



# Developing Social Dialogue in Social Services for a strong social Europe

## National and European perspectives



With financial support  
from the European Union

This report was produced in the framework of the DialogueS project (VS/2019/0033). It reflects the authors' views only. The Commission is not responsible for any use that may be made of the information it contains.

Drafted by Alina Pavicevac, Project & Policy Officer, Social Employers

## Contents

Executive Summary.....	3
The DialogueS project .....	3
Context.....	4
Key survey findings & recommendations from employers.....	4
Introduction: Social services - key for a strong social Europe .....	6
1. Social Dialogue – How does it work? .....	8
1.1. A Definition .....	8
1.2. European Social Dialogue .....	9
1.3. A new start for Social Dialogue .....	10
1.4. Social Partners’ contribution to EU policies: The European Semester .....	11
1.5. Industrial Relations & Collective Bargaining in Social Services.....	13
2. Hindering factors for social dialogue in DialogueS target countries .....	15
2.1. Hindering factors according to the country-specific recommendations .....	15
2.2. Hindering factors according to Eurofound.....	17
2.3. Current developments in DialogueS target countries .....	18
3. Perspectives from employers in countries with strong social dialogue .....	19
3.1. Organisation of social dialogue: cross-sectoral and sectoral.....	19
3.2. Major trends regarding the participation of social services in social dialogue .....	22
3.3. The benefits of social dialogue, success stories and main outputs .....	23
3.4. Current challenges for sectoral social dialogue in social services .....	24
3.5. The role of sectoral social dialogue at EU level .....	25
3.6. Main recommendations for developing sectoral social dialogue in social services .....	25
4. Conclusions .....	26
ANNEX .....	28
ANNEX I: Questionnaire answered by Partners.....	28

## Executive Summary

With this report, the DialogueS project aims to showcase the advantages of social dialogue for the social services sector and gather examples and recommendations for setting up such structures. The report first introduces the social services sector and social dialogue, including European social dialogue. It then presents the main factors currently hindering social dialogue in social services in some of the DialogueS target countries and finally describes experiences and recommendations on the functioning and setting-up of social dialogue, from national employer's organisations in countries with well-established structures.

### The DialogueS project

This report was produced in the framework of DialogueS, a project that aims to build capacities for effective national and EU-level social dialogue in social services, with a focus on Central, Eastern and Southern Europe.

The rationale behind the project is clear: **social dialogue at national and EU level is crucial to tackle many of the social services sector's challenges and help it better prepare for the future;** yet in many EU Member States, social dialogue is not sufficiently developed. There is also no formally recognised involvement of social services employers from the private (not-for-profit or for-profit) sector in European sectoral social dialogue. The project thus aims to build capacities for effective sectoral social dialogue in social services at national and EU level.

The different elements of this report have been developed throughout the project and discussed during national capacity building events in the DialogueS target countries, in Bulgaria, Greece, Hungary, Portugal and Romania.

## Context

Despite the social and economic contribution and the ever-growing demand, social services face some major challenges in terms of funding, recruitment and retention, gender imbalances, and the ageing of its workforce. Finding solutions to these common challenges is at the core of social dialogue arrangements in social services at national level, in particular in those countries where such structures are strong. In EU Member States where dedicated structures are weak or non-existent, the ability to collectively find solutions is limited, too. It also hinders the capacity to engage at EU-level, in European social dialogue.

European social dialogue is crucial for the social services sector to respond to current and future challenges, by giving social partners the opportunity to shape and influence policies and decision-making processes affecting the sector, in both cross-sectoral and sectoral social dialogue.

According to Eurofound, the main barriers for social dialogue in European countries include a fragmented landscape of actors, limited tripartism, a lack of sectoral collective bargaining, low collective bargaining coverage and social partner representativeness, a dominant role of the state and representation gaps due to new forms of work.<sup>1</sup> The country-specific recommendations (CSRs<sup>2</sup>) point to a scope for improving social dialogue systems in almost all Dialogues target countries, by supporting meaningful and continuous involvement of social partners in policymaking.

<sup>1</sup> Eurofound (2020), [Capacity building for effective social dialogue in the European Union](#), Publications Office of the European Union, Luxembourg.

## Key survey findings & recommendations from employers

The employers' organisations surveyed for this report have strong cross-sectoral and sectoral social dialogue systems in place, in which the social partners negotiate collective labour agreements.

In terms of benefits of social dialogue, they point to:

- The potential to work together towards progress, increase productivity, and employee satisfaction;
- The reduction of strikes and work interruptions;
- The development of funds for training, qualifications and skills;
- The improvement of safety and health at work and reduction of absence rates,
- The gathering of reliable data through observatories and expert groups.

The main benefits of EU sectoral social dialogue include:

- Having influence in matters concerning the social services sector in the EU;
- Raising awareness, sharing experiences, good and innovative practices and solutions;
- Being consulted by the European Commission on EU policies, such as directives, regulations, recommendations, concerning social affairs;
- Having the possibility to discuss with European Trade Unions, bringing common topics and demands to the EU Institutions.

<sup>2</sup> The final step of the European Semester process. See point 2.1.

**The main recommendations for setting up sectoral social dialogue at national level include:**

- Making demands to be fully recognised by respective governments. If not (yet) possible, seeking affiliation to already established structures, both sectoral and cross-sectoral.
- The need for skilled staff and experts that are dedicated to the topic, to be able to represent and defend the employers' interests.

- Maintaining a balanced relationship, respect the other's motives and interests, cooperate, and make compromises.
- Negotiating objectives based on facts and research rather than populism or extreme political ideologies.

By joining the respective European employers' organisations and trade unions, national social partners will also be able to better defend their interests at both national and European level. After all, the European organisations are only as strong as their national-level partners are.

## Introduction: Social services - key for a strong social Europe

The social services sector is one of Europe's biggest job creators and therefore a significant economic and social contributor. It directly **employs 11 million staff in Europe**, representing 4,7 % of the total EU workforce. The social services sector has a strong employment dynamic with an increase of 24% in the number of people employed between 2009 and 2018 while the entire EU workforce increased about 5% during the same period.<sup>3</sup>

According to the European Centre for the Development of Vocational Training (Cedefop) skills forecast 2020, the workforce is still foreseen to grow by 18,5 % by 2030.

In addition, social services are crucial for the **successful implementation of the European Pillar of Social Rights**, one of the European Commission's main tools to drive forward a social Europe for all European citizens. The Pillar's twenty principles endorse the right to accessible, good-quality and affordable social services such as long-term care and in particular home care and community-based services.<sup>4</sup> At least six of the Pillar's principles can only be realised through effective and quality social services systems.

Despite the social and economic contribution and an ever-growing demand, social services experience some major difficulties in terms of funding, recruitment and retention, gender imbalances, and the ageing of workforce.<sup>5</sup> Employment in the sector is overwhelmingly

female. In the European Union (EU-28), **women represented 81.56% of total employment in social services in 2018**. In addition, the **50-64 age group represented more than a third of total employment** in the sector (34.6%), compared to 29.6% for the whole economy.<sup>6</sup> This poses new questions for employers, in terms of active ageing policies and recruitment and retention strategies to best respond to the needs of the ageing workforce and find replacement for staff who will retire in the coming years.

The European Commission's report on the *Impact of Demographic Change (2020)* estimates that by 2070, 30% of European citizens will be 65+ years old (today 20%). From 2019 to 2070, the proportion of people aged 80 and over is expected to more than double, reaching 13%. At the same time, the working-age population (20-64 years) is expected to decline.<sup>7</sup> According to the report, the decline in the working-age population highlights the need for Europe and its labour markets to take advantage of all its strengths, talents and diversity.<sup>8</sup>

The **increasing demand for health care and long-term care services that comes with an ageing population** also means an increasing demand for staff in the health and social services sectors. Today, there are already labour shortages in the sector, which highlights the

---

<sup>3</sup> Social Employers Observatory Report (2019): [Social services workforce in Europe: State of play and challenges \(2019\)](#).

<sup>4</sup> European Commission: [The European Pillar of Social Rights in 20 principles](#).

<sup>5</sup> The Social Employers and EPSU addressed many of these matters in their [Joint Position Paper on](#)

[Recruitment and Retention in European social services](#).

<sup>6</sup> Social Employers Observatory Report (2019): [Social services workforce in Europe: State of play and challenges \(2019\)](#).

<sup>7</sup> European Commission (2020): [Report on the Impact of Demographic Change](#).

<sup>8</sup> Ibid.

importance of retaining staff and of making those professions more attractive.

According to the International Labour Organisation's (ILO) report *Care work and care jobs for the future of decent work*,

*“Care work, both paid and unpaid, is at the heart of humanity and our societies. Economies depend on care work to survive and thrive. [...] Demographic, socio-economic and environmental transformations are increasing the demand for care workers, who are often trapped in low quality jobs. If not addressed properly, current deficits in care work and its quality will create a severe and unsustainable global care crisis and further increase gender inequalities in the world of work”.<sup>9</sup>*

It is therefore in everyone's best interests “to ensure good conditions for care delivery [...]. Transformative policies and decent care work are crucial to ensuring a future of work founded on social justice and promoting gender equality for all.”<sup>10</sup>

The **Covid-19 pandemic** hit the social services sector very hard and highlighted the sector's structural problems. Pre-existing financing and staffing difficulties in many countries have been multiplied in the face of the pandemic. A large proportion of infections and deaths appeared in residential care homes, especially nursing homes for older people. Social dialogue has made some contribution in responding to the Covid-19 pandemic, but as a result of the crisis, consequences for the

resources and tools available for capacity building and social dialogue are anticipated.<sup>11</sup>

The Social Employers drafted together with EPSU a Joint Statement in March 2020, to call upon European Member States and the European Commission to support a set of measures to help the social services and long-term care sector through the crisis<sup>12</sup>, which is cited by the International Labour Organisation's Brief “Covid-19 and care workers providing home or institution-based care”<sup>13</sup>. This Joint Statement was followed by a Joint Position Paper on “Preparing the social services sector for the COVID-19 resurgence and increasing its resilience” in October 2020<sup>14</sup>.

The actors best able to drive the sector forward and address the challenges at hand are the **social partners** – employer and employee representatives. A **constructive and regular social dialogue** is crucial to steer developments in social services into a sustainable direction. This notion has been **reinforced by the new European Commission** under President Ursula von der Leyen. In January 2020, the European Commission published a communication describing strong, representative organisations and their timely involvement in policymaking both at national and European level as “extremely important” and reaffirming the EU's intention to “explore ways to promote social dialogue and collective bargaining and increase the capacity of unions and employer organisations at EU and national level”.<sup>15</sup>

<sup>9</sup> International Labour Organization (2018): [Care work and care jobs for the future of decent work](#).

<sup>10</sup> Ibid.

<sup>11</sup> Eurofound (2020), [Capacity building for effective social dialogue in the European Union](#), Publications Office of the European Union, Luxembourg.

<sup>12</sup> Social Employers/EPSU Joint [Statement on COVID-19 outbreak](#).

<sup>13</sup> International Labour Organization (ILO) (2020): [COVID-19 and care workers providing home or institution-based care](#).

<sup>14</sup> Social Employers/EPSU [Joint Position Paper on Preparing the social services sector for the COVID-19 resurgence and increasing its resilience](#).

<sup>15</sup> European Commission (2020): Communication from the Commission to the European Parliament, the Council, the European Economic and Social

## 1. Social Dialogue – How does it work?

### 1.1. A Definition

The International Labour Organization (ILO) defines social dialogue as “all types of negotiation, consultation or simply exchange of information between, or among, representatives of

governments, employers and workers, on issues of common interest relating to economic and social policy.” It is further described as a “mechanism to promote better living and working conditions as well as social justice”.<sup>16</sup>

The most common activities of social dialogue include:

<b>Negotiation</b>	<b>Consultation</b>	<b>Information-sharing</b>
One of the most widespread forms of social dialogue. Parties can engage in collective bargaining at the enterprise, sectoral, regional, national and even multinational level.	Exchange of views of involved parties, leading to more in-depth dialogue. The parties participating in tripartite or bipartite bodies can engage in negotiations and the conclusion of formal agreements. Some of them are only consultative and information bodies, others are empowered to reach agreements that are binding on the parties (e.g. Governments, workers and employers).	Implies no real discussion or action on the issues at hand but is nevertheless an essential part of the dialogue and decision-making process.  Source: International Labour Organization, Social Dialogue – Finding a common voice, 2015.

For social dialogue to function, several enabling conditions need to be fulfilled:

- The existence of strong, independent representative workers' and employers' organisations with the technical capacity and access to the relevant information to participate in social dialogue.
- Respect for the fundamental rights of freedom of association and collective bargaining (as enshrined in ILO Conventions no. 87 and no. 98).
- Political will and commitment to engage in good faith in social dialogue on the part of all the parties.
- Appropriate institutional support. The representatives of the social partners should be recognized as equal partners by each other.<sup>17</sup>

Committee and the Committee of the Regions: [A strong social Europe for just transitions](#), COM(2020)14 final, Brussels.

<sup>16</sup> International Labour Organization: [What is Social Dialogue](#).

<sup>17</sup> Eurofound (2018), [Exploring the connections between EU- and national-level social dialogue](#), Publications Office of the European Union, Luxembourg.



## 1.2. European Social Dialogue

**“Together with European legislation, European social dialogue is a major instrument for improving labour standards in the European Union and contributing to modernising labour markets”.**<sup>18</sup>

European Social Dialogue emerged in the mid-1980's, initiated by Commission then-President Jacques Delors. It aimed at involving the social partners, represented by the European Trade Union Confederation (ETUC), the Union of Industries of the European Community (UNICE) and the European Centre of Public Enterprises (CEEP), in building the internal market.<sup>19</sup>

European social dialogue received formal recognition by the new Single European Act (Article 118b), which created a legal basis for the development of ‘Community-wide social dialogue’. European social dialogue began to develop, first with the establishment of a steering committee, which in 1992 became the Social Dialogue Committee (SDC), the main forum for bipartite social dialogue at EU level.

In 1991, UNICE, ETUC and CEEP adopted a joint agreement calling for mandatory consultation of the social partners on legislation in the area of social affairs and for a possibility for the social partners to negotiate framework agreements at community level. This request was acknowledged in the Agreement on Social Policy<sup>20</sup> annexed to the Protocol on Social Policy

European Social Dialogue takes two main forms:

of the Treaty of Maastricht, which was signed by all Member States. At national level, the social partners were thus given the opportunity to implement directives by way of collective agreement.<sup>21</sup>

European social dialogue is embedded within the governance of the European Union. It has its legal basis in **Articles 151-156 of the Treaty on the Functioning of the European Union (TFEU)**. Under Article 151 TFEU, the promotion of dialogue between management and labour is recognised as a common objective of the EU and the Member States and article 152 TFEU recognises and promotes the role of social partners at the level of the Union. Article 154 of the TFEU defines that the **Commission must consult the social partners before taking any action in the field of social policy.**

<sup>18</sup> Commission staff working document on the [functioning and potential of European sectoral social dialogue 22.07.2010](#).

<sup>19</sup> European Parliament, [Fact Sheets on the European Union: Social Dialogue](#).

<sup>20</sup> Eurofound, Article, [Agreement on Social Policy](#).

<sup>21</sup> European Parliament, [Fact Sheets on the European Union: Social Dialogue](#).

<b>Bipartite Dialogue</b> Employers – Trade Unions ↙ ↘		<b>Tripartite Dialogue</b> ↓
<b>Cross-industry Social Dialogue Committee</b>  Covering the economy as a whole: workers (ETUC) and employers (BUSINESSEUROPE, CEEP, SMEunited)	<b>Sectoral Social Dialogue Committees</b>  Covering workers and employers of 43 specific sectors of the economy	<b>Public Authorities (Commission, Council)</b> + <b>Trade Unions</b> + <b>Employers</b>

In **cross-industry social dialogue**, the Social Dialogue Committee is the main body for bipartite social dialogue at European level. It meets several times a year to discuss employer/worker views on employment and social topics, adopt texts negotiated by both parties and plan future initiatives.<sup>22</sup> The European bipartite cross-industry social dialogue takes place between the following organisations: European Trade Union Confederation (ETUC), Confederation of European Business (BUSINESSEUROPE, formerly UNICE), European Centre of Employers and Enterprises providing Public services (CEEP) and SMEunited (formerly UEAPME).

The **sectoral social dialogue committees** aim at promoting the dialogue between the social partners in the different sectors at European level. The cornerstone of the sectoral social dialogue includes regular meetings of the sectoral social dialogue committees. There are currently 43 such committees. The outputs of the sectoral social dialogue are listed in the Commission's online database.<sup>23</sup> The Commission also co-finances a number of social dialogue projects in different sectors.

### 1.3. A new start for Social Dialogue

With the financial crisis of 2007–08, social dialogue came under increased pressure and was weakened by its decentralisation, a decline in bargaining coverage and state intervention in the area of wage policy. In this context and given that the Member States with a strong social partnership have been the most successful in overcoming the crisis, the European Commission's then-President Jean-Claude Juncker announced a new start for social dialogue.

The "new start" initiative was launched in 2015. Social partners and the European Commission agreed on a need for:

1. a closer involvement of the social partners in the European Semester,
2. stronger emphasis on capacity building of national social partners,
3. increased involvement of social partners in EU policy and law-making,

<sup>22</sup> European Commission: [Cross-industry social dialogue](#).

<sup>23</sup> European Commission, DG EMPL, [Social dialogue texts database](#).

4. a clearer relation between social partners' agreements and the Better Regulation Agenda.<sup>24</sup>

In June 2016, the Commission then-Vice-President Dombrovskis and Commissioner Thyssen signed a joint statement on the *new start for social dialogue*, agreeing with social partners to involve them more in the European Semester and in policy and law-making in general.

In 2017, the Parliament, the Commission and the Council proclaimed the **European Pillar of Social Rights**. It provides for respect for the autonomy and the right to collective action of social partners and recognises social partners' right to be involved in designing and implementing employment and social policies, including by means of collective agreements.<sup>25</sup> Chapter II Article 8 of the European Pillar of Social Rights states:

*“The social partners shall be consulted on the design and implementation of economic, employment and social policies according to national practices. They shall be encouraged to negotiate and conclude collective agreements in matters relevant to them, while respecting their autonomy and the right to collective action. Where appropriate, agreements concluded between the social partners shall be implemented at the level of the Union and its Member States.”<sup>26</sup>*

According to Eurofound's report *Exploring the connections between EU- and national-level social dialogue* a **key challenge for EU-level social dialogue today relates to capacity building**. The idea of autonomous social

dialogue, as well as its underlying values and characteristics (e.g. trust, joint ownership and commitment), needs to be developed or strengthened in those Member States where it is undeveloped. Social partner organisations in those countries should take the lead on this.<sup>27</sup> In order to keep European social dialogue alive and strengthen its capacity to shape European as well as national-level social policies, it is important to continuously engage in consultation and negotiation, as well as building trust and mutual understanding.<sup>28</sup>

Due to weak or non-existent social dialogue structures and practices in some countries, the motivation for social partners in the newer Member States to become involved in European social dialogue mainly lies in its role of **shaping and influencing policies and decision-making at EU level**.<sup>29</sup> Against the background of current national setbacks in terms of consultation with social partners and respect for social dialogue in some countries, EU-level social dialogue serves as an example that social dialogue works and can have a positive impact on industrial relations and social conditions.

#### 1.4. Social Partners' contribution to EU policies: The European Semester

While the level of influence of the social partners at national level varies from country to country, in most EU Member States, social partners play at least an advisory or consultative role in the decision-making process of

<sup>24</sup> European Commission Directorate-General for Employment, Social Affairs and Inclusion (2016): [A new start for social dialogue](#), p. 9.

<sup>25</sup> European Commission: [The European Pillar of Social Rights in 20 principles](#).

<sup>26</sup> Ibid.

<sup>27</sup> Eurofound (2018): [Exploring the connections between EU- and national-level social dialogue](#), Publications Office of the European Union, Luxembourg.

<sup>28</sup> Ibid.

<sup>29</sup> Ibid.

social and employment legislation and policies.<sup>30</sup> One of the main ways for social partners to contribute to EU policies is the European Semester process. This applies to the national<sup>31</sup> and European level.

Introduced in 2010, the European Semester is a cycle of economic and fiscal policy coordination within the EU. It is part of the European Union's economic governance framework and focuses on the 6-months period from the beginning of each year. During the European Semester, the Member States align their budgetary and economic policies and address the economic challenges facing the EU.<sup>32</sup>

Following the 'New Start for Social Dialogue' initiative launched by the Commission in 2015, more political attention has been placed on the **involvement of the European and national social partners in the European Semester process**. In addition, the European Pillar of Social Rights has added more institutional weight to the role of social dialogue and the involvement of the social partners. The social partners in most EU Member States are in various ways formally involved in the elaboration of the National Reform Programme (NRP) presented by the Member States. However, the intensity and effectiveness of the involvement varies significantly across Member States.

The European Social Observatory points to a trend from mere 'information' (the simple sharing of knowledge) to 'consultation' (the possibility to express views on a proposal and

to influence the final decision). Despite this trend, the social partner involvement in the European Semester process is sometimes described as inadequate by the social partners themselves, who call for a **more structured and timely involvement**.<sup>33</sup> This observation is supported by Eurofound analyses, which express that "the involvement of social partners in the elaboration of national reform programmes and in overall national policymaking [...] showed slight improvements in certain specific areas. Despite these positive developments [...], social partners in a relatively large number of countries are still critical of their participation in the elaboration of national reform programmes."<sup>34</sup> In some cases, internal factors such as **limited technical and analytical capacities and few financial resources**, including staffing, reduce social partners' capability to deliver and contribute, by drafting positions and providing feedback on the various documents developed during the European Semester. Eurofound suggests that for a timely and meaningful social dialogue with strong national social partners, the Country Specific Recommendations, should also make "overarching recommendations on social dialogue and even collective bargaining."<sup>35</sup>

In countries with well-established social dialogue institutions and practices on the other hand, the elaboration of the National Reform Programme (NRP) forms part of the overarching industrial relations framework and is embedded in the day-to-day exchanges. In this case, the input of social partners helps to

<sup>30</sup> European Commission (2016): [The role of social partners in the design and implementation of policies and reforms](#).

<sup>31</sup> See also Eurofound (2020): [Involvement of national social partners in policymaking – 2019](#).

<sup>32</sup> See <https://www.consilium.europa.eu/en/policies/european-semester/>

<sup>33</sup> Sabato, S. and Vanhercke, B. with Spasova, S. (2017): [Listened to, but not heard? Social partners'](#)

[multilevel involvement in the European Semester](#), OSE Paper Series, Research Paper No.35, Brussels, European Social Observatory.

<sup>34</sup> Eurofound (2020), [Capacity building for effective social dialogue in the European Union](#), Publications Office of the European Union, Luxembourg.

<sup>35</sup> Eurofound (2020), [Capacity building for effective social dialogue in the European Union](#), Publications Office of the European Union, Luxembourg.

steer the development of national-level budgetary and economic policies and employers' organisations and trade unions are considered key partners to implement national reforms.

The European Semester process is also a topic in European Social Dialogue. The European Commission and the Employment, Social Policy, Health and Consumer Affairs (EPSCO) Council have paid increased attention to social partner involvement in the Semester procedures in recent years. The Country Reports are more and more seen as the key European Semester documents, and European social partners have begun to focus their efforts on influencing their content.<sup>36</sup>

### 1.5. Industrial Relations & Collective Bargaining in Social Services

According to the OECD report *Negotiating our way up – collective bargaining in a changing world of work*, “**The quality of the working environment is higher on average in countries with well-organised social partners and a large coverage of collective agreements**”. The report adds: “[...] collective bargaining, when it is based on mutual trust between social partners, can provide a means to reach balanced and tailored solutions to issues of common concerns. [...] It can help formulate solutions to emerging issues (e.g., the use of technological tools, or work-life balance), and complement public policies”.<sup>37</sup>

Eurofound, in its report “Exploring the connections between EU- and national-level social dialogue” presents similar findings: “Generally, **social partners in Member States**

**with well-established and well-functioning social dialogue reported much better working conditions and more resources than social partners in countries where such framework conditions are not in place**”.<sup>38</sup>

In a sector based above all on human relationship, it is evident that a **good quality work environment has a major impact on the quality of the services delivered**.

One of the characteristics of social relations in the social services sector is that these services are provided by both public sector organisations, as well as private, for-profit and non-profit organisations. Thus, depending on the country, the system of industrial relations is closely related to the weight of the private sector and public sector.

In the private sector there is significant social dialogue and collective bargaining, while another part of the sector is governed by the industrial relations in the public sector. In some countries, social services are mainly provided by the private non-profit sector (FR, NL where this is 90%, only 2% of social services depending on the public sector) or to a significant extent by the private, for-profit and non-profit sector (40% in Spain and Slovakia). In other countries, the public sector represents the majority (FI, LT, SK).<sup>39</sup>

There are also structural differences within countries depending on the activities. In Finland, the private sector accounts for 40% of the social services covered by the NACE code 87, but only 18% of the services covered by the NACE Code 88.91.<sup>40</sup> In Germany, 50% of

<sup>36</sup> Ibid. p.15.

<sup>37</sup> OECD (2019): [Negotiating Our Way Up: Collective Bargaining in a Changing World of Work](#), OECD Publishing, Paris.

<sup>38</sup> Eurofound (2018): [Exploring the connections between EU- and national-level social dialogue](#), Publications Office of the

European Union, Luxembourg.

<sup>39</sup> Social Employers Observatory Report (2019): [Social services workforce in Europe: State of play and challenges](#).

<sup>40</sup> See list of NACE codes [https://ec.europa.eu/competition/mergers/cases/index/nace\\_all.html](https://ec.europa.eu/competition/mergers/cases/index/nace_all.html)

the elderly care is managed by private providers, and 50% by not-for-profit providers or public providers. In social work there are no for-profit private providers, but many not-for-

profit providers which are publicly funded. These differences between countries have an impact on the functioning of social relations in the sector.

Topics negotiated through collective bargaining on different levels in the different countries:

Countries	Collective bargaining level			
	National	Inter-sector	Sector/Branch	Company
BE	Minimum wage, vocational training, part-time schemes (Crédit-temps)	Annual bonuses, increases in pay scales, extra days off, bonuses for “uncomfortable hours”, early retirement, etc.	Job scales and descriptions, employment in “at-risk groups”, early retirement, annual bonus, additional leave days, number of vocational training days	Additional benefits (meal vouchers) or additional days off
CZ	National Tripartite annual negotiation about minimum wage, working conditions and the Labour Act (but not specific to the sector)		Remuneration	Remuneration, work conditions and safety
DE			Grid of wages, working-time, classification, holidays, night-shift work, shift work, annual bonuses	Grid of wages, working-time, classification, holidays, night-shift work, shift work, annual bonus
FI			All issues	
FR	All issues	All issues. A new EO confederation has been set up to negotiate on cross-sectoral issues	All issues	All issues, especially working time, e.g. night shifts
LT			Additional holidays, wages, health and safety	Wages, working conditions, health and safety
NL	Wages, labour conditions			Special arrangements for work/life balance
SK	Wages, working time, labour relations, working conditions	Wages, working time, labour relations, working conditions	Wages, working time, labour relations, working conditions	Wages, working time, labour relations, working conditions

Source: National correspondents responding to a survey launched by the Social Employers’ Observatory (2019)<sup>41</sup>

<sup>41</sup> Social Employers Observatory Report (2019): [Social services workforce in Europe: State of play and challenges \(2019\)](#).

## 2. Hindering factors for social dialogue in DialogueS target countries

Social dialogue levels are uneven across and within countries in the social services sector, which is limiting its reach. It is therefore crucial that **information, consultation and participation rights of social partners in social services are maintained** in those countries with existing structures, but also **promoted and expanded in countries with weaker structures**, to help ensure high quality jobs and service provision in the sector. By analysing the country-specific recommendations (CSRs) and Eurofound data, this chapter aims to highlight the main hindering factors for social dialogue in social services, in three of the DialogueS target countries (Bulgaria, Greece and Romania).

### 2.1. Hindering factors according to the country-specific recommendations

In the European Semester, the country-specific recommendations (CSRs) are provided to each EU country by the European Commission after assessing the EU governments' plans.

They include policy guidance tailored to each EU country on how to boost jobs and growth, while maintaining sound public finances.<sup>42</sup>

The following table aims to identify the main barriers for social services and social dialogue, based on the recommendations of 2019 and 2020.

---

<sup>42</sup> European Commission: [EU country-specific recommendations](#).

Country	CSRs 2019	CSRs 2020
Bulgaria	<p>“Low level of social spending, uneven availability of <b>social services</b> across the territory, [...] Social services are hampered by low quality and lack of an integrated approach towards active inclusion. Disparities in access to social services, healthcare and long-term care persist.”</p> <p>“Although the involvement of the social partners in the design and implementation of policies and reforms seems to have increased, continuous support for a reinforced <b>social dialogue</b> remains necessary.”<sup>43</sup></p>	<p>“The reform of <b>social services</b> would help stabilising the system, while a stronger co-operation between health and social services would allow reaching out further to those unable to take care of themselves and people with disabilities.”<sup>44</sup></p>
Greece	<p>“Investments should focus on enhancing access to inclusive, affordable and high-quality <b>social services</b>, as well as on developing day-care centres. Supporting the most deprived and promoting the social integration of children at risk of poverty, of persons with disabilities, of migrants and refugees, [...] would improve social inclusion in Greece.”</p> <p>“Effective <b>social dialogue</b> and responsible social partnership can support the environment for the implementation and ownership of sustained reforms, resulting in a better functioning of the labour market.”<sup>45</sup></p>	<p>“Comprehensive access to <b>social services</b> is necessary for the most deprived and vulnerable groups, [...]. In addition, long-term care services are not sufficiently developed.”</p> <p>“There is scope for improving <b>social dialogue</b>, by supporting social partners’ active and meaningful involvement in policy-making, including in the design and implementation of measures to address the impacts of the COVID-19 crisis.”<sup>46</sup></p>
Romania	<p>“<b>Social services</b> have insufficient quality and coverage, and uneven geographical distribution, not correlated with communities’ specific needs. [...] Increase the coverage and quality of social services and complete the minimum inclusion income reform. Improve the functioning of social dialogue.”</p> <p>“<b>Social dialogue</b> is characterised by low collective agreement coverage, in particular at sectoral level, also due to the current definition of sectors. [...] Most social dialogue takes place formally, within the Economic and Social Council and the Social Dialogue Committees. However, [...] the stability and the role of these institutions has weakened over the last year.”<sup>47</sup></p>	<p>“The functioning of <b>social dialogue</b> remains limited, in particular at sector level, while a meaningful and continuous involvement of social partners is key for the success of any exit and recovery strategy in the light of the current crisis. Discussions on changes to the social dialogue law and the revision of economic sectors have stalled. The follow-up to the ILO’s recommendations issued in April 2018 is still uncertain.”<sup>48</sup></p>

Source: Table created based on the European Commission’s CSRs of 2019 and 2020.

<sup>43</sup> [Recommendation for a COUNCIL RECOMMENDATION](#) on the 2019 National Reform Programme of Bulgaria and delivering a Council opinion on the 2019 Convergence Programme of Bulgaria.

<sup>44</sup> [Recommendation for a COUNCIL RECOMMENDATION](#) on the 2020 National Reform Programme of Bulgaria and delivering a Council opinion on the 2020 Convergence Programme of Bulgaria.

<sup>45</sup> [Recommendation for a COUNCIL RECOMMENDATION](#) on the 2019 National Reform Programme of Greece and delivering a Council opinion on the 2019 Stability Programme of Greece.

<sup>46</sup> [Recommendation for a COUNCIL RECOMMENDATION](#) on the 2020 National Reform Programme of Greece and delivering a Council opinion on the 2020 Stability Programme of Greece.

<sup>47</sup> [Recommendation for a COUNCIL RECOMMENDATION](#) on the 2019 National Reform Programme of Romania and delivering a Council opinion on the 2019 Convergence Programme of Romania.

<sup>48</sup> [Recommendation for a COUNCIL RECOMMENDATION](#) on the 2020 National Reform Programme of Romania and delivering a Council opinion on the 2020 Convergence Programme of Romania.



## 2.2. Hindering factors according to Eurofound

The Eurofound report *Capacity building for effective social dialogue in the European Union* (2020), highlights different factors that currently hinder social dialogue at national level. The table below picks up some of the main

factors hindering social dialogue in Bulgaria, Greece and Romania, in terms of **structural gaps and barriers**. It should be noted that the Eurofound data applies not only to the social services sector, but broadly to all sectors. However, most of the elements can certainly be applied to social services, too.

Issue	Bulgaria	Greece	Romania
<b>Fragmented landscape of actors</b>	Described as a serious barrier to capacity building.	Described as a serious barrier to capacity building.	Described as a serious barrier to capacity building.
<b>Limited tripartism</b>		Tripartite social dialogue is scarce and limited. The multipartite social institution is rarely consulted by the government. Absence of tripartite social dialogue at sectoral level.	
<b>Lack of sectoral collective bargaining</b>	Either limited or no sectoral collective bargaining.	Lack of sectoral collective bargaining identified.	
<b>Low collective bargaining coverage</b>	Low or declining coverage.	Low or declining coverage.	Low collective agreement coverage, especially at sectoral level.
<b>Lack of social partner representativeness</b>	Procedure of determining the representativeness of social partners is too complicated.	No clear tools for assessing social partner representativeness.	Bargaining threshold is extremely difficult to achieve in practice.
<b>Dominant role of the state</b>	Dominant role of state in the public sector and in sectors with public-owned companies.		
<b>Representation gaps due to new forms of work &amp; changes in the labour force</b>		Lack of representation of workers with unstable and flexible forms of work.	

Source: Table created based on Eurofound information (2020)<sup>49</sup>

Based on the factors that hinder social dialogue systems in the EU Member States, Eurofound identifies the following **needs**:

- legislative reforms to promote social dialogue and collective bargaining;
- a more supportive role of the state;
- increased membership, representativeness and capacity, and mandate to negotiate;

- better human resources and development of skills;
- better financial resources.<sup>50</sup>

<sup>49</sup> Eurofound (2020), [Capacity building for effective social dialogue in the European Union](#), Publications Office of the European Union, Luxembourg.

<sup>50</sup> Ibid.

### 2.3. Current developments in DialogueS target countries

The capacity building initiatives in DialogueS has brought about some positive developments in several of the target countries.

In Romania, organisations representing social services providers are working together to create a Romanian “Social Platform”, bringing together the major NGO’s in Romania. Once created, this new organisation aims to have a strong lobbying position to represent the interests of the social services sector.

In Greece, a network of services for persons with disabilities was created, following two years of debates and planning. The ‘Greek Network of Services for Persons with Disabilities’, short ‘The Network’, aims to contribute

to the creation of a frame-work for social dialogue and exchange of views on scientific approaches and good practices, including the formulation of quality standards and evaluation criteria that are relevant for the services provided to persons with disabilities.<sup>51</sup>

Both national-level examples show that social services organisations begin to gather in these countries in order to have influence and work together on common issues to find solutions. These organisations need to be supported in their capacity building by the EU as well as EU social partners to create in the future a sectoral social dialogue that will improve working conditions and at the same time help them to provide quality social services.

---

<sup>51</sup> EASPD website article: [Establishment of the Greek Network of Services for Persons with Disabilities.](#)

### 3. Perspectives from employers in countries with strong social dialogue

For this report, several member organisations of the Federation of European Social Employers have been consulted on their views on the benefits of social dialogue for the social services sector. The Social Employers' members are employers' organisations in social services, active in the field of care and support for older persons, persons with disabilities, children and other excluded or disadvantaged persons. Members from the Netherlands, Finland, France and the Czech Republic were asked to fill in a questionnaire designed by the DialogueS project consortium. The questionnaire is annexed to the report.

#### 3.1. Organisation of social dialogue: cross-sectoral and sectoral

##### The Netherlands

On the **cross-sectoral level**, there are two organisations dealing with social dialogue: the *Sociaal-Economische Raad* (SER, Social and Economic Council) is a tripartite organisation which advises the government on social and economic trends.<sup>52</sup> The *Stichting van de Arbeid* (the Labour Foundation) deals with professional guidelines and interpretations of labour law.

On a **sectoral level**, in health care and social care, there are nine different general collective agreements (hospital care, mental health care, and others). The collective labour agreement applies to private organisations both for profit and not for profit.

The *Sociaal Overleg VVT* holds monthly meetings between employers' organisations and trade unions on tactical and operational

issues. This process is well organized and able to respond with flexibility to current events and developments, as it is rooting in a long tradition of social dialogue (since 1945). All trade unions are closely involved in the formation of the sectoral collective labour agreement.

The *AO fonds VVT* (sectoral fund for training and education) is jointly funded and directed by employers' organisations and trade unions.

##### Finland

On **cross-sectoral level**, according to the Finnish Constitution, legislative power is vested in Parliament, in conjunction with the President of the Republic. Legislative bills are drafted by the Government and prepared by the ministries. Draft bills come from the Ministry with responsibility for the matter in question. In different ministries, law drafting departments or civil servants do the drafting. Projects of wider general significance are prepared in Committees with representatives from the various organs of government, political parties and other interest groups. The civil servants or Committees invite interest groups, such as trade unions and employer organisations, to comment upon draft legislation in the social sector.

After a preliminary debate in the Parliament, the bill or motion is referred to a selected committee consisting of Members of the Parliament. The committee thoroughly considers the matter and hears experts, such as trade unions and employer organisations.

<sup>52</sup> <https://www.ser.nl/en>

On a **sectoral level**, centralised bargaining on the terms and conditions of employment means that a collective settlement is negotiated between labour market confederations representing employees<sup>53</sup>, on the one hand, and the Confederation of Finnish Enterprises EK, Local Government Employers KT, and the Office for the Government as Employer VTML, representing employers, on the other.

The labour market confederations are not concluding collective agreements. Instead, their members (trade unions and employer organisations) apply the items agreed in the centralised bargaining process in their respective collective agreements.

The Finnish Association of Private Care Providers HALI (member of the Federation of European Social Employers) negotiates national collective agreements for the social and health sectors and in childcare.<sup>54</sup> As a nationally representative partner of social dialogue, the collective agreements that HALI agrees with the relevant trade unions are declared generally binding, to be followed by all private employers in the social and health care sector in Finland.

## France

There are two levels of **cross-sectoral** social dialogue in France: The *interprofessional level* (with the organisations [MEDEF](#), [CPME](#), [U2P](#)) represents employers which are active in at least three sectors of activity and are considered to be the most powerful. These three

employers' organisations have a co-legislative role in social affairs. The government proposes them to bargain a collective agreement with trade unions at this level, before drafting a social legislation. If a collective agreement is signed, the government transposes the content into a draft law transferred to the Parliament for discussions, amendments, and adoption as a law.

The *multi-professional level* contains representative employers' organisations in less than three sectors. The most important organisation is the Union of Social Economy Employers (UDES). As a multi-professional employers' organisation, UDES defends the specific characteristics of the Social Economy employers in consultation forums at national and territorial level, but also with the inter-professional social partners in the context of already mentioned negotiations.<sup>55</sup>

On a **sectoral** basis, all the important sectors of activity have a space for negotiations of working conditions. Both employers and employee organisations must be recognised by the labour administration as representative at their sectoral level, following precise criteria. As such, they are entitled to negotiate national agreements which can be made binding for all employers (being member of an employer's organisation or not). These national agreements are often completed by company level agreements on subjects such as working

<sup>53</sup> The Central Organisation of Finnish Trade Unions SAK, the Finnish Confederation of Salaried Employees STTK, and the Confederation of Unions for Professional and Managerial Staff in Finland Akava.

<sup>54</sup> HALI looks after its members' common interests and provides advice on employment and business policy issues. The 1,500 members employ more than 85,000 professionals in the social and health sectors and in early childhood education. URL: <https://www.hyvinvointiala.fi/>

<sup>55</sup> Most of the French social services employers' organisation are member of UDES. UDES negotiates framework agreements on [Gender equality](#), [Disability at work](#), [Youth access to the labour market](#), [Equality and discrimination's prevention](#), [Career paths and Psychosocial risks prevention](#), [including stress at work](#).

time and working conditions, especially when the number of employees is over fifty.

French social services are delivered by several types of structures. They can be public, private for profit or, for a large majority of them, private not-for-profit. Several national collective agreements structure social dialogue in social services. The main organisations are Nexem<sup>56</sup>, Fehap<sup>57</sup>, Elisfa<sup>58</sup>, CNEA<sup>59</sup>.

Some of these organisations have decided to create a common frame of negotiated working conditions and gathered in a confederation aiming at creating a common collective agreement for the healthcare and social services sector. The domestic aid branch gathers four employers' organisations which constitute together *USB-Domicile* which allows to negotiate a common collective agreement.<sup>60</sup>

In the for-profit sector, the employers' organisations include [Synerpa](#) and [Fesp](#).

All these employer's organisations negotiate with sectoral trade unions, recognised by the Administration as representative in each sector.<sup>61</sup> The abovementioned structures have negotiated a well-developed frame of collective agreements covering all the scope of working conditions, including wages, and represent their own sector of activity. Most of the agreements are quite old. An update is

difficult to achieve because of a lack of consensus between employers and employees' organisations, but also between employees' organisations on the interest or opportunity to do so. However, some workers' organisations support the idea of a general update of the agreements to better fit to today's realities and to create better career paths.

### Czech Republic

The recognised cross-sectoral social partners are the *Council of Economic and Social Agreement* (Rada pro hospodářskou a sociální dohodu, RHSD), which discusses initiatives brought forward by trade unions, employers and the Czech government and conducts tripartite negotiations with a view to reaching consensus on economic and social issues. The following topics are defined as being of common interest: economic policy, labour relations, collective bargaining and employment, social issues, wages and salaries, the public sector, occupational safety, integration of the Czech Republic into the European Union (with special attention to the role of social dialogue).

The statutes of the RHSD contain a definition of recognised social partners: Trade Unions must represent a minimum 150.000 members; Employers must represent organisation

<sup>56</sup> Nexem is born from the merge of two employers organisations (Syneas and Fegapei) and is a member of the Federation of European Social Employers. The more than 10.000 services that are members of Nexem employ 304.996 employees. See <https://bit.ly/322RmYT>

<sup>57</sup> Fehap is the Federation of not-for-profit hospitals and social care. Approximately half of the activity of Fehap members concern services for disabled, older people and domestic aid. Fehap unites 4.685 services who employ 244.667 employees. See [https://www.fehap.fr/jcms/la-federation-hbe\\_5022](https://www.fehap.fr/jcms/la-federation-hbe_5022)

<sup>58</sup> Elisfa, member of the Social Employers, represents the social and family branch employers. It gathers social and socio-cultural centres, local

social development associations and care associations for young children. Centres for young children represent 2/3 of the branch's structures. The 1660 members of Elisfa employ 37.652 employees (full time basis) (according the ministry's survey in 2017). See <https://www.elisfa.fr/>

<sup>59</sup> CNEA negotiates four national collective agreements in social activities. CNEA is a member of the Social Employers See <https://www.cnea-syn.org/>

<sup>60</sup> These four organisations are [UNA](#), [Adessadomicile](#), [Fnaapf/CSF](#) and [UNADMR](#). The 3.519 members employ 166.048 employees (full time basis).

<sup>61</sup> Generally all, or some of the following: [CFDT](#), [CGT](#), [FO](#), [CFTC](#), [CFE-CGC](#), [SUD](#).

with a minimum of 400.000 employees. The statutes also contain the names of recognised social partners.<sup>62</sup> The RHSD meets every two months to discuss all relevant law proposals, strategic documents on governmental level and reports on economic growth, etc.

On sectoral level, the *Council of Economic and Social Agreement* (Tripartite) appoints working teams for particular areas, for instance health care, education, economics, cultural, pension systems, EU matters, NGO's, work migration, work safety and employment, agricultural and environment. There are 18 working teams, with offices at the respective ministries and usually the minister or the deputy minister is present.<sup>63</sup> Every document and topic on the agenda discussed at the *Council for Economic and Social Agreement* must be discussed beforehand in the working team. The working teams are assigned according to the topics of the meeting.

The recognised social partners in social services are the Trade Union in Health and Social Care (OSZ) and the Union of the Employers' Associations (UZS).

### 3.2. Major trends regarding the participation of social services in social dialogue

#### The Netherlands

Membership in trade unions is no longer self-evident for young people. As a result, union members aged 50 and over are overrepresented. The aging of the membership of the trade unions is affecting the trade union representativeness, in particular with regard to

<sup>62</sup> For the employers' delegation the recognised social partners are: *Svaz průmyslu a dopravy* (Union of Trade and Transportation), *Konfederace zaměstnavatelských a podnikatelských svazů* (Confederation of Employers' and Business Associations).

For trade unions the recognised social partners are: *Českomoravská konfederace odborových*

subjects such as retirement age, pensions and work/life balance. In addition, the number of employees who are self-employed in health and social care is increasing rapidly. That affects the authority of the social dialogue.

#### Finland

In the legislative and regulatory processes, engaging experts in labour matters from trade unions and employer organisations, in order to achieve unanimous proposals can be seen as a trend. Also, wider democratic discussion and decision-making are appreciated and sought through publicity and using the internet. In the collective agreement bargaining process, the parties at hand negotiate and agree on the terms and conditions of employment. At the moment, the privately produced but publicly regulated social service sector faces significant economic pressure due to ageing and urbanisation.

#### France

The French government and administration have a strong will to reduce the number of organisations and strongly ask for merges and further cooperation between them. This led to the creation of "OPCO" (opérateurs de compétence), which are training funds that also provide support and advice on skills and qualifications development. Most of the social services organisation now have two training funds, which should merge in the short term.

#### Czech Republic

All the relevant partners and representatives are involved in the social dialogue, where key issues and problems are discussed. The social

*svazů* (Czech-Moravian Confederation of Trade Unions) and *Asociace samostatných odborů* (Association of independent trade unions).

<sup>63</sup> The structure of those working teams is 9 members (3 from each delegation) and 9 standing guests without voting rights.

dialogue has been more intensive in the last years, with meetings being held five to six times per year. The main issues of discussion are funding and remuneration of social services, and changes in system and law amendments. The social partners are well respected by the Ministry of Labor and Social Affairs.

### 3.3. The benefits of social dialogue, success stories and main outputs

#### The Netherlands

A good dialogue keeps parties balanced. A good consultation structure ensures that social partners have an eye for each other's legitimate interests. As a result, the number of strikes and work interruptions in the Netherlands remains very low. The recent agreement on pensions may be considered a success story.<sup>64</sup> The main outputs of sectoral social dialogue in the Netherlands are collective agreements and funding of education and training.

#### Finland

The benefit of the Finnish social dialogue, based on generally binding collective agreements, is mainly equality, and the ability to negotiate on practical solutions for challenges at hand. This is sometimes faster and more accurate or effective than amending legislation would be.

The main output of Finnish social dialogue is the generally binding collective agreement, and the ongoing negotiations between the social partners on how to apply it in individual employment contracts. Naturally, this mostly means making compromises, while opinions of trade unions and employer organisations differ often significantly.

#### France

Apart from a large frame of texts improving working conditions, since years, social dialogue has allowed to create training funds helping the development of training, qualifications and skills in the sector. It has also allowed the pooling of health risk insurance.

Many HR tools, aiming at reducing absence and improving health at work, have also been created by social partners. Another plus are the observatories managed by social partner, which provide data on workforce and working conditions. They often manage projects of general interest (e.g., on gender equality, occupational health and safety).

Some common discussions with the health care sector have led to agreements, for example on part-time work. The social partners of the social and healthcare services are working together in the framework of a confederation to go further and create a new common collective agreement for a large part of the not-for-profit health and social care sector.

#### Czech Republic

The social partners succeeded in the past on a wide range of topics. They have achieved mainly changes of the Social Act, but also in funding-related issues. In 2017, the social partners asked for a wage increase for caregivers in the public and private sector and for extra funding due to this increase. After some months of negotiations, the social partners succeeded and there was a one-time raise in the basis wages of 33%. The government also released the necessary funding for social services providers as a compensation for the employers in social services.

In 2016, there was a joint project of employers and trade unions in social services to

<sup>64</sup> <https://www.ipe.com/dutch-social-partners-and-government-reach-agreement-on-retirement-age/10031526.article>

create a sample collective agreement. In 2018, the Trade Union of health and social care proposed a Collective Agreement of higher level for social services, leading to negotiations and several meetings over the course of a year. The social partners came to an agreement, expect for the part of remuneration. The reason for that is the funding system in the Czech Republic, which does not guarantee the same funding for all providers. Social partners are now waiting for a funding reform in social services that should come into force in 2021.

### 3.4. Current challenges for sectoral social dialogue in social services

#### The Netherlands

The collective labour agreement ensures stable wage development. Regarding the wages of the self-employed however, there is both an upward (race to the top) and a downward (race to the bottom) spiral. This development is destabilising the social dialogue.

#### Finland

One of the main challenges is that social services are mostly financed by the state/municipalities/public sector and there is not enough public money to fulfil different needs. The lack of personnel is also a major problem, with a growing elderly population. Significant economic pressure combined with the ageing of both population and work force in the social services, and urbanisation leaves many municipalities with fewer and fewer taxpayers and employees, which causes challenges for delivering social services, and therefore also complicates collective agreement negotiations.

The negotiations sometimes face difficulties due to the generally binding nature of the representative collective agreements. HALI as an employers' association represents its member employers. The trade unions

represent their members who are employed with the members of HALI but also the workers who are not employed with the members of HALI. This does not motivate the trade unions in agreeing on innovative, new, flexible terms of collective agreements which would allow the employers and employees to locally agree on the terms of the employment. The trade unions feel they cannot rely on unorganised employers' fairness and keep the bargaining process in their own hands rather than allow place of employment-level or employer-level local agreements.

#### France

The major challenge is austerity measures and more precisely the lack of progression of the funding despite the inflation and the increasing needs. This prevents any salary increases and has led to major strikes and demonstrations, especially in elderly care in 2018 and 2019. It also had a negative effect on the sector's image, having the reputation of being badly paid with poor working conditions, which as such creates staff shortages. Social dialogue can help to find solutions to retain and attract workforce in a context of services transformation to meet users' needs better.

#### Czech Republic

The biggest challenge is the funding reform in social services. Further on there will be a key change of the Social Services Act that should come into force in 2021. This should change the competences of the actors in the social services system. Every year since 2008 (with the exception of 2018), social partners have been facing insufficient funding for social services providers. Within the budget year, social partners are putting pressure on the ministries (Ministry for Labour and Social Affairs, Ministry for Finance) and request that the government and the parliament provide additional financial resources to social services, which in the end happens. This reoccurring



situation leaves the employers every year in uncertainty and disenables them to plan and develop the social services structures.

### 3.5. The role of sectoral social dialogue at EU level

#### The Netherlands

The role of sectoral social dialogue at EU level should mainly be to strengthen the social dialogue and ensure that the collective labour agreement is respected, also by (local) governments. EU social dialogue can also be a chance to increase the possibilities for inter-EU labour migration in social care.

#### Finland

The main benefit of EU social dialogue is having influence in matters concerning the social services sector in the EU. But this should happen in a form that does not impose more regulation from the EU-level, that add costs to employers in EU Member States. There should not be binding collective agreements on EU-level, because they already exist on the national level in Finland. Raising awareness and sharing experience of different national processes and the different qualities of them is another benefit of EU-level social dialogue.

#### France

The role of sectoral social dialogue at EU level:

- be consulted on EU legislative projects (directives, etc.) and policies concerning social affairs;
- have the possibility to comment on the usage and trends with the EU funds;
- Together with EU social partners, to open discussions, bring them to the EU bodies, and make some of them the basis for national social partners discussions;
- share good and innovative practices and solutions of social partners throughout Europe;
- be part of a network and build future partnerships and cooperation;

- develop a common basis and understanding on social services work skills, ethics, careers throughout Europe.

#### Czech Republic

The role of sectoral social dialogue at EU level is to have a say in the EU legislations such as directives, regulations and recommendations. It also helps to open discussions on important current topics and raise them with the EU Institutions, and to share promising practices.

### 3.6. Main recommendations for developing sectoral social dialogue in social services

#### The Netherlands

“You will go faster on your own, but you will only make progress together”: In the long run, social dialogue ensures productivity and employee satisfaction, so even if the process of creating sectoral social dialogue is difficult, it will be worthwhile.

#### Finland

Trade unions and employer organisations need co-operation and make compromises with each other. They also need to base their negotiating objectives on facts and research rather than populism or extreme political ideologies.

#### France

Employers organisations and trade unions need to make sure they are well organised in their cooperation as social partners, can be considered as representative but also have human resources and experts to represent and defend the social services employers' interests at national level. They should demand to be recognised as sectoral social partner by their respective governments, or join existing relevant structures, either sectoral or cross sector, to be able to enter the social dialogue.

Employers organisations should start to communicate and establish contacts with their trade union counterparts and begin a constructive dialogue. They should also join a European employer's organisation to help

capacity building, build their networks and share ideas.

### Czech Republic

Social partners need to have the representative power, but also enough resources to represent and defend their interests. Sectoral

social partners should make demands to be recognised as such, or if this is not possible, they should affiliate to already existing and relevant structures in either the social sector or a cross-sectoral social partner and join them.

## 4. Conclusions

This report outlines the importance of social dialogue for the social services sector, by providing information on the state of play of social dialogue in social services and the main hindering factors. To showcase the advantages of social dialogue for the sector, including examples and recommendations, members of the Social Employers in countries with well-established social dialogue were consulted on their views through a survey.

The surveyed employers' organisations commented on the main benefits of national and EU-level social dialogue, all mentioning as the main advantage to work together towards progress and find common solutions to the challenges at hand. For the EU level, one of the main motives to get involved was **having more influence in matters concerning the social services sector in the EU**, including being consulted on EU policies. Secondly, **raising awareness, sharing experiences and good and innovative practices and the possibility for discussions with European Trade Unions**, bringing common topics and demands to the European Institutions.

When it comes to the main recommendations, the employers point to the **importance**

**of representativeness and recognition**, this includes building up a strong network, demanding their respective governments to be recognised as social partners, and/or seeking affiliation with already established structures, both sectoral and cross-sectoral. Human resources were also described as a crucial factor for the development of national-level sectoral social dialogue. This includes dedicated staff and expert, to represent and defend the social services employers' interests. Joining the respective European employers' organisations and trade unions is another way for national social partners to better defend their interests.

The DialogueS project supported the development of national and EU-level sectoral social dialogue for social services. In the short term, continued capacity building for social dialogue in social services is needed to ensure social partners have a say in decisions-making and policies affecting their sector.

*The Federation of European Social Employers represents the voice of employers in the field of social services at European level. The Social Employers understand social services to comprise all care and support services, especially for older persons, persons with disabilities, children, and other excluded or disadvantaged persons.*

*The Federation's objectives are to strengthen the position of employers in social services at European and national level, establish common positions between members, and negotiate with European Trade Union Associations, representing workers in social services. By doing so, the Social Employers contribute to quality service provision and quality jobs.*

## ANNEX

### ANNEX I: Questionnaire answered by Partners

## Benefits of Social Dialogue for the Social Services Sector

### Country Profiles

The information gathered through this questionnaire will serve as input for a report on the benefits of social dialogue in social services. This report is part of the deliverables of DialogueS, a project that aims to build capacities for effective national and EU-level social dialogue in social services, with a focus on central, Eastern and Southern Europe. More information is available here <http://socialem-employers.eu/en/projects/dialogues/>

The report on the benefits of social dialogue will help to outline advantages, success stories, and the different structures for social dialogue across Europe and will serve as a source of good practice examples for national meetings in Hungary, Romania, Bulgaria, Portugal and Greece.

For this report, social dialogue is defined as negotiations, consultations or exchange of information between, or among, representatives of employers and workers, on issues of common interest relating to economic and social policy.

Cross-sectoral social dialogue is defined as a dialogue between employers and workers on broader issues which affect all employers and all workers and are not (always) linked to issues affecting any particular sector.

Sectoral social dialogue is defined as a dialogue between employers and workers from specific sectors in view of negotiating on sector-specific topics of interest.

Please answer the questions below as detailed as possible.

	Question	Answer
1	How is social dialogue organised in your country: - On a cross-sectoral basis? - On a sectoral basis?	
2	Are there sectoral social dialogue structures for social services (childcare, services for persons with disabilities, services for older persons, etc)?	
3	If so, how are such structures developed today?	
4	What major trends are there with regard to the participation of social services in social dialogue structures?	

5	What have been the benefits of social dialogue in the field of social services? What are the success stories?	
6	What have been the main outputs of sectoral social dialogue for social services in your country? (collective agreements, etc.)	
7	What are the current challenges/threats to sectoral social dialogue for social services in your country?	
8	What role do you see for sectoral social dialogue at EU level? What would you aim to achieve?	
9	What main recommendations would you give to those who wish to develop sectoral social dialogue structures for social services in countries where it does not exist?	