

Dear Reader,

The newsletter of the ETUI-REHS Research Department is now on-line and available from the ETUI-REHS website. This service will be an integral part of ensuring that the research, information, trends and ideas that flow from the Institute's research activities are disseminated out to trade unions and the academic world. It will, issue by issue, highlight the Research department's **key activities**, provide information about its new series of briefings that are due to start in 2008, a selection of its **books, working papers** and **reviews**. Researchers from both inside ETUI-REHS, its networks or from across Europe will also, in future issues, be providing contributions covering **issues at the heart of the current debate**.

This first edition of the new format highlights some of the key Research Department publications that the Institute has recently published. This includes an **assessment of the initial advocate-general Opinions published by the European Court of Justice on the Laval and Viking cases** for which final Decisions have been published this month and information from the latest issue of Transfer, **the European Review of Labour and Research**, which highlights the findings from a major piece of research on **how trade unions fight racism in the workplace**.

Elsewhere, it has been a busy few months. The ETUI-REHS Research Department organised two important **events**. Firstly a seminar in October on **"the social realities of trade unions in Europe"** brought trade unionists, politicians and academics together to discuss several key challenges facing trade unions as they seek to develop their role and argue for the interests of workers. Secondly in November, the Institute, together with the European Public Services Unions (EPSU) and the SALTSA programme, organised a workshop and conference entitled **"An alternative to the market: The social, political and economic role of public services in Europe"** that discussed the vital economic and social contribution of public services to the European economy and challenged assumptions underlying current EU policies and identified research questions that need to be covered in future research programmes.

The Institute also celebrated the inauguration of its **newly reorganised and modernised documentation centre** and ensured the ongoing improvement of the **worker-participation.eu** website which feeds the debate on worker information and consultation and the European company status.



In terms of personnel, ETUI-REHS is happy to announce a series of appointments. **Philippe Pochet** will be the new ETUI-REHS General Director from 1st February 2008. Philippe will be taking up the baton from the current Managing Director, **Marc Sapir**. He will be leading the Institute's team of over sixty dedicated researchers, trade union education officers and occupational health and safety experts here at International Trade Union House.

The Research Department has also recruited three new researchers:



Mariya Nikolova will be the new Trade Union Related research Institutes (TURI) Coordinator.



Vera Glassner will be responsible for transnational coordination of collective bargaining and Europeanisation of industrial relations.



Kurt Vandaele will be responsible for mapping the development of union structures in the New Member States since 1990 and collecting data from the NMS on union membership and union density.

It's been a busy, productive and fruitful 2007. Coming up to the holiday period, the ETUI-REHS research staff would like to wish all our readers seasonal greetings and a happy and successful 2008.

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Collective action and economic freedoms before the European Court of Justice. Assessment of the Opinions of the Advocates General in *Laval* and *Viking* and Six Alternative Solutions

Published by the ETUI-REHS (European Trade Union Institute for Research, Education and Health and Safety)

Judgements have just been published by the European Court of Justice on two cases (*Laval* and *Viking*) concerning the claim that transnational collective industrial action by workers and trade unions violates employers' economic freedoms in the EC Treaty.

Based on the work of the ETUI Research Group on Transnational Trade Union Rights (co-ordinator, Professor Brian Bercusson), this publication assesses the Opinions of the Advocates General of the Court in *Laval* and *Viking* and proposes six solutions which may be considered satisfactory from the point of view both of legal doctrine and industrial relations practice.

- Collective action is not subject to and falls outside the scope of the Treaty's economic free movement provisions (the Albany solution);
- Employers may not use economic freedoms in the Treaty against trade unions taking collective action (horizontal direct effect);
- Subsidiarity excludes EC competence to regulate collective action;
- Workers' right to take collective action balances employers' economic freedoms;
- Interpreting the Treaty as recognising that collective action is essential to the effective functioning of the internal market;
- Ordre communautaire social protects collective action by workers and trade unions.

[Click here to purchase a paper copy \(€15\)](#)

The latest publications from the ETUI-REHS Research Department



Latest issue of Transfer - Racism at Work – issue 3/2007

The latest issue of Transfer examines the findings from the first major piece of research, covering five European Union member states, on how trade unions fight racism in the workplace. Racism in the workplace is a key challenge facing the European trade union movement at a time when workers are increasingly on the move and the number of ethnic minority workers, as a percentage of the total European workforce, is growing.

Key articles:

- Racism and anti-racism in Europe: a critical analysis of concepts and frameworks (**Umut Erel**).
- Why do unions find fighting workplace racism difficult? (**Steve Jefferys**).
- Racism at work in shops and on public transport (**Nouria Ouali**).
- Confronting racism in the health services (**Adriana Bernardotti, Sukhwant Dhaliwal and Fabio Perocco**).
- Trade union responses to racism in Italy's shipbuilding and metalworking industries (**Pietro Basso**).
- Racism in post-communist Bulgaria and trade union responses (**Antonina Zhelyazkova and Violeta Angelova**).
- Working against racism: how European trade unions can combat racism at work (**Mary Davis**).

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[How to subscribe to Transfer](#)



Latest issue of The South East Europe Review (SEER) - Macroeconomic stability, economic reforms and restructuring in South-East Europe - 2/2007

The latest issue (2007-2) of the South-East Europe Review (SEER) focuses on macroeconomic stability, economic reforms and restructuring in south-east Europe.

Key articles:

- The development of economic structures in south-eastern Europe and Turkey based on a comparative analysis of macroeconomic development (**Manfred Wannöffel, Josef Le and Julia Kramer**).
- Analysis of the privatisation process in the context of the break-up of Yugoslavia, highlighting the massive social consequences of the process (**Marija Obradović**).
- The process of EU enlargement towards south-eastern Europe in regard to current challenges and perspectives (**Bruno S. Sergi and Qerim Qerimi**).
- South-eastern Europe: the different stages of the European integration process (**Christophe Solioz**).
- The Europeanisation of trade unions in post-communist Romania by exploring the responses that trade unions have provided in response to the pressures of the EU for adaptation. She also shows how trade unions have been learning to face the challenges of European integration (**Ninucia-Maria Pilat**).

[How to subscribe to the South-East European Review for Labour and Social Affairs](#)



ETUI-REHS Research Report 104: Services Employment in Europe

The service sector is the biggest employer in the EU and is also the main source of new jobs in European economies. Furthermore employment in the service sector will continue to grow as a share of total employment. This publication outlines the impact the rise of the service sector has had on employment and some of the challenges and opportunities that are facing trade unions as a result. While trade unions find it challenging to respond to a sector that is undergoing continuous change the report shows that the sheer growth of services employment also represents a tremendous opportunity.

[Click here to download the report](#)



ETUI-REHS Research Report 103: Strike rules in the EU27 and beyond

Collective action is, still today, very much linked to the highly specific national industrial relations systems which means that trade unions in Europe have to act within the national "legislative" boundaries, while seeking to coordinate national actions on a trans-national scale in such a way that they acquire a European impact. This publication assembles up-to-date information on the rules governing collective action in the different EU Member States and provides a non-exhaustive overview of national situations.

[Click here to download the report](#)

Relocation: challenges for European Trade Unions - Working Paper 03/2007



Throughout Europe increasing fears have arisen over the temptation among employers to relocate jobs to low-wage countries. Companies seek to exploit differentials in wages and working conditions. Workers and unions in the EU15 fear that this will lead to a reduction in well-paid jobs from high-wage countries, to a weakening of the bargaining position of workers and a downward spiral of wages and working conditions. Meanwhile the new member states see foreign investment as the key modernisation and job-creation factor. This discussion paper provides a contribution to the ongoing debate in this area and a critical evaluation of the extent to which the fears and media attention are justified by the available facts.

[Click here to download the report](#)