





**NOTES ON THE RELATIONS
BETWEEN THE SOCIAL DIALOGUE
AND TRAINING SYSTEMS
IN EUROPE
AND IN THE MEMBER STATES**



In the period between the Treaty of Rome and the Treaty of Maastricht, the role of the European social partners moved on from mere recognition to its institutionalisation.

The European social partners have won the right to sit on various European consultative committees and have participated in drafting Community-wide negotiations and cooperation, leading to the Joint Opinions drawn up within the framework of social dialogue and to the agreement signed on 31 October 1991 on the future of Community social policy, contained in the Social Protocol annexed to the Treaty on European Union (EU).

The participants in this dialogue recognised by the European Commission are the Union of Industrial and Employer's Confederations of Europe (UNICE), the European Centre of Enterprises with Public Participation (ECPE) and the European Trade Union Confederation (ETUC).

1 EUROPEAN CONSULTATIVE BODIES

The European Economic and Social Committee, set up by the Treaty of Rome, is the oldest body on which employers' representatives sit alongside those of employees and the various interests group of the Member States. Appointed by their governments, these representatives serve in a personal capacity and are called upon to advise on proposals forwarded to the Council of ministers by the European Commission. Since 1992, the Economic and Social Committee has enjoyed the right to put forward its own proposals.

Employer and trade-union representatives participate in specialised bodies such as the European Centre for the Development of Vocational Training (CEDEFOP) and the European Foundation for the Improvement of Life and Working Conditions (Dublin Foundation) and sit on the committee for the Community's Leonardo da Vinci programme and six inter-sectoral consultative committees, of which the most important in terms of vocational training are the European Social Fund Committee and the Consultative Committee for Vocational Training.

Another important consultative body is the Permanent Employment Committee, which brings together representatives of the European Commission, Social Affairs Ministers and the social partners.

2 EUROPEAN SOCIAL DIALOGUE

European social dialogue was launched in 1985 at Val Duchesse by the President of the Commission, who met representatives of UNICE, ECPE and ETUC to discuss Community economic and social policy and to attempt to break the deadlock within the Council of Ministers arising from a lack of unanimity - a requirement for decisions on social affairs.

The Single European Act gave legal status to this procedure, allocating the task of fostering relations between the social partners to the Commission.

The process of social dialogue has opened up a whole range of issues to debate. Following the Egmont Palace summit in January 1989, it also led to the establishment of a "pilot group" to foster permanent dialogue and to define the mandate and composition of working groups set up under its responsibility. As a result of these decisions, several working groups were set up to look into education and training, the

prospects of a European labour and employment market, and structural policies. In 1991, an “ad hoc group” was set up to prepare the Inter-Governmental Conference on Political Union and amendments to the treaties. One result of its work is the agreement of 31 October 1991, comprising a proposal for amending those articles of the Treaty that refer to social policy at European level. This proposal has largely been incorporated in the Social Protocol annexed to the Maastricht Treaty.

Once the Maastricht Treaty had been signed, the pilot group for social dialogue became the Social Dialogue Committee and three working groups were set up : one to deal with macro-economic issues, another for dialogue on education and training, and a third for labour market issues.

3 THE ACHIEVEMENTS OF SOCIAL DIALOGUE

The achievements of social dialogue can be divided into three categories: Joint Opinions; the Agreement of 31 October 1991; the results of sectoral social dialogue.

Joint Opinions

Thus far, under the aegis of social dialogue, seventeen documents have been approved: a Statement and Recommendation on the functioning and aims of social dialogue, five Joint Opinions on Community macro-economic trends, three Joint Opinions on the labour market and eight Joint Opinions on education and training.

The Joint Opinions on education and training deal with the following subjects :

- Training and motivation, information and consultation (1987);
- Basic education, initial training and adult vocational training (1990);
- The transition from school to adult and professional life (1990);
- The best methods for enabling the broadest effective access to training (1991);
- Vocational qualifications and their validation (1992);
- Women and training (1993);
- Future actions of European Union in the vocational training field and the role of social partners in this area (1994);
- The contribution of vocational training to the fight against unemployment (1995).

The Agreement of 31st October 1991 and the Protocol annexed to the Maastricht Treaty

The agreement signed by UNICE, ECPE and ETUC on 31 October 1991 states that agreements may be concluded at Community level between the social partners and that they should be implemented in accordance with the procedures and practices defined by the social partners and the Member States or in accordance with the Social Protocol annexed to the Treaty of European Union (EU).

This Protocol was negotiated between the twelve Member States of the EU, but covers only fourteen of the fifteen current members.

Regarding the EU's competences, it distinguishes between three categories :

- With regard to health and safety, working conditions, the information and consultation of workers, sexual equality and the integration of excluded people into the labour market, the European Council, in coopera-

tion with the European Parliament, takes decisions by qualified majority;

- Regarding matters of social security, workers' social protection, workers' protection in the event of termination of the contract of employment, the collective representation and defence of worker and employer interests (including joint management), the employment conditions of nationals of non-member countries, and financial contributions for the purposes of fostering and creating employment, the Council can take decisions only by unanimous agreement, following consultation of the European Parliament;
- Wages, the right of association, the right to strike and the right to impose lock-outs do not fall within the Council's competence.

Although vocational training is not explicitly mentioned, the links between training and several areas covered by the Protocol are evident.

Further, the Social Protocol is based on the consultation of the social partners during the preparation of the Commission's decisions, ensuring that the social partners are consulted in advance. It also provides for the taking of decisions and the implementation of Directives either through legislation or through agreement between the social partners.

Use was made of this facility for the first time when the agreement on parental leave was signed on 14 December 1995 by the ETUC, ECPE and UNICE.

Finally, the Social Protocol provides for social dialogue between the social partners to lead, should they so desire, to contractual arrangements, including agreements.

Sectoral social dialogue

At sectoral level, the European social partners have established, and pursue, a range of informal contacts in a variety of sectors.

In certain sectors, however, discussions and dialogue have produced more formal results.

These include :

- The ETUC/ECPE Framework Agreement concerning the deepening of social dialogue in the railway and energy distribution sectors, with regard to training and health and safety at work.
- The “Memorandum regarding training in the retail trade” signed by the European Confederation of Retailers (CECD) and the European regional organisation of the International Federation of Commercial, Clerical, Professional and Technical Employees (EURO-FIET), which has resulted in a training programme, already implemented in some Member States, for representatives of both parties.
- The “Guidelines” adopted by FENI and EURO-FIET on 9 February 1995, under the aegis of social dialogue, on vocational training in the cleaning sector, which concern the aims of joint action by the social partners to improve basic education and vocational training in this sector and foresee the possibility of defining a minimum content for training at European level and adapting these contents at national level.

Described by :

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and written in French.*

1 DEVELOPMENT OF THE SOCIAL DIALOGUE ON VOCATIONAL TRAINING

Austria is a republic with federal government and 9 provinces (*länder*).

The economy is characterized by a large number (approx. 90 %) of SMEs, public (oil, electricity, metal, finance and media) and foreign enterprises, especially German.

After the war, the reestablished republic issued a new act on Chambers, integrating all professional organizations in the chambers, which are autonomous public corporations, and establishing federal level chambers, e.g. The Austrian Federal Economic Chamber.

There are three main types of chambers: WK: *Wirtschaftskammern* (economic), *Landwirtschaftskammern* (agriculture) and AK: *Arbeiterkammern* (workers), other professional chambers exist as well. Membership of a chamber is mandatory by law.

Besides, the majority of employers and employees hold voluntary membership of respective, sectoral employee or employer organizations.

The employees are divided between blue and white collar employees in the sectors. The general worker interests are voiced by ÖGB (*Österreichische Gewerkschaftsbund*).

The employers have sectoral or branch organizations, e.g. for hotels and tourism. The most important one being the one for industry and industry-related services: VÖI, *Vereinigung Österreichischer Industrieller*. The division of tasks between the chambers and the unions/federations is a complex one with no clear cut divisions. Both types of organizations operate at both provincial and federal level, giving the Austrian federal and provincial government not two, but actually four social partners, all with a right to be consulted - and all participating in collective negotiations.

Consequently, the role of the social partners in social policy and regulation of the labour market is strong. Austria has one of the strongest “tripartite” systems in the EU. Negotiations cover the classical issues of wages and labour conditions, but have no particular emphasis on training issues.

In April 1994, after a major reform of the Austrian labour market management, AMS or *Arbeitsmarktservice* (labour market service) was created. The social partners were given even more influence on all labour market measures, at both federal, provincial and local level, especially on continuing training and retraining.

Training is regarded as a crucial element in the labour market policy by both sides.

As a new - as yet not very widespread - instrument in the regional labour market restructuring policy, *Arbeitsstiftungen* (labour foundations) are founded in some threatened enterprises in co-operation between the social partners at enterprise and regional level, and the local and regional AMS and government. They handle structural change, unemployment, retraining and placements.

The unions and *Betriebsräte* (works councils) participate in the organization, financing arrangements and management of these foundations.

Both the *Arbeiterkammern*, the unions and the *Wirtschaftskammern* have founded institutions (BFI : *Berufsförderungsinstitute* (labour promotion institutes) and WIFI : *Wirtschaftsförderungsinstitute* (institutes to promote trade and industry)) to take care of their interests, especially training.

The WIFIs and BFIs stand for most of the continuing vocational training in Austria.

The employees are entitled by law to establish *Betriebsräte* in enterprises with more than 5 employees. *Betriebsräte* have competence in a number of ways in relation to training. They must be informed about training plans, they are authorized to participate in planning and implementation of vocational training and retraining in the enterprise, as well as participate in negotiation between management and the AMS.

They may make proposals and demand consultation. Initiative is a prerogative of management, but the *Betriebsräte* have a relatively large say, when continuing vocational training is concerned.

2 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND LEGISLATION

In Austria, there are very strong links between the state and the social partners, sometimes described as neo-corporatistic.

The general framework of conditions for the workers are set out in legislation, but more concrete working conditions and wages are negotiated in collective agreements at national and sectoral level, with emphasis on the sectoral level.

Dialogue between the social partners vis a vis the government in preparation of legislation concerning labour market and training takes place in e.g. The Council for Economic and Social Affairs, which is a kind of social partner advisory body to the government at both federal and provincial level.

Financial arrangements are covered partly by federal and partly by provincial legal instruments.

Initial vocational training is regulated by federal law. Continuing vocational training is not regulated, but handled mainly by the social partners themselves.

3 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND THE VOCATIONAL TRAINING SYSTEM

Austria has an extremely well developed system for vocational training, with more than 80 % of the young choosing one or another type of vocational training, providing a strong basis for continuing and further vocational training, (approx. 45 % in a dual apprenticeship and approx. 35 % in a school based training), providing a strong basis for continuing and further vocational training.

Regulations for leave to pass examinations exist, but there is no general training leave arrangement.

The largest part of continuing vocational training takes place in institutions, initiated by the chambers of either side, and only in recent years in frameworks under joint influence, as e.g. under AMS.

Either way, the social partners have the dominant influence, forming the activity to the needs of working life.

In-house training is selectively promoted as part of structural development.

In continuing vocational training, there is in principle free competition, with a variety of private institutions, but the market is dominated by the WIFIs and BFIs in co-operation with the enterprises.

These large social partner institutions and a number of small ones - representing the totality of further training and education institutions in Austria - have formed a conference or forum for adult training, KEBÖ : *Konferenz Erwachsenen Bildung Österreichs* in order to influence government. Provincial KEBÖ fora exist as well.

Schools for employees, recognized by the state (primarily *meister* and *werkmeisterschulen*, but also for persons who want to obtain formal qualifications, for which a wide network of schools are provided in all regions) are also members of the Forum.

Provincial initiatives from the regional governments in co-operation with the regional social partners in order to promote training may be seen in some provinces, e.g. Oberösterreich, where personal training accounts (*Bildungskonto*) are provided by the government, and linked to institutions which are members of KEBÖ.

4 LEVELS AND CONTENTS OF THE SOCIAL DIALOGUE ON VOCATIONAL TRAINING

There is a basic understanding of the importance of continued training between the social partners, but not necessarily agreement about all the means and methods.

It is an aim for both ÖGB and the sectoral unions to have training issues (a right to training and leave arrangements) incorporated in the collective agreements, hitherto only covering training issues as an exception. The unions would also prefer legislation on the issue. The employers prefer to refer these issues to the enterprise level in order to maintain flexibility.

5 COMMENTS

As one of the three new member states in the EU, knowledge of the Austrian system with its strong traditions for tripartite solutions is of particular importance for the dialogue on vocational training at European level.

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1 DEVELOPMENT OF THE SOCIAL DIALOGUE ON VOCATIONAL TRAINING

Belgium has a long tradition of social dialogue. At national level, the National Labour Council (CNT) is a public institution comprising of representatives of both sides of industry, established at federal and multi-sectoral levels by the Law of 29 May 1952. Its role is one of consultation and negotiation on social issues. It was responsible for negotiating paid education leave and the apprenticeship law. The two sides of industry also negotiate intersectoral agreements, which generally last for two years.

However, following the constitutional reforms of 1980 and 1988, responsibility for education and training policies has now been transferred almost entirely to the federal bodies (Regions and Communities). As a result of the raising of the school leaving age from 16 to 18, vocational training is now partly covered by compulsory schooling.

In the French-speaking Community, the Decree of 12 July 1990 established the Education and Training Council, whose role is to promote training and education and to deliver opinions on any major reform in these areas, to ensure that the needs of the labour market are met. The Council works with the two sides of industry in this field.

After compulsory schooling, there are various continuing vocational training systems. Further vocational education was reorganised by the Decree of 16 April 1991, with the aim of improving occupational, social, cultural and educational integration. There is a Higher Council for Further Vocational Education, composed of representatives of the two sides of industry, whose role is to deliver opinions on how further vocational education can be improved, increased and brought more into line with socio-economic and cultural requirements.

The *Decree of 23 January 1991* concerned training and assistance for self-employed persons and SMEs in the Flemish Community. It set up the Flemish Institute for the Self-Employed, which has legal status and has the role of promoting and coordinating training, education and assistance for businesses. Its Administrative Board comprises employers' representatives, workers' representatives, training centres and the Flemish Regional Executive.

The *Decree of 3 July 1991* organised continuing training for trades people and small and medium-sized enterprises in the French Community. It also set up an institute which is run by an Administrative Board which does not include workers' representatives.

The *Decree of 16 December 1988* established the Regional Training and Employment Office (FOREM), which is run by a joint management committee. In addition to administrative authority, the management committee is empowered to deliver opinions on all regional employment and training matters.

The *Decree of 20 March 1984* set up the VDAB (the Flemish Placement and Training Office) which is responsible for placement and vocational training in the Flemish region.

At regional level, the social dialogue structures also play a very important role. The Economic and Social Council of the Walloon Region (CESRW) is a public law body, set up by the Law of 15 July 1970, which, following the Decree of 8 June 1983, includes representatives of both sides of industry. Its task is to examine opinions and recommendations on issues having an impact on the economic and social life of the

Region and to consult the two sides of industry and the Walloon government on all matters relating to the economic and social development of the region.

Similar structures were set up in the Flemish region (SERV) and Brussels (the CESRB).

There are also social dialogue bodies at subregional level. The subregional employment and training committees were revitalised by an agreement concluded on 18 March 1983 between the French-speaking Community Executive and the Walloon Regional Executive (Ministerial Decree of 31.7.1990). Their role is to examine, issue opinions on and make recommendations on the implementation of employment and training policy at local level, and to encourage cooperation between training bodies and businesses in their regions. To this end, each committee has set up an employment, training and education board.

2 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND LEGISLATION

At sectoral level

The Law of 5 December 1968 concerns collective labour agreements. It also provides for the creation of joint committees for all activities outside the public sector. Their role is :

- to conclude agreements
- to settle disputes,
- to give opinions,
- to take decisions, such as, for example, the creation of training funds.

The agreements determine the relations between employers and workers at sectoral level and establish rights and obligations which are also applicable to non-signatories.

They may be made compulsory by royal decree, at the request of the joint committee and they then have the same mandatory force as any other regulation of this type.

At company level

Collective Labour Agreements 9 and 5 provide that the works councils and trade union delegations are to be informed about the firm's social policy.

3 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND THE VOCATIONAL TRAINING SYSTEM

National vocational training policy

Following the 1989-1990 intersectoral agreement, the two sides of industry are required to make a contribution (rising from 0.18%, to 0.25%, before falling to 0.15% of the total payroll in 1995) to the financing of policy on employment, training and the integration of groups at risk.

The National Labour Council also examined the problem of the social situation of beneficiaries of integration measures and delivered an opinion on this subject on 20 December 1994.

Apprenticeships

On-the-job training allows young people to learn the practical aspects of a manual or intellectual profes-

sion while they are still receiving theoretical and general training. The establishment of on-the-job training is at the initiative of the appropriate Joint Committee and the National Labour Council, which are responsible for setting up Joint Apprenticeship Committees. The task of these Committees is to establish the conditions and arrangements for such training, to monitor its implementation, to work out the training programme, to organise tests and to approve employers.

It is the Joint Committees which define the Joint Apprenticeship Committees' rules of procedure.

Secondary technical education

The French-speaking Community Decree of 27 October 1994 reorganises consultation at secondary education level. A Community Committee on Occupations and Qualifications was set up and this plays a vital role in the future of technical and vocational education (definition of qualifications) and skill formation courses.

Continuing vocational training for employees

The various intersectoral agreements (1989-1990, 1991-1992, 1993-1994, 1995-1996) resulted in the emergence and development, at sectoral level, of a large number of funds which helped to determine the direction of sectoral policy on continuing vocational training.

Some of these funds are used by the jointly managed public vocational training services (FOREM – VDAB) to establish partnerships for the implementation of training initiatives. This policy of partnership, which allows resources to be redistributed, has had remarkable results. For example, under FOREM, in the period 1991-1994 the number of hours' training increased by 45%, and the number of teaching staff grew by 8.4%.

In addition, the Economic and Social Council of the Walloon Region, in particular its Social Policy Committee keeps a close watch on continuing vocational training policy, both at federal level (assistance for the unemployed) and at regional level.

4 LEVELS AND CONTENTS OF THE SOCIAL DIALOGUE ON VOCATIONAL TRAINING

The Belgian employers' association encourages continuing vocational training organised both by the companies themselves and by joint initiatives at sectoral level. The Belgian trade unions encourage joint continuing vocational training initiatives at local, regional and federal levels.

National and sectoral levels

As regards collective bargaining, Belgium has a long tradition of intersectoral agreements concluded at national level between the three trade union organisations (Confederation of Christian Trade Unions, General Confederation of Labour in Belgium, General Confederation of Liberal Trade Unions in Belgium) and employers' organisations (Confederation of Belgian Industry, Tradesmen's Union for SMEs and Agricultural Organisations).

These agreements are negotiated for a period of two years and cover important areas of social and economic life, including wages and social benefits, working hours and continuing vocational training.

The four intersectoral agreements concluded since 1986 have helped to finance the sectoral funds and, in addition, the National Intersectoral Employment Fund. The creation of these funds, and, in particular, the National Employment Fund, has enabled private bodies, non-profit making organisations and consultants to finance a large number of projects which the jointly managed sectoral training centres have been able to take advantage of. This system has helped to increase the number of training initiatives for groups at risk, and has also involved public training bodies.

At company level

Belgian employers finance and organise continuing vocational training for their staff. They analyse training requirements by identifying them on an informal level. The choice of target groups is usually determined by the general policy of the company and by the constraints of job management.

The works councils regularly receive information on economic, financial and social matters.

5 COMMENTS

Belgium has not escaped the trends noted elsewhere in Europe. These consist in giving an increasing responsibility to the social partners for FPC in a context where the policies being conducted by the federal State and the federated entities are marked by heavy budgetary constraints.

The aim of the FPC policy is not simply to increase or change manpower qualifications, but also to participate in the social policy of fighting against long-term unemployment.

Round table management and social dialogue represent the two key concepts of the FPC policy in Belgium.

Described by :

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1 DEVELOPMENT OF THE SOCIAL DIALOGUE ON VOCATIONAL TRAINING

Vocational training in Denmark is a matter of a steady “dialogue” between the social partners on different levels. Understanding the background of industrial relations in Denmark is important. Industrial relations in Denmark are traditionally characterized by a high degree of co-operation and by a working mechanism to balance the roles of the employers’ and employees’ associations. The employer's associations and the trade unions are highly organised with a degree of unionisation of the Danish employees of approximately 88% at the end of the eighties.

The forms of co-operation that have grown and developed between Danish management and labour were not only supported by the predominance of the social democratic party in government administrations but also by the conservative governments between 1982 and 1992.

For a long time, it was customary for the minimum standards for wages and work conditions to be laid out in national wage agreements every two years. These settlements were followed by negotiations on the level of the sector in which the agreements were adapted to the special conditions present. During the last few years a process of decentralisation of wage negotiations has been started. The current trend is towards wage agreements for individual sectors, which is in contrast with the traditional Danish structure of trade unions. The trade unions have reacted to this trend by forming cartels of different trade unions in the sectors involved.

In Denmark negotiations usually include wage as well as vocational training issues, and in recent years focus has been more and more on vocational training - though to a widely differing extent. Beyond this, management and labour do pursue various joint activities within the state-funded further training system and committees in the sectors.

2 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND LEGISLATION

Legislation and social dialogue on vocational training are interrelated in Denmark. The Danish vocational training system traditionally is characterized by comprehensive state regulations, but the two sides of industry participate in shaping its structure and its contents as stipulated by law. Training for enterprises, for unemployed persons and for individual needs is provided mainly by vocational schools (commercial schools and technical schools) and by adult vocational training centres (the AMU centres). The continuing training in the tripartite run AMU system for vocational training is now undergoing a process of considerable change, adapting them to the same framework regulations under the control of the Ministry of labour as it is the case in the field of initial vocational training. Since 1991 the commercial and technical schools have become virtually autonomous in their administration, which was delegated to a Board with equal representation from the local social partners.

Contents of training and examination standards are determined only by general goals which are stipulated by the social partners at the sectorial trade committee level and endorsed by the ministries. At national level, there are two councils dominated by the social partners - one for initial vocational training, one for continuous vocational training (“*faglige udvalg*” and “*faglige efteruddannelsesudvalg*”). The trade committees under each council run by the social partners stipulate the framework curricula, the goals and the standards of vocational training. The local training committees with representatives of the social partners participate in implementing the central defined goals and standards.

Legislation also regulates labour market policy, which is characterised in Denmark to a great degree as an active one aimed at promoting further training to reduce labour market risks. The training centres admi-

nistered by the two sides of industry participate in shaping these measures.

Finally, legislation exists for individual training in the area of educational leave: employees have the possibility of being released from work for a period of up to one year to pursue individual further training; during this time they continue to receive pay from public funds equal to normal unemployment benefit. In some industries there are additional collective regulations, e.g. supplementing the amount of pay.

3 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND THE VOCATIONAL TRAINING SYSTEM

The AMU system in the sphere of authority of the Labour Minister is the institutional core of further vocational training that is public and tripartite. In 24 local AMU adult training centres, vocational training is offered. The centres are run by Boards whose composition is determined by management and labour. These centres are financed through the central labour market fund, which to date has consisted of a portion of employers' and employees' taxes. The system of financing is currently being restructured; beginning in 1995 the labour market policy fund is to be financed - in addition to contributions from the state budget - through employee - contributions totalling 5% of salary before taxes, increasing to 8% in 1997 with an additional employers' contribution starting with 0.19 % and increasing gradually.

Along with the vocational AMU centres, the VUC centres which give a "second chance" through general education (mathematics, languages etc.) have been established for several years now. These centres are influenced by the social partners less than the vocational training system.

This system of training centers is widely used; it is the backbone for the implementation of individual as well as of enterprise needs in continuous vocational training.

4 LEVELS AND CONTENTS OF THE SOCIAL DIALOGUE ON VOCATIONAL TRAINING

Social dialogue on vocational training takes place initially at central level in the form of tripartite relations. Along with this, on sectoral level there are complementary agreements and activities in the trade committees. At local and regional levels, management and labour together shape further training in the AMU centres and the technical and commercial schools. Finally, for some time now the level of the enterprise has been gaining importance with regard to vocational training issues. This is related to the growing importance of human resources policy for the competitiveness of the enterprises. This recently has resulted in more direct enterprise activities in further training issues, involving also the representatives of workers at enterprise level. A national agreement from 1992 provided the possibility of concluding agreements on this level, including those on training.

The contents of the social dialogue and of the agreements on vocational training consists of the structure and contents of further training, financing, leave from work and questions concerning the integration of the unemployed. The requirements of further training are agreed in the sectorial trade committees and carried out in the jointly run training centres and technical and commercial schools. In some sectors additional funding - provided by the employers as a %age of total payroll - was agreed to supplement the state benefits provided during further training and thus to mobilise potential participants. The courses themselves are usually not financed through these funds. Only in the public sector pilot projects addressing content and teaching methods are financed through this fund. The central agreement of 1992, in which the possibility of negotiations on the level of the enterprise was introduced, led the trade unions and employers to deal with vocational training issues to a greater degree than in the past. In 1994/95 in many decentralised agreements - which apply to about three quarters of the workforce - regulations were set up on a 2

weeks training leave each year were made in the framework of the enterprise training programme; there is no central model for this leave but in fact there are nine different models concerning the contents of vocational training to be found. However, links have been forged at sector and enterprise level which have the objective of advancing further training in the mainly small and medium-sized enterprises. For example the Confederation of Danish Industries and the trade union cartel of industrial workers have set up a joint SUM secretariat which supports enterprises in the industrial sector in the area of analysis, strategic planning and filling the need for human resources and qualifications. It is also intended to foster communication between the enterprises, the workers and the training centres.

5 COMMENTS

Denmark has a multifaceted system of continuous vocational training (delivered by a variety of institutions with varying legal and financial arrangements). It ensures broad participation in training. In Denmark, one can find a cultural understanding of participation in training as “self-evident”. The regulations of the system are - mostly informally - agreed jointly by the state and the social partners. On national, sectorial and local level the social partners are deeply involved in the implementation of training policy and in the management of the training institutions. This deep-rooted involvement of social partners can be called an intensive dialogue on vocational training, however, without speaking of “social dialogue”, and usually without formal contractual relations.

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and written in German.*

1 DEVELOPMENT OF THE SOCIAL DIALOGUE ON VOCATIONAL TRAINING.

Finland has a strong tradition for social dialogue and systematic tripartite co-operation since “the historic compromise” between the state, the trade unions and the employers of 1968, which put an end to a period of conflict and fragmentation.

Finland has a high degree of organization and a rather large number of influential umbrella organizations on both sides: SAK (blue collars), STTK (white collars) and AKAVA (academics) to mention the three dominant organizations on the union side, and TT (the industrial and employers federation, created by a merger between the employers and the industry organizations), LTK (service, trade, restaurants, banking and insurance) and MTK (agriculture). There are four more employer organizations in the public sector, which accounts for one third of the total employment.

Collective bargaining is centralized and concentrated on the classical issues of wages and labour conditions, but training issues have begun to appear in the framework agreements, where in-company training is regarded as and paid for as working time. In 1989 The Fund for Vocational Training and Compensation Payment (employer contributions) was created, and its coverage extended in 1991. The fund supplements the unemployment benefit available for employees on individual training leave. Contributions are reviewed annually, the arrangement will have to be re-negotiated in 1995. The fund is under joint management. The social partners participate in a variety of tripartite bodies related to training at all levels, and union representatives influence company training policies and measures through the co-operation committees, which are mandatory for enterprises with more than 30 employees. These committees have a right to information and consultation on all issues related to training, redundancy and work conditions.

Medium sized and large enterprises must make an annual training schedule(plan), and the employees are generally consulted on both budget and content of these plans.

2 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND LEGISLATION

The links between the social partners and their dialogue and the state and its legislation are strong, especially in the field of income policy and labour market legislation, where the state initiative is followed by central framework agreements, setting guidelines for the sectoral negotiations. This approach is also characteristic in the attempt to combat unemployment.

After the loss of the soviet market, which accounted for about a fifth of all exports, the finmark lost a third of its value, and over a few years unemployment grew from a few % to 18.14 (1994). The finmark has regained some of its value, but the situation is still difficult, and unemployment the second highest in the EU.

Finland has had legislation on leave since 1979, giving all employees with more than one year of employment for the same employer the right to participate in any further training courses they want. If certain conditions are fulfilled, this leave may last up to two years.

Financing for labour market training is available at the level of unemployment benefit, in recent years supplemented with a fund, as mentioned above.

The law on co-operation in companies is from 1979, and was followed by central agreements (renewed in 1989), giving the worker representatives responsibility for the monitoring of laws and agreements, and for peace and solution of conflicts between the employer and the unions within the enterprises.

The most recent example of systematic tripartite interplay is the legislation from 1994 on vocational

training certificates, with some similarities to the NVQ system, where qualifications may be assessed and certified, irrespective of the way in which they are acquired. Examination requirements are stipulated by the paritetical National Education Council, sector by sector, and based on proposals from the joint sectoral bodies. The social partners have majority in the regional examination boards.

3 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND THE VOCATIONAL TRAINING SYSTEM

Initial vocational training is conducted at publicly owned schools, lasts between 2 and 6 years, and is highly diversified (250 different types).

Finland has a highly developed system of general education and vocational training for adults with extremely high participation rates.

In continuing vocational training, voluntary or individual courses account for 23 % (may or may not be covered by the employer), labour market based or oriented training in the AMU-centers (remunerated by the state at a level similar to the unemployment benefit) accounts for 22 %, and in-house training (paid by the employer) accounts for 17 % of the activity, and is reported as being of increasing importance. General education is even more popular and accounts for 38 %.

Adults may enroll on apprenticeship contracts and acquire skilled status after the new certification system, where the first level equals initial vocational training and the second a specialized skilled level.

All types of training institutions may be sought by the employee, including the universities, which participate alongside labour market training institutions in a major project to combat unemployment and benefit SMEs (KEKO). KEKO is formulated in co-operation between the 3 ministries involved and the social partners.

4 LEVELS AND CONTENTS OF THE SOCIAL DIALOGUE ON VOCATIONAL TRAINING

Centralized collective bargaining may be said to be most important on the classical issues, and sectoral level agreements and company negotiation most important in relation to training.

Because of the recession, the employers have demanded greater flexibility, tending towards decentralization of negotiations and more emphasis on the company level.

5 COMMENTS

Finland has had representatives in the delegations of both UNICE and ETUC in the European level Social Dialogue for several years, signaling the priority given by Finland to training and to dialogue.

Described by :

*Margit HURUP GROVE
and written in English.*

1 DEVELOPMENT OF THE SOCIAL DIALOGUE ON VOCATIONAL TRAINING

In France, there is an extensive Social Dialogue between the social partners, above all at the national inter-professional level on questions of vocational training. The beginning of this dialogue can be traced back to the year 1969. After the political unrest of that time had come to an end, negotiations between the government and the social parties were initiated on improving the employees' working and living conditions. In this context, the qualification of employees, which all parties involved rated as poor, played a significant role. It was agreed to improve the structure of qualifications by joint CVT activities and, in this way, also to provide an impetus for economic and social development. It was expressly agreed that the social parties were to negotiate provisions on CVT themselves. In July 1970, a first contract was concluded at the national interprofessional level in which, in general terms, the employees' right to CVT was agreed upon; in 1971, a principle obligation for employers to finance it was stipulated by law. The implementation of these basic principles took place in follow-up negotiations to which the social parties had committed themselves. In 1982, the right to CVT was fulfilled in the form of educational leave and there was an agreement that financing should take place out of funds. In 1991, a new structure of the overall system and the introduction of "co-investment" followed; in 1994, finally, "training time capital" was agreed upon as a new element (utilisation of individual educational leave for CVT projects in the firm). Through follow-up negotiations, which are now required by law, the Social Dialogue on CVT develops internally and dynamically, allowing it to continually adjust to new requirements.

The Social Dialogue at the national interprofessional level is led between the officially acknowledged associations: in the employers' camp, they are the industrial employers, the association of small and medium-sized enterprises and the trades, and, in the other camp, the five umbrella organisations of the trade unions which the state recognises as eligible to enter collective bargaining.

2 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND LEGISLATION

The Social Dialogue is not conducted between the social partners alone, however, but on a tripartite basis including the state. The government and Parliament subsequently translate the principles agreed upon by the three parties into national labour legislation, and, in this way, they are made binding for the non-organised sectors of the economy. In this respect, in the case of France, one may speak of "interaction" between the Social Dialogue and legislation. Since the last five-year law of December 1993 on employment and vocational training, this practice has been interrupted. Mainly, important regulations on the agreements from 1994 have not been translated into law. The translation of the regulations stipulated in agreements and legislation, in turn, falls into the sphere of responsibility of the associations which, in a number of vocational areas, have concluded agreements on this point and implement them in institutions with equal representation ("*gestion paritaire*").

This interaction of contracts and legislation refers to CVT as the French actors understand it: vocational training outside the enterprise as a continuation of the state vocational training system. Basic vocational training, in contrast, is regulated originally by state legislation. In this case, the two sides of industry are consulted with regard to the content of the qualifications and the certificates. Only in the small area of "teaching" in the form of a contract of employment is the framework also determined by collective agreements.

3 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND THE VOCATIONAL TRAINING SYSTEM

The Social Dialogue in its tripartite conception constitutes the regulated part of the CVT system. In as far as CVT is regulated and formalised, it takes place in structures which the social parties have agreed upon.

The CVT system consists of three fields :

- the firm's training plan ("*Plan de Formation*"),
- individual educational leave ("*Congé Individuel de Formation*"),
- measures on the integration of job entrants ("*Insertion des Jeunes*").

However, the Social Dialogue also refers to the system of basic vocational training in that it provides measures for advanced qualifications and the vocational integration of job entrants to offset the deficiencies of basic vocational training. The integration of job entrants ("*Insertion des Jeunes*") is an important topic of the Social Dialogue in France. In the form of agreements and regulations on this topic, the social partners influence vocational training outside the traditional educational system of state schools and, in this way, constitute an additional training system.

4 LEVELS AND CONTENTS OF THE SOCIAL DIALOGUE ON VOCATIONAL TRAINING

The Social Dialogue on vocational training is primarily led at the national interprofessional level. In this context, the content of the Dialogue and the agreements include access to CVT by individual educational leave, principles of financing and administration of this CVT and the integration of job entrants.

At the sectoral level, there are supplemental negotiations on the translation of agreements found at the national interprofessional level; in this respect, the main focus is the organisation of self-administration and the funds for the financing of CVT. In addition, there are negotiations and agreements at this level on the recognition of the qualifications acquired through these CVT measures. A tripartite committee of the Ministry of Labour can accord these sector certificates the same status as the qualifications of the national educational system ("*homologation*"). Issues concerning the organisation of self-administration and the funds for the financing of CVT are also discussed.

At the shop level, the employees- representatives in the works council ("*Comité d'entreprise*") are consulted with regard to the enterprises-vocational training policy. The obligatory educational scheme in France serves the calculation of the firm's contribution to the financing funds and must be dealt with in the works council. At this level, however, a wide variety of practices can be found, which range from a mere formal notice of the training plan to its active designing by the social parties.

A link between the previously separate fields of educational leave and the firm's training plan has now been created by the instrument of training time capital ("*Capital temps de formation*") : in this context, individual educational leave can be used to achieve the aims of the firm's training plan if the latter correspond to the qualification objectives agreed on in the sector. The translation of this new instrument, which has been agreed on at the national level, must take place both at the sectoral and the shop level.

5 COMMENTS

In France, there is an extended formal Social Dialogue on CVT with the participation of the state ; the vocational training system rests on two pillars : labour and management's contract policy on the various levels and the legislation that emerges from the consultations between them. Although judging by past experience, the effect on real chances of access, participation, content and the level of CVT is obviously not greater than in countries with other forms of Social Dialogue, or no institutionalisation at all, a culture of CVT discussion has emerged in France which preserves the system of continual adaptation and strengthens the social parties' joint responsibility. Frequent difficulties seem to arise, however, in the implementation at the shop level where the trade unions, as one side of industry, are poorly represented ; this level, however, is gaining increasing importance in the wake of industrial change.

Described by :

*Winfried HEIDEMANN
and written in German.*

1 DEVELOPMENT OF THE SOCIAL DIALOGUE ON VOCATIONAL TRAINING

Since 1969, the framework for vocational training has been established in law (*Berufsbildungsgesetz (BBiG)*). The social partners play a role in drawing up programmes and in modernising vocational training. Although initial vocational training is strictly regulated, continuing vocational training is only regulated in certain sectors.

In contrast to school and higher education, continuing vocational training is characterised by a high degree of private sector organisation and finance.

The German continuing vocational training (CVT) system enables each of the social partners to play a part within it. Employers and trade unions are represented in bodies such as the Federal Vocational Training Institute (BIBB) and the Federal Labour Office (BA).

The social partners are not directly involved in regulating in-house continuing vocational training.

The Federal Government considers the CVT system as a market, to be kept as free of government regulations as possible.

Three other areas of training are subject to legal provisions :

- training in accordance with regulations on prevention, safety at work and environmental protection;
- training of works council members: according to the constitutional law on work organisation and co-determination, the employer must grant time off to works council members in order to enable them to take the necessary training to carry out their duties;
- individual educational leave: in nine of the 16 Länder, there are laws governing educational leave. These generally lay down the right to an average of five days paid leave per year, with training course fees and transport costs payable by the participant.

The State intervenes on the basis of the principle of subsidiarity, i.e. only in cases where the requirements are beyond the facilities and resources of an individual or a social group.

2 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND LEGISLATION

The social partners are represented in various public and parastatal bodies responsible for drawing up programmes and planning vocational training for target groups, especially job-seekers, representing a small proportion of the range of continuing training activities.

They also sit on the vocational training committees of trade or corporate associations with the task of defending the interests of undertakings.

In addition, they have independence with regard to collective bargaining, in which the State does not intervene.

Businesses, the Federal Institute and the State meet most of the cost of continuing training. One-fifth of the total cost of training for job-seekers is met by the Federal Institute.

Measures by the Federal Labour Office (*Bundesanstalt für Arbeit*), financed by unemployment benefit contributions, are aimed at two types of people: those who have lost their jobs and those whose jobs are under threat. In addition to the contributions by employers and employees, some of the cost falls to the trainee. However, those in work and receiving support from *the Bundesanstalt für Arbeit* are only a small

minority, particularly in a period of recession when the priority group (the unemployed) accounts for all the Office's financial resources.

The social partners play an important role in the field of promotional training. There are special provisions in Federal law concerning continuing vocational training to promote courses leading to qualifications (“*Fortbildungsberufe*”): the Ministry of Education and (at regional level) Chambers of Commerce may establish certificates for specialist qualifications. The social partners are involved in the planning of these qualifications and draw up the content of the “*Fortbildungsberufe*” in cooperation with the Ministry of Education. There are differences of opinion between the social partners concerning the extent of the regulations and the level at which they are applied (Chambers of Commerce or Ministry of Education).

3 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND THE VOCATIONAL TRAINING SYSTEM

Continuing training as a subject very rarely appears in collective agreements.

4 LEVELS AND CONTENTS OF THE SOCIAL DIALOGUE ON VOCATIONAL TRAINING

At industry level

Continuing vocational training is therefore not at the heart of industry-specific negotiations in Germany. However, it has been noted in recent years that an increasing number of collective agreements contain provisions relating to continuing training.

Company-level agreements have been signed establishing in an individual company the right to training and educational leave.

A particular example of this introduction of continuing training into collective agreements is the agreement between the metalworkers' trade union IG Metall and the employers in North Württemberg/North Baden. This agreement, on the subject of continuing training at company level, covers a joint study of continuing training requirements and joint planning of the resulting continuing training programmes.

In some sectors, collective agreements set out the particular conditions for involving works councils in decisions on CVT. For example, collective agreements in the metallurgy and printing sectors set out the principles for drawing up training plans. Once a year, the management and the works council define the training requirements, while the works council identifies workers' training needs.

Where the course of training set out in the annual training plan and developed under the training programme results in the employee moving to a higher level of qualification, the employer must adjust his remuneration to reflect the new qualification required (e.g. in the construction sector). These agreements are implemented at company level, but this implementation can run into difficulties since the methods for assessing employees' training requirements are not set out in sufficient detail in the agreements.

Alongside collective agreements which deal with continuing training in a more general manner, there are those which regulate continuing training for certain target groups. In this context, mention must be made of agreements for the protection of employees directly threatened with redundancy as a result of a company's rationalisation measures.

Particular mention must also be made of the construction sector, in which the social partners play a part

in financing continuing vocational training.

The *Gerüstbaugewerbe* (scaffolding trade) collective agreement of 20 August 1985 provides for the joint organisation at branch level of a social insurance fund with the task of promoting and organising training. This jointly administered *Sozialkasse für Weiterbildung* is wholly financed by the employers at a %age of the total payroll. This percentage, set out in specific collective agreements, has been amended a number of times. To some extent the fund operates on the principle of a mutual organisation acting as a training insurance fund for companies in the sector. The fund meets the cost of financing the gross wages of each worker in training and 45% of the employer's social security contributions. The latter remains responsible for the remaining 55% of contributions, while the employee receives his /her full wage.

The agreement concluded by the social partners in the chemical industry on 21 January 1993, providing for the establishment of a continuing vocational training foundation on the principle of joint financing and administration, is also noteworthy. This foundation, responsible at industry level for analysing training requirements and defining the content of training, also acts as an adviser to employers and works councils.

At company level

Participation in decision-making by employees is regulated by the Law on works councils (*Betriebsverfassungsgesetz*). The works councils' rights of co-determination are fairly important in the field of both initial vocational training (apprenticeship) and continuing training. Works councils have the right to be consulted, in particular, on in-house vocational training and the choice of instructors and participants, but the final power of decision rests with the employer.

5 COMMENTS

The trade unions would like continuing training to be the subject of general legislation, but there is no consensus on this objective.

Described by :

*Jean-Marie LUTTRINGER
and written in French.*

1 DEVELOPMENT OF THE SOCIAL DIALOGUE ON VOCATIONAL TRAINING

Social dialogue in Greece in relation to vocational training has come into existence only over recent years. In Greece, service and agriculture account for more than 75 % of the economic activity. SME's predominate, and less than 50 % of the economically active population are employees - as compared to an EU average of 82 %. Consequently, the degree of organization is comparatively modest.

Labour interest in the past was more or less part of public social policy, and the unions were heavily subsidised through the social security system. State financing was abolished by law in 1990, which led to a reorientation of priorities for the unions. A trade union labour institute (INE GSEE) was founded, and vocational training as a means of promoting the interests of members came strongly into focus.

At the same time, a strong need for modernization of the economy made bottlenecks and qualification gaps - not least in new technology - apparent, making employers aware of the crucial role of vocational training. They, too, founded their own industrial and vocational training institution (IBEPE).

The first collective agreement, recognizing the need to promote vocational training programmes, was concluded in 1988.

It has been followed by agreements in 1991 and 1994. Both of the social partners (SEV, The Federation of Hellenic Industries and GSEE, General Confederation of Hellene Employees) are impatient to have their initiatives realized, and now participate in an autonomous Economic and Social Committee, created in December 1994. This committee is working after the European model, preparing opinions to be presented to the government, expressing the joint position of the social partners.

2 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND LEGISLATION

In Greece, a collective agreement on the labour market is considered legally binding and has to be ratified by an act of parliament. This, of course, entails that it is erga omnes. It covers everybody on both sides, whether they are organized or not.

The 1988 agreement was ratified the same year. The 1991 agreement was never ratified - apparently because it was considered unconstitutional to have social partners allocate tasks to government bodies (the social partners demanded a paritetical governing board for the fund under OAED, a department of the ministry of labour, which should collect and administer the levy agreed by the partners).

The 1994 agreement repeats the idea of a fund (actually two funds now) under OAED with basically paritetical governing boards (SEV and GSEE, supplemented with the head of OAED). The problem mentioned above must have been solved, as the 1994 collective agreement was ratified by an act of the Greek parliament almost immediately in 1994.

3 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND THE VOCATIONAL TRAINING SYSTEM

The education and training system (ESSEK) run by the state does not cover the need for vocational qualifications in any comprehensive or systematic way, fulfilling the needs of enterprises and employees. There are several types of initial vocational training (technical school, technical high school, and an

apprenticeship training, approaching the German dual system, organized by OAED), but no general system of accreditation exists as yet, to help give vocational training status and currency.

Illustrating the low status of initial vocational training hitherto, general education was chosen by 64 % of the school leavers in 1990/91.

Continuing vocational training has been seen as primarily the responsibility of the employer, and a variety of different private training initiatives have existed, which along with the public offers, have been criticized by the unions. As the employers have been willing to enter collective agreements on training and cooperate with the unions on reform, the employers cannot have found status quo satisfactory, either.

Both of the social partners have founded institutions to organize and implement training, and they have also co-operated in demanding a national system of vocational education and training.

In 1992 such a system was set up by law, and the social partners are now represented on the board of directors of OAED, in the council and the study committees, which analyse labour market requirements, as well as in the regional fora.

One of the aims of the new system is to set up a national list of recognized occupations, another is to reorganize certification to comply with EU-directives.

It is too early to try to evaluate the effects of this initiative, yet.

4 LEVELS AND CONTENTS OF THE SOCIAL DIALOGUE ON VOCATIONAL TRAINING

There are no collective agreements at sectoral, regional or enterprise level on vocational training in Greece. The agreements mentioned above are inter-industry, nationwide and general. Works Councils (workers only) have been created by legislation, but very few exist. Enterprise level agreements were made possible in 1990. Informal agreements or understandings at enterprise level were fairly common in the past, but it is not clear to which extent they have covered training.

Sectoral observatories are created, and Work Centers exist in some larger cities. It is not yet clear to which extent they cover training issues.

The 1988 agreement provided for a general levy on all employers to contribute 0.20 % of the wage bill to finance the promotion of vocational training programmes. The levy should be collected, managed and reimbursed to the firms, if their training initiatives were approved of by OAED.

OAED was criticized for the way in which this was done in the beginning, and the 1991 agreement proposed a joint committee to oversee the distribution of money and the implementation of training programmes. As mentioned this agreement was never ratified by government, but it was replaced by an agreement in 1994 which is ratified.

The 1994 agreement increases the levy to 0.45 % and foresees two funds for vocational training programmes under the aegis of OAED, but independent of the state or other public organizations in management of funds and delivery of training:

- ELPEKE for continuing training of the employed, financed by the 0.45 % levy from the employers
- EKLA which is to combat unemployment by training. This fund is financed by an additional 0.36 % of the wage bill, with 0.26 % from the employers and 0.10 % from the employees.

Both funds are to have governing boards composed of the social partners.

5 COMMENTS

As a consequence of how recent social dialogue is in Greece, it is to be expected that the European level dialogue and example has made rather a large impact on the construction of labour relations in Greece. The co-financing of training from The European Structural Funds, and the requirements in their programmes, as well as the rules for recognition of diplomas and the quest for transparency of qualifications, undoubtedly gave impetus to a need for joint structures and joint action.

Described by :

*Margit HURUP GROVE
and written in English.*

1 DEVELOPMENT OF THE SOCIAL DIALOGUE ON VOCATIONAL TRAINING

In Ireland, social partners have strong representative organisations.

On the employers' side, the most important organisation is the Irish Business and Employers Confederation (IBEC), which is a member of UNICE. The two other employer's organisations that must be mentioned are the Construction Industry Federation (CIF) and ISME, the organisation for small and medium enterprises.

The Irish Congress of Trade Unions (ICTU), which is a member of ETUC, is the only Irish trade union confederation and includes the majority of the 66 active trade unions in Ireland amongst its members, of which 17 represent workers exclusively in Northern Ireland. Counting the 12 trade unions that are based in the United Kingdom, in the Republic of Ireland there are 49 trade unions of which 12 have their headquarters in Great Britain. There are 2 significant trade unions active in the Republic of Ireland that are not affiliated to ICTU.

Since the 1970's, negotiations between social partners have undergone significant changes at various levels.

In the first instance, bilateral negotiations on wage policies - which led to the signing of National Wages Agreements (NWA) in 1970, 1972, 1974, 1975, 1976 and 1978 - have been followed by tripartite negotiations which led to agreements - A National Understanding for Economic and Social Development - in 1979 and in 1980. The most important tripartite agreements are the Programme for National Recovery (PNR) signed in 1987, the Programme for Economic and Social Progress (PESP), signed in 1990, and the Programme for Competitiveness and Work (PCW), signed in 1993.

In contrast to the NWA, the PNR, PESP and PCW are programmes of joint action, comprising recommendations in areas of common interest for the government, employers and trade unions.

Whilst such trilateral programmes must not be confused with binding agreements, most observers think that they are respected by trade unions and enterprises, affording them the key role of industrial relations regulator.

Overall, the Irish industrial relations system appears to be undergoing a period of change, where characteristics inherited from a common past with the United Kingdom mix with the growing importance of tripartite negotiations, a developing policy of participation at the level of the enterprise and closer attention to the issues of innovative methods of work organisation and continuing training.

On the other hand, the 1992 publication of the Green Paper "Education in a Changing World" led to debates on the education and vocational training systems and the changes which need to be introduced, in view of the de-centralisation of school management, the creation of a unified system of certificates, the expansion of re-training programmes, strengthening links between training and employment, increasing the importance of the last two years of school, and increasing the role of work-based learning. At present, the public authorities are preparing a White Paper on vocational training policy.

So far, however, continuing training has not been the subject of specific legislation and there are no legal provisions for personal leave for training.

Within this global framework, we shall analyse the role of social partners and of social dialogue on continuing training in Ireland.

2 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND LEGISLATION

The Irish industrial relations system is based on voluntary collective labour agreements, negotiated by social partners, which, except for special cases, only involve those enterprises which are directly represented and the body of workers of these enterprises.

Whilst extensions to collective labour agreements registered at the Labour Court are technically feasible, they appear to be the exception rather than the rule, for registration is rare.

The two most important levels of negotiation are the central level - in which tripartite social dialogue refer around wage policy, and sometimes, other global policies - and the level of the enterprise, or even the establishment, where salary increases and working conditions are negotiated.

Nevertheless, negotiations do occur in printing, construction, electrical contracting and distribution sectors.

In some sectors (e.g.: hotels and catering, contract cleaning, grocery trading, law firms) minimum rates of pay are determined by Joint labour Committees, established by law.

Another possible platform for social dialogue are works councils, set up by an agreement between social partners and, in certain cases, by employer initiative.

Only certain sectors have works councils, and in general they are platforms for consultation rather than negotiation.

Finally, reference must also be made to shop stewards, who are elected by union members to put their views forward to the employer and provide a link between the trade union and its members within the enterprise.

3 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND THE VOCATIONAL TRAINING SYSTEM

Both the Government and employer organisations believe that continuing training is the enterprise's responsibility, and therefore, associated decisions are management's prerogative.

As a result, social dialogue plays only a relatively minor part in the training system.

An important exception to this rule is the Levy-Grant Scheme, set up in the construction sector. This is a system of debiting and redistributing funds earmarked for continuing education, based on 1.25% of enterprises' total wage bill, enabling training programmes which tie in with the sector's training plan to be financed.

This model has also been adopted by all sectors covered by an Foras Aiseanna Saothair (FAS).

Whilst the role of collective bargaining in continuing education is a small one, certain public or par-public institutions in which social partners act as consultants should be mentioned.

One such example is the National Council for Vocational Awards (NCVA), which has the task of issuing certificates for initial training offered by the Ministry of Education; others are FAS, concerned with employment and vocational training and which comes under the aegis of Ministry of Enterprise and Employment; the National Apprenticeship Committee (NAAC), responsible for advising the FAS on the implementation of the new apprenticeship system; CERT, the official tourism training agency, under the aegis of the Ministry of Tourism; Teageasc, the development agency for agriculture and the food industry.

Besides confederations' participation, SIPTU's role as consultant on several CERT committees must also be mentioned. It is thus able to influence the structure and content of training on offer in the tourism sector. This trade union plays a similar part in the hotel and catering industry, since it is represented on the Day Release Committee of the Dublin College of Catering.

Furthermore, in each branch of the manufacturing industry and construction sector, social partners are represented on an FAS consultative committee dealing with training needs analysis.

4 LEVELS AND CONTENTS OF THE SOCIAL DIALOGUE ON VOCATIONAL TRAINING

On a national and interprofessional level, PESP has been a source of innovation, for it contains a number of references to training, emphasising the importance of continuing education and retraining of workers. It also stipulates that financing of apprenticeships and initial training will be the focus of forthcoming tripartite negotiations.

Within PESP's negotiating framework, the Irish Business and Employers Confederation (IBEC) and the ICTU have published a joint declaration on increasing employee involvement at a company level - Joint Declaration on Employee Involvement in the Private Sector - which following the analysis of recent developments in Europe, including those concerning social dialogue, considers employees, their representatives and management training to be crucial to strategic success aimed at improving enterprise competitiveness.

The PCW assures the government's support for training programmes agreed by social partners and comprises a declaration encouraging public and private enterprises to develop cooperation with trade unions concerning training, in order to guarantee constant adaptation of wage-earners' skills and their mobility. On the other hand, collective agreements at branch level do not deal with matters of continuing education, for the most part including no more than general principles, application of which is pushed back to the level of the enterprise or establishment.

However, during the last years, have been established some agreements between trade unions and employers in relation with training provision, which includes the joint development of training by a trade union-owned company (ETS).

Recent studies, however, suggest that Irish trade unions only participate in training needs, planning and assessment studies in 10% of enterprises.

5 COMMENTS

Recent changes to the Irish industrial relations system and educational and training reform may strengthen the role of social partners and collective bargaining in continuing education.

I R E L A N D

Nowadays, continuing education is a top priority for trade unions, having been underestimated in the past. This has led trade unions to demand that they be given a more prominent role in training development, within the framework of a less confrontational conception of labour relations, based on non-Taylorised patterns of work organisation.

Yet, for the time being, such developments are nothing more than a possibility, the impact and methods of which will have to be assessed in time to come.

Described by :

*António DORNELAS
and written in Portuguese.*

1 DEVELOPMENT OF THE SOCIAL DIALOGUE ON CONTINUING TRAINING

The role of the social partners in the development of vocational training has grown since the '80s as a result of a number of agreements at various levels, demonstrating the growing influence of contractual agreements in the evolution of the training system.

The main participants are, for the employers, CONFINDUSTRIA (private industry, member of UNICE), CONFAPI (SMEs), IRI and ENI (the two public-sector bodies) plus the craft associations and, for the trade unions, CGIL, CISL and UIL, the three most representative trade union associations, all members of ETUC.

For its part, the government's main role revolves around measures to implement active employment policies, the financing of regional policies for initial and continuing training and the general coordination of the system.

2 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND LEGISLATION

As the principles of the Italian constitution concerning collective agreements have not been implemented in legislation, Italy is not one of those countries of the European Union where the law makes collective agreements legally binding, with the possibility of extending them *erga omnes*. Nevertheless, collective labour agreements cover the vast majority of companies and employees in both the public and private sectors.

Italy thus has a voluntary system of industrial relations, according a very high priority to freedom of negotiation between the social partners.

In this system, the rules governing the various levels of negotiation are determined solely by the social partners.

In fact, decisions on overall policy - including training - are taken at national level following negotiations in which government occasionally participates (*concertazione sociale*), resulting in the signing of *Protocolli d'intesa*, which sometimes give rise to new legislation.

At regional level, negotiations are concerned with the specific problems of regional labour markets and the vocational training policies to be pursued, in certain cases leading to the establishment of joint bodies for managing training.

At sectoral level, there are agreements, sometimes highly detailed, on, among other things, the conditions of access to training, the creation of joint bodies for the management of training, occupational classifications and occupational mobility.

At company level, collective agreements - which directly cover around a third of all companies, mostly medium-sized and large firms - are concerned with specific requirements within the framework of agreements reached at higher level.

3 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND THE VOCATIONAL TRAINING SYSTEM

In Italy, the state runs the vocational education colleges within the school system. However, the regions bear the main responsibility in the training system, for it is at this level that the training provided by various types of bodies is managed. Such bodies include: the local and regional authorities; private institutions established by companies or associations of companies; private institutions set up jointly by

employers and trade unions; institutes established by trade unions; other private bodies.

This is also the level where training policies are drawn up and decisions taken on the certification of training within the framework of labour market policy.

The social partners therefore play an important role both in regulating the training system and as providers of training themselves.

4 LEVELS AND CONTENTS OF THE SOCIAL DIALOGUE ON VOCATIONAL TRAINING

The role of the employers' associations and the trade unions in the development of vocational training has expanded following the introduction, in 1984, of employment-training agreements (CFLs) with the aim of facilitating the entry of young people aged between 14 and 29 onto the labour market.

The law introducing CFLs offered employers a reduction in labour costs (through lower contributions) and the possibility of hiring labour for a fixed period over two years, provided that the plans submitted indicated the number of persons involved and the skill levels at the start and at the end of the plan, and provided for simplification of the procedures applying to employers negotiating an agreement with the trade unions.

This option has led to the signing of a number of agreements, the first of which was concluded in 1985 between CONFAPI and the three trade union federations CGIL, CISL and UIL. When the agreement was renewed in 1989, the social partners introduced the principle of co-financing.

Another important agreement at national level was concluded in 1987 between IRI and CGIL, CISL and UIL, which set up a jointly run company - Chirone 2000 - with the role of helping to match supply and demand in the area of qualifications, facilitating the financing of training and evaluating the success of the CFLs, the duration and contents of which also formed part of the text of the agreement.

The agreement between the four craft associations and the three trade union federations concerned apprenticeships - for persons aged between 15 and 20 - and CFLs -for persons aged from 21 to 29 in the medium to high qualification brackets - and comprised a series of measures designed to ensure equal opportunities for men and women, the protection of disabled people and the evaluation of decisions taken.

In 1986, CONFINDUSTRIA and the three trade union federations signed the first agreement on CFLs. Renewed in 1988, this agreement led to the setting up of joint committees in six regions, including Piedmont and Lombardy, with the task of planning job-oriented training and evaluating training models for CFLs combining class-room instruction with on-the-job training. In addition, this agreement imposed restrictions on CFLs for companies that did not employ at least half their workforce under this scheme.

The 1986 agreement has been supplemented by a new protocol with the aim of :

- modifying, with the participation of the social partners, the rules and organisation of the training system, integrating the dual system and continuing training;
- building upon the joint innovation projects carried out to date;
- improving the system for forecasting needs to ensure adequate planning of the supply of training and setting up joint bodies in each region;
- calling for the creation of a tripartite standing body to coordinate continuing training;
- calling upon the government to ensure that public funds (national or Community) intended for training, together with the 0,3% of the wage bill paid by companies, are used more for continuing training.

At sectoral level, the role of the social partners has expanded since the conclusion of a collective agreement in the metal industry, which introduced a "150 hour clause" in 1973.

Following several amendments, this collective agreement now provides for hour credits - equal to 21 times the number of workers - for training lasting at least 300 hours and fixes a limit of 2% on the number of workers allowed to benefit from this fund at the same time. Now incorporated in practically all industry agreements, this clause constitutes one of the most important successes achieved by sectoral collective agreements.

Since 1992, the banking sector has been another example where the role of the social partners has grown in the development of training: in this sector, all employees are entitled to four weeks further training - instead of the legal entitlement to one week - and an individual credit for 15 hours training. The content and implementation of continuing training are the subject of negotiation at company level.

A third example of good practice is the establishment of a joint body (Formedil), financed by a sectoral fund calculated on the basis of 0,2% to 1% of the payroll bill, which, among other things, provides training at various levels of qualification.

These three cases are not necessarily representative of the situation in industry as a whole. However, in nearly all industry-wide agreements the social partners have agreed on equal opportunities, the rights of work students and the exchange of information with a view to joint action.

As regards negotiations at regional level, the only outcome has been protocols (*Protocolo d'intessa*) concerned principally with the management of CFLs.

Company level remains the weakest area where concerted action by the social partners is concerned. Training plans are voluntary and, given that the system of industrial relations is based on the voluntary principle, the role of the trade unions is usually reduced to information and, occasionally, consultation, since management considers that this matter is of strategic importance to companies.

5 COMMENTS

The national inter-sectoral agreement of 20 January 1993 demonstrates that the social partners in Italy both want to play a greater role in establishing a national, more structured system for vocational training, particularly where the analysis of requirements and vocational certification are concerned.

The legislation promulgated in 1993 took into account some of the proposals from the social partners by setting up a national fund for vocational training and involving the social partners in the formulation of policy towards retraining and restructuring. It remains to be seen what will happen in other areas.

Described by :

*António DORNELAS
and written in Portuguese.*

1 DEVELOPMENTS OF THE SOCIAL DIALOGUE ON CONTINUING TRAINING

In Luxemburg, continuous professional training (CPT) is provided both by the social partners (employers and employees) and by the government.

Policy is determined by the conclusions arrived at during tripartite meetings (State, employers, unions).

Both the employees' unions and employers back the aim of developing CPT. They feel that professional training should be considered as an essential element in the management of human resources. However, the views of the unions and the employers differ on the methods to set up CPT.

The unions wish to set up an instrument demanding a minimum commitment from the employer in terms of access to continuous training as well as a minimal regulatory framework for professional training on a national and Community level. However, the employers are opposed to all constricting regulations in this field. The unions solicit structures that involve workers in the development of and adaptations to training programmes within companies. Employers, on the other hand, believe that decisions concerning the management of human resources are the sole responsibility of the employer organizing the work.

Unions and employers also have divergent points of view on the rights of the individual to have access to continuous training (according to the unions, individual rights should allow the employee to attend a training course and receive qualifications corresponding to his own needs and not necessarily to the needs of the company).

2 RELATION BETWEEN THE SOCIAL DIALOGUE AND LEGISLATION

In Luxemburg, there are no collective agreements on a national interprofessional level concerning CPT. The social partners, working within the Economic and Social Council, give opinions concerning the framework and the main lines of the future CPT regulations to be established by the government.

Negotiations as such take place either within the company or on a branch level.

The obligation to negotiate is imposed by law. When a union demands negotiation, the employer is obliged to enter into those negotiations. The legislation lists the requirements that each agreement must contain. Only unions representing on a national level have the competence to sign collective agreements. However, in practice, branch unions and company unions can participate in negotiations but do not have the right to sign collective agreements.

In principle, it is the employers who decide on training measures. Certain collective agreements provide for a partial access right to CPT. Certain legal conditions make a set of sectorial training measures obligatory such as, for example, in terms of hygiene and safety and, in the banking sector, training in the fight against money laundering.

3 RELATION BETWEEN THE SOCIAL DIALOGUE AND THE VOCATIONAL TRAINING SYSTEM

In Luxemburg, the social partners essentially intervene in the professional training sector through professional chambers. By article 38 of the law of 4 April 1924, these latter have the right and the mission to ensure professional education. This mission has been confirmed a number of times by different laws concerning continuous professional training.

The professional chambers are as follows: the private employees chamber (salaried staff with the status of employee), the chamber of labour (salaried staff having the status of worker), the civil servants and public employees chamber, the agricultural chamber commerce (employers in commerce and industry), and the professional chamber (employers in the crafts sector).

Their participation takes place at two different levels:

- on the level of national professional training policy

Prior to being submitted to legislative action, all draft laws and regulations concerning professional training are presented to the professional chambers for their opinion. The government takes its decisions having consulted the professional chambers. The professional chambers are also represented in a certain number of national institutions which have the task, amongst other works, of giving advice to the Minister of National Education on all aspects of school education and professional training. In addition to this direct participation by the professional chambers, employer and union representatives cooperate in other national bodies such as the Economic and Social Committee and the Tripartite Coordination Committee.

- on the level of apprenticeship

Since 1929, the year that apprenticeship was introduced in Luxembourg, the professional chambers have also had wide ranging legal competences in terms of apprenticeships. Thus, on the basis of the Grand-Ducal decree of 8 October 1945, they have established, alongside the professional guidance department, the professions using apprenticeships and the obligatory duration of these apprenticeships. The decree gives them wide ranging competences and thus they may even grant or withdraw the right to train apprentices and establish the conditions that a company must meet to be able to train apprentices. They establish apprenticeship contract clauses, the training programmes in the work environment and the examination programmes at the end of the apprenticeship period. Their approval is required should an apprenticeship contract be terminated. They must also approve the extension of the contract. Finally, they are responsible for inspecting and monitoring apprenticeships.

- on the level of technical secondary education

The professional chambers are also involved in training in the school environment through their implication in technical secondary education. They form part of the coordination commissions and collaborate in the development of professional theory and practical training programmes.

- on the level of continuous professional training for employees

The employer and employee professional chambers have played a vital role in terms of promoting continuous professional training for the employees belonging to their chambers. They organize a large number of training measures aimed at company managers and employees.

4 LEVELS AND CONTENTS OF THE SOCIAL DIALOGUE ON VOCATIONAL TRAINING

On the branch level

Negotiations exist on a sectorial level. The banking sector was one of the first to develop systematic Continuous Professional Training and to regulate this activity through the collective work agreement. The collective agreement for banks, dated 20 August 1991, provides for training organized by the *Institut*

de Formation de l'Association des Banques. This is conditioned by an examination which gives right to the following advantages: a one training leave for candidates sitting the examination, the employer paying for 50% of the registration expenses on payment of this latter (this cost is 100% paid by the employer should the employee pass the exam) and granting of credit time. This method is considered by the Luxemburg social partners to be a joint-investment method.

Agreements also exist in the insurance sector, the garage sector (the collective agreement, declared to be a general obligation, provides for employees having attended continuous training courses in auto-electricity and auto-electronics for car mechanics, to receive a 2 % increase in their effective salary on presentation of the obtained diploma), and iron and steel sector (the collective agreement provides for special training leave to participate in training measures aimed at increasing qualifications).

On the company level

On the company level, the social partners are present within the personnel delegation, the joint company committee and the salaried staff representation in board meetings of large joint stock companies.

In the craft, commerce and industry sectors, certain companies are developing continuous professional training programmes independently from the established system.

5 COMMENTS

Although the collective negotiation system is well developed in Luxemburg (60 % of employees are covered by a collective agreement), it can be seen that only a small number of collective agreements contain measures concerning professional training. However, branch collective agreements (banks, iron and steel, garages) cover a large number of employees.

No collective agreement provides for a general right to access training courses for all employees. Participation in training measures is encouraged but the final decision remains the prerogative of the company owner. In most cases, the agreements require that the training costs be paid by the company and that the employee shall not lose any of his or her salary for having participated in training activities during working hours.

The issue of joint investment for training is at the heart of discussions on the future framework law concerning the organization of continuous training in Luxemburg which should soon be enacted. The opinion given on 8 December 1993 by the Economic and Social Board, to be used as the basis to develop the framework law, shows a noted emphasis on the encouragement of joint investment.

Described by :

*Raymond POUPARD
and written in French.*

1 DEVELOPMENT OF THE SOCIAL DIALOGUE ON CONTINUING TRAINING

In the Netherlands, until the 1980s, the Ministry for Education and Sciences had more or less sole responsibility for vocational education. The role of the two sides of industry was confined to one of representation – often on an ad hoc basis – in the administration of vocational training establishments. The only exception was the apprenticeship system, where employers' and trade union organisations have always been very involved.

In the early 1980s, vocational training became a key aspect of the economic recovery programme in the Netherlands. At the same time, the two sides of industry were given a very clear role in the traditional decision-making process, and in particular in defining the form and content of vocational training. It was felt that vocational training should be geared more to the needs of businesses.

The Dutch Government feels that vocational education and continuing vocational training are the responsibility of the employer (the role of Government should be limited). Training policy should be determined at company level. Agreements should be concluded at sectoral level. The role of the Government should be confined to the provision of information, the identification of requirements, the establishment of rights and obligations and the encouragement of the two sides of industry.

Over the last few years, therefore, a number of tripartite agreements on continuing vocational training have been signed between the Government and the representatives of employers and workers. These agreements are recorded in the 1986 and 1987 reports of the Labour Council (“*Stichting van de Arbeid*”), in the 1989 General Agreement (“*Gemeenschappelijk Beleidskader*”) and the Rauwenhoff Agreement “Working together for vocational education”, which supplements the earlier tripartite agreements.

The Labour Council Agreement concluded in 1986 between the Government, the employers' representatives and the trade unions, “Together for jobs 1”, contained recommendations concerning the training of employees. It advocated the conclusion of sectoral agreements providing for more training for employees. The sectors should also try to further the negotiation and regular review of training plans. Training is coordinated centrally and financed by funds set up by the sectors.

The second “Together for jobs” agreement of 1987 recommended the establishment of annual lists on the training initiatives of the different sectors and provided that agreements on the number of employees, the categories of employees involved and the working time allowed for training should be concluded with reference to the funds and resources available.

The 1989 General Agreement also included clauses on training. It recommended the conclusion of financial agreements on joint training initiatives in cases where companies were unable to train their employees alone. The parties agree that it is in the interests of everyone (workers and companies) for unjustifiable discrepancies in the provision of training to be eradicated.

2 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND LEGISLATION

In the Netherlands, the provision of continuing training for employees is not defined in law and responsi-

bility lies with the companies and industrial sectors. This is why the collective agreements on continuing vocational training, concluded at sectoral and at company levels, are of such importance. In addition to the formal collective agreements, there are agreements which may, for example, be drawn up at company level in collaboration with the works councils. (These agreements are not always officially recognised).

Negotiation at company level is still limited, in terms of the number of employees covered, and tends to be confined to the bigger companies.

General provisions on vocational training are more often included in the sectoral agreements.

The State provides specific support in the field of continuing training only for sectors which are in difficulties, for small and medium-sized companies and for certain groups of workers threatened with unemployment.

3 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND THE VOCATIONAL TRAINING SYSTEM

Now that the responsibilities which previously lay with the State have been transferred to the two sides of industry, the trade unions in the Netherlands are actively involved in setting up a continuing vocational training system.

The Confederation of Netherlands Employers and Industry believes that continuing vocational training is primarily the responsibility of the individual employer and the employees, but accepts the idea of collective bargaining. It also supports the idea that funds should be set up and managed jointly.

4 LEVELS AND CONTENTS OF THE SOCIAL DIALOGUE ON VOCATIONAL TRAINING

At sectoral level

Continuing vocational training in the Netherlands is governed mainly by collective agreements. Some 80% of employees are “covered” by collective agreements containing clauses on continuing training or employment support measures. The main sectors of industry are construction, textiles, metallurgy, banking and insurance, the retail trade, hotel and catering, the food industry, drinks and agriculture.

The collective agreements cover various subjects, including sandwich training, pay and the creation of sectoral funds for continuing vocational training.

The concept of sandwich training referred to in the collective agreements is currently being studied in the Netherlands. The aim is not simply to introduce an effective initial in-house training system, but to give adults who have only ever had unskilled jobs access to sandwich courses. The collective agreements play an important role because in some of them the age limit for starting training, usually 27, has been raised to allow older people to undertake sandwich courses.

Pay during continuing training is also determined by the collective agreements, not just because it is negotiated at sectoral level, but also because days at vocational training establishments are financed by the

company. There are sectoral differences between the collective agreements: in some cases, five days' training are covered, while in others the employee is paid for only two days' in-house training.

The funds allocated by the employers and managed jointly by both sides are vital to the financing of continuing training in the Netherlands. In 1989, 20% of the 97 sectoral agreements and 5% of the 64 company agreements provided for the creation of vocational training funds. In addition, 54 collective agreements contain clauses providing for the creation of such funds. Some funds are specific to vocational training, while others have a more general purpose but may also be used for vocational training.

In 1983, employers and employees in the metallurgy and electronics sector agreed to set up a training and development fund in 1983: the “O+O fund”.

The thinking behind the creation of these funds is that sharing training costs should lessen the impact of economic fluctuations. This will ensure that an adequate number of new employees can always be trained and that the training level of existing employees remains at least at the same level or improves. The purpose of the O+O fund is therefore to train future and existing employees, thereby ensuring that the metallurgy and electronics sector is never short of suitably qualified personnel.

The Minister of Social Affairs and Employment made the 1994-1996 collective agreement of the metallurgy and electronics sector applicable to all companies in the sector, including those which had not signed the agreement, and it now covers 1 500 companies employing a total of 185 000 people. The collective agreement requires companies to pay 0.6% of their total payroll to the fund. Of this sum, 0.3% is used for the vocational training initiatives mentioned in the financial regulation, 0.2% for the redeployment, continuing training and retraining initiatives mentioned in the financial regulation and the remaining 0.1% for setting up other vocational training initiatives mentioned in the financial regulation.

Both sides of industry at sectoral level are therefore involved in the financing of continuing vocational training in the Netherlands.

At company level

At company level, the interests of employees are represented by “works councils”. Under Netherlands law, works councils have a twofold role: firstly, in the general interests of the company and its employees, they have a legal right to be informed, to be consulted and to discuss major issues which concern the company. Secondly, in the event of a disagreement with the employer, they may request arbitration by a joint company committee or a court.

In the field of initial vocational training, decisions are required by law to be taken jointly. For continuing vocational training, the works councils are entitled to be consulted and to introduce initiatives (WOR, Works Councils Act, Article 23.3).

The works councils may submit proposals on personnel policy, which may include the question of qualifications. They may encourage the employer to incorporate agreements on continuing training into collective agreements. In addition, the works councils may submit certain decisions by the employer to review by the courts. They are also responsible for monitoring implementation by the companies of the collective agreements negotiated at general level. The members of the works councils pay particular attention to the continuing training opportunities offered. They are entitled to five days' paid training leave

(Article 18, WOR). Continuing training for members of the works councils is financed by 0.32% of the total payroll of all companies required by law to have a works council.

The trade unions also sign collective agreements at company level (particularly in the bigger companies).

5 COMMENTS

On a general level, collective agreements play a major role in industrial relations in the Netherlands. However, the role of collective bargaining in the field of vocational training is still rather limited.

It is dependent on fluctuations in the economy and the funding of training by companies is closely linked with wage negotiations.

Described by :

*Jean-Marie LUTTRINGER
and written in French.*

1 DEVELOPMENT OF THE SOCIAL DIALOGUE ON CONTINUING TRAINING

The end of the dictatorship (1974) and the adhesion of Portugal to the European Economic Community (1986) has brought about a new economic and social context, which, in turn, has boosted important changes in industrial relations and, at the same time, in the field of vocational training.

An important characteristic of the Portuguese economy is that around 70% of those in employment work for small and medium sized companies.

Compulsory schooling lasts for 9 years for those students who started school in 1987/88. For the others, it continues to last for 6 years.

Basic principles for the field of vocational training did not become law until 1984 and so systems for training, further training and education are still developing.

2 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND LEGISLATION

The following trilateral Agreements, made between the government and the social partners, are of particular importance:

The Social Economic Agreement (AES), which was signed in Oct.'90 by the Government, the Portuguese Federation of Industry (Confederação da Indústria Portuguesa - CIP), the Portuguese Federation of Commerce (Confederação do Comércio Português - CCP) and by the General Workers' Trade Union (União Geral de Trabalhadores - UGT).

The Vocational Training Policy Agreement (APFP), signed by the Government, the Farmers' Federation of Portugal (Confederação da Agricultura Portuguesa - CAP), CIP, CCP, UGT and by the National Inter-union General Federation of Workers (a Confederação Geral dos Trabalhadores Portugueses - CGTP-IN). This agreement among other things, establishes the right of workers and their representatives to information and consultation on training programmes and promotes co-operation between Government and the Social Partners in the field of vocational training and in considering vocational training in collective bargaining.

There are also several law Decrees in this area on Vocational Training (1991), Pre-apprenticeship (1991), Apprenticeship (1984 and amendments) and on Vocational Certification (1992).

The employers' and trade-union confederations play a significant advisory role within the pre-apprenticeship and apprenticeship system through the National Apprentice Commission, a trilateral body. According to Portuguese law, investing in continuing training is not compulsory.

As a general rule, enterprises provide funds for continuing training while the state finances initial training. Both employers and workers contribute to finance the training system by paying TSU (Unified Social

Tax), part of which is allocated to vocational training. Initial training is financed through the budgets allocated by a number of ministries; in certain cases, it is financed by the enterprise and trainees as well (apprenticeship and vocational teaching).

The social partners play an advisory role in checking the employment of public funds and TSU receipts, within the most important public institutions (IEFP - Institute of Employment and Vocational Training, and IGFSS, Social Security Financial Management Institute).

3 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND THE VOCATIONAL TRAINING SYSTEM

Generally speaking, collective agreements simply state the general principles applicable to training and do not specify how to inform or consult the workers' representatives.

The Social Partners, through its own sectoral organisations, are involved with the government in defining, developing and enforcing training policies. They are also involved in the training recognition and certification system; implementation of training actions.

The Employment and Vocational Training Observatory (OEF), a tripartite organisation established after the APFP agreement were charged with designing a method to evaluate training needs and on a yearly basis to conduct surveys on the existing training initiatives to understand what entrepreneurs expect in terms of training needs in the following three-year period.

In the area of continuing vocational training, the role of the state is less important than in the field of initial training, since it is the enterprises who act as the main players on continuing vocational training.

Until the APFP agreement(1991), no integrated training certification and recognition system was in existence. The system makes a distinction between training certificates and skills certificates. Provision is also made for initial and continuing equivalence as well as for training mainly obtained through experience.

AES (1990) has introduced a principle whereby workers are entitled, under given instructions, to prolonged unpaid leave (no less than 60 days) in order to attend training courses.

Under the APFP (1991) an experimental scholarship training programme has been promoted, the purpose of which is to enable workers to participate, under certain circumstances, in training actions while keeping their employment contract and basic wage.

4 LEVELS AND CONTENTS OF THE SOCIAL DIALOGUE ON VOCATIONAL TRAINING

There are great differences between the three levels, national, sector and enterprise. National agreements include important contractual components, while negotiation merely consists of setting directives to be followed in vocational training policy.

At sector level, the provisions contained in collective bargaining agreements often only establish general principles. At enterprise level there is very little involvement of the social partners in the organisation of continuing training.

The AES and APFP agreements have established the principle that workers and their representative should be informed and consulted when it comes to training schemes implemented by the enterprises.

Social partners are represented on the Board of Directors of the Institute of Employment and Vocational Training (IEFP) and on the Vocational Certification Standing Committee. According to the law, responsibility for the overall recognition system is shared among the three parties involved.

They also play a consultative role within the IEFP, at national and regional level and within the structures of other public institutions.

Only the largest enterprises usually set their own training schemes. Training is provided by both public and private training institutions and by employers and trade-union associations. A number of “Vocational Schools” are managed by employers’ and/or trade-union associations.

Public institutions, both technically and financially, support any training effort to those sectors which encounter particular difficulties in entering the labour market and to workers at large.

5 COMMENTS

The AES and APFP agreements have laid an important foundation for further co-operation between employers, trade unions and the state in the development of training and further training and education. The participation of employers and trade Unions in this process extends right down to regional level.

Described by :

*Grainne CREGAN
and written in English.*

1 DEVELOPMENT OF THE SOCIAL DIALOGUE ON VOCATIONAL TRAINING

Collective bargaining is mandatory. Above enterprise level, this duty is the exclusive right of the representative organizations of either side. Collective agreements on wages and labour conditions have existed at both sectoral and national level for a long time, but the general opinion is that the Acuerdo Economico y Social (social and economic agreement), which was signed in 1984 and valid through 1986, is the point of departure for present day dialogue. It also created impetus in the field of vocational training, which is the paramount example of an issue, where the social partners and the government have reached a broad agreement.

The AES-accord includes vocational training as extremely important, and a programme for vocational training (FIP plan or employment, training and integration plan) was demanded annually, to be financed by a levy. Since 1985 such plans have been made by the Ministry of Labour in co-operation with the General Council for Vocational Training. The plans must be approved by government. INEM (nationwide employment institute under the Ministry of Labour) and the autonomous communities: Catalonia, Andalusia, Valencia and Galicia administrate the plans. The General Council for Vocational Training was established with representation of the social partners because of the AES-accord. The social partners also participate in the setting up of rules for certification and recognition of qualifications.

As a result of an agreement in the standing committee of the Council, a Vocational Training Board was set up, and during 1992 major agreements were in preparation:

- a bipartite agreement on continuing training between CEOE, CEPYME (employers) and UGT and CCOO and CIGA (trade unions) of december 1992. This was immediately afterwards endorsed by :
- a tripartite agreement on the same issue, signed by the organizations mentioned above and by the government. These agreements will be in force through 1996.

They basically maintain the levy (0.7 %, with 0.6 % from the employers and 0.1 % from the workers) for the vocational training initiatives under the FIP plan. As something new, a training scheme on life-long training for employed persons (ANFC) was also agreed, and some of the funding (from 0.10 % increased to 0.30 %) may now be returned to training in the enterprises. The agreement stipulates a mixed tripartite committee to establish the criteria and procedures for funding. Joint industry committees are also envisaged.

The social partners cooperate through FORCEM (*Fundacion para la formacion en la empresa*). FORCEM is bipartite and requires agreement between employers and unions.

The social partners participate in the follow up on the activities under the FIP plan, and aim at the coordination of the various measures. After the conclusion of the ANFC-agreement, the FIP plan is for unemployed, exclusively.

Works Councils (workers only) are set up by law, but their competence was extended in the 1992 agreement, and they now have the right to be informed and consulted on for example employment contracts, training plans and leave requests.

2 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND LEGISLATION

The Spanish Constitution guarantees training and retraining, without creating rights for the individual employee. A right to vocational training and promotion is mentioned in the Work Statute.

Legislation on vocational training was passed as early as 1928, but not till recent years involving the social partners.

Collective agreements stay in force, until they are renewed. They get legal status (function as norms) if both of the concluding partners represent at least 50 % of the persons and firms concerned. They may then be extended to cover everybody (*erga omnes*). Otherwise, they cover only the members of the respective signatories. Government may extend an existing agreement to cover a new group under certain circumstances of difficult dialogue, e.g. if representative organizations do not exist.

But collective agreements may also have to be filled out by sectoral or enterprise level agreements, stipulating the details of how they are to be implemented in practice. e.g. the use of training leave. (Individual training leave is stipulated at a maximum of 150 hours per year by the ANFC- agreement).

3 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND THE VOCATIONAL TRAINING SYSTEM

The LOGSE- complex of 1990 (*Ley Organica de Ordenacion General del Sistema Educativo*) reforms the whole education and training system, including in-company training, envisages an extra level of qualification and modularization.

Initial vocational training is regulated by a law from 1970, which incorporates vocational training into the general education system, stipulates three levels of competence, and gives it a new name (regulated training) in order to improve its prestige. But in 1993/94 general education is still chosen by more than twice as many young persons as is vocational training. Initial vocational training is under the Ministry of Education, and in both categories, the majority attend public training institutions.

The first legislation on continuing vocational training (un-regulated training) was passed in 1962 and followed by the employment law in 1980, which created the possibility of promoting employment by vocational training. Consequently the authority is partly with INEM.

Only a small part of continuing vocational training formerly carried out under FIP covered persons in employment (34 % of the participants in 1991). Persons in employment are now covered by the ANFC-agreement.

The agreement of 1992 maintains the levy, but the state agreed to transfer part of it to a joint body (FORCEM) to finance courses in the enterprises, provided training plans were established and approved of.

Enterprises with more than 200 employees may send in their own training plan with a request for funding, enterprises with fewer employees have to make group plans.

Procedures differ slightly, but are basically the same. Group plans will have to be approved by a sectoral joint committee, before it is sent to FORCEM.

4 LEVELS AND CONTENTS OF THE SOCIAL DIALOGUE ON VOCATIONAL TRAINING

The 1992 agreement stipulates a tripartite committee (government, employers and employees). A bipartite body (employers and employees) runs FORCEM which manages the funds of the agreement. Further, each sector and each of the autonomous communities are to have/ have bipartite consultative committees to approve of the training plans, before they are sent on to FORCEM for financing.

It also foresees a whole system of training plans, not only at the national level, but also at the sectoral, group and enterprise level.

Other issues included in that agreement are increased participation of employees at enterprise level.

A gradual increase in the importance of bargaining in relation to training may be seen in enterprise agree-

ments -about one fourth of the enterprises indicate that there are training clauses in their agreements now (the percentage is highest in the large enterprises) but also in sectoral and regional level agreements.

The construction sector in Catalonia and Asturias for instance has taken various initiatives to promote vocational training like setting up training institutions and increasing the mandatory levy by 0.1 %. And the sectors are crucial in formulating their qualification needs and setting up training modules, and not least by formulating the rules for the group training plans, which are essential for enterprises with less than 200 employees to get the approval required for funding of courses out of the money provided by the levy.

Leave arrangements are stipulated by ANFC at a max. of 150 hours pr. year, but the rules and procedures must be filled in by collective agreements at sectoral level, and may have to be agreed at enterprise level. The enterprise may refuse requests for leave, but not without giving reasons. After leave is granted, funding may be applied for at FORCEM.

5 COMMENTS

The social partners in Spain regard the 1992 agreements as a major step forward in the promotion of dialogue and vocational training.

Described by :

*Margit HURUP GROVE
and written in English.*

1 DEVELOPMENT OF THE SOCIAL DIALOGUE ON VOCATIONAL TRAINING

Sweden's employment policy is a pro-active policy for full employment. It gives pride of place to financing continuing training programmes so that trained persons can get into work.

Continuing training for adults comprises three elements: general adult education; continuing training for job-seekers (geared to the labour market); continuing in-house training.

The social partners in Sweden are represented by three main trade union organisations:

- the *Landorganisationen* (LO), which mainly comprises blue-collar workers from the public and private sectors;
- the *Tjänstemännens Centralorganisation* (TCO), which represents white-collar workers in the public and private sectors;

The LO and the TCO are affiliated to the European Trade Union Confederation;

- the *Sveriges Akademikers Centralorganisation* (SACO), which represents State and other employees.

The most important and most powerful employers' organisation is the *Svenska Arbetsgivare Föreningen* (SAF) with more than 34 affiliated federations; three further organisations represent employers in the public service.

The "Joint Industrial Training Council" was set up by the LO on the trade union side and the SAF on the employers' side and is active in the field of continuing vocational training, fostering bilateral cooperation on the part of the social partners and issuing strategic recommendations on the subject of continuing vocational training. It coordinates the work of the "Joint Trade Committees", which represent the commerce sector and are active in analysing the skills needs in that particular sector.

Six decades of Social-Democrat government (1932-76, 1982-91, and 1994 to the present) have created a fine-meshed social fabric with multiple institutionalised co-decision structures. Throughout the 1970s and 1980s, industrial relations in Sweden operated on the basis of bargaining autonomy with no State interference. In 1992, the SAF (the employers' organisation) announced a major shift by quitting the central and regional-level tripartite governmental committees and favouring decentralisation and company-level bargaining.

2 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND LEGISLATION

In Sweden, the social partners traditionally play an important role in initial vocational training, but less so in continuing vocational training. This involvement is not something which is always based on legislation, arising sometimes from collective agreements.

Thus, in the private sector, an agreement has been signed between LO, SAF and the union of private-sector employees (PTK). This is a general agreement which is concerned with the information and training of employed persons in respect of the organisation of work and the new technologies in industry. It has brought in its wake further agreements between the social partners at local level. These contain provisions which commit the local partners to help employees come to terms with new skills and knowledge requirements.

3 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND THE VOCATIONAL TRAINING SYSTEM

National vocational training policy

Sweden has a long tradition of adult education, supported for decades by the State under successive Social-Democrat governments. Employment policy is based principally on continuing vocational training opportunities, funded by the State. Programmes offered are concerned with adaptation, career progression and reintegration into active life for job-seekers. These programmes are financed through public funds associated with employment policy.

The programme “*Komvux*” was introduced in 1968 and is concerned with training for adults who wish to attain secondary schooling level (i.e. initial training).

The post-secondary programme “Supplementary education” is designed to enable adults to pursue training which is connected with their professional activity or which provides openings to other activities in fields such as tourism and the economy.

The “Labour market training” programme enables job-seekers to pursue a course of training which is designed to facilitate their integration into firms.

These training programmes may be dispensed by various organisations. The “AMU Group” (National Board of Employment Training and Technical Education) is one of the autonomous organisations responsible for dispensing State-subsidised training schemes. It runs 24 decentralised AMU centres, managed by a tripartite board. Acting as independent economic units, the AMUs work in competition with other institutes offering continuing training courses geared to the needs of the regional labour market.

Continuing vocational training for persons in employment

Continuing vocational training is organised in-house and funded by the employers, who decide on which programmes should be offered and which persons should be allowed to participate. Firms may work in association with universities, colleges and training organisations in devising their own training schemes.

Since 1975, there has been a statutory guaranteed individual right of access to continuing training, whereby all persons who have worked for at least six months for the same employer or for at least 12 months over the past two years may be released for an unlimited period to follow continuing vocational training courses, with a guaranteed right of reintegration into the firm. The law guarantees free choice of the type of training. The employer must receive the application for leave six months in advance. Grants or loans must be negotiated on a case-by-case basis with the employer within the framework of the State programmes for labour market back-up. The possibility of being granted financial assistance depends on the individual situation and the applicant's vocational qualifications.

4 LEVELS AND CONTENTS OF THE SOCIAL DIALOGUE ON VOCATIONAL TRAINING

The social partners are seeking new, more informal strategies. They are concentrating on in-house continuing training as an important area of involvement and want to see a co-decision right in terms of defining needs and of planning and financing training programmes in firms. This approach takes account of the new corporate management strategies, which accord more importance to developing human resources and which seek to utilise the skills of employees and of trade union delegates in finding more flexible and decentralised solutions to their problems.

At industry level

In the private sector, there are certain provisions which are founded on collective agreements at central or sectoral level and which are concerned with continuing vocational training.

Sectoral bargaining between employers' organisations and individual trade unions has gradually come to replace the centralised collective bargaining covering the whole country.

Agreements relating to training have been signed by trade unions under the LO umbrella. For instance, in 1984, an agreement on vocational training was signed in the electricity industry between the employers' federation (EA), the Swedish electricians' association (SEF), the general association of employers (SAF) and the union of maintenance employees.

The social partners in Sweden have set up at sectoral-level joint organisations which are involved in areas of interest common to employers and employees alike, e.g. training and security of employment.

The SAF-MLO fund (TSL) was set up in 1983 as a result of collective bargaining between the employers' organisation (SAF) and the trade union organisation (LO). The fund's main objective is to guarantee workers' job security. It finances a range of training programmes for a variety of firms. Funded projects seek to develop skills and to enhance companies' competitiveness. 95 000 companies employing 1.1 million people are associated with the fund and pay a contribution on the basis of their gross annual wage bill, the rate of contribution being fixed by collective bargaining. The decision whether or not to grant aid is taken by the fund's management board, which features equal representation for employers and trade union representatives. Any aid application is submitted to the TSL fund jointly by the employers and the trade unions at both local and regional levels; the two sides subsequently have to ensure that the training measures are properly implemented.

At company level

The interests of Swedish workers are represented through the trade union delegates in companies (*facklig förtroendeman*); their role was defined in 1974 in a law on the status of trade union delegates. They have a right of information and negotiation on all matters relating to production, working conditions and the situation of staff. They are consulted on the company's financial situation. The trade union organisations also conduct wage bargaining in addition to the central or sectoral collective agreements at company level. Continuing training, staff management policy and improved working conditions are increasingly becoming the subject of discussions within companies.

5 COMMENTS

The social partners in Sweden believe that the initial vocational training system and the idea of vocational training associated with a pro-active employment policy work satisfactorily. They wish to have more say in continuing vocational training as implemented by firms, with a view to boosting skills and competitiveness.

The abandonment by the SAF of the tripartite system in 1992 has not brought about a breakdown in all forms of informal social dialogue between the partners. Discussions are in progress on mobilising employees and on ways of making training supply more flexible. The social dialogue continues at sector level too (e.g. in the graphic industries on the question of joint investment).

Described by :

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and written in French.

1 DEVELOPMENT OF THE SOCIAL DIALOGUE ON CONTINUING TRAINING

The United Kingdom has always been characterised more by voluntarist rather than contractual arrangements on continuing vocational training, unlike other European states. Since 1979, the role and influence of trade unions has generally diminished. Within the United Kingdom there exists largely informal consultation and collective bargaining on training.

In the last decade, the state has played a smaller role in the field of initial and vocational further training and education, with the result that the standard of training in Great Britain has not improved significantly and the participation rate in vocational and further education measures does not match that of her major industrial competitors.

2 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND LEGISLATION

Industrial relations in Great Britain are not legally binding, so representation of employees at the workplace or in the field of collective bargaining is not regulated. Legal regulations exist only in the field of Labour law, Employment contract law and Social and dismissal protection legislation.

3 RELATIONSHIP BETWEEN THE SOCIAL DIALOGUE AND THE VOCATIONAL TRAINING SYSTEM

In 1988 the “Employment for the 1990s” white paper identified a deficiency in the system of training and further training and education compared to other European countries. As a result the Government set up a Training Enterprise and Education Division within the Department of Employment, which was to co-operate with the Training and Enterprise Councils (TECs) and the Industrial Training Organisations (ITOs) in the development of vocational training and further training. The Departments of Education and Training have now merged to form one Department. The Government, among other initiatives also introduced the National Vocational Qualifications philosophy.

The National Council for Vocational Qualifications (NCVQ) was established in 1986 to develop a nationwide unified system of work-based qualifications. The NCVQ accredits National Vocational Qualifications (NVQs) relating to standards identified by the employer-led Industry Lead Bodies (ILBs) in each industry. The NVQs are based upon competences rather than the completion of training, and the focus is on the results of learning rather than the process.

The Trade Unions are not always represented on the ILBs, however the Trade Union Congress (TUC) co-operates with the Confederation of British Industry (CBI) and the Department of Education in judging National Training Awards (NTAs) to companies demonstrating particularly effective training programmes. The TUC is also represented on the NCVQ.

Trade Unions are interested in developing broad-based NVQs, offering in-depth skills at the general, advanced, supervisory and managerial levels.

Many industries are demanding an increasingly skilled workforce and are pursuing flexibility through multi-skilling, especially in the case of engineering construction and chemicals. In engineering construction, the National Skills Development Scheme (NSDS) was launched in June 1990 under the 1990 National Agreement for the Engineering Construction Industry.

In construction, there is union representation at Board level and on all committees and working groups. Union involvement in training issues at sector level in this industry has been extensive but not without difficulties. The system of levying employers, which has been abandoned in other industries still remains in the construction industry.

4 LEVELS AND CONTENTS OF THE SOCIAL DIALOGUE ON VOCATIONAL TRAINING

In the early '60s tripartism was embodied in new arrangements for economic planning under the National Economic Development Council and Economic Development Committees.

Since the Conservative Government was elected in 1979, the emphasis has moved from tripartism and statutory training provision towards employer-led and voluntary arrangements for training.

For employers, the major issue is having a workforce with the competences to perform in accordance with business objectives. For employees, training, and the validation of that training, represents a means for having their skills and competences acknowledged, which in turn should provide a route to higher earnings, improved job satisfaction and security, and increased labour market mobility. The representative bodies, employers' associations and trade unions, support these two parties' objectives, but may each have a wider agenda.

To-day, the TUC or individual Unions have consultation rights in the Training and Enterprise Councils (TECs) at regional level, where the main topic of discussion is the organisation of NVQs. The first signs of a shift in trade union emphasis on training can be detected from the activities in several unions in the second half of the 1980s.

The TUC focus on training shifted from national and industry levels to the workplace, with proposals to create a statutory basis for worker consultation through the formation of Workplace Training Committees (WTCOM).

At both sector and enterprise level studies have demonstrated a willingness on the part of management to involve trade unions in discussions over training, although there are significant differences in the nature of involvement in terms of the level, scope and depth of bargaining. The level at which discussions over training take place is largely determined by the level of collective bargaining over other issues or by factors such as: the forum at which training is discussed, trade union density, employer attitudes, volume of training and the level of workforce skill.

Local negotiating fora such as a Works Councils or joint negotiating committees as well as Training Committees where training issues are discussed also exist in some companies.

5 COMMENTS

The 1989 Social Charter included the intention to ensure access to vocational training for all employees for the duration of their working lives. Subsequently, in the Maastricht Treaty the duties of the EC in the field of vocational training were defined more precisely but the 12 member states could not agree on a common social policy. Ultimately all members with the exception of the United Kingdom reached agreement on a supplementary protocol on social policy.

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