Chapter 9
Polish pathways to the European Trade Union Confederation

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1. Introduction

This chapter discusses the mechanisms, contexts and outcomes of the involvement of Polish trade unions in the European Trade Union Confederation (ETUC). More specifically, it aims at addressing two interrelated questions. First, what were the key actors, events and contexts of this involvement? And second, what have been the outcomes and impact of ETUC membership with regard to the internal transformation of Polish trade unionism and, possibly, changes within trade unionism at the European level? In dealing with these questions, theoretical inspirations are drawn from the sociological and industrial relations debates on the West–East European labour transnationalism (Bernaciak 2011; Gajewska 2008; Meardi 2012). However, as there is no comprehensive written history of the relations between the Polish trade unions and the ETUC, the main goal of the chapter is to fill this gap. In other words, it seeks to reconstruct the main historical events that led up to the ETUC membership of three Polish trade union confederations: NSZZ Solidarność (Free Independent Trade Union Solidarność, established in 1980, in the ETUC since 1991), OPZZ (the All-Poland Alliance of Trade Unions, OPZZ, established in 1984, in the ETUC since 2006) and FZZ (Trade Union Forum, established in 2002, in the ETUC since 2012).

It is argued that the case of Poland is worth discussing for a number of reasons. First, NSZZ Solidarność was the first independent trade union in the communist countries of central and eastern Europe (CEE). Consequently, it was the first to create vital links with western, democratic trade union confederations, including the ETUC. Second, the case of Polish trade unionism provides a good illustration
of the impact of the historical, ‘post-socialist’ trade union identities and local inter-union conflicts on central and eastern European trade unions’ pathways to the ETUC. In this respect, the analysis can contribute to the large body of literature that discusses the legacy of pre-1989 unionism in shaping the present and future of trade unions in central and eastern Europe (Ost 2005). Third, the analysis of Polish trade union involvement in the ETUC demonstrates the transformative potential of internationalisation for trade unions in CEE countries. In this regard, it can add to the literature on the role of transnational solidarity in trade union revitalisation (Bernaciak 2011; Bieler and Lindberg 2011; Gajewska 2009). It is suggested that the participation of the Polish trade unions in the ETUC was one of important factors that helped to overcome historical divisions among the ‘reformed’ post-socialist trade union OPZZ, NSZZ Solidarność and a new confederation FZZ. Finally, the chapter argues that the central and eastern European trade unionism can also contribute to internal reforms within the European trade union movement and create new, East–West solidarities, such as the joint trade union protests against the services directive (Directive 2006/123/EC) in the internal market (Gajewska 2008; Bernaciak 2010).

Our analysis derives from various historical and sociological data sources. The most extensive data for the history of international relations exist for NSZZ Solidarność, including interviews, archives, books and articles (for example, Goddeeris 2006). A large part of the archival data of the International Bureau of NSZZ Solidarność was collected by Anna Wolańska (Wolańska 2008). In case of the OPZZ, we have to rely to a large extent on oral history and selected documents from the years 2000–2012 of the International Cooperation and European Integration Section of OPZZ provided by Piotr Ostrowski (from 2000 onwards). In the case of FZZ, due to the creation of the confederation in 2002 and its very recent access to the ETUC (in March 2012), the main sources are expert interviews and press releases. For the sake of this chapter, six expert interviews were carried out in 2012–2013 with key trade unionists responsible for international relations in NSZZ Solidarność, OPZZ and FZZ. It should be mentioned that some of the problems discussed in the chapter remain unresolved and controversial; the adequate explanation of others is still impossible due to problems of access to important documents on international contacts of NSZZ Solidarność and OPZZ in 1980–2000.

The chapter is structured as follows. We begin with a short literature review on the problems of Polish trade unions’ international trade union involvement. In the body of the chapter, the pathways of NSZZ Solidarność, OPZZ and (briefly) FZZ to the ETUC are discussed with reference to three main phases: (i) the state socialist phase of bi-lateral contacts between NSZZ Solidarność and (much less extensive) OPZZ with western European trade unions (1980–1989); (ii) the phase before Poland’s accession to the European Union, marked by the strong presence of NSZZ Solidarność in the ETUC and OPZZ’s unsuccessful attempts to join the ETUC (1989–2004/2006); and (iii) the current phase of ‘normalization’, marked by closer cooperation and the increasing presence of Polish trade unions in the ETUC. In the last part of the chapter, some conclusions are offered.

1. The interviews are referred to by their abbreviations as suggested by the list at the end of the chapter.
2. **New internationalisation of central and eastern European unionism: the case of Poland**

The sociological and industrial relations literature mentions various generic obstacles to transnational union activity, including a shortage of resources; difficulties in constructing transnational union identity (Meardi 2012: 157); the problem of defining common interests as a result of persistent economic inequalities among countries; the expansion of ‘flexible’ working arrangements on a global scale; the dominance of neoliberal ideology (Silver 2003); and the expansion of the ‘managerialist’, top-down mode of labour internationalism, combined with the ideological crisis of social democratic unionism (Upchurch, Taylor and Mathers 2009: 162). In contrast, other scholars have pointed to a range of factors that can foster the emergence of transnational trade union movements. Bernaciak (2011: 38–39) recently summarised some of their arguments. First, it is argued that workers in transnational industries are more prone to mobilise at the transnational level as they are subject to pressures stemming from beyond the boundaries of a single nation state (see also Silver 2003). Second, actor-centred approaches suggest that cooperation might emerge as a result of trust-building and common socialisation experiences shared by trade union representatives from various countries (Gajewska 2008). Third, within the interest-based approach, it is argued that transnational union activities are more likely to emerge if the internationalisation can serve national trade union interests. Finally, there are cost-benefit considerations (see Bernaciak 2010: 131) which suggest that cooperation is more likely to emerge when it is beneficial for all parties involved.

In order to make use of these general theoretical approaches to understand Polish trade union involvement in the ETUC, it is necessary to put them in the context of the complex history of the Polish trade unions. As remarked by Gardawski et al. (2012a: 11), the enduring features of Polish trade unionism are its chronic fragmentation based on political divisions and the combination of economic struggle with a variety of social and political objectives. The current Polish trade unions emerged as a ‘product of the interplay of the institutional legacies of the past, political and economic reforms after 1989 and the strategies of the main actors in response to these reforms’ (ibid.). Similar to other trade unions in the communist countries of central and eastern Europe, Polish trade unions after 1945 were centralised and legally and practically subordinated to the Communist Party. The communist trade union confederation Zrzeszenie Związków Zawodowych (ZZZ, Association of Trade Unions) led by Centralna Rada Związków Zawodowych (CRZZ, Central Trade Union Council) was the only trade union in Poland in 1949–1980 (Gardawski et al. 2012a). The confederation was a member of the World Federation of Trade Unions (WFTU), which from 1949 ’remained under the total control of the USSR’ and ‘constituted the political vanguard of Soviet foreign policy in civil society’ (Gallin 2013: 79). Thus, the international involvement of ZZZ and other communist trade union confederations in central and eastern Europe was largely subordinated to the political goals of the ruling, (nominally) communist parties.

The desire to democratisate the trade unions in Poland was advanced in successive working class uprisings (in 1956, 1970, 1976 and 1980). The creation of the first independent trade union, NSZZ Solidarność in the wake of strikes in June and August 1980 was a turning point in both Polish political history and industrial relations and the history of international relations of the Polish unions. The trust-building processes involving intensive contacts between NSZZ Solidarność and western European trade union movements started...
in the 1980s. The latter developments are also important for understanding the central role of internal, historical and political factors in shaping the pathways to the ETUC. The unresolved problem of NSZZ Solidarność property confiscated by the communist authorities in the 1980s and passed to OPZZ were used by NSZZ Solidarność to effectively block OPZZ’s membership of the ETUC. In this respect, the final accession of OPZZ (and later on of FZZ) to the ETUC was not simply the outcome of cost-benefit considerations, but also the result of trade union identity changes and evolving power relations between the main trade unions in Poland, reflecting the changing economic and political situation in the country. In Section 3 we shall examine these arguments in more detail, based on historical data.

3. Polish pathways to the ETUC: historical contexts, actors, developments

For the sake of clarity of presentation, the history of the relationship of the Polish trade unions with the ETUC can be roughly divided into three phases: (i) the early phase of international contacts of NSZZ Solidarność and OPZZ in 1980–1989 (1984– for OPZZ); (ii) the phase before Poland’s accession to the European Union, which was marked by sharp inter-union conflict between NSZZ Solidarność and OPZZ over the latter’s membership of the ETUC (1989–2004); (iii) the phase of ‘normalisation’ and increasing cooperation of NSZZ Solidarność, OPZZ and FZZ (since 2012) within the ETUC (2006 onwards). In the following sections, the three phases will be discussed and supplemented by a special section on the Polish trade unions’ involvement in EU enlargement, as the latter was connected with the history of their relations with the ETUC.

3.1. Prologue: the international activities of NSZZ Solidarność and OPZZ in the 1980s

In the short period of its legal existence under Communist rule, from 15 September 1980 to 13 December 1981, NSZZ Solidarność quickly established international links. In June 1981, the union was invited for the 67th Session of the International Labour Organisation in Geneva as the first independent trade union from central and eastern Europe for 30 years. At the turn of 1980/81, it established an international office to coordinate its international relations. It also established working contacts with a range of European trade unions (cf. Goddeeris 2006: 333). The independent trade union also cooperated with the International Confederation of Free Trade Unions (ICFTU) and the World Confederation of Labour (WCL). An important factor that fostered exchange with WCL was the fact that its general secretary (in 1974–1988) was Jan Kulakowski, who emigrated from Poland to Belgium in 1946. The ICFTU and WCL were invited for the first National Convention of Delegates of NSZZ Solidarność in Gdańsk on 5–10 September and 26 September–7 October.

The first Convention of NSZZ Solidarność passed the ‘Appeal of the First Convention of Delegates to workers in Eastern Europe’. In the Appeal the delegates expressed their solidarity with workers in central and eastern European countries and the Soviet Union:

As the first independent trade union in our post-war history we feel a deep community of fate and assure you that contrary to lies spread in your countries we are an authentic
10 million-strong organisation of workers that emerged as a result of workers’ strikes. Our goal is the struggle for a better life for all workers. We support all of you who decided to start the difficult struggle for free trade unionism. (ES, Posłanie, translation AM)

The Appeal was one of the first attempts to co-shape the democratic reforms in central and eastern Europe by the union. Unsurprisingly, it was condemned by the ruling Communist Party, which defined it as an attempt to spread anti-communist movements. Pravda, the press organ of the Communist Party of the Soviet Union, called the Convention of NSZZ Solidarność an ‘anti-socialist and anti-Soviet orgy’ (ES, Posłanie).

The legal existence of NSZZ Solidarność ended with the introduction of martial law on 13 December 1981. The activity of all trade unions (both NSZZ Solidarność and ZZZ) was suspended, their property confiscated and workers’ strikes crushed by the army and special police forces. A wave of arrests of NSZZ Solidarność activists followed. The international response to these events by trade union movements involved mass demonstrations in many countries, among others in France (50,000–100,000 people demonstrated in Paris on 14 December 1981), the United Kingdom, Sweden, Norway, the United States and others, as well as declarations of support from the ICFTU and WCL (Goddeeris 2006: 315). Along with the creation of its clandestine structures in Poland (Temporary Coordination Commission of NSZZ Solidarność (TKK), NSZZ Solidarność founded offices abroad, including in Belgium (Brussels), France (Paris), Germany (Bremen), Italy (Rome), the Netherlands (Amsterdam), Switzerland (Zurich) and Sweden (Stockholm). On 17–19 July 1982 the Coordinating Office of NSZZ Solidarność was established in Brussels to coordinate the activities of union offices in various countries. ‘The Ministry of Foreign Affairs’ of NSZZ Solidarność (Goddeeris 2006), led by Jerzy Milewski (July 1982–December 1990) and subordinated to the TKK, was responsible, among other things, for maintaining international contacts and transferring money, publications and equipment (such as printing devices) donated by foreign trade unions to NSZZ Solidarność. The Coordinating Office was supported with the financial help of foreign trade unions. Its employees in Brussels were employed by the ICFTU and the WCL (ES, Biuro).

On 10 November 1982, a joint meeting took place in Brussels between the European Trade Union Confederation (ETUC), WCL and ICFTU. This was probably the first official event in which the ETUC got involved in the issues of the Polish independent trade unions. The ETUC, WCL and ICFTU passed a resolution on granting financial support for NSZZ Solidarność, including its Coordinating Office and limiting contacts with trade unions that did not recognise NSZZ Solidarność. The total financial help acquired by NSZZ Solidarność in Poland in the 1980s amounted to USD 5.5 million plus USD 1.2 million for the expenses of the Coordinating Office in Brussels and USD 4.5 million from a US Congress subsidy (Wolańska 2008: 48). The largest part of this financial help came from the AFL-CIO, which made use of funds from the US government via the National Endowment for Democracy, a private, non-profit organisation (Goddeeris 2006: 330). Among the international unions, the largest amount of money was transferred by ICFTU.

ICFTU, WCL (via Jan Kulakowski) and the ETUC were involved in practical and political help for NSZZ Solidarność and continued to issue joint statements in its support throughout the 1980s (for example, in August 1985). Trying to avoid the political choice between membership to the ICFTU and the WCL, from the end of 1985 NSZZ Solidarność made a first attempt to join the ETUC, which was considered to be more ‘neutral’ (interview I1). However, its efforts were informally rejected because the ETUC only covered
trade unions belonging to the European Community and represented western European workers (Goddeeris 2006: 338–339). This led to the efforts to acquire joint membership of ICFTU and WCL. Initially, the idea had been to affiliate to ICFTU only (Wolańska 2008: 83), but following the advice of Jan Kulakowski NSZZ Solidarność applied to both organisations. WCL, as a Christian Democratic confederation, was closer to NSZZ Solidarność, but ICFTU granted more substantial financial support. The double affiliation was an exception (previously granted only to the Basque trade union ELA/STV) and was crucial for legitimising the position of the clandestine NSZZ Solidarność in front of the Polish authorities. NSZZ Solidarność became the member of WCL on 10 November 1986 and of ICFTU on 19 November 1986.

Meanwhile, the trade union landscape in Poland had changed as a result of the new Trade Union Act of 8 October 1982. The Act was the basis for establishing ‘new’/reformed trade unions from the company level through the federation level and up to the level of the confederation. It annulled all prior registrations of trade unions, including NSZZ Solidarność. In November 1984, the founding congress of a new trade union confederation, Ogólnopolskie Porozumienie Związków Zawodowych (OPZZ, the All-Poland Alliance of Trade Unions) took place in the city of Bytom. The ‘reformed’ union recognised the leading role of PZPR (Polish United Workers’ Party, the ruling communist party). An amendment to the Trade Union Act, passed in parliament in July 1985, confirmed the monopoly of OPZZ in enterprises by prohibiting the establishment of more than one union in a company. The Trade Union Act also created the basis for the transfer of the material assets of all trade unions dissolved after 13 December 1981 to the newly established trade unions. This political decision created the main source of tensions among NSZZ Solidarność and OPZZ for the next 23 years (Gardawski et al. 2012a: 32).

There are few documents on the international links of OPZZ in its early days. Undoubtedly, the new ‘reformed’ union found it difficult to establish itself in the international arena due to strong counter-activity by NSZZ Solidarność. On 10 November 1982, WCL, ETUC and ICFTU also declared that contacts with all ‘new’ trade unions that did not recognise NSZZ Solidarność would be limited. In December 1984, ICFTU issued a statement declaring that NSZZ Solidarność (not OPZZ) was the only trade union representing workers in Poland (Goddeeris 2006: 343). The confederation joined WFTU during the 33rd Session of the confederation office on 16–18 April 1985 (Soltyśiak 2004: 60; Kalendarium 2009: 103). Simultaneously, the union established working links with some western European and Nordic trade unions, including the Swedish LO and Austrian ÖGB (Goddeeris 2006: 340). The process of obtaining international recognition for the OPZZ was slow, but some progress was made. For instance, according to Goddeeris (2006: 340), the Swedish LO ‘demanded that the minutes of the ETUC conference include a note about a thaw in relations with OPZZ’. In general, the attitudes of Nordic (Swedish, Norwegian and Finnish) trade unions were contradictory and marked by selective support for both OPZZ and NSZZ Solidarność (Goddeeris 2006: 339–342). In June 1989, OPZZ president Alfred Miodowicz presented the union’s position on the changes in Poland during the 76th Session of the ILO in Geneva, which was a sign that the ‘reformed’ union had gained legitimacy.

2. In practice, the property of NSZZ Solidarność was transferred to OPZZ, based on Article 54(1) of the Act which stated that the property of the Association of Trade Unions (ZZZ, pre-1980 ‘communist’ confederation) and ‘other trade unions which existed before the date of entering this Act into force’ (that is, NSZZ Solidarność) was to be transferred to a temporary administration and, next, to the OPZZ.
3.2. The circuitous routes of NSZZ Solidarność and OPZZ to the ETUC (1989–2004)

On 17 April 1989, as a result of the round table talks between the opposition and the government (6 February 1989–5 April 1989), NSZZ Solidarność was re-registered. On 4 June 1989 the first partially free parliamentary elections took place in Poland, won by the anti-communist opposition. In May 1991, the Acts on Trade Unions, the Act on Resolving Collective Disputes and the Act on Employers’ Associations were passed and laid the foundations for contemporary Polish employment relations. NSZZ Solidarność entered a new phase of its development with a dual identity: as a political mainstay of democratic and market reforms and as a trade union movement (Gardawski et al. 2012a: 34). The OPZZ, in turn, became more oriented to the traditional trade union role, but its position was undermined by its legacy as a state-socialist union established as an ally of management and depending on (quickly eroding) company resources (Crowley and Ost 2001).

Both NSZZ Solidarność and OPZZ experienced a strong erosion of their membership as a result of both structural factors connected with privatisation and closures, as well as neoliberal ‘reforms’ and their incapacity to effectively transform their strategies in the new market reality. Between 1987 and 2010, estimated trade union density in Poland fell from 38 per cent to 16 per cent (Czarzasty et al. 2014). In 2002, a new trade union confederation was created, Forum Związków Zawodowych (FZZ, Trade Union Forum) as a result of consolidation attempts by some independent trade unions, mainly in the public sector. Nevertheless, according to rough estimates, at least 15 per cent of the unionised labour force belongs to trade unions not affiliated to the three, nationally representative trade union confederations (NSZZ Solidarność, OPZZ, FZZ) (Gardawski et al. 2012b). The low density and fragmentation of Polish trade unionism, its problematic involvement in high-level party politics, the decentralisation and decline in collective bargaining coverage (currently down to 20–25 per cent) and rather inefficient institutions of tripartite social dialogue at the national level (Ost 2009) meant led to significant and gradual decline of trade union power resources at the national level. Arguably, the deteriorating position of trade unions at the local level influenced their attempts to regain some legitimacy and reinforce their local position by international involvement. In addition, with the internationalisation of trade union activities, the ‘competitive pluralism’ (Gardawski 2003) of the Polish trade unions, involving trade union rivalry for membership at the national level, gained new momentum and became the platform of its expression. Thus, the issue of OPZZ’s ETUC membership became a stake in the symbolic and political struggles between the major trade union players in Poland.

At first sight, NSZZ Solidarność’s path to the ETUC was relatively smooth. The network of contacts, social and political capital and legitimacy gained in the time of anti-communist opposition, as well as the early international socialisation of NSZZ Solidarność leaders and international activists were the factors supporting quick accession to the ETUC. In the initial phase, the Coordination Office in Brussels (since 1989 subordinated to the union’s Foreign Office in the country) served as the main link with WCL, ICFTU and the ETUC. In the early 1990s, the international cooperation of NSZZ Solidarność developed mainly due to financial help and know-how transfer from the western trade unions. However, relations with the international trade union confederations were not unproblematic. The tensions derived from (i) the fact of NSZZ Solidarność’s double affiliation to both WCL and ICFTU; (ii) the limited financial contributions of NSZZ Solidarność to both confederations; and (iii) the increasing number of trade unions from central and eastern Europe affiliated to WCL and
ICFTU, which resulted in a decreasing amount of financial support for them individually. In addition, NSZZ Solidarność’s uncompromising, anti-communist approach created tensions among actual and potential ICFTU affiliates in central and eastern Europe. An example of unilateral action on the part of NSZZ Solidarność is the Gdańsk Appeal (Deklaracja Gdańska), echoing the earlier Appeal to working people in central and eastern Europe. The Appeal was submitted for discussion by NSZZ Solidarność during the international trade union conference in Gdańsk in 1992. It stated that the signatory parties would refrain from cooperation with any trade unions that have communist links or a communist past. While WCL expressed its support for the Appeal, ICFTU did not formally accept it and criticized the one-sided action of NSZZ Solidarność. From the national perspective, the Appeal could be considered a manifestation of the union’s political ambitions in central and eastern Europe. However, from the international unionism point of view, it could have reduced the willingness of the ‘reformed’ trade union confederations from the region to cooperate with ICFTU, a dangerous scenario considering the erosion of trade union membership at the global level.

OPZZ’s international position was even more complex. Until February 1997, the union was a member of WFTU (OPZZ president Alfred Miodowicz had a seat on the WFTU board). Simultaneously, its leadership was increasingly aware that ‘our membership of WFTU did not fit contemporary Poland’ (interview with Wojciech Kaczmarek, in OPZZ 2009: 95). Although the union began its attempts to join ICFTU at the beginning of the 1990s, ICFTU decided in 1993 to avoid contacts with OPZZ until it fulfilled three conditions: (i) it returned the property of NSZZ Solidarność and shared the property of the Central Council of Trade Unions (CRZZ) between NSZZ Solidarność and OPZZ; (ii) it held democratic elections at each level of its organisational structures; and (iii) it dissociated itself from its earlier statements in which it opposed trade union pluralism (Wolańska 2008: 79) The conflict between OPZZ and NSZZ Solidarność on the returning and dividing of trade union assets confiscated in 1981 by the communist authorities was further escalated in 1994. In a communication of 15 June 1994, NSZZ Solidarność submitted a representation under Article 24 of the ILO Constitution alleging Poland’s non-compliance with the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87). More precisely, the complaint concerned the failure to implement measures aimed at restituting trade union assets confiscated illegally under martial law. As a result, the ILO called on the Polish government to provide trade unions with a ‘complete and definitive legal framework within which the restitution of trade union property, confiscated during martial law, can be effected with the full participation of the organizations concerned’ (ILO Report No. 301).

NSZZ Solidarność’s position in the ETUC was strengthened in December 1991, when the union acquired the status of observer (together with Czech trade union confederation CS KOS). Following the resolutions of the 7th ETUC Congress in Luxembourg, observer status could be granted to trade unions stemming from the candidate countries to the European Communities (European Union since 1993) or the countries on their way to becoming candidate countries, provided that the trade unions concerned fulfil all other membership criteria. According to A. Adamczyk (Interview I1), the invitation to NSZZ Solidarność came from the ETUC itself. In 1991–1993, the union was involved in the European Trade Union Forum. The Forum was a ‘waiting room’ for the central and eastern European unions before they could acquire full ETUC membership. It served as a platform of sometimes heavy discussions between western European trade unions and their central and eastern European colleagues on ETUC policy documents. One example was the ETUC document (from 1992)
on the ‘Architecture of trade unions in Europe’, which in its initial version included passages on the need to ‘subject [central and eastern European] trade unions to a political education process for their Europeanization’ (Wolańska 2008: 81). Since NSZZ Solidarność has never considered Poland to be ‘outside’ Europe (Stanowisko KK 177/99), the statements on the need for ‘Europeanization’ were read by the trade union leadership as provocative and unfair. As recalled by A. Adamczyk, ‘we could not imagine anything more arrogant, so we were outraged and this document was changed’.

In January 1996, NSZZ Solidarność became a full member of the ETUC. Two years later, in December 1998, OPZZ also formally applied for membership of the ETUC. The deputy president of the OPZZ, Jan Guz, passed the letter of intent to the president of the ETUC, Fritz Verzetnisch. However, the OPZZ application was blocked by NSZZ Solidarność, which referred to similar arguments in the case of ICFTU. As recalled by Ryszard Łepik, former deputy president of OPZZ responsible for international affairs (1994–2006), the counter-actions of NSZZ Solidarność made it difficult for OPZZ to enter the international trade union movement in general, including the ETUC and some bilateral relations between unions. Basically, OPZZ regarded NSZZ Solidarność’s accusations as unjust. In the interviews with OPZZ representatives (Interviews I3, I4), it was emphasized that the issue of union property was ‘resolved’ in 1997 as a result of changes in the Trade Union Act. In this context, Ryszard Łepik suggested (Interview I4) that NSZZ Solidarność approach was politically driven as the union could not agree to a compromise with the ‘postcommunist’ OPZZ before the parliamentary elections in 2001. Indeed, the local political context might have mattered. NSZZ Solidarność was involved in the coalition of the Solidarność Electoral Action (AWS) in 1997–2001, which carried out four painful reforms (of state administration, education, health care and pensions) in 1999. Meanwhile, the OPZZ was one of the main forces that contested the reforms, so allowing its membership of the ETUC might have reinforced its position at the local level. However, referring to the ‘resolution’ of the problem of trade union property, it is sometimes forgotten that the main unresolved point of conflict concerned the Employee Holiday Fund (FWP, Fundusz Wczasów Pracowniczych), which managed the recreational facilities of the OPZZ.3

In fact, the conflict over property was not resolved until the mid-2000s and effectively blocked successive OPZZ attempts to join the ETUC. In March 2003, the presidency of the OPZZ recommended waiting with the next application for ETUC affiliation until the 10th ETUC Congress and to apply ‘under condition of rapid examination of the application and finishing the discussion about trade union property’ (Sprawozdanie OPZZ 2003: 1). In the documents of the International Cooperation and European Integration Section of OPZZ from 2003–2005, the issue of ETUC membership appears only twice: during the meeting with Tom Saxen (Council of Nordic Trade Unions) and Preben Foldberg (Danish LO) in 2003 and the meeting with Károly György from the Hungarian confederation MSZOSZ in 2005. There was also the meeting of Maciej Manicki (the president of the OPZZ) and Czesław Kulesza with the general secretary of the ETUC, Emilio Gabaglio in Brussels on

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3. Regarding the issue of FWP, NSZZ Solidarność appealed to the Constitutional Tribunal of the Republic of Poland against the decision and won the case in June 1998. However, OPZZ and NSZZ Solidarność could not agree on whether to divide the FWP into two companies (the option proposed by NSZZ Solidarność), or to give shares to NSZZ Solidarność and keep one company (OPZZ’s stance). It should be mentioned that in 2001 the property of the FWP was transferred to the Foundation ‘Agreement’ (Porozumienie) created by the OPZZ and led by the former president of OPZZ, M. Manicki.
5 December 2002, including a discussion about the situation of OPZZ and its relations to the ETUC.

Partially to counterbalance its unsuccessful attempts to join the ETUC, at the beginning of 2000s the OPZZ began talks about its potential affiliation to CESI. However, it gave them up after observing the problems encountered by the Trade Union Forum (FZZ) in its relations with this confederation (Interviews I2 and I4). The FZZ, the new trade union confederation established in 2002, joined CESI in March 2003, but its relations with it were not entirely satisfactory (Interview I5). For OPZZ, CESI was a ‘side stream’ of European trade unionism, while the OPZZ aspired to a more central position (Interview I4). There were also talks between the OPZZ and WCL, which seemed to be open to OPZZ membership. However, these talks broke down when it was clear that the International Trade Union Confederation (ITUC) was likely to be established as a result of the merger of WCL and ICFTU.

3.3. Polish trade union positions on EU enlargement

An important factor that brought the otherwise politically divided OPZZ and NSZZ Solidarność closer was the orientations of both trade union confederations towards EU enlargement. Due to its full membership of the ETUC, NSZZ Solidarność was more institutionally involved in Polish accession to the EU. In 1997, NSZZ Solidarność established a European Integration Commission, led by Józef Niemiec (1997–1998), the secretary of the union’s National Commission in 1997–2003. The European Integration Commission was financially and logistically supported by the ETUC, with an aim of informing union members about integration, cooperating in joint projects with the ETUC and similar commissions from other candidate countries (within the ETUC Working Group for European Integration). Its coordinator also participated in the work of the Joint Consultative Committee (a tripartite structure initiated by the EU’s European Economic and Social Committee). Since 2004, the nationally representative Polish trade union confederations – NSZZ Solidarność, OPZZ and FZZ – also got involved in the Economic and Social Committee which, besides influence on European policy-making, gave them a chance to develop new international networks.

The ETUC’s support for trade union involvement in EU enlargement was confirmed by the resolution of the 9th General ETUC Congress in Helsinki (29 June 1999–2 July 1999). It considered EU enlargement the most important historical process since the end of the Second World War, which needed trade union participation and institutional reforms of both the EU and the candidate countries. The central role of the social partners in EU enlargement was also stressed during the 10th ETUC congress in Prague (2003). Recognizing the important role of the new CEE members in the ETUC, Józef Niemiec (NSZZ Solidarność), as the first CEE representative, was elected Confederal Secretary of the ETUC, responsible for social protection, disabled people, regional policy and economic and social cohesion, internal market and services of general interest.

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4. During the 4th Congress of CESI (in 2004), Wiesław Siewieski, president of FZZ became the vice-president of CESI. CESI paid for the FZZ’s membership for the first year, but thereafter the costs of membership were considered too high by the FZZ leadership (Sprawozdanie FZZ 2010: 36). The FZZ claimed that CESI did not ‘fulfil the [FZZ] resolutions concerning the qualifications of nurses’ (idem). On the other hand, the FZZ stopped paying membership fees in the late 2000s and Wiesław Siewieski gave up his vice-presidency. The FZZ formally left CESI in 2011.
Recognition of the positive aspects of EU enlargement is also visible in the documents issued by the OPZZ and NSZZ Solidarność. For instance, in a resolution of the OPZZ 5th Congress in 2002, the union expressed its support for ‘social Europe’, based on the principle of solidarity, and recognized the need to ‘strengthen the role of social dialogue in the European integration process’. The National Commission of NSZZ Solidarność stressed that EU enlargement should go together with the principle of the free movement of workers (Stanowisko KK 190/99) and emphasised the need for the full transposition of EU social standards to new member states (Stanowisko KK 177/99), the relevance of social dialogue in the EU enlargement negotiations and the future use of EU funds (Stanowisko KK 91/99). It also expressed its opposition to ‘imposing transitional periods’ for opening national labour markets for Polish workers (Stanowisko KK 23/2001). The National Commission (Stanowisko KK 5/04) also expressed its opinion on the Treaty establishing a Constitution for Europe. It emphasised that the Treaty fulfils some of the union demands, but criticised some of its cultural implications (for example, the lack of direct reference to Christian values as the cultural foundations of the European Union). An important aspect of NSZZ Solidarność involvement in EU matters was related to the fact that Jan Kulakowski, who had close historical links with NSZZ Solidarność, was the government’s plenipotentiary for Poland’s accession negotiations to the European Union.

The real test of transnational trade union solidarity in Europe was the joint mobilisation of western and eastern European trade unions against the Directive on services in the internal market (Directive 2006/123/EC). The culmination of trade union protests was the joint participation of NSZZ Solidarność and OPZZ in the ETUC demonstration in Strasbourg against the Directive on 14 February 2006. In Poland, their involvement in this event was criticised by some employers’ organisations (such as the Business Centre Club) as action against Polish national interests (Interview I2). However, trade unions claimed that the Directive would be equally bad for labour and business as it would create legislative chaos in the EU (Interview I1) and pose a threat to existing wage and working conditions also in Poland if countries with even lower standards joined the EU in the future. In this context, both OPZZ and NSZZ Solidarność demanded renunciation of the country of origin principle which bound service providers in the EU market to respect their country of origin’s regulations.5

For some commentators, the Polish trade unions’ involvement in the joint protests against the Bolkenstein (Services) Directive was an indicator of ‘part of the counter-move-ment against the internationalisation of market relations’; indeed, as a sign of the emergence of a Europe-wide trade union protest movement (Gajewska 2009: 183). Others remained more sceptical (Bernaciak 2011) and stressed that despite ‘higher level congruence between [western and eastern European] union positions on the Services Directive campaign, union cooperation on this issue remains relatively “empty”, as it did not involve contacts between union members from different countries beyond high-ranking union officials’. Putting aside the conflicting interpretations of East–West labour transnationalism, the joint protests of OPZZ and NSZZ Solidarność might also be interpreted in terms of the emerging situational

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5. It should be remembered that the trade unions’ ‘victory’ with regard to the Bolkenstein directive was conditional. As remarked by Meardi (2012: 171), despite removing the country of origin principle from the directive, much of this principle was then silently, and undemocratically, reintroduced by the European Court of Justice (ECJ) in its interpretations of the Posted Worker Directive in the Laval, Rüffert and Luxembourg cases (as well as by the EC in its Communications).
coalitions between them, something quite new in the Polish context. In this respect, the reference to Europe and the ETUC activities played an important role in bringing the unions together.

3.4. The period of ‘normalisation’ and cooperation within the ETUC

According to Piotr Ostrowski (I2), the tentative green light for OPZZ’s joining the ETUC was given by NSZZ Solidarność in 2004. However, it was not until March 2006 that formal acceptance was granted. Meanwhile, a range of informal and formal talks between the OPZZ leadership and the ETUC affiliates took place to support its membership, including bilateral contacts with the Hungarian MSZOSZ, the German DGB, the Austrian ÖGB, the French CGT or Danish LO, to mention just a few (Kronika Związkowa 45(931)/2006). The Friedrich Ebert Foundation office in Warsaw (in the period of the director of the Warsaw office in 1999–2005, Clemens Rhode) also actively lobbied for OPZZ membership of the ETUC (interview I2).

Although the problem of trade union property had not been fully solved, several factors reduced the tensions between OPZZ and NSZZ Solidarność and created conditions for their cooperation within the ETUC. The first was Poland’s EU accession in 2004 and the need for closer cooperation between trade union confederations at the national level, related, among other things, to the need to elaborate joint positions in the negotiation and implementation of EU legislation. The second was an uneven, but visible process of relaxing the NSZZ Solidarność and OPZZ links with political parties as a result of the electoral defeats of Solidarność Electoral Action (AWS) in 2001 and the Democratic Left Alliance (a post-communist social democratic party with links to OPZZ) in 2005. The third factor was (again rather gradual) generational change among the Polish trade union leadership which limited the relevance of historical arguments in trade union rivalry. Finally, with the passing of time, the situational alliances among trade unions (also at lower structural levels) have been increasingly shaped by their joint opposition to some changes in labour legislation, such as the ‘flexibilisation’ of the Labour Code in 2002–2003. In the late 2000s, these factors were reinforced by the emergence of a common trade union ‘front’ (involving OPZZ, FZZ and NSZZ Solidarność) against the government of the Civic Platform (in office from 2007 until 2015).

The creation of the International Trade Union Confederation (ITUC) on 31 October 2006–1 November 2006 symbolically ended part of the international history of Polish unionism. NSZZ Solidarność became one of the founding members of the new confederation and the president of OPZZ, Jan Guz, was also invited to the founding congress. Due to its double affiliation, the need to merge WCL and ICFTU was voiced by NSZZ Solidarność from the mid-1990s (cf. resolutions of the National Commission from 1998 in Wolańska 2009: 140). At the ETUC level, both NSZZ Solidarność and OPZZ representatives became increasingly involved in the work of the confederation. During the Athens congress (in May 2011), Józef Niemiec (NSZZ Solidarność) was re-elected Deputy General Secretary of the ETUC. In December 2009, Tomasz Jasiński, representing the Youth Committee of the OPZZ, was elected president of the ETUC Youth Committee.

The process of including the nationally representative trade union confederations from Poland to the ETUC was completed in March 2012, when the Trade Union Forum (FZZ) was accepted as a new affiliate to the ETUC. The FZZ’s efforts to join the ETUC started in 2010 with the election of new FZZ president, Tadeusz Chwálka (interview I5). The formal
talks about the application took place in 2011 during the FZZ Presidium meetings. They were accompanied by informal talks with OPZZ and NSZZ Solidarność to get their support for FZZ membership (interview I5). In order to secure necessary financial resources, the membership fee for FZZ affiliates was raised (starting from 2012) from 20 groszy (5 eurocents) to 30 groszy (7.5 eurocents) per member, to try to finance the cooperation and an office (one full-time position) responsible for international relations. The office is now led by ex-OPZZ representative and president of the ETUC Youth Committee, Tomasz Jasiński. According to all interviewees (representing FZZ, OPZZ and NSZZ Solidarność), NSZZ Solidarność and OPZZ supported the FZZ in its attempts to join the ETUC and in this sense the process was much smoother than in the case of OPZZ’s application.

The culmination of the international cooperation of NSZZ Solidarność, OPZZ and FZZ was the organisation of the joint ETUC euro-demonstration in Wrocław on 17 September 2011 under the slogan ‘Yes to European solidarity, yes to jobs and workers’ rights, no to austerity’. The demonstration coincided with a meeting of European finance ministers and had between 20,000 and 50,000 participants (Trawińska 2011). During the meeting of the trade union Visegrád Group in October 2012, FZZ, OPZZ and NSZZ Solidarność decided to harmonise their involvement in international activities, including the division of seats in ETUC negotiating teams (interview I2). The interviews with the trade union officers responsible for international cooperation in NSZZ Solidarność (Interview I1), OPZZ (Interview I2) and FZZ (interview I5) clearly suggest that the working relations between all three Polish unions affiliated to the ETUC are fairly satisfactory. Taking into account the complicated history of Polish unionism, this assessment can be considered an important step towards a stronger representation of Polish workers’ interests at the international level.

4. Conclusions

At the beginning of this chapter, a question was asked about the possible impact of Polish trade unions’ membership of the ETUC on their internal transformation, as well as on the changes within the ETUC itself. Addressing the first part of the question, it can be argued that the Polish trade union involvement in the ETUC and, more broadly, in the international trade union movement was an important factor fostering greater unification of trade unionism at the national level. It also helped to bring about internal organisational changes within trade union organisations. As indicated by interviewees (interviews I2, I5), reference to the ETUC helped to promote and legitimise internal changes in Polish unions, such as the simplification of the branch structure of OPZZ to reflect the European Trade Union Federation structures (in 2006) or increasing fees paid by the affiliates to FZZ to finance its international activities (since 2012). In the case of NSZZ Solidarność, the ‘branch’ structures of the union (introduced in early 1990s) were ‘copied’ from ICFTU’s sectoral structures. International involvement also made it necessary to bring a new generation of experts and union activists to trade unions, such as Piotr Ostrowski (OPZZ) and Tomasz Jasiński (OPZZ and now FZZ). Finally, ETUC membership contributed to the increasing professionalisation of the international activities of all three confederations. This is exemplified by the FZZ’s plans to create a foreign office and the greater formalisation of the division of seats in the ETUC negotiating teams among all three Polish confederations.

It is more difficult to give a definite answer to the question about the influence of the Polish trade unions on the transformation of the ETUC itself. Without doubt, the
participation of the CEE affiliates in the ETUC presented a challenge. It increased the heterogeneity of the interests and values with which it had to cope in order to survive as an efficient interest representative organisation at the European level. The very idea of the ‘Europeanisation’ of the CEE trade unions has been contested by them on the (arguably legitimate) ground that they have never ceased to be ‘European’. Simultaneously, they entered (or made efforts to enter) the ETUC with far fewer resources than their western counterparts and equipped with their historical, local trade union identities and ideologies. The latter had to be mitigated and reconciled with the interests and values of existing and prospective members. At the organisational level, the ETUC proved to be fairly open to meeting at least some of these challenges. Under the influence of NSZZ Solidarność and central and eastern European trade unions, the creation of observer membership status in 1991 allowed the central and eastern European unions to join the ETUC before they formally gained the status of EU candidate countries. In addition, the lobbying by NSZZ Solidarność and other CEE affiliates made it possible to lower the membership fees in the ETUC to 25 per cent of the full fees (at the beginning of the 1990s) (currently around 40 per cent); the latter reform enabled fuller participation of trade unions from the poorer central and eastern European countries.

Much more debatable is whether the ETUC’s identity has changed as a result of the inclusion of new CEE affiliates in the past 20 years. On one hand, it is often emphasised that the lines of division in the ETUC do not (anymore?) coincide with the east–west demarcation line (interviews I1, I2), but also involve other ‘regional’ coalitions, such as the Nordic or southern European countries. On the other hand, the ‘flagship’ case of European east–west solidarity – the joint protests against the Service Directive in 2006 – remains rather isolated.6 It has also been criticised on the grounds of being a top-down rather than a bottom-up initiative, which did not signify the emergence of new, European labour transnationalism (Bernaciak 2011). Although the formal integration of the CEE affiliates to the ETUC has been largely and successfully completed, more time and efforts are needed to construct a polycentric identity for European unionism.

Acknowledgements

I would like to thank all my informants, including Andrzej Adamczyk (NSZZ Solidarność), Piotr Ostrowski (OPZZ), Lech Kańtoch (OPZZ), Ryszard Łepik (OPZZ), Tadeusz Chwałka (FZZ) and Józef Niemiec (NSZZ Solidarność) for the time they devoted to interviews and email exchanges, as well as for the archival materials they provided to enable me to complete this chapter. I would also like to express my special gratitude to Anna Wolańska (NSZZ Solidarność), who shared with me the unpublished manuscript of her MA thesis on the international cooperation of NSZZ Solidarność in 1980–2006.

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6. Nevertheless, some other cases of east–west trade union cooperation could be noted; for instance, the joint demonstrations of all unions against the common European agenda of austerity in Ljubljana (2008) and Wrocław (2011).
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Interviews

I1: Interview with Andrzej Adamczyk, the chief of the International Bureau (since 1992), NSZZ Solidarność, Gdańsk, 26 July 2012.
I2: Interview with Dr Piotr Ostrowski, the chief of the International Cooperation and European Integration Section of OPZZ (since 2006).
I3: Interview with Lech Kańtoch, former employee of the International Cooperation and European Integration Section OPZZ.
I5: Interview with Tadeusz Chwałka, the president of the FZZ (Trade Union Forum), in 2010-2015, Katowice, 26 November 2012.
I6: Interview with Józef Niemiec, the deputy General Secretary of the ETUC, Brussels, 07 December 2012.