

# Union autonomy and Strikes as Means of Collective bargaining in Germany

# Conflicts of interests

- Personal conflicts may be solved by mediation and other means
- Legal conflicts can be solved by courts
- Dissatisfaction of workers with wages and working conditions cannot always be solved in this way

# Conflicts of interests

- Interests of the employer
  - Low wages
  - Long working time
  - High productivity
- Interests of the workers
  - No loss of purchase power by inflation
  - Participation in productivity increase
  - Participation in profit (redistribution)

# The Role of the Union

- Workers can only collectively negotiate on better wages and working conditions, the individual is too weak
- Collective bargaining needs autonomous unions
- They have to be independent from the employer's side
- In defining their aims they should be as independent as their counterpart, the employers

# Union and Existing Political Order

- Representing workers' economic interests against employers must not be a challenge to the political order
- Programs go much further than practice of unions in developed market economies

# Collective bargaining without strike?

- A bargaining agent will be taken seriously only if he can exercise pressure
- The most important instrument of pressure is the strike
- Workers lose their wages during the strike; this restricts the use of this „weapon“

# European Models

- The German, British and Scandinavian model: Only unions can organize a legal strike in order to get to a better collective agreement
- The French, Italian and Spanish model: every collectivity of workers has a right to strike for better working and living conditions

# Limits of the right to strike in Germany

- Strike only after negotiations have failed
- The economic existence of the employer must not be put in danger
- Essential services have to be provided
- No occupation of the plant – strike is just the right to stop work
- No political aims



# The importance of the legal framework

- If strikes occur without a legal framework there are high risks.
- The workers risk to lose their jobs for grave misconduct
- The employer risks very hard forms of collective action including personal attacks
- The public order may be put in danger