The workshop consisted of two days of training, with a separate training programme for workers’ and employers’ representatives on the first day and a joint bipartite programme on the second day. The workshop was attended by 50 participants, 29 on trade union side and 21 on employers’ side, 7 from Bulgaria, 13 from Romania and 30 from Poland. The tables below show the distribution of participants and experts per country, with gender disaggregated data.

### PARTICIPANTS

<table>
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<tr>
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<td>-</td>
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### EXPERTS AND ORGANIZERS

<table>
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<th>Gender</th>
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<tr>
<td>Ilaria Savoini</td>
<td>EUROCOMMERCE</td>
<td>BE</td>
<td>F</td>
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<tr>
<td>Fabrice Warneck</td>
<td>UNI EUROPA</td>
<td>BE</td>
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<tr>
<td>Laila Castaldo</td>
<td>UNI EUROPA</td>
<td>BE</td>
<td>F</td>
</tr>
<tr>
<td>Jeanne Schmitt</td>
<td>ITC-ILO ACT/EMP</td>
<td>IT</td>
<td>F</td>
</tr>
<tr>
<td>Evelin Toth M.</td>
<td>ITC-ILO ACTRAV</td>
<td>IT</td>
<td>F</td>
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<tr>
<td>Joanna Katsoulas</td>
<td>UNI GLOBAL</td>
<td>CH</td>
<td>F</td>
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<tr>
<td>Maurizio Curtarelli</td>
<td>EUROFOUND</td>
<td>IE</td>
<td>M</td>
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<tr>
<td>Jan Czarzasty</td>
<td>expert</td>
<td>PL</td>
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### DAY 1 - EMPLOYERS GROUP

#### MORNING SESSION

#### OPENING SESSION

Welcome by Ilaria A, Maciej P
- Ilaria present the objectives of the project
- Maciej present his organization
Jeanne presents the ITCILO and the role of the Employers Programme

Tour de table in which all participants present themselves: 3 participants are not directly from EOs (1 from Dublin Foundation, two from Agriculture state support agency PL)
Within the EO participants, majority of company representatives vs. EO staff. All three workshop countries well represented.

**START OF THE CAPACITY-BUILDING SESSION**
Presentation by Jeanne S.

Introduction of the topic of the morning session focusing on internal functions of EOs and identification of points to be improved.

Tour de table of expectations of participants from seminar/project as a whole
- Know more about the legal framework and practices (company, esp: multinationals, sector, national levels) in each country regarding social dialogue
- Practices regarding lobbying in the different countries
- Cooperation between organizations and notably pressure to buy/favour local production

Presentation of key elements on the evolution of employer organizations, challenges and trends. Main features in the East and Central European region.

Exercise on Strengths, Weaknesses, Opportunities and Threats faced by organization. Exercise proposed to map the existing situation before discussing, which are the strategic priorities of each EO concerning notably lobbying and social dialogue (afternoon session).

Participants were grouped in country groups and asked to identify the internal Strengths & Weaknesses of their organization. A number of factors were proposed as reference points. Participants also identified Opportunities and Threats they should take into account in their environment.

Group speakers presented the result of this work, which can be summarized as follows:

- **Strengths**
  - Values (B)
  - Influential big businesses/Representativity (B+R+P)
  - Sector is adding value (B)
  - One roof, one voice, one message (R)
  - Cooperation with TUs/Recognized partners (R+P)
  - Member of BIA (B)

- **Weaknesses**
  - Conservative PR strategy (B)
  - Access to some media such as TV (R)
  - Bad image in the public (B)
  - Multiplicity of organization (P)
  - Decision-making: consensus building (B+P); solidarity (R)
  - HR limited (B)
  - Experience (B)
  - Involvement of members – sense of ownership (P)
  - Entry difficult with governments (P)

- **Opportunities**
  - Extension of association (R)
  - Good relations with NGOs (B) such as institutes of analysis, think tanks
  - Strengthening public image (P+B+R)
  - Eurocommerce membership
• Threats
  o Competition authorities (R)
  o Linked to PR/Communication; Declaration + internal procedures (B)
  o Legislation ed. Terms of payment stemming from EU Directive (R)
  o Elections/change in government (B)
  o Nationalisation of debates (B)
  o Lack of knowledge of market within counterparts (All three)
  o Economic crisis: weakness of retail sector; competiveness (all three)
  o Image of I company has an impact on the whole group of companies (R)

The results of the prior online survey was presented to illustrate some of the points under discussion notably concerning membership/representativity (eg. employers organizations scene and possible competition) and lobbying environment (latest legislation changes).

Jeanne S. made comments on the group work results and highlighted some good practice elements from the countries concerned and other ones as well.

AFTERNOON SESSION

Jeanne S. shortly presented the afternoon sessions and the link with the morning ones: after having discussed the constraints and opportunities of EOs, the rest of the seminar will be dedicated to sharing knowledge on
  • Lobbying and notably the European Retail Action Plan
  • Social Dialogue

In both areas the workshop’s objectives is to share practices and strengthen the links between the national and European working levels

STRENGTHENING THE COMMERCE SECTOR’S VOICE

Ilaria S. on European Action plan for retail

Questions Q&A
  • ERAP proposals to come in June 2013.
  • Green Paper deadline for comments extended 2 weeks. Draft document and summary of replies + working groups conclusions should be disseminated. RO made comments for the Parliament. Documents will be circulated. College of Europe is making a survey // to EC consultation (Bul)

Maciej on retail market situation in Poland

He notably insisted on the following points:
  • Segments in most competition: convenience vs. discounters. Convenience shops are members of PIH.
  • Main turnover made in big format shops
  • Big growth potential for franchising (run by family businesses)
  • Salary costs are high due to high social security costs (more problematic than tax) for low real salary levels
  • Bureaucratic finance ministry and out of touch + note interested in voice of entrepreneurs
• Discussion on the change in criminal law concerning the level under which theft is considered a crime – could have big implications on safety in shops
• IT penetration low
• Card Interchange fees very high

QUESTIONS
Romania - Interbanking fees (Visa, Mastercard) very high, probably part of it going to banks (?), so the Ro association asked the competition authorities to check where the money is actually going. In addition to visa/mastercard, local bank take a percentage. But that will change with new EU regulations.

REINFORCING OWNERSHIP FOR THE EUROPEAN SOCIAL DIALOGUE

Jeanne presentation on social dialogue: Industrial Relations main features; differences between levels, intensity, parties involved, outcomes etc. Some time was spent on benefits from social dialogue from the different levels.

Ilaria presentation on EU level Commerce social dialogue. Insist on binding level of EU social dialogue; subsidiary principle; work programme 2012-2013

Group work discussion: How can I make social dialogue a relevant tool for business?

• At national level
  o Economic realities – solutions to educate unions and managers
  o Creating a level-playing field sector
  o Company: motivation
  o Education and training
  o Strengthening image sector
  o Cooperation within EOs
• At EU level
  o Sharing of experiences / realities good and bad
  o Relation building with national partners

DAY 1 – TRADE UNIONS’ GROUP

On the first day, the training programme for the trade union representatives was sub-divided in 4 training sessions, two in the morning and two in the afternoon. The sessions addressed the following topics: (1) Overview of the project; Industrial relations and social dialogue: issues and challenges in New Member States – analysis of on-line survey for Bulgaria, Poland and Romania; Introduction of participants and the agenda; (2) Trade union strategies in multinational companies – achievements and challenges; (3) Strategic organizing in MNCs in commerce sector; (4) Assessment of social dialogue structures in Bulgaria, Poland and Romania – preparation for bipartite programme.

MORNING SESSIONS

SESSION I

Welcome by Alfred Bujara, UNI Europa Vice-President and President of NSZZ Solidarnosc Secretariat for Banks, Commerce and Insurance

• Laila Castaldo, UNI Europa presents the objectives of the project and introduces the agenda
The presentation covered the following themes:

(i) General economic background and industrial relations characteristics in Poland, Romania and Bulgaria;
(ii) Main social dialogue challenges in commerce – building on experiences and recommendations of the EU-funded ITC-ILO project implemented in 2011;
(iii) Comparative presentation of replies to the on-line survey on social dialogue in commerce sector.

The main areas for improvement that have been identified can be summarized as follows:

- Weak national labour legislation in NMSC subject to frequent reforms;
- Need for consolidation of institutions, add content and delivery power to the existing institutional forms;
- An overall low level of social dialogue and industrial relations in commerce sector due to relatively low representativeness of both employers’ organisations and trade unions;
- Sectoral social dialogue and collective bargaining are the weakest link;
- Need for a new culture of SD in NMS, building mutual trust and commitment of social partners to jointly design and implement SD agenda on the issues of common interest in the sector at national and EU level.

Challenges on trade union side

- Prioritizing strategic organizing and increasing trade union membership
- Rebuilding and redeveloping trade union structures
- Increasing representation of all the workers in the sector by including specific interest groups (youth, women, precarious workers...) at all levels of TU organisation
- Improving communication, knowledge-sharing and dissemination of information at all levels
- Introducing more research, expertise
- More education at all levels on core trade union areas of work and core skills
- Rejuvenation of trade union movement and empowerment of young trade union leaders
- Strengthening internal capacity to maximize the benefit of international cooperation with UNI Europa and its affiliated organizations and to increase the participation in European social dialogue in qualitative and quantitative terms.

SESSION II

The second session started with 3 country presentations highlighting success stories in organizing workers in commerce sector. Presentations were followed by an interactive exercise conducted by Joanna Katsoulas in which the participants were divided in 6 groups and they were asked to brainstorm and discuss issues that affect commerce workers.

AFTERNOON SESSIONS

SESSION III
Following the reports in the plenary, the participants were asked to split again in the working groups and to prioritize issues for a potential organizing campaign. Each group selected a rapporteur who presented the ideas of his/her group in the plenary.

SESSION IV

E. Toth from the ITC-ILO presented a recently published Manual for trade union education on Social Dialogue, designed for trade union trainers responsible for organising courses at the sectoral and/or national level. A particular focus is put on the Central and Eastern European Countries (CEECs), both EU New Member States and Candidate Countries, and thus the specific conditions and needs trade unionists from these countries face when it comes to strengthening Social Dialogue. The manual comprises seven short training modules, each dealing with a specific issue. In Modules 1-4, training focuses on enabling trade unionists to gain a better understanding of the different aspects and levels of Social Dialogue. These modules cover a basic introduction to Social Dialogue, some more detailed explanation of the national and European level processes, as well as a presentation of European Works Councils as one specific instrument of company-based transnational dialogue. Modules 5 and 6 focus on skills training. They address the specific Social Dialogue competences of conflict resolution and negotiation skills. Module 7 deals with gender mainstreaming - a crucial, transversal topic in all Social Dialogue processes. The manual is available in e-version in Bulgarian, Polish and Romanian and in paperback version in Romanian and Polish. All the participants received the copies of the Manual in their national languages and were asked to work on an Activity Sheet ‘Making Social Dialogue work’ from Module 2.: National Social Dialogue. They were asked to work in small groups and to identify benefits, good practices and obstacles to social dialogue in their countries and sectors and to report on their findings in the plenary. This exercise served as a preparation for the second day of the workshop, namely the bipartite programme with the employers’ representatives. The summary of the discussions and closing remarks were made by Fabrice Warneck from UNI Europa.

DAY 2 – JOINT WORKSHOP

MORNING SESSION

Welcome by Ilaria and Laila
Presentation of the first speaker

PANEL DISCUSSION – THE IMPACT OF THE CRISIS ON THE COMPETITIVENESS OF COMMERCE SECTOR OF THE EU

Maurizio Curtarelli, Dublin Foundation, starts his presentation on a comparative study of the retail market in Europe and of working conditions in the sector.

Main conclusions:

- Huge transformation of the sector in the last 2 decades with notably a high penetration on the market of big retailers companies. Diverging trends between NMS and OMS.
- Significant decline of self-employment. In R,B,Pl below EU average
- Share of part-time jobs increased substantially
- Shift to jobs requiring higher qualifications (technicians, professionals etc.)
For the jobs requiring contact with third-parties, higher prevalence of risks of third-party violence/harassment, theft etc.

Social partners have taken a number of initiatives to tackle negative impacts on working conditions.

QUESTIONS

UNI-Europa

- Question of the survey “I am well paid in my jobs” - how the assessment is done?
  - MC: LFS question is asked to workers. It is their perception.
- Question of the survey “I am over-skilled” - how the assessment is done?
  - MC: LFS question is asked to workers. It is their perception.
  - MC: overskills is reported in some countries ie regarding the mismatch between their education level and what they are asked to do in the job
- The sector seems to have been more resilient to the crisis of the economy, but jobs’ quality has been loosed notably with features like part-time, reconciliation job/life

Eurocommerce

- Examples of good practices:
  - “Stop it - a toolkit”
  - Cross-industry guidelines on third-party violence + compilation of examples of implementation in the sectors

TU – PL SOLIDARITY

- Study says lots of the training in Pl. But impact on the long-term is close to zero because people are fired afterwards. Is the impact of the training studied?
  - MC: LFS question is asked to workers. It is their perception.

TU-PL SOLIDARITY

- 63% of people satisfied with their pay in Pl? This does not correspond to the data of Solidarity. Our data show that the main problem is overwork.
- For what concerns employment security, our data show as well that people are less satisfied notably regarding civil law contracts and outsourcing. This has also a direct impact on their wages.
- Increase in sales but decrease in employment lead to overworking
  - MC: methodology of the survey: random sample for each country (around 1000 citizens) representing the employed people in the country. So reproduces in small the bigger picture. The survey collects workers’ perceptions which therefore take into account several factors not only the form of their contract but also their possibility of renewal, their situation compared to others in the country etc. The survey dates back to 2010.

TU-PL SOLIDARITY

- How is the question on the second job asked?
  - MC: the question is “do you have a regular second job, an occasional second job etc.” we do not enquire on the reasons why there is or not a second job apart from the first one. We are here surveying on a paid second time.

TU-PL OPZZ TESCO AND AUCHAN

- Having a second job is not possible due to the hours that we are working already in the first job. Problem is low pay.
- Difficulty of the job due to poor equipment (forklifts)
- Many workers are over skilled / overeducated (first education). Many training also exist in companies to get versatile employees. Many funding opportunities from the EU, some also wasted. The volume of training offered is explained by tax reliefs’ opportunities.

JAN CZARZASTY, EXPERT from WARSAW SCHOOL OF ECONOMICS

- IR and SD in Poland: Nepotism in public sector and pluralism in private sector. Only existing Coll. Agreements is at cross-industry level. Mainly in formerly state owned enterprises and public sector. No agreement in the commerce sector. Tripartite SD exists from 1992. Majority of poles work for medium enterprises and 40% in small enterprises ie difficult to organize for TUs + it is quite easy to create new TUs so this was problematic ie creating great fluctuation of TUs in enterprises in the 90s. Now less an issue.
- Revitalisation strategies tried in the mid-90s with organizing campaigns notably in some services sectors with some results. In the commerce sector, success eg to retain members despite high turnover.
- Coll. bargaining at company level- content is poor, not giving (much) more than the law. Climate in IR is not good. Tripartite sd also not good in shapes. Possible calls for general strikes.
- Work Councils did not deliver. Why? Because seen as duplication of TU role
- No sector and no company level agreements
- Temporary jobs and civil law contracts as obstacles to unionisation. No incentives for people to join + no motivation for TU to organize them because of fluctuation

QUESTIONS

- Anti-crisis measures did not impact on civil law contracts but only on temporary contracts (?)

TU PL

- Decrease of employment in the commerce sector or growth? Difference between the two studies
  - JC: explained by difference in definition of the sector and methodology of the survey.

INDUSTRIAL RELATIONS; SOCIAL DIALOGUE AND COLLECTIVE BARGAINING IN ROMANIA; BULGARIA AND POLAND

Delegations were asked to group by country. They were asked to work on two different questions:
1. Share a common understanding of the social dialogue structures and settings in their country
2. Identify some actions points to be taken jointly until the end of 2013

AFTERNOON SESSION

The results of the working groups are as follows:

BULGARIA

Opening remark: employer part is not a social partner so limited capacity
Current situation retail sector:
- Dialogue mainly at company level. Some companies have started dialogue but level of trade unionism very low and agreements very difficult to negotiate
- Negotiations on-going with two nationwide retail firms + starting in a third one
- At sector level almost no dialogue. Neither side has proper representation
- Tripartite dialogue at national level

Action Points:
- We have agreed that situation between employer and employees is relatively good. Legislation gives good protection but implementation and black economy are the real problems: enforcement of legislation and informal economy should be the focus of actions now.

ROMANIA

Current situation
- Social dialogue is existing at three levels
  - National level
  - Sector level: almost no dialogue. There are a multiplicity of representatives: 6 employer organizations and 4 TU
  - Dialogue exist in the public sector-
  - In the private sector it is limited to information sharing. In addition, trainings do take place. Trust and respect are existing. The climate is rather constructive.
- Company level: the situation is “pretty ok”.

Action points:
- We should create a committee to support social dialogue
- In this committee, joint actions for the commerce sector should be discussed

POLAND

Comment understanding of the situation:
- Willingness to talk should be on both sides. The discussions we just had show that it exists
- Macroeconomic situation in the sector is far from perfect. Current downturn
- Objective of joint talks: keeping the jobs. This is central. And also creating new jobs and stimulating sustainable growth
- Discussions should not be about “revolutions”; We have to talk about feasible solutions and “new” or “innovative” ones
- We also have to keep in mind the legal and administration barriers to getting to these solutions
- We need to use new technologies to improve working conditions
- We have to look up to solutions implemented elsewhere – use best practices
- We should empower the workers. Workers’ rights are very well regulated at ILO and EU level but many things remain up to the employers. So workers should be strengthened to claim their rights

Action points:
- Working time – more coherent solutions should be sought. Notably concerning work on Sundays. Opinion has changed- more appetite for “social” opening hours now even if at the beginning of liberalisation process consumers were more in favour of extended opening hours.
• Social responsibility -CSR- is very high on the agenda. Contributing to well-being is important. It is a buzz word. Actions in this field can contribute to reinforce image of both sides (employers and trade unions)
• Intercompany settlement. There is no social dialogue that level. So we need to identify first steps for such agreements to be settled.

TU SOLIDARITY Commenting on the above report
• It is the first time in the history of our sector that we have the opportunity to discuss with employers. We exchanged a lot of concepts, objectives etc. Employers have been clear about their positions. But we nevertheless did the first steps towards improving the situation. We have now to deliver these messages towards the leaders to each organization. TU want to talk to employers and willing to find win-win solutions. It will give us a lot in the future I am sure.
• Additional points
  o Shared objective to be tackled at company level: keeping jobs, keeping a certain level of working conditions: CSR, sustainable growth, fighting stress at work (and against mobbing). Some good practices exist. Also we should jointly seek solutions to push for legislative solutions –to be submitted to parliament and government. The legal environment is not very favourable and further liberalisation may come so need to act together
  o Working together on a framework concerning working time (24/7; Sundays) binding for everybody and not just some ... would be a great step forward
  o Fear of additional costs and loss of competition should be fought in order to convince of the possible gain of social dialogue
  o I recorded the debate! I will be a proof for the generations to come
  o Don’t be afraid of TUs!! Give us a hand!! We do not want protest in the streets – we want good dialogue

Comments from Eurocommerce:
• Constructive exchange of views and common will to improve cooperation very important

Comments from UNI Europa:
• We are looking for good partners to enter into dialogue
• We will do a report
• But I see some common trends: lack of dial, lack of standards for sector; lack of enforcement

Comments ITCILO
• Thank you + importance of willingness to talk and having trust to get effective dialogue

MEETING THE CHALLENGES – Session on good practices of social dialogue

Social Dialogue in the Carrefour group
Presentation by Mathilde Tabary

TU PL SOLIDARITY
• Carrefour in PL very bad relations three years ago. Lack good will. Do you know the reasons?
  o MT: it is a question of willingness of the group but also at national level. It can also be a question of persons. Let’s concentrate on positive development now.
• I wanted to say that the human factor very important in social dialogue. Some people can sometimes destroy the cooperation. Fortunately the situation is now good.
TU ROMANIA
- I confirm the constructive social dialogue in Carrefour Romania
- Situation is difficult for our TU but membership is growing and we have two agreements. Mutual respect is a condition which is there in this company, for the good of the company and of the workers. We hope to be able to succeed in the negotiation that will start at the end on May 2013.

TU ROMANIA
- One element is missing.
- Is it true that there is an opening to social dialogue in Auchan?

Social dialogue at European level in the Commerce sector

**Presentation by Ilaria**
EU Social dialogue viewed by Eurocommerce

**Presentation from Laila**
EU Social dialogue viewed by UNI Commerce

**CONCLUSIONS**

**NEXT STEPS**
- Sending the conclusions of the workshop
- Other regional workshops
- Final conference of the project on 4 December 2013

**CONCLUSIONS ILARIA**
- Thank you
- We succeeded in strengthening collaboration between representatives in countries where it is not the current practice
- Come to EU sectoral social dialogue meetings!
- We soon will discuss the next work programme 2013-2014 so please send your contributions
- We will continue monitoring progress in NMS
- We will have a project website with all documents accessible

**CONCLUSIONS LAILA**
- Big delegations show the interest for the topic and relevance of the workshop
- We don’t always have the same view on how to encourage social dialogue but we think that this is one of the steps made to help you. We concentrated on MNCs also because is the current level of dialogue and an important strategy for TU
- Some conclusions will be drafted to make some recommendations on the strengthening of in country sectoral level which is a prerequisite for strong EU level social dialogue

**THE WORKSHOP IS CLOSED!**