



# Capacity building for social dialogue at sectoral and company level

Slovakia

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This report is available in electronic format only.

## Introduction

This report analyses the capacities of social partners for social dialogue in Slovakia. The survey is a part of an international comparative project managed by the European Foundation for the Improvement of Living and Working Conditions in Dublin. The project is aimed at helping the social partners in new EU Member States as well as in candidate countries (Croatia, Turkey) in building their social dialogue capacities. Unlike the previous project/report, which dealt with capacities of central employers and trade unions organisations, the capacities for social dialogue are analysed at sectoral and company level, concentrating on an assessment of available capacities for sectoral and company level social dialogue.

To maintain the continuity and allow comparison with the outcomes of the preceding project, this survey included only those sectoral employers and trade unions organisations which are members of central organisations of employers and trade unions participating in tripartite social dialogue in Slovakia.

Therefore the national report provides information on organisational, financial and personal capacities of sectoral and/or branch organisations of trade unions and employers, which are members of the Confederation of Trade Unions (Konfederácia odborových zväzov Slovenskej republiky, KOZ SR), National Union of Employers (Republiková únia zamestnávateľov Slovenskej republiky, RUZ SR) and Federation of Employers Association (Asociácia zamestnávateľských zväzov a združení Slovenskej republiky, AZZZ SR). The survey was done through interviews with representatives of these national central organisations. Interviewed persons provided factual information as well as their personal view regarding the actual situation at sectoral and company level as well. The Foundation provided standardised questionnaires for the interviews.

The information used in this report reflects the personal opinion of the interviewee (details in Annex 1). Information gained through interviews represents an overall view on the actual situation and general practice. It does not include specific data for providing a detailed description of the situation in respective sectors and/or branches. Analysed sectors and branches were divided into subgroups representing the actual situation in the following spheres:

- Industrial sectors
- Private service sectors
- Public sector authorities and institutions
- Agricultural sector
- Others.

The author of the report acknowledges the effective cooperation and support of the interviewed representatives of trade unions and employers.

## Social dialogue at sectoral level

### Organisational capacities

#### *Employers' organisations*

Employers are associated on sectoral level in two national central organisations RUZ SR and AZZZ SR (details about these organisations are available in the previous national report on building capacities for social dialogue on the national level elaborated in 2005).

## Capacity building for social dialogue at sectoral and company level

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**RUZ SR** unites 15 sectoral employers organisations. In addition eight individual companies are RUZ SR members too (four from industrial sectors and four from private service sector). All of sectoral associations are recognised as nationally representative employers organisations.

In **AZZZ SR** there are 12 sectoral employers organisations associated. All of them are recognised as nationally representative employers organisations. No individual company is a member of AZZZ SR.

### *Trade unions*

Employees are generally represented by the trade unions associated in KOZ SR (details about KOZ SR are available in the previous national report on building capacities for social dialogue on the national level elaborated in 2005

**KOZ SR** unites 35 sectoral trade union organisations. All of them are recognised as nationally representative trade union organisations.

Table 1: *Organisational structure of sectoral employers and trade unions organisations*

Sector	Number of sectoral employers organisation associated in		Number of sectoral trade union organisations associated in KOZ SR
	RUZ SR	AZZZ SR	
Industrial sector	9*	7	1
Private service sector	6	3	5
Public sector	-	1	16
Agriculture sector	-	1	1
Others	-	-	-
<b>Total</b>	<b>15</b>	<b>12</b>	<b>35</b>

Notes:

Industrial sector also includes construction.

Public sector includes state and local public authorities as well as public organisations and institutions providing services too.

Private service sector includes mixed employers' associations of entrepreneurs and of tradesmen, which partly operate also in production sector.

\* Including 4 sectoral associations, which are members also of the Federation of Industrial Associations of the Slovak Republic, which is a RUZ SR member. It includes the Entrepreneur Association of Slovakia where members operate in service sector.

Division of trade unions and employers organisations into the above sector groups is not completely clear-cut because some sectoral organisations include branches with mixed private and public ownership. In this case, the allocation was done according to the current ownership, e.g. TUs of Post and telecommunications (though Slovak Telekom is a private company), of Transport, of Services and of Communications are included in the public sector. By contrast, sectoral TUs of Public Road Transport are included in private services.

Table 2: *Membership covered by sectoral organisations (2005)*

Sector	Number of companies/employees* covered by		Number of employees organised in sectoral trade unions associated in KOZ SR
	RUZ SR	AZZZ SR	
Industrial sector	n.a./127,00	472/90,000	195,395
Private service sector	n.a./130,000	6,796/31,000**	34,597
Public sector	-	85/56,000	222,414
Agriculture sector	-	456/42,000	6,104
Others	-	-	-
<b>Total</b>	<b>n.a./257,000</b>	<b>7,809/219,000</b>	<b>458,510</b>

Notes:

\* Due to lack of data, figures are calculated/estimated from document of RUZ SR and AZZZ SR on their representativeness in tripartite RHSP (31 January 2005 data). Considering the focus of this study, individual companies associated in RUZ SR are not included.

\*\*Includes 3,235 private doctors' ambulances and 7,830 employees working there.

Membership in sectoral trade unions affiliated in KOZ SR has been continuously decreasing since 2000 – in average and in all surveyed areas/sectors – industry, services, public sector and agriculture. The same trend affects the number of companies covered by the AZZZ SR – due to the split in 2004. The opposite trend is in RUZ SR, which was established in 2004, and several members of AZZZ SR transferred to the RUZ SR.

All sectoral employers and trade unions organisations affiliated in RUZ SR (apart from individual companies), AZZZ SR and KOZ SR are recognised as nationally representative organisations and have a mandate to negotiate sectoral collective agreements. According to the representatives of the above central organisations, the number of enterprises covered by sectoral collective agreements could fluctuate between 20-50%. The number of sectoral collective agreements signed in 2005 is shown in Table 3.

Table 3: *Sectoral collective agreements signed in respective sectors*

Sector	Number of sectoral collective agreements signed by organisations associated in		Number of sectoral collective agreements signed by organisations associated in KOZ SR
	RUZ SR	AZZZ SR	
Industrial sector	14	19	32
Private service sector	1 + 1*	1	1
Public sector	-	4	7
Agriculture sector	-	2	2
Others	-	-	-
<b>Total</b>	<b>16</b>	<b>26</b>	<b>42</b>

Note: Data taken from the registry of the Ministry of Labour, Social Affairs and Family on sectoral collective agreements, including their attachments, signed by social partners in 2005. Half of the 42 registered agreements were new sectoral collective agreements.

\* Collective agreement was signed by the employer organisation, which is not a member of sectoral association.

The quality of sectoral bargaining processes is assessed by representatives of surveyed central bodies of social partners equally as 'quite good'. According to the employers, collective bargaining reflects the actual situation in the Slovak labour market, which is characterised by high unemployment. According to the trade union representatives, sectoral trade unions are losing their partners for collective bargaining because some employers are leaving the sectoral employers' organisations or withdraw the competency for collective bargaining to avoid the sectoral level negotiations.

Interviewed persons assessed the overall organisational capacities of sectoral employers and trade unions organisations for collective bargaining as 'moderate'. However, interviewees assess the situation differently in surveyed sectors. Table 4 shows their opinion in this matter.

Table 4: *Assessment of organisational capacities for sectoral collective bargaining according to the surveyed sectors*

Sector	Opinion of social partners		
	RUZ SR	AZZZ SR	KOZ SR
Industrial sector	<b>Good</b> <i>better manoeuvring space for negotiations</i>	<b>Good</b> <i>long tradition</i>	<b>Good</b> <i>better financial and personal resources</i>
Private service sector	<b>Moderate</b> <i>worse conditions for wage bargaining</i>	<b>Poor</b> <i>almost no bargaining</i>	<b>Moderate</b>
Public sector	<i>Not assessed - there are no members</i>	<b>Moderate</b> <i>unambiguous bargaining position</i>	<b>Good</b> <i>relatively high membership</i>
Agriculture	<i>Not assessed - there are no members</i>	<b>Poor</b> <i>little bargaining takes place</i>	<b>Moderate</b> <i>decreasing membership</i>

Regarding the encouraging experiences with sectoral collective bargaining, all interviewed social partners representatives identified the industrial sector as the best one. KOZ SR also identified the public sector experiences as encouraging.

As far as the future perspective of sectoral collective bargaining is concerned, responses of social partners differ. According to the trade unionists' opinion sectoral collective bargaining is declining and will continue to decline over the next three years. By contrast, the employers' opinion is, surprisingly, more optimistic and they expect that the role of sectoral collective bargaining will increase in the next three years.

### **Financial capacities**

With reference to the financial resources of sectoral employers and trade unions organisations, membership fees are considered as the main source for collecting money. Apart from that there are some possibilities of securing additional resources - usually from donors and sponsors providing financial as well as non-financial resources (at organisations affiliated to RUZ SR), from business activities based on property ownership (at sectoral trade union organisations and to a lesser extent from education activities and training courses (at AZZZ SR member organisations).

Sectoral trade unions receive financial resources from their members amounting to 10%-40% of the total resources collected by member organisations in companies (in amount of 1% of net monthly wage of each member of the local trade union).

According to the interviewed social partners representatives, the financial resources available for running sectoral collective bargaining are different in their member organisations(see Table 5).

Table 5: *Assessment of available financial resources*

Financial resources available for	Opinion of social partners		
	RUZ SR	AZZZ SR	KOZ SR
Collective bargaining	Moderate lack of resources	Great lack of resources	Moderate lack of resources
Providing legal or any other assistance	Enough financial resources	Great lack of resources	Moderate lack of resources*

\* Legal assistance is free of charge for trade union members.

As Table 5 shows, the situation regarding financial resources varies across the social partners as well as does spending. Representatives of employers associated in RUZ SR and trade unions associated in KOZ SR assessed the available financial resources as 'moderate lack'. The interviewed representative of AZZZ SR was more critical and he assessed the actual situation as 'great lack of resources' (this could be caused, e.g. by decreasing membership after the split of AZZZ SR in 2004).

As far as the situation across sectoral employers and trade union organisations is concerned, there are major differences. Differences in available financial resources are usually caused by the membership and type of sector. There are traditionally 'richer' sectors with high average wages (trade unions membership fee is 1% of net wages) and also relatively high membership, e.g. in energy sector, metal industry, chemical industry. In the social partners representatives opinion, some differences are caused also by existing traditions in sectoral collective bargaining.

### Personnel capacities

Activities of the sectoral or branch employers and trade unions organisations are managed by their paid staff. Almost all surveyed sectoral employers as well as trade union organisations have available personnel capacities – however, the number of paid staff varies. Table 6 shows the actual personnel capacities in sectoral social partner organisations.

Table 6: *Personnel capacities of sectoral employers and trade union organisations according to the sectors*

Sectoral organisations in	Paid staff in sectoral organisations associated in		
	RUZ SR	AZZZ SR	KOZ SR
Industrial sector	33	22	145
Private service sector	17	13-14	26
Public sector	<i>Not relevant</i>	2	164
Agriculture	<i>Not relevant</i>	4-5	5
<b>Total</b>	<b>50</b>	<b>41-43</b>	<b>340</b>
<b>Of which women</b>	<b>50%</b>	<b>50%</b>	<b>30%</b>

Note: Due to the lack of official data the number of paid employees working in sectoral organisations was estimated by the interviewed representatives of social partners organisations. In the case of the trade unions, paid staff was calculated from summary data available at the KOZ SR.

According to the interviewed social partners representatives, the personnel capacities available for running collective bargaining on behalf of their sectoral member organisations are considered as more or less sufficient. The situation is better at the trade union organisations where available personnel capacities for collective bargaining were assessed as 'enough resources' in big sectoral unions. However, in smaller ones it was assessed as 'moderate lack of resources'. At the employer organisations side, available personnel capacities are considered as less sufficient – 'moderate lack of resources'. It was a general view on available personnel capacities. As far as properly skilled staff for running sectoral

collective bargaining is concerned, the situation was assessed in a very similar way. At employers as well as trade union organisation the overall available skilled personnel capacities for sectoral collective bargaining was assessed as 'moderate lack of resources' – on the employers' side it was caused by general tendency among employers to economise as far as possible; on the trade union side it was caused by bigger staff deficiencies in some sectoral organisation (reduced financial resources are due to a drop in membership decrease).

### Social dialogue at company level

#### Employee representation

Employee representation in enterprises in Slovakia is mostly by local trade union organisations. There are rarely several trade union organisations in the same company. Employee representation by a shop steward alone is unusual. Of course there are shop stewards in big and structured enterprises with local trade union organisations, but they are always members of the local trade union organisation. In the KOZ SR representatives' opinion, local trade union organisations are present in around 30%-40% enterprises in Slovakia. In the employers organisation representatives opinion it may vary from 10%-50% (at AZZZ SR) and could be between 20%-50%, (at RUZ SR). Act No. 83/1990 on the right of citizens to associate, as amended, regulates the establishment of trade union organisations. As a rule, a necessary precondition for setting up a local trade union organisation in a company is the minimum number of workers (at least three employees), and an election (of the chair and the committee) has to be organised in the company. Employees in enterprises should have a written employment contract.

#### Company collective agreements

Company collective agreements in Slovakia are common: however, their occurrence may differ according to the size of the company as well as across the sectors.

According to the legislation, company collective bargaining should take into account the provisions of sectoral collective agreements (if there is any) signed for given time period (usually for 2-3 years) while wage agreements are usually attached to sectoral agreements annually. If the company collective agreement breaches provisions of the sectoral collective agreement it is considered invalid. According to the interviewed representatives of employers and trade unions, experts of sectoral employers as well as trade union organisations 'always or very often' participate in company collective bargaining (mostly supported by advice).

#### Financial capacities

Financial capacities of local level trade union organisations are based on membership fees, which is (for all trade union organisations in Slovakia) 1% of net wage/salary of the employees concerned. On average around 70-80% of the collected financial resources remains with the local trade union organisations in companies (fixed 3.8% of the collected resources is used by the central organisation KOZ SR).

#### Personnel capacities

Personnel capacities available for local trade unions' activities, including local level collective bargaining vary. In some big companies, there are full-time paid trade unionists in place, usually the chairs. In smaller companies the time for trade unionists to carry out trade unions duties is limited.

According to the currently valid Labour Code:

- The activities of the employees' representatives which are in direct relation to the performance of employer tasks are considered as work for which the employee shall be entitled to a wage,

- The employer allows time-off from work to the employees' representatives for performance of their duties or for their participation in educational activities,
- The employer, according to its operational possibilities, provides the employees' representatives with facilities and technical equipment free of charge,
- Employees' representatives cannot be discriminated against by the employer in carrying out their representative duties,
- Employees' representatives, during their term of office and for six months after its expiration, are protected against measures which can damage them, including the termination of their employment contract,
- The employer can terminate the employment contract with the employees' representatives only with the prior consent of his or her trade union organisation. In case of disagreement, the employer as well as trade union organisation can ask the court to decide the matter.

The employee representatives (trade unionists as well as members of the works council) are obliged to maintain secrecy as regards facts and events of a confidential nature they learn in the course of their duties .

All interviewed representatives of employers and trade unions say the role of collective bargaining in enterprises will 'increase' in the next three years. This trend will be influenced by the employees' increasing awareness of the key role of social dialogue and negotiations in determining wages and working conditions in companies.

### **Dispute resolution**

Regarding labour conflicts in enterprises, there is a well functioning and developed mechanism available to settle the conflicts effectively. However, all interviewed representatives of social partners suggest that the existing mechanism should be further developed.

The most common conflicts at the workplaces concern:

- Wages and dismissals (KOZ SR reps' view)
- Dismissals and working conditions (RUZ SR reps' view)
- Wages and working conditions (AZZZ SR reps' view)

### **Works councils**

As far as the role of works councils and their presence in companies is concerned, interviewed representatives of social partners have no reliable information in this matter. In the trade union representatives opinion, no works councils exist in companies where trade union organisation/s operate. Therefore, no information is available on the relationships between trade union organisations and works councils in companies.

According to employers representatives, there are very few works councils in enterprises because there is no special need for them. Where works councils exist they are most likely in SMEs. All interviewed representatives mean the role of works councils in companies will 'remain the same' in the next three years.

### **EU Directive on Information and Consultation**

Regarding the implementation of the *EU Directive on Information and Consultation* at the workplaces, the interviewed social partner representatives presented similar views. According to them, the adoption of the Directive in Slovakia was 'very easy' or 'quite easy' through provisions of the new Labour Code. However, its implementation in practice in companies is not so easy, they stated. As far as the future perspectives concerned, in the employers representatives

opinion the implementation of the Directive will increase information and consultation in workplaces 'not so much' or 'very little'. On the other hand trade union representatives assess the future perspective more optimistically; the implementation of the Directive would increase the information and consultation in workplaces 'quite a lot', on condition of its stricter implementation.

### Future development

Interviewed representatives of social partners were very reserved on providing ideas on future developments. (The RUZ SR representative did not provide any view on perspectives and potential development areas.)

According to the AZZZ SR representative, the most important factor influencing social dialogue at sectoral as well as at company level is the overall political climate in the country. It is formed by current governmental attitude to the social dialogue. Organisational, financial as well as personnel capacities for social dialogue are impacted by this, too.

KOZ SR representatives provided more detail and structured view on the future developments. Trade unionists consider the most important precondition for future development of social dialogue to be the willingness of the employers to communicate and negotiate with employees' representatives. At sectoral level the unionists would like to develop their organisational capacities in order to institutionalise bipartite social dialogue. They consider the willingness of employers to let trade unions to operate in their enterprises to be the most important precondition for the development of social dialogue at company level. However, this should be followed by consequent implementation of the Labour Code, Act on collective bargaining and other labour legislation.

As far as the personnel capacities and skill development is concerned, trade unionists propose to improve the training of social partner representatives at both sectoral as well as company level. The aim is to have skilled representatives for social dialogue in new enterprises, mostly established by foreign investors.

Regarding financial capacities, unionists propose:

- At sectoral level to improve the employers' participation (e.g. organisational, technical, educational) in sectoral collective bargaining
- At company level to look for ways of involving also non- unionised employees into support of collective bargaining.

In order to develop social partners' capacities the trade unionists also propose:

- At sectoral level, to integrate often fragmented trade union organisations representing the same sector or branch (e.g. in branches where two or three trade unions represent the employees)
- At company level, KOZ SR proposes to change current legislation in order to allow the conclusion of company collective agreements also in cases where local level trade unions do not agree unanimously with the proposed collective agreement. In such a case, a majority of representative/s trade union/s would be entitled to conclude the collective agreement.

Ludovít Cziria, Institute for Labour and Family Research, Bratislava.

## Annex

### Interviewed representatives of social partners

Mr Vladimír Mojš – Vice-President of the Confederation of Trade Unions of the Slovak Republic (KOZ SR) for Economic Policy and Social Partnership

Mr Juraj Džupa – Advisor of the KOZ SR in Social matters.

Mr František Bruckmayer – Director General of the Federation of Employers Associations of the Slovak Republic (AZZZ SR).

Mr Peter Molnár – Manager for legislation of the National Union of Employers of Slovakia (RUZ SR).

*Note: Details, including contacts to the above persons are included in respective questionnaires filled in via interviews, which have been submitted to the Foundation separately.*

### List of sectoral and branch social partners

*Sectoral and branch trade unions associated in KOZ SR in*

#### Industrial sector

- Odborový zväz KOVO (the Metal Trade Union)
- Odborový zväz pracovníkov drevospracujúceho priemyslu, lesného a vodného hospodárstva na Slovensku (Trade Union Association of Workers in Wood Industry, Forests and Water Management in Slovakia)
- Odborový zväz STAVBA SR (Trade Union Association of Construction Workers in Slovakia)
- Slovenský odborový zväz pracovníkov textilného, odevného a kožiarskeho priemyslu (Slovak Trade Union Association of Workers in Textile, Clothing, and Leather Industry)
- Odborový zväz CHÉMIA SR (Trade Union Association of Workers in Slovak Chemical Industry)
- Slovenský odborový zväz energetikov (Slovak Trade Union Association of Energy Sector Workers)
- Združenie odborárov jadrovej energetiky (Association of Nuclear Power Unionists)
- Plynárenský odborový zväz (Gas Industry Trade Union Association)
- Slovenský odborový zväz pracovníkov polygrafie (Slovak Trade Union Association of Workers in Polygraph Industry)
- Odborový zväz METALURG (Trade Union Association in Metallurgy)
- Odborový zväz pracovníkov baní, geológie a naftového priemyslu (Trade Union Association of Workers in Mines, Geology and Oil Refinery Industry)
- Slovenský odborový zväz sklárskeho priemyslu (Slovak Trade Union Association of Glass Industry)
- Odborový zväz potravinárov SR (Trade Union Association of Workers in Food-Industry in Slovakia)

### Private service sector

- Odborový zväz pracovníkov vodnej dopravy (Trade Union Association of Workers in Water Transportation)
- Odborový zväz pracovníkov obchodu a cestovného ruchu (Trade Union Association of Workers in Commerce and Tourism)
- Odborový zväz pracovníkov peňažníctva a poisťovníctva (Trade Union Association of Banking Industry and Insurance Companies)
- Slovenský odborový zväz slobodných povolání (Slovak Trade Union Association of Freelance Occupations)
- Nezávislý odborový zväz verejnej cestnej dopravy (Independent Trade Union Association of Public Road transport)

### Public Sector

- Odborové združenie železničiarov (Trade Union Association of Railway Workers)
- Odborový zväz SPOJE (Communications Trade Union Association)
- Odborový zväz pracovníkov školstva a vedy na Slovensku (Trade Union Association of Workers in School and Science Sector in Slovakia)
- Slovenský odborový zväz kultúry a spoločenských organizácií (Slovak Trade Union Association of Cultural and Societal Organisations)
- Slovenský odborový zväz zamestnancov obrany (Slovak Trade Union Association of Workers in Defence Sector)
- Slovenský odborový zväz verejnej správy (Slovak Trade Union Association of Public Administration)
- Slovenský odborový zväz zdravotníctva a sociálnych služieb (Slovak Trade Union Association of Health and Social Care Sector)
- Odborový zväz justície v SR (Trade Union Association of Justice in Slovakia)
- Odborový zväz hasičov (Trade Union Association of Professional Firemen)
- Odborový zväz SAV (Trade Union Association of Workers in Slovak Academy of Sciences)
- Odborový zväz pracovníkov telesnej výchovy a športu na Slovensku (Trade Union Association of Employees in Physical Training and Sport in Slovakia)
- Odborový zväz Zboru justičnej a väzenskej stráže (Trade Union Association of Prison and Justice Guard)
- Odborový zväz polície (Trade Union Association of Police)
- Slovenský odborový zväz pracovníkov služieb (Trade Union Association of Service Workers)
- Slovenský odborový zväz pôšt a telekomunikácií (Slovak Trade Union Association of Posts and Telecommunications)
- Odborový zväz dopravy, cestného hospodárstva a autoopravárstva (Trade Union Association of transport, Road-works and Lorry Services)

### Agriculture sector

- Odborový zväz pracovníkov poľnohospodárstva na Slovensku (Trade Union Association of Agricultural Workers in Slovakia)

*Sectoral and branch employers organisations associated in RUZ SR*

**Industrial sector**

- Združenie priemyselných zväzov SR (Federation of Industrial Associations of the Slovak Republic), which includes:
  - Zväz priemyselných podnikateľov Slovenska (Association of Industrial Entrepreneurs of Slovakia)
  - Zamestnávateľský plynárenský zväz (Association of Employers in Gas Industry)
  - Zväz hutníctva, ťažobného priemyslu a geológie Slovenskej republiky (Association of Metallurgy, Mining Industry and Geology of the Slovak Republic)
  - Zväz elektrotechnického priemyslu SR (Association of Electrical Technology Industry of the Slovak Republic)
  - Zväz spracovateľov dreva SR (Association of Wood Processing Industry of the Slovak Republic)
  - Zväz textilného a odevného priemyslu SR (Association of Textile and Clothing Industry of the Slovak Republic)
  - Zväz strojárskoho priemyslu SR (Association of Machinery Industry of the Slovak Republic)
  - Združenie automobilného priemyslu (Automotive Industry Association)
  - Združenie obranného priemyslu SR (Association of Defence Industry of the Slovak Republic)
  - Zväz zlievárni a kováčni Slovenska (Association of Foundries and Forges in Slovakia)
  - Zväz stavených podnikateľov Slovenska (Association of Entrepreneurs in Construction in Slovakia)
  - Zväz polygrafie na Slovensku (Association of Polygraph Industry in Slovakia)
  - Asociácia platiteľov spotrebnej dane z liehu a liehovín (Association of Spirit Consumer Tax- payers)
  - Združenie zamestnávateľov lesného hospodárstva Slovenska (Association of Employers in Forest Industry of Slovakia)
  - Živnostenské spoločenstvo Žilina (Žilina Tradesmen Association)
  - Zamestnávateľský plynárenský zväz (Gas Employers Association)
  - Asociácia výrobcov nealko-nápojov a minerálnych vôd (Association of non-alcoholic drinks a mineral water producers)
  - Slovenský zväz výrobných družstiev (Slovak Association of Production Co-operatives)
  - Potravinárska komora (Food Industry Chamber)

**Private service sector**

- Zväz obchodu SR (Association of Commerce of the Slovak Republic)
- Zväz zamestnávateľov dopravy, pôšt a telekomunikácií SR (Association of Employers in Transport, Posts and Telecommunication of the Slovak Republic)
- Združenie podnikateľov Slovenska (Entrepreneur Association of Slovakia)
- COOP Jednota (Slovak Association of Consumer Co-operatives)

- Slovenský zväz bytových družstiev (Slovak Association of Flat Co-operatives)
- Zväz priemyselných výskumných a vývojových organizácií SR (Association of Industrial Research and Development Organisations of the Slovak republic)

### **Individual member companies (not considered as sectoral or branch organisations)**

- Amrop Jenewein group
- Gastrometal, a.s.
- Maytex, a.s.
- OZETA NEO
- Penta Group
- Slovintegra, a.s.
- Slovnaft, a.s.
- VSŽ OCEKON
- VSŽ INŽINIERING

### **In AZZZ SR**

#### **Industrial sector**

- Zväz celulózo-papierenského priemyslu SR (Association of Cellulose and Paper Industry in Slovakia)
- Zväz chemického a farmaceutického priemyslu SR (Association of Chemical and Pharmaceutical Industry in Slovakia)
- Zväz polygrafie na Slovensku (Polygraph Association in Slovakia)
- Zväz sklárskeho priemyslu SR (Association of Glass Industry in Slovakia)
- Zväz zamestnávateľov energetiky Slovenska (Association of Employers in Slovak Energy Sector)
- Slovenský zväz výrobcov tepla (Slovak Association of Providers of Heating)
- Únia podnikateľov a zamestnávateľov v potravinárskom priemysle na Slovensku (Union of Entrepreneurs and Employers in Food Industry in Slovakia)
- Združenie výrobcov liehu a liehovín na Slovensku (Association of Spirit Producers in Slovakia)

#### **Private service sector**

- ČESMAD Slovakia (Truck Transport Association in Slovakia)
- Slovenský živnostenský zväz (Slovak Association of Tradesmen)
- Asociácia súkromných lekárov SR (Association of Private Physicians in Slovakia)

#### **Public sector**

- Asociácia nemocníc Slovenska (Association of Hospitals in Slovakia)

## Agriculture

- Zväz poľnohospodárskych družstiev a obchodných spoločností (Association of Farms and Commercial Companies)

## Outcome of the workshop

### Strengths and weaknesses

Strengths	Weaknesses
<p>Social dialogue in organisations where trade unions operate is considered as quite good. Such a positive assessment refers mostly to sectors and organisations where:</p> <ul style="list-style-type: none"> <li>■ Long-term relationships between trade unions and management have been developed</li> <li>■ Regular communication between management and unions takes place.</li> </ul>	<p>There are big sectoral differences in trade unions' as well as employers' capacities (financial, organisational and personnel, too). The unions' capacities depend much on membership, which limits the financial resources of the sectoral trade union organisations.</p>
<p>Representatives of sectoral trade unions and employers are usually able to agree on joint position and/or joint proceeding concerning proposals/changes in legislations.</p>	<p>Employers try to reduce the role of sectoral social dialogue and to direct its focus at local, company level where the employers have better negotiation power (especially regarding wage bargaining).</p>
	<p>Enterprises as well as their sectoral employers organisations have different economy and available resources. Therefore, some employers try to avoid the implementation of common standards agreed on sectoral level in sectoral collective agreements (e.g. minimum wage increase, extension of paid holiday).</p>
	<p>Labour legislation, mostly the Labour Code, has been too often changed unfavourably for the employees.</p>

### Analysis of most relevant problems

#### At sectoral level:

- In order to avoid social dialogue with trade unions, some employers organisations changed their statute. They want to be established according to the Civil Code - instead of the Act on free association right according to which they should bargain collectively. However, representatives of such an employer organisation should not participate in tripartite social dialogue. But in practice they are interested in and would like to participate in tripartite consultation.
- Following changes in legislation concerning collective bargaining, the extension of sectoral collective agreements is more difficult than before because the consent of employer concerned by the extension is required for that.
- The attitude of some employers to collective bargaining has worsened. Negotiations are tougher and employers try to re-open negotiations on some agreed provisions already valid for longer period (2-3 years) at the annual bargaining (mostly about wage increases) for concluding Attachments to concluded collective agreements.
- The quality of collective bargaining is, in several cases, not satisfactory because of insufficient qualifications and skills of social partners' negotiators.

#### At company level:

- Lack of financial resources, especially in SMEs, which is caused by low trade union presence and overall membership there.

- No clear rules exist for representativeness of social partners; problems in collective bargaining arise when more than one trade union organisation negotiate with company management. Disagreement between the unions can seriously block the process of collective bargaining.
- Insufficient personnel capacities cause:
  - Lack of qualified negotiators for effective collective bargaining
  - Lack of proxy services provided for local trade unions members; sectoral trade unions experts mostly provide these services.
  - Insufficient time-off for trade unions representatives' activities.

### *Development plan*

#### **At sectoral level:**

- To reinforce - institutionalise sectoral as well as regional bipartite social dialogue.
- Proposal is aimed at the reduction of big sectoral differences in the quality of social dialogue. For this purpose, sectoral organisations of social partners would integrate their negotiation capacities in sectors where it is essential. Integration would allow some social partners to concentrate their currently too fragmented financial and personnel resources.
- To change current legislation concerning the extension of collective agreements.
- Proposal is aimed at the improvement of current labour legislation. According to the proposal, the expert committee established at the Ministry of Labour, Social Affairs and Family would assess the potential extension of collective agreements without taking into account the standpoint of the employer concerned.
- To reduce the big differences in the quality of sectoral social dialogue.
- Large differences are caused by low awareness among the social partners regarding the role and importance of sectoral social dialogue in Slovakia and EU as well. In order to increase that awareness, the sectoral social partners agreed to act jointly in Slovakia.
- To increase personnel capacities, especially negotiation skills, for effective collective bargaining.
- Above-mentioned differences in sectoral social dialogue are caused also by different competences of both partners' sectoral negotiators. Implementation of specialised training on increasing the negotiation skills would help to eliminate this weakness.

#### **At company level:**

- Adopt more flexible rules for recognition of trade union representativeness in the case of multi-union collective bargaining in the company.
- Current legislation requires the cooperation of trade union organisations taking part in collective bargaining. In the absence of agreement concerning the bargaining issues in that case, it is not possible to conclude collective agreement in the company. New rules should avoid such a situation blocking local collective bargaining.
- Integrate the collective bargaining in big companies, which have several territorially dispersed organisational units.

- There are too many small local trade union organisations that usually have limited resources, including personnel capacities for collective bargaining (time-off is often not provided for trade union representatives there, too). Integration of financial and personnel capacities of these trade unions would reduce the numbers involved in collective bargaining and, at the same time, would increase its quality.
- Make effort to integrate personnel and financial capacities in small enterprises, which operate for example, in services in regions and/or cities.
- Proposed action based on multi-employer bargaining for groups of small companies operating in similar business in the region would contribute to higher quality as well as effectiveness of regional collective bargaining. Joint trade union as well as employer structures could be established in the respective region.
- The low standard of collective bargaining is caused also by the lack of qualifications and social partners' negotiating skills. It is proposed to eliminate this deficiency by providing specialised training for the negotiators.