Chapter 11
France: Fragmented trade unions, few members, but many voters and much social unrest
Udo Rehfeldt and Catherine Vincent

Historically, industrial relations in France have been characterized as adversarial between trade unions and employers, complemented by strong state intervention. The latter has now diminished, however, and collective bargaining has developed with a strong tendency towards decentralization. With a very low, but stable unionization rate (see Table 11.1), elections have become the main source of union legitimacy. Union action is supported by public funding and by strong legal rights, in particular for multi-channel employee representation at workplace level, which is in practice coordinated by the unions. Union power is weakened, however, by the persistent fragmentation of the union confederations and by polarization between union strongholds in large companies and in the public sector, on one hand, and the large number of small and medium-sized enterprises (SMEs) without union presence on the other. Union power has also been weakened by recent legal reforms of the industrial relations system, which have undermined the role of centralized bargaining by abolishing the favourability principle. Tripartite concertation at peak level, which had nearly achieved a neo-corporatist character, has lost its impetus, and industrial conflict, although still high by European comparison, has lost its efficacy.
The central features of the French industrial relations model are multi-channel employee representation, fragmented trade unions and employers’ organizations, and adversarial relations between trade unions and employers, compensated by strong state interventionism. Historically, employee representation and collective bargaining developed rather late in France compared with other European countries. Industrial relations were characterized by mistrust and conflict. For a long time, employers refused to grant access to the workplace and to recognize unions as bargaining partners. In consequence, unions initially developed outside companies and workplaces. The union movement reacted to state and employer hostility with hostility towards both bourgeois democracy and the capitalist order. The initial syndicalist orientation, based on a revolutionary unionism programme, was abandoned during the First World War, and led to a reformist transformation of the movement. In 1936, the Popular Front government introduced laws on employee delegates

### Table 11.1 Principal characteristics of trade unionism in France

<table>
<thead>
<tr>
<th></th>
<th>1980</th>
<th>2000</th>
<th>2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total trade union membership</td>
<td>3,481,000</td>
<td>2,212,000</td>
<td>2,151,000*</td>
</tr>
<tr>
<td>Proportion of women in total membership</td>
<td>n.a.</td>
<td>44 %</td>
<td>46 %</td>
</tr>
<tr>
<td>Gross union density</td>
<td>20 %</td>
<td>11 %</td>
<td>9 %</td>
</tr>
<tr>
<td>Net union density</td>
<td>19 %</td>
<td>10 %</td>
<td>9 %</td>
</tr>
<tr>
<td>Number of confederations</td>
<td>5</td>
<td>7**</td>
<td>7**</td>
</tr>
<tr>
<td>Number of affiliated unions (federations)***</td>
<td>100</td>
<td>73</td>
<td>72</td>
</tr>
<tr>
<td>Number of independent unions</td>
<td>Many</td>
<td>Few</td>
<td>Few</td>
</tr>
<tr>
<td>Collective bargaining coverage</td>
<td>85 %</td>
<td>98 %</td>
<td>98 %</td>
</tr>
<tr>
<td>Principal level of collective bargaining</td>
<td>Industry</td>
<td>Erosion of industry level</td>
<td>Industry and company</td>
</tr>
<tr>
<td>Days not worked due to industrial action per 1,000 workers</td>
<td>84</td>
<td>120</td>
<td>113*</td>
</tr>
</tbody>
</table>

Note: * 2018; ** including ‘quasi-confederations’; *** Based upon CFDT, CGT and FO.

Source: Appendix A1.

**Historical background and principal features of the industrial relations system**
France: Fragmented unions

and the extension of collective industrial agreements, signed by the most representative unions.

After the Liberation in 1944, the programme of economic and social democracy of the Resistance, in which the unions played an active role, was implemented by a series of nationalizations with tripartite management and by the introduction of works councils with information and consultation rights. Union representatives at the workplace level have existed in a number of large companies since the 1950s, but as a right they were introduced by law only as late as 1968, as a result of the general strike of May 1968 and the tripartite ‘Grenelle’ agreements, which put an end to it. The 1982 ‘Auroux’ laws, adopted after the left-wing parties had come to power, attempted to create a synergy between works councils and unions by strengthening both works councils’ consultation rights and trade union delegates’ bargaining rights. But in contrast to the legislators’ intentions and the unions’ hopes, the legislative provision for trade union presence at the workplace did not lead to a renewal of unionism. On the contrary, trade union density, already weak by European standards, continued to decline, falling to only 8 per cent. On the other hand, the Auroux laws led to an increase in workplace-level bargaining, which revealed a strategic change on the part of the employers, who understood the merits of decentralized workplace bargaining, not only because such bargaining met their demands for flexibility, but also because they could now exploit the unions’ weakened bargaining power.

Since the 1980s, there has been a slow departure from French ‘exceptionalism’ in the form of state dominance after a series of reforms, adopted under pressure from the unions in the 1980s and under pressure from employers’ organizations in the period 2004–2017. After 2008, there was even a short-lived move towards neo-corporatism, through the development of tripartite concertation at peak level, which came to a provisional halt in 2016–2017, when a reversal of the hierarchy of norms between the industry and enterprise levels was imposed by law without prior concertation.

Structure of trade unions and union democracy

To analyse trade union structure and internal democracy this section assesses in turn political, religious and occupational fragmentation; mergers and breakaways; and union structures and democracy.
Regarding fragmentation, in the private sector there are five ‘representative’ trade union confederations at the national level:\footnote{In France, the status of ‘representativeness’ gives a union the legal right to participate in collective bargaining and to present lists for workplace relations (see below).}

– The General Confederation of Labour (CGT, Confédération Générale du Travail) was founded in 1895 and is the oldest and, for a long time, the largest confederation. After the Second World War, communists occupied the leading positions in the confederation and its affiliates. After 1996, the CGT officially marked its autonomy from the Communist Party (Parti communiste français) and adopted a dual strategic orientation, both as a social movement union and as a negotiating union (de Comarmond 2013). Despite its continuous decline in membership since the 1970s, the CGT remains one of the two largest confederations.

– The French Democratic Confederation of Labour (CFDT, Confédération Française Démocratique du Travail) is now the largest confederation. It is the result of the transformation, in 1964, of the French Confederation of Christian Workers (CFTC, Confédération Française des Travailleurs Chrétiens), initially created in 1919. This renaming symbolized its official departure from the social doctrine of the Catholic Church. In the 1970s, the CFDT saw itself as a leftist trade union by establishing the goal of self-management socialism (autogestion), but in 1978 it initiated a reformist reorientation labelled ‘re-unionization’ (resyndicalisation). Its aim was to return to purely trade union aims and methods, which were to be realized above all through collective bargaining (Barthélemy et al. 2012; Defaud 2009; Guillaume 2014).

– Worker Force (FO, Force Ouvrière, officially CGT-FO) was created in 1948 as an anti-communist union after a split in the CGT. For a long time, a preferential bargaining partner of employer associations and governments (Dreyfus and Pigenet 2011), FO has pursued a more autonomous trade union policy since the 1990s, sometimes in unity of action with the CGT.

– The CFTC is the organization of the minority who refused to accept its transformation into the CFDT in 1964 and continues the Christian tradition under the old name.

– The General Confederation of Clerical and Managerial Staff (CGC, Confédération Générale des Cadres) was founded in 1944 and renamed the French Confederation of Supervisors-General
Confederation of Clerical and Managerial Staff (CFE-CGC, Confédération Française de l’Encadrement-Confédération Générale des Cadres) in 1981. It regards itself as a non-political representation of clerical and professional staff (Béthoud et al. 2013). In France, such groups of employees are called cadres and include mainly managers, supervisors, engineers and technicians.

In France this large number of confederations has coexisted with an even greater number of autonomous unions, particularly in the public sector. Many of them were initially affiliated to the CGT but refused to take a position in the 1948 split. They simply disaffiliated from the CGT in order to preserve their unity. The most important was the Federation of National Education (FEN, Fédération de l’Éducation Nationale), which itself split in 1993, when two communist-led sub-federations were excluded by the socialist majority. Most of the autonomous unions are now affiliated to two groupings, which do not consider themselves confederations because they have not – or not yet – developed a complete dual structure of professional federations and local representations:

– The first was the Groupe des 10, created in 1981. In 1998, it transformed itself into the ‘Solidaires’ Union of Trade Unions (USS, Union Syndicale Solidaires) after the affiliation of a number of radical autonomous unions (Béroud and Denis 2012). Some of them were left-wing breakaways from the CFDT, named ‘Supportive, Unitary, Democratic’ (SUD, Solidaires, unitaires, démocratiques). The first was SUD-PTT, founded in 1989 after the exclusion of the militant part of the CFDT postal and telecommunication federation (Denis 2003). Another important breakaway led to the creation of railway union SUD-Rail in 1995 (see the controversial assessment by Connolly and Darlington 2012 and Denis 2012).

– Some of the more moderate federations left the Groupe des 10 and in 1993 created the National Union of Autonomous Trade Unions (UNSA, Union Nationale des Syndicats Autonomes), together with other unaffiliated federations, the most important of which was FEN, now renamed UNSA-Education.

After the creation of these two quasi-confederations, only a few autonomous unions remain unaffiliated. The largest is the Unitary Trade Union Federation (FSU, Fédération Syndicale Unitaire), created in 1993 at the initiative of the unions excluded from FEN. The FSU is now the most important union in education.
The academic literature and the media distinguish between ‘reformist’ and ‘revolutionary’ unions. Initially, the term ‘reformist’ was used for unions that explicitly championed a gradual improvement of workers’ situations through reforms, in contrast to the CGT, which historically defined itself as ‘revolutionary’, long a synonym for syndicalist unionism. Later, the term ‘revolutionary’ was used to characterize the communist-dominated CGT. From the 1930s, however, the French Communist Party no longer pursued revolutionary goals, and today even the CGT admits that all trade unions are ‘reformist in essence’, as stated by CGT secretary general Philippe Martinez (interview in _Le Monde_, 12 September 2015). Interestingly, in the media, the initial meaning of the word ‘reformist’ has undergone a reversal in recent decades. Trade unions are now classified as ‘reformist’ if they accept employers’ and the government’s demands for reforms aimed at partially rolling back historical workers’ rights obtained by previous reforms. In this chapter, we will concentrate mainly on the three largest confederations, CFDT, CGT and FO.

Turning to mergers, the CFDT has reduced the number of federations, from twenty-nine in 1980 to sixteen in 2019. During that period, the CGT also reduced the number of its federations, but its present number (thirty) remains significantly higher, at a similar level to that of FO.
France: Fragmented unions

(twenty-six). Most of these mergers were for financial reasons, merging unions in declining with those in expanding industries. Initially, mergers in the CFDT also had a political aim, which was to create larger entities in an effort to transcend a narrow craft consciousness and promote a broader class solidarity.

Mergers between confederations have been initiated repeatedly but have always failed. After the legal introduction of electoral criteria for union representativeness in 2008, CFE-CGC and UNSA initiated a merger process in order to be able to pass the new 8 per cent hurdle in the private sector. Ultimately, the majority of CFE-CGC members rejected this project, which would have meant its transformation from a professional into a general union. Indeed, the CFE-CGC had no need for a merger because, under the 2008 Law, a specific rate of representativeness is calculated for the category of managerial staff alone, and in this category the CFE-CGC has never had any difficulty in exceeding 8 per cent. Breakaways are more frequent than mergers.

The renewed split of the trade union movement regarding the labour law reforms in 2016–2017 led to the emergence of two union poles. On one side, cooperation between ‘reformist’ unions CFDT, CFE-CGC, CFTC and UNSA has become quasi-permanent. On the other, coordination is now frequent between the oppositional organizations CGT, FSU and USS, joined more and more often by FO. Coordination across all union organizations has become rare.

The basic unit of all organizations for union democracy is the ‘union’ (syndicat). It is generally constituted outside companies by all the workplace union sections of the same industry at the level of a certain territory. In the CGT, a basic union can also be constituted at the level of a single workplace or a single company or public service. Consequently, the CGT has more basic unions than the CFDT. In the past decade, the CGT has included more than 17,000 basic unions with an average of around thirty members, whereas the CFDT has had around 1,300 basic unions, mainly at département level, but with an average of 340 members (Andolfato and Labbé 2011).

In a confederation, all basic unions are affiliated at the same time to an industry federation and to a cross-industry body at département level, called a UD (union départementale), as well as at regional level, called a UR (union régionale). At local level, several basic unions can also constitute a local cross-industry body called a union locale, although this level is
losing its importance. The CGT’s territorial structures are less centralized than those of the CFDT and the CFTC, in which regional unions play a more important role than departmental ones.

Historically, French unions first emerged as craft unions, which were gradually transformed into general industrial union confederations. The three largest confederations have retained separate structures for managerial staff, which is at the same time integrated into the different industry federations. This specific structure allows these confederations to compete successfully with the CFE-CGC and to contest its pretension to be the exclusive representative of these workers. Compared with countries such as the United Kingdom or Germany, confederations play a stronger role in the French trade union movement. They negotiate nationwide cross-industry or tripartite agreements and participate in the bipartite or tripartite management of social security funds. The confederation’s policy and its congress decisions are generally taken as guidelines by the federations.

According to union statutes, internal democracy is exercised by the congress. Each UD and UR, each federation and finally each confederation hold their own congresses, generally every three years. The congress adopts or modifies the statutes, defines union strategy and elects its executive. Congress delegates are mandated by the different basic unions and have voting rights proportionate to their fee-paying membership. In the case of a confederal congress, representatives of the federations, the UDs and the URs also participate in the congress, but without voting rights. In the CGT, mandates for basic unions are the result of a majority vote that does not reflect divergent opinions. This voting principle amplifies the final votes in the congress. In practice, congress elections are controlled by local activists with an elective and/or union mandate in companies and the civil service.

Because of their common history, CGT and FO on one hand, and CFDT and CFTC on the other, have the same internal structures. The different bodies are similar, but sometimes have different names. Every federation and territorial union elects a delegate for the union parliament, with voting rights corresponding to the number of members that have regularly paid their membership fees. In CGT and FO, this parliament is called the National Confederal Committee, and in the CFDT the National Council. The union structures for specific groups, such as managers, civil servants, pensioners, women and young people, also send delegates to the parliament. In practice, the parliament is dominated by
the intermediate union bureaucracy. It meets regularly two or three times a year and controls the activities of the executive body. This control is not merely formal. In recent times, union parliaments have not only contested decisions by the Secretary General, but in some cases (CGT in 2015, FO in 2018) they have even forced him to resign after only a few months in office.

The intermediate union bureaucracy also plays an important role in the election of the executive by the confederal congress. For this purpose, the federations and the UDs have the right to draw up lists of candidates. The past executive also has the right to present candidates. Other lists sometimes emerge, but never have a chance to be elected. Members of the executive thus are, in practice, co-opted rather than elected. In the CGT before 1999, this co-optation system was paradoxically intended to prevent all seats being occupied by communists and to reserve a few seats for Catholics or members of the Socialist Party.

At workplace level, there is more possibility of voice for individual members. Here, a 1968 Law gives union members present at the workplace the right to create a union section and to have regular meetings. In practice, however, the union section meetings are attended mainly by activists (Pignoni 2017). For each workplace, the law allows the nomination of a union delegate by the union, in practice by the federation, which can also withdraw this mandate. Since the 2008 Law, the federation’s choice has been limited, however, as they can only nominate a worker who has previously individually obtained at least 10 per cent of the votes at the workplace elections (see below).

**Unionization**

Apart from periods of social unrest (as in 1936 or 1944), the French trade union movement has never experienced mass unionization and the long-term unionization rate has always been relatively low compared with other European countries. After a peak of 20 per cent during the 1970s, it declined continuously to 8 per cent during the 1990s.

In France, three non-homogeneous statistical series are available for the evolution of unionization. Figure 11.2 shows estimations for 1996–2005, 2008 and 2010, and survey results for 2013 and 2016. They confirm the stabilization of the unionization rate since 1996, now estimated at around 11 per cent (DARES 2018; Pignoni 2016; ).
The number of members is tending to come closer to the number of activists, which explains why unionization did not continue to decline after 1995. In the year 2000, the CFDT had 3,000 confederal and federal officials, 7,000 quasi officials or activists with full time-off for activities related to their elective or union mandate in companies and the civil service, and 200,000 activists with an elective or union mandate (Andolfatto and Labbé 2011). Thus more than half of the declared members had the profile of activists or officials.

The internal membership structure of the confederations has been affected by structural changes in the French economy and workforce. Initially, unions represented mainly male manual industrial workers, with the exception of the CFTC-CFDT, which represented mainly service sector workers, including female workers in the commercial sector. Because of industrial decline, workers in manufacturing now represent only 13 per cent of the total workforce. But they still represented 28 per cent of active union members in 2013. Unionization was initially forbidden for civil servants. Later in the twentieth century, the public sector became another stronghold for all the trade unions, in particular for the autonomous unions, but also for the CGT and the FO. Even in the CFDT, the weight of the public sector grew during the 1980s. Nearly half of all active trade union members, 43 per cent in 2013, work in the public sector.

Given the importance of the public sector for trade unions, members there have the biggest influence on socio-occupational differences.
The comprehensive membership rate in the public sector is 20 per cent, against only 9 per cent in the private sector. A quarter of trade union members in the civil service are categorized as professional and managerial staff, mainly teachers. The membership rates of all occupations are systematically higher in the public than in the private sector. In the public sector, the highest rates are found in the police (49 per cent) and in financial administration (38 per cent).

If one considers the private sector alone, manual workers and office workers have a higher unionization rate than professional and managerial staff, 9.2 and 7.4 per cent, respectively, compared with 7.2 per cent. Qualified manual workers have a higher rate, at 11 per cent, than unqualified workers, at 6 per cent. Membership rates are correlated with employment status. The rates are 12 per cent for full-time workers, 8 per cent for part-time workers, but only 3 per cent for workers with fixed-term employment contracts and a mere 1 per cent for temporary agency workers. The average unionization rate in manufacturing is 13 per cent. Relatively high rates are found in transport at 18 per cent and finance at 12 per cent; the lowest rates occur in construction at 2.5 per cent and wholesale and retail trade at 2.6 per cent.²

In contrast to the public sector, unionization in the private sector correlates strongly with workplace size, ranging from 5 per cent in workplaces with fewer than fifty employees to 14.4 per cent in workplaces with more than 200 employees. This is closely correlated with the presence of a union delegate. Previous editions of the REPONSE survey³ show that the stronger the trade union presence, the greater is the propensity to join a union. In 2001–2005, union presence at the workplace was as high as 73 per cent in state-owned companies, but only 33 per cent in private companies (Wolff 2008). Until 2005, the rate of union presence was increasing regardless of workplace size, but after 2005 declined again from 37.6 to 30.6 per cent in 2017 (DARES 2020).⁴

Like everywhere in Europe, membership rates are also strongly correlated with age. Only 2.5 per cent of young people between 18 and

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² For statistical reasons, there is no breakdown for all industries.
³ REPONSE is a survey on industrial relations at workplace level carried out by DARES every six years since 1992.
⁴ Because of the importance of multi-workplace companies, union presence is systematically 10 percentage points higher at company level, but this does not necessarily guarantee proximity to all employees.
24 years are trade union members. This percentage has not changed much since the 1980s (Pignoni 2017). According to opinion polls, young people are not more hostile to unions than older ones, on the contrary. But they prefer involvement in other fields, such as alternative social movements or NGOs (Contrepois 2015). When young people find a job, at the beginning they are often precarious, which does not favour unionization. If they find a stable job, for example in the public sector, their unionization rate tends to be closer to that of older workers (Béroud et al. 2008). Union members have an average age of 45, compared with 40 for the whole workforce. The unionized workforce is also ageing faster. In 2013, 39 per cent of union members were between 50 and 65 years of age, compared with 25 per cent for the whole workforce. Twenty years earlier, the difference was only 21 to 19 per cent.

There are no detailed figures on the proportion of migrant workers in union membership. Collecting statistics based on ethnicity is forbidden in France. Some sources report the proportion of non-French workers in trade union membership as 2 per cent (Contrepois 2017).

The only field in which the situation has improved over the years is the unionization of women (see Table 11.2). The high percentage for female participation in the governance of the CGT in 2005 is an effect of the 1999 congress decisions on parity. The CFDT had taken such a decision for a 30 per cent quota as early as 1982, then parity in 2014. These decisions, however, had no significant effects on female participation at the lower levels (Guillaume and Pochic 2013). According to the ETUC Annual Gender Equality Survey 2019, based on affiliate declarations, the share of women in membership has recently risen in all confederations, particularly in the CGT (Fulton and Sechi 2019).

Recruitment difficulties were closely related to membership decline until 1996. Analytically, one can distinguish between exogenous and endogenous factors. The former factors are essentially related to structural changes in the economy and society. They are the same for all industrial countries, primarily the decline in manufacturing, the employment crisis and the increase of individualism.

The REPONSE survey 2017 quotes the fear of discrimination in their professional career amongst the four main reasons that prevent workers from joining a union (Pignoni 2019). Discrimination and repression by the management have always accompanied the development of unionism in France. In 2011, unionists from CGT, FO, CFTC, FSU and USS,
together with a series of academics and researchers created an ‘Observatory on anti-union discrimination and repression’. Their report (Observatoire 2014) shows that repression takes the form of psychological and even physical violence. Since 2004, the Ministry of Labour no longer publishes statistics on dismissals of protected worker representatives. In this last year, more than 10,000 unionists were sacked even though as union delegates or elected representatives they were protected by law against unfair dismissal. There are very few condemnations by the courts of such practices. Thus, especially in times of mass unemployment, the fear of dismissals acts as a powerful obstacle to unionization. In recent times, anti-union discrimination has taken more subtle forms, such as the slowdown of professional careers and wage cuts for union activists. The 2008 Law has made it an obligation for big companies to negotiate agreements that secure union rights and the careers of activists or former activists. Some companies have done so, but at the workplace level, difficulties persist in their implementation and in reversing adversarial management practices (Amossé and Denis 2016; Chappe et al. 2019).

Endogenous factors are those in respect of which unions take their own responsibility. Some are specific to France. Opinion polls and the REPONSE survey mention the lack of attractiveness of unions as a main obstacle that prevent workers from joining them. They are criticized for their ‘politicization’, their internal divisions and their sectarianism. Researchers also criticize their growing ‘institutionalization’ (Adam

Table 11.2 Participation of women in trade union membership in 2005 and 2016–2018 and in different union confederation bodies in 2005

<table>
<thead>
<tr>
<th></th>
<th>CGT (%)</th>
<th>CFDT (%)</th>
<th>FO (%)</th>
<th>CFTC (%)</th>
<th>CFE-CGC (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total membership 2005</td>
<td>28</td>
<td>44.2</td>
<td>45</td>
<td>40</td>
<td>18.5</td>
</tr>
<tr>
<td>Total membership 2016–18</td>
<td>38</td>
<td>50</td>
<td>45</td>
<td>44</td>
<td>n.a.</td>
</tr>
<tr>
<td>Congress</td>
<td>29</td>
<td>37</td>
<td>45</td>
<td>31</td>
<td>8.7</td>
</tr>
<tr>
<td>National council or committee</td>
<td>25</td>
<td>28.3</td>
<td>8.8</td>
<td>31</td>
<td>17.5</td>
</tr>
<tr>
<td>Executive committee</td>
<td>50</td>
<td>26.5</td>
<td>12</td>
<td>13</td>
<td>30</td>
</tr>
<tr>
<td>Select executive committee</td>
<td>50</td>
<td>30</td>
<td>23</td>
<td>12.5</td>
<td>11.1</td>
</tr>
<tr>
<td>Secretaries general of federations</td>
<td>19</td>
<td>11.8</td>
<td>7.4</td>
<td>10</td>
<td>14.8</td>
</tr>
<tr>
<td>Secretaries general of UDs</td>
<td>8.3</td>
<td>8.5</td>
<td>7.6</td>
<td>–</td>
<td>–</td>
</tr>
</tbody>
</table>

1983; Béroud and Yon 2013; Giraud et al. 2018), with more and more activists in positions of quasi full-time officials completely absorbed by their bargaining activities and neglecting their day-to-day relations with the ordinary members and workers in general (Andolfatto and Labbé 2011; Dufour and Hege 2010). Some academics have analysed this as the inevitable transformation of unions from a social movement into a ‘social agency’ (Rosanvallon 1988), based on elections and state recognition.

The historical decline of unionism, together with its institutional achievements, gives new explanatory power to the free-rider paradigm. But the reality is more ambiguous. The main reason for not joining a union, quoted by 40 per cent of workers in the 2017 REPONSE survey, is that they ‘do not need to be member of a union to defend themselves’. On the other hand, when there are worker representatives at the workplace, about 48 per cent of the workers consider that unions are useful and provide services. If there are no representatives, this opinion declines to 26 per cent. These arguments can be paraphrased as ‘the unions work for me at the workplace, so I do not need to join them’, but a second argument states the contrary: 26 per cent of workers say that they did not join a union because ‘there are no unions present in the company’ (Pignoni 2019). This is confirmed by the correlation of union presence and membership stated above.

This situation shows the fragility of union power at the workplace. Unions are finding it more and more difficult to find candidates for employee representation. The most experienced activists often retire without being able to ensure successors. If the unions are unable to recruit younger members, they run the risk of no longer being present in many workplaces, where, in turn, it will be impossible to submit lists for workplace elections or to recruit new members.

After some hesitation, unions now give high priority to union organizing. All union confederations prioritize organizing workers in SMEs, young people and precarious workers. Up to now, the Anglo-Saxon organizing model has had limited influence in France (Thomas 2016). CFDT and CGT have tried to improve their image among workers by changing their ideological references and orientations. The political moderation of the CFDT leadership seems to be paying in the long run. But this membership drive has its limits, because the union has recruited essentially where it was already present, turning part of its voters into members.
The CGT also adopted a new reformist course in 1998, and in 2004 launched a national organizing plan. Unionization was not considered a priority by its basic structures, however, and the new congress orientations were largely ignored (Piotet 2009). So far, it remains unclear to what extent the membership increase in both the CFDT and the CGT can be attributed to the use of new organizing tools.

Some researchers regard the creation of new radical ‘grassroots’ unions as a form of union renewal (Connolly 2010; Yon 2016). One must consider, however, that this has consisted mainly of the transfer of activists from one union to another, essentially from CFDT to SUD. Once established, these unions did not show a significant increase in membership. They remained essentially unions of activists.

Elections are a major source of union legitimacy. In the year 2000, the CGT and the CFDT repeatedly demanded that the criteria of union representativeness should be based on the results of workplace elections and that a majority principle should be introduced for collective bargaining. Thus, they indirectly endorsed the earlier writings of academics who had concluded that union legitimacy and power were already based more on elections and legal institutions than on membership (Adam 1983; Rosanvallon 1988). In 2008, the two confederations came to an agreement with the employers’ organizations to ask the government to prepare a new law on representativeness, which was voted on the same year as the ‘Law on Social Democracy’ (see below).

In 2013 and 2017, the government published the aggregated results of the first two four-year cycles of workplace elections in the private sector. The representativeness rules still differ in the civil services, but representativeness was already grounded on a three-year cycle of elections when it was changed in 2010 into a similar four-year cycle. Since 2014, the elections take place on the same day for the three branches of the civil service: the state civil service, local authorities and public hospitals. Table 11.3 shows the result for the last two cycles in all sectors. At national cross-industry level in the private sector, all five trade union confederations, including the CFE-CGC, were able to pass the new 8 per cent hurdle in the private sector and could secure their previous

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5 In 2016–2020, the CFE-CGC secured its representativeness by obtaining 21.2 per cent for the category of professional and managerial staff, although this was far behind the CFDT (27.7 per cent). The CFE-CGC also obtained growing votes in the other categories of white-collar workers.
representativeness status. The autonomous unions UNSA, USS and FSU did not, but they did manage to secure their representativeness in the civil service. In 2017, the CFDT ousted the CGT from first place in the private sector and claimed to be the leading confederation nationwide, not only in terms of membership – as it had been since 1995 – but also in terms of accumulated votes. This ‘victory’ had its limits, however, because it was due only to the fact that the CFDT lost fewer votes than the CGT.

Table 11.3 Results of workplace elections in the private sector and civil service, 2013–2020

<table>
<thead>
<tr>
<th></th>
<th>Private sector</th>
<th>Civil services</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2013–2016 (%)</td>
<td>2017–2020 (%)</td>
</tr>
<tr>
<td>CGT</td>
<td>24.9</td>
<td>23.0</td>
</tr>
<tr>
<td>CFDT</td>
<td>26.4</td>
<td>26.8</td>
</tr>
<tr>
<td>FO</td>
<td>15.6</td>
<td>15.2</td>
</tr>
<tr>
<td>CFTC</td>
<td>9.5</td>
<td>9.5</td>
</tr>
<tr>
<td>CFE-CGC</td>
<td>10.7</td>
<td>11.9</td>
</tr>
<tr>
<td>UNSA</td>
<td>5.4</td>
<td>6.0</td>
</tr>
<tr>
<td>USS</td>
<td>3.5</td>
<td>3.7</td>
</tr>
<tr>
<td>FSU</td>
<td>–</td>
<td>–</td>
</tr>
<tr>
<td>Other</td>
<td>4.0</td>
<td>3.8</td>
</tr>
<tr>
<td>Participation</td>
<td>42.8</td>
<td>38.2</td>
</tr>
</tbody>
</table>

Source: Ministry of Labour, DGAFP (General Direction of Public Administration and Civil Service).

Union resources and expenditure

French trade unions have traditionally been noted for the paucity of their financial and organizational resources (Pernot 2018). With the development of consultative bodies and of bargaining at all levels, and therefore of time-off for trade union officials to perform their duties, the number of officials has increased, and it has become possible to make a career as a trade unionist. This development has led several researchers to make accusations of trade union bureaucratization (Andolfatto and Labbé 2011; Béroud and Yon 2013) and to conclude that unionists are doomed to become professionals (Rosanvallon 1988). Further evidence of this integration comes from trade union financing, the latter coming mainly from the unions’ position in different institutions.
Membership fees have never been the main source of funding of French trade unions. As a result, paradoxically, declining membership is not putting their financial position under strain. Based on trade union accounts published since 2011, it is estimated that membership fees constitute, on average, one-third of confederal budgets (Andolfatto and Labbé 2017). The level of fees and the rules for distribution between the different organizational levels (confederations, federations and territorial unions) vary among unions. The CFDT was the first to centralize the collection of membership fees and to standardize their allocation by creating a dedicated central service during the 1970s. The fee is 0.75 per cent of annual net wages and the rules of allocation between the various bodies are decided at confederal congress. Since its forty-seventh confederal congress in 2003, the CGT has also opted for a common rule for the distribution of fees, the amount of which is 1.0 per cent of annual net wages. Both organizations ensure that minimum resources are guaranteed to basic unions whose members have low incomes. FO is the confederation that leaves the most autonomy to its unions: it is at this level that both the amount and the distribution of membership fees are set, subject to guaranteeing a minimum amount for the confederal level. The three confederations apply free membership in exceptional cases: for example, to part-time and unemployed workers.

The main source of union funding is public financing. For a long time, the various subsidies provided by public authorities remained more or less opaque. They corresponded to funding received for the operation of the joint institutions of social protection and vocational training, for union training but also for participation in the design and implementation of public policies. This opacity about the origin of union funds fuelled many media smear campaigns. To make state funding more transparent, a 2008 Law made it mandatory for unions with a certain level of resources to publish an annual financial report. The Law of 5 March 2014 went further. A national fund for financing social dialogue was created. Managed jointly by representative trade unions and employers’ organizations, it brings together all public subsidies from the state, as well as a contribution based on private sector payroll. The joint body is responsible for distributing

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6 The contribution rate is 0.016 per cent of the payroll with a minimum national fundraising of 73 million euros. The difference is made up by a state subsidy, if necessary. This has not been necessary to date because in the first year, 2015, fundraising brought in 84.3 million euros.
the proceeds of such levies. The sums are distributed between the representative trade unions and employers’ organizations, 20 per cent being reserved for non-representative unions that have obtained between 3 and 8 per cent of the votes in professional elections. Each organization receives a fixed share, as well as an amount calculated on the results of workplace elections. The total subsidy is paid to the confederations. This can change the internal balance of resource distribution to the benefit of the central level. Financial flows that escaped the attention of the confederal bodies are now centralized. The rules on financial transparency have strengthened the rationalization of union resources and the use of centralized management tools, including databases and accounting software, that previously had been rejected (Bourguignon and Yon 2018). Moreover, local authorities often allocate subsidies or material resources to local unions.

Last but not least, an important, albeit non-monetary, resource comprises employers’ contributions resulting from the strengthening of trade union rights in recent decades. These include paid hours off for elected representatives or union mandates in companies or the civil service that activists partly use outside their workplace, such as federations or local unions. In addition, material means of support or training facilities are granted by employers. In large companies, collective agreements often provide union sections with means of support well above legal requirements. French trade unions offer some services, such as legal advice on work and employment, help in case of lay-offs and training. Often, they are not confined to members.

**Collective bargaining and unions at the workplace**

In France, collective bargaining has had a statutory basis since 1936, although it did not become the normal mode of industrial relations until later on. During the so-called ‘Trente Glorieuses’ (the thirty years from 1945 to 1975), industry-level bargaining emerged as the pillar of French industrial relations. Despite one of the lowest rates of union density, the French bargaining coverage rate stands at 96 per cent in the private sector, and 98 per cent including public enterprises.\(^7\) The high coverage

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\(^7\) It is worth noting that there was no real collective bargaining in the civil service in France up to the 2010 Law on social dialogue renewal (rénovation du dialogue social), despite the fact that it accounts for almost 20 per cent of the total employed workforce. Renewal remains incomplete, however, as the law did not confer legally binding status on agreements, as only their legislative or regulatory implementation grants them normative scope (Vincent 2016).
level results from two factors. First, collective agreements apply to all employees of a company covered by them regardless whether or not they are trade union members. Second, and above all, bargaining coverage has been broadened by the general use of administrative extension of industrial agreements. The state has compensated for employers’ hostility to bargain using two other tools. First, in order to level social inequalities and to compensate for a deficient bargaining process, a statutory national minimum wage was implemented, by a 1950 Law revised in 1970. The government annually sets its rate according to strictly established rules. The minimum wage increase more or less set the pace for wage industry agreements (Delahaie and Vincent 2021). Second, until the late 1990s, representative unions had a monopoly in collective bargaining at all levels. More recently, new rules for union representativeness and the validity of agreements have also sought to support the security of bargaining. Paradoxically, these supporting measures have often proved detrimental by removing the incentive for individuals to join unions, promoting a unionism based on the strength of a community of activists rather than on a mass membership, and finally encouraging further dependence on state support (Pernot 2018).

Nevertheless, until the 1970s, collective bargaining hardly existed without conflicts, and collective agreements were often signed after strikes. The promotion of contractual policy, traditionally advanced by the CFTC, CGC and CGT-FO, also became the spearhead of the CFDT in the 1980s. The conversion of the CGT to bargaining was more gradual but was achieved in the early 1990s. All the confederations favoured reaching agreement at industry level.

During the following decades, collective bargaining experienced a twofold evolution. On one hand, it was extended to the national inter-industry level and its content shifted from wage issues to new topics, such as employment or working hours. This new kind of concertation, often with more or less explicit government incentives and the results of which are consolidated in legislative texts, can be considered a kind of ‘pre-legislation’. Moreover, after the Second World War, in order to increase their social and political influence, unions were granted a role in the administration of the welfare state, giving them legitimacy beyond the sphere of collective bargaining. During the 1970s, jointly managed institutions were the main state approach to governance in the fields of social
protection, unemployment benefit and training. All the social partners are devoted to it, including employers’ organizations (Daniel et al. 2000).

On the other hand, there was an early development, compared with most continental European countries, towards the decentralization of collective bargaining to company level through a catalogue of issues for which derogations are possible. At the same time, the legal possibilities for negotiations with non-union representatives at the workplace were extended. During the past two decades, employers have chosen to prioritize company-level bargaining to weaken the constraints imposed by legislation or even by sectoral bargaining, but the industry level has remained important in determining employment and working conditions. The number of workplace-level agreements increased substantially from 3,900 in 1984 to 36,600 in 2015. Since then, the number of agreements concluded has continued to increase each year. In 2015, negotiations took place in only 15 per cent of workplaces with more than ten employees; however, these workplaces employed 61.9 per cent of the workforce, proving that, in SMEs, there is often no collective bargaining because there are no unions (Daniel 2017).

Even if the changing pattern of collective bargaining has gradually loosened the coupling between industry and company levels, until recently, coordination among the different levels was still ensured by the ‘favourability’ principle (Tallard and Vincent 2014). The 2016 El Khomri Law and the 2017 Macron Ordinances introduced a reversal of the hierarchy of norms and gave more autonomy to company bargaining. This overhaul of collective bargaining will certainly hasten the decline of the regulatory capacity of industry agreements. Currently, the situation in practice is that the use of derogations remains limited. Three reasons may explain derogations’ lack of success at company level (Vincent 2019). First, union delegates, supported by their union federations have refused to sign them. Second, the standards imposed at industry level are already the result of minimal compromises and leave little room for less favourable agreements. Last but not least, derogation agreements are not relevant tools for management. In large companies, as long as economic

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8 Joint institutions have managed employees’ supplementary pension funds and the unemployment compensation scheme since the conclusion of national agreements in 1947 and 1958, respectively. This management method was extended to vocational training in 1971.

9 Since the early 2000s, successive legislation has extended the possibilities for non-union representatives to negotiate in non-unionized workplaces. The Macron ordinances drastically extended the scope of the device.
survival is not at stake, opening negotiations on derogation clauses sends a very negative message both for unions and employees. SMEs are less likely to sign their own agreements, whether or not they include derogations, because maintaining the reference to industry-level agreements seems less time-consuming and risky.

Regarding inter-industry collective bargaining, the actors involved in negotiating and signing agreements have not changed much, despite the 2008 Law on representativeness and the introduction of a majority criterion regarding the validity of agreements, whatever their level. The picture is somewhat different at industry and workplace levels, where most collective bargaining takes place. The CGT and the CFDT maintain representativeness in almost all the bargaining industries, unlike other trade unions. The diversity of the combinations of trade unions representativeness at workplace level is greater and may change from election to election.

Representatives of trade union federations lead industry-level bargaining and are usually under tight control from their confederation officers. The picture is much less simple at workplace level. As noted above, three types of actors can negotiate at the workplace: union delegates, works council members or employees mandated by a union. Most workplace agreements are still signed by union delegates. The presence of union delegates, however, does not provide any information on their day-to-day practices. In many enterprises, unionists have little contact with union structures outside the company. Sometimes, union presence is confined to a single delegate, isolated from the organization that is supposed to have chosen them (Dufour and Hege 2010). In fact, negotiations in small companies are often only pseudo-negotiations, in which union delegates simply accept the employer’s choices. Genuine negotiations take place only in companies in which unions are strong enough, meaning the large ones. Even in the latter, union federations do not have detailed knowledge of the contents of the growing number of company agreements. Information is more complete on annual wage negotiations, on which the federations send out regular reminders to their activists to complete their databases. HR managers have put a wide range of measures on the bargaining agenda to increase flexibility, moves facilitated by the continuous relaxation of labour market regulations. Add to this the increase in topics for mandatory bargaining and many unionists complain that these negotiations often exhaust local representatives, who thus lose time needed for putting the employees’ daily demands on the agenda. These new bargaining topics are often controversial between
unions, and even inside individual unions. For representatives of federations, it is quite impossible to establish common rules for concession bargaining, because local activists must judge whether such a concession is compensated in a complex agreement by advances for employees in other areas. Some union federations take a more rigorous stance, refusing to accept concessions of any kind. Checking these instructions is not always easy, however, and may sometimes end with the withdrawal of the delegate’s mandate (Rehfeldt and Vincent 2018).

Combined with the trend towards decentralization, the economic crisis has constrained collective bargaining, because employers seek to erode past union achievements by introducing more flexibility (especially on working time), more mobility and more productivity, and also by dampening wage dynamics. The unions for their part have set new priorities in order to obtain guarantees on employment and skills. This explains the growing number of collective agreements focused on employment and training. As a matter of fact, recent reforms have utterly changed the legal framework of the French collective bargaining system. For now, these changes have not altered social actors’ practices much (Delahaie et al. 2021).

**Industrial conflict**

In France the right to strike is an individual right guaranteed by the Constitution. In the majority of cases, however, strikes are called by unions. In the public sector and transport, there are a few legal restrictions, such as mandatory strike notices, guaranteed minimum services and a minimum one-day pay reduction for strikers in order to discourage short-duration stoppages. Despite these restrictions, wildcat strikes still persist in transport and are justified by the legal ‘right of withdrawal in case of immediate danger’.

The low unionization rate has always been compensated by a high mobilization capacity on the part of the unions. The strike rate declined from the 1970s to the 1990s, however, despite a peak attributable to the social movement of December 1995. After 2000 it went up again. On average, the strike rate remains one of the highest in Europe, together with other Mediterranean countries (Vandaele 2016). This is mainly because of a high strike propensity in the public and transport sectors (see Figures 11.3 and 11.4). This remarkable strike performance is achieved despite the weakness of union strike funds. Such funds are generally organized locally only after the beginning of a strike, appealing to wider
solidarity. The CFDT, which is not very strike-prone, is the only confederation that has set up a permanent strike fund. In the public sector, if a strike is successful, unions are sometimes able to negotiate partial compensation for wage losses. This is less frequent now.

**Figure 11.3** Number of days not worked due to industrial action per 1,000 employees in the private sector, 2005–2016


**Figure 11.4** Number of days not worked due to industrial action in the state civil service, 1999–2018

Note: * Other public bodies are mainly the state-owned companies Poste and France Telecom/Orange. There are no series for public hospitals and local authorities. Source: Le Goff (2019).
After 2000 there were four strike peaks in 2003, 2010, 2016 and 2018, all related to social movements against reforms of pension law (2003 and 2010) or labour law (2016 and 2018). The 2003 and 2010 movements were the most important. They were backed by all the unions and were only partially successful. The 2016 and 2018 movements were backed by only half of the trade unions and were unsuccessful (see below).

The six-year REPONSE survey provides greater detail about strikes. In the 2010 survey, 29 per cent of workplaces with more than ten employees had notified an industrial conflict, a much higher proportion than the 21 per cent in the first survey in 1998. Conflicts could take various forms: brief work release, demonstration or refusal of overtime. All these forms increased during the period 1998–2010, except for strikes lasting more than two days (Giraud et al. 2018). As workers become more precarious, unions now favour shorter conflicts, which are less costly and less risky for workers, but in many cases are still costly for the management, in particular if they disrupt just-in-time production (Béroud et al. 2008).

Although regular collective bargaining is more and more frequent in larger companies, strikes are often the only way for unions to force management to negotiate (Pernot 2010). Violent action is generally in decline. Only 1 per cent of the conflicts notified in the REPONSE survey took that form. They can include occupation or blocking of factories, sequestration of management and even, in very rare cases, threats of destruction. These are generally associated with protecting jobs and production sites (Contrepois 2011; Hayes 2012).

In 2004, the last year for which such information is available, 62 per cent of all strikes in the private sector were initiated by the CGT, more than half of them together with other unions. The CFDT initiated 35 per cent, FO 25 per cent, both mainly together with other unions. Only 13 per cent of strikes were spontaneous and not initiated by one of the unions (Carlier and De Oliveira 2005).

**Political relations**

In the application of the so-called *Charte d’Amiens*, adopted by the syndicalist majority of the 1906 CGT congress, union members are asked not to introduce into the union political opinions they are free to ‘profess outside’. Unions should stay apart from political parties. Today, all unions officially subscribe to these principles of political autonomy and
non-interference of parties in union affairs. In reality, however, things have developed somewhat differently. After the great split of the workers’ movement in 1919–1920, the reformist majority of the CGT was close to the reformist minority of the socialist party SFIO, and the syndicalist union minority was close to the majority that subsequently created the French Communist Party (PCF, Parti Communiste Français) and adopted the Leninist principle that unions are simply a transmission belt of party decisions. The rise of communists in the reunified CGT led to the break-away of FO in 1949. Officially, FO put forward the Amiens principle of political autonomy, but in reality, most of its leaders, including its secretary general, were members of the Socialist Party, even if there were also syndicalist, Trotskyist or Gaullist activists. In the Christian union family, similar union–party links were established with the Catholic Centre party, which loosened after its transformation into the CFDT. In the CFDT, the choice between an autonomous strategy and an alliance with the Socialist Party (PS, Parti Socialiste) was a matter of dispute in the 1970s (Mouriaux 1985).

At the end of the 1990s, the links between unions and parties began to loosen. After the collapse of the Soviet Union and the decline of the PCF, the CGT leadership officially ended its organic links with the leadership of the Communist Party, symbolized by the presence of union leaders in party governance. Many union leaders and activists remained party members, however. In 2015, for the first time the CGT elected a Secretary General who was not a member of the Communist Party. Tensions also appeared between CFDT and PS. All the unions have now officially abandoned their practice of recommending that members vote for certain parties in elections. Until 2017, despite the absence of official electoral recommendations, members and supporters of CGT, CFDT, FO, UNSA, USS and FSU continued to vote en masse for left-wing parties, mainly the PS. The 2017 presidential elections, which led to a collapse of the PS, have interrupted this continuity. In the first election round, a majority of the supporters of CGT, USS, FSU and even FO voted for the candidate of the extreme left, Jean-Luc Mélenchon, whereas a majority of the supporters of CFDT and UNSA voted for Emmanuel Macron, following the recommendations of some Socialist and union leaders.

From 2000 until 2015, both left- and right-wing governments pronounced themselves in favour of concertation with the unions on labour policy, and legislation in support of union representation and collective
bargaining. After 2000, reforms were accelerated under pressure from
the employers’ organizations, which reiterated demands to negotiate with
the unions on an overhaul (refondation) of the industrial relations sys-
tem. Their main objective was to eliminate state interventionism in social
regulation and to replace it with the primacy of collective bargaining at
workplace level. The unions agreed to negotiate a series of cross-industry
agreements, afterwards transposed into law, in which employers were able
to impose most of their demands. These agreements were signed by the
three ‘reformist’ trade unions CFDT, CFTC and CFE-CGC, and some
of them also by FO.

In 2007, the practice of pre-negotiation of labour law reform was
secured by the Larcher Law. It commits the government, in case of a leg-
islative initiative in the field of employment relations, to give the social
partners the opportunity to negotiate a cross-industry collective agree-
ment on this issue, which the government then has to implement by
law.¹⁰ The Larcher Law, inspired by the Maastricht Social Protocol of
1992, gave a kind of neo-corporatist flavour to the practice of tripartite
concertation. It led to another series of cross-industry agreements, some of
which were also co-signed by the CGT (Freyssinet 2017). Tripartite con-
certation at peak level, however, came to a halt under President Hollande
were adopted without prior concertation. The El Khomri Law was sup-
ported only by the CFDT, as was the first draft of the Macron reform.
The final bill was opposed by all the unions, although they were unable
to prevent its adoption by the Parliament (Rehfeldt 2018a).

**Societal power**

Some of the authors mentioned in this chapter have helped to spread
a vision of a definitive institutionalization of French trade unionism
increasingly cut off from the reality of employees at work and social
movements. Analysis of the current influence of unions and their ability
to share their conception of social change tempers this judgement.

On one hand, unions still have a relatively good image among work-
ers, in any case much better than that of political parties. In addition,

¹⁰ The government can, however, circumvent this obligation by declaring a reform bill
‘urgent’.
unions know how to mobilize beyond strikers when it comes to opposing reforms that have an impact on the world of work. French unions have long found support among the general public. On the other hand, forms of mobilization have been renewed within the workforce, as illustrated by the recurrent practice of coordination which has developed during numerous struggles since the end of the 1980s, including among railway workers and nurses. Going beyond unions and their traditional scope of action is not entirely new but has not subsequently prevented unions from successfully managing these movements. These include recently the creation of the Inter-health-emergencies group (CIU, Collectif Inter-Urgences), a social movement within public hospitals since 2019. This group brings together non-unionized allied health professionals motivated by improving working conditions and reception within emergency structures. With the support of hospital unions CGT, FO and USS, it managed to coordinate several national strikes of unprecedented scale in 2019 and 2020. The so-called ‘yellow vests’ (gilets jaunes) movement is, from this point of view, something apart because from the start it has denied any rapprochement with the trade unions, even if many union activists participated in the mobilization, at least in the first weeks. This movement, named after the high-visibility road safety vests worn by protesters, emerged in October 2018 after calls on social media to protest against a tax reform bill generating rising prices of automotive fuels. Soon, the movement’s demands widened, including measures to improve the living standards of the working and middle classes. The main action of the movement has been to hold demonstrations every Saturday, which quickly led to violent episodes, especially in Paris. From November 2018, the protest was also organized around illegal blockades of roads and roundabouts and mainly mobilized the inhabitants of rural and peri-urban areas. These two movements, although very different, have both succeeded in launching powerful mobilizations independently of any trade union. They are also characterized by transgressive forms of action that have made it possible to obtain results. These movements are largely based on new digital media that can trigger actions spontaneously and quickly.

To conclude, we can add that the French trade unions have always built coalitions with NGOs but most recently, the Covid-19 pandemic and its social and economic aftershocks have accelerated the construction of coalitions of unions, associations and environmental organizations, all left out by the government in managing the health crisis. In early March 2020, the
Pacte du pouvoir de vivre (whose aims were defined as ‘a new environmental, social and democratic model of society’) was launched at the initiative of nineteen organizations, including a number of NGOs working in the social field or for the climate (the most famous is the Fondation Nicolas Hulot) and three trade unions: CFDT, CFTC and UNSA. The aim of the pact is to reconcile social justice and ecological transition, including the fight against inequalities. It also proposes a new sharing of power in the making of public policy and within companies. For its part, at the end of March 2020, CGT, USS, FSU and the Peasant Confederation (Confédération paysanne) also published an appeal, together with several environmental organizations, such as Greenpeace. In total, eighteen trade unions, associations and environmental organizations are calling for the relocation of production, the strengthening of public services and the conditioning of aid paid to companies on their ecological and social conversion.

Trade union policies towards the European Union

When the ETUC was created in 1973, FO was the only French affiliate, as it had been among the forerunners of the ETUC. FO was reluctant to assent to ETUC enlargement, fearing that the arrival of Catholic and Communist unions would dissolve its ideological homogeneity, but it could not avoid the arrival of other French affiliates: CFDT (1974), CFTC (1990), CGT (1999), and UNSA (1999). The CFE-CGC created its own European organization in 1989, now called CEC European Managers, but some of its federations – such as the metal, textile, mining and energy federations – are now affiliated to IndustriAll Europe. The FSU is also affiliated to an ETUF, the European Trade Union Committee for Education (ETUCE), as well as to Eurocadres. Only one French union organization remains unaffiliated: USS.11 Because of the large number of their organizations, and benefitting from the generous ETUC statutes, the French affiliates carry a certain weight in the Executive Committee and the Congress, despite the small number of workers they represent. At the 2019 Vienna Congress, the French delegation was the third largest (twenty-five delegates), after those from Italy (thirty-nine) and Germany

11 Its public finance and customs federations are affiliated to the Union of Finance Personnel in Europe (UFE), which cooperates with the European Confederation of Independent Trade Unions (CESI). The CESI also affiliates some other French autonomous unions.
France: Fragmented unions


All the French union confederations, except the CGT, were from the beginning in favour of European integration, both for economic and political reasons. European integration was seen as a vehicle for prosperity, peace and protection from the ‘communist threat’, both inside and outside. Since its affiliation to the ETUC, the CFDT has been the French union with the most active involvement in European integration and consequently in the ETUC. The CFDT was, and still is, the most active supporter of European social dialogue, both at cross-industry, industry and company level. It supported the initiative for the creation of European WorksCouncils, long before the adoption of the European directive in 1994 (Rehfeldt 2009). It also strongly supports transnational company agreements. This partly explains why half of all European framework agreements have been signed by French multinationals (Rehfeldt 2018b).

A more critical attitude on the part of FO vis-à-vis European policies coincided with the arrival of Jacques Delors in Brussels in 1985. It was heightened by the CGT’s affiliation to the ETUC in 1999, which has led to a certain marginalization of FO (Pernot 2001). In 2004, FO was the only affiliate to vote in the ETUC executive committee against the Constitutional Treaty, but it did not recommend voting against it in the French referendum. At the same meeting, the CGT abstained on the Constitutional Treaty, but this position, defended by its Secretary General, was defeated by its union assembly, which adopted a motion in favour of organizing a campaign against it. When in 2012 the ETUC rejected the Fiscal Compact, FO and CGT were relieved, because they were able to ask the French Parliament (albeit unsuccessfully) to reject its ratification. CFDT and UNSA were the only affiliates to defend the Compact. They continued to denounce austerity, however, and the absence of a European social vision. This allowed both to participate in the European action day of 29 February 2012, together with the CGT, FSU and USS (Pernot 2013). At the Athens Congress of May 2019, the

12 In 2011–2015, the ETUC secretary general was the Frenchwoman Bernadette Ségol. She had passed her whole professional career as an official of different ETUFs. It remains unclear whether she had previously been a member of any French union.
ETUC found unity again. The same month, however, the congress of the CGT exhibited deep divergences about its international affiliations. Delegates criticized the ETUC policy and asked for a re-affiliation to the World Federation of Trade Unions (WFTU), which it had left in 1995 with observer status. An amendment putting the WFTU at the same level as the ETUC was finally adopted by a 54 per cent majority, against the wishes of the executive committee, which was able to gather the support of only 34 per cent of the delegates.

**Conclusions**

Examining the situation critically, French trade unions could hardly exist without support from the state. Although this support has now diminished, the institutionalization of the trade union confederations has enabled them to maintain their capacity for action and their influence.

To conclude, we may cast some doubt on the durability of the French model. In discussing the four scenarios presented by Visser (2019), three of them – marginalization, substitution and revitalization – do not seem particularly likely. Undoubtedly the state has reduced legal rights for employees and weakened unions, so that on the whole the protection of employees has diminished. But to date this trend has not led to a marginalization of unions. The current crises show that the state still needs partners in the world of work. Furthermore, French unions have lately chosen a realistic strategy of coalition-building with NGOs to meet new challenges, such as climate change.

Faced with the reversal of their social gains, workers in certain areas are organizing themselves in more direct forms of representation. Nonetheless, the presence/support of trade unions is still evident in these movements, which means that there has not yet been substitution. On the contrary, these social movements are sometimes rather an opportunity for unions to establish new links with workers on the periphery of the salariat, as in the case of the struggles over delivery riders. Nonetheless, there are no real signs of revitalization.

The most likely scenario for French trade unions, then, is polarization, rather than dualization, as Visser calls his last scenario. The French model has polarized in two ways. On one hand, a world of small companies without a union presence stands over against a world of large companies in which the unions continue to exert influence. The current weakening of industry bargaining, the level that plays a decisive role in SMEs,
reinforces this polarization. The main challenge for unions in the coming decades should be to find ways to fight against the fragmentation of the workforce. Moreover, the world of work has itself polarized between compromise-oriented and more oppositional unions. This polarization is more accentuated at the cross-industry and industry level than at the company level, where more unitary practices remain, usually in a defensive posture.

References

All links were checked on 14 June 2121.


Delahaie N. and Vincent C. (2021) The SMIC as a driver for collective bargaining: the interplay of collective bargaining and minimum wage in


Fulton L. and Sechi C. (2019) ETUC annual gender equality survey, Brussels, ETUC.


Rehfeldt U. (2018a) Industrial relations in France: from the underdevelopment of collective bargaining to the failure of neo-corporatist concertation, Employee Relations, 40 (4), 617–633.

Rehfeldt U. (2018b) A mapping of the transnational company agreements: inventory and dynamic, in Guarriello F. and Stanzani C. (eds)
Trade unions and collective bargaining in multinationals. From international legal framework to empirical research, Milan, Franco Angeli, 46–59.


**Abbreviations**

<table>
<thead>
<tr>
<th>Abbreviation</th>
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<tr>
<td>CEC</td>
<td>Confédération Européenne des Cadres (European Confederation of Professional and Managerial Staff)</td>
</tr>
<tr>
<td>CESI</td>
<td>Confédération Européenne des Syndicats Indépendants (European Confederation of Independent Trade Unions)</td>
</tr>
<tr>
<td>CFDT</td>
<td>Confédération Française Démocratique du Travail (French Democratic Confederation of Labour)</td>
</tr>
<tr>
<td>CFE-CGC</td>
<td>Confédération Française de l’Encadrement – Confédération Générale des Cadres (French Confederation of Supervisors – General Confederation of Professional and Managerial Staff)</td>
</tr>
<tr>
<td>CFTC</td>
<td>Confédération Française des Travailleurs Chrétiens (French Confederation of Christian Workers)</td>
</tr>
<tr>
<td>CGT</td>
<td>Confédération Générale du Travail (General Confederation of Labour)</td>
</tr>
<tr>
<td>CIU</td>
<td>Collectif Inter-Urgences (Inter-health-emergencies group)</td>
</tr>
<tr>
<td>DARES</td>
<td>Direction de l’animation de la recherche, des études et des statistiques (Research and statistical department of the French Ministry of Labour)</td>
</tr>
<tr>
<td>DGAFP</td>
<td>Direction générale de l’administration et de la fonction publique (General Direction of Public Administration and Civil Service)</td>
</tr>
<tr>
<td>DGB</td>
<td>Deutscher Gewerkschaftsbund (German Trade Union Confederation)</td>
</tr>
<tr>
<td>ETUC</td>
<td>European Trade Union Confederation</td>
</tr>
<tr>
<td>ETUCE</td>
<td>European Trade Union Committee for Education</td>
</tr>
<tr>
<td>ETUF</td>
<td>European Trade Union Federation</td>
</tr>
<tr>
<td>FEN</td>
<td>Fédération d’Éducation Nationale (Federation of National Education)</td>
</tr>
<tr>
<td>FO</td>
<td>Force Ouvrière (Worker Force, officially CGT-FO)</td>
</tr>
<tr>
<td>FSU</td>
<td>Fédération Syndicale Unitaire (Unitary Trade Union Federation)</td>
</tr>
<tr>
<td>NGO</td>
<td>Non-governmental organization</td>
</tr>
<tr>
<td>PCF</td>
<td>Parti Communiste Français (French Communist Party)</td>
</tr>
<tr>
<td>PS</td>
<td>Parti Socialiste (Socialist Party)</td>
</tr>
<tr>
<td>Acronym</td>
<td>Description</td>
</tr>
<tr>
<td>---------</td>
<td>-------------</td>
</tr>
<tr>
<td><strong>PSU</strong></td>
<td>Parti Socialiste Unifié (Unified Socialist Party)</td>
</tr>
<tr>
<td><strong>REPONSE</strong></td>
<td>Relations professionnelles et négociations d’entreprise (Industrial relations and company-level bargaining, survey carried out by DARES)</td>
</tr>
<tr>
<td><strong>SFIO</strong></td>
<td>Section Française de l’Internationale Ouvrière (French Section of the Worker International) former name of PS</td>
</tr>
<tr>
<td><strong>SMEs</strong></td>
<td>small and medium-sized enterprises</td>
</tr>
<tr>
<td><strong>SUD</strong></td>
<td>Solidaires, Unitaires, Démocratiques (Supportive, Unitary, Democratic)</td>
</tr>
<tr>
<td><strong>UD</strong></td>
<td>Union départementale (cross-industry union body at département level)</td>
</tr>
<tr>
<td><strong>UR</strong></td>
<td>Union régionale (cross-industry union body at regional level)</td>
</tr>
<tr>
<td><strong>UNSA</strong></td>
<td>Union Nationale des Syndicats Autonomes (National Union of Autonomous Trade Unions)</td>
</tr>
<tr>
<td><strong>USS</strong></td>
<td>Union Syndicale Solidaires (‘Solidaires’ Union of Trade Unions)</td>
</tr>
<tr>
<td><strong>WFTU</strong></td>
<td>World Federation of Trade Unions</td>
</tr>
</tbody>
</table>