



# Industrial relations in Belgium

Kick-off meeting

BreakBack

Florance, Italy

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# Topics for the presentation

1. Overview of the basic features of national industrial relations systems, with specific regard to:
  - the characteristics of trade union representation and their representativeness in the country (number and types of trade union organizations; organizational structure of the main trade unions; union membership and union density; workplace-level representation, etc.)
  - The characteristics of collective bargaining (structure; coverage; extension mechanisms; etc.)
2. Preliminary insight on the union services addressed to the target groups attract hi-professional workers and vulnerable dependent workers

# Trade unions in Belgium

Competing trade unions with clear political traditions

- CSC/ACV – linked to christian movements (Confederation of Christian Trade Unions) 1912
- FGTB/ABVV – linked to socialist movements (General Federations of Belgian Labour) 1945
- CGSLB/ACLVB - linked to the liberals (General Confederation of Liberal Trade Unions of Belgium) 1891

# CSC/ACV

- 1,661,800 million members (2012)
- has its strongest support in the Flemish speaking north / Dutch speaking
- opposes class struggle
- separate unions
- non-manual workers and private service workers are in separate unions, have a union for workers in public services
- single language unions
- largest affiliate: LBC-NVK, with 315,000 members (union for Flemish-speaking non-manual and services workers) CNE , with 160,000 members (similar French-speaking employees)
- centralised structure

# FGTB/ABVV

- 1,536,300 million members (2012)
- has its strongest support in the French speaking south
- refers to class struggle as a means of transforming society
- separate unions
- non-manual workers and private service workers are in separate unions, have a union for workers in public services
- individual unions have considerable autonomy

# CGSLB/ACLVB

- 289,700 members (2012)
- founded on the values of freedom and responsibility

# Membership

- Over 54,2 % (OECD / Visser database - 2015)

- ~ 3,2 – 3,5 million

Bias:

- unemployment benefits are normally paid out through the unions (unemployed members)

- retired workers

# Representativity

- Representative „because of their broad support”
- Legislation providing a clearer definition of how the “most representative” unions are to be identified came into effect in December 2009.
- They can sign agreements and present candidates in works council elections.
- There is also a body for supervisors and managers CNC/NCK with less than 20,000 members, which has limited rights to represent this group of workers.



# Special features

- Industrial relations in Belgium is the divide between the French-speaking and Flemish / Dutch-speaking communities/regions, which affects all aspects of Belgian society.
- Employment law is still decided on a national level but the division between the communities has an impact on the relationships between the unions.
- One other result is that all the bodies and organisations connected with industrial relations have both a French and a Flemish name and abbreviations.
- One employer's associations with high membership - Federation of Belgian Enterprises ([FEB/VBO](#))

# National level social dialogue

- **National Labour Council** ([CNT/NAR](#)) - deals with the range of social issues facing Belgian companies
- **Central Council on the Economy** ([CCE/CRB](#)) deals with economic matters

The bodies composed of an equal number of workers' and employers' representatives and acts in an advisory capacity to the Belgian Government. These two organisations have a cross-industry remit that extends throughout Belgium and covers all companies, regardless of sector.

National Labour Council is a joint **cross-industry body** responsible for:

1. facilitating the conclusion of collective bargaining agreements applicable to all sectors of activity
2. advising the Government, in particular through the drafting of opinions and publication of reports.

A total of [118 collective bargaining agreements](#) concluded within the CNT were in place (2015). The majority of them have been made legally binding by royal decree and incorporated into Belgian law.

# Collective bargaining

- highly centralised
- limited manouvering space negotiating on pay at national level
- covering the whole private sector
- very high coverage (~ 89 %), extension mechanism
- the national level negotiations take place in the context of an official technical report (reference countries: DE, FR, NL) which sets out this forecast and the government has the power to intervene if the two sides cannot agree on a figure within this limit.
- negotiation on pay takes place only at a few companies

# Negotiations – players (2 years)

- National level - „Group of 10”
- Industry level - unions and the employers’ federations meeting in joint committees - cover the whole of the private sector (sub-committees for smaller industrial groupings). At the start of 2015 there were **102** joint committees and **68** sub-committees. The agreements reached are binding on all employers in the industries they cover.
- Company level - the trade union delegations together with the local union organisations negotiate with individual employers. Agreements are only valid when signed by a trade union official from outside the workplace.

(The number of company agreements has increased in recent years, and currently around a third of companies have their own agreements, although they may deal with topics other than wages)

# Wages

- Belgium has a national minimum wage, which is fixed by agreement between the unions and the employers' federation at the national level. The amount also rises in line with the government's revised price index.
- Pay rates, with the exception of the minimum wage, are normally dealt with at industry and company level, but the framework for pay increases is set at national level.
- Unlike in most other European countries, pay in Belgium is indexed, it rises in line with prices. However, the mechanics of indexation vary from industry to industry in line with the appropriate collective agreement.

# Other bodies

- social elections: every four years
- H&S committee (50 employees +): consist of employee representatives elected in the course of social elections, a prevention adviser and members representing the employer. While their role is **mainly advisory**, they also have the right to issue a prior opinion on certain matters, such as the introduction of new technologies and specific measures for the design of workplaces.
- Works council (100 employees +): are composed of the company's managing director and one or more representatives appointed by him or her, together with staff representatives elected by employees. They play an **advisory** role, they have the right to information, and have **decision-making powers** on certain issues, e.g. the drafting of staff regulations, the allocation of annual leave, and so on.

# Services

## Growing membership

- provision of trade union and legal assistance
- running of payment offices for unemployment benefit
- free student membership
- organising is not top priority
- „social movement of unionism”

# New trade union strategies

- some specific occupational health and safety regulation apply to self-employed workers
- the regulation governing and protecting collective bargaining does not apply to the collective bargaining of self-employed workers vis-à-vis their principals
- collective bargaining agreements can only be concluded in favour of employees



# New trade union strategies

- The platform Deliveroo (2017) declared it would cease previous arrangements with food-delivery workers that provided for some social protection and payment by the hours, and it would start to only engage them as self-employed persons paid on a task-basis, trade unions offered assistance to these workers during collective negotiations (with unions also providing legal aid in some of the relevant litigation). In addition, a report issued on 4 October 2017 by the social partners, with the support of the National Labour Council and the Central Economic Council, stated that there was **no need to create a new intermediate employment status**, “being it rather necessary to think of ways of adapting current statuses to the platform economy.

# New trade union strategies

- even though an **intermediate worker category** has been considered, the consensus generally seemed to be that this was not warranted and would not clarify the scope of labour law under Belgian law (Belgian Minister of Employment)
- Belgium, have resisted the emergence of intermediate categories of **quasi-subordinate employment**, and the prevalent approach has been, instead, to include economically dependent workers, and other typologies of semi-autonomous workers, within the scope of employment regulation by extending to them all relevant labour law protections.
- Platform and other workers often classified as self-employed persons, without any form of strong organisational autonomy or independence on the market that, in the past, justified their exclusion from labour protection.

# Problems

- „Union efforts, while more promising, were often frustrated by lack of legal clarity around the access of self-employed workers to the full enjoyment of labour rights, and by obstacles represented by the activism of antitrust authorities that categorized collective bargaining activity on behalf of these workers as a breach of competition law”

# Sources

- <https://www.worker-participation.eu/National-Industrial-Relations/Countries/Belgium/Trade-Unions>
- <https://www.etui.org/ReformsWatch/Belgium/Industrial-relations-in-Belgium-background-summary>
- [https://www.etuc.org/sites/default/files/publication/file/2019-04/2019\\_new%20trade%20union%20strategies%20for%20new%20forms%20of%20employment\\_0.pdf](https://www.etuc.org/sites/default/files/publication/file/2019-04/2019_new%20trade%20union%20strategies%20for%20new%20forms%20of%20employment_0.pdf)
- <https://www.eurofound.europa.eu/publications/report/2010/trade-union-strategies-to-recruit-new-groups-of-workers-belgium>

# Problems

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Thank you for your attention!