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TIME TO CARE FOR CARE: TOWARDS BETTER WORKING CONDITIONS AND EFFECTIVE SOCIAL DIALOGUE IN CENTRAL AND EASTERN EUROPE

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POLICY PAPER

INSTITUTE OF
PUBLIC AFFAIRS

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This policy paper is one in a series presenting the key recommendations based on a comparative study, collective bargaining boost workshops and scientific seminars carried out in Bulgaria, Czechia, Croatia, Estonia, Latvia, Lithuania, Hungary, Poland, Romania, Serbia, Slovakia and Slovenia as part of the project CEE CAW 'Challenges for Organising and Collective Bargaining in Care, Administration and Waste collection sectors in Central and Eastern European Countries', which was led by the Institute of Public Affairs (Warsaw). The other partners were the: Bulgarian Academy of Sciences (Sofia), Central European Labour Studies Institute (Bratislava), Lithuanian Centre of Social Sciences (Vilnius), Centre for Democracy Foundation (Belgrade) and European Federation of Public Service Unions (Brussels).

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Introduction to the project. Research objectives

This document contains recommendations for action for European and national trade unions representing workers in the care sector in Central and Eastern European countries, aiming to improve working conditions and wages by strengthening social dialogue mechanisms (in particular, collective bargaining) in these countries. The care sector was defined as the service area of long-term care (LTC), early childhood education and care (ECEC), as well as the activities of social assistance centres (SAC). The recommendations are based on the conclusions of an extensive study conducted by the CEECAW project among social partners in eleven Central and Eastern European EU Member States as well as Serbia. In each of them, at least five interviews were conducted with representatives of key organisations representing workers and employers, preceded by an in-depth analysis of the secondary sources, in order to identify the most important problems affecting the care sector and its workers, including development challenges, obstacles to social dialogue and unionisation, as well as correct practices regarding the latter. An important context for the CEECAW project is the enactment of Directive (EU) 2022/2041 of the European Parliament and of the Council of 19 October 2022 on Adequate Minimum Wages in the European Union. This document, notwithstanding the dispute still surrounding it and the attempt by European organisations representing employers to challenge its legality, is an important step, especially towards strengthening collective bargaining, which is particularly weak and sometimes almost absent in the countries analysed. The project's authors started from the premise that collective bargaining is an extremely valuable prerogative of trade unions and, at the same time, a key mechanism for improving working conditions and pay that should be promoted in sectors such as the care sector, which are often characterised by abnormally low employment standards.

Key findings from the study

A broad spectrum of problems faced by workers in the care sector was identified in the countries included in the study, many of which are repeated in various, and often in fact all, twelve countries of the CEE region. Underfunding, evident in public statistics (a significantly lower share of care expenditure as a proportion of GDP than in Western and Northern Europe) and perceived by trade union representatives, is a key issue and the root cause of many others. This translates into low wage levels (often close to or

even lower than the legal minimum wage), unfavourable working conditions, and violations of workers' rights. The result of this is employment shortages associated with insufficient inflow of new workers and the departure of existing workers (economic emigration, moving to other sectors), as well as an ageing workforce. This, in turn, translates into work overload for those still in employment and a further deterioration of working conditions that are by their very nature both psychologically and physically difficult and inconvenient (emotional work, with „difficult” clients, with risks of infection, aggression, etc.). In addition, workers in the care sector often do not enjoy the respect and recognition they deserve for their hard work, as well as experiencing negative relationships (including bullying by superiors) in their working environment. At the same time, the study showed that social dialogue in the sector in most countries under scrutiny is not satisfactory, and in fact, in some countries, it is very weak and not at all a tool for improving working conditions and pay. Unionisation and collective bargaining coverage are generally low, and even if they are in force for a proportion of the workforce, they do not necessarily provide significant added value from the point of view of the situation of employees.

Recommendations

The following will provide recommendations for trade union action that can strengthen social dialogue mechanisms and, as a result, foster improvements in working conditions and pay in the care sector. Separately, recommendations for national and European trade union organisations and federations will be given.

Recommendations for national trade unions

- National sectoral trade union structures need to be strengthened. Not all countries pay enough attention to a proper and relevant representation of workers in the care sector, which manifests itself, for example, in the interpenetration of trade union structures with those for healthcare (or, in the case of ECEC, education). Additionally, attention should be paid to bodies for social dialogue, whose agenda is often dominated by healthcare issues, with care issues relegated to the background: ideally, there should be separate bodies for the two sectors, or at least a balance should be sought between the issues relevant to each.

- The highest possible unionisation among workers in the sector should be promoted to strengthen the legitimacy of these organisations vis-à-vis employers and public authorities. Although some effective collective bargaining systems in Western Europe exist, combining relatively low levels of unionisation with high levels of worker representation and high levels of collective bargaining coverage (especially in France), the fragmentation of collective bargaining and the predominantly low levels of bargaining in most of the countries covered by the study indicate the importance of relevant levels of unionisation.
- Promoting unionisation should be done by educating workers on the benefits of trade union membership, giving good examples of activism, the skills of leaders and other union functionaries (e.g. related to health and safety), as well as promoting good practices. In the course of the CEECAW study, a number of good practices and effective trade union actions were identified, such as detecting irregularities in wage setting in the workplace or other violations of workers' rights, cases of negotiating better working and pay conditions, and organising leisure activities for workers (e.g. trips, cultural events). At higher levels of trade union structures, it is important to support grassroots organisations and seek consistency between the positions of different trade unions. All such positive examples should be promoted and encouraged, taking into account the local and national context. Local union leaders, in particular, should demonstrate their commitment to standing up for the interests of workers and their high level of competence, especially with regard to knowledge of labour law.
- In turn, cross-company and sectoral structures should support local leaders by offering, among other things, legal advice on more complex cases, training for rank-and-file trade unionists, knowledge and experience sharing, and networking events. At the same time, cross-company and sectoral structures should use their capacity to leverage financial support for any such initiatives, as well as research and knowledge dissemination projects, from national and EU structural funds (such as the ESF+), cooperating with research institutions, universities, and think-tanks who provide expertise in the field of social dialogue and social policy.

- There should be large-scale advocacy work on strengthening the care sector, as well as relevant funding. Policymakers, as well as the wider society, should be made aware of the need for decent working conditions and wages in the sector as a prerequisite for delivering high-quality, safe, and accessible care services. The demand and societal expectations for such services, both in the field of long-term care and early education and care, are expected to increase due to the transformation of societies. Societies in our region of Europe are ageing rapidly, while at the same time there is growing demand from parents for formal ECEC. Seeking support for the care sector and its professionals should be done precisely by drawing attention to the close relationship between quality and accessibility, and sufficient and safeguarded public funding and organisation of services.
- Trade unions should be particularly attentive and responsive to current trends in public policies and new developments. For example, care should be taken to ensure that deinstitutionalisation does not lead to relatives of dependent persons being given responsibility for providing services at the expense of weakening the professional services hitherto provided in appropriate care facilities, or to the uncontrolled ‚privatisation’ of these services and the expansion of the informal economy. At the same time, it should be communicated to policymakers that, as the investigation has shown, even for workers from third countries, working conditions and wages in the care sector are often so unsatisfactory that they choose employment in other sectors. Thus, it should not be hoped to compensate for employment deficits in the sector in this way. It is necessary to remunerate and treat all workers relevant to the high demands and efforts that working in care services entails.
- Assuming that Directive 2022/2041 remains in force, national trade unions should actively work towards effective national implementation so that action plans according to Article 4, as well as corresponding changes to the legal framework, have a real and not only a façade character, contributing to an increase in collective bargaining coverage.

Recommendations for European trade union federations

- European trade union federations should continue their efforts to network unions in the care sector from the different Central and Eastern European countries, supporting meetings of their representatives in international forums, enabling the exchange of knowledge, experience, and good practices, including the promotion of standards on social dialogue and working conditions from Western and Northern European countries.
- Parallel to the national level, European federations should carry out advocacy work to raise awareness among EU politicians and the European public of the importance of relevant funding for the care sector and the creation of an effective legal framework for its operation (including the protection of workers' interests) as a sine qua non for high quality and accessible care services, which in turn are a prerequisite for sound levels of social development and quality of life — this, therefore, is also an important element of the European Social Model and an image issue for the European Union.
- The initiative of Directive 2022/2041 and its current defence within the EU, along with the implementation of the recently signed Framework of Action on Retention and Recruitment in Social Services between the EPSU and Social Employers in the framework of the Sectoral Social Dialogue Committee for Social Services, should be strongly and expressly supported. An important added value of the latter document is, among other things, the focus on improving career prospects, which may, in combination with relevant wages and more effective prevention of labour rights violations, allow the retention of young workers in the care sector. At the same time, the EPSU and Social Employers ensured the emphasis on the importance of the collective bargaining mechanism for improving working conditions and pay.
- European-level social partners (the EPSU, Social Employers, and CEMR) together with national-level social partners could make efforts to enhance the Social Services Sector image as an attractive employer in the public sector and to promote improvements in the private sector.