

***Comparing and Contrasting Trade Union Responses to  
Questions of Migration:  
A Comparison of Union Strategies for Decent Work  
in the Netherlands, Spain and the United Kingdom<sup>1</sup>***

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**Introduction**

The response by trade unions to the question of migration has become a critical issue in the study of industrial relations. This represents an important turn around in the research agendas in Industrial Relations. This paper develops an analysis of how the trade union movement has understood and responded to the challenge of social inclusion and migration within three European contexts: The Netherlands, Spain and the UK. The aim of the paper is to trace dominant trade union responses to migration in each country in order to develop an analytical framework to compare and contrast responses across different countries.

The paper builds on the insights of two sets of work in relation to comparative Industrial Relations. The first set of work focuses on wider debates on the more complex impact and interplay of regulatory context and internal union structures and processes on the development of union responses (see Frege and Kelly, 2003; Hyman, 2001; Locke and Thelan, 1995). These bodies of work are central contributions that have been largely overlooked in the mainstream IR and migration debate. The second is the work of Penninx, Roosblad and Wrench, who have developed specific frameworks for understanding union responses to migration in terms of how union responses to migration have varied and why.

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This paper will add insights from in-depth empirical research looking at the way different union movements have responded to migration and how the issues are understood. The paper and presentation is based on qualitative research in the form of interviews and observation in three different countries (the Netherlands, Spain and the United Kingdom) including the European Union policy making levels over a three year period. It also involves an element of action research. This has allowed the researchers to access a range of actors and issues within the debate on the union response to migration.

The paper will add that a major factor is not just the structural and regulatory environment but the way 'class', 'solidarity' and 'race' are understood and referenced within the different cases. The paper will show how issues of union politics must be understood alongside the broader impact of structure. This brings a more sensitive aspect to the debate and raises issues of union identity not solely migrant need and identity.

The first section of the paper develops a discussion around existing frameworks for comparing trade union identity and strategy more broadly and then discusses the more specific frameworks for comparing trade union responses towards migration. The following sections explore trade union responses in the three countries we have studied – by describing trade union strategies and the internal debates within the union movement in each context. The section on each country also explores union policies and initiatives as well as limitations and challenges of their specific approach in each country.

The final section compares and contrasts the dominant responses in each country and analyses the limitations and challenges for trade unions. In the analysis we observe that although different responses to migration to a certain extent reflect the different regulatory contexts and that there is a certain degree of path-dependency within each set of responses, trade unions keep an active role in building up their own strategies. This section sets out an exploratory model for analysing and comparing trade union responses to migration. The model identifies three dominant responses to migration that have emerged from our research – that being responses around 'class', 'race' and 'solidarity'. These responses act as a point on a triangle. This section lays out how we understand these categories and how, like Hyman's 'eternal triangle', the responses of trade union often shift between two points on the triangle. From our analysis what emerges is that the weakness or limitation of the responses in each context reflects the missing point on the triangle. If we assume that trade unions are facing in three directions, and that their responses have tended to coalesce around two points of the triangle, the missing response – either relating to class, race or solidarity – represents the weak point in each context. This reflects how trade unions frame questions of migration and the underlying logics of their responses towards migrant workers.

### **Understanding Union Responses to Migration in a Comparative Context**

Comparative industrial relations has evolved more rigorously in the past two decades or so, allowing us to properly comprehend different systems and approaches (Hyman and Ferner, 1994). It has also allowed us to understand how employment relations and institutions vary across contexts (Locke and Thelen, 1995). The notion that concepts such as flexibility, pay, and working time are mediated and constructed in various

ways according to national systems of regulation and traditions of struggle and meaning has been of benefit to the study of industrial relations and its continuing relevance. Increasingly not only are we concerned with the typologising of industrial relations and economic systems (Coates, 2000) – for example, by looking at levels of co-ordination, different state roles, competing understandings and activities regarding social and worker welfare, and the position and authority of the employer - we also see a concern with the way varieties of trade union structures and strategies emerge historically. In terms of the study of immigration it can allow us to appreciate the way issues and responses evolve – and the way the politics of immigration is constructed (Wrench, 2004). Hence, comparative research is a vital step for understanding the way immigrant communities and their experiences can be understood in terms of their broader historical complexity of struggle. In terms of trade unions we can begin to see how unions vary, and why, in relation to the questions of immigration.

Frege and Kelly (2004) attempt to map the way we can appreciate the different strategies that evolve in relation to questions such as union renewal – within which the issue of representing new constituencies of labour and citizens is key. They argue that we need to proceed with an appreciation of the different dimensions of trade unionism. Starting with social and economic change as an external trigger – albeit not one which is constructed in a reductionist manner – they see union structure influenced by this contextual factor. This is an important thematic beginning for their model which adapts much of the work from social movement debates (see Kelly, 1998 as well). Trade union structure and the way its politics are organized are a vital starting point that is often ignored in many contemporary debates. The role of industrial relations institutions along with the state and employers play a further role in shaping this structure in terms of its environment. These factors along with union structure impact on the way trade unions frame issues and give rise to particular organizational identities. That the line of causality within such a model is always a matter for conjecture, the point being made is a singularly important one: we need to appreciate the internal politics of unions and how traditions of identity and narratives influence the way choices are made. Choices are mediated by these traditions and structures, but there will be ways of seeing and understanding problems that frame options and choices. We cannot read how unions' will understand and respond to questions of immigration, for example, from any clear structural analysis of the employment relationship or its context. Hence, union renewal is contested, open and in many cases problematic. We must appreciate structure, context, institutions and identity and framing processes in order to start a more grounded debate on union renewal and responses in relation to migration. What Frege and Kelly propose is a model of action which is more complex in terms of causality - but more importantly they provide us with a map for explaining the dimensions of union response and renewal. This literature proposes a series of explanatory variables to explain trade union strategies in comparative perspective. It is important (especially Frege and Kelly) because it links contextual variables with union-related variables. It gives importance to context (economic, social variables) and institutions (employers association action) and some union-related variables.

Frege and Kelly's approach is useful as it helps further understanding and explanation of the variety of strategies adopted by unions in different countries. The model outlines important influences on trade union strategies whilst also showing the

interrelations between actors, structures and framing processes. It provides an encompassing framework for analysing the social construction of union choices and attempts to reconcile approaches focusing on structural, institutional factors for explaining union choices (Clegg, 1976; Martin and Ross, 1999; Poole, 1986) and those focusing on identity as determinants of union strategies (Hyman, 1994; 2001). Hyman (2001) has developed an industrial relations oriented version of this in terms of *social*, *class* and *market* related identities within trade unions which would help us understand the way unions see, respond to and configure immigrant related issues. Frege and Kelly's framework draws on Hyman's work on union identities. Hyman (1994; 2001) argues that identities may be viewed as inherited traditions which shape current choices, which in normal circumstances in turn reinforce and confirm identities. Union identities can be oriented between market, class, and society (Hyman, 2001). The ways in which union leaders interpret and frame their external environment is thus argued to have an important impact on the eventual strategies adopted by trade unions.

This need to appreciate organizational structure, economic context, the role of the state, and the impact of framing strategies is increasingly recognized as important within the study of industrial relations. It parallels the increasing interest in how such factors contribute to varieties of capitalism and its regulation. With regards to the study of immigration, Penninx and Roosblad (2000: 12-16) have developed a similar approach. Differences in terms of trade union responses to immigration tend to vary due to a range of factors. They point to four in particular. First, there is the position of trade unions within society in terms of power and politics. This is important for understanding the extent to which unions can influence the policy responses and social support for immigrants. How it does this, however, cannot be determined by the level or extent of trade union power. Secondly, there are contextual factors in historical terms and these are primarily national and localized in orientation. These can shape the character and orientation of the union movement on such issues as immigration especially economic and labour market factors; these can influence the interests of unions and whether they are defensive or open in their approach to immigrants. These factors involve socio-economic characteristics and labour market ones. Thirdly, there are societal factors in terms of religion, class, social movements, and others which configure union identities. Finally, there are the characteristics of immigrants themselves and how they are accepted by and/or accept trade unions. The approach does not aim to be completely explanatory but aims to provide a framework for understanding the way the industrial relations of immigration can vary. We cannot make assumptions about the link between worker representation and inclusion in terms of trade unions, instead we need to be sensitive to the social, political and strategic factors. Penninx and Roosblad stress the importance of national contextual and historical factors for explaining differences in union strategies towards migrant workers. The authors set out the historical responses of trade unions to migration in relation to how unions have overcome three dilemmas: firstly, should unions cooperate with employers and authorities in the employment of foreign workers or should they resist; secondly, should trade unions include migrant workers fully in their ranks or exclude them as a special category; and thirdly, should unions advocate and implement special measures for these immigrants or should they insist on general equal treatment for all workers. Thus there is a history to the responses of trade unions in relation to racism and immigration which must be appreciated in terms of their

diversity and complexity. They are the outcome of a range of structural and strategic contextual factors.

Institutional and organizational structure, including that of the state, may tell us quite a bit but there are also framing processes which, whilst in part determined by the issues of structure etc., can develop a degree of autonomy in terms of how problems are understood and reacted to. This is Wrench's (2004) key point and concern regarding the tendency to read too much from notions of union strength and the suggestion that systems of regulation and their degree of co-ordination, power and intervention will in turn tell us much about how a union responds to immigration. That is to say we cannot make the assumption that in a place like Denmark, with its strong industrial relations regulation in terms of trade unions and social inclusion, the politics of social inclusion will be straightforward because attitudes to immigration appear ambivalent and problematic to say the least. Whilst in the case of the United Kingdom the level of weakness in membership and the peculiarities and weaknesses of regulation would suggest less attention to social inclusion. But this is not necessarily the case, according to Wrench, due to the way a narrative and concern with equality has emerged in the past few decades within union strategies. Policies and orientation are complex and diverse - they may be ambivalent as they are in many cases - but the centrality of equality and anti-racism is a curious factor of the British and (one could add) American labour movement even if the regulatory context is not one of the strongest within the OECD. The impact of political discourse and social struggles can configure the orientations of union actors – and what is more we need to be alert to critical incidences and moments when trade union strategies and views begin to shift. The role of framing process appears to be one we need to pay attention to – and the way union struggles have developed over time needs to be understood in terms of both structural contexts *but also* critical moments of reflection.

The theoretical framework of the present work is built bringing together these different pieces of the literature. Explanatory variables underlined by these studies, in fact, either overlap or complement with each other. Our starting point is that contextual variables including social and economic factors institutional factors the positions of the governments and of employers associations and the political rhetoric certainly influence trade union responses towards immigration issues although they do not do it directly but only indirectly. The influence of such variables, in fact, is mediated by a 'framing process' that, however in our view, is internal to the union and mainly built around the notion of identity as proposed by Hyman (2001). Union identity, hence, would explain the nature of union responses and would account for the "contents" of union policies and initiatives towards migrant workers. Finally, union structure although very influential in explaining the real efficacy of union action in relation to migrant workers (Marino, forthcoming) is considered much less important by those studies that focused specifically on union formal strategies. In this work, however, we consider structure as important also in the process of union policy-making as it helps to explain the level at which these strategies are meant to be implemented and the importance attributed to the union to either centrally coordinated strategies or decentralised initiatives.

### **Trade Union Responses to Migration in the Netherlands, Spain and the UK**

This paper draws on data from a three-year comparative project on the development of trade union responses in relation to migrant populations. As well as looking at

national level responses in the UK, the Netherlands and Spain, the research also aims to understand to what extent trade union responses are coordinated at the European level. The methodology is qualitative, with a focus on semi-structured interviews and participant and non-participant observation. The research for this paper includes over 120 interviews with trade union officials and activists from various levels within the union movement and a number of interviews with voluntary sector organisations, particularly those working in the area of migrant rights and Black and Minority Ethnic (BME) issues. Interviews have also been carried out with representatives at the EU level, including union officials from the European Trade Union Confederation (ETUC), and several of the European Sectoral Level Federations. The sections below draw on this evidence and other existing studies to build up case studies of the dominant trade union responses to migration in the Netherlands, Spain and the UK.

### *The Netherlands: Developing Equality and Inclusion through Social Regulation*

The Dutch system of industrial relations has been considered an example of corporatism par excellence (Lehmbruch, 1979), a ‘harmony model’ of political economy characterized by a high degree of consensus, cooperation and coordination among the responsible ‘social partners’ of organized capital, organized labour, and the democratic state (Hemerijck, 1995). The most important employers association, the VNO-NCW, and the most representative trade union confederation, the FNV, co-chair the bipartite Labour Foundation (STAR) where the negotiation of central agreements occurs. STAR is recognized from the government as official partner in deliberating on budgets, wages and social policies. The other corporatist body, the SER (*Sociaal Economische Raad*) includes representatives of employers, of trade unions and members appointed by government. It is the main advisory council of government on wage policy and on the organization of the welfare state. This system guarantees trade unions with stable recognition by counterparties that, in most cases is “not dependent on actual membership, a show of strike power, certification or elections” (Visser, 2002: PAGE?). This system helped the formation of highly centralized trade unions that remained central actors despite a certain decline in union membership (from 36,5% in 1970 to 22,3% in 2003) (Visser, 2006). Although specific data on the unionization of migrant workers are not available, the rate is much lower than among national workers. This fact would confirm the belief that “by enhancing the institutional security of unions and their leaders and by establishing a quasi-monopoly of union representation corporatism intentionally diminishes the need for unions to prove their strength through mobilization and lowers the political and organization incentives for union recruitment” (Visser, 1986 cited in Ebbinghaus and Visser, 1999:145). More recent revitalization literature also found that “political and institutional supports” to trade unions also diminishes the incentive to “organize the unorganized, build coalitions with other groups, or give support to grass-roots initiatives” (Baccaro *et al.* 2003: 121).

Previous studies on trade union responses towards migrant workers confirm the weakness of recruitment and organizing activities towards migrant workers in the past (Roosblad, 2000; Marino, forthcoming). Until recently, FNV action towards workers with foreign background has been mainly aimed to improve their condition both on the labour market and within the union itself. Both strategies have a strong top-down nature. With respect to the first point, the union has negotiated several formal and informal agreements within bipartite and tripartite bodies (to be then be implemented

in sectoral and company level agreements) aimed at improving the education levels and the employability of these workers (especially of young minority workers) and at promoting special channel of recruitment by firms. Hence the content of collective bargaining has been a subject of trade union responses due to the structural powers it has within it. In recent times, the FNV has also supported the campaign “Equal work for Equal Pay” launched by one of its affiliated union, FNV-Bondgenoten within a coordinated European network. On the one hand, this campaign addressed governments and employers’ associations at national levels, the aim being to gain legal improvements on equal working conditions for foreign workers; on the other hand, it focused on collective labour agreements at both sectoral and workplace levels in order to introduce special clauses on this matter.

Many other initiatives have been created to promote diversity. Diversity has been, and still is, the most important policy framework for the initiatives related to migrants and ethnic minorities (as well as towards women and young workers). This framework, embraced by the FNV at the end of the Nineties, has been reconfirmed as central in the 2005 and in the 2009 Congresses. Special policies have been adopted both to stimulate diversity within the union movement and to encourage employers to support and respect the interests and rights of an increasingly diversified workforce. Several initiatives have been planned to increase the participation of people with foreign backgrounds within the organization both at central level and on work-floor. FNV-Bondgenoten and FNV-AbvaKabo, for instance, have produced a brochure entitled “Together at work, together in the Works councils” aimed at explaining to trade unionists in the workplace how to increase migrant employees’ involvement in works councils. At the central level, two projects have been introduced to get more ethnic minority women in top-union positions. The first project resulted in twenty ethnic minority women being incorporated in middle management positions. Starting in February 2009, the FNV has been training other 25 ethnic minority ‘top women’ for executive positions on the boards of affiliated unions. The training programme for ethnic minority women is a collaborative initiative between the unions, associations (the Forum multicultural institute) and the government (the ROI training institute). The FNV has also organised 50 information meetings in collaboration with immigrants’ organisations; furthermore, it successfully lobbied for lifting unnecessary restrictions for elderly immigrants who receive social assistance and substantially increased the diversity of FNV-appointed representatives on the boards of Chambers of Commerce.

As mentioned above, such projects and initiatives have a strong top-down character. Most of these policies were developed at confederal level by special advisory bodies and departments and then transmitted to affiliated unions to be further elaborated and implemented. Others initiatives were developed directly by affiliated unions but, again, within specific departments placed at the central level. Although addressed at migrant and ethnic minority workers, such policies did not envision their direct participation both in the development and implementation processes. While being able to improve the condition of migrant and ethnic minority workers in workplaces and able to increase diversity especially within the union, such actions alone could not increase the level of participation and unionization of migrant workers (although the role of such leadership programmes is to create the basis for this in the long term).

This weakness became a central issue in the 2005 FNV Congress. Topics such as representativeness, union democracy, workplace relations, and participation started to be outlined, influencing also the stances taken towards ethnic minority workers. The concept of diversity was flanked by unprecedented 'internationalist' declarations on the need to create more room for ethnic minorities and to recruit them. The concepts of union membership and participation in union action were separated, following the lines of organizing strategies. In April 2005, the FNV published the results of a desk study on trade-union innovations in a report entitled '*De vakbeweging van de toekomst: Lessen uit het buitenland*' (The Trade Union Movement of the Future: Lessons from Abroad). The declared intent was to provide new inputs to Dutch unions, which were trying to 'redefine themselves'. This research finally resulted in a booklet that was translated into English as material for the international debate on innovative trade-union strategies to counter union decline. The booklet asserted the importance of 'organizing' new groups of people, among which were ethnic minorities and immigrant workers, young, the unemployed, workers in the service industry, and non-standard employees.

Such an approach was embraced especially by FNV-Bondgenoten, the most militant of the affiliated unions. In 2007, FNV-Bondgenoten launched a campaign in the cleaning industry to fight for an increase to ten euros an hour and for the 'respectful' treatment of cleaning workers by employers. The campaign was modelled on the 'organising' model following the success of the SEIU 'Justice for Janitors' campaign. The cleaners' campaign was launched during a meeting at Schiphol Airport attended by five hundred cleaners. In the following months, organising committees were created in Maastricht, The Hague, Utrecht, and at Schiphol Airport. Migrants' organisations, churches, mosques, social movement groups and others pledged their support. The campaign itself was considered unique for the Netherlands. A combination of grass roots organising, direct action and broad coalitions applied pressure on employers and their contractors. The union concentrated high levels of resources in the cleaning sector and also encouraged self-organisation and the formation of leaders at the workplace level. In early 2008, cleaners reached an agreement on higher wages, vocational training, language courses and a more transparent collective agreement.

The campaign culminated in prolonged strike action in 2010 concentrated in key areas of the economy, mainly the airports and the railways. The cleaners won concessions from employers and were able to negotiate sectoral level agreements in the cleaning sector. The campaign resulted in improved working conditions for the cleaning sector and led to the development of a core of union organisers in the mainly service sector based trade union FNV-Bondgenoten<sup>4</sup>.

Besides that, this campaign has inspired follow-up campaigns in other sectors of the Dutch economy, such as in domestic work, agriculture and retail industry. Furthermore it has inspired other trade unions, among which the FNV-AbvaKabo to take up an organising approach in the workplace.

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<sup>4</sup> The campaign recently won the international award for the best union campaign by the global services sector union UNI. Increasingly unions are attempting to use benchmarking exercises to allow for innovative practices to be shared.



Although the organizing campaign in the cleaning sector was indubitably successful, it caused the raise of several tensions in the Dutch trade unions. Embracing more confrontational strategies has resulted in threatening the traditionally cooperative relations between trade unions and employers in different sectors. Secondly, organising campaigns have been concentrated around low-wage work, but it has been difficult for unions to transfer organising into more traditional areas of the economy, such as nursing or ports, for example. Despite these dilemmas, the organising approach is acquiring consent within the union official debate and several projects aimed at promoting union presence and activism at local levels are emerging in those affiliated unions not directly involved in organising campaigns. Such projects, inspired by organising principles, have the goal of promoting structural changes, moving beyond the problem of ‘one-issue’ campaign.

The extents to which organising principles will be able to promote cultural and organisational changes in the Dutch labour movement remains an open question. However, the introduction of the organizing approach already constitutes an important novelty in the union debate. Traditionally, in fact, Dutch unions have built their responses to migrant and ethnic minorities by acting as agent of social regulation and by considering such workers as ‘target groups’ on the basis of their foreign background. Formal and informal agreements reached within corporatist bodies as well as diversity initiatives aimed at promoting inclusion and anti-discrimination are examples of that logic of action. Instead, the introduction of organizing constitutes, using Schmitter and Streeck (1981) categories, a move from the logic of influence to the logic of membership, requiring Dutch unions to include “class” in its framing process.

#### *Spain: Direct and Indirect Solidarity through Class and the State*

During the course of the 1990s the situation in Spain in relation to the labour market began to change with the context of an older workforce, the increasing presence of women in the labour market and a sudden increase in immigration. Whilst unemployment had rarely been below 15% in the first 25 years of the new democracy, women’s participation in terms of labour market has remained relatively low. The 1990s began to see a variety of sectors such as construction, agriculture and hospitality turn to immigrant labour sources. Spain’s immigration level up until the 1990s was one of the lowest in Europe having emerged from a relatively closed and internally looking economy under the dictatorship in terms of labour markets. If anything, the regime prioritised emigration as a way of sustaining managed urban development and growth during the 1960s and 1970s. However during the 1990s immigration from North Africa, Latin America (especially Ecuador and Columbia), and Eastern Europe (Romania and Poland, in particular) meant that a new workforce was arriving and settling in key urban areas and agricultural towns. In 1996 1.4 per cent of the population was born overseas whereas in 2008 it was 11.33 per cent (Aragon Medina et al, 2009).

Trade unionists from the left leaning and majority trade unions the CCOO and the UGT were encountering a range of bad employment practices, health and safety hazards, and low pay levels emerging amongst small and medium sized firms who employed immigrants which were relatively more significant to the Spanish economy compared to countries such as the United Kingdom or Germany. There was a

growing awareness that as workers, immigrants were subject to high levels of exploitation and susceptible to greater risks in terms of health and safety issues due to the culture of smaller firms and their tendency to bypass regulations in many cases, whilst also placing pressure on the system of regulation within labour markets such as collective bargaining by undercutting wages. Spanish unions had developed internal organisational structures for emigrants but had not really considered immigrants during the 1980s. These structures steadily began to develop into the organisational portal for immigration issues within the unions. A new, albeit, reduced set of immigrant trade unionists began to develop within these structures and raise issues related to migration within union structures. Spanish trade unions – especially the majority UGT and CCOO – began to develop a strategy with various institutional dimensions. The reformulation of the content of collective bargaining and the development of migrant facing strategies for the trade union elections (held every four years for determining company level representation of a union)<sup>1</sup> were not the main focus of these strategic turns. The regeneration of the former emigrant sections into immigrant secretariats – in the main dominated by ‘indigenous’ Spanish trade unionists – and the redefining more recently of the employment departments of the unions into employment and immigration (reflecting the changes at the level of the state) show how structural change has been more formal and bureaucratic. However, these changes are more concerted and organised than those of the UK and the Netherlands. In addition, our research has noted that many of the formal trade unionists involved in these structures are women and emerge from the social and women’s sections of the unions: presumably indicating that the role of equality politics in one dimension of the union can help sustain initiatives and support them in another.

Firstly, trade unions have steadily become involved in a range of tripartite bodies at the national and local level. The national bodies have involved trade unions, employers and immigrant organisations and they are involved in a range of discussions with the state on immigration flows, labour market needs and social issues. These have allowed a peak level dialogue to evolve within various social and economic related ministries. These have facilitated dialogue between trade unions and various immigrant organisations although the latter have varied in their resources and strategic focus. The role of the trade union movement in relation to the state is variable - some would argue that there have been a range of national level institutional relations and agreements (Guillen, et al, 2009, whilst others have been more sanguine in their analysis (Martinez Lucio, 1998 and 2008) – however this has been a significant area for trade union intervention on the subject of immigration. It has been paralleled by increasing levels of trade union intervention in regional and local government forums. These are especially present in agricultural areas where immigration has become a vital feature of the labour market. Local tripartite bodies are presented in regions as diverse as Castille-La Mancha and Aragon. They engage with issues related to social needs (e.g. housing and education), economic relations (employment and the role of agencies for example), and issues of citizenship and learning for example. The unions also use such bodies to propagate the role of collective bargaining and national and provincial agreements within sectors such as agriculture thus sustaining a dialogue or influence on employers in such sectors through national bargaining negotiations and these local bodies. These are normally propelled politically by a desire to avoid social exclusion and in particular social conflict which has been apparent through various incidents and xenophobic events.

Hence these structures allow the trade unions to influence the regulatory control of employers with immigrant workforces and to influence public policy: although the outcomes are not always consistent.

Secondly, trade unions have developed a network of information offices and centres throughout virtually every major Spanish city. These have been developed by unions especially the CCOO and the UGT. They are normally located in local union offices and their role is to act as a first port of call for immigrants in relation to work and other social or labour related concerns. There are many immigrant centres and law firms focused on these types of activity but none can compare to the sheer extent and breadth of the union network – something which is unusual in most European nations. One of the features of this new form of engagement with immigrants is that the state provides a wide range of the funding for such resources. This allows trade unions, who have been identified as being a key part of the provision of such services, to develop these trade union oriented information and a strategy of support centres more generally. Such centres provide a range of information services in relation to employment, citizenship, social rights and housing – amongst others – although it needs to be clear that these are not immigrant led offices but they may have trade unionists involved from an immigrant background. The unions in the main are expected to keep clear records of such activities. A range of individuals are employed in such centres and in some cases there can be anything up to half a dozen people working in one capacity or another, although numbers vary between offices. Our research covered a selection of cities in the centre and north of Spain (Madrid, Toledo, Valladolid, and Oviedo) - along with visits to the centres and interviews with their staff and the relevant union. These offices were not always located in areas where immigrant communities would reside but in the main trade union offices. The problem with these developments - which are much lauded within the official European trade union movement - is that they tend to be driven as a service and organised around professional network of trade unionists. These do not always play a role in linking immigrants into the main body of the trade union – although the realisation of this in recent years has been acknowledged and responded to – and they have not really served as a basis for a new network of migrant activists (partly because it is not migrants activists who are involved in them).

This raises a challenge for the Spanish labour movement. Whilst working in terms of a class discourse and state related approach to social solidarity (to varying extents) in relation to migration, the question of race and ethnicity as a feature of social exclusion has not been paramount. Many interviewees have argued that the problems facing immigrants are related to the nature of the labour market. Anti-racist initiatives at work and in society were not a priority within the labour movement due to low levels of immigration during the formation of the new trade union movement after the dictatorship of Franco (1970s onwards) and a preference – according to our research – to see exploitation in mainly class terms. Immigrants were seen to be exploited due to their precarious employment relations and low levels of social inclusion mechanisms in society. This has also been reflected in the absence of systematic attempts to create immigrant activist networks although there is an emerging body of immigrants within the union and also activists who develop their own informal networks. The argument of various interviewees within the UGT and CCOO from a Spanish background is that this would lead to separatism and that the British model of black workers sections would not be appropriate given low levels of activism within immigrant communities

in relation to work related politics. Training of a specialist nature for such groups is not deemed necessary as the objective is to have any individuals engaged into the mainstream of trade union education. Alliances and inclusion are considered to be best arranged around the role of supported individuals from immigrant communities who can connect with immigrant communities on a 'like-for-like', and formal alliances with organisations within such communities through periodic meetings and mutual exchanges of information.

### *United Kingdom: Equality and Migrant Worker Engagement without Collective Rights*

In the United Kingdom we can identify two periods of post-war migration, which are important for understanding the evolution of trade union responses. Firstly, during the 1945 post-war boom many New Commonwealth residents were encouraged to come to the UK to fill jobs that indigenous workers were reluctant to take (Castles and Kosack, 1973), particularly in hospitals and transport. During this period the debate around immigration focused on particular episodes of conflict – namely Mansfield Hosier (1972), Imperial Typewriter (1974) and Grunwick (1976) – and the ability or willingness of trade unions to support such developments (see Holgate, 2005, Wills 2004, and Martinez Lucio and Perrett, 2009 for a discussion of that literature). In the 1960s and 70s British unions were more 'exclusionary' and often tolerated racist practices, but during the 1970s and 80s, and in response to these high profile disputes, the debate took a qualitative turn with trade unions began to develop anti-racist policies and practice. Another plausible explanation for this turn in the debate is that the loss of power and status of UK trade unions more generally forced a 'radicalization' of policy – as power and involvement in the collective regulation of work has declined, unions have recognised need for a more inclusive strategy. In the early 1980s the TUC began to produce educational and training materials on equal opportunities and racism for use in trade union education courses. The TUC also worked with the Commission for Racial Equality (CRE) in the production of a 'Code of Practice' and encouraged unions to make use of this code. However, hostility to ethnic minorities in the 1980s was still very evident – not so much in official discrimination but in the disproportionate levels of material advantage experienced (Grint, 1998).

In the 1980s there were moves towards self-organising, and increasingly individual unions set up separate committees or structures to deal with race relations and/or equal opportunities issues, and adopted equal opportunities policies and anti-racist statements. Many unions created national officers to take responsibility for issues affecting black members, for encouraging participation and furthering equal opportunities. A survey of 21 unions found that 10 had a national committee dealing with race equality issues and nearly two-thirds had taken positive steps such as targeting workplaces, organising conferences for black members and producing recruitment literature in minority ethnic languages (Wrench and Virdee, 1996).

Hence, the debates on immigration and trade unions were, initially, concerned with institutional *readjustment*. That is to say that in the early stages of the debate the focus was on whether institutions of regulation and representation such as trade unions could adjust to the needs and demands of immigrants – and whether immigrants could adjust to the organizational and political culture of the labour movement. In the

second phase of migration, from 1990 to the present day, there has been a strong upward trend in net immigration from Europe, which intensified after 1 May 2004 when the UK opened its borders to national of the eight central and eastern European accession countries. During this period we saw the steady evolution of equality strategies (see Wrench, 1996; Davies, et al 2006), but also a move towards strategies around organising and learning as a way of accessing migrant workers and integrating them into the trade union movement. Firstly, union learning initiatives have been the primary means for approaching migrants as a means of drawing them into the union. In 1998 the UK government established the Union Learning Fund, which has funded trade unions engaging workers in training and education. Learning strategies have included setting up learning centres with the aim of helping the most vulnerable groups of workers to access basic training. In relation to migrant workers, access to English for Speakers of Other Language (ESOL) courses has attracted new migrant workers into union membership (Martinez et al, 2007). However, as one of our interviewees from UNISON pointed out, migrant workers tend to be interested in engaging in training, but participation either peters out or is withdrawn, often because many work in precarious conditions – often for subcontractors in the public sector and with unsupportive managers. There are other example where trade unions, in particular unions or particular regions have used union learning as a way of talking to migrant workers about union membership, but on the whole the approach has tended to be fragmented and piecemeal.

Secondly, organizing campaigns have attempted to represent the interests and encourage union involvement of migrant workers – examples include UNISON's Migrant Worker Participation Project and UNITE's Migrant Worker Support Unit. Both of these projects were funded by the Union Modernisation Fund (UMF), which is a government funded grant scheme established in 2005 that provides financial assistance to unions in support of innovative modernisation projects that contribute to a transformational change in the organisational effectiveness of a union. Some unions, notably, the GMB and UNITE (T&G section), have been actively using their organising campaigns to bring in migrant workers, focusing on those sections of the labour market that have seen the largest rise in migrant workers over the last decade. Yet, integration into the wider union is as yet only tentative. The GMB has faced bitter internal debate around the decision to organise Polish workers into a Southampton sub-branch on the basis that they need this self-organising space in order to get used to the workings of a union branch before joining with the mainstream branch. UNITE (T&G) have faced less opposition, perhaps because there has been a long established 'international catering branch' (established in 1972 for migrant workers) and the internal branch structures work differently in this union – less geographical and more industrially based (Turnbull 2005).

In the UK, there have been a variety of policies adopted by unions and community organizations which encourage diversity and support black and minority ethnic groups. There have been campaigns to deal with racism and to link up with black and minority ethnic workers. There have been recruitment and representation campaigns aimed at workers confronted by the injustices of racism. Increasingly workplace representatives are trained to deal with such issues and to broaden the questions they deal with – with the development of trade union equality officers for example. This has been supplemented with a greater amount of attention being paid to the organisational strategies of firms and political campaigning against far-right groups.

Social inclusion and anti-racist strategies are steadily being developed by trade unions in the UK which puts trade unions in a new light within communities and the workplace. The living wage campaign in London is a key case example of unions and community organizations working together to improve working conditions for a mainly migrant group of workers. London has had a living wage campaign – led by London Citizens – since 2001. The campaign has spread from hospitals, to the finance houses of Canary Wharf and the City to Universities, art galleries and hotels. The campaign has also secured agreements that all the new jobs at the Olympic site will be living wage, making sure that the benefits of investment reach at least some of London's working poor.

While there is clear evidence that the UK union movement is much more geared up to working with migrant workers than it has been in the recent past, most activity is still at an early stage and is very piecemeal. Also, trade unions in the UK are much more cautious, indeed wary, of working outside their own structures and have been actively opposed to organisations setting up 'alternative' worker organisations for migrants like the US's workers centres. There have been internal political tensions within unions about whether to support organisation such as London Citizens and what role the union should play in these campaigns. The living wage campaign in fact seems to reflect weaknesses in the UK trade union movement in relation to collective rights and regulation. The lack of involvement and influence – as compared to other European countries, such as the Netherlands and Spain – in the collective regulation of the employment relationship, has meant that organisations outside the trade union movement (community groups etc) have been the drivers of campaigns such as the living wage campaign. The London living wage campaign has been an attempt towards great regulation, and employers and the state have been forced to listen to the campaign. However, as Howell (2007) has argued, whilst there is state support for individual rights in the UK, there is a lack of support from the state to develop collective rights.

Our research shows that the trade union movement has had some success engaging with migrant workers in the workplace, through organising and learning strategies, and has also engaged in campaigns around forwarding the rights and position of black and minority ethnic workers within trade unions and in the workplace. However, much of the activity is reliant on particular sets of circumstances – such as a strong regional union branch, dedicated union officers, or external funding. Without broader co-ordinated action, long-term strategies towards greater collective regulation and greater support from the state, much of the work done by trade unions, which is often more progressive than other countries, remains small-scale, fragmented and rests on precarious foundations.

### **Comparing trade union responses to migration: an analytical framework**

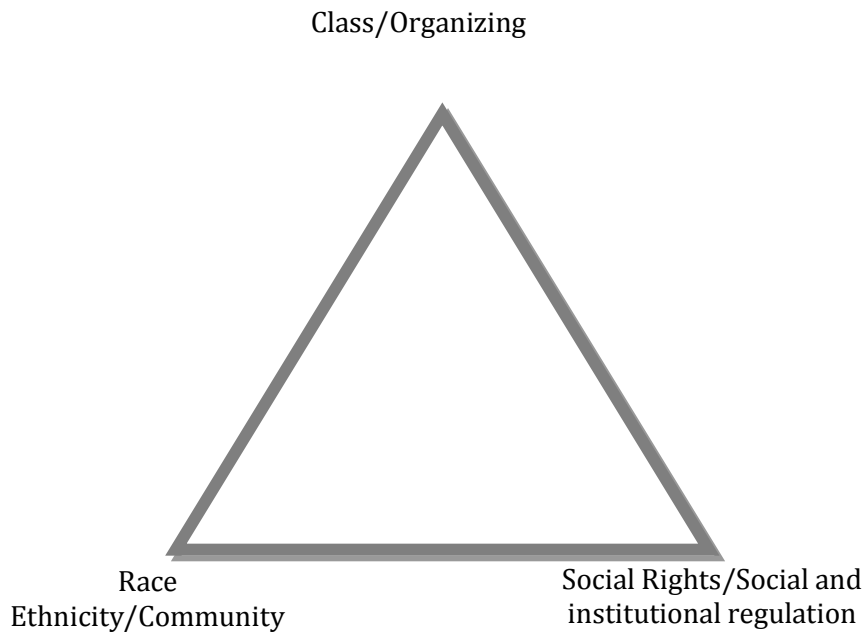
What are the main explanatory factors for the unions' orientation towards a particular frame or instrument for action in relation to migration? In the analysis we observe that different responses to migration to a certain extent reflect the different regulatory contexts and that there is a certain degree of path-dependency within each set of responses. If we consider the regulatory context, the institutional position of trade unions and traditions of union identity in each of the three countries, we would expect to find unions' framing responses around class in Spain, social rights and regulation in

the Netherlands, and workplace based organising strategies and a focus on equality in the UK. In terms of instruments for action, this also holds – as unions in Spain have focused on either mass mobilisation or developing social rights for migrants through national level campaigning for amnesties or trying to influence state policy on migration. In the UK, as unions derive their influence and strength more through membership levels – to a greater extent than Spain or the Netherlands – the focus has been on bottom-up organising. In spite of a level of path-dependency, we also see from the analysis that trade unions keep an active role in building up their own strategies – and this is particularly the case if we break down the analysis to specific sectors (like organising in the service sector in the Netherlands) or regions (like the Living Wage campaign in London). Below we focus on the dimensions of these responses and the manner in which they create specific gaps and practices of renewal

In the discussion of trade union responses towards migrant workers we can identify two dimensions that constitute an exploratory analytical framework which may have broader relevance for comparing trade union responses to migration. The first dimension looks at the logics used by unions to frame the discourse and policies in relation to migrant workers. The analysis of the empirical data has shown that there are three main framing logics implicitly or explicitly used by the unions in building up representative action. One of these logics is **class**. In using the logic of class, the unions tend to build their policies by considering migrants *as part of the wider working class*. Class identity, hence, emphasizes the presence of general interests between migrant and local workers and it is used to build general solidarity among workers. The second logic is **race/ethnicity**. This logic consists in affirming the specificities of migrant workers conditions, derived by their belonging to a specific group. General policies are, in fact, not considered sufficient to promote an effective representation of specific rights or to overcome disadvantages deriving from the belonging to a specific group. Representative/defensive strategies, hence, are built in order to incorporate such specificities. It is important to underline that this logic varies on the basis of the group considered (being for instance gender when the representation of women is considered). The third logic is **social rights**. This logic is applied when unions act as agents of social regulation, by engaging with issues that are not only related to work (such as housing or health issues or welfare rights). This logic also includes labour market rights in general considered as means to improve social inclusion (for instance, increasing migrant workers employability). It also relates to the question of the State.

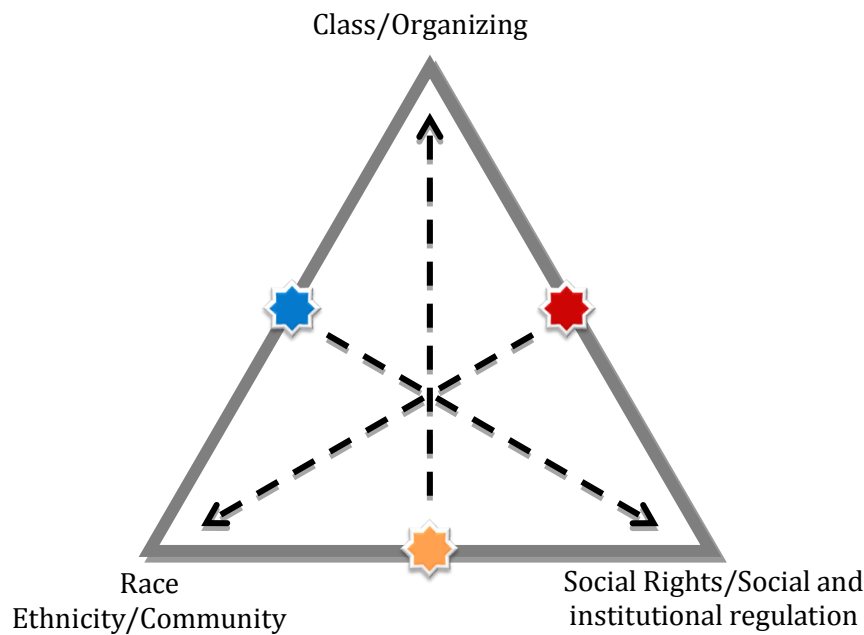
The second analytical dimension is around the instruments (or the modes of action) the union use to represent/defend migrant workers' interests. The first instrument constitutes unions **engaging in a series of activities directly involving** workers themselves such as organizing or work-floor representative actions. These instruments are linked with a class logic, since, although directly involving migrants these strategies can be addressed (and often are in the case of organizing for instance) to all workers of a sector or a company. The second instrument unions can use is **engaging with communities**. This instrument is directly linked with race/ethnicity and can be based on coalition, greater sensitivity to the role of migrant activists and a better engagement with equality. The third instrument unions used is **engaging with social regulations by acting as social and institutional actor**. This instrument involves several strategies from forms of concertation with social partners at central and regional levels, to direct involvement by government in the formulation of policies

and laws (including union participation in government advisory bodies). This instrument is clearly linked with social rights pole.



We can try to summarize these dimensions using the analytical device above. Each point on the triangle represents the strategic orientation of the union in terms of its framing logic and instrument for action in relation to migrant workers. We argue that trade union frames and modes of action often shift between two points on the triangle. If we assume that trade unions are facing in three directions, and that their responses have tended to coalesce around two points of the triangle, the missing response – either relating to class, race or solidarity – represents the weak point in each context. So what emerges is that the weakness or limitation of the responses in each context reflects the missing point on the triangle. This reflects how trade unions frame questions of migration and the underlying logics of their responses towards migrant workers. The union’s position along one of the dimension of the triangle implies that the opposite pole is the challenge (the gap) the union have to face (see above).



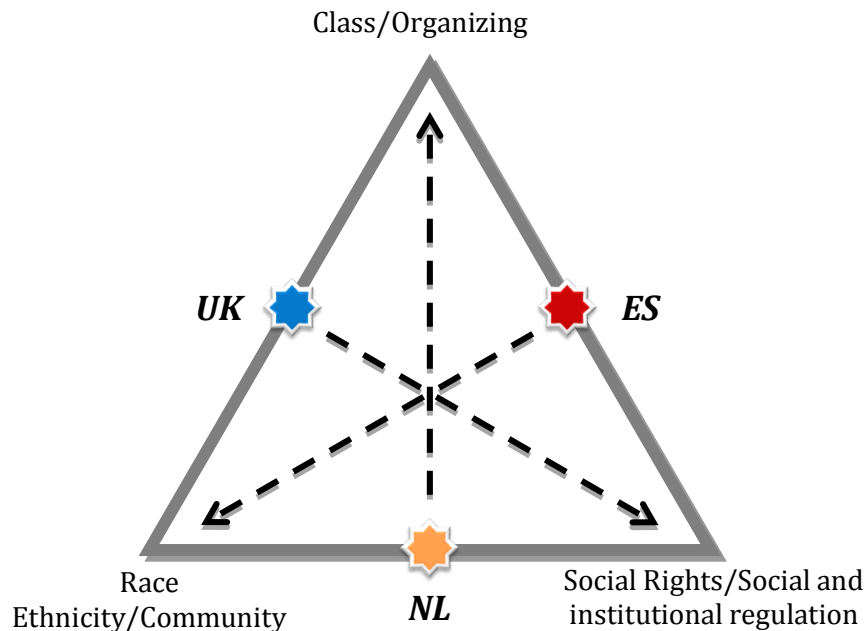


What factors help us to understand the position of trade unions within the triangle? Penninx and Roosblad (2000) identify a set of factors to account for national differences in union policies towards immigrants: the social position of the union movement, its power and its structure; the economic and labour market situation; the broader institutional context – the political structure, legislation, national ideologies, and public discourse; and the characteristics of the immigrants themselves. The authors suggest that national contextual factors are important for understanding national variation and have led to different outcomes, a proposition supported in recent research (Krings, 2009). Wrench (2000) has shown that in European countries there are differences in the way the issues are defined and the policies that are deemed appropriate. Many northern European countries (for example, the UK and the Netherlands), with long histories of immigration, have been more concerned with racial discrimination, its implications for the opportunities of an established second or third generation of post war migrant origin, and the equal opportunities strategies to combat this. This has been combined with more recent strategies to organise new sets of migrant workers coming from Central and Eastern European Countries (CEECs). In contrast, Southern European countries (for example, Spain) have tended to be preoccupied with the issues of a relatively recent influx of immigrants, working precariously on short term work permits, and with a large problem of undocumented workers suffering from extreme exploitation – legalisation and information has therefore been a major feature of these union strategies in Spain. Here we start to see how histories of migration influence and shape the responses of trade unions and go some way to explaining the different outcomes within different countries – for example the development of CITEs in Spain and the concentration of policies around equality that we see in the UK and the Netherlands.

The union's position within the triangle therefore depends on several factors: union organizational resources (e.g. presence of decentralised/representative structures or strong institutional power and to union access from different points) and by historical legacies (also including union identity).

### **Comparing trade union responses to migration: the Netherlands, Spain and UK**

Drawing on the evidence presented above in relation to how trade unions have been responding to migrant workers in the Netherlands, Spain and the UK we can start to place the union movements within the triangle.



Starting with the Netherlands, the empirical data shows that trade unions have focused on their traditional role of engaging in tripartite bargaining and the development of collective/social rights and institutional regulation. At the same time the unions have developed strategies around equality and diversity and developing links with communities. We can therefore place trade unions between race/ethnicity/community and social rights/social and institutional regulation. However, what we also see emerging from the data is that there have been tensions and pressures on the dominant framing logic (social rights/regulation and race/ethnicity) and instruments of action within the Dutch trade union movement (institutional/social actor and engaging with communities). With the lack of unionisation and participation of migrant workers – combined with the influence of US-style organising strategies – trade unions in some sectors, which include cleaning, retail, agriculture and domestic work, have been moving towards class as a framing logic, which is evidenced in campaigns around organising and mobilising cleaning workers. Rather than specifically focusing on the migrant/ethnic minority issue – who are the predominant groups of workers in this sector – union activists have been framing this action using a class based approach engaging in direct action and mobilising workers around frames of injustice and exploitation.

In Spain, the dominant framing logic for trade unions has been around class and social rights – with trade unions viewing the issue of migrant workers as part of a broader class-based approach to representing workers. The dominant mode of action of trade unions has been their role as an institutional/social actor through involvement in tripartite bodies and also developing workplace activity through elections and mobilising. What begins to emerge in the Spanish context is that with the lack of focus on the question of race and ethnicity, there is a lack of attention paid to the specificities of exploitation and racism experienced by migrant workers. Even though

there has been engagement with migrant workers through the service-driven information centres, there has not been an integration of race/ethnic minority issues within the broader trade union movement. The missing link in the Spanish approach has been in terms of engaging with the community and specific issues relating to race and ethnicity.

In the UK, the dominant frame of reference for trade unions has been around class and race/ethnicity and we can place the UK between these two points on the triangle. From the evidence we see that the dominant modes of action have been an engagement with the community and integration of ethnic minorities within the trade union movement (such as black worker self-organising), alongside an engagement with organising and workplace based representation of migrant workers. Whilst this approach has had some success and has recognised the specific sets of issues experienced by migrant workers and those from ethnic minority backgrounds, the lack of state support for collective rights and regulation has been a major challenge for trade unions. Without the development of social regulation the trade unions' approach remains fragmented. The London living wage has emerged as a campaign which reorients the trade union movement towards establishing collective rights and social regulation.

### **Conclusion and implications for 'decent work'**

The paper attempts to explain developments in terms of the following factors and issues. The first is that the differences in terms of national trade union responses to migration may vary due to regulatory structures and industrial relations traditions. These may give rise to different ways in which unions work with the state, employers, their members and the broader body of migrant workers. Different institutional and political paths may be taken as a consequence. However, the paper has tried to think through these differences. The development of Richard Hyman's model on trade union identity and strategy, and its transformation for the purposes of including social aspects of the workforce (in this case race and ethnicity), means that we are now able to measure or at least discuss the nuances within trade union framing exercises in terms of migration and how they respond. By looking at class, social rights and race and ethnicity in this manner we have been able to align unions and their strategies and look at some of the ways in which inclusion is understood. What is more we have been able to understand the gaps that exist within trade unions and how these vary across countries: how in some cases the absence of a state role limits resources within unions, how the absence of a direct representation of migrants minimises the voice of migrants in an active manner, and how institutionalised approaches may actually lead to a disconnection from the sharper end of migrants' work experience. The paper suggests that renewal strategies have in part, within the trade union movement, been configured to try and find a balance between the different faces of trade union strategy and traditions, and to try and fill gaps in institutional, mobilising and social terms. In some cases these gaps have configured the way internal differences and debates are shaped within the unions under discussion. The model, we suggest, helps us explain dominant responses to the issue of migration but it also helps us explain how spaces and gaps emerge which configure internal discussions as to the nature of trade union renewal.

In terms of decent work the paper suggests we need to develop an appreciation of context in terms of the way regulatory traditions frame union responses to the poor working conditions of migrants. The responses may vary due to different ways in which worker representation and regulation have evolved. What is more these in turn give rise to an internal reflection and push to renewal in terms of union inclusion which may vary across different national contexts. In addition, our approach helps us understand that solidarity in terms of decency at work may be mediated in very different ways. The focus may be on common structural features that emerge from the nature of the employment relation within capitalism, hence class may be an anchor around which common standards and causes across different factions of worker may emerge. This can begin to configure decency as a form of structured solidarity based on extracting concessions through struggle from employers and the state. Secondly, the paper also draws attention to the way the state and the broad body of social rights may be a platform for providing migrants with access to rights through the use of public resources that facilitate this. Such a 'servicing' approach may link decency to a question of institutional dialogue at the national and local level. Finally, there is the question of race and ethnicity which means that decency has to be built into a language of social solidarity based on an explicit discourse of equality of one form or another. Hence our approach is useful as a taxonomy and model for understanding how unions respond to questions of decent work but it is also valid in beginning to see the ways in which decent work itself may be viewed in different ways in terms of the strategic links between workers and their interests and social relationships.

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<sup>i</sup> Trade union documentation during the electoral periods has steadily developed and been presented in various languages (Polish, Romanian, Moroccan, and others).