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Building social partnership? Strengths and shortcomings of the European Employment Strategy¹

Bernard H. Casey*

Summary

The European Employment Strategy is now seven years old. Whilst its contribution to improving labour market performance has been evaluated, less attention has been paid to the manner in which the EES has worked, in particular the ways in which policy has been formulated and implemented. In particular, there has been little investigation of the extent to which one of the stated objectives of the strategy – the improved involvement of the social partners in the formulation and implementation of policy – has been achieved. This paper argues that in many respects this objective has not been met. Even in countries where social partnership structures appear relatively well developed, the Luxembourg process has added little – in part because it is seen to be concerned with technical matters. Employment policy is 'settled' elsewhere. In addition, realisation of those elements of the strategy where social partner participation is most critical has often been frustrated by the lack of mechanisms to implement commitments made at the centre at places of work. Moreover, by subscribing to the strategy, social partners were also subscribing to a wider approach to economic policy – an approach that was scarcely compatible with the approach advocated by trade unions. Accordingly, the conclusion has to be that the Luxembourg process failed to develop social partnership. An exception might be the closer working together of the European-level social partner associations. However, their involvement in the strategy has been little noticed by their constituents, and it might even be argued to have encouraged elitism rather than to have promoted greater participation in policy-making.



* The Pensions Institute, Cass Business School, City University, 106 Bunhill Row London EC1Y 8TZ
E-mail: b.casey@city.ac.uk

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Sommaire

La stratégie européenne pour l'emploi existe depuis sept ans. Alors que sa contribution à l'amélioration des résultats du marché du travail a été évaluée, moins d'attention a été prêtée à la manière dont la SEE a fonctionné, en particulier la manière dont la politique a été formulée et mise en œuvre. Peu de recherches ont en effet été effectuées afin d'évaluer la mesure dans laquelle un des objectifs formulés de la stratégie – à savoir l'amélioration de la participation des partenaires sociaux dans la formulation et la mise en œuvre de la politique – a été atteint. Cet article montre qu'à bien des égards, cet objectif n'a pas été réalisé. Même dans les pays où les structures de partenariat social semblent relativement bien développées, le processus de Luxembourg a apporté peu de choses – en partie parce qu'il est considéré comme s'intéressant à des sujets techniques. La politique de l'emploi « est réglée » ailleurs. En outre, la réalisation de ces éléments de la stratégie où la participation des partenaires sociaux est plus critiquée a souvent été frustrée par le manque de mécanismes établis pour mettre en œuvre les engagements pris sur le lieu de travail. D'ailleurs, en souscrivant à la stratégie, les partenaires sociaux souscrivent également à une approche plus large de politique économique – une approche qui était à peine compatible avec l'approche préconisée par les syndicats. Par conséquent, on doit conclure que le processus de Luxembourg n'a pas réussi à développer un partenariat social. L'exception pourrait être le travail plus étroit avec les associations de partenariat social au niveau européen. Néanmoins, leur participation dans la stratégie a été peu remarquée par leurs constituants, et elle pourrait même être taxée d'avoir encouragé l'élitisme plutôt que d'avoir favorisé une plus grande participation dans la prise de décision politique.

Zusammenfassung

Die Europäische Beschäftigungsstrategie ist inzwischen sieben Jahre alt. Ihr Beitrag zur Steigerung der Arbeitsmarktleistung ist bewertet worden, aber nur wenige Untersuchungen befassen sich mit der Art und Weise, wie die EBS funktioniert, und insbesondere mit der Frage, wie die Politik gestaltet und umgesetzt wurde. Dabei wurde besonders wenig erforscht, inwiefern eines der erklärten Ziele der Strategie – nämlich eine bessere Einbeziehung der Sozialpartner in die Gestaltung und Durchführung der Politik – erreicht wurde. Im vorliegenden Beitrag wird argumentiert, dass dieses Ziel in vielerlei Hinsicht nicht erreicht wurde. Selbst in Ländern, in denen die Strukturen der sozialen Partnerschaft relativ gut entwickelt zu sein scheinen, hat der Luxemburg-Prozess nur wenig dazu beigetragen – zum Teil deswegen, weil er als Prozess wahrgenommen wird, der sich mit technischen Aspekten befasst. Die Beschäftigungspolitik wird anderswo „erledigt“. Hinzu kommt, dass die Verwirklichung der Elemente der Strategie, bei denen die Beteiligung der Sozialpartner besonders wichtig ist, oftmals dadurch verhindert wurde, dass es an Mechanismen fehlte, um die vor Ort in den Bereichen eingegangenen Verpflichtungen umzusetzen. Indem sie sich der Europäischen Beschäftigungsstrategie angeschlossen haben, haben sich die Sozialpartner im Übrigen auch einer weiter gefassten Vorgehensweise im Bereich der Wirtschaftspolitik angeschlossen – die kann mit dem Ansatz vereinbar ist, der von den Gewerkschaften befürwortet wird. Dennoch muss das Fazit lauten, dass es dem Luxemburg-Prozess – abgesehen von einer engeren Zusammenarbeit zwischen den Verbänden der Sozialpartner auf europäischer Ebene – nicht gelungen ist, eine soziale Partnerschaft zu entwickeln. Die Mitgliedsorganisationen dieser Verbände haben jedoch von ihrer Beteiligung an der Strategie kaum Notiz genommen, und es ließe sich sogar einwenden, dass dies eher zu mehr Elitismus als zu einer stärkeren Beteiligung an der Politikgestaltung beigetragen hat.

Introduction

The European Employment Strategy (EES) is now seven years old. Its contribution to improving labour market performance has already been the subject of a major evaluation by the European Commission. Less well researched has been the manner in which the EES has worked, in particular the ways in which policy has been formulated and implemented. The intention of the strategy has always been to improve the involvement of non-traditional actors in this, and throughout two such actors – the 'social partners' and the 'regions' – were stressed.

This paper concentrates on the role and experiences of the first of these two groups. It draws on a study of the EES that looked at experiences in a cross section of European countries, including some of the 'accession countries'. The study concentrated upon processes – who was involved and how – rather than outcomes – how much did labour market performance improve. As well as drawing on documents and discussions with the Commission and European peak organisations, it involved research in some ten of the 15 Member States including the collection of information from and about the national social partnership organisations in these countries.²

This paper is divided into five parts. The first sets out the origins of the EES. It refers to the attempts to develop a 'social dimension' to the European project, before moving on to the Amsterdam Treaty and the subsequent Luxembourg 'jobs summit', the attempt to establish broader social dialogue over macroeconomic policy and most recently the formalisation of an annual 'tripartite social summit'. The second part chronicles areas in which it might appear as if the EES were a successful social partnership venture. It looks at actions at the European level involving the peak organisations in the formulation and evaluation of the strategy and at the involvement of national social partners in the process of constructing the annual National Action Plans (NAPs). The third part seeks to go behind the apparent success to look for instances and areas where the social partners had less impact than might have been expected or desired. Here are discussed both practical issues of capacity to make inputs and to implement commitments and more political issues of what was desired in terms of the policies that were to be pursued. A fourth part considers why the EES failed to live up to some of the more ambitious expectations some had for it. It does this by questioning the appropriateness of assuming that governance through neo-corporatist procedures can be effective and that there exists a commonality of purpose between the social partners. The last section draws some conclusions and suggests that the social partners, individually or collectively, made few substantial gains through their participation in the EES and that some might have been obliged to compromise. Moreover, social partnership itself has not been enhanced by the experience.

2 The study itself also included some investigation of experiences in certain of what were then the 'accession countries'. These are not reported upon here.

The origins of the EES

The story of the introduction of a social dimension into the European project is well known and does not need to be repeated at length here (Gold 1993; Casey and Gold 2000). Social dialogue, although it had occurred in a somewhat sporadic fashion since the Treaty of Rome and even had an institutionalised form from the very start through the Economic and Social Committee, received its first impetus in the mid-1980s under the Delors Presidency when the Val Duchesse process was initiated. The plan to create a single market added to calls for a complementary emphasis on social issues. The Maastricht Treaty, with its emphasis on economic convergence and controls upon the recourse Member States could make to fiscal, monetary or exchange rate policies, strengthened such arguments. The White Paper *Growth, Competitiveness and Employment* (European Commission 1993) made explicit reference to ensuring that jobs and other social objectives were not ignored, even if the status of its aspirations has subsequently been questioned. From the 1993 White Paper, a path can be tracked to the Essen summit of 1994 at which Member States set themselves a series of objectives with respect to employment promotion, making special mention of people on the margins of the labour force. Subsequently and, in part, as recognition of the need to complement the 'economic' accent of the 1996 Stability and Growth Pact, the EES, with its 'social' accent, was formalised (Goetschy 1999).

The gestation of the strategy was encouraged by the accession of countries in which explicit or implicit forms of social partnership and full employment pretensions predominated (Austria, Sweden and Finland) and the accession to power of supposed left-of-centre governments in existing Member States (France, Italy and the United Kingdom). Moreover, the director-generalship of Employment and Social Affairs at the Commission had passed to the hands of an official from Sweden—a country that had a reputation for seeking to maintain high levels of employment and for utilising 'active labour market policy' to achieve this end. The 1997 Amsterdam summit inserted an employment chapter into the Treaty and the procedures that were established were 'fast tracked' via a special 'jobs summit' in Luxembourg at the end of that year. Although the EES had no statutory basis until 1999, the process of issuing guidelines, requiring National Action Plans (NAPs) and commenting upon these, started immediately.

The EES, if it did not have social partnership at its heart, at least laid great stress on the contributions of the social partners to its formulation and implementation. As the Director General for Employment and Social Affairs put it (Lasson 1997): *We have great expectations of the Social Partners. The European Commission's Guidelines give them an important role. They have the means, at national and local level, to either keep the doors closed or open for job seekers to get the training and practice they need to become employable. Public policies are important to create the right incentives, but they will not work unless the employers and unions can agree on joint efforts for a better labour market. Equally, the Summit's conclusions (European Commission 1997) talked of how as part of the necessary strengthening of the social dialogue, the social partners at all levels will be involved in all stages of [the strategy] and will have their contribution to make to the implementation of the 'guidelines'. That contribution will be regularly assessed.*

The initial employment guidelines (*ibid.*) went further and specified particular tasks that were the special responsibility of the social partners. Under the heading of promoting 'employability', they were urged, at their various levels of responsibility and action, to conclude as soon as possible agreements with a view to increasing the possibilities for training, work experience, traineeships or other measures likely to promote employability and, together with the Member States, to endeavour to develop possibilities for lifelong training. Under the heading of promoting 'adaptability', they were invited to negotiate, at the appropriate levels, in particular at sectoral and enterprise levels, agreements to modernize the organization of work, including flexible working arrangements, with the aim of making undertakings productive and competitive and achieving the required balance between flexibility and security. Such agreements may, for example, cover the expression of working time as an annual figure, the reduction of working hours, the reduction of overtime, the development of part-time working, lifelong training and career breaks. The guidelines referring to equal opportunities were less directly aimed at the social partners but nevertheless made mention of how the reconciliation of work and family life required that the implementation of the various Directives and social-partner agreements in this area should be accelerated and monitored regularly.

In succeeding years changes were made to the wording of guidelines. Their numbers grew as horizontal as well as vertical ones were added (Watt 2004). Their principles remained, however, the same. Whilst over the last two years the by then 18 vertical and six horizontal guidelines have been reduced first to ten commandments³ (in 2003) and then to four 'key actions' (in 2004), they continued to seek social partner involvement. The most recent (European Commission 2004), under an horizontal requirement for good governance, urge that Member States... *should give immediate priority to... build reform partnerships to mobilise the support and participation of the social partners and various stakeholders.*

The development of an employment strategy at European level did not stop at Luxembourg. The 1998 Vienna summit contained a call for a European Employment Pact that was to be concerned with more than active labour market policy. At the subsequent Cologne summit, it was agreed that there would be annual consultations including representatives of the Member States, of the social partners and the European Central Bank, with the intention of ensuring better coordination of policies (Foden 1999).

The 'Luxembourg process', by which name the EES itself became known, involved a form of tripartite monitoring and review via a reconstituted tripartite Standing Committee on Employment that was intended to consider the guidelines and progress achieved and to meet to discuss these twice yearly with the 'troika' of immediate past, present and future Council presidencies³. As the Commission and the Council took steps to 'streamline' elements of what had now become a plethora of processes directed toward the coordination of policies, the Standing Committee was found to be wanting. It was replaced in practice, and then, in 2003, formally, by a Tripartite Social Summit convened yearly in advance of the Spring European Council at which both the EES and the Maastricht-initiated Broad

³ The Standing Committee had been established in 1970.

Economic Policy Guidelines (BEPGs) were on the agenda and at which recommendations for the coming period were to be made. Such a reorganisation was consistent with the wish to improve consistency in policy and it reinforced an admonition contained in the Amsterdam Treaty that the EES be subservient to the BEPGs. Annual consultations, referred to now as the Cologne process, which has effectively always recognised this, continued to take place (see European Commission 2002a).

Independent of the EES, indeed in many cases predating it, were 'pacts for employment and competitiveness' (Azizmüller 2002). Such pacts had become the object of attention in the immediate post-Maastricht period when, in countries seeking to meet the EMU 'convergence criteria', bipartite and tripartite agreements on wage moderation, often coupled with efforts at social security reform and labour market reform, were reached by, and with, national social partner organisations. In addition to national agreements there were examples of regional and local agreements – indeed, according to some definitions, collective agreements reached in individual companies were counted as examples of 'pacts'. Examples of such pacts received favourable mention in the annual progress reports on the EES issued by the Commission – the Joint Employment Reports – and in the five-year evaluation, where they were discussed under the 'territorial dimension' of the strategy (European Commission 2002c).

Where the EES succeeded

The initiation of the EES was greeted with some enthusiasm by the social partners, at least at European level. The 'joint declaration' of the umbrella associations of employers, private and public, and unions – the UNICE and the CEEP, and the ETUC – promulgated for the Luxembourg summit was duly forthcoming (CEEP/ETUC/UNICE 1997). It welcomed the Amsterdam Treaty, reiterated that the social partners should be fully involved in the process and *supported the efforts made by the Commission to give an operational interpretation to Article 2 of the Treaty, that assigns the objective of a high level of employment to Community policies.*

Subsequently, the social partners commented upon subsequent guidelines via the Economic and Social Committee and the Standing Committee on Employment. The Laeken summit of 2001 contained a number of declarations in favour of social dialogue, but, recognising that the effectiveness of the latter was not high, and that greater policy coordination was desirable, decided that it be replaced by the Tripartite Social Summit (European Commission 2002a). The latter, at its first meeting, issued a further joint declaration of support for the Lisbon agenda of building a competitive Europe with high levels of employment and cohesion. The social partners also used the occasion to welcome the recently presented report of the European Employment Taskforce – the Kok Report – as setting out ways in which Member States could improve their implementation of the employment strategy (IBE 2003).

At the national rather than the European level, social partner organisations would cite the EES as providing the opportunity to bring items onto the domestic policy agenda

and to strengthen their calls for particular actions to be pursued. The Irish employers' association saw the repeated issuance of guidelines with respect to 'activation' as aiding them in shifting the accent of labour market programmes in their country. Both the employers' association and the trade unions in Greece welcomed the emphasis placed by Brussels on the good functioning of the public employment service for giving an emphasis to reform of a system that 'they' – in so far as it was financed out of contributions – had to pay for.

Moreover, the process of constructing the NAPs, even if these were issued in the name of national governments, was supposed to involve the social partners. In almost all countries this happened, but practice varied between countries and it varied across time. In some cases they were merely informed about the drawing up of the NAP, in other cases they were asked for comments on a draft of the NAP. In some cases they attached separate or, less frequently, joint opinions to the plan; in others they even drafted sections of the plan. In some countries, existing procedures were deemed sufficient to ensure that the desired level of involvement did take place; in others new and, to some extent, more formalised procedures were established.

Not even in countries that provide examples of consensual or joint working did the process always run smoothly. In Sweden, despite a tradition of social partner involvement in policy formulation, they felt excluded from the initial NAPs and only found the situation improving in 2000, as Sweden geared up for its European Council presidency in the following year. The original German NAPs reflected both a wish of the government to control the NAP and a feeling from the side of the social partners that bipartism not tripartism was appropriate. In France, a preference for bipartism, and a sense of a division of responsibilities, made both the main employers' federation and one of the more oppositional unions – but not the communist union confederation – refuse any but the minimal participation in the NAP process. On the other hand, France also saw the re-establishment of a special committee to consult about the NAPs that could be described as providing the social partners with a further way to obtain a seat at the table. In Portugal, elaborate tripartite structures were added to with dedicated committees and associated working groups. In Greece, after what was generally considered a miserable start and an excessive reliance upon personal relations and initiative, a formal structure of representation to deal with employment policy matters was set up in 2003.

National Action Plans were replete with instances of joint actions under the heading of 'best' or 'good practice'. Providing them with cases of such practice was one of the contributions that drafting committees in the lead ministries would routinely seek from the social partners. Some NAPs contained whole annexes listing examples, for instance that of Germany in 2003 and of Spain in 2002. More frequently, individual examples were presented in 'boxes' in the main text.

The Commission and the Council took steps over time to encourage partnership, in particular through issuing 'recommendations'. The first recommendations were contained

Table 1: Recommendations that referred to the social partners

Year and subject	Austria	Belgium	France	Germany	Greece	Ireland
	2003 - Gender equality and Active ageing	2002 - VET and Adaptability	2000 - Flexibility 2001 - Active ageing 2002 - Active ageing 2003 - Active ageing and VET	2001 - VET 2002 - VET and Adaptability	2000 - VET and Adaptability 2001 - VET and Adaptability 2002 - VET and Adaptability 2003 - Adaptability	2002 - VET 2003 - VET
	Italy	Luxembourg	Netherlands	Portugal	Spain	United Kingdom
Year and subject	2001 - VET 2002 - VET 2003 - Adaptability and Active ageing and Gender imbalance	2001 - more SD 2002 - VET 2003 - VET	2001 - Benefits 2003 - VET and Gender	2000 - VET and Adaptability 2001 - VET and Adaptability 2002 - Adaptability 2003 - Adaptability and Wages	2001 - Adaptability 2002 - Adaptability 2003 - Adaptability	2000 - VET and Adaptability 2001 - Adaptability 2002 - Adaptability 2003 - VET and Adaptability

in the 2000 guidelines⁴, and in that and the following four years, all but the three Nordic countries received at least one recommendation that specifically encouraged either the improvement of the social partnership process, in general, or social partner action, in particular areas. Table 1 illustrates this.

Some of the entries in Table 1 might seem surprising. There have been suggestions that the Commission did not understand the way things were done or had overlooked things that were being done in some countries when drawing up 'recommendations'. Equally, there would seem to be occasions when the Commission sought to make a 'recommendation' in order that good performers did not become complacent or so that poor performers did not feel they were totally alone.

Progress was not always in one direction. In Austria, where the social partners had traditionally had intensive involvement in policy formulation, their influence seemed to have diminished and their role to have been reduced, when the government changed from one of a centre-left/centre-right coalition to one that was more right wing and liberal leaning (see Tálos 2003). Equally, the change from the centre-left government in Portugal to one of the centre-right saw the dropping of the declaration of support for NAP and the EES that the social partners had constructed for attachment to the first Portuguese plan and that had been reproduced in each succeeding year. The social partners in Britain, who had produced a joint text on lifelong learning for one of the initial NAPs, ceased for a while to contribute in this way. Here the argument was that in an initial period, enthusiastic, if relatively banal, statements of support were appropriate. However, as the process settled down, they were not considered to add value.

European-level cooperation was fostered by the organisation of a series of meetings bringing together social partner representatives from a number of Member States. This

⁴ The issuing of recommendations was possible only after the Amsterdam Treaty had been ratified and come into effect, and that was not until 1999.

was the so-called COPRASOC initiative, that was intended to promote exchange of information about experiences in individual countries and to help overcome the lack of understanding of not only what happened elsewhere but how and why it happened and to do this in a forum that was non-confrontational and where outcomes did not have to be negotiated (see EUREXTER 2002). This particular initiative was a one-off. However, more lasting arrangements were put in place involving the European umbrella associations.

Following their joint declaration at the 1998 Vienna Council, the umbrella social partner organisations had agreed to construct their own compendium of good practices that, if by no means initiated by the EES and in many cases pre-dating it, showed actions that might achieve the objectives that the strategy set. An initial volume (CEEP/ETUC/UEAPME/UNICE 2000) contained examples that were submitted individually, and not all - indeed rather under two thirds - were actually examples of joint actions by the social partners. However, in their joint declaration at the 2001 unofficial social summit before the Laeken European Council, they expressed their willingness to develop social dialogue by jointly drawing up a multi-annual work programme. This resulted in meetings on a wide range of subjects covered by the EES and the wider Lisbon agenda and, in particular, led to the production of reports on social partner involvement in measures promoting lifelong learning and, subsequently, all other areas that contributed to employment promotion (CEEP/ETUC/UEAPME/UNICE 2004a and b). These reports differed from the earlier one in that they described joint actions. A summary of the progress that the European-level social partners felt they could point to is shown in Table 2 (below). In line with the responsibilities accorded to them, national bodies were most likely to point to actions relating to training and adaptability. For reasons not explained, France did not contribute to the second, more general survey.

The five-year evaluation of the EES (European Commission 2002b) spoke of its having fostered a recognition of the key role played by the social partners in a wide range of areas related to employment. While the initial guidelines only referred to the social partners in

Table 2: Key Initiatives with regard to the implementation of the employment guidelines

	1	2	3	4	5	6	7	8	9	10
	Active and preventive measures for the unemployed and inactive	Job creation and entrepreneurship	Addressing change and promoting adaptability and mobility	Promoting development of human capital and lifelong learning	Increasing labour supply and promoting active ageing	Tackling gender equality	Promoting integration of and combating discrimination of the disadvantage	Making work pay through incentives to enhance work attractiveness	Transforming undeclared work into regular employment	Addressing regional employment disparities
AT	X		X	X	X		X			
BE			X	X	X	X	X			X
DK	X		X	X	X	X	X			X
FI	X		X	X	X	X				
FR	(1)	X	(1)							
DE	X	X	X	X	X	X				
EL	X		X	X						
IE		X	X	X	X	X	X			
IT	(2)	X	(2)							
LU		X	X	X	X	X	X			
NL	X		X	X	X	X	X			
PT	X	X	X	X		X	X			X
ES	X		X	X	X	X	X			
SE			X	X	X	X	X		X	X
UK			X	X	X	X	X	X	X	X

(1) No report. (2) The reports covered a broad spectrum.

relation to the specific area of adaptability, the wider role and recognition of the social partners was acknowledged after the Lisbon Summit.

The Kok Report (Kok 2003) was able to point to further examples of action in individual Member States and to comment on the work done by the European-level social partnership organisations. However, it recommended that *strong commitment from the European social partners was to be encouraged further* and stated that *the success of these initiatives will depend on [their] active involvement at national and sectoral level and the*

capacity to develop practical conclusions. This could result in the adoption of Joint Frameworks for Action, as have been developed in the case of lifelong learning, that define roles and responsibilities for carrying out reforms. It welcomed the establishment of the tripartite summit for growth and employment which it saw as something that could strengthen the social partners' input in EU decision-making by reinforcing dialogue on macro-economic, employment, social protection and training policies. Nevertheless, it felt that greater weight could be given to the regular macro-economic dialogue at EU level with regard to following national macro-economic and wage developments.

Where the EES failed

Neither the evaluations of the Commission, nor the Kok Report, were purely neutral exercises; they were also political exercises (Casey 2004). The European Union as a whole and particularly the Directorate General for Employment and Social Affairs, are strongly wedded to a notion of a 'European social model' of which the central components are solidarity and partnership (Scharpf 2002). Any special body they might establish has to pay, at least, lip service to this. Thus, it is important to go behind the headline documents so as to make any proper assessment of what the social partners did and did not achieve, let alone of what they aspired to achieve.

At one level some of the failures of the ESS can be ascribed to too much social partnership. It has been remarked that some of the countries that scored highest on having intensive social partner involvement in employment policy-making were those that also scored lowest with respect to employment outcomes. The need to satisfy all interests meant that difficult decisions were avoided. A specific example of where the social partners seemed to have a joint interest in blocking reform was with respect to early retirement programmes. Employers valued it for enabling them to restructure their organisations, trade unions saw it as helping others to avoid unemployment and satisfying members' desires to quit working whilst being adequately compensated. Yet early retirement flew in the face of guidelines encouraging enhanced labour force participation and promoting active ageing. NAPs for certain countries presented early retirement systems as examples of measures that brought more flexibility and freedom of choice into the retirement decision. Those of Belgium and Germany were particularly fine examples of this. In many countries, governments have been reluctant to confront the social partners on this issue. In Denmark, where the employment performance is constantly lauded, the current centre-right government is conscious of how fears that early pension opportunities might be curtailed contributed to the fall of the government it replaced.

On the other hand, failures can be attributed to there having been too little social partnership. Even the social partners who were most deeply committed to the EES and the associated NAP process recognised that the latter functioned less than perfectly. No matter which interests they were representing, social partners from all countries complained that the extent to which they actually were able to make a contribution was limited and almost all described their involvement as being reactive. The formulation of a NAP was the responsibility of government; the social partners' principal contribution

was to deliver information and to comment on drafts. The drafting process itself was a very abbreviated one. Even those social partners whose participation in the NAP process was well established commented upon this. Others complained, sometimes bitterly. Over time, social partners tended to be drawn in somewhat earlier, so that they saw more than a penultimate draft. On the other hand, where they were drawn in, there were cases where they, and their interlocutors, became aware of their lack of capacity to contribute more. For reasons discussed below, the priority attached to NAP formulation was not high and contributing competed with other priorities. Whilst some social partners were able to draft papers, others submitted only lists of points and yet others delivered only verbal comments.

Capacity to contribute was in part a function of country size, but it was by no means exclusively one of size. It is the case that the social partners in some smaller countries were less familiar with the infrastructure and institutions of the ESS than were those in some larger countries and this could be explained by their having insufficient resources to acquaint themselves thoroughly with them. However, this was not the case with respect to all small countries and it was the case with respect to some large countries.

Capacity relates not only to the ability of national organisations to engage in policy formulation but also in policy implementation. The implicit assumption of the EES was the existence in each of the Member States of a Scandinavian or Germanic system of industrial relations with a structure reaching from the peak to the place of work that could act as a transmission belt. Lower levels of that structure, if they fed less into the policy formulation process, were essential elements of the implementation process. These lower levels were assumed to share priorities and solutions and to have the ability to mobilise support for them. Scandinavian social partners tended to accept that they could deliver the kind of responses with respect to training and adaptability at enterprise and establishment level that the guidelines sought from them. To some extent, too, the social partners in Belgium argued they could, although they also pointed to the time it took to translate national-level agreements into corresponding sectoral agreements and/or company agreements. In Germany, on the other hand, any concurrence between the agreements that were referred to in the NAP and the EES was regarded as purely coincidental.

Absence of capacity in the form of the absence of a transmission structure might be a distinguishing feature of an industrial relations system. This is the case in the UK where, to the extent that there is collective bargaining, it is highly decentralised. Consequently, even if bodies other than the central confederations were involved in the NAP process, and they were not, their activities would have been of little avail. The UK NAPs might provide their examples of good practice at workplace level, or proudly refer to 'partnership agreements', but these examples are completely unrelated to and make no mention of the EES.

Where no local-level structures exist – the 'white holes' (Streeck 1996) – the transmission mechanism fails. Although one can point to statistics for a country such as Spain that show that 80% of the workforce is covered by a collective agreement, the fact that forms of representation are only to be found, or required, in establishments that are at least 'medium

sized' militates against implementation. Nor is implementation assisted where relationships at the local level, however well structured they appear to be at national level, are, essentially, conflictual. In southern European countries, where small and micro enterprises predominate and employ the vast majority of the workforce, commentators repeatedly point to the authoritarian – but sometimes, also, paternalistic – attitude of employers, where they insist upon their management prerogative. They also point to how representatives of employees at the workplace, if they are present at all, see their role as one of contesting and of obstructing rather than one of seeking common solutions. Indeed, to do so would be to take on management's role. In Portugal, but also in Belgium, examples were given of trade unions competing with one another by being obstructive and not being seen to make concessions that concepts such as 'adaptability' require.

The priority accorded to the EES by even the most committed social partners reflected their recognition that the NAP was the government's and not their document. Its production was not something in which political capital was to be invested. Arrangements and agreements – referred to as 'joint statements', 'national partnerships' and 'alliances' – might be, indeed frequently were, referred to in any particular country's NAP. However, the social partners from those countries where institutions were strong were keen to emphasise that their influence in policy was exercised in other fora than those dedicated to the production of the NAP. Strategy, they insisted, was made elsewhere and governments concurred with this.

In some countries, it was not only a problem of shortage of time, lack of capacity or the importance of other fora. There was also a lack of social partnership tradition. In countries such as Portugal, extensive structures coincided with considerable antagonism at the national level. Industrial relations are little developed and social partner organisations engage in political conflict as much as classical bargaining. UK industrial relations today might be considerably less conflictual than they were in the past, but 'social partnership' remains a concept that is alien to that country. This has been a source of concern for the Commission, which has issued recommendations concerning social partnership to the UK in each of the years 2000 to 2003. The UK government has consistently argued (see the UK NAP for 2000) that this is a consequence of a failure to understand or appreciate the British way of doing things and that the UK does not work through institutionalised social dialogue arrangements. Nor would such an approach be optimum. From its perspective, a key factor to the social partners being able to reach workable agreements is for those agreements to be made and implemented at the most appropriate level ... [enabling] agreements to take into account the context and specific circumstances of where they are to have effect.

This, it argues, is particularly useful on issues such as work organisation where the requirements of individual companies and their employees will differ. It is also consistent with the UK's devolved approach to handling employment relations issues more widely and with the principle of subsidiarity. The UK social partner organisations, themselves, seem to share these views, arguing (see CEEP/ETUC/UEAPME/UNICE 2004b) that they agree on areas of common ground where their input will be of value.

Disagreement can, however, be with respect to more fundamental matters than the precise role of the social partners or the appropriate social partner structures. Whilst most social partner organisations accept that the NAPs are not strategic documents, some would like them to be, or some would like to use the EES to address more fundamental questions. The Spanish trade unions have repeatedly criticised their government for denying them the right to engage in evaluation of measures taken in their country and have had their criticism annexed to the NAP. However, even such comments implied an acceptance of the NAP process in general even if its working in a specific case was considered less satisfactory. More serious was the failure to agree on what the EES was about and what its basic presumptions were. In their joint declaration at the Luxembourg summit (CEEP/ETUC/UNICE 1997), the social partners not only voiced approval for the strategy as narrowly defined; they also accepted the context into which it was being set – the strategy broadly defined. Thus, they supported the BEPGs *not only as an instrument for ensuring sustained convergence but also for favouring growth and employment*, albeit stressing that these and the employment guidelines *should be mutually consistent and reinforcing*. They accepted the principles of the Stability and Growth Pact on the grounds that, if its objectives were achieved *budgetary policy [would] regain greater room for manoeuvre to underpin growth and employment objectives*. They were also prepared to subscribe to the view that, in such a context, *wage agreements compatible with the objective of price stability and with the need of improving investment profitability and raising living standards could be maintained*. Indeed, they recognised that *the evolution of wages and profitability is a major factor influencing the policy mix and thus the medium term employment-creating growth process*. Their only plea was that *with stability being so assured, monetary policy [would] not be overburdened and, in conformity with Article 105(1), shall support the general economic policies in the Community with a view to contributing to the achievement of the objectives of the Community, as laid down in Article 2 of the Treaty, including growth and employment*.

Such statements might be unsurprising if issued in the name of representatives of business and employer interests; they required considerable courage or optimism if they were voiced by representatives of labour. However, at this stage, trade unions were relatively optimistic. Political factors appeared to favour them and economies appeared to be on an upturn. The proposal for a European Employment Pact at the Vienna summit might well have reinforced this optimism. With its emphasis on policy coordination and a social partner input, it suggested that an employment strategy in a broader sense was going to be developed.

The Pact that did in fact appear was rather less than some had expected. It was not an agreement to do anything; rather, a process of dialogue was established (Froden 1999). Such a process might have had an impact if there had been a commitment to it by the various actors. However, it is only the unions and some of their political and academic supporters who make reference to it at all today (for example, DGB 2002; Collignon 2003). The annual discussions are not reported – indeed they are deemed confidential – and no statement is issued on their conclusion. Views might be ‘exchanged’, but whether they are taken seriously is another matter. The European Central Bank drives its own course with respect to monetary policy and interprets its mandate narrowly. It is impervious to suggestions from whatever source that the promotion of growth is one of its objectives, or if it does accept this, it

feels that its approach is the only one that can achieve this. National governments have shown themselves unwilling to respect the Stability and Growth Pact, let alone to engage in attempts to converge macroeconomic policies in the interests of a common good (Gros *et al.* 2004). National sovereignty remains supreme. Employers and business interests appear not unduly upset by the absence of any more formal economic and employment strategy. Indeed, in some cases, national organisations have defended their failure to be more active in the NAP process by suggesting that their government was delivering a policy that largely met with their approval – for example, the UK employers. The trade unions, both national and at the European level, maintain their insistence, but they do so in a disappointed fashion. Whatever statements they might issue calling for a greater emphasis on expansionary fiscal or monetary policy, their views carry little weight. At the Tripartite Social Summit, they can merely join with all the others in issuing general support for the Lisbon agenda.

What is more, once the ‘streamlining’ of the Luxembourg and the Maastricht processes came into effect, the trade unions were obliged to accept that the EES was about more than active labour market policies. The employment guidelines had steadfastly refused to make references to wage formation itself. This had been reserved for the separate BEPGs. However, the Kok Report did contain its own general recommendation that *wage developments be employment-friendly ... [and] reflect the labour market situation and overall levels of productivity and allow for sufficient wage differentiation across sectors and regions*. The proposal by the Commission to the Council on the implementation of the EES and the drawing up of the 2004 NAPs (European Commission 2004) repeated this but went yet further. Specific recommendations on wage development were issued to five Member States – Germany, Italy, the Netherlands, Spain and the UK.

Beyond what they might say via the dialogue under the Cologne process, the content of the BEPGs themselves remained beyond the reach of the social partners. Under the streamlined approach, some might have expected national governments to discuss their stance with them. However, this happened only in Luxembourg, where existing tripartite arrangements required it (CEEP/ETUC/UEAPME/UNICE 2004b). That it failed to happen in Belgium was a source of some dismay for the social partners who issued a joint statement to that effect that was annexed to the 2003 Belgian NAP.

Why the EES failed to encourage social partnership

Critics of the EES would argue that it assumed a set of social relations that do not exist. It presumed a commitment to a social Europe that is not present and to which the failure, in the drawing up of the European Constitution to achieve any commitments in the appropriate direction – including proposals to give Treaty basis to a Cologne-type process – bears testament. Under the Constitution, economic and employment coordination processes remain activities in which Member States are *obliged* to participate, but social coordination is merely something in which they *may* participate; should they so wish. Under the Amsterdam Treaty, employment policies remain explicitly subordinated to economic policy prescriptions, whilst the Barcelona summit made clear that initiatives to coordinate social policy should also respect the BEPGs.

Actors in the EES are obliged to accept this. The EES provides an example of neo-corporatist procedures – it is a *mode of policy formation in which formally designated interest associations are incorporated within the process of authoritative decision-making and implementation* (Falkner 1998). Social partners have a part to play, but only if they play according to pre-set rules. There is little suggestion, however, that it is a game in which any of the national social partner organisations participate with great seriousness. While the social partners in some countries, particularly the trade unions, seem somewhat more incorporated than do the social partners in other countries, none appear to have particularly great expectations of the EES as an employment strategy or of the NAP process as a way of making a contribution to such a strategy at national level. At a lower level, the EES is virtually unknown. Social partners can be shown to contribute, but it is doubtful whether they are aware that they are contributing, or they know to what it is they are contributing. The only active participants appear to be those who are at the peak organisations, and this might be explained by their being the principal interlocutors of the DG Employment and Social Affairs.

The actors at the European level bear all the hallmarks, not only of being participants in neo-corporatist procedures, but also of being members of an epistemic community (Haas 1992). The trade unions, together with their sympathisers in policy and academic arenas, might criticise the 'supply-side' orientation of the EES or question aspects of the new 'industrial relations' ideology that places too little emphasis on 'social justice' and too much upon 'competitiveness', and too little on 'rights' and too much on 'obligations' (Sisson 2001). Nevertheless, together with the employers and business interests, they are familiar with the language of the EES, its terminology and its acronyms. What they have failed to do is to convince their constituent organisations of its importance and provide them with arguments that would enable them to convince their respective constituencies. This might well be because these constituencies are closer to a 'real world'. The few who do engage with the epistemic community rapidly recognise the limitations of the strategy, its place in a broader hierarchy of politics and administration and its irrelevance to their more immediate and more pressing interests.

The failure of the COPRASOC programme to go forward might be taken as a further sign of the irrelevance accorded by national and lower-level social partner organisations to the EES. It is surprising that, given its supposed commitment to a social partnership approach, recommendations for continuation of COPRASOC (EUREXTER 2002) were not taken up by the Commission. It is only to be presumed that there was insufficient demand for such a forum. Not all social partners from all participating countries had attended all the meetings. It might be that they felt the experience added little or it could be that they felt they might be compromised. Were national organisations to feel the need to have contact with their European counterparts, they could do so in other ways, via existing structures. It did not seem that they wished for more, or that they felt that gaining greater familiarity with Europe aided them in their domestic agenda.

Whether or not they have found it relevant, the social partners, and particularly the trade unions, have not always been able to escape the EES. The latter makes repeated emphasis of the importance of actions that can only be realised at the level of the enterprise and that

require, in the language of the new industrial relations, 'change', 'cooperation' and 'diversity of practice'. These are the distinguishing features of the local pacts for employment and competitiveness that appear as good practice in the NAPs and receive favourable comment from the Commission. However, the examples that are increasingly cited, although they have an employment outcome, tend to be defensive. They have many of the features of concessionary bargaining and are achieved to prevent yet worse outcomes. Of some pertinence is that they might even involve the shifting of production sites abroad, particularly to the new Member States of the Union. Current examples of plant-level agreements to increase working time in Germany and France are a case in point⁵. Yet such solutions are scarcely sustainable. They buy short-term relief but they seldom resolve fundamental problems of competitiveness. In time they lead to demands for yet further concessions.

Conclusions

As a case study of social partnership in practice, the example of the EES is illuminating. It indicates the contradiction between what is presented and what is achieved. Much of the former is aspirational, much of the latter is disappointment. To the question of what the social partners, rather than the Commission, hoped to achieve, the answer has to be that it depended upon which group was concerned. Employers and business groups might have wished for a legitimisation of their preferred approach; trade unions might have wished for an opportunity to have a greater say in economic and social policy-making and to change its direction. To the question of what the social partners did achieve, again the answer has to be differentiated. Employers and business organisations could, in general, be satisfied; trade unions remain frustrated. To the question of why this arose, the answer has to be found in the nature of the strategy in the broader sense. It reflected a hegemony that was subscribed to, or at least not challenged by, the governments of Member States and by the Commission too, according to which employment and social affairs should be subordinated to economic and financial affairs.

To the question of what the strategy contributed to the development of the social partnership approach, the answer has to be a negative. It exposed the detachment of such an approach from reality or the extent to which that approach can accommodate that reality only by making compromises. Moreover, the Luxembourg process underlined the elitist nature of social partnership in practice. It drew in certain organisations, justified their existence and gave them a sense of importance that they did not necessarily deserve. What is more, on some occasions, their joint decisions might have frustrated necessary reformulation of employment policy. What is rather clear is that the EES did little to make the European project more democratic or more transparent. Whether it could be transformed to do this and whether the social partners have the capacity to do this, or even whether they are the appropriate organisations to effect such an opening up, remains an open question.

⁵ Details of some of these can be found in EIRO under

<http://www.eiro.eurofound.eu.int/2004/07/feature/de0407106f.html> (Siemens),
<http://www.eiro.eurofound.eu.int/2004/08/inbrief/de0408102n.html> (DaimlerChrysler),
<http://www.eiro.eurofound.eu.int/2004/11/feature/de0411203f.html> (Volksswagen) and
<http://www.eiro.eurofound.eu.int/2004/08/inbrief/fr0408101n.html> (Bosch)

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