

The transnational dimension to collective bargaining in a European context

Paul Marginson

Industrial Relations Research Unit, University of Warwick, UK

Paul.Marginson@wbs.ac.uk

1. Introduction

The internationalisation of economic activity is embracing ever more national economies as rapid industrialisation proceeds amongst the emergent economies of east and south Asia, eastern Europe and Latin America. The process is being driven forward by the emergence of global supply chains in a growing number of sectors, reaching into services as well as manufacturing, in which the division of labour between operations in different parts of the international economy is continually under review according to the imperatives of cost, flexibility and productivity. Organised by multinational companies (MNCs), the resultant regime competition between labour market and industrial relations regimes within these global supply chains has a local as well as a national dimension. In addition to considerations of costs, flexibilities, skills provision, productivity and labour standards as shaped by national institutions and regulations, the performance of individual sites and the localities in which they are situated is under continuous scrutiny. The social and industrial relations consequences of these internationalised economic dynamics increasingly calls for cross-border, coordinated responses and initiatives by trade unions, and other institutions of employee representation, at transnational sector and company levels. These include the emergence of forms of transnational collective bargaining.

Within Europe, further impetus has been added to these economic dynamics by ever closer integration of markets for products and services, capital (including the 'market' for production locations) and – especially since the EU's 2004 and 2007 eastern enlargements – labour. The process has been driven forward by EU initiatives, first, to create a single European market in the early 1990s; largely affecting manufactured products, the process was extended to the service sector under a controversial measure finally adopted in 2004. The second was Economic and Monetary Union, creating a single currency and a unified monetary policy amongst a significant and growing group of EU member states, which took effect from 1999. Economic and market integration has been accompanied by a social dimension, aimed *inter alia* at providing workers with new rights of representation and voice at transnational level and new protections against the consequences of the widespread rationalisation and restructuring of sectors and companies which the integration process

unleashed. The emergence of a transnational dimension to collective bargaining within the EU has been accelerated as result of both formal institution-building under the social dimension and autonomous actions by employers and trade unions, respectively.

This emerging transnational dimension to collective bargaining at sector and company levels is two-fold (Marginson and Sisson, 1998). On the one hand, it takes the form of cross-border information exchange of bargaining-relevant data, by either employers or trade unions, with the aim of setting the context for the national and local negotiations which take place in sectors and companies. At its most developed, such activity can result in coordination of bargaining agendas and outcomes in different local and national negotiations. On the other, it takes the form of transnational negotiations resulting in the adoption of joint texts and framework agreements of varying degrees of regulatory 'hardness' or 'softness'.

Concerning cross-border 'context setting' and coordination, there is a striking asymmetry in the predominant level of level of activity for employers and trade unions. Although employers organisations do engage in cross-border information exchange and learning at sector level, the primary focus of employer activity is at the level of MNCs, through mechanisms which systematically monitor workforce costs and performance in local operations, compare these across borders and deploy the results in local and national negotiations. For trade unions, the primary focus has been at the sector level, through initiatives aimed at sharing bargaining information across borders and ultimately at coordinating bargaining agenda and outcomes. In some instances, unions are responding to the articulation of local negotiations by MNCs, but such response is far from widespread. At company level, European Works Councils (EWCs), constituted as a formal structure for employee information and consultation (i.e. social dialogue) within MNCs, have also been mobilised in ways not anticipated by the 1994 EWCs directive. These include context setting activity around local negotiations by management and by trade unions, and the emergence of transnational negotiating activity in a small but growing number of EWCs.

The next two sections review trade union cross-border bargaining cooperation and coordination initiatives, which are considered in greater depth by Glassner in another paper in this volume [CHECK], and the activities of MNCs in coordinating the agenda and outcomes of local negotiations in different countries, respectively. The following section considers the significance of EWCs for both context setting for local negotiations and as a forum for transnational negotiations, and the final section concludes.

2. Trade union cross-border bargaining cooperation

European trade unions have launched initiatives aimed at coordinating the agenda and outcomes of national negotiations at sector level, prompted by fears that intensification

of regime competition under EU economic and market integration will trigger a downward spiral in wages and conditions. The aim is to 'link them [national bargaining systems] so as to limit national competition on pay and labour cost developments' (Schulten, 2003: 113). The initiatives essentially entail context setting for national and local negotiations, through the establishment of cross-border collective bargaining databases as a means of information exchange and, more ambitiously, coordination of bargaining objectives. The bargaining databases also enable outcomes to be monitored, a process which is backed up by peer review. These initiatives are unilateral: employers' organizations are generally opposed to any European-level coordination of negotiations, reflecting their clear preference for further decentralization of collective bargaining towards company level.

Two kinds of trade union initiative are apparent: European-level, under the aegis of the European industry federations of unions (EIFs), and 'inter-regional' which involve unions from two or more neighbouring countries. There are marked variations between sectors in the existence, extent and nature of activity. At inter-regional level, the 'Doorn' initiative bringing together trade union confederations and major sectoral unions from the Benelux countries and Germany (and more recently France) exercised considerable influence on subsequent developments. A 1998 declaration committed the unions involved to a bargaining co-ordination rule under which negotiators should aim for settlements consistent with the increase in the cost of living plus the increase in labour productivity. Ongoing information exchange forms the input to a database which enables settlements to be monitored against the bargaining co-ordination rule and assess progress on non-wage qualitative issues (Schulten, 2003). These features are also evident in some sector-based inter-regional coordination initiatives, such as that involving each of the German IG-Metall's bargaining districts and counterpart metalworking unions in the relevant neighbouring countries. Such inter-regional developments are concentrated in metalworking and construction, and have largely focused on two regions within the EU – Germany and its neighbours, particularly the Benelux countries, and the Nordic Area (Marginson, 2005).

Of the European-level initiatives, the EMF's is the longest established and most developed, acting as a pacesetter. Its core features involve a wage bargaining co-ordination rule (under which wage settlements should be consistent with increases in the cost of living and a share in productivity gains), a working time charter, an electronic database for recording and monitoring settlements, and peer review of outcomes. Several other EIFs in manufacturing have elaborated settlement co-ordination rules which resemble EMF's formula. Other EIFs, including EFBWW, UNI-Europa finance and EFJ have not adopted a specific formula, whilst EPSU has formulated a common objective to improve the position of low paid workers. EFBWW pursues a 'bottom-up' approach, aimed at protecting national collective agreements

from the effects of the cross-border movements of labour which characterize construction (e.g. through bi-lateral, cross-border trade union agreements to organize and assist posted workers). There are noticeable gaps in activity in the private service sectors, where product markets tend to be less internationally exposed and trade union organisation is generally weaker. Linking the European-level sector initiatives, ETUC has adopted its own European guideline which also calls for wage settlements equivalent to cost of living increases plus a proportion of productivity gains sufficient to redress the declining share of wages in GDP. Subsequently, ETUC has added substantive aims to narrow the gender wage gap and reduce numbers of low paid workers. Annual benchmarking exercises reviewing progress suggest a mixed picture: 'most European countries conform to the ETUC guideline to the extent that, on average, over the four-year period, wage growth compensates for inflation ... However, real wage growth remains clearly below productivity growth in most countries' (Keune, 2006: 11).

A range of problems have arisen in the elaboration and implementation of these various bargaining coordination initiatives (Schulten, 2003; Marginson, 2005). These are both contextual and structural. The context of these initiatives is one where the absence of adequate social provisions accompanying the creation of Europe's single market results in ongoing conflicts of interest between unions from different countries over securing internationally mobile investments and therefore jobs. Structural problems include difficulties stemming from differential engagement with initiatives by unions from different countries. Reflecting the concentration of inter-regional networks, unions from the Nordic and Germanic (Germany, Austria and Benelux) areas have tended to drive forward European-level sector initiatives, influencing the forms of co-ordination adopted. Unions from Mediterranean Europe (including France), which are less engaged, advocate a different idea of co-ordination based on realising common qualitative goals. Those from Ireland and Britain, and from central east Europe, remain relatively detached. Further problems arise from the different bargaining systems found across Europe. The question of vertical coordination under two-tier bargaining systems, and whether supplementary pay negotiations at company level result in outcomes consistent with sector-wide bargaining coordination rules, is becoming more pressing as scope for company-level negotiation progressively opens up. Even more fundamental is the question of how best to mesh systems where bargaining is single-employer-based, such as the UK and several of the central east European member states, with sector-level co-ordination premised on multi-employer agreements.

The most pressing problem confronting bargaining co-ordination initiatives, however, is their (non)enforceability. They are essentially voluntaristic: the settlement co-ordination

rules and common standards adopted carry moral force only. Whilst benchmarking and peer review processes can reveal the extent to which implementation has been achieved across countries, they cannot require compliance. Even under the EMF's initiative, which is widely regarded as the most advanced, the evidence indicates that national parameters remain prominent in the bargaining strategies and decisions of its national affiliates albeit that the evidence points to national negotiations taking place within a European context (Erne, 2008). In the light of these and other problems, recent evidence suggests that the more ambitious expectations of union bargaining coordination initiatives are being scaled down, with increased emphasis placed on cross-border exchange of bargaining context and bargaining outcomes (Léonard et al, 2007).

3. Cross-border bargaining coordination and context setting in MNCs

At company level, it is the management of MNCs which has been prominent in driving forward cross-border context setting activity for, and coordination of, local negotiations. Within Europe, the internationalisation and associated intensification of competition arising from economic and market integration has been compounded by the growing scale and internationalisation of firms themselves. Although the global reach of firms has increased as a result firms' recent internationalisation, there is a marked regional (respectively, European, north American, Asian) dynamic to developments. Many MNCs are either regionally focused or organised, and are increasingly organising their production and service on a pan-European basis, under integrated European management structures (Edwards, 2004). At the same time, under the multi-employer, sector agreements which still prevail across much of western Europe, employers have secured increased scope to negotiate working conditions and practices at company level, including the local operations of MNCs. In this evolving context, MNCs have sought to bring international comparisons of costs and productivity to bear within local, company-based negotiations, aiming to secure equivalent bargaining outcomes and/or lever workforce concessions at sites in different countries. Whilst the downwards pressure on terms and conditions that can arise have exercised trade union concern, union capacity to respond to such management comparisons has to date been limited. The process of comparison involved can and does extend to the global operations of MNCs, more so in some sectors than others. Nonetheless, reflecting the regional focus or organisation of these companies, a distinctive European dynamic is evident (Arrowsmith and Marginson, 2006).

Management activity in compiling international comparisons derives from its broader interest in cross-border benchmarking of practices, performance and costs, so as to continually enhance the competitiveness of operations. Management benchmarking has two aspects: the diffusion across sites of those working practices which are deemed to be

examples of 'best' practice; and the deployment of coercive comparisons of performance across sites in local negotiations over working practices and conditions. Increasingly, MNCs have put in place management systems to diffuse best examples of employment practice across sites in different European countries (Edwards, 2004). Diffusion of best practice is reinforced by the second aspect, which emanates from the systems of performance control now utilised. These give international management the capacity to compare the performance of workforces from sites across Europe, and beyond, across a range of productivity, cost and other labour-related indicators.

The results of these 'coercive comparisons' are deployed by international management to set the context for local negotiations. Pressure is placed on local management to secure cost and flexibility concessions from the workforce over working practices and conditions. Where sites are deemed to be performing poorly, the context which such comparisons set for local negotiations can lead to threats of loss of production mandates, disinvestment and ultimately run-down and closure. Conversely, better performing sites may be 'rewarded' with new investment and fresh production mandates. The effects vary: in some situations deployment of coercive comparisons can result in a series of matching concessions across borders in which the substantive bargaining outcome at different locations is similar. Hancké (2000), for example, details a cross-border round of concession bargaining at General Motors Europe, over working time arrangements, involving sites in four countries. In other situations, local negotiators are well aware of the context provided by cross-border comparisons, but a range of substantive outcomes is possible – so long as these are consistent with maintaining, or improving, the competitive position of the site within the MNC's production network (Arrowsmith and Marginson, 2006).

Differences are evident between and within sectors, according to contingencies such as whether MNC local investments are primarily market- or efficiency-seeking, which affects their potential mobility (Meardi et al, 2008). In a study of collective negotiations in ten MNCs, in four different European countries, in automotive and banking Arrowsmith and Marginson (2006) found management cross-border coordination of local negotiations to be much more developed in automotive than in banking, but also identified variation amongst the companies within the two sectors. Differences between sectors were attributed to relative exposure to international competition and the extent to which production (or service provision) is integrated across borders. Within sector differences related to several influences including: the degree and nature of internationalisation of operations (in some banks, for example, back-office operations were centralised across borders); the degree of diversity of the products and production systems across operations; and ownership, where the scale and symbolism of home-based operations served to blunt cross-border comparisons.

EU enlargement has extended the orbits for the exercise of coercive comparisons by management, as MNCs opened new and acquired existing operations in the new member states both in anticipation of and after their accession. Sector and company contingencies are again important. In sectors characterised by international integration of production, such as automotive, efficiency-seeking foreign direct investment into the central east European new member states has prompted the restructuring of pan-European production networks (Meardi et al 2008). The gap in labour costs between sites in the new member states and those in western Europe, in a context where productivity levels are often now similar, has - under the exercise or coercive comparisons - become a source of pressure for changes to working practices on an enhanced scale at established sites in western Europe, under threat of relocation. The enhanced scale of the impact is indicated by recent evidence from WSI's authoritative survey of German works councils (Ahlers et al, 2007).

Trade union efforts at cross-border networking and benchmarking within MNCs are generally less developed than those of management, and EU enlargement has correspondingly enhanced the challenges unions face. Arrowsmith and Marginson (2006) found that this was a product of resource constraints, lack of a central 'authority', divisions wrought by multi-unionism and the effects of inter-plant competition. Even so sector and company differences were apparent: local union negotiators were compiling and deploying cross-border comparisons in several of the automotive MNCs, but in none of the banks. And amongst the automotive MNCs such activity was attenuated where home-country operations had a dominant position in the European business.

4. Mobilising EWCs towards transnational collective bargaining

Although formally constituted under the 1994 European Works Councils Directive as structures for employee information and consultation at transnational level, a minority of EWCs amongst the more than 800 MNCs which have established them have been mobilised by either management or employee and trade union representatives, or both, for either context-setting purposes in local negotiations at sites across different European countries or to undertake transnational negotiations resulting in the conclusion of joint texts and framework agreements.

Information on the extent to which EWCs offer a focal point for context setting around local negotiations is limited; neither do existing findings portray a consistent picture. Drawing on an investigation of major car manufacturers, Hancké (2000) contends that EWCs have been largely ineffective as a mechanism facilitating the coordination of union bargaining positions across countries. Even where unions are well organised, and have cross-border links – as in car manufacturing, the inter-plant competition that production and investment

decisions are structured around would seem to promote local site egoism amongst (union) representatives on the EWC.

In contrast, Arrowsmith and Marginson's (2006) study identified three instances where EWCs, all in the automotive sector, were being mobilised by one or both parties towards setting the context for local negotiations. In one case it was management that was utilising the EWC to reinforce its message about comparative costs and performance at sites across Europe, with the aim of reinforcing the context for local negotiations at larger and higher costs sites located in two countries. In a second, context-setting activity was primarily engaged in by the employee side (assisted by national trade unions), which was undertaking regular surveys of aspects of working conditions in order to make comparative data available for local union and works council negotiators. In the third case, context setting activity was being pursued by both sides. Employee representatives were well aware of the ongoing comparisons of costs, performance and flexibility practices that management compiled across its European operations – and that 'Europe' was an ever-present factor in local negotiations. At the same time, the employee representatives – supported by the main national trade unions – regularly undertook their own surveys of working conditions, an activity which management was appraised of. Two circumstances would seem crucial in accounting for these instances: the existence of internationally integrated production operations under a single European management structure; and strongly organised sites linked through a functioning international trade union network.

The conclusion of transnational joint texts and framework agreements (hereafter agreements) between MNCs and representatives of their workforce covers a small but growing number of companies. There is both a European and global dimension to the phenomenon, with EWCs being relatively prominent in agreements which are European-wide in their application whilst Global Union Federations (GUFs) are to the fore in the conclusion of 'International Framework Agreements' (IFAs) whose application tends to be worldwide. The focus will be on the European-wide texts, once the wider state of play has been reviewed.

By late 2007, estimates suggested that EWCs were party to over 70 agreements concluded with 40 MNCs, figures which had increased from 17 agreements in just 9 MNCs in 2001 (EIRR, 2007). Transnational negotiations appear to have particularly taken root amongst a core group: ten companies accounted for over 30 of the known agreements. Some, but not all, agreements are co-signed by EIFs and/or national trade unions: recent prominent examples include those at Schneider Electric (EMF) and Suez (EPSU and relevant French trade unions). European-level agreements concluded solely by EIFs with MNCs, such as those between EMF and Areva and Schneider Electric, remain the

exception. EWC and other European-level agreements are spread across a range of sectors, although with some concentration in metalworking.

IFAs, addressing core labour standards within the MNCs concerned and usually also their supply chains, had been concluded by GUFs in some 65 companies by mid-2007 (EIRR, 2007), most of which have been signed since 2000. Although global in their reach, the great majority (58 out of 65) have been concluded with European-based companies. They are largely found amongst MNCs which are inserted into producer-driven supply chains; rather few have been concluded by multinationals controlling buyer-driven supply chains. Accordingly, IFAs are concentrated in particular sectors, including construction, energy, food manufacturing and metalworking (Hammer, 2005; Schoemann et al, 2008). In addition, the world works councils which have been established in a few MNCs have concluded some agreements. Examples include those at Daimler, SKF and VW.

Crucially from a trade union perspective, the employee-side negotiating agent differs between these two main types of transnational agreement. In the case of EWC agreements, and the handful concluded by world works councils, the agent is an elected body of all employees, and not a trade union organisation. IFAs, on the other hand, have almost all been negotiated by an international trade union organisation, most usually a GUF (exceptions are four which have been concluded with EWCs as the sole signatory). Yet these European and global agreements, and therefore their employee-side signatories, do intersect. Fifteen IFAs have been co-signed by EWCs, and in several others EWCs are specified a role by the agreement in the implementation and monitoring of the provisions of agreements. And, as noted above, EIFs and national trade unions have played a role in the negotiation of, and are signatory to, some EWC agreements, a trend which is increasing. Agreements solely concluded with EWCs are more common amongst US-owned MNCs (Béthoux, 2008).

EWC agreements address a range of topics, amongst which four themes are prominent. First, underlining the intersection with IFAs, is corporate social responsibility, covering basic labour rights and core labour standards. Second is elaboration of key principles which underpin company employment and personnel policies. Third, is business restructuring and its effects, where two sub-types are identifiable: statements of general principle as to how restructurings should be handled (e.g. Axa's 2005 agreement); and framework agreements which address the handling of specific restructuring decisions by providing a frame for subsequent local negotiations. The latter type of agreement has been concluded at GM Europe (on four occasions), Ford Europe (two occasions) and Danone's biscuits division. Specific aspects of company policy are the fourth theme, of which the most common are health and safety and data protection, privacy and electronic communication. Some agreements cover more than one of these headings. In particular, several agreements

addressing core labour standards also elaborate key principles underpinning company employment and personnel policies (e.g. Air France, Lyonnaise des Eaux, Vivendi).

Findings from interviews conducted with management and trade union actors involved in some of the negotiations (*European Works Councils Bulletin*, various issues; Arrowsmith and Marginson, 2006) throw light on the motives of the parties to engage in the conclusion of EWC agreements. Three main kinds of motive can be identified. The first stems from management concerns to secure legitimacy for pan-European, company human resource policies. In those MNCs which are elaborating and implementing common, cross-border policies, or policy guidelines, across their European operations, management may see advantages flowing from the additional legitimacy that can arise through securing employee representatives' consent or approval via a formal agreement. The second, which also primarily relates to management, stems from minimising the transactions costs potentially entailed in a series of parallel local negotiations. The conclusion of a common European frame in negotiation with employee representatives at the EWC can significantly reduce the management time and resources involved in a series of local negotiations each searching for a solution to a common problem, and the attendant danger of any one local negotiation setting an unfortunate precedent. Considerations of transactions costs are to the fore in cross-border restructurings, where securing agreement on a set of principles for handling a restructuring at European level can expedite, as well as coordinate, the series of local negotiations that will nonetheless have to take place. They are also particularly salient for 'new' issues on the bargaining agenda, which are not currently the subject of local agreements, such as privacy and e-communication. Third, are instances where management is pressurised into a European-level negotiation by a demonstrable employee-side capacity to coordinate local negotiations, and if necessary cross-border forms of action. Such capacity rests on a strong cross-border network of employee representatives, effectively resourced by relevant national trade unions working in cooperation with the relevant EIF. This third consideration has been most prominent in prompting European-level negotiations in the automotive industry over restructuring, including the agreements at Ford Europe and GM Europe. In practice, two or even all three of these motivations may come into play in the decision to negotiate any given agreement.

The extent to which, although legally non-binding in nature, EWC agreements are intended to be mandatory in their implementation for the signatory parties, and for management and employee representatives within the different operations of the company across Europe, varies considerably. The nomenclature of an agreement, however, is not a good guide as to its regulatory nature: some so-called 'agreements' are little different in character to other texts titled 'joint declarations' or 'charters' (Béthoux, 2008). Examination of the provisions of agreements suggests that they can be differentiated according to four main

categories in terms of the 'softness' or 'hardness' of the regulation they introduce (Carley, 2001). At the softest end of the possible regulatory spectrum are agreements which elaborate general principles of a company's personnel policy, but which do not envisage or require any specific actions. Examples include the charters adopted at Suez and Vivendi, upholding core labour standards. Harder in their regulatory nature are agreements which commit the signatory parties to specific actions, such as the establishment of a health and safety observatory at ENI, but do not invoke action by local management and employee representatives. Harder in nature also are framework agreements which establish a set of general principles on a specific issue, and incite – but do not require – follow up action by management and employee representatives at lower levels of the MNC. Examples include Danone's agreement on training. Harder still in their regulatory nature, and coming closest to the status of the provisions laid down in national and local company agreements, are obligatory frameworks which require actions by the parties at lower levels within the company, but where national and local-level practice in implementation can vary. The principal examples are the agreements on specific restructuring decisions cited above.

Amongst agreements dealing with any one of the four themes identified above, there are variations in their regulatory nature. For example, the provisions of some agreements on core labour standards are advisory, whilst others are mandatory. Lying behind this difference is the existence, nature and extent of any monitoring of implementation provided for (Hammer, 2005). Agreements mapping out general principles for the handling of restructuring also vary as to whether they are advisory (Deutsche Bank) or mandatory (Axa), whereas those agreements addressing specific restructuring processes tend to be mandatory.

5. Conclusions

The continuing progress of European market and economic integration, accompanied by reconfiguration of production and market-servicing on a European-wide basis, has transformed the context for collective bargaining from one that was traditionally nationally-bounded to one that now exhibits significant cross-border interdependencies. The re-casting of the reference points of national and local negotiations has prompted cross-border activities and initiatives by employers' organisations and individual employers, notably MNCs, and trade unions and other workforce representative structures aimed at developing a transnational dimension to collective bargaining. The activities and initiatives involved are both unilateral and bilateral, and at present have an experimental character, as the actors search for appropriate responses to the growing cross-border interdependencies. In large part, they also represent unintended consequences of the ongoing process of European market and economic integration. Put differently, the developments reviewed above do not

have their origins 'by design' in the formal institution-building through which the EU has sought to complement market and economic integration with a social dimension. Even EWCs, whose origin lies firmly in the social dimension's programme of institution-building, were established as structures for employee information and consultation only. Their subsequent mobilisation as focal points for cross-border context setting in local negotiations and for transnational negotiations was not foreseen by the European legislator. An implication for other global regions, is that other projects promoting regional market integration could themselves have unanticipated consequences in the form of the emergence of a transnational dimension to collective bargaining.

The unilateral initiatives by both employers and trade unions which are opening up a transnational dimension to collective bargaining take the form of cross-border 'context setting' activity for, and attempts to coordinate the agenda and outcomes of, local and national collective negotiations. Amongst employers, it is local negotiations within MNCs which are to the fore, whilst amongst trade unions the focus is on the sector-level negotiations which continue to be a cornerstone of arrangements in much of western Europe. The intention of these unilateral initiatives seems primarily to be to strengthen one side's position in comparison to the other. For example, faced by MNCs' major business decisions, which are increasingly cross-border in scope and impact and which often draw on cross-border comparisons of costs and performance, the growing number of instances of cross-border mobilisation and action by trade unions and EWCs signal a determination to demonstrate cross-border strength by one side in relation to the other.

Bilateral activity is most clearly evidenced by the conclusion of EWC joint texts and framework agreements, and also by the growing number of IFAs being concluded (largely by European-based MNCs). The momentum which appears to be building prompted the European Commission, in 2005, to signal that it was considering bring forward a proposal for a measure to give legal underpinning to transnational agreements, where the parties so wish. Such a measure would regularise developments, including questions of legal application (and therefore implementation and enforcement) and which representative structures could act as employees' negotiating agent. Currently, however, there are few signs that the Commission is intent on progressing further. Nonetheless, the considerations which have generated the recent momentum towards transnational agreement-making are likely to persist. Key questions concerning the future trajectory of developments include, at global level, the adequacy of the provisions of IFAs for ensuring effective implementation across the operations of MNCs and their suppliers. At European level, they are likely to focus on the capacity of trade unions, in a context of continuing cross-border restructuring of companies' operations, to secure an increasing number of European or EWC agreements regulating the decisions involved, and their consequences, in terms which are quasi-binding.

There reasons too for anticipating the conclusion of further EWC agreements which address concrete aspects of terms and conditions. Transnational collective bargaining in Europe may be on the threshold of becoming more like its national and local counterparts, in terms of both substantive content and the conventions governing implementation.

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