



European Trade Union
Technical Bureau
for Health and Safety



**The European trade union movement and sustainable
development ahead of the Earth Summit –
a European strategy for quality employment and
the protection of the environment**

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capacities and rights**

**Introductory paper
by CGIL, CISL and UIL, Italy**

WORKERS RIGHTS AND SKILLS, THE ROLE OF TRADE UNIONS AND SUSTAINABLE DEVELOPMENT

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Introduction

Over the next few years trade union organisations from EU countries will face the unparalleled challenge of spearheading the campaign in Europe and around the world to gradually introduce a model for increasingly sustainable development.

In the view of the trade unions development is sustainable when it takes accounts of social, environmental and economic factors in a balanced way. Policies for a sustainable economy must be based specifically on:

- total compliance with the need to conserve the ability of natural systems to regenerate and assimilate;
- respect for the core labour standards, human rights and agreements on the environment and on health protection;
- a preference for these multilateral standards over trade rules.

Johannesburg

The next World Summit on Sustainable Development (WSSD), to be held in Johannesburg in late August 2002, will be the first major opportunity for us to take a significant step forward towards greater sustainability.

In Johannesburg, European trade unions - within the context of the international trade union movement - will work to more firmly assert the fundamental civil, social and environmental rights of both workers and the community.

Fundamental rights

Principle 1 of the Rio de Janeiro declaration states that "human beings are at the centre of concerns for sustainable development". However, trade unions feel that this issue has not been promoted consistently or intensively enough. That is why the WSSD must strongly confirm the social dimension of sustainable development in all its resolutions.

This is necessary as the willingness of workers and the community to support and get involved with local, national and international policies to change production and consumption models will depend largely on the ability to:

- eradicate poverty and social exclusion via work;
- guarantee universal access to basic resources and services such as food, energy, water,

- a home, hygiene, health, welfare, education and transport;
- make sure supporting resources are secured via social and occupational transition programmes;
 - respect the freedom of association and the Core Labour Standards as defined in Agenda 21, Chapter 29 and in the ILO conventions;
 - protect human and economic freedom in international trade agreements;
 - break down social barriers based on differences in gender, age and physical appearance.

Controlling globalisation

To attain real results in the field of fundamental rights we must establish national and multilateral systems of joint governance which are based on laws and regulations that take account of the interests of all people involved so that the globalisation process is approached in a fair and sustainable way.

It is especially vital that:

- workers are entitled to voice their opinions in joint decision-making processes;
- trade unions are allowed access to the World Bank-OECD Global Forum and to the OECD's round table on corporate governance;
- the OECD's guidelines on export credit agencies are adopted;
- trade is one component of a strategy that enables developing countries to increase their rate of production and satisfy domestic demand;
- developing countries are allowed access to the markets of industrialised countries whilst ensuring that workers rights are respected;
- the WTO's democracy deficit is reduced and thus made more transparent, democratic and responsible and is made available during meetings with local authorities, NGOs and trade unions;
- an agreement is promptly reached on intellectual property, particularly with regard to life-saving medicines in developing countries.

The role of the European Union

Even if social and work factors have been underestimated in EU environmental legislation, the positive correlation between the EU welfare model and the EU's competitiveness is

enough to convince us to extend this legislation to other parts of the world, starting first of all with the countries soon to join the EU.

The European Union must undertake in particular to demand that Chapter 29 on the codetermination of Agenda 21 is fully implemented. Over the coming years work conditions and the quality of life for thousands of men and women will change immensely because of the process of transforming production systems and consumption models.

These changes will be beneficial for some people and pose threats to others, but either way, large social groups and individual living conditions will be affected. These changes would be made more acceptable by promoting democratic structures which the people concerned can access and which enable them to be involved in deciding the form these changes should take. Consequently new ways of making decisions must be determined by involving those parties interested in developing objectivity and justice in these procedures. For trade unions this should mean promoting democracy at the workplace and in the context of economic and social relations on the greatest possible scale.

An important contribution can certainly be made by distributing knowledge gained from Local Agendas 21.

Another important contribution can be made by means of voluntary agreements which, in bringing together all the interests involved within the context of a clear national and international legal framework, aim to improve environmental and social performance.

This must all be backed up by legislation. The ETUC must oblige the European Union to make a large contribution itself by consistently developing the principles set out in the Nice Charter.

Social clause and environmental clause

The incorporation of the environmental clause into international trade relations, as established at the WTO Ministerial Conference in Doha, represents a significant step forward. All that remains now is to make sure that this commitment is mandatory at all levels.

However, European trade unions are also insisting that the social clause be taken on board. That is why we are asking the European Commission to make a special effort to pursue the policy initiative it launched in Doha to introduce the social clause to international trade relations.

Moreover we believe that without any further delay the European Commission should

impose bilateral standards in those productive sectors where fundamental social and environmental rights are least respected.

European trade unions

An analysis of the initiatives pursued by European trade unions over the last decade clearly demonstrates the extent to which trade unions have, through tabling proposals and initiatives, been a driving force behind the changing relationship between the environment and development.

Today however, faced with new challenges, we have to place more emphasis on the fact that ever-increasing competition and the creation of much more complex and sophisticated technologies mean greater, more extensive risks. That is why we must once again take up our commitment to further develop fundamental rights, thereby asserting the truth of the following, namely that in view of the new situation a blinkered vision focusing exclusively on the workplace is no longer acceptable.

We have identified four main objectives of general interest in particular.

- ❖ **Health and safety of workers and citizens:** this is perhaps the right which is practised most by trade unions and one which has been the subject of a significant body of legislation and regulations in many countries. However, the number of accidents at work is too high as is the risk to health, particularly in small and medium-sized enterprises where trade union influence is often weaker and in industries where workers' representatives are not able to monitor innovative and technological processes because they do not know enough about them.

- ❖ **Ecological efficiency of processes and products:** we believe that the kind of competitiveness which aims purely at lowering company costs is sure to gradually erode the company's position in the market and therefore jeopardise jobs as well as workers' safety. We believe that this risk can be overcome by demanding that companies put extra effort into innovations in processes and products which make conditions safer for workers and which enable companies to take up a more competitive position on the market, thereby bolstering their prosperity.

- ❖ **Quality of life:** this objective comprises two elements. The first concerns the quality

of products in terms of the risks they might pose to citizens; while the second concerns the impact that productive processes have on the cities and countries in which the companies are located. To fully protect workers in their roles as citizens too, trade unions can no longer ignore this more general dimension and must therefore establish ways of intervening both within and outside the company.

- ❖ **Protecting and improving natural resources:** this is perhaps one of the most complex issues that trade unions have to deal with. We can no longer ignore the origins of raw or semi-processed materials used during production processes, the effects produced during the production process or what happens to the materials once they leave the company as product or waste. Changes in climate, a decrease in water resources, chemical pollution, infrastructure programmes, etc., are all part of the list of issues addressed under this fourth objective. The environmental consequences of these problems are such that trade unions must make a huge effort to gain full and recognised authority to deal with them. They can start to do this by becoming more involved with strategic environmental assessments.

Pursuing these four objectives, which presupposes the ability to strike a better social and economic balance between the environment and development, requires strong commitment to extend and strengthen the six fundamental trade union rights (i.e. information, consultation, participation, bargaining and protecting revenue for environmental reasons). This right should be made mandatory at every level of trade union action and in such a way that the trade union is able to carry out its social function effectively and enhance the participation of the workers.

The right to negotiate

The right to negotiate is widely acknowledged in EU countries. However, even in the EU this right can only be exercised in reference to certain subjects, the main ones being working and salary conditions. Yet in many other areas this right is not acknowledged, especially in the world of small and medium-sized enterprises and multinationals. It is often within these two extremes – small companies operating out of sight and large multinationals - that the main violations of social and environmental rights come to the

fore. Small companies are often guilty of violating social and environmental rights and in fact, these rights are often violated with the complicity of the workers. Large multinationals are also often guilty of violating these rights because it is very difficult for trade unions to exercise any form of control over these companies given the global scale on which they operate and given the current state of the tools available.

The question is how to tackle these problems. There are several possible and interlinked actions which can be promoted at the various levels of trade union initiatives.

- First and foremost it is vital that trade unions undertake - in the context of normal collective bargaining in EU countries - to extensively extend negotiations to cover environmental aspects. Starting with the protection of workers' health and safety, trade unions must fight to extend their negotiation rights on the quality of entire production cycles and that of products so as to reduce the impact on the area around the workplace to a minimum.
- It is particularly important that in the context of bargaining agreements, companies are made to adopt environmental management systems such as EMAS and eco-balances. To help achieve this it would be useful if individual countries promoted services and provided resources, especially to SMEs
- Furthermore, the European Union must encourage small and medium-sized enterprises to 'clean up their social and environmental act' by imposing sanctions on companies that do not do this and by rewarding those that do. This thorny issue will become more and more of a problem with the enlargement of the EU. The extent to which future members manage to adhere to the social and the environmental clause should be the main way of testing their ability to comply with the European social and environmental model.
- If a greater role is to be played where multinationals are concerned, then resolute action must be taken to involve business leaders along with trade unions. Establishing a consistent framework involving management and workers will make it possible to identify the bargaining and negotiating levels within which the trade union needs to exert pressure. The European Works Councils represent a large step forward in this direction.
- All too often the codes of conduct adopted by large multinationals are not monitored efficiently. We therefore believe that one way of changing these codes would be for trade unions to become more involved in defining, managing and monitoring them via

direct agreements between the two parties concerned and in some cases, the three parties - as is the case with the Global Compact.

The right to information

It is ironic that in today's information society trade unions have to demand the right to information, but that is the way things stand. The unequal distribution of information between social partners and the biased, incomplete and fragmented nature of information often related to a certain group could well form the main obstacle to effective and democratic industrial relations. Establishing ways of making companies of different levels provide necessary information on company strategies concerning industrial plans therefore becomes essential. In just the same way, establishing ways of making public decision-makers of various levels provide information concerning regional and national development programmes is also necessary.

- The first area of duty is undoubtedly that of negotiation. It is vital that trade unions undertake to expand collective agreement clauses on environmental matters to include all the information needed to have a positive impact on the quality of production processes, on the life cycle of products, on the company's environmental management system, on the way health and safety conditions are monitored, and on external safety.
- Clearly, the more organised the information, the more effective the efforts made by the trade union. This must be reflected by efforts to include the health and safety provisions of the European directives (EMAS and Seveso 2) in collective agreements.
- With regard to more general environmental issues, it is vital that the information used by workers is as objective as possible.

To this end, European, national and regional environmental agencies must be boosted in order to establish effective monitoring systems.

In light of the above and out of respect for company and 'political/administrative' interests, it is vital that the body in charge of monitoring and providing the environmental information is a 'third' party. This body must also be independent and objective. We believe that this will prompt more appropriate behaviour and, more importantly, will prevent the promotion of information campaigns which are often based on partial data and

cause a great deal of concern amongst workers and citizens.

The right to be consulted

The right to be consulted is asserted at European level and in individual countries in an irregular and incomplete way.

It is particularly important that this right is asserted at various company and institutional levels. We believe that this right should be asserted in all areas where trade unions need to intervene in order to defend workers interests, as is the case, for example, with strategic environmental assessments. However, we must bear in mind the fact that, in order to establish a clear line of responsibility, the decision is either made by a company or by a public institution. This concerns any information which is significantly relevant to the trade union's strategy but which cannot be considered a subject for negotiation.

- Of particular importance here are, for example, public initiatives associated with the various levels of statutory and regulatory activity concerning economic and social issues, programming activities and national development, investment programmes and so forth.
- Another important factor for trade unions is the programming and planning of large regional public services systems, such as transport, energy, water, etc., whether public or private.
- Another important issue is the drafting of initiatives aimed at informing the public of the potential risks to humans and the environment arising from production activities.
- This right must of course be exercised at all levels of trade union actions regarding companies and institutions. The ways of doing this must be sought out within the context of existing instruments including memoranda of understanding, protocol agreements, general agreements and so forth.
- What is important is that the act of consultation itself is mandatory rather than the decisions taking pursuant to consultation.

The European Union and the Member States should therefore more clearly define the general framework and limitations within which this right must be exercised.

The sectoral federations should also make sure that the right to be consulted about all materials which have serious effects on the environment is stipulated in a precise and binding way in collective agreements.

The right to participate

Unlike the right to information, the right to participate is more important during the phase in which the decisions made by companies or institutions are actually being implemented. In other words, trade unions need to assert their right to be actively involved in all phases of productive activity in which their role cannot be limited purely and simply to the right to be consulted. This is the case with reorganisation processes for environmental reasons, with productive conversion processes of companies in a given area or sector, with the implementation of national development programmes and environmental management systems, with the establishing and implementation of voluntary agreements, and with initiatives to improve polluting industries and sites and helping industries at risk.

Once again the right to participate is asserted in all sites and at all levels in which the trade union is involved. The ways of doing this can be inserted in contracts and harmonised with the methods set out in agreements, protocols and so forth.

Voluntary agreements run the risk of being too arbitrary for trade unions unless the following requirements are specified:

They must not replace legislation.

They must only set out objectives which exceed minimum legal standards.

They must provide for the participation of the trade union organisation.

They must make the interests of local communities public and transparent.

Once these requirements are specified, voluntary agreements can put more emphasis on the citizens and consumers rather than focusing on a purely industrial approach.

The right to training

The increase in innovative production processes means that skills acquired by workers no longer influence the position they hold in the labour market. This poses a serious threat to workers, who are at risk of finding themselves out of a job at a very young age.

Over the next few years this risk will gradually become even greater as problems associated with sustainability become a source of competition between companies and geographical areas.

It is likely that the implementation of industrial conversion programmes which are a result of the implementation of international environmental agreements (e.g. climate changes, desertification, biodiversity, etc.) will induce a technological breakthrough that will work

with the systems already in place. However, for this breakthrough to occur with minimum social impact, we must assert the workers' right to continuing training in contracts and in legislation.

Efforts must be made to promote a training system which is able to gradually update workers' professional skills in line with the demands of technological and organisational innovations against a backdrop of education and continuing training at European level. The objective of this education and training is to ensure that citizens (i.e. workers) are able to face the challenges of the information society and to fulfil the ambition of prosperity, integration, tolerance and democracy, towards which the European Union and the candidate countries are striving. Partnerships have the most important role in providing an overall view of the ways to implement the universal educational and training strategy as they identify the need for all the actors involved inside and outside formal systems to collaborate in order to achieve this objective.

This is an immense task that not only requires strong political determination but also numerous public and private resources.

Furthermore, to achieve this task, trade unions must bring a new way of thinking to workers so that they are more open to changing jobs and to changes within their jobs. This is the only way of making the labour market more flexible and keeping social impact to a minimum.

The right to income protection for environmental reasons

This right is very often disregarded and underestimated. The consequences for the trade union are particularly heavy in as much as they push workers to resist against problems arising from the sustainable conversion of productive activity.

We are convinced that the battle for sustainability will be won by gaining the consensus and the direct involvement of the workers. Failure to take this into account will put a severe strain on industrial relations because workers will continuously be faced with a stark choice: work or the environment. This card is often played by employers in order to acquire public resources to make their operations less polluting, to finance innovations and even to finance business which has ceased.

The only way to prevent workers from having to make this choice is to guarantee those workers involved in environmental intervention programmes which put jobs at risk for long or short periods, an income protection scheme borne by companies and taxpayers.

It is therefore necessary that the transitional phase which every productive sector must go through to make its production processes and products more sustainable is sensibly programmed and regulated.

The length of these transition periods will vary greatly from sector to sector and will often be dependent on emergencies which have caused major damage to entire economies in the past. Mad cow disease, chemical pollution, serious pollution to the atmosphere in cities and marine disasters caused by accidents involving ships transporting hazardous substances are all events which can be prevented and whose environmental and social impact can be eased.

For this to happen the European Union and individual countries must work together to control any problems which may arise when a sustainable development policy is implemented to the highest possible level of social cohesion. We must all be aware that more resources are always used for ecological recovery and to control social crises than for prevention policies.

Conclusions

In light of the above we must conclude with a few reflections on whether European trade unions are organised in a way which allows them to cope with this new phase of development.

In fact, it is clear that the issue of sustainability raises issues other than merely the problem of ensuring the correct gearing of European trade union programmes. The certain rise of sustainability also serious organisational problems.

The following concepts, in particular, merit discussion:

- the concept of continuity or interdependence associated with the new relationship between the workplace and its external surroundings. A trade union approach focussed solely on the 'internal workplace' would imply ignoring the complex interactions which increasingly link individual companies, however small, to the environmental, social and economic context that surrounds them.
- the concept of unity associated with the growing impossibility of separating workers' interests at their place of work from their interests in their social lives in general. The consumer society tends to entice workers/citizens into a rhythm of producing more and more goods and using these products more often without paying any attention to the impact of using them. Trade unions can no longer

accept this 'culture' lying down because it tends to impact negatively on workers' social lives as well as the environment.

- the concept of integration associated with the system of relations linking the various aspects of development policies. This applies to sectoral policies, national policies, economic policies, welfare policies and international policies. Trade unions' approach to development policies must take account of increasing levels of integration, otherwise they run the risk of seeing their ability to represent workers' interests restricted.

All this leads us to stress above all the need for unions to focus on developing confederations. This applies at both national and European levels and must occur if this inevitable development is to be dealt with adequately.

At the same time extra effort must be made to increase the skills of trade unionists, which in turn requires a special effort to establish a training programme that can significantly boost all trade unions' awareness of the problems they will be required to address.