

Crisis bring opportunities. Because they reveal the limits of our institutional structures, and among them of the legal ones, they offer prospects for change. In times of crisis, legal scholars are entrusted with a task they have to fulfill hand in hand with social actors: to measure if the law is still adequate to respond to the urgent needs of today's society and if necessary, to reform it.

Since the end of the 19th century, collective bargaining systems have proven at the same time very able to build protections and flexibilities. The involvement of a collective actor, representing workers' interests and rights, in the norm-making process, has led to the adoption of protective standards that could not have been granted to a single employee. The first autonomous, then sometimes institutionalized, collective bargaining process, thanks to its features, also revealed a powerful tool to respond to social and economic evolutions. For these reasons, the right to collectively bargain is praised by all as one of the pillars, along with the freedom of association and the right to strike, of industrial democracy.

But collective bargaining systems too are put under pressure in times of crisis. Can they still lead to the adoption of protective laws when unionization rates are sinking, when the competition between workers brought by globalization is forcing unions to mitigate their demands, when the dominant neoliberal credo is considering every norm (and thus every norm-making system) as a barrier

to economic growth and job creation, when the EU Commission is asking many countries to dismantle their collective bargaining systems, when emerging "digital" and "collaborative" forms of work are threatening the very power of workers to organize?

For more than a year, researchers from 15 European countries, composing the INLACRIS network, have been gathering to discuss these questions (Austria, Belgium, France, Germany, Hungary, Italy, Poland, Portugal, The Netherlands, Romania, Slovenia, Spain, Sweden, Turkey, United-Kingdom). They have compared their national experiences to formulate a diagnosis and sometimes to propose solutions to the challenges brought by the 2008 crisis and its follow-ups to collective bargaining systems. They took inspiration from reported good practices. They focused on the features of bargaining systems that made them vulnerable or resilient to crises; they examined the role that national authorities have played in reshaping these systems; they observed how the content of collective agreements had evolved as a consequence of the crisis.

On the 15th and 16th of September, the INLACRIS members will share their first findings with academics, researchers, legal practitioners from Europe and actors involved in collective bargaining practices. They will give the floor to experts from international institutions and from the field, enriching these first findings with their precious testimonies, with the view of completing a further common publication.



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Project INLACRIS - Independent Network for Labour Law and Crisis Studies

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Collective Bargaining Developments in times of crisis International Conference

Lyon – 15th and 16th September 2016
Université Lumière Lyon 2

9.00 **Coffee and Registration**

9.30 **Official Opening and Welcome**

Isabelle Von Bueltingsloewen, Vice-president Research, University Lumière Lyon 2, Mathieu Disant, Director of CERCRID, Sylvaine Laulom, IETL, Université Lumière Lyon 2
Introduction: Christophe Teissier, ASTREES

10.00 – 11.30 **1st session**

The European and International contexts: Which impact on national collective bargaining?

Chair: Raymond Maes, Deputy Head of Unit 'Social Dialogue' at Employment, Social Affairs & Inclusion DG, European Commission

10.00 – 10.25

EU impacts on collective bargaining systems, Isabelle Schömann, European Trade Union Institute

10.25 – 10.50

Recent national reforms in collective labour law: the influence of the European Social Charter, Régis Brillat, Executive Secretary of the European Social Charter

10.50 – 11.30

Discussion

11.30 – 12.30 **2nd session**

Which trends in the evolution of collective bargaining in Europe?

Chair: Alexandru Athanasu, University of Bucarest

11.30 – 11.50

Analyzing the evolutions in national situations: What does decentralization mean? – A comparative approach, Sylvaine Laulom

11.50 – 12.05

Discussant: Claude Didry, IDHE, ENS Cachan

12.05 – 12.30

General Discussion

12.30 – 14.00 **Lunch**

14.00 – 16.00 **2nd session (continued)**

Which trends in the evolution of collective bargaining in Europe?

Parallel workshop sessions

Workshop 1 _ Salle des Colloques

Which expected place and role for sectoral collective bargaining?

Moderator: Christian Welz, Eurofound

■ The revival of sectoral collective bargaining: the Portuguese experience, Teresa Coelho Moreira, University of Minho

■ The importance of sectoral collective bargaining in Austria, Elizabeth Brameshuber, Vienna University of Economics and Business

■ The need for sectoral collective bargaining in Poland, Slawomir Adamczyk, Solidarnosc

Workshop 2 _ Grand Amphithéâtre

Which role for State intervention in Collective bargaining?

Moderator: Tamás Gyulavári, Pázmány Péter Catholic University, Budapest

■ How to get collective bargaining decentralized? Legal incentives v. Compulsory measures? Pierre-Emmanuel Berthier, University Lumière Lyon 2 and Olivier Leclerc, CNRS, CERCRID

■ Measures to moderate wages: the Belgian example, Fabienne Kéfer, University of Liège

■ The autonomy of collective agreements and the changing role of the state during the crisis, Aristeia Koukiadaki, University of Manchester

Workshop 3 _ Salon Lirondelle

Fostering the role of collective bargaining in regulating employment relationships – Which actors?

Moderator: Felicia Rosioru, University of Cluj Napoca, Babes-Bolyai

■ A new law on trade unions in Poland, Barbara Surdykowska, Solidarnosc

■ Negotiating without trade unions: the French example, Sophie Bérout, University Lumière Lyon 2, Triangle (UMR 5206)

■ Atypical Collective Bargaining and Bargaining for atypical workers, Filip Dorssemont, Catholic University of Louvain

16.00 – 16.30 **Coffee break**

16.30 – 18.00 **2nd session (continued)**

Which trends in the evolution of collective bargaining in Europe?

Chair: Jeremias Prassl, University of Oxford

16.30 – 17.15

Feedback from the workshops

■ Miriam Kullmann, University of Maastricht and Eusebi Colàs, University Pompeu Fabra (Workshop 1)

■ Lilli Viviana Casano, ADAPT and University of Bergamo and Erika Kovács, Vienna University of Economics and Business (Workshop 2)

■ Judit Baseiria, University of Girona and Rebecca Zahn, University of Strathclyde (Workshop 3)

17.15 – 18.00

Discussion

9.00 – 10.30

3rd session

Wage setting and Working Time: still at the core of collective bargaining processes?

Parallel workshop sessions

Workshop 1 _ Grand Amphithéâtre

Wage setting still at the core of collective bargaining

Moderator: Claude-Emmanuel Triomphe

■ Wage setting between centralisation and decentralisation of collective bargaining. The Italian case, Piera Loi, University of Cagliari

■ Decentralised collective bargaining: a solution to economic crisis? The Turkish case, Kübra Dogan Yenisey, University of Bilgi, and Berrin Ataman, University of Ankara

■ Decentralization and wage moderation: the Spanish case, Jaime Cabeza Pereiro, University of Vigo

Workshop 2 _ Salle des Colloques

Negotiating Working Time in time of crisis

Moderator: Franz Marhold, Vienna University of Economics and Business

■ The Polish case, Lukasz Pisarczyk, University of Warsaw

■ Collective bargaining on working time in Germany», Dr. Hartmut Seifert, ehemals Wirtschafts- und Sozialwissenschaftliches Institut der Hans-Böckler-Stiftung

■ Negotiating working time in time of crisis: The 'El Khomri Law', Christophe Vigneau, University Paris 1

10.30 – 11.00

Coffee Break

11.00 – 12.30

4th session

New issues?

Chair: Yolanda Maneiro Vazquez, University of Santiago de Compostela

11.00 – 11.20

Challenges relating to older and young employees – collectively bargained solutions – comparative perspectives, Jenny Julén Votinius, University of Lund and Judith Brockmann, University of Hamburg

11.20 – 11.35

Discussant: Vincenzo Pietrogiovanni, University of Lund

11.35 – 11.55

Work-Life balance in collective agreements in time of crisis: new challenges and national reactions, Barbara Kresal, University of Ljubljana

11.55 – 12.10

Discussant: Ania Zbyszewska, University of Warwick

12.10 – 12.30

General Discussion

12.30 – 14.00

Lunch

14.00 – 16.00

5th session

Collective bargaining in the network economy?

Présidence: Christophe Teissier, ASTREES

14.00 – 14.40

Multi-employer bargaining

14.00 – 14.25

Multi employer situations, Gábor Kártyás, Pázmány Péter Catholic University, Budapest

14.25 – 14.40

Discussant: Fausta Guarriello, University of Pescara

14.40 – 16.00

Round Table – Digitalization of employment and collective bargaining

Moderator: Auriane Lamine, CERCRID, University of Saint-Etienne

Jeremias Prassl, University of Oxford, Valerio de Stefano, ILO, Christophe Degryse, ETUI, Samuel Engblom, TCO

16.00 – 16.30

Conclusions

Antonio Lo Faro, University of Catania

The working languages of the conference will be English and French, with simultaneous translation provided for all participants.