



# Temporary Agency Work and Collective Bargaining in the EU

**The role of flexible employment and employment intermediaries in  
cushioning the business cycle: what insights can research  
contribute?**

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# Outline

- I. Methodology**
- II. Statutory regulation**
- III. Social dialogue (SD) & collective bargaining (CB)**
- IV. Regulatory outcomes**
- V. Conclusions**



# I. Methodology

- **EIRO thematic feature in EU 27+ Norway (NO)**
  - ▶ **structured written questionnaire**
    - . **in cooperation with**
      - . **Eurociett**
      - . **Uni-Europa**
  - ▶ **28 national reports + 1 overview report**
    - . **checked and +/- approved by SP**



## II. Statutory regulation

- **via separate legislation**
  - ▶ **AT, BE, DE, ES, EL, IE, IT, SE, UK**
- **via general employment code**
  - ▶ **FR, FI, HU, LU, NO, PL, RO, SI**
- **via combined approach**
  - ▶ **CZ, NL, PT, SK**



## III. SD and CB

- **Employers associations that perform CB**

**> 11 MS**

- ▶ **AT (WKÖ), BE (Federgon), DE (BZA, iGZ, AMP), DK (Dansk Erhverv, FASID), ES (AETT, AGETT, FEDETT), FI (HPL), FR (PRISME), IT (Assolavoro), LU (ULEDI), NL (ABU, NBBU), SE (Bemanningsföretagen)**



## III. SD and CB

- **Trade associations without CB mandate**
  - ▶ **AT (VZA), BG (BG staffing), CZ (APPS), DK (FVD, VICE), EE (EPREL), EL (ENEPASE), HU (SZTMSZ), IE (NRF), LT (LIIA), NL (VIA), NO (NHO), PL (ZAPT, SAZ), PT (APESPE), SI (ZAZ), SK (APAS), UK (REC)**



## III. SD and CB

- **Specific trade unions for TAWs**
  - ▶ **FR (USI\_CGT)**
  - ▶ **IT (NIDIL-CGIL/ ALAI-CISL/ CPO-UIL)**
    - > represent atypical workers including TAWs
  - ▶ **EL (PASYPET)**

## IV. CB - levels

State	Inter-sector/ Tripartite	TAW Sector	TAW Company	Other sectors
AT		✓		✓
BE	✓	✓	✓	✓
BG				
CY				
CZ				
DE		✓	✓	✓
DK		✓	✓	✓
EE				
ES	✓	✓		✓
FI		✓	✓	✓
FR		✓	✓	
GR				
HU				

# III. CB - levels

State	Inter-sector/ Tripartite	TAW Sector	TAW Company	Other sectors
IE	✓			✓
IT		✓		✓
LT				
LU		✓		(✓)
LV				
MT				
NL		✓		✓
NO				✓
PL	✓			
PT				
RO				
SE	✓	✓	✓	✓
SI				
SK				
UK	(✓)		✓	



## IV. Regulatory outcomes

- **reasons for use**
  - ▶ **no regulation/restrictions:**
    - **BG, CY, EE, IE, LT, MT**
  - ▶ **no restrictions (except in case of strikes):**
    - **DK, FI, HU, LT, NL, SK, UK**
  - ▶ **restrictions in the course of strikes**
    - **explicit for TAW: FR, IT, ES**
    - **for temp work: RO, PL**
    - **for any worker: BE**
    - **qualified: HU, UK**
    - **by CA: BE, NL, HU, LT (TU model CA)**
    - **voluntary: FI**



## IV. Regulatory outcomes

- **other MS have restrictions relating to**
  - **reasons permitting TAW**
  - **limiting proportion of TAW**
  - **limits to sectors /occupations**
  - **ceiling on duration or nos. of assignments**



## IV. Regulatory outcomes

- **equal pay > regulated in all MS, except:**
  - ▶ **BG, CY, LT, MT, IE (ant.), UK (ant.), NO**
- **vocational training**
  - ▶ **regulation silent in: DE, EL, HU, IE, UK, NO**
  - ▶ **no regulation: BG, CY, EE, LV, LT, MT**
  - ▶ **explicit provision: AT, BE, DK, ES, FR, IT, LU, NL, RO, SE, SK**



## IV. Regulatory outcomes

- **requirement of licence / permit**
  - ▶ **in half of MS: AT, BE, CZ, DE, DK, EL, ES, FR, HU, IE (planned), LU, MT, RO**



## V. Conclusions

- **TAW largely highly regulated, but sector is very heterogeneous re how and what is regulated**
  - ▶ **mix of statutes, CA and self-regulation**
    - **law has primacy, but CB is also important in EU 15**
      - \_ **mainly at sectoral level**
    - **NMS have no arrangements for CB**
    - **no specific regulation: BG, CY, EE, LT, LV, MT**



## V. Conclusions

- **11 EMP associations with CB mandate**
- **lack of TU organisation**
  - ▶ especially in NMS
- **lack of reliable data in many MS**
- **meaningful SD at EU level**
  - ▶ between Eurociett and UNI-Europa
  - ▶ promoting SD at national level (roundtables)
- **TAW > at the heart of the flexicurity debate**



## VII. Further information

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