing on the co-construction of new knowledge. The second was to stimulate collective intelligence (Gréselle-Zaïbet 2007) by sharing learning and experimentation to strengthen the capacity of social delegates to act in the workplace. This resulted in a protocol for sharing and transferring experiential knowledge among peers and a new approach to training and the full development of social delegates' capacity to act (Dufour-Poirier and D'Ortun 2023).

5. The process of experimentation

The first phase of experimentation highlighted an increasing recognition of the lack of representation on workers' mental health issues and of a union profile on these issues. The FTQ's Network of Social Delegates emerged from this new awareness. It revived the ideals of cross-cutting and inclusive solidarity, which could be traced back to the origins and founding values of the labour movement.

The second phase of experimentation brought greater clarity to the role and future of the social delegates. Given the explosion in cases of depression and burnout, notably linked to the new modes of work organisation, the needs of workers and union approaches to psychological problems at work were clarified and consolidated. Mental health issues were thus gradually integrated into the representation work carried out by some local unions affiliated to the FTQ. However, major sources of resistance remained within various local union structures, which still struggled to see these mental health problems as union demands and issues for mobilisation in their own right. These difficulties have proved persistent through the three phases of experimentation.

The third and final phase of experimentation was triggered by the health measures associated with the Covid-19 pandemic. The obligation of social distancing clearly disrupted the kind of proximity and help provided by the social delegates, who had to rethink the way they acted in the workplace. Their approach remained unchanged in theory, namely active listening, peer support, acting as sentinels in their work environment, providing guidance or referral to appropriate resources and implementing follow-ups. However, in practice, the pandemic compromised the social delegates' capacity to act directly with workers. This can be attributed to the effects of social distancing, the scarcity of essential resources and the manifestations of psychological suffering through loss of meaning, uncertainty and loneliness in many workplaces.

In response to these pressing needs, and with union training normally offered by the Network on hold, the social delegates had to deploy a unionism of proximity and militant activism on the ground, by developing rapid responses to problems that were as specific as they were new. Whether this involved mastering previously unfamiliar communications tools, caring from a distance, listening and comforting, or identifying support services remotely, many social delegates sought to fulfil their learning needs independently in order to pursue their role as peer helpers more effectively.

From these responses, and in collaboration with the Network, there emerged a protocol for peer-to-peer sharing. This new tool, which was ground-tested and validated, allowed the social delegates to share their experiences, to document and present what they had learned on their own to their colleagues. This entails explaining the context that motivated this learning, how they went about it, the obstacles they encountered, and the solutions they put forward. Through this sharing of experience and the recognition of the learning taking place and the ensuring collective intelligence, this new approach enhanced the capacity to act and the autonomy of social delegates regarding their training needs. It also stimulated the consolidation of the bonds of trust between peer helpers, in addition to creating a community of knowledge and practice on the basis of the problems experienced on the ground within the Network.

6. The effects of the experimentation

The FTQ's Network of Social Delegates has had several important effects.

First, the Network is based on key principles: inclusion (social delegates often assist non-unionised workers, and even employer representatives, when necessary); the intention to take care of each other; proximity support and caring; and reaching out to as many workplaces as possible. Social delegates are most often peripheral or non-institutionalised actors of union representation, sometimes acting in secrecy. Indeed, very few social delegates benefit from formal recognition through mechanisms such as a letter of understanding or a clause in a collective agreement.

Second, many social delegates have nonetheless managed to become key players in their workplaces, at the forefront of union representation and bargaining at the local level. This is due to their depth of experience, both personal and professional, and the legitimacy they enjoy among their colleagues and employer representatives. This legitimacy was further enhanced during the Covid-19 pandemic. During this period, the social delegates often worked in places where local structures had been largely absent from both official and unofficial union representation, thus circumventing the official organisational charts of the unions concerned. This new recognition can address the institutional void in which the social delegates have hitherto often operated.

Finally, the development of the training protocol, itself an experimentation when faced with the uncertainty generated by the Covid-19 pandemic, was aimed at strengthening the capacity of social delegates to act in the workplace. This entailed a paradigm shift in the approach to the training of social delegates and, by extension, the construction

of new solidarities within the Network. The Network's training activities now emphasised the co-construction of experiential knowledge gained by these field actors in the performance of their daily duties. The first tangible benefit was the promotion of experimentation and new learning by the social delegates, with the aim of fostering learning among peer helpers and participating in the creation of a dynamic learning community. The second tangible effect was the consolidation of a collective intelligence by this group of union activists and the possibility of making it a useful instrument for attracting and mobilising new generations of union members.

7. Conclusion

The creation and development of the FTQ's Network of Social Delegates are a case of experimentation with a new form of workplace union presence over several decades. It highlights the vital importance of union action and a unionism of proximity. Social delegates listen to members and take their needs into account. In other words, they come out of union offices, operate in the workplace and prioritise basic union action. This union renewal strategy is based on a return to union roots, to the origins of trade union solidarity.

This case of experimentation also illustrates the importance of adaptation to adversity by union organisations. It also highlights the need to decompartmentalise union work through synergies between the different union roles. These synergies might be with workplace union delegates, health and safety representatives or local union officers. In all of these cases, the experimentation with and through social delegates enhance the scope of union representation and its prospects for renewal.

The social delegates are often the most easily accessible union people on the ground for workers. That enables them to identify upstream the causes of damage to workers' mental health and well-being. Social delegates can cultivate close ties with the workers, forge alliances to negotiate with employers and, in many cases, manage to act upstream on problems identified in their environment. In this way, they have the potential to become real agents of change by making the physical and mental integrity of workers a key issue for union demands and mobilisation. This is true of many such delegates in the current context.

However, it's also the case that such social delegates can unwittingly disrupt different facets of union traditions and practices: hierarchical structures, the boundaries between different types of union action, and prevailing presumptions about the conflictual nature of so-called traditional labour relations. Questions raised by young and female delegates, notably about women's issues, have proved particularly forceful and relevant. A key takeaway is that in intervening in a preventive way on mental health in the workplace, social delegates make mental health an organisational issue, not just an individual issue.

To conclude, trade union actors can certainly draw inspiration from this FTQ experiment with social delegates in the workplace. They have become change agents in the workplace

through the management and prevention of psychological problems at work. Moreover, there are larger implications for our thinking about union renewal for, in their daily work, the social delegates cultivate knowing how to demonstrate proximity. Although there are still many obstacles to their actions (whether from local union structures, members or employers), the FTQ's Network of Social Delegates is nevertheless a gateway to a new generation of unionists inclined to adopt a less confrontational approach to labour relations and to opt for a unionism that is at the forefront of mental health in the workplace, but above all, close to its activist base.

Case initiators and authors

This case was written by Mélanie Dufour-Poirier (School of Industrial Relations and CRIMT, Université de Montréal) and Francine D'Ortun (CRIEVAT, Université Laval). The training protocol discussed in the case, namely the ©Trans-faire tool, is part of an action-research conducted in the summer of 2020 by this team in partnership with the FTQ's Network of Social Delegates and the Metropolitan Montréal Regional Council-FTQ. Documenting this case would not have been possible without the invaluable assistance of Louise Grenier and Christian Bergeron, coordinators of the FTQ's Network of Social Delegates, as well as Marc-Édouard Joubert and Vincent Leclair, respectively President and Secretary General of the Metropolitan Montréal Regional Council (CRMM) of the FTQ. Special thanks are also extended to Joanny Royer, Sonia Duchesne and Adam Whalen, all leading social delegates, for their contribution during the first experiences with and experimentation of the training protocol in the Network.

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References

Dufour-Poirier M. and D'Ortun F. (2023) Case history of the FTQ's social stewards network: a unique experiment in union peer support for mental health in workplaces in Quebec, Canada, Labor Studies Journal, 48 (2), 149-182. https://doi.org/10.1177/0160449X231163533

Gréselle-Zaïbet O. (2007) Vers l'intelligence collective des équipes de travail : une étude de cas, Management & Avenir, 14, 41-59. https://doi.org/10.3917/mav.014.0041

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Chapter 17
Reinforcing employee union identification in a Chinese workplace trade union

How greater union democracy makes a difference

Xiaoming Bao

Introduction

In most Chinese workplaces, unions are not created by employee mobilisation but rather by the employer. Such unions, often closely tied to management, face legitimacy challenges with employees. In 2011, a strike broke out in JapanAuto (anonymised) and proved a critical juncture in the evolution of labour relations in the JapanAuto union. The JapanAuto experiment focused on the election of union officials, the implication of the worker congress in collective bargaining, and the creation of a network of union stewards. The experimentation has improved union democracy, strengthened union instrumentality, and increased employee identification with the union.

1. A brief overview of the case of experimentation

This case study concerns how a Chinese workplace trade union – the JapanAuto union (anonymised) – has come to play an increasingly affirmative role as a voice for workers and as an instrument for collective bargaining with its employer. The key observation is how improved union democracy has enhanced union instrumentality and employee identification with the workplace union. Since the wave of labour unrest in 2010, the All-China Federation of Trade Unions has promoted workplace trade union reform, with a view to reinforcing the legitimacy of trade unions and promoting harmonious labour relations. Although top-down 'quota management' for the implementation of collective consultation in workplaces across China has been widely pursued by regional trade unions, it does raise the question of whether this offers an enduring solution to the challenges to trade union legitimacy at local level. The experimentation conducted by the JapanAuto union with regard to union democracy, as presented in this case of experimentation, offers an interesting complement to top-down workplace trade union reform.

2. The union and other actors involved in the case

JapanAuto produces auto parts. JapanAuto was established in the Binhai Economic-Technological Development Area (BEDA – anonymised) in 2004. JapanAuto is a Japanese-Taiwanese joint venture in which the Japanese owners hold 51% of the shares. The JapanAuto union was set up in 2008. Like its counterparts in most Chinese workplaces, the JapanAuto union was not established through the mobilisation

and organisation of employees, but rather by the employer in accordance with the requirements of the BEDA Federation of Trade Unions, which is the JapanAuto union's umbrella union. As is the customary practice of Chinese workplace trade unions, almost all employees are union members, as was the case with the nearly 600 employees at JapanAuto in 2018.

The BEDA Federation of Trade Unions has been engaged in workplace trade union reform since 2010. This reform movement was prompted by top-down pressures around increasing labour conflicts. It adopted the 'three-one action' (*sangeyi xingdong*) of 'listening-communicating-improving' (*qingting-goutong-gaishan*) for its affiliated local unions. The BEDA Federation of Trade Unions suggested that a workplace trade union implement the following three practices at least once every year: first, listen to employee demands; second, carry out labour-management consultation; and third, implement practices to stabilise labour relations.

3. The types of disruption and resulting uncertainty faced by the union

This case is part of the larger transition from the planned economy to market socialism. The collapse of the work-unit system, the rise of privately- and foreign-owned enterprises, and the scope for workers to claim a share of the otherwise privately allocated surplus and to have a say over work processes are all disruptive factors in traditional labour relations. Whereas workplace unions had previously been much like a welfare service within state-owned firms, there was increasing pressure to pursue the development of autonomous collective bargaining. Yet workplace trade unions in this new context, often closely tied to and even led by senior management, did not appear relevant to the employees they purportedly represented. This legitimacy challenge was evident in the way that worker grievances often took the form of spontaneous collective actions, which were mobilised and organised by employees themselves, often bypassing workplace trade unions. In addition to the employer, union leaders were sometimes the target of their discontent, leading workers to advocate greater democracy and representativeness in these trade unions. The rising level of spontaneous collective conflict also raised the issue of political legitimacy. In a context in which the Party-State sought to reinforce its control over society, the ineffectiveness of Chinese workplace trade unions led to top-down criticisms from senior Party leaders with regard to the trade union apparatus, which they argued was failing in its core task of promoting social harmony. This confluence of events put considerable pressure on regional trade unions, such as the BEDA Federation of Trade Unions, leading to various reform initiatives.

The JapanAuto union illustrates this larger challenge. It faced declining employee union identification, spontaneous employee collective actions and the resulting uncertainty and vulnerability when faced with employee activism. A strike broke out in 2011 when the employer unilaterally decided to delay the annual adjustment of the company's wage scale. This was strongly contested by employees for whom the adjustment of the wage scale was the only way to raise their wages. Strike action, lasting just ten hours, resulted in the restoration of the annual wage adjustment. This strike proved a critical

juncture in the evolution of labour relations in JapanAuto. Prior to this strike, the union officer, who was also the site's deputy general manager, was not democratically elected by employees but instead directly appointed by the employer. Among the broader set of demands put forward by the striking workers were the recall of their union leader and a restructuring of their union. This crisis of local union legitimacy, itself a reflection of broader challenges to the role of trade unions in the People's Republic of China, led to a period of organisational and institutional experimentation around the introduction of deliberative mechanisms to reinforce the union's representativeness and internal democracy.

4. The type of experimentation and the process of experimentation

Experimentation involved the election of union officials, the role of the worker congress and the increasing sophistication of a network of representative union stewards through elections, steward training and an enhanced representative role.

In the first genuine election of union officials after the 2011 strike, a grassroots manager replaced the deputy general manager as the full-time union officer in the JapanAuto union. This new union officer was re-elected in 2016.

The restructuring of the JapanAuto union also led to the transformation of the representative assembly of union members into an authentic worker congress. Drawing on the customary practices of workplace trade unions in the BEDA, the JapanAuto union integrated its representative assembly of union members into the worker congress. Further reinforcing the role of the union in this new structure, each union steward performed duties as the employee representative of his or her department in the worker congress.

This changed role went beyond elections. As described by the JapanAuto union officer, 'workers were wearing the pants' (*gongren dangjia zuozhu*). For example, after initial rounds of collective bargaining, the JapanAuto union now convened the worker congress so that the union committee could report back to union stewards on the progress of bargaining. Through a deliberative process of soliciting, sorting out and analysing feedback from union stewards, the union committee developed a strategy for pursuing these negotiations. The JapanAuto union later reconvened a worker congress to report back to the stewards and, barring objections from the stewards, it would then be authorised to sign a collective agreement with the employer.

The transformation of the representative assembly of union members into an authentic worker congress was synchronised with the reform of a network of union stewards. Whereas previously the role of union stewards had been monopolised by local workplace managers, the first genuine election for union stewards took place in 2016 and by 2018 rank-and-file employees accounted for 45% of them.

The JapanAuto union further established a network of union stewards as a channel for articulating employee demands to the union leadership. Prior to the 2011 strike, the JapanAuto union was a typical hollow organisation with no link between employees and their trade union. After the 2011 strike, the JapanAuto union established a more clearly defined representative organisational structure consisting of a union committee (the union officer and two union vice-officers and six union committee members) and 66 union stewards. There was a clear hierarchy between union stewards and the union committee as the 66 union stewards were divided into six union-steward teams and each union committee member was responsible for a team.

The JapanAuto union further emphasised the representative capacity of its union steward structure. After 2016 elections, it invited officials and experts of the BEDA Federation of Trade Unions to train these newly elected union stewards, with a particular emphasis on how to solicit employee demands and future planned training on sorting out and analysing such demands.

Finally, the JapanAuto union has empowered its union stewards. First, it allowed stewards to take more responsibility for union work than heretofore. Previously, the union committee – especially the union officer – was fully responsible for organising union activities, for example, a basketball match, a marathon, a sports meeting, and so on. The JapanAuto union has devolved the planning, organising, leading and controlling of union activities to union stewards. Second, the JapanAuto union has involved union stewards in collective bargaining, which was once completely controlled by the union committee, especially the union officer. Before collective bargaining in 2018, the JapanAuto union first required each of the six union steward teams to select two union negotiators. Subsequently, twelve union negotiators were divided into two camps, playing the roles of the JapanAuto union and the employer, respectively. This simulated collective bargaining was carried out four times, each time over two and a half hours. Ultimately, by simulating collective bargaining, the JapanAuto union formulated the general proposal for wage increases and identified the challenges likely to be raised by the employer. The involvement of union stewards also extended to the process of collective bargaining.

5. The effects of experimentation

This process of experimentation resulted in greatly enhanced union democracy, union instrumentality and identification with the union.

The election of union officials, the role of the worker congress as a representative union mechanism, the development of a network of union stewards, and the training and greater role attributed to these stewards are all indications of enhanced union democracy. The experimentation pursued by the JapanAuto union stands in stark contrast to many stereotypes about union democracy in China, according to which the election of union officials and the role of worker congresses are merely formalistic in many cases. The JapanAuto union's experimentation indicates that a workplace trade union might carry out the election of union officials in a more substantive manner. In

addition to undertaking the election of union officials, the worker congress might also be associated with deliberating about negotiations and approving or vetoing collective agreements. A workplace trade union might even establish a network of union stewards as a channel to articulate employee demands to union leadership, emphasise the representational capacity of union stewards, and even empower union stewards.

Moreover, in contrast to other workplace unions observed in the context of this study, this greater union democracy was associated with both enhanced union instrumentality and greater employee union identification with the workplace union.

6. Conclusion

While Chinese trade union organisations represent a vast and complex landscape with many features of democratic centralism and effective subordination to the Party State, the experimentation pursued by the JapanAuto union in one industrial zone of China highlights the possible role of experimentation around internal union democracy as an avenue for union renewal.

The enhancement of internal union democracy was pursued through multiple innovations: first, the election of union officials to establish the independence of union leadership; second, the integration of union and worker congress representative mechanisms; third, the involvement of the worker congress in collective bargaining, the introduction of deliberative mechanisms to discuss ongoing collective negotiations and the ultimate approval of bargaining results by the worker congress; fourth, the creation of a network of union stewards as a channel to articulate employee demands to union leadership and the ongoing capacity-building of those stewards. While such innovations are not so different from best union practice advocated and observed across the globe, in contrast to other Chinese workplace unions where internal union democracy remains underdeveloped, union instrumentality very weak and employee identification with the union largely absent, the fact that these innovations pursued by the JapanAuto union had such clearly positive results suggests that other local unions might pursue such experimentation.

The ability of the JapanAuto union to engage in such experimentation also highlights its strategic capacity through several key capabilities.

In terms of its ability to draw on external resources, the JapanAuto union involved the BEDA Federation of Trade Unions in these enterprise union reforms. Itself part of a larger debate about the efficacy of trade unions in China, the experience of JapanAuto was one example of how local unions could be better connected with the workplaces they represent. In other words, in its capacity to develop and use substantial internal and external resources, the JapanAuto union demonstrated strong strategic capacity.

The JapanAuto union's narrative and deliberative capabilities were also important. The BEDA Federation of Trade Unions had advocated implementation of a strategy of 'listening-communicating-improving'. However, the formalistic adjustment of

union representation does not necessarily translate into improved union democracy. Whereas the legal framework of the worker congress suggests, in theory at least, that a workplace trade union is accountable to the worker congress, the reality might well be the contrary. Whether or not the worker congress is a deliberative and accountable body – for example, in electing employee representatives – appears to rely in the case of the JapanAuto union on the strategic capacity of the workplace trade union. This entails the operationalisation of the worker congress and associated representative systems – for example, the election of union officials and a network of union stewards – to meet the demands of the BEDA Federation of Trade Unions as regards improving union representation in enterprise unions.

Case initiator and author

This case study is part of the author's doctoral dissertation at the School of Industrial Relations, Université de Montréal, entitled 'Can Chinese enterprise unions improve employee union identification? Comparative case studies of six subsidiaries of foreign multinational enterprises'. All these enterprises were covered by the BEDA. Two rounds of fieldwork, in 2017 and 2018, involved interviews at each enterprise with the union officer, three to five union committee members, four or five union stewards (where applicable), and five to seven union members.

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References

Booth A., Freeman R., Meng X. and Zhang J. (2022) Trade unions and the welfare of rural-urban migrant workers in China, ILR Review, 75 (4), 974-1000. https://doi.org/10.1177/00197939211004440

Chan A. (2018) Globalization, China's free (read bonded) labour market, and the Chinese trade unions, in Benson J. and Rowley C. (eds.) Globalization and labour in the Asia Pacific, Routledge, 260-281.

Chan A. (2019) Labor relations in foreign-funded ventures, Chinese trade unions, and the prospects for collective bargaining, in O'Leary G. (ed.) Chinese workers and their state: adjusting to capitalism, Routledge, 122-149.

Chan A. (2020) Vietnam's and China's diverging industrial relations systems: cases of path dependency, Journal of Contemporary Asia, 50 (3), 21-340. https://doi.org/10.1080/00472336.2019.1623907

Chang C. and Cooke F.L. (2018) Layers of union organising and representation: the case study of a strike in a Japanese-funded auto plant in China, Asia Pacific Journal of Human Resources, 56 (4), 492-517. https://doi.org/10.1111/1744-7941.12181

Cooke F.L. (2019) Unions and alternative forms of worker representation in China in an era of privatisation and globalisation, in Lee B.H., Sek-Hong N. and Lansbury R.D. (eds.) Trade unions and labour movements in the Asia-Pacific region, Routledge, 55-72.

Froissart C., Yan L. and Quan M. (2019) Trade-offs between state organisations and workers' organisations: Chinese unions in search of authoritarian collective bargaining, China Perspectives, 2019-2, 29-38. https://doi.org/10.4000/chinaperspectives.9063

Luo S. and Yang T. (2020) Moderated mobilization: a new model of enterprise-level collective bargaining in South China, The China Quarterly, 242, 418-439. https://doi.org/10.1017/S0305741019001061

Pringle T. and Quan M. (2018) Taming labor: workers' struggles, workplace unionism and collective bargaining on a Chinese waterfront, ILR Review, 71 (5), 1053-1077. https://doi.org/10.1177/0019793918768791

Yang W., Nawakitphaitoon K., Huang W., Harney B., Gollan P.J. and Xu C.Y. (2019) Towards better work in China: mapping the relationships between high-performance work systems, trade unions, and employee well-being, Asia Pacific Journal of Human Resources, 57 (4), 553-576. https://doi.org/10.1111/1744-7941.12205

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Part 7

New inclusion initiatives – new solidarities

Chapter 18
Experimenting with dual vocational education and training in Asturias, Spain

The role of regional social dialogue in an unfavourable climate

María C. González Menéndez and Aroa Tejero

Introduction

The 2008–2014 economic crisis in Spain was a period of disruption for social dialogue and trade unions, and gave rise to record levels of unemployment. The region of Asturias faced both labour shortages in metalworking and high youth unemployment. In response to these challenges, unions, employers and the government engaged in a pilot scheme on dual vocational education and training (VET) in the metalworking sector. Not only were disaffected young people placed in employment as a result, but this experimentation contributed to the defence of tripartite social dialogue and strengthened the power of the unions.

1. A brief overview of the case of experimentation

The region of Asturias in Spain faced a labour market paradox: labour shortages in a key sector of its economy (metalworking), but appallingly high youth unemployment. Drawing on a tradition of strongly institutionalised tripartite social dialogue and a generally cooperative attitude on economic policy among trade unions, employers and the government, these actors engaged in an institutional experiment through a pilot scheme on dual vocational education and training (VET) in the metalworking sector. This experiment targeted low-skilled young people who were completely excluded from the labour market. The design was innovative because these young workers were paid and trained at the workplace. This resulted from years of intense negotiations among the parties to regional social dialogue who, beyond their traditional remit, combined to conceive, implement and supervise the scheme. This case of collaborative institutional experimentation involves the creation of a new institution to address a labour market mismatch (labour shortages in a key sector despite high youth unemployment). Furthermore, the trade union capacity to frame issues and to recombine old and new methods was a major factor in ensuring the continuing relevance of social dialogue and the union role therein.

2. The union and other actors involved in the case

The actors involved in this case were the parties to tripartite dialogue in Asturias: on the union side, the Unión General de Trabajadores (UGT) of Asturias and the Comisiones

Obreras (CCOO) of Asturias; on the employer side, the regional employer association, Federación Asturiana de Empresarios (FADE); and the government of Asturias.

The experiment emerged from the tradition of continuing social dialogue in Asturias. Although the issue of dual vocational education and training had been under discussion since 2005, the 2013 social pact signed by the parties expanded the remit of social dialogue to a new area, namely dual VET. This led to a tripartite agreement on a three-year pilot scheme in the metalworking sector, to be implemented from November 2014. Employers had often voiced concerns about future skill shortages. Regional unions, employers and the government agreed to engage in experimentation in this sector.

Metalworking is a key sector in the regional development strategy of the region of Asturias, with strong traditions of sectoral social dialogue. It is a sector distinguished by the representative strength of key actors. First, a strong trade union membership, dominated by the two large confederations, the UGT and the CCOO, a significant proportion of whose membership are metalworkers in Asturias. They are also the most representative unions at national level. Second, a representative employers' association (FEMETAL) which, in 2018, federated 90% of metalworking sector firms in Asturias.

3. The types of disruption and resulting uncertainty faced by the union

In Spain the 2008–2014 economic crisis was a period of great disruption for social dialogue more generally and trade unions more specifically. It gave rise to record levels of youth unemployment (peaking at 55% in 2013), severe cuts in the public sector, restrictions in the funding of employment policies, the grafting of dual VET onto an education-based system, and the marketisation of training services. The national labour reform carried out in 2012 further weakened the core institutional pillars for social dialogue. Industry-level collective bargaining was weakened by giving primacy to firm-level bargaining, which meant that minimum hours and wages could be set below the industry level. Trade union bargaining power was similarly weakened by eliminating the automatic extension of a collective agreement. Moreover, trade unions and employer associations no longer had direct access to training funds; rather, they were henceforth in direct competition with training institutions for such funds.

It was a period of great disruption for social dialogue. The overall weakening of workers' rights resulted in worsening working conditions, falling wages, rising part-time and temporary contracts, a wounded labour movement and labour unrest. Social dialogue had endowed the most representative trade unions and employers' associations with institutional power as key labour market regulators. This role was again under attack from the traditional Right, who contested such tripartite arrangements, but also, increasingly, from the new Left for making compromises that resulted in worsening working conditions.

4. The type of experimentation

With record levels of youth unemployment, however, the promotion and improvement of vocational and educational training to improve young people's qualifications and employability was a critical social issue in Spain. In a subnational region with deep traditions of social concertation, trade unions, employers and the regional government in Asturias engaged in an experiment to develop a dual VET scheme which was unique in Spain.

First, it connected education- and labour-based types of VET, which was a totally new configuration in the Spanish public sector; the only known precedent involved a large firm in the private sector. Second, this scheme was characterised by respect for core labour rights as participating students would also be workers and would be paid above the national minimum wage. Third, it specifically targeted the most disaffected young people (that is, those not in employment, education or training – NEET).

This might be characterised as mixing new experimentation with existing institutional legacies – what Kristensen and Morgan (2012) describe as the search for new institutional forms to improve the relevance of existing institutions to ongoing processes of experimentation. In this respect, although innovative, the new institution does not break with the institutional logic or shared understanding of the goals to be pursued and how they are to be pursued in the region. Expansion of the remit of social concertation between employers and unions to a new area, dual VET, in the 2013 social pact, is better analysed as the collaborative institutional work of heterogeneous actors concerned with shaping large-scale institutions tied to major social challenges (Hampel et al. 2017).

5. The process of experimentation

The process of experimentation involved both a prolonged period of negotiation between the social partners (from 2005 to 2014) and their detailed participation in the implementation of the initiative (from 2014 to 2017).

Social actors had been talking about the need for a dual VET programme in the region from 2005 onwards. Some small initiatives were carried out in 2009 and 2010 with a large passenger transport firm and some employer associations. These programmes were perceived as weak in terms of professional certification and oversight. Within the framework of regional social dialogue, this spurred the social actors to work on draft proposals in 2011 that would ultimately provide the basis of their new initiative. These were presented to a newly created quadripartite Dual VET Committee, composed of representatives of the trade unions and employers, of the regional labour administration and of the regional education administration. The union requirement was a scheme that enabled students to obtain certification while in a labour contract.

The 2012 labour reforms identified two types of dual VET: within the education system (with more hours in the workplace than previously) and within the employment system (via a training and apprenticeship contract). The new approach also allowed firms to

provide the education component of VET within their own schools, with little oversight from social partners. Faced with this marketisation of VET provisions, the trade unions instead emphasised the importance of public education in the region's VET system. In response to union concerns, the regional labour administration identified the possibility of a new dual VET combining the education and labour branches of VET in experimental programmes. As articulated in the region's 2013 social pact, this explicitly involved the participation of government, trade unions and employers (Agreement for the Employment and Progress of Asturias 2013–2015, GPA, 2013).

The regional labour administration agreed to pay for the annual professional certifications (eventually twelve in total), provided the scheme was connected to the Youth Guarantee, which meant targeting those not in employment, education or training. The government also agreed to fund 50% of the labour costs of the employers, specifically of the training and apprenticeship contract with the students during their first two years of employment. The students would thus become workers, which was a core trade union requirement to promote the direct creation of employment. This connection to the Youth Guarantee also made the scheme into an opportunity for the labour market inclusion of the most disaffected young people. Once agreed, the contract would be like any other as regards dismissal and its renewal would be contingent on success in the yearly examinations. In response to trade union pressures, the number of placements in the experiment was also increased from just 15 in one occupation to 60 in four occupations.

In the context of an increasingly deregulated and precarious labour market regime, which was the result of the 2012 labour reforms, the trade unions opposed regional government funding for the firms' training contracts and advocated setting wages for the student-workers above the national minimum wage as a condition of their participation in the experiment. With the economy emerging from a recession, the employer association and the regional administration acceded to the second of these demands and agreement was reached. With a wage of around 900 euros per month, the Asturias worker-students would be the best paid in dual VET in Spain, which was certainly a victory for the regional branches of both national unions. After four years of often intense negotiations, an agreement was finally signed in the first week of October 2014 and was to commence the following month. As already mentioned, except for a single case in the private sector, this experiment simply had no precedent in Spain.

The social actors all collaborated in intense dissemination to attract participants. The selection process, as managed by the HR managers of the participant firms, generated 150 applications from which 49 of the targeted 60 placements were filled. Moreover, the social partners who negotiated the agreement were also closely involved in a follow-up committee, meeting frequently, issuing reports and seeking to resolve problems as they arose. This follow-up involved multiple informal contacts among committee members, with tutors at the firms and the training schools, and, importantly, one-on-one interviews with student-workers who were at risk of abandoning their placement.

6. The effects of the experimentation

This experimentation had several important effects.

First, previously, disaffected young people were placed in employment and the unions were seen to play a key role in this process. In fact, the retention rate was very high, with 19 of the 25 student workers who had completed the programme remaining employed by the first company in which they trained.

Second, at the time our study was conducted, the assessment by social actors was also very positive. For example, 81% of the participant firms reported a positive assessment. Several observers acknowledged that the direct results could be stronger. However, it's also clear that the actors were involved in a reflexive learning process, as they recounted how some of the weaknesses in the first iteration of the programme were corrected in the second.

Third, once the programme concluded, the results were contested and subject to ongoing debate as regards the role of social actors in the regulation of the regional labour market. For the parties of the Right and the new Left in parliament, social dialogue continued to be a ready target. The class-based general unions put greater emphasis on improving employment outcomes in a key economic sector and on strengthening trade union power, and were willing to accept a lower entry wage in the next programme. However, it's also clear that learning from this process of experimentation contributed to the defence of tripartite social dialogue and to enhancement of their institutional power as policymakers.

7. Conclusion

This case of institutional experimentation was based on ideas that have analytical and distributive appeal to both unions and employers (Culpepper 2008). The creation of a new dual VET body entailed the expansion of a politically threatened institution (tripartite social dialogue and social concertation between employers and unions) into a new area. This experimental expansion of tripartite social dialogue for the resolution of economic and social problems illustrates how this co-constitution by firms and unions creates dynamic complementarities and contributes to learning (Kristensen and Morgan 2012). The case also shows that when institutional legacies empower actors to open up new areas for action (Kristensen and Morgan 2012; Murray et al. 2020), firms may still prefer the planned solutions typical of social dialogue under Keynesianism to neoliberal market approaches. Finally, it shows that when actors use their strategic capabilities, and particularly their associational power (Murray 2017), recombining existing logics with new ones may ensure the continuing legitimacy of social dialogue and the resolution of economic and social problems.

Case initiators and authors

This case study was led by María C. González Menéndez and Aroa Tejero, University of Oviedo. It sought to understand institutional experimentation and the role of the social actors in the design, implementation and appraisal of a labour- and education-based dual VET programme. Data collection and analysis focused on the national and regional regulative framework of VET, the documentation produced by the supervisory committee on the scheme, and metalworking sector employment and industrial relations data. Open-ended interviews were carried out in 2019 with trade union representatives, the regional employer association and the region's Council of VET, all of whom were directly involved in all tripartite negotiations leading to the creation of the programme, as well as its appraisal. A research report covering the chronology of the negotiations, the positions of the actors, the main sources of tensions, the implementation of the scheme and the collaborative tripartite follow-up and appraisal was then shared with the interviewees. No errors or misinterpretations were reported back by the participants.

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References

Culpepper P.D. (2008) The politics of common knowledge: ideas and institutional change in wage bargaining, International Organization, 62 (1), 1-33. https://doi.org/10.1017/S0020818308080016

Gobierno del Principado de Asturias (2013) Acuerdo por el Empleo y el Progreso de Asturias 2013-2015. https://www.idepa.es/detalle-publicacion/-/asset_publisher/t2oaIuup7miq/content/acuerdo-por-el-empleo-y-el-progreso-de-asturias-2013-2015

González M.C. and Tejero A. (2022) An instance of tripartite successful institutional experimentation on Dual vocational education and training in Spain, in Lévesque C., Fairbrother P., Emilien B., González M.C. and Morissette L. (eds.) Trade unions and regions: better work, experimentation, and regional governance, Routledge, 149-164.

Hampel C.E., Lawrence T.B. and Tracey P. (2017) Institutional work: taking stock and making it matter, in Greenwood R., Oliver C., Lawrence T.B and Meyer R.E. (eds.) The SAGE handbook of organizational institutionalism, 2nd ed., SAGE, 558-590.

Kristensen P.H. and Morgan G. (2012) From institutional change to experimentalist institutions, Industrial Relations, 51, 413-437. https://doi.org/10.1111/j.1468-232X.2012.00685.x

Murray G. (2017) Union renewal: what can we learn from three decades of research?, Transfer, 23 (1), 9-29. https://doi.org/10.1177/1024258916681723

Murray G., Lévesque C., Morgan G. and Roby N. (2020) Disruption and re-regulation in work and employment: from organisational to institutional experimentation, Transfer, 26 (2), 135-156. https://doi.org/10.1177/1024258920919346

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Chapter 19
Recentring equity at work
The Quebec steelworkers' fight to bring the outsiders 'back in'

Mélanie Laroche and Patrice Jalette

Introduction

Over recent decades, multi-tier agreements have proliferated to deal with management demands for differentiated wages and working conditions. This trend has created disparities among workers, which have undermined union solidarity. This case study highlights the efforts of the Syndicat des Métallos in Quebec, Canada, to reverse this trend. This fight required a change in strategic repertoires towards a multifaceted, all-encompassing strategy, both at the national level, through coalitions, lobbying and legal challenges, and at the local level, through bargaining and education. The Steelworkers' political campaign achieved its goal, but only in part, as the effects of these legislative changes are not retroactive. This case suggests that, in a decentralised labour relations system, collective bargaining is not sufficient to address workplace inequities. Rather, it is necessary to experiment with multiple strategic levers at different levels. This case of renewal also shows that experimentation allows union strategies to evolve over time.

1. A brief overview of the case of experimentation

There has been a proliferation in recent times of two-tier and even multi-tier agreements on wages and working conditions. Often in difficult circumstances, trade unions have negotiated differentiated wages and conditions for their members doing exactly the same job, typically on the basis of the date of hire, thereby creating different classes of worker within the same workplace. This trend has been deeply corrosive for trade union solidarity.

This case of experimentation is about the 'recentring of equity', putting the fight against such disparities at the core of a renewed union agenda. This case highlights the efforts of a major union based in the province of Quebec (Canada), the Syndicat des Métallos (also known as District 5 of the United Steelworkers of America), to reverse this trend. Faced with this drag on traditional manifestations of solidarity and increasing challenges to its legitimacy, the Steelworkers' District Union experimented with a multifaceted campaign to counteract the inequities of multi-tier agreements that have proliferated in its workplaces over recent decades.

Given the prevalence of such inequities and the role of the union in institutionalising them, the challenge faced by this union was basically to 'put the toothpaste back in the tube'. In other words, the union had to reverse the trend to which it had itself contributed. Its campaign entailed the mobilisation of and experimentation with

multiple strategic levers. These included community alliances and lobbying to advocate for legislative change prohibiting the use of differences in treatment by employers, legal action around strategic cases to establish the legitimacy of the union's agenda, and collective bargaining on workplace agreements to reverse disparities that the union had consented to in the past.

2. The union and other actors involved in the case

Like many North American unions from the 1980s onwards, the United Steelworkers (Steelworkers) acceded to incessant employer demands for greater organisational flexibility by introducing provisions in their collective agreements that institutionalised inequities such as precarious employment and differentiated wages and benefits based on status or the date of hire (Laroche et al. 2019a).

District 5 of the United Steelworkers is one of the largest private-sector unions in the province of Quebec (Canada), with nearly 60,000 members. It is active in a variety of industries (including manufacturing, mining, hospitality, food service, rail transportation and security services) and in companies of various sizes. Collective bargaining for its members is highly decentralised, most typically at the level of the plant or workplace. Such decentralisation can tilt the balance of power in favour of the employer (Marginson and Galetto 2016; Laroche et al. 2019a) and thereby accentuate inequities (Kristal and Cohen 2007).

3. The types of disruption and resulting uncertainty faced by the union

In 2016, the Steelworkers' new leadership realised that the situation they faced was not sustainable over the long run. This was because multiple local unions had to contend with recurring management demands for differentiated wages and working conditions, particularly with regard to pension plans and group insurance. Beyond the setbacks in wages and working conditions that these disparities entailed, they undermined the solidarity and sense of belonging among new union members, whose experience was one of the multiple classes of union membership in the same workplaces. Whereas these new members were supposed to represent a source of renewed activism and succession in union leadership, their experience of these disparities in fact alienated them from the union. The union leadership also believed that solutions to this issue could not be limited to collective bargaining and undoubtedly fractious labour disputes, but rather required a broader range of strategies.

Labour legislation was likely to be an important component of these strategies. The legislation establishing minimum labour standards in Quebec Province, a provincial jurisdiction for most workers, had since 1999 prohibited certain disparities. In particular, Section 87.1 of the Act provides that a collective agreement may not have the effect of granting an employee, solely on the basis of their date of hire, working conditions that are less advantageous than those granted to other employees who perform the same

tasks in the same establishment.[1] However, despite this more general prohibition, an exception was made for temporary disparities, as long as they were to be eliminated within a reasonable period of time. As a result, disparities of treatment in collective agreements have tended to increase over time (Laroche et al. 2019b). It was therefore apparent to the new Steelworker leadership that the law required amendment to close this loophole.

4. The type of experimentation

This fight against inequities required a change in the union's strategic repertoire towards a multifaceted, all-encompassing strategy at several levels. This embraced both the national level through coalitions, lobbying and legal challenges, and the local level through bargaining and education. The objective for all categories of workers was to curb the development of workplace inequities and to eliminate those already in place. In addition to the disparities experienced by many peripheral workers – who may be labelled 'outsiders' – the strategy aimed to eliminate disparities within the core workforce. Over time, this core had been fractured on the basis of their date of hire or employment status, to the extent that there were now peripheral workers in the internal market or what have been labelled 'outsiders on the inside' (Barton et al. 2021; Laroche et al. 2019a).

5. The process of experimentation

As the Steelworker leadership grappled with how to deal with these wage disparities, the initial reflex was to resist employer bargaining demands to roll back defined-benefit pension plans, which employers deemed to be too costly and risky. In many workplaces, employers had hitherto been successful in imposing defined-contribution pension plans for new or future hires, thereby protecting the retirement arrangements of the existing workforce.

The conclusion of a 'Steel Pact' committing unions in this industry to mutual support in the event of a labour dispute led to some strengthening of bargaining power and greater resilience among local unions engaged in labour conflicts through lockouts or strikes. In addition, the union placed more emphasis on the preparation of bargaining, with mobilisation and awareness-raising actions in local units organised well in advance of negotiations to enhance their ability to confront employer demands. However, these strategies did not always prevent the introduction of differentiated pension plans.

The union therefore decided to expand its campaign through political action. Following awareness-raising among its members in order to remedy the loopholes in the existing legislation, the Steelworkers launched a campaign in 2016 for the adoption of a law

1. The minimum standards law prohibits disparities in wages, hours of work, holidays, days off with pay, vacations, rest, absences due to illness or injury, family or parental absences and leaves, notice of termination or layoff, work certificate, uniforms, equipment and tools provided, training and travel expenses.

in Quebec aimed at prohibiting all forms of differential treatment. This campaign was supported by the provincial labour federation, the Fédération des travailleurs et travailleuses du Québec (Quebec labour federation, FTQ), to which the Steelworkers union is affiliated. The Steelworkers further helped to create a broader-based coalition behind its campaign. This coalition included Force Jeunesse, a prominent lobby group devoted to defending and improving the working conditions of young workers and intergenerational equity in public policy. This coalition also included the youth wing of the ruling political party at the time, the Liberal Party, which put a lot of pressure on this Liberal Government to eliminate these disparities in pension plans and benefits. Moreover, the Steelworkers lobbied every elected representative in the Quebec National Assembly, which is the provincial parliament responsible for labour legislation. During the subsequent elections in 2018, a debate focused on this issue was organised between the representatives of all the major political parties.[2]

Experimentation with these different strategies led to a real awareness of the need to mobilise multiple strategic levers at various levels to advance union claims for recentring equity.

6. The effects of experimentation

The Steelworkers' political campaign achieved its goal, but only in part. From 2018, amendments to the minimum standards legislation prohibited other types of disparities in treatment in the future. These prohibitions include pension plans and group insurance. However, the effects of these legislative changes are not retroactive and therefore do not address disparities negotiated in the past.

In terms of collective bargaining in a decentralised regime like that of Quebec, local union leaders emphasise the difficulty – if not the impossibility – of reversing these previously negotiated disparity clauses. An alternative strategy has been to target the rebuilding of solidarity between the 'outsiders' or 'orphans' and other union members or 'insiders' within local units. In particular, this strategy has involved targeting the retirement conditions of the 'outsiders' in order to narrow the gap between the two groups and raise awareness of the need to pursue a strategy that involves more comprehensive solidarity between different groups of workers.

More recently, significant labour shortages in many of the major industries in which the Steelworkers are present in Quebec have changed the dynamics of the collective bargaining environment (Jalette 2023a, 2023b). In order to attract and retain workers, local unions enjoy a more advantageous balance of power with employers in negotiating better wages and working conditions. This environment is also more conducive to the elimination of existing disparities. A good example is that of a new collective agreement signed by a USW local union and ArcelorMittal in February 2022. In what was a significant victory for the union, this agreement ended the coexistence of two

2. MétallosD5 (2017) *Le PQ, la CAQ et Québec solidaire, pour l'interdiction des clauses orphelins*. Available at: https://www.youtube.com/watch?v=hyKdFFQfy6M

pension plans. In so doing, it demonstrated the possibility of eliminating disparities in treatment, provided there is sufficient solidarity to pursue this objective.

The Steelworkers' refusal to accept any form of inequity has led this union to take up the defence of other categories of workers. For example, for student workers at the ABI aluminium smelter in Bécancour, who were being paid only 85% of the wages for newly hired employees, the union engaged in a broader set of strategies. First, despite the difficulties encountered in eliminating this disparity through bargaining, including the reticence of its own local union members, the Steelworkers organised a campaign to educate members about the multiple forms of discrimination in the workplace. Second, building on the determination of the student workers to pursue their cause for greater justice, the Steelworkers also launched a legal challenge to this discriminatory practice by filing a discrimination complaint under the Quebec Charter of Human Rights and Freedoms. A ruling by the Human Rights Tribunal, later upheld by the Quebec Court of Appeal, supported the union's claim that students hired by ABI should be paid the same wage as other employees because they were doing equivalent work. This ruling clearly establishes that such forms of discrimination are not acceptable.

This result, based on a legal strategy beyond the workplace, also helped to strengthen the union's legitimacy in the fight against workplace inequities. The ruling had a pedagogical effect on both members and union representatives, who subsequently were much more likely to ask questions more generally and challenge the discriminatory nature of what had been negotiated in the past.

In tandem with the Quebec Federation of Labour (FTQ), the Steelworkers also challenged the significant disparities in treatment between agency workers and workers in those client companies who hold the same or equivalent jobs and where the agency workers are often excluded from the union bargaining unit and thus from the protection of the collective agreement. In the wake of the 2018 legislative reforms, the government had also prohibited differential wage treatment for these workers. The Steelworkers therefore stepped up their actions to better frame the use of agency workers in collective agreements. For example, in the case of unionised laundry units dealing with textiles for hospitals, by limiting the use of agency workers to situations of last resort, a recent agreement stipulates that any such workers must benefit from the rights stipulated by the collective agreement (Letter of Understanding Buanderie Blanchelle). Once again, the context of significant labour shortages has provided the union with an opportunity to negotiate agreements likely to improve the lot of workers who are victims of discriminatory treatment. This also entails a consequent improvement of union solidarity.

7. Conclusion

This case of experimentation highlights a union engaged in a renewal strategy through the recentring of its equal treatment agenda. Historically, the Steelworkers Union has focused primarily on collective bargaining to defend its members' economic interests. In the case of this renewal strategy, it experimented with a wider range of strategies

to address workplace inequities. Rather than protecting the interests solely of the insiders among its primary labour market union members, the Steelworkers opted for a solidarity strategy (Carver and Doellgast 2021) seeking to improve the lot of all workers, including peripheral workers, such as agency workers and students.

This case suggests that the issue of workplace inequities cannot be addressed solely through collective bargaining in a decentralised labour relations system that most often favours employers. It was necessary to experiment with multiple strategic levers at different levels to promote solidarity and the inclusion of all workers. Characterised by trial and error, the union's experimentation led to a progressive broadening of its actions. For example, it was able to broaden its strategic repertoire by forging alliances to exert greater influence in the public sphere. Likewise, the use of legal actions for certain strategic issues related to human rights made it possible to compensate for situations in which traditional means, such as strikes and collective bargaining, were not very effective. As has been observed in other collective decentralised bargaining regimes, recourse to the courts can provide an effective strategic lever for unions to advance employees' rights.[3] This Steelworker union case highlights that experimentation in renewal entails exploiting opportunities presented to actors, but that other key ingredients are required to obtain satisfactory results. In order to eliminate the inequities between its members in different workplaces, the Steelworkers' union required a clear vision of the goals to be achieved, the alignment of complementary strategies, and sufficient resources to support its strategies.

This case of renewal also shows that experimentation allows union strategies to evolve over time. Once deemed inevitable, necessary and even justified, these same disparities became unacceptable. The Steelworkers then developed a strategy to reverse them focused on broad-based solidarities beyond collective bargaining to defend as many and as diverse a set of workers (and potential members) as possible. This broader solidarity can also prove attractive to new groups of activists with the experience and skills to renew union narratives and practice.

As the recent gains in local bargaining reported above can demonstrate, the balance of power plays a critical role in the dynamics of workplace inequity (Barton et al. 2021). The introduction of inequities typically begins with employers' demands to segment or fissure the workforce through differential treatment in the name of flexibility and cost containment. These inequities, whether forcibly imposed or accepted or even promoted by unions, are then justified in various ways. These are well-known refrains: 'we had no choice', 'we have to defend current or regular members first' and so on (Barton et al. 2021). These justifications tend to be self-perpetuating over time and certainly undermine union solidarity during rounds of bargaining in which the balance of power might otherwise have been more favourable to the workers involved (Dufour-Poirier and Laroche 2015). To reverse this trend, awareness-raising and mobilisation are needed upstream (prior to bargaining).

3. On the combined impact of decentralisation and declining union presence and the role of legal strategies in England, see Cécile Guillaume 2015.

However, the role of institutions, such as the legal framework and the national industrial relations system, cannot be ignored (Barton et al. 2021). The political mobilisation of the Steelworkers in this case and the union's ability to influence the legal framework and legal decisions against these inequities was of great importance. The Steelworkers initially focused on organisational experimentation, relying on collective bargaining and broad-based solidarity within its own union and particular bargaining units to try to curb the adoption of disparities in treatment. However, it became apparent that it was necessary to experiment at the institutional level (Murray et al. 2020). This entailed both building a coalition calling for legislative reform in the political realm and seeking judicial support to clarify and reinforce the union's interpretation and understanding of what is and is not discriminatory.

This case of experimentation highlights several essential conditions to prevent and reduce inequitable situations in the workplace, and thereby strengthen solidarity among union members and the legitimacy of unions for all workers. These conditions include awareness of the problem, a change in strategic direction, experimentation with a broader repertoire of action, multi-level strategies, and the capacity to benefit from a recentring of the union agenda in the context of a favourable balance of power.

Case initiators and authors

In addition to the review of the literature, including newspapers, websites and legal decisions, several interviews were conducted with the Steelworkers leadership and staff. The authors wish to acknowledge the role of the following individuals in documenting this case: Dominic Lemieux, Quebec Director; Clairandrée Cauchy, Communications and Public Relations Officer; and Alexandre Fréchette, Stéphane Néron and Martin L'Abbée, who are all union staffers.

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References

For more information on the USW, please consult Syndicat des métallos (2023) at: https://www.metallos.org/

Barton R., Béthoux É., Dupuy C., Ilsøe A., Jalette P., Laroche M., Navrbjerg S.E. and Larsen T.P. (2021) Understanding the dynamics of inequity in collective bargaining: evidence from Australia, Canada, Denmark and France, Transfer, 27 (1), 113-128. https://doi.org/10.1177/1024258920981827

Carver L. and Doellgast V. (2021) Dualism or solidarity? Conditions for union success in regulating precarious work, European Journal of Industrial Relations, 27 (4), 367-385. https://doi.org/10.1177/0959680120978916

Dufour-Poirier M. and Laroche M. (2015) Revitalising young workers' union participation: a comparative analysis of two organisations in Quebec (Canada), Industrial Relations Journal, 46 (5-6), 418-433. https://doi.org/10.1111/irj.12118

Guillaume C. (2015) Les syndicats britanniques et le recours au contentieux juridique, La nouvelle revue du travail, 7. https://doi.org/10.4000/nrt.2354

Jalette P. (2023a) Québec. Les relations professionnelles à l'heure de la pénurie de main-d'œuvre, Chronique internationale de l'IRES, 181, 3-16. https://doi.org/10.3917/chii.181.0003

Jalette P. (2023b) Labour shortages: a game changer for industrial relations?, Labour and Industry. https://doi.org/10.1080/10301763.2023.2230953

Kristal T. and Cohen Y. (2007) Decentralization of collective agreements and rising wage inequality in Israel, Industrial Relations, 46 (3), 613-635. https://doi.org/10.1111/j.1468-232X.2007.00482.x

Laroche M., Lauzon Duguay F. and Jalette P. (2019a) When collective bargaining leads to inequality: determinants of two-tier provisions in Canadian collective agreements, Industrial and Labour Relations Review, 72 (4), 871–896. https://doi.org/10.1177/0019793918813363

Laroche M., Jalette P. and Lauzon Duguay F. (2019b) Les disparités de traitement entre nouveaux et anciens employés : institutionnalisation des inégalités de rémunération au Québec, Terrains & Travaux, 35 (2), 45-67. https://doi.org/10.3917/tt.035.0045

Marginson P. and Galetto M. (2016) Engaging with flexibility and security: rediscovering the role of collective bargaining, Economic and Industrial Democracy, 37 (1), 95-117. https://doi.org/10.1177/0143831X14538850

Murray G., Lévesque C., Morgan G. and Roby N. (2020) Disruption and re-regulation in work and employment: from organisational to institutional experimentation, Transfer, 26 (2), 135–156. https://doi.org/10.1177/1024258920919346

Cite this chapter: Laroche M. and Jalette P. (2024) Recentering equity at work: the Quebec steelworkers' fight to bring the outsiders 'back in', in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 197-204.

Chapter 20
Strategic disruption and the quest for permanent union renewal through continuous experimentation

The case of ELA, a Basque union confederation

Blandine Emilien, Adelheid Hege and Christian Dufour

Introduction

The ELA (Euskal Langileen Alkartasuna – Basque Workers Solidarity), a pro-independence union organisation representing a variety of industries and occupations, has long maintained its position as the leading union in the Southern Basque Country (Spain). This union has been able to consolidate its membership and has engaged in a series of victorious strikes, particularly among precarious employees. Such resilience, itself unusual in the international context, is the result of continuous work on its own union model over a long period. This has involved a series of strategic breaks and ongoing experimentation. The particular focus of ELA's mobilising efforts is on new categories of workers (precarious workers, female workers), who are pivotal for union renewal. In so doing, the ELA has also emphasised the importance of the fight against patriarchy in its own internal transformations.

1. A brief overview of the case of experimentation

The ELA is the largest union in the southern Basque Country (Spain). It has faced many of the challenges familiar to unions concentrated in traditional industries with a predominantly male membership. Although it could point to a fairly robust membership and significant achievements in its collective bargaining strategies, by the early 1990s its leadership was increasingly self-critical: 'the ELA is enclosed within itself, isolated from society, without initiative and without capacity to respond' (Unanue 2002: 115). The ELA's membership was based on traditional industries, such as shipyards and metalworking, but a profound sociological transformation was under way. At the end of internal debates ratified by its congress, the union endorsed a rupture with the traditional predominance of the most secure employees within the union's policy- and strategy-making because they did not reflect the ongoing transformation, nor were they 'carriers of the union's future'.

This strategic shift had important financial implications. The Spanish system of industrial relations offers organisational advantages to the relevant actors by funding their participation in various consultation structures. According to the ELA's analysis, however, participation in these institutional structures undermined its survival as an autonomous social movement. The 'leap into the void' (in the words of General Secretary Elorrieta, 1988–2008) consists of breaking with the (remunerative) institutions of social dialogue and basing organisational viability mainly on the contribution of members.

Historically, the ELA has asked its members for high union dues. These dues support a strike fund that has become very powerful over the years. These dues also reinforce front-line services – legal aid, in particular – which have also been expanded.

This model of the 'countervailing union' requires the careful selection of areas of strategic organisational investment. This model also questions the socio-demographic profiles of the ELA leadership in terms of their suitability for the union's renewal. One important strategic choice concerned the rejuvenation (and later the feminisation) of the union's executive bodies, whose members were invited to relinquish their mandate as soon as they reach the age of early retirement (58, then 59, years of age). In such cases, the union has developed mechanisms such as early retirement schemes to facilitate resignations from permanent employment status.

2. The union and other actors involved in the case

Founded in 1911, the ELA is the largest trade union in the Southern Basque Country, representing 100,000 workers. It is made up of twelve regional unions and three industry federations (metal and non-metal industries, public and private services).

The ELA, whose origins stem from Christian-based unionism, embraces a democratic and class-based trade unionism and is critical of the predominant institutionalised social dialogue characteristic of Spain. What it describes as an 'opposition' trade union model focuses on a range of key strategies: a militant approach to collective bargaining as a tool for the redistribution of wealth; the fight for fairer social policies, public services and a progressive tax system; and, as a Basque trade union, the democratic fight for the full sovereignty of the Basque people. ELA leaders argue that this focus has consolidated its position as the majority union in recurring representative elections in the Basque Country.

The ELA has long been committed to international collaboration, not least because it was a focus of so much of the activity of its leaders in exile during the Franco dictatorship. A founding member of the International Confederation of Free Trade Unions (ICFTU) in 1949, it is affiliated to the European Trade Union Confederation (ETUC) and the International Trade Union Confederation (ITUC).

3. The types of disruption and resulting uncertainty faced by the union

The end of the Francoist era occurred at the same time as a significant series of transformations for workers: in the economy, the industrial relations regime, and the social protection system. With the question of the role and relative autonomy of the regions within the Spanish state once again on the agenda, the Basque community was granted significant decision-making powers, notably with regard to fiscal policy. In this context, the ELA's legacy as an organisation dedicated to anti-fascism, anti-corporatism and Basque independence contributes to a strong development potential. Moreover, the

ELA refused to participate in armed conflict in favour of Basque independence and, in its view, this refusal has contributed to its popularity and strengthened its legitimacy as a viable social actor in the region.

Besides the devastating effect of the 2008 crisis on traditional industries, the ELA suffered the consequences of labour market reforms instigated by the Aznar (1997) and Zapatero (2011) governments. These reforms undermined the principle of provincial sectoral bargaining, in which the ELA had been able to make its mark and obtain comparatively favourable results due to its strong capacity for action on the ground. Concomitantly, the ELA questions the effectiveness of sectoral bargaining when it began to explore how to forge links with the new groups it was targeting.

During the Francoist period when it had to operate as a clandestine organisation, the ELA built an autonomous reflexive capacity as regards its functioning and organisational model. This has endowed it with an unusual strategic agility that combines a centralised leadership with empowered local leaders – a kind of applied subsidiarity. Faced with so many ongoing disruptions, rather than dealing with them on a case-by-case basis the ELA tended to focus on a long-term strategic project. It aimed to anticipate external disruptions, to design its own internal transformations accordingly (for example, a strategic reorientation towards the workplace, the increasing precariousness of employment, and so on). Faced with such disruptions, the ELA emphasised analysis of its organisational capacity and reflected on how it needed to evolve. One recurring core theme was its open discussion of the characteristics of its permanent staff. Most recently, this was taken up in an internal debate focusing on its militancy and the conditions favourable to union activism.

4. Type of experimentation

The objective of expanding the union beyond its historical membership base led the ELA to experiment with its internal organisational principles in two key areas: the relative balance between inter-professional or territorial and professional/industry structures and the role of shop stewards or workplace delegates.

The ELA's internal structures have been based on a confederal model in which the inter-professional level is the apex of the union and acts as the driving force behind the union's strategies and dynamism. While the central confederal bodies play a pre-eminent coordinating and policy role, the inter-professional level also has a strong presence at the local level, through the territorial representative structures, known as the comarcas. At the same time, union activity is also structured around historically important professional or industry federations. In the process of experimentation pursued by the union, the role of these federations has changed in important ways. This is reflected in the reduction in their number (from 12 to 3) and in their reduced autonomy. As a result, the professional sectors are more strongly attached to the territorial inter-professional bodies, to which they send representatives. These local inter-professional bodies have come to play a more important coordinating role. However, it should be stressed that this division between inter-professional and professional is seen as a pragmatic

solution to the organisation of strategic union tasks. Because the strategic priority is the representation of members with little employment security, this division ceased to be a fundamental aspect of the structuring of relations within the union. A further indication of the relativisation of the distinction between sectoral and territorial identities is that the ELA is pushing for the continuous rotation of its permanent staff, who can shift from the professional sectors to the regional or territorial comarcas and vice versa.

The rethinking of the role of shop stewards also illustrates the ELA's organisational experimentation. The ELA has sought to decompartmentalise shop stewards' local representative mandate in favour of a more comprehensive trade union perspective. A model for the shared use of delegation hours has been developed in the private and public service sectors, where precarious employment is the norm. The union has a verbal and moral protocol agreement with the elected representatives on the statutory works councils who, as an illustration of exemplary practice, undertake to devote part of their freed-up union hours to union activities outside their company and for the benefit of employees whose access to the union is more difficult. This is seen as an important way of reminding shop stewards that this is an integral part of union actions and that these hours do not belong exclusively to the employees of a particular company.

5. The process of experimentation

The crisis of the 2010s occurred at a time when the ELA was already engaged in strategic transformations. In terms of its collective bargaining strategies, the union had to navigate the shift from province-wide industry negotiations to negotiations at company level. At the same time, it was shifting from the traditional sectors in which its membership was concentrated, and which were particularly hard hit by job losses, to the new segments of the workforce where, unlike these traditional industries, precarious employment was the norm. Multiple priorities ensued: training and coordinating delegates; ensuring mobilisations and supporting strikers in multiple locations; and targeting sectors not considered to be easily unionised, but which are representative of the modern workforce and therefore essential for the future of trade unionism.

The process of experimentation can be rooted in the ELA's long-standing efforts towards the precariat. A series of conflicts began in service establishments with a high proportion of women, low wages and little job security. The ELA's strike fund facilitated the pursuit of industrial action with strikes lasting more than a year and with realistic prospects of securing victories. These conflicts, made popular both by their localised nature and their positive outcomes for women employees, reconfigured the social foundations of the ELA's trade unionism, as traditional sectors of activity and gendered roles in trade union action were left behind. This type of action for a new salaried population became an essential reference point. Precarious women, whose agency was the result of the ELA's unionisation efforts, became central to its campaigns, organisation and militancy. The greater territorialisation of union activities through its local multi-industry structures ensured greater proximity to this new membership. Public support for the strikes led by the ELA reinforced the centrality of the union's social role.

Success in gaining new members among the new components of the workforce not only compensated for the losses in traditional sectors, but also encouraged reflection within the ELA on the importance of affirming the identity of the workforce in Basque society and on the challenge of achieving social globalisation through trade union action. At its 2017 Congress, the ELA affirmed its political role, whereby all aspects of social life are affected by trade union action. This translates into a still not fully realised ambition to pursue alliances with diverse social forces (ecologists, feminists, internationalists, cultural groups and so on). Moreover, since 2004, the ELA had sought to develop such alliances in the Northern Basque Country (Ipparalde), but their importance was much more evident in 2017 with the mobilisation of civil society for the disarmament of ETA, the military organisation for the liberation of the Basque Country.

The ELA also began a self-examination as regards the weight of social structures in its own functioning. The strengthening of feminised struggles raised the issue of their implications for internal union practices, for example in the launch of a study on the consequences of patriarchy for the organisation of work within the confederation. A still ongoing action-study was launched over several years with an external firm and multiple, often painful, internal consultations were held on this subject.

6. Effects of the experimentation

Since the turn of the 2020s, the ELA has maintained its membership level, but its social bases have been transformed. The confederation continues to make progress in the institutionalised professional representation elections, to the detriment of all its competitors. The ELA has reaffirmed its nationalist character and is now in favour of a Basque Republic. The union has validated the centrality of strike action in the construction of a class identity for a diversified workforce. Moreover, it continues to work on strengthening its militant base by experimenting with inter-professional solidarity during these mobilisations.

Women now account for 46% of the ELA's membership. The Covid-19 pandemic increased the share of precarious employment and, especially, of jobs requiring fewer recognised qualifications (for example, patient attendants, support staff in services for individuals), and who are fulfilling essential labour needs. In the fight against precariousness, the ELA also seeks to reach out to workers in need of support, notably migrants from other parts of Spain, from various African countries and from South America.

The issues that have arisen from the health crisis during the pandemic are intertwined with and reinforce causes that are already high on the ELA's agenda. Mitxel Lakuntza, ELA General Secretary, describes the union's societal commitment as essential. It is a question of imagining 'new models of production, distribution and consumption' and allowing for a less violent transition towards eco-compatible jobs. Whether it is a question of fighting against precarious employment, strengthening the union's presence on the Basque scene or linking union work to societal causes, the ELA assumes a radical

posture. For the ELA, strike action plays a fundamental strategic role in the affirmation of workforce identity.

At the same time, in what has become a permanent movement that has become its trademark, the ELA pays particular attention to the quality of its internal work. The rejuvenation and feminisation of the executive team go hand in hand with increased militancy and professional demands. In fact, there is a strategic tension between two potentially contradictory objectives: first, to ensure continuity in the transmission of the historical foundations that make up the strength of the ELA; and second, to adapt the organisation to the modified socio-demographic profile of its membership. The preservation of Euskera (the Basque language), as well as the assimilation of the values resulting from the historical struggles of the organisation remain the keystone of this sovereigntist union. These orientations were validated at the ELA's confederal congress in November 2021, but its collective awareness must anticipate yet further transformations, as required by the greater plurality of identities.

Experimentation has thus become an integral part of the ELA's institutional and organisational logic, in which the creation of a new generation of activists and leaders has become a central issue. The union is looking into the profiles and skills it wishes to develop, first among its permanent staff, in line with the transformation paths that have been initiated and envisaged. These efforts – past and present – to adapt the ELA's internal realities to the broader actions taken in relation to its membership are characterised by feminisation at all levels, as well as attention to its demographic profile.

7. Conclusion

The strategies and changes presented in this case describe a process of incremental experimentation. They have contributed to a culture of strategic transformation that is now integral to the ELA's 'common good'. This success, which can be gauged both quantitatively and qualitatively in the functioning of the union, requires that the transmission of accumulated know-how, both individually and collectively, not be left to chance.

Over recent decades, the ELA has initiated quite radical internal organisational transformations. For example, it reduced the number of industry federations from twelve to three. Again, it implemented a policy of comprehensive occupational mobility for its permanent staff, so that anyone occupying a staff position might be reassigned to any position in the ELA organigram, be it in an industry federation, a local union or at confederal level. Far from mere technical adjustments (for instance, for financial reasons), these choices are above all linked to questions of union identity. They are designed to consolidate the confederal union identity that, in turn, reinforces decentralised modes of action for which the organisation as a whole becomes responsible. Permeability and fluidity are the watchwords with regard to how the three key management bodies (executive committee, national committee, and national council) interact and the way they provide levers for thinking about and realising internal transformations for the organisation as a whole.

An overview of three decades of experimentation from the 1990s to the ELA's sixteenth congress in November 2021 reveals the intensive work with and on the membership base, as well as the increased efforts to have an impact on Basque society. Self-reflexivity and anticipation have become the key contributions of the confederal apparatus at all levels of the union structure. According to our analysis, the ELA has managed simultaneously to navigate the disruptions imposed on it from the outside and to use them to its advantage in the experimental search for answers through internal upheavals.

This reactivity to external disruptions is combined with a permanent search for improvements in the organisation's representative performance. Permanent union renewal is at the core of its agenda. The ELA considers itself to be in a state of permanent experimentation, as the apparatus deems its own performance inefficient and requiring improvement. The fact that the evolution of the workers it represents over the past three decades has been swift and involves constant adaptation has been an important factor in this virtuous circle of innovation.

Case initiators and authors

This chapter was written by Blandine Emilien, lecturer in Human Resource Management and the Future of Work at the University of Bristol Business School and a CRIMT co-researcher; and Adelheid Hege and Christian Dufour, both co-researchers in the CRIMT Partnership Project on Institutional Experimentation for Better Work.
Adelheid Hege and Christian Dufour have observed the Basque union confederation ELA over the past two decades (see Dufour and Hege 2009 and 2017).
The current research project, led by Blandine Emilien, Adelheid Hege and Christian Dufour, seeks to document a collective biography (prosopography) of the ELA's leaders. The authors believe that the ELA's evolution provides a unique contribution to our understanding of the renewal challenges facing the trade union movement in many different countries.

References

Dufour C. and Hege A. (2009) 12ème congrès de ELA, confédération syndicale basque, Chronique internationale de l'IRES, 117, 27-36.
Dufour C. and Hege A. (2017) A son 14e congrès, la confédération ELA présente un projet 'plus politique que jamais', Chronique internationale de l'IRES, 158, 27-39. https://doi.org/10.3917/chii.158.0027
ELA (2022) Euskal Sindikatua. https://www.ela.eus/en/
Unanue J. M. (2002) Las relaciones laborales en EuskalHerria: apuntes históricos y análisis de su evolución desde la transición política, Manu Robles-Arangiz Instituta.

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Part 8

What does experimentation teach us about union renewal?

Chapter 21
What does experimentation teach us about union renewal?

Mélanie Laroche and Gregor Murray

Introduction

Two principal aims served as the starting point for this collection of case studies.

First, we wanted to showcase the ongoing results of an international and interdisciplinary collaborative research project, the *CRIMT International Partnership Project on Institutional Experimentation for Better Work*. Funded by the Social Sciences and Humanities Research Council of Canada, this multi-year project (2017–2026) brings together a wide variety of Partner Centres and other affiliated researchers in more than a dozen countries in an ongoing dialogue about the theoretical and practical challenges of experimentation in an effort to make work better. The chapters featured in this collection draw on this project and the template that informs them was inspired by the approach to experimentation outlined in Chapter 1 (Murray 2024; Murray et al. 2023; Murray et al. 2020).

Second, we wanted to focus more specifically on experimentation processes undertaken by trade unions. Trade unions face a series of critical disruptions, ranging from digital and climate transformations to populism and disconnectedness from unions as an institution. In the context of the ILO centenary, the ILO's ACTRAV – Workers' Bureau commissioned a paper by Jelle Visser, subsequently published in *Economic and Industrial Democracy*, which sought to depict a range of union futures. As we described in the Introduction, Visser (2023) laid out four possible scenarios:

(i) increasing marginalisation through declining union density and moribund organisations;
(ii) dualisation with an increasing gap between the defence and servicing of existing members (often benefiting from relatively secure employment arrangements) and an increasing proportion of outsiders who do not fall within the union zone and who might even feel that trade unionists enjoy unfair and disproportionate advantages;
(iii) the gradual replacement of trade unions by other organisations (for example, NGOs and social movements) and other mechanisms of labour protection (states, employers, soft law, other intermediary agencies); and, finally,
(iv) renewal or revitalisation in which innovation and experimentation in strategies and action repertoires strengthen and reinvigorate trade unions in organising and servicing workers in both the Global North and the Global South.

We felt that our work on union experimentation could contribute to our understanding of this fourth scenario of union renewal or revitalisation; specifically, how union

actors and their unions are engaging in different types of experimentation to renew their organisations. While recognising the risks of marginalisation, dualisation and replacement, the eighteen cases of experimentation in this collection illustrate the dynamics of experimentation, in terms of both challenges and beneficial effects.

Drawing on an understanding of the importance of experimentation as a methodology for exploring renewal strategies, we asked each author or set of authors to identify what they see as the key takeaways from their case study of union experimentation. This final chapter identifies twelve lessons in experimentation that we, the editors, drew from an analysis across these diverse cases.

Figure 1 provides a snapshot of these lessons. To facilitate a quick reading, three other tables then draw on the arguments developed in the text to illustrate these twelve lessons.

The first four lessons (Table 1 – Lessons 1–4) are related to **the development and deployment of a range of strategic capabilities** that appear essential to experimentation processes.

The next five lessons (Table 2 – Lessons 5–9) concern **the enlargement and diversification of union strategic repertoires**.

The final three lessons (Table 3 – Lessons 10–12) focus on **the conditions of success for experimentation**, notably through mediating, aggregating and learning.

We hope that the lessons we draw from our analysis demonstrate the possibility of thinking differently about union actions and strategies, evaluating types of experimentation and drawing lessons that can help to improve and aggregate future experiments, thereby to better understand the challenges of union renewal.

Figure 1 **Twelve lessons for union experimentation**

1. Anchoring experiments in context: a pathway but not a magic recipe	7. Articulating different levels and methods of action to navigate strategic action fields
2. Disruptions offer strategic opportunities but only if they are enabled by a union's strategic capabilities	8. Experimenting in new arenas (local, regional, international), and using traditional arenas in new ways
3. Developing an overarching union narrative enabling members to understand the issues and their impact on their own lives and work, so as to stimulate their union and political participation	9. Relying on allies and alliances at different levels of action and often in new ways
4. Grounding union actions, strategies and identity in everyday concerns and connecting with broader narratives about the role of unions in society	10. As experimentation challenges traditional repertoires, managing the resulting conflict between 'new' and 'old'
5. Broadening union agendas to link the concerns of union members with those of society as a whole	11. Aggregating experiments by scaling out and up and aligning with a global renewal strategy
6. Adapting models of union organisation and representation of workers' needs	12. Fundamental importance of reflexivity for experimentation to provide a learning space for renewal strategies

There are certainly other lessons to be learned and this contribution is meant to invite a wider discussion around avenues for union renewal. The richer the tapestry of additional cases, drawing from both real-life experiments and academic research, the more this lens of experimentation will – hopefully – allow us to understand the pathways to and potential for union renewal. We believe that unions provide a vital mechanism for protection and advancement at work, voice and dialogue about work, and avenues to achieve better work. That's why a cross-national understanding of experimentation for renewal is so important for the world of work and for democracy itself.

1. Experimentation in context: a pathway not a magic recipe

Each case documented in this collection has a particular context. We urge readers to be sensitive to how particular lessons apply to specific cases in their particular contexts.

The study of garment workers in India by Jenkins et al. (2024) provides a good example. Despite the enhanced international recognition of the importance of labour standards and social dialogue, the reality on the ground is quite different. The challenge for these workers is to secure basic labour rights and freedom of association, an objective that appears far removed from the daily realities of their work and life situations. Our understanding of the case must be sensitive to local context and take account of workers' gender, ethnicity, poverty, and attendant vulnerability to exploitation.

A similar observation applies to the enterprise union studied by Bao (2024). Whereas the election and training of workplace representatives in that workplace might appear elementary, this step offers a significant innovation in the context of that particular industrial zone and its effect is transformative for the union and its members.

Laroche and Jalette (2024) document how the Steelworkers' (Métallos) union in Quebec significantly reversed the fissuring of its membership through highly differentiated terms and conditions for different categories of workers in the same workplaces. This was possible in the context of a new leadership and an increasing scarcity of available workers in these industries.

Table 1 **Experimenting for union renewal: developing and deploying strategic capabilities (Lessons 1–4)**

Lesson	Description	Examples from the case studies
1. Experimentation in context: a pathway not a magic recipe	Anchoring experimentation in context	- Garment workers in India: securing basic labour rights and freedom of association (Jenkins et al. 2024) - The election and training of workplace representatives in the Chinese union (Bao 2024) - Reversing a decade of concessions by the Steelworkers (Métallos) in Quebec manufacturing to reconstruct worker solidarity (Laroche and Jalette 2024)
2. Experimentation as strategic opportunity in the face of disruptions, but only if enabled by a union's strategic capabilities	Mobilising a variety of resources at the right time and in the right place to respond to disruptions as strategic opportunities	- The abolition of a UK-wide mechanism creates an opportunity for a new regionally specific regulatory mechanism for Welsh agricultural workers (Gooberman and Hauptmeier 2024) - The combined effect of youth employment and labour shortages provide the opportunity for metalworking unions in Asturias, Spain to renew social dialogue mechanisms (Gonzalez and Tejero 2024) - The effects of Hurricane Sandy created an opportunity for unions to mobilise around climate change in New York (Peters 2024)
3. Constructing an overarching narrative	Developing a narrative framework enabling members to understand the issues and their impact on their lives and their work, in order to stimulate their union and political participation	- The return to a founding narrative that allowed the Confédération syndicale des travailleurs de Bénin (CSTB) to challenge neoliberal labour law reforms (Adanhounme 2024) - UNISON's introduction in the UK of a quality care and decent work agenda for those who provide such care has led to a rethinking of the way this work is organised and contracted (Johnson 2024) - The Climate Jobs in New York case shows the need to connect union action to a larger narrative that links better work, a more equitable society and a sustainable planet (Peters 2024) - The CALIS experiment linking a union in the Global North (UNIFOR) and a coalition of unions and activists in Mexico around a common narrative on freedom of association and the importance of independent trade unionism (Alsadi et al. 2024)
4. Grounding union actions and strategies in everyday concerns - how to weave the interests and identities of outsiders into the union narrative about the role of unions in society	Anchoring union identification both in day-to-day concerns (understandings of workers' priority problems and issues) and in self-identity	- Union branding for gig workers (Gebert 2024; Peetz and Boutros 2024; Vandaele 2024) - Strategy focusing on well-being and mental health (Hickey 2024; Dufour-Poirier and D'Ortun 2024) - Reinforcing internal democracy and deliberative spaces in a Chinese enterprise union through the election of a workplace delegate network (Bao 2024) - Focusing on precarity and the integration of outsiders as a core union strategy in the case of the Steelworkers in Quebec (Laroche and Jalette 2024) and the Basque union confederation ElA (Emilien et al. 2024)

2. Experimentation as strategic opportunity enabled by strategic capabilities

Murray et al. (2020) highlight the capacity of all types of actors to experiment. This can entail modifying repertoires of action or organisational structures or developing new networks and coalitions. A recurring theme in this collection of cases is that disruption and the resulting uncertainties constitute a strategic challenge, which also provides an opportunity to innovate. While this link between opportunity and strategic capabilities is evident in all the cases documented in this volume, we cite only a few salient examples.

For Welsh agricultural workers, as documented by Gooberman and Hauptmeier (2024), the abolition of a protective regulatory mechanism in the United Kingdom became an opportunity to fashion a new, regionally specific mechanism. This results from the deployment of a range of capabilities, including coalitional work between multiple parties and an expansion of the union's discourse on the protection of all agricultural workers, unionised or not.

Connolly and Looker (2024) highlight the importance of union strategy and leadership that takes advantage of mutations in UK local government services, mobilising the moral, political and legal levers available for improving representation and for creating the conditions for 'better work'. For the Chinese enterprise union documented by Bao (2024), an imaginative enterprise union leader was able to draw on a larger reform initiative of a regional/industrial zone union federation (the BEDA Federation of Trade Unions) to re-engineer its local representative structures in the interest of greater deliberative vitality and the training of workplace representatives.

For metalworking unions in Asturias, Spain, according to González Menéndez and Tejero (2024), the conjuncture of a crisis of youth employment and labour shortages in their industry offered an opportunity to reinvigorate traditional mechanisms of social dialogue. In the case of Climate Jobs New York, as documented by Peters (2024), it was the direct effects of Hurricane Sandy that created an opportunity to enhance the collective awareness necessary for thinking about and mobilising around climate change.

Challenges and disruptions must therefore be taken up as strategic opportunities. But to meet these opportunities, unions require strategic capacity. Lévesque and Murray (2010) have emphasised the importance of union power resources: narrative resources, namely interpretative and action frames that mobilise repertoires of action and a sense of efficacy; internal solidarity, which refers to cohesive collective identities, deliberative vitality and participation in the life of the union; network embeddedness, which refers to the diversity and density of links to their own union, other unions and the community; and infrastructural resources, which relate to the material, human, organisational, policy and programmatic resources characterising the union.

The challenge, however, is to mobilise these resources at the right time and place and in response to strategic opportunities. Drawing on what Ganz (2000) labels 'resourcefulness', Lévesque and Murray (2010) develop this distinction between power

resources and a union's strategic capabilities. They identify four such capabilities – framing, articulating, intermediating and learning – all of which appear important in the processes of experimentation documented in this collection and will feature in several of the lessons highlighted below.

The case of USW District 5 documented by Laroche and Jalette (2024) provides a good example: it illustrates how important it is to be able to take advantage of a current situation (the strategic opportunity) to vary and combine the methods and levels of action (articulating, intermediating) while narrating overall objectives (the elimination of inequalities in the workplace) and learning strategically from this process for the next iteration and scaling out of union experimentation. The study of the ELA, the Basque union confederation, by Emilien et al. (2024), likewise highlights the range of strategic capabilities necessary to pursue experimentation over the longer term. So too does the case of the Belgian organisation of app workers in the meeting of micro- and macro-unionism (Vandaele 2024). The case of local government services in the United Kingdom, as explored by Connolly and Looker (2024), highlights how, with the collapse of the previous neoliberal model, strategic leadership was so vital to improving working conditions as opportunities to re-regulate opened up.

3. Constructing an overarching narrative

A distinguishing feature of many of the cases is the effort to construct an overarching narrative, one centred on core values and often rooted in a union's original foundational story. As distinct from narrative resources, which are the stories themselves (most often inspired by past routines and victories), framing entails a continuous process of narrating union actions in relation to, potentially at least, some larger agenda or frame (Lévesque and Murray 2010).

It is the ability of labour organisations to develop a narrative framework, a 'set of shared values, beliefs, histories, and ideologies that bring members together towards a common identity and interests and that will shape and justify the labour actions taken' (Lévesque and Murray 2013: 777), that will make a difference. It is this union capacity that will bring members together around inspiring struggles or a vision that will strengthen their mobilisation and participation (Fortin-Bergeron et al. 2019; Molina and Barranco 2016; Snow et al. 1986). This ideational tool highlights the need to build a shared understanding of the issues and, most importantly, of the principles which should inform solutions to these issues.

This ability to provide overarching, and often inclusive, narratives is a key factor in the union renewal cases documented here. For the response of the Confédération syndicale des travailleurs du Bénin (CSTB) to neoliberal labour law reforms, Adanhounme (2024) emphasises the importance of a paradigmatic shift in developing an alternative frame. The key takeaway of this case, he argues, is that moral agency matters when structural reforms are opposed to workers' rights for freedom and justice. In fact, it was a return to a founding narrative that allowed the CSTB to denounce injustices and offer a more affirmative voice to express the concerns of the voiceless being affected by these labour

law reforms. Such a narrative prompted an enhanced combativeness to challenge the direction of the structural reforms under way.

In the case of UNISON's social value procurement strategies in the United Kingdom, Johnson (2024) explores how this initiative challenged the predominant modes of neoliberal service provision. By introducing quality of care and decent work for those providing this care into the tendering process itself, this new narrative challenged the assumptions underlying the model and offered new ways of thinking about the provision of such services.

The Climate Jobs in New York case presented by Peters (2024) illustrates the importance of larger narratives for working people in their efforts to achieve better work and a more equitable society. In the face of the socially unequal effects of a catastrophic climate event, this experiment was premised on a common interest in a liveable planet, the importance of better work for all, and a more equitable society for working people. The initiative connected these objectives, in a practical way, with a union agenda on a just climate transition. The case also shows the possibility of building a broader politics. When union members understand the issues framed in this way and the impact on their lives and their work, they become more engaged.

The same argument applies to the CALIS experiment (see Alsadi et al. 2024) in the way that this cross-border union solidarity initiative between UNIFOR in Canada and a coalition of unions, activists and trade union researchers in Mexico was grounded in a common understanding of the importance of freedom of association and independent trade unionism for worker voice and democracy in both countries.

4. Grounding union actions and strategies in everyday concerns – how to weave the interests and identities of outsiders into the union narrative about the role of unions in society

Our cases highlight the importance of grounding union experimentation in everyday concerns in order both to reinforce union identities and to connect so-called 'outsiders' with a broader union narrative.

The cases focusing on well-being and mental health provide a good example of grounding union strategies in everyday concerns to reinforce union identities. Hickey's (2024) study of a new toolkit for psychological well-being in care services in Ontario shows how the union had to confront the underlying stigma concerning problems that too often are individualised and even ignored and to make the case for a collective approach. Dufour-Poirier and D'Ortun (2024) make a similar argument, suggesting that the establishment of a network of peer support in tackling psychological well-being makes it possible, based on everyday concerns, to rediscover the roots of mutual aid and a culture of proximity. Indeed, they argue that such mutual aid speaks to the very essence of trade unionism (see also Nissen and Jarley 2005).

Promoting the connectedness of outsiders involves grounding union identification in both everyday concerns and self-identity. A common concern in all three cases involving gig workers – experiments seeking breakthroughs in these previously unorganised sectors of the economy – was a 'branding' consistent with such workers' core identity. Whereas a traditional approach emphasised that these gig workers were just like all other salaried workers and promoted solutions consistent with that equivalence, this was not in line with their self-identification. In the case of the Australian Transport Union's organisation of owner-operators, for example, Peetz and Boutros (2024) emphasise that these workers wished to maintain their entrepreneurial identity. However, an everyday concern like safety was an issue that could mobilise contractors, the public and political support, and be strongly connected to demands for other industrial rights and conditions (including pay rates) that reflected traditional union concerns. Similar concerns were voiced in the organisation of gig workers by the Canadian Union of Postal Workers (CUPW) and documented by Gebert (2024). The grassroots approach adopted by Belgian unions in the case of the United Freelancers, documented by Vandaele (2024), illustrates how what he labels micro-syndicalism has made it possible to better understand the needs of workers subject to algorithmic management and on-demand work.

Attempts to connect people distanced from unions with those organisations no doubt start from grassroots deliberative spaces. In the case of the Chinese enterprise union documented by Bao (2024), in which union members often feel little affiliation to an organisation that can appear as little more than an instrument of management, the introduction of democratic mechanisms, such as a network of elected union representatives, was critical in the transformation and renewal of this workplace union. The fact that this experiment to strengthen internal democracy has yielded so many positive results in terms of the reinforcement of union identity shows how essential this dimension is for participation in and connectedness to union life.

Two other experiments illustrated attempts to weave the interests and identities of so-called 'outsiders' with a larger narrative about the role of unions in society. As explored by Laroche and Jalette (2024), the strategies adopted by the USW District 5 in Quebec translate a desire to move beyond an exclusive focus on the interests of primary labour market workers. In what Carver and Doellgast (2021) describe as a strategy of solidarity in order to improve the lot of all workers, this case illustrates how one union deliberately sought to connect peripheral workers, such as agency workers and students, to a larger narrative about the role of unions in promoting equality. Similarly, this objective was at the core of the ELA's attempt, in the Basque Country, to develop a culture of continuous experimentation predicated on bridging the gap between its core male workforce in manufacturing and the largely non-unionised female workforce in private services. For the ELA, as illustrated by Emilien et al. (2024), thinking about this gap must be at the strategic nexus of all its actions, including the revamping of its structures, the recruitment of its activists and staff, the allocation of resources and the campaigns it leads.

5. Enlarging union repertoires

Repertoires of collective action are profoundly ingrained, rooted as they are in union practice and internalised by successive generations of trade unionists. However, disruptions can raise doubts about the efficacy of these repertoires. This is notably the case with the decoupling of classic mechanisms for protecting and improving working conditions, such as collective bargaining, and their actual impact on these conditions (Laroche et al. 2019). The onus can be on maintaining these repertoires, despite external pressures, because they are so embedded and path-dependent (Murray et al. 2010). But the discrepancy between promise and performance can also lead to experimentation in union repertoires, notably through the expansion of union agendas, as disruptions in the environment prompt a rethinking of these traditional repertoires of action.

Three cases of experimentation focused on expanding union agendas to embrace other aspects of working lives and lives beyond work. These involved broader concerns such as climate change (Peters 2024), social value in the procurement of public services (Johnson 2024), and mental health and well-being at work (Hickey 2024). The cases explored by Dufour-Poirier and D'Ortun (2024) on social delegates for psychological well-being and by Laroche and Jalette (2024) on equality for all categories of workers represent similar attempts to recentre collective action repertoires on core values and objectives (see also Barton et al. 2021).

Such experiments reflect strategies to expand union agendas and connect the concerns of union members with those of society as a whole. In the case of the Steelworker initiative in Quebec (Laroche and Jalette 2024), there was a need, in contrast to targeting a single workplace, to broaden the debate, to frame it as a societal issue centred on equitable treatment for all. UNISON's focus on social value procurement represented not just a narrative shift, but also an enlargement of its agenda to 'good' employers willing to ally with the union's initiative to prioritise broader concerns for social value, better care and better work (Johnson 2024).

Table 2 **Experimenting for union renewal: enlarging and diversifying strategic repertoires (Lessons 5–9)**

Lesson	Description	Examples from the case studies
5. Enlarging union repertoires	Broadening union agenda to link the concerns of union members with those of society as a whole	- Broader concerns such as climate change (Peters 2024), social value in the procurement of public services (Johnson 2024), and mental health and well-being at work (Hickey 2024; Dufour-Poirier and D'Ortun 2024) - Promoting equality for all categories of workers (Laroche and Jalette 2024) - Allying with progressive employers for better care and better work (Johnson 2024)
6. Adapting union structures to where union members are (and not where they were)	Transforming the model of union organisation and representation to adapt it to workers' needs	- New organisational forms in the three cases of gig work organising piloted by the Postal Union in Canada (Gebert 2024), by Belgian unions (Vandaele 2024) and by the Transport Workers Union in Australia (Peetz and Boutros 2024) - The FTQ's Social Delegates Network in Quebec (Dufour-Poirier and D'Ortun 2024) - The ELA's new structure for organising and representing workers of the new economy in the Basque Country in Spain (precarious, female, services, etc.) (Emilien et al. 2024) and likewise for workers involved in the 'Fight for 15' campaign (Pasquier 2024)
7. Mixing methods and levels of action	Articulating different levels of action, in time and space, and varying methods in order to navigate and experiment in a strategic action field	- Connections between the Sri Lankan tea production unions and political parties and also with international institutions, such as the ILO, highlight the need to combine different levels and actions within value chains (Thomas 2024) - The case of the Indian garment workers highlights how supply chains offer an international arena for protest, in which workers can coalesce their actions at different levels (Jenkins et al. 2024) - The CALIS experience of using international union collaboration in the context of the renegotiated North American Free Trade Agreement to found solidarity centres for union organising in Mexico illustrates an entirely new articulation of levels of action (Alsadi et al. 2024) - The 'Fight for 15' campaign combines different methods in a case of experimental recombination (Pasquier 2024)

8. Developing new arenas and spaces and using old arenas in new ways	Experimenting in new arenas, regional or local, in which strong social ties can facilitate action, and using traditional arenas in innovative ways to address new issues	- The case of metalworking and social dialogue in Asturias (Spain) to develop innovative local solutions to economic and social problems, such as youth unemployment and labour shortages (Gonzalez and Tejero 2024) - The case of Welsh agricultural workers (Gooberman and Hauptmeier 2024) illustrates how this regional space is more open to social partnership and collective approaches to social and employment issues - The case of Climate Job New York (Peters 2024) highlights the potential to develop climate policy initiatives at regional level, centred on new jobs, training and union renewal
9. The power of allies and alliances	Relying on allies and alliances at different levels of action and often in new ways	- How UNITE's Welsh agricultural campaign required a deft knitting of alliances to leverage resource-rich actors (Gooberman and Hauptmeier 2024) - The case of the Chinese enterprise union (Bao 2024), the Climate Jobs coalition in New York (Peters 2024), the Indian garment workers (Jenkins et al. 2024), the Ontario care workers (Hickey 2024) and the 'Fight for 15' campaign (Pasquier 2024) illustrate the importance of leveraging external resources for union experimentation - International coalitions provide another example of the power of allies and alliances: the Sri Lankan tea workers (Thomas 2024), the Indian garment workers (Jenkins et al. 2024), the CALIS initiative (Alsadi et al. 2024) - Coalitions also help to secure political influence, as in the Climate Jobs initiative in New York (Peters 2024), the CSTB union confederation in Benin (Adanhounme 2024), the Sri Lankan tea worker unions (Thomas 2024), and UNITE's Welsh agricultural worker campaign (Gooberman and Hauptmeier 2024)

6. Adapting union structures to reflect where union members are (and not where they were)

The question of new organisational forms was particularly evident in the three cases of gig work organising piloted by the Canadian Union of Post Workers (CUPW) (Gebert 2024), by Belgian unions (Vandaele 2024) and by the Transport Workers Union in Australia (Peetz and Boutros 2024). In each case, it was important not to impose a model of trade unionism that was out of sync with the identity of the workers concerned. Rather, it was necessary to listen to their needs in order to develop appropriate strategies and structures. Peetz and Boutros (2024) emphasise that entrepreneurs and workers in the 'gig economy' often prefer to retain this status and will therefore resist strategies aimed at transforming them into so-called 'real unionisable employees'. Nevertheless, even in the gig economy, it is possible to gather workers around a common cause aimed at improving working conditions, and more generally, social justice. In the case of Foodsters United in Canada, the community union approach and the development of a network of mutual support has helped to better address these workers' diverse

needs and identities. For Gebert (2024), the community union approach, through the development of mutual support networks and practical value-added for the very different needs of a very different kind of workforce, is a page for future playbooks when private sector trade unions seek to reach out beyond their traditional industrial base.

Dufour-Poirier and D'Ortun (2024) come to a similar conclusion about the creation and development of the FTQ's Social Delegates Network in the province of Quebec in Canada (Dufour-Poirier et al. 2024). This is a case of experimentation that, over several decades, has developed into a new form of union presence in the workplace. They point to how these networks represent a new structure which, as it has evolved, fills an important gap in the very nature of workplace unionism. Where the traditional union presence is too often lost in the technicalities of collective bargaining and grievance administration, they argue that it is not sufficiently focused on the founding values of solidarity and mutual aid. For Dufour-Poirier and D'Ortun (2024), social delegates come out of the union office, act in the workplace and prioritise grassroots actions. This case of experimentation highlights the need to decompartmentalise union work through synergies between different union roles. These synergies can be with workplace stewards, health and safety representatives, or local union officials. Experimentation with social delegates therefore strengthens the scope of union representation and its prospects for renewal.

This was also the point of departure for the case of the ELA explored by Emilien et al. (2024). The ELA leadership was convinced that their union was structured for an older economy (full-time standard employment, male, manufacturing) and not the new economy that it must now represent (precarious, female, services). The study of the 'Fight for 15' campaign by Pasquier (2024) offers a similar insight. The 'old' organising techniques of the traditional labour movement clearly did not fit the 'new' organising associated with the new social identity movements such as #Occupy Wall Street, #Blacklivesmatter and #Metoo, which are predicated on more direct and performative protests and not merely on signing union cards. There is no doubt that the resources of the 'old' labour movement were essential to 'Fight for 15' and tensions were sometimes evident between 'old' and 'new', but it was clear that other structures were required.

These varied cases show that it is sometimes necessary and beneficial to stop looking for solutions to make workers want to join the proposed model of representation, but rather to transform that model to make it more relevant to them and better suited to their needs. Experimentation helps in this process.

7. Mixing methods and levels of action

Another strategic capability identified by Lévesque and Murray (2010) concerns the ability to articulate between different levels of action, over time and space. This points to a distinction between whether a union is strongly embedded in networks (a resource) and its actual ability to activate these networks and combine actions at different levels and in different spaces (a strategic capability). This was particularly evident in the cases concerned with value chain initiatives, linking South and North.

Thomas's study of Sri Lankan tea production (2024) shows that these unions possess a certain structural power to pressure the employer to agree to improve working conditions because of the niche and branded nature of their product. In the absence of an ability to combine and articulate other types of action, however, such structural power, while necessary, is not sufficient. Other forms of associational power and, we would argue, capabilities are needed to leverage that structural power. In the case of Sri Lankan tea production unions, this was made possible by harnessing the power of strong union membership and connections with political parties to force the employers to accept wage increases when impasses were met. Similarly, leveraging institutional power at the international level, such as the ILO, was effective in putting pressure on the government when all else had failed at the national level. This international dimension of successful domestic bargaining is activated through the development of strategic capabilities, such as articulation, which then ensures that those unions have the skills to activate other power resources. For Thomas (2024), even when unions in the Global South do not have access to some of the same advantages as the Sri Lankan tea plantations, all unions need to consider the different strategic action fields in which they operate and where their sources of power are most readily available. This points to the importance of an ability to experiment at different levels, along the global value chain, and of drawing on different sources of power at different points of these chains.

Jenkins et al. (2024) come to a similar conclusion, despite the absence of both niche production and favourable local institutions. The case of the Indian garment workers highlights how supply chains are an international arena for protest, in which workers can coalesce their actions at different levels. However, as Jenkins et al. (2024) indicate, this is perilously difficult terrain. While international partners may be vital in supporting local struggles, national political rhetoric around 'foreign interference' can also be used to target local activists as being captured by foreign interests, disloyal to the state, and a threat to the retention of jobs in the context of mobile capital. The result is complex and entails multiple risks across local, national and international space.

The CALIS experiment, as illustrated by the creation of solidarity centres in Mexico (see Alsadi et al. 2024), points to entirely new methods and levels of action. In this case, a union from the Global North (Unifor) is working hand-in-hand with a range of unions and activists from the Global South in order to promote freedom of association and independent trade unionism in Mexico. Prompted by the new incarnation of the North American Free Trade Agreement (2.0) and the public policies flowing from it, this cross-border solidarity initiative is, to our knowledge, a unique mode and level of action. While still very recent, it draws on deep roots between the unionists involved and evident strategic capabilities in South and North.

Several other cases point to combinations of methods and types of action. The 'Fight for 15' campaign explored by Pasquier (2024) combines different methods in a case of experimental recombination. But the 'Fight for 15' success indicates that labour mobilisation also depends on the sympathy that it manages to engender in participants, the media, and the public at large. For Pasquier (2024), this means that labour strategists also need to consider mobilisation as a performance whose success will depend to a large extent on the 'art of surprise and of seduction', as well as the sympathy engendered.

8. Developing new arenas and spaces and using old arenas in new ways

The spatial dimension of experimentation is also important as regions and localities provide a valuable arena for experimentation (Lévesque et al. 2022). As explored in this new regionalism literature, the subnational space can offer new opportunities for organisational and institutional experimentation (Almond et al. 2017). In these spaces, a variety of actors, whether employers or employer associations, unions, states or civil society representatives, can interact at different levels of governance to adapt the labour market to their respective visions of economic development.

The case of metalworking and social dialogue in Asturias (Spain), as documented by González Menéndez and Tejero (2024), provides a good illustration of how experimentation can be combined with existing institutional legacies to develop innovative local solutions to economic and social problems and, in so doing, to strengthen the union. Existing institutional legacies empower actors to explore an existing area of action in new ways (Murray et al. 2020). In this case, employers still favoured the planned solutions typical of social dialogue under Keynesianism to neoliberal market approaches. The Asturias case of social dialogue illustrates how a union can recombine existing logics with new ones to ensure the continuing legitimacy of social dialogue as a method to resolve economic and social problems.

The case of Welsh agricultural workers, documented by Gooberman and Hauptmeier (2024), shows that this regional space is more open to social partnership and collective approaches to social and employment issues than in the neighbouring jurisdiction of England. Unions in Wales therefore can use their networking power to promote workers' interests. Gooberman and Hauptmeier (2024) argue that 'small state' environments such as Wales are often characterised by two dynamics that facilitate coalition-building efforts: the perception of vulnerability to external forces, which helps generate ideologies of social partnership between different actors; and greater intra-elite interaction and negotiation fostered by their small scale. In Wales, where many actors emphasise more collective approaches to social issues, its small size and institutional clustering in its capital, Cardiff, create an environment characterised by strong social ties, which also facilitate this innovative use of existing arenas.

Looking to future challenges, Peters (2024) notes that while few unions have as yet exploited this regional level for just transition initiatives in response to the climate crisis, this case of experimentation in New York state highlights how this regional space is well suited to developing climate policies, creating new jobs, encouraging new training, and advancing union renewal.

9. The power of allies and alliances

Unions cannot do it on their own. They need to draw on allies and alliances, often in new ways, to achieve their objectives. This important insight from our cases of experimentation highlights recent contributions on the importance of 'networks of

labour activism' to support to workers in global value chains (Zajak et al. 2017) and to build bridges and develop 'envelopment' bargaining strategies between different groups of workers within otherwise fissured firms (Anner et al. 2021).

Gooberman and Hauptmeier's (2024) analysis of UNITE's Welsh agricultural worker campaign provides a telling illustration of the power of coalitions and of the importance of finding common ground to achieve through a strategic alliance what that union could not achieve otherwise. The historic nature of its success, namely implementing the first new regulatory body for wages and working conditions in what was otherwise a sea of neoliberalism in the United Kingdom, required the deft knitting of alliances across disparate and often competing groups (different political parties, rural–urban divides, unionised and non-unionised workers). They emphasise that such coalitional work can also facilitate access to resource-rich actors, such as sub-national states. This case also demonstrates that unions can build bridges between their own frames and those of others in ways that are sensitive to the primary interests of other actors, thus reflecting the policy preferences of partners to achieve key union objectives.

The cases of the Chinese enterprise union (Bao 2024), the Climate Jobs coalition in New York (Peters 2024), the Indian garment workers (Jenkins et al. 2024), the Ontario care workers (Hickey 2024) and the 'Fight for 15' campaign (Pasquier 2024) also illustrate the importance of leveraging external resources for union experimentation. For the Chinese enterprise union, it was resources from the union federation in its industrial zone. For the Indian garment workers, it was an international research team which helped to document and systematise labour rights violations. For the Climate Jobs coalition, the union's alliance with a research centre – the Worker Institute at Cornell University played a brokerage role – was a key factor in its success. In this case, the research partners were able to develop policies and educational materials that raised awareness of the need to address climate issues, ultimately leading to more established advocacy and the further diffusion of such initiatives. For the Indian garment workers, the resources and credibility that came with the efforts of an international research team were essential to its efforts to better promote the cause of these workers. The study of Ontario care work also suggests that alliances with experts enhance both the relevance of campaigns and the power and influence that the union can wield. In 'Fight for 15', the Service Employees International Union (SEIU) allied with grassroots organisations. Significant SEIU resources were invested in bringing together different types of expertise needed for such a large-scale mobilisation, including public relations, grassroots organising, aggressive social media activism, and legal action to build symbolic power and take on a network of firms in the fast-food sector (Pasquier et al. 2020).

Coalitional work can also involve international alliances. The Sri Lankan tea workers, as documented by Thomas (2024), could draw on capacity-building and expertise from the ILO. The Indian garment workers benefited from links with the Clean Clothes Campaign (Jenkins et al. 2024). The CALIS initiative for independent unionism in Mexico (Alsadi et al. 2024) points to the critical role of such international unions but also, especially in this case of links between unions from the Global North and the Global South, of a history of shared values and experiences to ensure mutual understanding.

Our cases also show the importance of building coalitions to gain political influence. The Climate Jobs initiative in New York case highlighted the need to develop effective and sustainable coalitions in order to be able to influence public policy (Peters 2024). This case also shows how unions can position themselves as leaders in such coalitions in order to put the needs of workers at the forefront of demands in workplace decarbonisation strategies. In the case of the CSTB union confederation in Benin (Adanhounme 2024), political influence arose from the union's efforts to challenge neoliberal legal reforms. There ensued both popular legitimacy and collectively shared expectations with regard to where a union-led coalition could still make a difference, as was evident in workers' massive adhesion to the union's calls for resistance. The Sri Lankan tea worker unions also relied on alliances with political parties (Thomas 2024).

The 'Fight for 15' case also provides important cautionary tales about both the promise and perils of coalitions and the need to mobilise outside traditional collective bargaining to improve employment conditions. According to Pasquier (2024), rather than adopting a top-down command model, a networked and more flexible approach is needed. Traditional unions, he argues, can gain greater legitimacy and renew their repertoire of actions through more attractive mobilisation tactics. This repositioning, within and behind rather than above the progressive forces at play, offers many advantages, notably enhanced legitimacy for labour actions. It also helps unions to renew their repertoire of actions and to develop more appealing mobilising tactics. Labour networks can also increasingly build on coalition-led campaigns to seek binding agreements with multiple firms in a network (see also Anner et al. 2021). However, there remains the challenge of how to translate short-term victories into longer-term engagement with the labour movement. At least hitherto, particularly in weakly institutionalised union settings such as the United States, Pasquier (2024) argues that approaches like 'Fight for 15' do not necessarily translate into significant breakthroughs in unionisation. While this movement substantially improved the lives of millions of workers at the bottom of the labour-market pyramid, it was unable to transpose this political victory into a victory for unionisation. Some might suggest that the recent (2022–2024) upsurge in labour organising in a range of private services in the United States is nonetheless the result of these earlier campaigns and potentially a significant return on these earlier investments in union experimentation.

10. Experimentation as conflict intermediation

Experimentation is far from straightforward. It typically challenges existing repertoires and ways of doing things. While deliberative vitality, namely the quality of a union organisation's internal democracy, is an important factor, so too is the ability to intermediate in conflicts which can sometimes enhance or limit the scope of experiments and their aggregation. Lévesque and Murray (2010) identify this strategic capability as the ability to mediate between contending interests and to foster collaborative action. Sometimes these conflicts and tensions are resolved; on other occasions, they limit the further development of experiments, or they may be an important operative principle for pursuing yet further experiments.

Table 3 **Experimenting for union renewal: mediating, aggregating and learning for success (Lessons 10–12)**

Lesson	Description	Examples from the case studies
10. Experimentation as conflict intermediation	Experimentation challenges traditional union repertoires of action and the union must be able to manage the resulting conflicts between 'new' and 'old'	- Tensions between the 'old' and the 'new' labour movements or between new and existing ways of doing things: 'Fight for 15' (Pasquier 2024), the Basque union confederation ELA (Emilien et al. 2024) - How the introduction of a network of social delegates in and beyond the workplace challenges traditional forms of workplace union representation (Dufour-Poirier and D'Ortun 2024)
11. Experimentation as strategic aggregation	Aggregating experiments to scale out and up, to develop new strategies and to align them with a more comprehensive (often emergent) strategy for renewal	- Aggregation of union experimentations in relation to an overarching narrative: the case of the Steelworkers in Quebec (Métallos) (Laroche and Jalette 2024), the ELA case in the Basque Country (Emilien et al. 2024) - Aggregation through the enlargement of union repertoires: increased social value in public service procurement in the United Kingdom (Johnson 2024); the development of a union approach to mental health and psychological well-being by the Ontario Public Service Employees' Union (Hickey 2024); the institutionalisation of social delegates (Dufour-Poirier and D'Ortun 2024) - Ripple and learning effects of experimentation opening up space for emergent strategies applicable in other spheres of union repertoires: the development of new organisational forms for gig worker campaigns in Canada (Gebert 2024) and Belgium (Vandaele 2024) and the case of the Australian truckers (Peetz and Boutros 2024)
12. Fundamental importance of reflexivity for experimentation to provide a learning space for renewal strategies	Recognising new challenges, developing structures and processes to think through appropriate responses, and redefining learning strategies and what it is to be a trade union	- Reflexivity and continuous experimentation at the heart of the renewal strategy of the Basque union confederation ELA (Emilien et al. 2024) - Social delegate networks challenge existing workplace union practices (Dufour-Poirier and D'Ortun 2024) - Union experimentation becomes a learning space for thinking about and developing strategies for union renewal (Vandaele 2024; Gebert 2024; Peetz and Boutros 2024)

In his treatment of 'Fight for 15', Pasquier (2024) highlights the tensions between the 'old' and the 'new' labour movements, with their different modes of action and target audiences. In the case of the Basque union confederation ELA documented by Emilien et al. (2024), conflict with existing ways of doing things was not just something to be managed but a core principle in an approach centred on permanent experimentation for union renewal.

Dufour-Poirier and D'Ortun (2024) explore how the implantation of a network of social delegates challenges and remains an unresolved tension with respect to traditional workplace union representation. Because social delegates are often the most easily

accessible trade union representatives on the ground for workers, this allows them to identify upstream causes of damage to workers' mental health and well-being. Social delegates can maintain close links with workers, build alliances to negotiate with employers and, in many cases, act upstream on problems identified in their environment. They can thus become real agents of change by making workers' physical and mental integrity a key issue for union demands and mobilisation. However, they may also unwittingly disrupt different facets of union traditions and practices. These include hierarchical structures, the boundaries between different types of union action, prevailing assumptions about the adversarial nature of so-called traditional labour relations, and the gendered nature of mental health in the workplace.

11. Experimentation as strategic aggregation

A key question concerns the degree to which union renewal experiments can be scaled out and up – to other parts of organisations, to other levels of these organisations, and to other organisations. While many of the experiments might be opportunistic or spontaneous in response to external disruptions, the experimentation processes documented in this collection involved some form of iterative trial and error, in which the destination was sometimes revealed only in the process. However, these experiments often had spillover effects on other strategies or other parts of the union, especially when combined with a high degree of organisational agility and strategic capability. The scaling-out and scaling-up of union experimentation was also likely when a union could link its efforts to a longer-term vision and set of values to inform its ability to seize opportunities to advance that vision and those goals.

The case of District 5 of the Métallos (USW) explored by Laroche and Jalette (2024) illustrates how experimental strategies can be aggregated and recombined as success (or failure) as one initiative leads to other initiatives, often in parallel, and in relation to the same overarching narrative of how to reverse the trend towards greater inequality of members and other workers in the same workplaces or networks of workplaces.

The ELA case in the Basque Country, as documented by Emilien et al. (2024), also illustrates an alignment of modified structures and practices in relation to a larger vision and consistent strategic objectives. This is not simply the result of the centralisation of actions and decisions, but rather the encouragement of creativity at different levels of the structure around a shared mission. The ELA's human resource management strategies were aligned with broader organisational goals to help strengthen the confederal identity and sense of belonging to the union.

Aggregation was also evident through the enlargement of union repertoires. The expansion of such repertoires through increased social value in public service procurement in the United Kingdom (Johnson 2024), the development of a climate jobs coalition in New York State (Peters 2024), and the development of a union approach to mental health and psychological well-being by the Ontario Public Service Employees' Union (Hickey 2024) all provide good examples of how initial experimentation spawned yet further experimentation and more systematic integration of these new approaches

into union repertoires. The expansion and transformation of the role of social delegates in the FTQ in Quebec is also a good example of how an organisational experiment comes to be institutionalised and transformed (Dufour-Poirier and D'Ortun 2024).

Finally, aggregation is often experiential, where one thing simply leads to another, albeit somewhat serendipitously as a form of emergent strategy that takes on a more definite form and then becomes part of the union's newly ingrained repertoire. This was the case with the development of new organisational forms for gig worker campaigns in Canada (Gebert 2024) and Belgium (Vandaele 2024) where experimentation has led to yet further organisational initiatives, albeit a multiplication of forms of experimentation that have not yet translated into enduring institutional forms. Connolly and Looker (2024) illustrate how a local government union in the United Kingdom breaks from the cycle of neoliberalism and explores new, and sometimes old, regulatory strategies in a way in which organisational experimentation reinvigorates previous institutional solutions. In the case of the Australian truckers documented by Peetz and Boutros (2024), the results of the organisational experiment with owner-operators were applied increasingly to other groups of platform economy workers, such as Amazon drivers. In a further example of strategic aggregation, this also provided a model for the state Industrial Relations Commission to extend its coverage to small truck drivers, including contractors working for distribution centres. Such aggregation offers a good illustration of the dynamic interface between organisational and institutional experimentation.

12. Reflexivity and experimentation as a learning space

Finally, a key aspect of strategic capabilities is reflexivity, namely the ability to examine one's feelings, motives, practices and how they influence what you do. To cite Ganz (2000: 1009), 'strategic thinking is reflexive and imaginative, based on how leaders have learned to reflect on the past, pay attention to the present, and anticipate the future'. The cases of experimentation presented in this collection illustrate how reflexivity and learning are key aspects of experimentation (Murray et al. 2020), where a union demonstrates the ability to learn and to act upon its organisational self (Murray et al. 2010; Lévesque and Murray 2010).

While Hyman (2007) sounds a cautious note about the degree to which unions in general study and learn from each other, he points to important insights from Rainer Zoll (2003) on trade union learning. Zoll (2003) distinguishes between three types of organisational learning in the case of trade unions.

First-order learning involves the recognition of new challenges. As illustrated in our cases, such challenges typically take the form of disruptions, which are a source of uncertainty and, in turn, provide the point of departure for experimentation.

Second-order learning, according to Zoll (2003), is exhibited by the development of internal structures and processes to think through new problems and appropriate collective responses. Once again, this collective deliberation and strategising over appropriate responses is central to all our cases of experimentation.

Third-order learning, less frequently observed according to Zoll (2003), entails critical scrutiny and redefinition of unions' existing learning strategies and structures, and more fundamentally of their existing understanding of what it is to be a trade union. Hyman (2007) suggests, for example, that the challenge of attracting and representing a more diversified employee constituency 'means that to survive and thrive, unions must reinvent themselves as organisations'. However, in their exploration of the concept of 'referential unionisms', Murray et al. (2010) point to the resilience of such existing shared understandings of union practice, of the understanding of what it is to be a trade union. That's why it is such a challenge to institutionalise organisational experimentation. It is difficult for union organisations to reinvent themselves.

Several of our cases of experimentation highlight the importance of these deeply reflexive processes. In their analysis of the Basque union confederation ELA, Emilien et al. (2024) identify reflexivity and continuous experimentation at the very heart of its renewal strategy. This union has sought to integrate this demanding principle in the analysis of all its policies and practices. In the case of the social delegate network developed over several generations of union activists, Dufour-Poirier and D'Ortun (2024) explore how the development of their peer support network has navigated different phases of experimentation, seeking to draw lessons from it and, more fundamentally, to interrogate how workplace unionism has evolved over recent decades.

The cases of the couriers in Belgium (Vandaele 2024) and Canada (Gebert 2024) as well as that of the owner-operators in Australia (Peetz and Boutros 2024) highlight the capacity of union organisations to use known repertoires of action, but to deploy them in a completely new way. For example, the Canadian Union of Postal Workers (CUPW) (Gebert 2024) illustrates how the lessons that this group was able to gain from organising rural postal workers were crucial in organising couriers. The case of the Transport Workers Union also illustrates how unions can use previous forms of labour and employment regulation and apply them in new ways to better protect new groups of workers who were previously excluded from the system (Peetz and Boutros 2024). This case shows that their campaign developed a model for organising heavy vehicle or truck owners by mobilising an aspect of state regulation of wages and working conditions in New South Wales. Experimentation around this approach to organising contractors has been extended to a range of platform workers, providing a new model of regulation that can potentially be extended to other parts of the platform economy. As Vandaele (2024) observes in his platform worker case, 'app-based food delivery is not only a symbolic industry within the platform economy …, but it might also act as a learning space for trade unions to develop organising strategies within other industries affected by algorithmic management or non-standard work arrangements, often composed of young (migrant) labour.' To experiment and innovate, it is necessary to adapt or revamp past strategies or simply move away from them to make room for new experimentation. There is, moreover, a continuous need for unions to question their past experimentation and to learn from it. This process entails recognising new challenges, developing structures and processes to think through appropriate responses, and redefining learning strategies to the extent of questioning what it is to be a trade union.

13. Conclusion

These twelve 'lessons' are meant to spark discussion about other aspects of organisational and institutional experimentation for union renewal. It is rich terrain, not least because it is rooted in the quest for social justice and democracy in workplaces across the globe and in the imagination and creativity of those pursuing these objectives on behalf of workers everywhere.

All these cases demonstrate the extent to which trade union organisations are facing unprecedented disruption. Despite these multiple sources of uncertainty, which are destabilising their traditional strategies and practices, some unions have gambled by experimenting with new ways of doing things and reinventing themselves in an attempt to improve the situation of the workers they represent.

We have grouped the twelve lessons drawn from the cases documented in this book under three headings.

First, the lessons learned highlight **the importance of developing and deploying different strategic capabilities** that trade union organisations and trade unionists need to develop in order to be in a better position to elaborate inspiring objectives seen as legitimate by their members and potential members (Table 1 – Lessons 1 to 4). Our cases show that unions can, and should, be more agile and opportunistic, despite all the democratic demands placed on them. As there is no magic recipe, they need to be sensitive to context. More so again, they need to be able to seize opportunities as they arise and respond swiftly by deploying actions that express a more encompassing strategy likely to inspire members. They also need to demonstrate to members that these broader objectives are relevant to their everyday concerns. By demonstrating that these strategic objectives are within their reach, members will then find sense and purpose in the actions to be implemented, and become more committed.

Second, our cases also demonstrate the importance of **enlarging and diversifying strategic repertoires** to achieve their objectives (Table 2 – Lessons 5 to 9). The cases studied show their ability to vary methods and levels of action, develop new arenas and spaces for action or create varied alliances. In so doing, they must be able to interact with other actors and strengthen their solidarity networks, making their members' demands more visible and legitimising their actions.

Finally, our cases also highlight **the conditions for successful experimentation through mediation, aggregation and learning** (Table 3 – Lessons 10 to 12). These new ways of doing things may be in line with traditional repertoires of action, but they may also challenge traditional models, in which case conflict mediation is essential to the successful pursuit of such experimentation. Our cases highlight the importance of unions and trade unionists drawing on creativity and innovation within their own and other unions, hence the importance of strategically aggregating experiences by scaling out and up in pursuit of their goals. Not least, the need to learn from their mistakes and successes also emerges from the experimental cases studied. This underlines the

importance of experimentation as a learning platform, as a methodology for constantly engaging in reflexive processes to define and redefine renewal strategies.

As suggested by the 18 cases featured in this collection, the experimentation undertaken by trade unionists of many descriptions in a wide variety of contexts is very real, not just discursive. The fact that these lessons seem to be rooted in pragmatic creativity also suggests that the conditions of success are within reach of union experimentalists willing to take the risks involved in developing and harnessing their strategic capabilities to enlarge their repertoires and diversify their levels of action.

References

Adanhounme A.B. (2024) Challenging neoliberal labour law reforms with moral agency: the response of the Confédération Syndicale des Travailleurs du Bénin to a contested institutional change, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 57-65.

Almond P., Gonzalez M.C., Lavelle J. and Murray G. (2017) The local in the global: regions, employment systems and multinationals, Industrial Relations Journal, 48 (2), 115–132. https://doi.org/10.1111/irj.12150

Alsadi M., de la Cueva H., DiCaro A., Payne L., Rodriguez L.B. and Wilson F. (2024) Promoting independent, democratic trade unionism in Mexico: how the CALIS project leverages a continental trade agreement and Canada-Mexico trade union solidarity, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 127-136.

Anner M., Fischer-Daly M. and Maffie M. (2021) Fissured employment and network bargaining: emerging employment relations dynamics in a contingent world of work, Industrial and Labor Relations Review, 74 (3), 689-714. https://doi.org/10.1177/0019793920964180

Bao X. (2024) Reinforcing employee union identification in a Chinese workplace trade union: how greater union democracy makes a difference, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 181-187.

Barton R., Béthoux É., Dupuy C., Ilsøe A., Jalette P., Laroche M., Navrbjerg S.E. and Larsen T.P. (2021) Understanding the dynamics of inequity in collective bargaining: evidence from Australia, Canada, Denmark and France, Transfer, 27 (1), 113-128. https://doi.org/10.1177/1024258920981827

Carver L. and Doellgast V. (2021) Dualism or solidarity? Conditions for union success in regulating precarious work, European Journal of Industrial Relations, 27 (4), 367-385. https://doi.org/10.1177/0959680120978916

Connolly H. and Looker G. (2024) Union renewal in the reregulation of local government in the United Kingdom: how the collapse of a county council led to the (re)assertion of union influence, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 67-73.

Dufour-Poirier M. and D'Ortun F. (2024) The network of social delegates of the Fédération des Travailleurs et des Travailleuses du Québec: peer support at the heart of a unionism of proximity, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 173-179.

Dufour-Poirier M., Grenier L. and Bergeron C. (eds.) (2024) Hommage aux délégué·e·s sociaux de la FTQ, M Éditeur.

Emilien B., Hege A. and Dufour C. (2024) Strategic disruption and the quest for permanent union renewal through continuous experimentation: the case of ELA, a Basque union confederation, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 205-211.

Fortin-Bergeron C., Hennebert M.-A. and Doucet O. (2019) Comprendre la représentation syndicale au plan local : rôles perçus et ressources mobilisées par des dirigeants de syndicats locaux dans deux secteurs d'activités au Québec, Relations industrielles/ Industrial Relations, 74 (2), 293–322. https://doi.org/10.7202/1062085ar

Ganz M. (2000) Resources and resourcefulness: strategic capacity in the unionization of Californian agriculture, 1959-1966, The American Journal of Sociology, 105 (4), 1003-1062. https://doi.org/10.1086/210398

Gebert R. (2024) Return to sender: how a Canadian postal union renewed its strategic repertoire to reach out to platform workers, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 85-91.

González Menéndez M.C. and Tejero A. (2024) Experimenting with Dual vocational education and training in Asturias, Spain: the role of regional social dialogue in an unfavourable climate, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 191-196.

Gooberman L. and Hauptmeier M. (2024) Building bridges: forming a union coalition to improve working conditions for agricultural workers in Wales, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 75-81.

Hickey R. (2024) Mainstreaming workplace mental health in the union repertoire: a unique union campaign by the Ontario Public Service Employees' Union, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 157-164.

Hyman R. (2007) How can trade unions act strategically?, Transfer, 13 (2), 193-210. https://doi.org/10.1177/102425890701300204

Isenberg D.J. (1987) The tactics of strategic opportunism, Harvard Business Review, 65 (2), 92-97.

Jenkins J., Blakely H., Davies R. and Huxley K. (2024) The quest for cleaner clothes… using more systematic data collection to promote worker organizing and advocacy in the international garment sector, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 119-126.

Johnson M. (2024) Social value procurement and labour standards in the United Kingdom: the UNISON 'ethical care' campaign for outsourced public services, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 149-155.

Laroche M. and Jalette P. (2024) Recentering equity at work: the Quebec steelworkers' fight to bring the outsiders 'back in', in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 197-204.

Laroche M., Lauzon Duguay F. and Jalette P. (2019) When collective bargaining leads to inequality: determinants of two-tier provisions in Canadian collective agreements, ILR Review, 72 (4), 871-896. https://doi.org/10.1177/0019793918813363

Lévesque C., Fairbrother P., Emilien B., González M.C. and Morissette L. (eds.) (2022) Trade unions and regions: better work, experimentation, and regional governance, Routledge.

Lévesque C. and Murray G. (2010) Understanding union power: resources and capabilities for renewing union capacity, Transfer, 16 (3), 333-350. https://doi.org/10.1177/1024258910373867

Lévesque C. and Murray G. (2013) Renewing Union Narrative Resources. British Journal of Industrial Relations, 51 (4), 777-796. https://doi.org/10.1111/bjir.12002
Molina O. and Barranco O. (2016) Trade union strategies to enhance strike effectiveness in Italy and Spain, Transfer, 22 (3), 383-399. https://doi.org/10.1177/1024258916655741
Murray G. (2017) Union renewal: what can we learn from three decades of research?, Transfer, 23 (1), 9-29. https://doi.org/10.1177/1024258916681723
Murray G. (2024) Experimentation and union renewal, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 17-38.
Murray G., Dufour C., Hege A. and Lévesque C. (2010) Referential unionisms and globalization: a comparative study of workplace union dynamics, European Journal of Industrial Relations, 16 (4), 311-332. https://doi.org/10.1177/0959680110385752
Murray G., Lévesque C., Morgan G. and Roby N. (2020) Disruption and re-regulation in work and employment: from organisational to institutional experimentation, Transfer, 26 (2), 135-156. https://doi.org/10.1177/1024258920919346
Murray G., Gesualdi-Fecteau D., Lévesque C. and Roby N. (2023) What makes work better or worse? An analytical framework, Transfer, 29 (3), 305-322. https://doi.org/10.1177/10242589231207967
Nissen B. and Jarley P. (2005) Unions as social capital: renewal through a return to the logic of mutual aid?, Labor Studies Journal, 29 (4), 1-26. https://doi.org/10.1177/0160449X0502900401
Pasquier V. (2024) The 'Fight for 15' movement: an experimental mobilisation at the crossroads of the 'old' labour and 'new' social movements, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 167-172.
Pasquier V., Daudigeos T. and Barros M. (2020) Towards a new flashmob unionism: the case of the Fight for 15 Movement, British Journal of Industrial Relations, 58 (2), 336-363. https://doi.org/10.1111/bjir.12507
Peetz D. and Boutros J. (2024) Regulating and organising 'gig workers' since the 1970s: the case of owner-drivers in New South Wales, Australia, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 101-108.
Peters J. (2024) Climate Jobs New York: a labour-led climate coalition, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 139-148.
Snow D.A., Rochford Jr E.B., Worden S.K. and Benford R.D. (1986) Frame alignment processes, micromobilization, and movement participation, American Sociological Review, 51 (4), 464-481. https://doi.org/10.2307/2095581
Thomas H. (2024) Worker power in the Sri Lankan tea sector: how trade unions have shifted scale from the national to the global (and back again) in their pursuit of better work, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 111-117.
Vandaele K. (2024) When 'micro-syndicalism' meets 'macro-syndicalism': emergent and deliberative experimentation enriching union strategies towards app-based food delivery couriers in Belgium, in Laroche M. and Murray G. (eds.) Experimenting for union renewal: challenges, illustrations and lessons, ETUI, 93-100.
Visser J. (2023) Will they rise again? Four scenarios for the future of trade unions, Economic and Industrial Democracy. https://doi.org/10.1177/0143831X231178850
Zajak S. (2017) International allies, institutional layering and power in the making of labour in Bangladesh, Development and Change, 48 (5), 1007-1030. https://doi.org/10.1111/dech.12327

Zoll R. (2003) Gewerkschaften als lernende Organisationen: Was ist eigentlich das problem?, Gewerkschaftliche Monatshefte, 54 (5), 315-321.

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Experimenting for union renewal: challenges, illustrations and lessons

Edited by Mélanie Laroche and Gregor Murray

Trade unions across the globe face a range of disruptions that are destabilising traditional structures, practices and strategies. This book sets out a novel approach centred on experimentation in response to these disruptions. Drawing on in-depth analysis of cases of union innovation in a broad selection of countries and industries, a stellar cast of researchers report on and draw lessons from these renewal initiatives. Aggregating these experiments enables us to identify a number of rich, cross-disciplinary findings to support such initiatives.

Initial chapters set out the approach and provide an overview of the eighteen case studies. Subsequent sections group the cases thematically: contending with neoliberalism, the fissured gig economy, value chain initiatives between South and North, an expanding trade union agenda, pursuing innovations in union repertoires and methods, and developing new forms of inclusion and solidarity. The case studies cover a wide geographical spread, from emerging economies in Africa, Asia and Latin America, to cases in Europe, North America and Australia. To ensure accessibility for both trade unionists and researchers, and to facilitate cross-case comparisons, the case studies use a common template.

The final chapter draws out practical lessons in relation to the strategic capabilities required to engage in experimentation, the diversification and enlargement of union strategic repertoires, and the conditions of success for such experimentation. These cases of experimentation indicate that the fundamentals of union purpose and the promotion of better work remain as important as ever, but they are under challenge. The lens of experimentation offers a practical approach, exploring multiple dimensions of worker and union creativity and resilience with a view to stimulating, monitoring and further developing the processes of renewal under way.

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