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National Trade Union Involvement in the European Semester

Opening up the European Semester?
Trade unions between 'Brussels' and
domestic politics

Final report of the INVOTUNES project



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Introduction ⁽¹⁾

'Involvement of Trade Unions in the European Semester' (INVOTUNES) was a two-year European Commission-funded research project ⁽²⁾ aimed at examining the involvement of national trade union organisations in both the European and national cycles of the European Semester process (hereafter referred to as 'the Semester'). The timeframe covered by the project is the period between 2014 and 2018, which largely corresponds to the five-year term of the Juncker European Commission. The analysis considers two policy areas addressed in the Semester that are particularly relevant for the trade union movement: a) employment and wage setting; and b) social protection and social inclusion. The data has mainly been gathered on eight countries, for which in-depth case studies were conducted by country teams: Belgium, Bulgaria, Finland, Germany, Hungary, Italy, Portugal and Sweden.

Coordinated by the European Social Observatory (OSE), INVOTUNES involved **ten partner institutions**:

- Three independent research centres: the Centre for Studies for Social Intervention – CESIS (PT); the Bulgarian Academy of Science – Institute for the Study of Societies and Knowledge (BG); and the Hungarian Academy of Sciences – Centre for Social Sciences (HU).
- Three trade union-related research institutes: the European Social Observatory (BE); the Hans Böckler Foundation's Institute of Economic and Social Research – WSI (DE); and the Institute for Social and Trade Union Research – ISTUR (BG).
- Three universities: University of Macerata (IT), the European Work Life research at Uppsala University – SALTSA (SE); and the Department of Social Research, University of Turku (FI).
- the European Trade Union Confederation (ETUC), which was an Associate Partner.

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1. This report draws extensively on the findings of eight national case studies and three analytical reports published in the framework of the INVOTUNES project (see OSE Research Papers 36 to 43, http://www.ose.be/EN/publications/ose_paper_series.htm). Furthermore, the author has benefited from discussions with and the opinions of the INVOTUNES research partners and Steering Committee members during the various meetings and workshops organised for the project. I would like to thank Slavina Spasova, Bart Vanhercke, Ramón Peña-Casas (OSE) and Andrea Pritoni (University of Turin) for their feedback on earlier versions of this report, and Renaud Smoes (OSE) for his precious help in setting up and managing the INVOTUNES online survey (2018-2019). Benoît Malice and Elodie Kibendo (OSE) offered valuable technical support. The author takes full responsibility for any remaining mistakes or inaccuracies.
 2. Project funded under budget heading 04 03 01 08 – Industrial Relations and Social Dialogue – Call for Proposals VP/2017/004.

The INVOTUNES project had six **key objectives**:

1. To identify the channels through which national trade unions have access to both the European Union (EU) and national cycles of the Semester;
2. To shed light on the linkages between the Semester and pre-existing domestic decision-making procedures (notably, national social dialogue);
3. To identify trade unions' strategies for involvement and the determinants of such strategies;
4. To highlight trade unions' influence on the agenda setting, the outputs and the outcomes of the involvement process of the Semester (if any);
5. To provide recommendations to both trade unions and decision-makers at the European and domestic levels on how to increase the effectiveness of the involvement process;
6. To increase awareness of the importance of the Semester among domestic trade unions.

In order to achieve these objectives, we conducted: a) an online survey covering the then 28 EU Member States (see Box 1); and b) an in-depth analysis of the situation in the eight countries under scrutiny. For their analyses, the eight country teams used qualitative research methods, including analysis of the relevant scientific literature and of secondary sources (documents produced by trade unions and public authorities) and transcripts or summaries from a number of semi-structured interviews with key actors. In total, no less than 106 interviews were conducted for this study. The online survey was then used in order to gain a broad picture of the situations in the EU and, by comparing the results with the findings of our case studies, to check to what extent the latter could be generalised to other EU Member States.

Box 1: The INVOTUNES online survey: an overview

As part of the INVOTUNES project, the European Social Observatory conducted an online survey (in 2018 and 2019) aiming at understanding the key features of the involvement of national trade unions in the Semester in the 28 EU Member States (including the UK). The questionnaire was made up of 15 questions (plus a number of sub-questions) grouped into six sections dealing with: a) the relevance of the Semester at the domestic level; b) the interactions between national trade unions and EU institutions/bodies; c) the interaction between national trade unions and national governments, administrations and other domestic institutions/bodies; d) trade unions' resources and Semester-related procedures; e) interactions between trade unions and other actors; and f) use of the Semester by national trade unions.

The online survey was conducted between December 2018 and January 2019, and the questionnaire was sent to 60 trade unionists dealing with EU affairs within their national confederations, most of

them in their capacity of Trade Union Semester Liaison Officer (TUSLO). We received a total of 37 complete answers from 23 countries (all the Member States except for Cyprus, Greece, the Netherlands, Slovenia and the UK) ⁽³⁾.

One of the main limitations of the survey has been the rather uneven number of answers we received from the various countries: four answers from Sweden; three from Austria, Belgium and Croatia; two from the Czech Republic, Lithuania, Poland, Portugal, and Spain; and one reply from each of the remaining 14 countries. The latter group however also includes Bulgaria, Finland, Germany, Hungary and Italy, countries for which we collected in-depth information through the case studies.

Source: author's elaboration.

The remainder of this report is structured as follows. Section 1 illustrates the analytical framework of the research, providing a definition of the key notions used, presenting what we identified as the key explanatory variables guiding our analysis and the criteria for the selection of the national case studies. Section 2 describes the access channels available to national trade unions in order to be involved in the Semester in the eight countries under scrutiny. Section 3 sheds light on the linkages between the Semester and 'ordinary' national decision-making procedures, notably national social dialogue, and examines how the interplay between these two processes affects trade unions' actions. Section 4 discusses the strategies used by national trade unions in order to be involved in the Semester, and the determinants of these strategies. Section 5 addresses the following difficult question: to what extent have national trade unions been able to influence the agenda, the outputs and the outcomes of the Semester? Section 6 summarises and discusses the key findings of the research, while in Section 7 we provide a number of policy recommendations aimed at improving the quality and effectiveness of the involvement process.

1. Researching the involvement of trade unions in the Semester: the INVOTUNES analytical framework

1.1 Definition of key notions

Since 'involvement' is a rather broad notion, the first step of the project was to develop a precise definition guiding the analysis. We have thus defined involvement as '[...]a process entailing stakeholders' access to decision-making venues and procedures and an exchange of resources with policy-makers (at least, information), possibly leading to an influence on the agenda setting, the outputs and outcomes of the policy process' (Sabato 2018: 7, bold in the

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3. We also received 23 questionnaires in which the respondents did not answer most of the questions or did not even view the pages containing specific questions. Since we noted that, in the majority of these cases, the respondents started (and completed) a new questionnaire at a later time, we eventually decided to consider only the 37 complete questionnaires. We estimate that the impact of this decision on the robustness of the results of the analysis has been negligible.

original). Our definition means that, while access (to policy-making venues and procedures) and the exchange of resources with policy-makers should be considered as defining features of involvement, influence (on the agenda, outputs and outcomes of the Semester) should be seen as a possible consequence of the involvement process. In other words, it is possible for national trade unions to be involved in the Semester without having any influence on the decisions taken.

We understand 'access channels' as the precise venues and procedures through which trade unions interact with EU and/or national public authorities in the framework of the Semester. In addition, we distinguish between five types of 'resources' that are potentially available to national trade union organisations, enabling them to be involved in the policy-making process: a) political and institutional resources; b) organisational resources; c) cognitive resources; d) economic and financial resources; and e) legal resources. Importantly, we also distinguish between trade unions' 'generic' resources and Semester-related resources. While the former are the resources that trade unions can use in the ordinary national policy-making process, the latter are the resources that trade unions can choose to invest in order to participate in the particular context of the Semester. As we will see below, the generic resources available to national trade unions are not always those which these organisations actually invest in the Semester (Spasova *et al.* 2020).

Finally, we distinguish between different types of 'influence': a) on the agenda-setting of the Semester, e.g. on the priorities of the Annual Growth Survey (AGS); b) on the outputs of the Semester, e.g. on the contents of key documents such as the Country Reports (CRs) and the National Reform Programmes (NRPs); c) on the outcomes of the process, i.e. the actual impact of trade unions on specific decisions taken at the EU level (e.g. the Country-specific Recommendations, CSRs) and at national level (e.g. national legislation directly or indirectly related to the Semester).

1.2 Key variables and case study selection

At the beginning of the project, we hypothesised that three variables could be seen as key determinants of the involvement of national trade unions in the Semester and of the strategies that these organisations (could) adopt in this context: a) trade unions' resources; b) the institutional contexts; and c) the degree of EU pressure on the various Member States.

First, with regard to the *institutional settings* in which the involvement process should take place, we distinguish between: a) the Semester itself (notably its procedures and the EU and national access channels); and b) the key features and dynamics of national social dialogue. With regard to national social dialogue, drawing on Eurofound (2015), we distinguish between

five industrial relations systems: (a) Northern countries; (b) Central-Western countries; (c) Western countries; (d) Southern countries; and (e) Central-Eastern countries.

Second, the *degree of EU pressure* that the various Member States face may affect the features of the involvement process. In this respect, our starting point was the classification proposed by Stamati and Baeten (2014: 15), who distinguish between 'strong', 'moderate' and 'weak' EU pressure. This said, the situation in many Member States has evolved since the publication of the study by Stamati and Baeten. Consequently, relying on the opinions of the INVOTUNES national experts and Steering Committee members, we have updated the assessment of the degree of EU pressure for some countries (see Sabato 2018). This is, for instance, the case of Portugal. Since the country was subject to a Memorandum of Understanding between 2011 and 2014, Stamati and Baeten (2014) included Portugal among the countries subject to a strong degree of EU pressure. However, since Portugal was no longer under the Memorandum of Understanding at the beginning of the research project, we assessed the degree of EU pressure on the country as 'moderate to strong'.

The key variables of industrial relation systems, the degree of EU pressure, and trade unions' resources were considered in order to select the eight countries analysed in the project. The choice was based on a 'most-dissimilar' case study selection strategy, aimed at selecting cases which show a wide range of situations in relation to the key variables (see Table 1).

Table 1: Summary table for case selection: key variables and countries

Variables			
Countries	Industrial relations system	Degree of EU pressure	Trade union Semester resources ⁽⁴⁾
Finland	Northern	Moderate	Medium
Sweden	Northern	Weak	Medium
Belgium	Central-West	Moderate	High
Germany	Central-West	Weak to moderate	Medium
Bulgaria	Central-Eastern	Moderate	High
Hungary	Central-Eastern	Weak to moderate	Medium
Italy	Southern	Moderate to strong	Medium
Portugal	Southern	Moderate to strong	Medium

Source: Sabato (2018).

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4. These data are based on a self-assessment by the ETUC. Throughout the project, however, – on the basis of the empirical findings from the national case studies and interviews with national trade unionists – we modified and fine-tuned this assessment, also distinguishing between resources that trade unions could potentially use in the Semester and resources that they actually decide to use (see Section 4 for a more detailed discussion).

2. Entering the process: access channels for trade union involvement in the Semester

Access channels are the venues and procedures through which national trade unions have access to the Semester. Here we can distinguish between national channels (i.e. allowing interaction with national decision-makers) and EU channels (i.e. allowing interaction with EU decision-makers). Within the national access channels, we can draw another distinction between ordinary and Semester-specific channels. Ordinary channels include venues and procedures for the regular national policy-making process (including those dealing with European Affairs) that are also used in the framework of the Semester. Specific channels are venues and procedures specifically created to allow involvement in the Semester or, more generally, in the Europe 2020 strategy.

2.1 National access channels: the Achilles heel of the involvement process

In their INVOTUNES analytical report, Kirov and Markova (2020) show that the national access channels differ considerably between the countries considered, in terms of availability, key features, and quality. Consequently, it is difficult to compare the various national situations. This said, a number of points can be made (see Table 2).

In the majority of the countries under scrutiny, the national access channels through which trade unions are involved in the Semester are pre-existing venues and procedures set up for ordinary policy-making, including national structures dealing with EU Affairs in general. This is the case for Belgium, Finland, Germany, Italy and Portugal. In other cases, additional, specific access channels related to Europe 2020 and the Semester have been created. This is the case of Bulgaria (Working Group 31 Europe 2020, answerable to the Council of European Affairs), Hungary (a specific procedure for drafting the NRP) and Sweden (reference group on Europe 2020). Importantly, we find that trade unions' access channels to the Semester are often related to national social dialogue structures, in particular their national Economic and Social Councils or functional equivalents. This is the case in Belgium, Bulgaria, Hungary, and Portugal. The various venues and procedures available in the countries under scrutiny generally allow trade unions to interact with national governments at both the political/bureaucratic levels (BE, BG, FI, DE, HU, PT and SE) and with national parliaments (BG, FI and IT). These interactions often take place during the various stages of the Semester (including the NRPS, the CRs and the CSRs) but, in a number of cases, the focus is on the NRPs only: this is the case in Germany, Italy and Portugal.

Table 2: National access channels

Country	Type	Targets of interaction	Stages of Interaction	Quality
Belgium	Ordinary	Government	Various stages	Poor
Bulgaria	Mixed	Government/Parliament	Various stages	Poor
Finland	Ordinary	Government/Parliament	Various stages	Good (but deteriorating)
Germany	Ordinary	Government	Mostly NRPs	Poor
Hungary	Mixed	Government	Various stages	Very poor
Italy	Ordinary	Parliament	Mostly NRPs	Very poor
Portugal	Ordinary	Government	Mostly NRPs	poor (but improving)
Sweden	Mixed	Government	Various stages	Good

Source: author's elaboration from Kirov and Markova (2020) and INVOTUNES case studies (2019).

All this said, however, the mere presence of access channels for involvement says little about their quality ⁽⁵⁾. Indeed, with the exception of Finland and Sweden, trade unions give a mitigated (BE, BG, DE, and PT) or even decidedly negative (HU and IT) assessment of the functioning of national access channels. In Hungary, for instance, the consultation procedures linked to the Semester – as well as social dialogue procedures in general – seem to be merely a 'box-ticking exercise' (Albert 2019: 13), characterised by a lack of transparency and with no meaningful debate. Italy is the only country where no interaction at all between the government and the trade unions takes place in relation to the Semester. Italian trade unions are involved only indirectly, through their participation in hearings on the budget law in Parliamentary Committees. All this considered, Pavolini and Natili (2019) conclude that the channels allowing Italian trade unions to interact with national authorities in relation to the Semester are not just of poor quality, but are, rather, absent.

5. In assessing the quality of involvement through these access channels, we have considered elements such as timing, quality of documents circulated, role of the actors involved in their respective organisations, meaningfulness of the interaction. In order to assess quality, we have mostly relied on self-assessments by the trade unionists interviewed. The government representatives' assessment is usually more positive. Furthermore, it is important to distinguish between 'quality' and 'effectiveness'. In this project, the latter is understood as the ability of trade unions to have an influence on the Semester (see Section 5).

Box 2: National access channels: results from the online survey

According to the trade unionists participating in the online survey, some interactions between trade unions and national institutions/bodies in relation to the Semester take place in almost all the countries considered. These include, for instance, written contributions, specific structures related to the Semester, tripartite meetings between the governments and the social partners or bipartite meetings between governments and trade unions. Only two trade unionists (5.7% of the respondents) claimed that no interaction took place between their organisations and national institutions. In the majority of the cases, however, these interactions were considered as 'low quality' (54.3%) or 'medium quality' (31.4%). Quality was considered 'high' only by 14.29% of the trade unionists reached. In many cases, interactions between trade unions and national institutions/bodies were considered as 'not useful' (48.6%) or 'quite useful' (40%). Usefulness was estimated as 'high' by two trade unionists only (5.7% of the respondents).

Source: INVOTUNES online survey (2018-2019).

Kirov and Markova (2020: 23) have identified four main factors negatively affecting the functioning of national access channels in the eight countries under scrutiny. First, the timing of the interaction in the context of the Semester is very challenging. The deadlines to read and comment on relevant documents (for instance, the NRPs) are usually very tight. Second, governments' attitudes are often reported as problematic. Even when access channels are available, in some cases national governments are not willing to use them in a meaningful way. In these cases, the involvement exercise appears a mere formality. Third, in some countries the existence of many access channels makes it difficult for national trade unions to identify the most useful ones in which to invest their (sometimes limited) resources. Linked to this, finally, in some cases national trade unions lack the resources needed to fully make use of the available access channels (see Section 4).

2.2 EU access channels: genuine opportunities for involvement?

Since the Semester is a multi-level policy process, national trade unions may try to have access to it by directly interacting with EU-level actors. It emerges from the INVOTUNES national case studies that, over the years, EU institutions and bodies (in particular, the European Commission) have considerably increased their efforts to reach out to national trade unions (see Table 3).

Table 3: EU access channels

Country	Commission fact-finding missions	European Semester Officer	Commission (Brussels)	Other EU institutions/bodies	Overall quality of EU access channels
Belgium	Yes	Yes	Yes	Yes Employment Committee (EMCO) and Social Protection Committee (SPC)	Very good
Bulgaria	Yes	Yes	Yes	Yes (EMCO)	Very good
Finland	Yes	Yes	Yes	Yes (Finnish Members of the European Parliament)	Very good
Germany	Yes	Yes	Yes	Yes	Rather good (improving)
Hungary	Yes	Yes	Yes	Yes (EMCO)	Good
Italy	Yes	Yes	Yes	Yes (EMCO)	Good
Portugal	Yes	Yes	Yes	Yes (EMCO)	Rather poor
Sweden	Yes	Yes	No	Yes (EMCO/SPC)	Good

Source: author's elaboration from Kirov and Markova (2020) and INVOTUNES case studies (2019).

As is clear from Table 3, national trade unions from the eight countries considered in this research have been involved in European Commission fact-finding missions in the respective countries. Similarly, contacts between trade unions and European Semester Officers (ESOs) in the national capitals have increased over time. While, in some cases, these contacts are promoted by the ESOs, in other instances they are requested by the national trade unions. Besides the meetings in national capitals, national trade unions have often been able to meet with Commission officials (especially officials from the Directorate General for Employment and Social Inclusion, DG EMPL) in Brussels. Contacts with the Commission – either in Brussels or in the countries – usually take place at various stages of the Semester, i.e. before and/or after the publication of the key Semester-documents. Besides the Commission, and more sporadic contacts with Members of the European Parliament, in many cases national trade unions were in contact with the Council's Employment Committee (EMCO). In particular, since October 2016, EMCO has been organising multilateral surveillance reviews to monitor the situation of social dialogue in EU countries. These meetings usually involve government representatives, trade union and employers' organisations from selected countries and include discussions on social partners' involvement in the Semester (see Eurofound 2018: 25; Sabato *et al.* 2017). Besides simply monitoring the state of national social dialogue, these reviews also have the potential to launch some forms of interaction between governments and the social partners in countries where social dialogue is under particular strain (Albert 2019: 13).

Box 3: EU access channels: results from the online survey

All the trade unionists included in our sample stated that their organisations interacted with the European Commission and/or other EU institutions/bodies in the framework of the Semester. In particular, most trade unionists referred to interactions with the Commission during fact-finding missions in the Member States (86.5%), or directly in Brussels (59.5%). Notably, 97.3% of our respondents claimed that interactions with EU institutions/bodies also took place through the ETUC and no less than 62.2% referred to interactions through the European Economic and Social Committee (EESC). In many cases, interactions with the European Commission and/or other EU institutions/bodies have been rated as 'high quality' (24.3%) or 'medium quality' (59.5%), while only 5 trade unionists (13.5%) assessed them as 'low quality'. Furthermore, these interactions were 'quite useful' for 75.7% of the respondents or even 'highly useful' for 8.1% of them. Finally, only 10.8% of the respondents considered interactions with the European Commission and/or other EU institutions/bodies as 'not useful'.

Source: INVOTUNES online survey (2018-2019).

In many cases the trade unionists interviewed highlighted that interactions with the European Commission are usually fairly open, allowing trade unions to: a) be informed about Commission initiatives and views; and b) giving them the opportunity to provide the Commission with information on the situation on the ground, possibly enriching or correcting the Commission's analysis. And yet, two main shortcomings in the functioning of EU access channels emerge from our analysis. First, the scope of the topics dealt with during interactions with the Commission could be broadened. Discussions are usually limited to social and employment policies, while many trade unions would like to also address macro-economic and fiscal policies. Second, in some cases the meetings organised by the Commission involve a broad array of national stakeholders, with different interests and views. As a consequence, some national trade unionists explain that the time available for the social partners to express their views is too limited. All this said, however, most trade unionists are of the view that EU access channels work in a satisfactory way and that, in these settings, their opinions are at least carefully 'listened to'. The exception is Portugal, where trade unions have questioned the usefulness of the interactions with the Commission insofar as, during these occasions, they mostly receive information on key Semester documents such as the CRs and the CSRs, with very limited possibilities to provide their inputs to these documents (Perista and Perista 2019:11).

2.3 The role of the European Trade Union Confederation

As we have shown in the previous section, direct contacts between EU institution representatives and national trade unions have increased over time. The ETUC has played a key role in promoting the involvement of national trade unions in the EU cycle of the Semester. To do so, the ETUC developed, in 2013, a Toolkit for coordination of collective bargaining and wages in the EU economic governance, with a view to supporting its affiliates in dealing with EU economic governance (Sabato *et al.* 2017). Since then, ETUC procedures related to the

Semester have been gradually and considerably refined (ibid.). Drawing on the INVOTUNES national reports, we can identify three functions performed by the ETUC, which:

- 1) acts as a *facilitator/mediator* between the European Commission and national trade unions by: a) organising national trade unions' interactions with Commission representatives in Brussels; and b) directly conveying inputs from national trade unions 'to Brussels';
- 2) provides national trade unions with *expertise and information* useful for involvement in the Semester;
- 3) *coordinates* the activities of national trade unions in relation to the Semester, also seeking common ground when the opinions/interests of the national affiliates diverge.

An overall appreciation of the role performed by the ETUC emerges from the INVOTUNES national reports. In particular, the appointment of the so-called Trade Union Semester Liaison Officers (TUSLOs) seems to have further improved the involvement process by facilitating contacts between the national trade unions and the ETUC, and between national trade unions and EU actors (in particular, the European Semester Officers).

3. The Semester and national social dialogue: it takes two to tango

In this research we have identified two institutional settings that may account for the features and dynamics of trade unions' involvement in the Semester: the procedures of the Semester itself, and national social dialogue. The latter remains the main setting through which trade unions participate in national decision-making, at least in some countries. Importantly, we have shown in the previous section that there are overlaps in access channels to these two settings: in many countries, the venues where national social dialogue usually takes place are also used to ensure trade unions' involvement in the Semester process.

Pavolini and Natili (2020) further develop the analysis of the interplay between the two processes by exploring: a) the overlaps between the Semester and national social dialogue in terms of content (i.e. how far do the themes touched upon in the two processes correspond); and b) trade unions' attitudes and strategies in relation to the interaction between these two separate but potentially interrelated processes. In particular, they try to understand if, to what extent and why national trade unions use (or do not use) at domestic level the recommendations coming from the Semester. This intellectual effort is both interesting and challenging, since the usage of the Semester at national level is a topic that, besides having important practical implications, has been insufficiently explored in the scientific literature.

3.1 The Semester and national social dialogue: a typology and three strategies

The starting point of the analysis by Pavolini and Natili (2020) is that trade unions' decisions on whether to use the Semester in national social dialogue, and on how to do so, could be affected by three factors: a) the degree of correspondence between the themes characterising the two processes; b) trade unions' short term policy-specific interests and preferences; and c) trade unions' long-term interests, especially in relation to their institutional role in national policy-making.

In terms of the themes addressed, the authors expect that involvement of national trade unions in the Semester will be more likely if there is a strong correspondence between the themes of the Semester and the themes of national social dialogue (Pavolini and Natili 2020: 7). In addition to this, and in order to complete the picture, they also link this dimension to the strength of national social dialogue. In this respect, as shown by the typology elaborated by the authors (see Table 4), the situation in the countries under scrutiny is rather varied.

Table 4: The Semester and national social dialogue: a typology

		<i>Overlap between Semester issues and national social dialogue topics</i>		
		<i>No (limited)</i>	<i>Partial</i>	<i>Strong</i>
Strength of national social dialogue in recent years	<i>Weak</i>	Italy Hungary	Belgium	Bulgaria
	<i>Strong</i>	Germany	Sweden	Portugal Finland

Source: Pavolini and Natili (2020: 13).

Adding these two dimensions to trade unions' short and long-term interests and preferences, Pavolini and Natili (2020: 7) put forward three hypotheses to explain trade unions' attitudes and strategies in linking/using the Semester in the context of national social dialogue. The Semester could be used:

- a) as a 'lubricant for national reforms'. In this case, trade unions could use European recommendations (if in line with their preferences) in order to legitimise their demands, when negotiations are already ongoing at the national level. This strategy is likely to be more frequent in countries where there is a strong overlap between the themes of national social dialogue and of the Semester: Bulgaria, Finland and Portugal;

- b) as a 'policy sword'. When EU requests (e.g. from CSRs) are in line with their preferences, trade unions could use the Semester in order to overcome possible blockages in national social dialogue;
- c) to 'prevent policy problems' (containment strategies). In this case, national trade unions could have an interest in participating in the Semester not so much to put forward their preferred policy initiatives, but rather to block initiatives that are detrimental to their long-term objectives. For instance, national trade unions might want to preserve their autonomy in collective bargaining against possible interferences coming from the EU level.

When it comes to the countries considered in the INVOTUNES project, some patterns partially confirm Pavolini and Natili's (*ibid.*) expectations (see Table 5). The Semester has indeed been used as a *policy lubricant* in Bulgaria, a country with a strong overlap between the themes of national social dialogue and the Semester, and a weak social dialogue process. On some occasions, Bulgarian trade unions have used Semester-related messages in national social dialogue, for instance during the negotiations on establishing transparent mechanisms for minimum wage setting (Tomev *et al.* 2019). In Portugal, national trade unions have tried to use the Semester to bring the issue of qualifications and life-long learning onto the domestic agenda. However, in this country, a different dynamic seems stronger, particularly on issues related to the minimum wage. Portuguese trade unions have indeed referred to the Semester in connection to their demand to increase the national minimum wage. In this case, however, the objective was not to use the CSRs in the national debate, since these recommendations were not in line with the trade unions' objective, but, rather, suggested that the minimum wage should not be revised. The trade unions therefore engaged in a dialogue with the Commission, to counter the messages from the Semester by providing evidence that an increase in the minimum wage would not be detrimental to the Portuguese economy (Perista and Perista 2019).

On some occasions, national trade unions have used the Semester in order to overcome blockages in national social dialogue (*policy sword strategy*). In line with Pavolini and Natili's (2020) expectations, this has occurred in countries where, on the one hand, there is at least a partial overlap between the themes of the two processes and, on the other hand, national social dialogue is going through difficult times. This is the case of Bulgaria, a country where social dialogue has always been weak; and Belgium, a country where, although there is a strong tradition of social dialogue, the process has recently suffered severe setbacks, especially in relation to certain issues, such as the setting of the minimum wage (Peña-Casas and Ghailani 2019). In both countries, the policy sword strategy has been used selectively, i.e. when EU recommendations were in line with trade unions' preferences and short-term objectives. Policy

sword-like strategies have also been used in two other countries characterised by a limited overlap between the themes of national social dialogue and the Semester: Hungary and Italy. In these cases, however, instead of using EU recommendations to overcome blockages on specific themes, the national trade unions have somehow tried to use them in order to restore social dialogue, a process that, in recent years, has been extremely weak or non-existent in both countries (Albert 2019; Pavolini and Natili 2019).

In both Germany and Sweden, the Semester has mostly been used by national trade unions in order to *prevent potential interference* from the EU in their long-term interests, and, in particular, to preserve the social partners' autonomy in collective bargaining. Fully in line with Pavolini and Natili's (2020) expectations, these countries are characterised by: a) no or very limited overlap between the themes of national social dialogue and the Semester; b) relatively good national social dialogue; and c) limited pressure from EU institutions.

Table 5: National trade union strategies regarding the Semester

	The Semester as a policy lubricant	The Semester as a policy sword	Semester participation to prevent policy problems
Finland	Yes, partially	No	No
Belgium	No	Yes, partially	No
Portugal	Yes, partially	No	No
Bulgaria	Yes, partially	Yes, partially	No
Sweden	No	No	Yes
Germany	No	No	Yes
Italy	Yes, partially	Yes, partially	No
Hungary	No	Yes	No

Source: Pavolini and Natili (2020: 13).

Box 4: Domestic relevance of the Semester and its 'usage' by trade unions: results from the online survey:

The overlap between Semester issues and national social dialogue topics can be considered as a proxy of the relevance of the Semester at the national level. As it emerges from Table 4, this overlap is partial or strong in the majority of the INVOTUNES countries. This finding is in line with the results of our online survey. Indeed, the majority of the trade unionists reached estimates that the Semester is 'highly relevant' (16.2%) or relevant (43.2%) in their countries. Conversely, 37.8% think that the process is 'relevant only to a limited extent'

In the on-line survey, national trade unionists were also asked to report whether their organisations made use of Semester-related messages and priorities (e.g. the CSRs) in their activities at national level (e.g. in the context of domestic social dialogue). Most of the respondents (59.5%) answered that this happened 'sporadically', while 24.3% answered that this happened 'frequently'. Only two trade unionists (5.4% of the respondents) denied that their organisations made any use of Semester-related messages and priorities at the national level.

Source: INVOTUNES online survey (2018-2019).

3.2 The Semester and national social dialogue: key conclusions and open issues

A number of robust conclusions can be drawn from Pavolini and Natili's (2020) analysis. First of all, the current state of national social dialogue, largely depending on governments' attitudes towards the social partners, matters more than the traditional features of the process. Indeed, even within the same industrial relations cluster, national trade unions' strategic behaviour differs. Second, national trade union strategies are flexible: they tend to change over time (also depending on the attitudes of national governments) and in relation to different policy areas or issues (Pavolini and Natili 2020; Spasova *et al.* 2020). For instance, while Finnish trade unions do not need to use the Semester as a policy sword in national social dialogue, since the latter works satisfactorily, their attitude could change if the national dialogue deteriorated in the future (Kangas 2019). Furthermore, even when trade unions use the Semester in national social dialogue, they do so selectively, i.e. they only use messages which reflect their preferences. Since the contents of EU recommendations may be different in different policy areas, trade union attitudes and strategies are likely to vary accordingly. Third, Pavolini and Natili's (2020) analysis shows that some national trade unions have sometimes used the argument 'Europe is asking for this' in order to support their demands during national negotiations. This is an interesting development, since this argument has traditionally been used by national governments in order to justify unpopular reforms. However, very often trade unions' references to the Semester are made behind closed doors, with some trade unions carefully avoiding such references in public. This is the case, for instance, of the Italian trade unions (see Section 4).

In sum, the empirical findings of the eight case studies largely corroborate Pavolini and Natili's (2020) expectations on how national trade unions adapt their strategies in order to make use,

in national social dialogue, of the opportunities coming from the Semester (or, conversely, to prevent the EU process threatening their long-term objectives). However, as noted by the authors themselves, some discrepancies between the hypotheses and the empirical findings can still be found. To give one example, while, in line with the expectations, the 'lubricant' strategy is used by Bulgarian and Finnish unions, it is pursued by Portuguese trade unions only to a limited extent, which is contrary to the hypotheses formulated. Importantly, as noted by Pavolini and Natili (2020: 25), the empirical findings presented here are only partially explained by the explanatory variables identified in the INVOTUNES analytical framework (Sabato 2018; see also Table 1): the industrial relations system, the degree of EU pressure and trade union Semester resources. For example, In the cases of Italy and Portugal, two countries that are in similar situations with regard to these three variables, we could expect the trade unions to adopt similar strategies: this is, as we have seen, not always the case. Thus, in order to fully grasp the determinants of trade unions' strategies, a more in-depth analysis of how these explanatory variables interact in the countries under scrutiny is needed. We shall proceed to such an analysis in the next section and in Section 6.

4. Trade unions' strategies for involvement in the Semester

Spasova *et al.* (2020) have investigated the strategies adopted by trade unions for involvement in the Semester, and the determinants of these strategies, thus adding to the analysis by Pavolini and Natili (2020), which focuses on national social dialogue. Following the analytical framework of the project, the authors have adopted a broad definition of 'strategies', considered as the approaches followed by national trade unions in order to become involved in the various milestones of the Semester process.

Four dimensions of the trade unions' strategic choices have been identified: a) the type of strategies adopted by national trade unions; b) their targets; c) the level of governance at which trade unions choose to act; and d) the degree of cooperation between national trade unions and with other actors. In addition to this, the authors also discuss the resources that trade unions invest in order to pursue their strategies (Spasova *et al.* 2020).

4.1 Type of involvement: proactive vs. responsive strategies

In order to be involved in the Semester, national trade unions can pursue either proactive or responsive strategies (Spasova *et al.* 2020: 7). In the former case, trade unions actively participate in the Semester in order to influence decisions taken in that context and, possibly, to use Semester-related messages and recommendations at the domestic level. When pursuing responsive strategies, national trade unions still take part in the activities of the Semester, but

their activism is particularly strong only in reaction to policies or political messages perceived as a threat.

Our research shows that the choice of the strategies and the level at which to pursue them (national or EU) is mainly affected by four factors (Spasova *et al.* 2020: 6): a) the degree of EU pressure on the country; b) the specific social policy issue at stake ; c) the availability of adequate resources allowing trade unions to implement the selected strategy effectively; and d) the involvement of the trade unions in the national decision-making process, i.e. social dialogue and relations with governments.

The empirical findings show that the combination of these four factors explains, to a large extent, the strategic choices made by national trade unions in the countries under scrutiny.

In countries experiencing a relatively low degree of EU pressure – notably Germany and Sweden – trade unions tend to adopt *responsive strategies*. In both countries the importance attached to the Semester (by both trade unions and national governments) is relatively low and only a few CSRs concerning social and employment policies have been addressed to them over the years. Furthermore, in both countries, national social dialogue works in a satisfactory way. Against this backdrop, German and Swedish trade unions usually prefer to invest their (comparatively substantial) resources in national policy-making, devoting only a limited amount of resources to participation in the Semester. This by no means implies that German and Swedish trade unions ignore the Semester. However, their degree of activism in the process increases only when Semester-related initiatives directly threaten their long-term interests, notably their role in national social dialogue. This was, for instance, shown by the Swedish trade unions' activism in opposing a 2012 CSR concerning wage bargaining, which potentially affected trade union autonomy in the national industrial relations system (Jansson *et al.* 2019).

Conversely, in countries where EU pressure is at least moderate and the issues at stake directly concern trade unions' core business, they tend to adopt more *pro-active strategies*, actively trying to affect decisions taken in the framework of the Semester, especially in countries where there have been problematic relations between trade unions and the government in the context of national social dialogue. This is the case of Belgium, Bulgaria and Finland. Depending on the specific issue, in some cases trade unions have actively tried to oppose or amend EU recommendations not matching their preferences, while, in other cases, they have tried to use the recommendations to pursue their objectives at the national level (see Section 3). The effectiveness of this strategic choice depends strongly on the availability of sufficient resources to invest in Semester-related activities, especially cognitive resources (Spasova *et*

a/ 2020). Given the strong evidence-based character of the Semester (Zeitlin and Vanhercke 2018), sound evidence needs to be provided in order to modify decisions taken in that context. Trade unions in these three countries have usually been particularly active in creating new Semester-related resources and thus providing the Commission with this evidence, although the extent to which this has affected the final decisions taken by EU policy-makers is sometimes unclear (see Section 5).

A similar dynamic could be hypothesised in Hungary, a country subject to a moderate degree of EU pressure and where the contents of 'social' Semester CSRs are quite in line with national trade unions' preferences. Against this background, one could indeed expect the Hungarian trade unions to actively use the Semester in order to influence national policy-making. However, this is not the case, for a number of reasons. First, Hungarian social dialogue is currently, it seems, a merely formal process. Since decisions are taken elsewhere, Hungarian trade unions lack a domestic institutional setting where they could use the favourable EU recommendations. Second, the limited availability of resources to the Hungarian trade unions significantly limits the feasibility of such a proactive strategy (Albert 2019).

Both Italy and Portugal have been subject to a relatively strong degree of EU pressure, and the national trade unions have similar levels of resources available. Consequently, one could expect that trade unions in these two countries might have also adopted highly proactive strategies. This is not the case. In both countries, the trade unions are particularly hesitant to use Semester-related recommendations at the national level – especially in public debates – even when those recommendations are in line with their preferences. As suggested by Pavolini and Natili (2020), this could be a consequence of the initiatives taken by the EU during the crisis, i.e. the imposition of tough austerity policies on the two countries. Thus, Portuguese trade unions have a certain mistrust towards the Semester, considering the process as a continuation of the Memorandum of Understanding (Perista and Perista 2019:5). Consequently, they are cautious about involvement in the process at the EU level and, in a context characterised by increased quality of national social dialogue, they prefer to concentrate their resources at the national level, rendering their participation in the Semester rather responsive.

Conversely, Italian trade unions appear more open to active involvement in the Semester. In particular, they have made attempts to strengthen their interaction with the European Commission, also with a view to enhancing their legitimacy in a national context characterised by the absence of social dialogue, and at a time when numerous attempts have been made by various national governments to denigrate the role of the trade unions (Pavolini and Natili 2019). This said, Italian unions too are somehow hesitant when it comes to using EU

recommendations which they support in domestic debates. Indeed, they often perceive EU recommendations as contradictory: on the one hand, 'pro-social' CSRs addressed to the country have increased in recent years but, on the other hand, recommendations on macro-economic and fiscal policies still indicate fiscal consolidation as the Commission's top priority for Italy. Consequently, Italian trade unions are hesitant and cautious when it comes to referring to the Semester, even when the messages coming from the EU are in line with their positions: given the overall priority attached to the objective of fiscal consolidation in the Semester, and since the EU is still perceived by many Italian citizens as the 'master of austerity', trade unions cannot risk being perceived as too close to EU positions. Consequently, trade unions prefer to use Semester-related, favourable arguments during closed-door negotiations and not in public debates.

4.2 Trade unions' strategies: who is targeted?

Since the Semester is a multi-level and multi-actor process, national trade unions can, in principle, choose the level of governance on which to concentrate their strategies for involvement, and the actors with whom to interact.

The choice of governance level is between the EU level and the national level. As we have seen in Section 2, access channels exist at both levels in all the countries considered, although their quality is highly varied. Spasova *et al.* (2020: 10) hypothesise that the choice of the level of governance on which to concentrate strategic efforts is highly related to the domestic context. Two expectations derive from this hypothesis: a) shortcomings in trade unions' participation in national policy-making will push trade unions to focus their strategies for involvement in the Semester at the EU level; and b) effective participation in national policy-making will push trade unions to keep Semester-involvement strategies at the national level (*ibid.*).

Looking at the countries included in the INVOTUNES project, use of the 'EU way' is particularly evident in Bulgaria, Italy and Hungary. In these three countries, Semester-specific access channels are of low quality and social dialogue is weak or non-existent. Against this backdrop, the only available strategy for trade unions to be involved in the Semester is to seek access at the EU level. This said, the features and the specific objectives of this interaction, as well as trade unions' ability/willingness to use possible 'EU assets' in national social dialogue, vary across the three countries, also depending on available resources.

In two of the countries considered, Belgium and Finland, national trade unions adopt more *balanced strategies*, investing resources in access to both the EU and national levels. In both countries, national social dialogue works well, generally speaking, even though, in recent

times, its quality has deteriorated in Belgium, and some shortcomings are appearing in Finland. Consequently, both Belgian and Finnish trade unions can seek access to the Semester through national channels. At the same time, however, trade unions in the two countries have enough resources and incentives to simultaneously pursue EU level involvement strategies, with a view to promoting their favourite policy options or opposing unfavourable decisions. Importantly, these two case studies show that trade unions' strategic choices are quite flexible, adapting to developments in the national context. For instance, although, in Belgium, a certain balance remains between the levels of governance chosen for involvement, the deterioration of social dialogue in some areas over the last five years has meant that national trade unions have increasingly turned to EU-level access channels to the Semester (Peña-Casas and Ghailani 2019).

In a number of countries, trade unions focus their strategies at the *national level*. This is the case of Germany, Sweden and Portugal. In the case of Germany and Sweden, this choice is not surprising. In a situation characterised by a strong social dialogue tradition and a relatively low salience of the Semester, trade unions prefer to concentrate their resources on national policy-making. The Portuguese case is less straightforward: given the high degree of EU pressure on the country and the strong overlap between the themes of national social dialogue and the Semester, one could expect more varied strategies for involvement, with more decisive attempts to seek access at EU level, as well as at national level. However, Portuguese trade unions show a strong preference for national-level involvement. This could be explained by two interrelated factors: a) the recent, gradual improvement of national social dialogue, which allows trade unions to participate in national policy-making more effectively than in the past; coupled with b) persistent suspicion *vis-a-vis* the Semester, which is still considered (as discussed above) as a vector for the promotion of austerity.

With regard to the targets of trade unions' strategies for involvement, Spasova *et al.* (2020), drawing on the academic literature on interest groups, distinguish between insider and outsider strategies. The former entail contacts with bureaucrats and politicians, while the latter aim at reaching a broader audience, for instance through members' mobilisation, demonstrations and the use of mass and social media. In this respect, the findings of INVOTUNES are quite clear: irrespective of the level of governance on which trade unions decide to focus, they tend to pursue *insider strategies*, mainly targeted at (EU and national) bureaucracies. The only exceptions are Bulgaria and, to a lesser extent, Germany and Belgium (Spasova *et al.* 2020: 22). The priority given to insider strategies seems to be mainly due to the evidence-based and knowledge-driven nature of the Semester. In order to have access to and impact on the process, especially at EU level and with regard to the Commission, trade unions need to provide decision-makers with accurate information, data and analysis, useful to either refine or

challenge the Commission's analysis: purely political statements are rarely ever considered (Sabato *et al.* 2017: 32). This circumstance confirms the importance of cognitive resources for involvement in the Semester, at least at the EU level.

4.3 Together or alone? Coordinated versus autonomous strategies

Another dimension of trade unions' strategies for involvement in the Semester concerns trade unions' willingness and ability to build coordinated strategies a) between the various national trade union organisations; b) with employers' organisations; and c) with other societal actors, such as social non-governmental organisations (NGOs).

In this respect, Spasova *et al.* (2020: 36) find that the Semester has not changed the national patterns of coordination with employers and with NGOs; these basically follow the usual dynamics of the general policy-making process in the respective countries. Coordination with employers is mostly issue-driven and often characterised by disagreement, the only exception being Finland and Sweden, where more structured coordination dynamics can be found. Coordination between trade unions and NGOs in the context of the Semester is usually sporadic and *ad-hoc*. Only in Bulgaria have national trade unions engaged in structured coordination with NGOs in the so-called National Semester Alliance (see Tomev *et al.* 2019). In all the case studies considered, even when they have shared objectives, national trade unions avoid structured cooperation with civil society organisations, mostly in order to highlight and preserve their specific role as social partners.

Instances of coordination and cooperation between the national trade unions in Semester-related activities are more frequent, although the situation varies across the countries under scrutiny. In some cases, trade unions provide joint opinions on the documents of the Semester, and participate together in the meetings with the Commission or with national governments. This is true for the Belgian, Italian and Finnish unions. The same applies to Bulgaria, even if, according to Tomev *et al.* (2019), such coordination attempts are rather ineffective. Conversely, contacts between the Portuguese trade unions in the context of the Semester are sporadic. Three main barriers hampering trade union cooperation with regard to the Semester emerge from the country case studies: a) disagreements on policy issues; b) a lack of resources to set up or sustain stable coordination procedures; and c) the tight timeline of the Semester, which significantly limits the time available for effective inter-union coordination.

Box 5: Coordinated versus autonomous trade union strategies: results from the online survey:

Respondents to the INVOTUNES online survey have highlighted that inter-trade union cooperation vis-à-vis the Semester in their countries is 'frequent' (46%) or 'sporadic' (29.7%). No instances of collaboration between national trade unions have been identified by 24.3% of the respondents. Collaboration with employers' organisations is usually 'sporadic' according to 59.5% of the trade unionists who answered this question, while no cooperation at all has been reported by 32.4%. Finally, cooperation with other types of actors in their countries (especially NGOs) has been assessed as 'sporadic' by 40.5% of the respondents and non-existent by another 40.5%.

Source: INVOTUNES online survey (2018-2019).

5. Trade unions' influence on the Semester: high expectations and disappointing realities?

One of the objectives of INVOTUNES was to assess the results of the involvement process, in terms of the actual influence that national trade unions have been able to exert on Semester-related documents and decisions. We have distinguished between influence on: a) the agenda-setting for the Semester; b) outputs; and c) outcomes (see Section 1).

As is made clear by the scientific literature, assessing interest groups' influence on the policy process is a very demanding task, and any conclusions on this aspect would be particularly vulnerable to criticism (for a discussion see Sabato 2018). Our analysis has been mainly based on self-assessment by the national trade union representatives interviewed. Whenever possible, trade unionists' claims have been checked against the opinions of other actors involved in the process. In other words, we mostly base ourselves on trade unions' self-perception and their degree of satisfaction⁽⁶⁾ with their influence on the Semester.

Two key messages emerge. First, the perceived influence of the national trade unions varies a great deal between the different stages of the Semester. Overall, trade unions feel they have more influence on the *outputs* of the process at the EU level (notably the CRs), but they judge their influence to be more limited (or simply unclear) in relation to the *outcomes* of the process (notably, the CSRs and specific national reforms). Most trade unions seem to have little or no influence on *agenda-setting* (especially the policy priorities and orientations in the AGS and NRPs). Second, and linked to the previous point, the level of satisfaction of the national trade unions with regard to their impact on the Semester ranges from low (in the majority of cases) to medium.

With regard to trade union influence on the outputs and the outcomes of the Semester *at EU level* – respectively on the CRs and the CSRs – it is sometimes difficult to clearly distinguish

6. We would like to thank Andrea Pritoni (University of Torino) for directing our attention to this point.

between the two stages of the policy-process. As shown by the literature (see Zeitlin and Vanhercke 2018), there is a strong and direct correlation between the contents of the CRs and the CSRs addressed to the Member States. Some trade unionists interviewed had the impression that, on some occasions, their actions had helped to fine-tune the Commission's analysis of the situation in their countries, as expressed in the CRs, and that these changes may have been reflected in the CSRs. Although it is virtually impossible to be sure of a causal link between trade unions' initiatives and changes in the CRs and CSRs, it seems plausible that such a process has taken place in some of the countries included in this project.

Thus, in Bulgaria, trade unions may have had an impact on the Commission's analysis of issues related to the increase in the national minimum wage and wage-setting mechanisms, by providing information and data challenging previous Commission interpretations (Tomev *et al.* 2019: 21). This may also have led to changes in the contents of the CSRs on those topics later addressed to Bulgaria, and may even have contributed to the Commission's decision to withdraw further CSRs on the topic (*ibid.*). In other cases (BE, DE, HU, IT), trade unions hypothesise that interaction with the Commission may, on some occasions, have helped to improve the analysis in the CRs in relation to specific topics. However, it is unclear how much such changes are due to trade union influence and also how this has influenced the related CSRs. For instance, lengthy exchanges between Italian trade unions and the Commission on collective bargaining may have contributed to the decision of the Commission to not include a CSR on that topic in the 2018 cycle (Pavolini and Natili 2019: 21).

Similarly, some issues strongly promoted by Belgian trade unions over the years have been included in recent CSRs, although Belgian trade unionists hesitate to claim a direct causal link with their lobbying activities (Peña-Casas and Ghailani 2019: 24). Some examples of social partners' inputs eventually included in the Commission's CRs and CSRs could also be found for Hungary; however, information on this aspect is very limited (Albert 2019: 22). In the cases of Sweden and Finland, trade unions claim to have had a direct impact on the CSRs, notably on the draft recommendations on wage setting proposed by the Commission in 2012 (SE) and in 2016 (FI). In both cases, EU recommendations were perceived by trade unions as a threat to the role of the social partners in national social dialogue, and this opinion was shared by both the employers and national governments. Eventually, Swedish and Finnish representatives in the Council were able to modify the draft text in line with their (and the social partners') preferences (Jansson *et al.* 2019: 21-22; Kangas 2019: 25-26).

At the national level, the overall assessment of trade unions' impact on the outputs of the Semester – notably, on the NRPs – is negative. This is also because, in many countries, national access channels are judged, by the trade unions, to be of low quality in that national

governments are unwilling to involve the social partners in the process (see Section 2). For instance, the German DGB has apparently '[...] given up on influencing the government with regard to the NRP' (Kraemer 2020: 5). However, there are also some more positive examples, where the trade unions' views (usually together with the views of employers) are attached in an Annex to the NRPs.

Assessing the extent to which trade unions' involvement in the Semester has helped shape the outcomes of national reform processes is complicated by the fact that, even when national reforms are linked to the themes of the Semester, it is very difficult to see whether and to what extent their outcomes were affected by the Semester, or if they are due to purely national dynamics. A proxy for analysing the link between the two processes, and the role possibly played by trade unions, could be to analyse cases in which these organisations have explicitly used analyses and recommendations emerging from the Semester in national reform processes. In these cases, one can arguably say that the Semester has had some impact – at least on the discursive level – on national outcomes. This is, for instance, true of Bulgaria, where national trade unions made extensive use of the information in the CRs and of the CSRs in negotiations with the government on increasing the minimum wage, and on the allocation of additional funds to education and healthcare (Tomev *et al.* 2019: 22). Finnish and Italian trade unions have also sometimes used Semester-related messages and analysis, even if (as mentioned above) in Italy the trade unions tend to be cautious when referring to the Semester. According to Perista and Perista (2019), the initial inclusion of the minimum wage in the CSRs to Portugal also had some impact on the national process: '[probably] if the Semester had not referred to the minimum wage, the Portuguese administration, the government and social partners might not have been so interested in building indicators able to demonstrate that the updating of the minimum wage does not harm employment growth' (*ibid.*:24).

Trade unions in the countries under scrutiny are usually sceptical about the degree of influence they have had on national and, especially, EU *agendas*, i.e. the overall priorities and orientation of the Semester and of national governments' policies. Of course, at national level, this scepticism is particularly strong in countries where social dialogue is under strain, while trade unions in countries such as Finland and Sweden have enough resources to influence national agendas through ordinary policy-making and social dialogue. At the EU level, however, while trade unions may have influenced the inclusion or otherwise of specific EU recommendations to their countries, many trade unionists state that this has not led to significant changes in the Semester's overall policy-approach. This remains, in the view of the trade unions, strongly imbalanced, with regard to macroeconomic and fiscal policies, towards fiscal consolidation. This position is particularly evident in the statements of Belgian, German, Italian and Portuguese trade unionists. In addition, national trade unions often leave it up to the ETUC to

try to influence the overall European agenda and policy orientations. Unlike the outputs and outcomes of the Semester, for which cognitive resources are essential, these 'high-level' changes would require considerable institutional and political resources.

Box 6: Trade unions' influence on the Semester: results from the online survey

According to the results of the INVOTUNES online survey, in the majority of cases, national trade unionists perceived that the influence they were able to exert on the Semester through interaction with EU institutions/bodies was 'low or very low' (62.2% of the respondents) or 'medium' (27% of the respondents). 'No influence' at all was reported only by two trade unionists (5.4%), while nobody referred to a 'high' or 'very high' degree of influence.

Similarly, in the majority of the cases, national trade unionists perceived that the 'influence' on the Semester their organisations were able to exert through interaction with national institutions/bodies was 'low or very low' (59.5%) or 'medium' (18,9%). No influence at all was reported by 18.9%, while no respondents indicated a 'high or very high' degree of influence.

Source: INVOTUNES online survey (2018-2019).

6. What have we learnt? Discussion and overall conclusions

6.1 Explaining trade unions' involvement in the Semester: key determinants

The objective of the INVOTUNES project was to investigate whether and how national trade unions have been involved in the Semester at both the national and EU levels, the strategies that these organisations have used in order to be involved, and the influence that they have actually had on the Semester (if any). At the beginning of the project, we hypothesised that three variables could explain the key features of the involvement process, strategic choices and any influence they might have had: a) the institutional frameworks in which trade unions act (notably Semester-related access channels and national industrial relations systems); b) the level of resources available to trade unions; and c) the degree of EU pressure on the various countries (that may vary depending on the specific issues at stake).

The results of the analysis show that there is considerable variation between the countries under scrutiny with regard to the features of the involvement of national trade unions in the Semester and their strategic choices. Furthermore, even in the same country, the involvement process and trade unions' strategies can vary over time and according to the specific issues at stake. These variations make it difficult to identify general trends, also because the explanatory variables used in the analysis combine in peculiar, country-specific ways, thus leading to country-specific outcomes. This said, some general trends can be identified.

First, the availability and quality of **Semester-related access channels** is an important factor, explaining the extent to which national trade unions are involved in the Semester and the level of governance on which these organisations concentrate their efforts to be included in the process. When national access channels are unavailable or work poorly – which is often the case – trade unions tend to try to be involved in the process through the ‘Brussels route’. The latter is also facilitated by the fact that, in recent years, EU institutions and bodies have considerably increased their efforts to discuss with national trade unions, both directly or through the intermediation of the ETUC. According to national trade unions, these EU access channels are usually of good quality.

Second, and perhaps surprisingly, we found that the traditional features of national **industrial relation systems** are *not* a strong explanatory factor. Trade unions in countries belonging to the same industrial relations cluster adopt different strategies for involvement and target different levels of governance. This holds true for all the countries under scrutiny. The analysis undertaken shows that, more than the traditional features of industrial relation systems, the current, actual **strength of national social dialogue** and, more generally ‘**national politics**’, matter a great deal. In other words: irrespective of the national industrial relations systems, the governments’ attitude towards the social partners is a key variable in explaining the features of trade unions’ involvement in the Semester. In this respect, trade unions in countries in which social dialogue is currently under strain, are more prone to adapt proactive strategies for involvement targeting the EU level. This is the case of Bulgaria and Italy. In countries where national social dialogue is strong (DE and SE), trade unions opt for responsive strategies and prefer to be involved in the Semester through national channels. In these two countries, this focus on the national level is also due to the fact that the degree of EU pressure is relatively weak and the overlap between the themes of national social dialogue and the Semester is at best partial.

Third, the variable of **degree of EU pressure**, when coupled with the strength of national social dialogue, also has some explanatory value. As described above, in countries where this pressure is low and social dialogue is of good quality, the importance attached by trade unions to the Semester is more limited; their focus is on interaction with national governments in the domestic social dialogue. However, in Finland, while social dialogue is still strong (although it deteriorated during the period covered by this study), the country faces stronger EU pressure than in Germany and Sweden, and the Semester themes are more salient at the national level. Consequently, Finnish trade unions have an interest in pro-actively seeking involvement in the Semester, including by strengthening their contacts with the Commission. The same applies to Belgium.

If this reasoning is correct, we should expect proactive strategies targeting the EU level to be chosen by trade unions in both Italy and Portugal, since these two countries experience a rather strong degree of EU pressure. This dynamic should be stronger in Portugal than in Italy, since there is greater overlap in Portugal between the themes on the national agenda and those in the Semester. However, while Italian trade unions tend to use proactive strategies for involvement, targeting the EU, Portuguese unions adopt rather responsive strategies focusing on the national level. Two explanations can be provided for this. First, again, there is the strength of national social dialogue. There is currently almost no social dialogue in Italy, while there have been some recent improvements in Portugal. Second, Portuguese trade unions perceive the Semester, in a way, as a continuation of the austerity policies imposed under the Memorandum of Understanding, which significantly hampers their willingness to be fully involved in the process and to actively seek contacts at the EU level. Conversely, given the stalemate in the national social dialogue and ongoing attempts to delegitimise their role, Italian trade unions have more incentive to actively seek involvement in the Semester, and to (sometimes discreetly) use support from the European Commission to try and increase their legitimacy and justify their demands for a relaunch of national social dialogue. In sum, trade unions' attitudes towards the Semester (and, more generally, citizens' **attitudes towards the EU**) have a role in explaining the type of involvement strategies chosen by national trade unions, their targets and the way trade unions use (or do not use) the Semester at the national level.

With regard to the latter aspect, Pavolini and Natili (2020) have identified three possible (strategic) ways in which trade unions may use the Semester at the national level: the Semester a) as a lubricant for national reforms; b) as a policy sword; and c) to prevent policy problems. Unsurprisingly, the Semester is used to prevent policy problems by trade unions in countries with a strong tradition of social dialogue, a relatively low degree of EU pressure and low national salience of the Semester (notably, DE and SE). Policy sword usages, aimed at wielding Semester-related messages and recommendations in order to overcome possible blockages of national social dialogue, are usually adopted by trade unions in countries where social dialogue is relatively weak – in general (e.g. BG) or in relation to specific topics (e.g. BE) – or non-existent (IT and HU). Finally, in some countries, trade unions have actually used European recommendations (when in line with their preferences) as a sort of 'lubricant for national reforms', i.e. in order to legitimise their demands, when negotiations on specific topics were already ongoing at the national level. This strategy was adopted in countries where there is a strong overlap between the themes of national social dialogue and of the Semester (BG and FI).

In this research we have also investigated the actual **influence** that trade unionists perceive their organisations to have exerted on Semester-related decisions at both the EU and national level. At national level, influence on the NRPs is limited or non-existent in most countries, while influence on the outcomes of national reform processes varies between the countries, mainly depending on the political and institutional, legal and political power of the national trade unions. Furthermore, only in a few cases have we found a somehow direct link between the Semester and the outcomes of national reforms. We have also seen that national trade unions' influence has mostly affected the outputs of the process at the EU level (notably the CRs) and, in some cases, the outcomes (i.e. the CSRs). Crucially, this impact has usually been a consequence of repeated interaction and exchanges of information between trade unions (sometimes together with national governments and employers) and the Commission. This has resulted in changes or fine-tuning of the Commission analyses on specific themes that, sometimes, led to changes in the CSRs (or, even, their withdrawal). The achievement of such an impact seems more likely when trade unions are able to act together with other actors, especially national governments and employers' organisations. Influence on national agendas – priorities and overall orientation – varies across the countries, again mostly depending on the political and institutional resources of the various trade unions. Conversely, national trade unionists in virtually all the countries under scrutiny claim that they have had no impact at all on the overall EU agenda, policy priorities or orientation. Trying to obtain this sort of impact is a task usually delegated to the ETUC.

The last variable considered in this research is the trade unions' **resources**. Trade unions in the countries under scrutiny have varying levels of resources that they can use in the policy-making process, and they make different choices concerning how much to invest in the Semester. In some cases, even if national confederations have considerable resources available, they consciously decide to limit their use in the Semester. For instance, in both Germany and Sweden the salience of the Semester is relatively low, and trade unions mostly adopt responsive strategies for involvement, which are less resource-consuming than proactive strategies. In these countries, trade unions prefer to invest their resources in the national policy-making processes. In other countries, national trade unions do not have enough resources to effectively implement their preferred Semester-related strategies.

With regard to the type of resources needed in order to be involved in the Semester, the importance of cognitive resources emerges from the analysis, especially for involvement at the EU level. Trade unions usually adopt insider strategies, consisting of exchanges of information with policy makers. Outsider strategies directly linked to the Semester – which would entail a major use of more political resources – are rare. Instances of influence on the output and outcomes of the Semester (at EU and, to a lesser extent, at national level) have been the

result of repeated interaction and exchanges, during which national trade unions have tried to challenge/complement policy-makers' analyses by providing them with information and data.

6.2 Trade unions and the Semester: between expertise and politics

Much of the scientific literature portrays the Semester as a technical, evidence-based process: this is also reflected in some of the INVOTUNES case studies. One could easily conclude from this that if trade unions wish to take part in the process, they have to adapt to this reality, and that politics thus disappears from the radar. This conclusion, however, would be too simplistic and, in fact, mistaken.

Political considerations are indeed important upstream of the involvement process, and crucially affect its features and dynamics. The decisions of policy-makers as to whether or not to involve trade unions in the Semester are dictated by political considerations, and the same applies to trade unions' decisions as to whether, how and to what extent they wish to be involved in the process. Among the various reasons pushing the Juncker Commission to open the Semester up to trade unions, is the attempt to legitimise EU intervention in national policies, partly with a view to creating broader coalitions facilitating the implementation of the CSRs in the Member States. This challenges the views of the Semester as a purely bureaucratic exercise, mainly concerning EU and national administrations. Similarly, national governments' decisions as to whether to involve trade unions in the Semester, and in domestic policy-making in general, depend on the political orientation of the various governments and on their views concerning the role of the social partners in the policy process. Confronted with these situations of 'opening/closing', the European and national trade union movements have had to choose whether and how to play the Semester game. Indeed, given the overall neo-liberal orientations of the Semester (especially in the first years, see Zeitlin and Vanhercke 2018), the decision to participate in the process entailed certain risks for trade unions. Since 2013, following a period of strong opposition, the ETUC has decided to engage in the Semester, although keeping a critical stance. Partly due to insufficient political resources to engage in more confrontational strategies, and because it was difficult to use more traditional institutional channels to access EU policy-making (notably, EU social dialogue), the ETUC decided to try to change the Semester from inside.

While this choice has been embraced by many national trade unions, it has been more difficult for some national confederations that still hesitate to become fully involved in the Semester. In some countries, where the Semester is still perceived (by both trade unions and a majority of citizens) as a vector of neo-liberal, austerity-oriented policies, national trade unions are cautious when it comes to involvement and to using Semester-related messages at the national level: it would be a risk to be perceived as too close to the EU. This attitude is based on

strategic, political considerations. However, these trade unions also see opportunities linked to the Semester. Although national venues and procedures – notably social dialogue – are still the preferred channels for trade unions to impact policy-making, these channels are sometimes under strain or not available; in such cases, some trade unions have decided to seek support from the European Commission (through the Semester) in order to increase their political legitimacy at national level.

This said, when deciding to play the Semester game, trade unions have to adapt to its rules. One of these is the 'comply or explain' principle (Zeitlin and Vanhercke 2018): the claims of the actors participating in the Semester should be justified and supported with 'technical' arguments – data and analyses – rather than making purely political points. Thus, as emerges from this research, cognitive resources are fundamental in order to participate in the process. Any changes to the Semester messages and recommendations, resulting from continuous and time-consuming exchanges with policy makers, are usually gradual and often perceived by trade unions as small-scale. The cumulative effect of these small changes can nevertheless lead to more significant changes in priorities and orientations concerning specific topics, for example the issues related to wage setting and collective bargaining widely discussed in this research.

However, more radical changes in the overall agenda, priorities and orientation of the Semester would need a different strategy and different types of resources. The neo-liberal orientation of the process and the persisting priority given to fiscal consolidation, which trade unions decisively oppose, have strong political and ideological foundations that cannot be challenged through technical arguments only. To confront these ideas, political resources would be needed and, for the moment, neither the European trade union movement nor many national organisations have sufficient resources to do so. The European Pillar of Social Rights – widely supported by trade unions – might be a political argument that trade unions could use in order to promote broader, high-level changes in both EU and national policies.

7. The way forward: policy recommendations for more effective involvement in the Semester

A number of recommendations as to how to improve the involvement of national trade unions in the Semester emerge from the eight INVOTUNES national case studies (see also Kirov and Markova 2020). Despite the differing national situations, these recommendations often refer to two aspects that have emerged from the research as the most problematic in the majority of the countries under scrutiny: a) access channels, especially national channels; and b) resources.

Recommendations to trade unions

- *Resources*: national trade unions should invest in strengthening their cognitive and organisational resources in order to facilitate their involvement in the Semester.
- *Exchange of best practices*: the ETUC should favour the exchange of practices and strategies regarding involvement in the Semester between national trade unions.
- *Cooperation between national trade unions*: enhanced cooperation between national trade unions would facilitate their involvement in the Semester and could increase their chances to impact the process. Furthermore, EU funding could play a supportive role in this respect.
- *Interaction*: trade unions should further enhance their interactions with the Commission, especially in order to fine-tune/change the Commission diagnosis in the Country Reports. Indeed, this research shows that these interactions can potentially lead to changes in the outcomes of the Semester process at the EU level, notably in the contents of the CSRs. If changes are in line with trade unions' preferences, EU recommendations could be used as an additional argument in trade unions' interactions with national governments.
- The *ETUC* should keep making efforts to effectively channel national trade unions' positions at the EU level and to facilitate national trade unions' involvement in the Semester at both the EU and national levels. The role of the TUSLOs should be further clarified and reinforced, including by better defining their position and responsibilities within national trade union confederations.

Recommendations to the Member States

- *Participation*: Member States should ensure that involvement of social partners is envisaged from the early stages of drafting the Semester documents and throughout the process. A formal annex to the NRP should be envisaged, drafted jointly by national trade unions.
- *Revitalise national social dialogue*: national governments should turn to more effective discussions with trade union organisations, providing them with greater incentives to invest their own resources in the Semester.

- *Monitoring*: at the end of each Semester cycle, the government should briefly assess the social partners' involvement and inform them of which of their proposals have been taken into account in the NRP and which new measures and initiatives are proposed for the upcoming new Semester. Governments should aim to provide feedback on written input (opinions/positions) from the trade unions.

Recommendations to the European Commission

- *Adequate timing*: sufficient time should be made available to trade unions to comment on the position/intentions of decision-makers and to react in accordance with their capacities.
- *Developing capabilities*: the European Commission should encourage the development of trade unions' capabilities (e.g. the development of their expertise and administrative capacity) and boost the exchange of good practices with regard to trade union involvement.
- *Monitoring and evaluation*: trade unions should be given the formal task of monitoring and evaluating the implementation of social and employment CSRs.
- *Pressure*: the European Commission should put more pressure on national governments to involve the social partners in Semester discussions, in cases in which this is weak or non-existent. Moreover, the Commission should regularly check with governments how social partners are involved in the Semester and in the evaluation of Semester documents.
- *Feedback*: at the end of each Semester cycle, the Commission should briefly assess the social partners' involvement and inform them of which of their proposals have been taken into account in their decisions. This may increase national trade unions' ownership of and commitment to the Semester.

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