Industrial Relations in the Crisis and the deconstruction of the European Social Model; lessons from the periphery.

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Abstract

This paper reviews the far-reaching changes that have occurred to industrial relations practices and policies in Ireland and Greece as a result of the economic and social crisis since 2008, including those required by the Troika (EU, ECB, IMF) and EU-sponsored financial rescue packages and reform agendas, and considers the responses of trade unions to these circumstances. ¹

Among other things, this paper traces how traditionally state-sponsored industrial relations machinery in both countries has been undermined and recast in recent years. Strategic opportunities that have been presented to unions are considered, including via the formation of alliances with ‘civil-society’ actors, and through renewed transnational forms of solidarity. Unions ‘reaching-out’ to unorganised (often young) workers, the emergence of new informal forms of collective action, unions’ potential ‘pivot towards Europe’ through the development of stronger links with European-level actors, and the overall implications for the European Social Model (ESM) are also explored.

Introduction

The economic and social crisis that was unleashed in 2008 has ushered in years of austerity, recession and political instability throughout Europe. While no country has escaped the negative impacts of austerity and associated structural reforms, two countries most directly affected by the crisis are Ireland and Greece, both countries entering into bailout agreements with the EU-ECB-IMF troika (the troika).

¹ This is a preliminary draft of this paper and does not include details of recent fieldwork and interviews. Any feedback would be greatly appreciated.
The terms of the troika agreements initiated structural reforms and cuts to public spending and wages, and are associated with significant increases in unemployment, migration, poverty and deprivation in both countries (Rigney, 2012; Karantinos, 2014).

The economic and social crisis has had a profound impact on industrial relations traditions and practices throughout Europe. Trends include the decentralisation of collective bargaining, non-renewal of collective agreements, proliferation of atypical contracts, and changes to working-time and pay. In some instances, the traditional frameworks for promulgating industrial relations and social policy have been undermined, weakened or have broken down altogether, and in some instances, traditional democratic methods of collective bargaining have been circumvented or dismantled (Koukiadaki and Krestos, 2013; Clauwaert and Schömann, 2012).

The role of social partnership (SP) is central to these circumstances. In the Irish context, this paper challenges the contention that the years of peak-level SP have undermined the role and power of Irish unions, as this fails to account for a range of important resources and strategies that have been cultivated, and it incorrectly conflates union militancy with union power.

In the Greek context, this paper posits that a range of factors including the absence of SP, as well as political instability and fragmentation, have limited the contribution unions have made to the plans for Greek recovery (Ioannou, 2013).

This paper also considers the European dimension of this crisis from the perspective of the union movement, and attempts to locate the current phase of Irish and Greek industrial relations in the context of the European Social Model (ESM).

This paper begins with section 1 which briefly conceptualises different forms of trade union power for the purposes of this paper (i.e. to categorise the forms of trade union responses). Section 2 covers an introduction to Irish industrial relations and the impact of the economic and social crisis in that country, and presents empirical evidence of trade union action and responses since 2008, based on available
documentary evidence, as well as on more than 20 open-ended interviews with trade union, employer group, political and other representatives and experts. Section 3 provides a brief introduction to Greek industrial relations and the impact of the economic and social crisis in that country and presents empirical evidence of trade union action and responses based on documentary evidence, and smaller number of interviews with relevant experts and Section 4 briefly compares the evidence from Ireland and Greece. Section 5 considers the European dimension of the crisis and of trade union responses, and considers what consequences the crisis may have for the European Social Model (ESM). Section 6 concludes.

Section 1: Forms of trade union power

The most widely-quoted definition of a trade union is that by the Sidney and Beatrice Webb (1920) as ‘a continuous association of wage-earners for the purpose of maintaining and improving the conditions of their working lives’.2

Knight (1992) describes power as the ability of A to make B do something B would not do by affecting the alternatives available to B, and Dahl (1961) equates ‘power’ with actor(s) who prevail in decision-making. However, it could be argued that considering power as outcome in this way, rather than capacity is insufficiently subtle, and Lukes (2005, p69) correctly contends that ‘power is a potentiality, not an actuality, indeed a potentiality that may never be actualised’.

Olin Wright (2000, p962)’s distinction between associational power and structural power to differentiate between different types of worker bargaining power is useful when considering forms of union power. Brookes (2013) extends this typology to include institutional and coalitional forms of power, and regards associational power, as fundamental to the exercise of the three other forms. These forms of union power provide a way of categorising different forms of union power.

Section 2: Industrial relations in Ireland, and the impact of the crisis

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2 http://www.eurofound.europa.eu/emire/IRELAND/TRADEUNION-IR.htm
Visser (2008) notes how industrial relations are shaped by different national and regional traditions, in situations and contexts that affect the interaction between public policy, collective bargaining and social dialogue, describing the Irish industrial relations model as a liberal-pluralist regime, typified by liberal-markets, where the principal level of bargaining is the company level, and the state typically has a non-interventionist role. Actors typically exert influence through lobbying, and the ‘power balance’ is oriented towards employers. As presented here, Ireland conforms to parts of this description, and not to others.

The economic and social crisis in Europe has had a measurable negative impact on industrial relations practices in Ireland. Over the course of the crisis, Irish unions have often responded creatively to challenging, and rapidly-changing circumstances, although it is important to acknowledge the distinction between the state of trade unions in the public and private sectors, where density and recognition rates vary significantly (as they do throughout much of Europe).

In Ireland, SP, the form of ‘roundtable corporatism’ that has typified industrial relations since the 1980s came ‘crashing to a halt’ in the private sector in 2009 (Doherty, 2011, p372), and survived only barely in the public sector following tortuous and protracted negotiations. The bargaining and implementation processes underpinning SP have always been voluntary, with the possibility of unilateral withdrawal by any party at any time. At the time of writing (August 2014) Ireland remains in a period of company-level bargaining for the first time since the 1980s.

Much has been written about the positive and negative aspects of SP in Ireland. Some commentators have argued that SP has undermined union power (see Allen, 2000), and has ‘degutted it of any militancy’ (Duggan, 1999). Indeed, Ireland observed more than two decades of relative industrial peace for the twenty years following 1987, during which time six collective agreements were agreed by the social partners (trade unions and employers). These years coincide with the Irish economic boom, often referred to as the ‘Celtic Tiger’. What factors brought about the ‘Irish miracle’ are disputed, and some commentators claim that SP ‘has fundamentally altered the “rules of the game” of economic governance in modern Ireland’ (Roche, 2009), and has
contributed directly to the ‘phenomenal period of economic growth’ experienced in the country in the 1990s and 2000s (Teague and Donaghey, 2009, p56).

In 1981, a low corporate tax rate of 10 per cent was introduced on all manufacturing profits in an attempt to promote exports. Subsequent legislation extended this low rate to a larger range of industries, and a uniform rate of 12.5 per cent was introduced in 1982 across all sectors. This has had a significant impact on the make-up of the Irish economy. In 2014, 10% of private sector employment in Ireland is accounted for by foreign-owned (often US based and hostile to unions) Multi National Corporations (MNCs)(Eurofound, 2014a), accounting for 48% of total manufacturing employment, the highest proportion of any EU economy, (Eurofound, 2014b).

Trade union density in Ireland is estimated to be around 34%, while collective bargaining coverage is around 44%. Union density between sectors is highly imbalanced, approaching 80% in the public sector and 20% in the larger private sector. Irish trade union membership reached its peak in 1980 with 62% (CSO, 2008), and non-unionism is particularly evident in the multinational sector (Donaghey and Dundon, 2010 p551). Collective bargaining coverage in the public sector is very high, with the vast majority of public sector workers being covered by sectoral agreements. However in the eurozone, only Ireland, Estonia and Slovakia have overall collective bargaining coverage of below 45 per cent (Regan, 2013, p4).

There is one national level trade union confederation in Ireland, the Irish Congress of Trade Unions (ICTU) which describes itself as ‘the largest civil society organization on the island of Ireland’, with 55 affiliated organisations, and 832,000 members, 44% of whom are women (ICTU, 2014).

Apart from a peak in 2009, which included a strike in the public sector, when 329,593 working-days were lost, the number of days lost through strike has been relatively small in Ireland since the crisis, with 6,602 in 2010, 3,695 in 2011, and 8,486 in 2012. Over the first nine months of 2013 10,363 days were lost (CSO,
Notably, despite a grinding recession, soaring unemployment, and significant cuts to pay and conditions, there has been no significant, sustained increase in industrial action in Ireland since 2008.

While Article 40 of Bunreacht na hÉireann (the Irish Constitution) guarantees ‘the freedom of association and the right to work or earn a livelihood’, currently, the right to collective bargaining is not legislated for.

The debate around collective bargaining was highlighted in 2012 when the ILO Committee on Freedom of Association, in response to a complaint brought against Ireland by ICTU on behalf of the Irish Airline Pilots Association (IALPA, affiliated to IMPACT) recommended that government ‘review the existing framework and consider any appropriate measures, including legislative measures, so as to ensure respect for the freedom of association and collective bargaining principles’ (ILO, 2012a).

Despite these clear indicators that Ireland’s lack of legislation for collective bargaining is not in accordance with its EU, ILO, and ECHR commitments, the liberalising agenda of the troika, and the political reality of the significance of the MNC lobby in Ireland may continue to limit what the government is prepared to do in this regard.

2.1: Industrial relations in the crisis

With the onset of the global financial crisis, the Irish property, construction and banking sectors collapsed, precipitating a deep recession. Between 2008-2011 real GDP declined by 5.4% and real GNP by 10.1%.

The industrial relations system in Ireland has changed significantly over the past three decades caused in part by growing legalisation and individualisation of the employment relationship through the proliferation of individual rights-based employment law as a result of both domestic and European legislation.

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3 However, one particular dispute involving the national bus company Bus Éireann, accounted for 95% of days lost (Percival, 2013).
This increase in individual employment law has resulted in the development of an increasingly complex system of institutional arrangements that operate in a quasi-legalistic fashion to determine the outcome of industrial disputes. This includes a wide range of institutions including: the Labour Court, the Labour Relations Commission (LRC), the National Employment Rights Authority (NERA), the Equality Tribunal, the Employment Appeals Tribunal (EAT), and the Office of the Rights Commissioners (ORC).

A further important feature of the Irish industrial relations system concerns statutory wage setting mechanisms (SWSMs), namely Registered Employment Agreements (REAs) and Employment Regulation Orders (EROs).

REAs are agreements that determine pay and conditions in a particular industry that are binding on all employers in that sector. Similarly, Joint Labour Committees (JLCs) are independent bodies that determine minimum rates of pay and conditions of work in certain low-wage sectors including catering, hotels, cleaning and retail. JLC determinations are given force of law as EROs via the Labour Court. It should be noted that JLCs are not a traditional form of collective bargaining, but provide a form of ‘de facto collective bargaining’ in sectors with traditionally low levels of union density.

In 2011, the authors of the ‘Duffy-Walsh report’ (2011) were tasked with establishing if EROs and REAs were fuelling ‘labour market rigidity by preventing wage levels from adjusting’ (ETUI, 2013), The report states that continued maintenance of the current system is justified; in the case of JLCs, their overriding rationale concerns the need to maintain reasonable employment standards for unorganised vulnerable workers in low-paid sectors (ETUI, 2013).

In July 2011 JLCs were ruled unconstitutional by the High Court, and the judgement struck down existing EROs. Following an appeal to the Supreme Court in May 2013, all REAs ceased to have statutory effect.

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4 A meaningful discussion of these important institutions is beyond the scope of this paper, but for more information visit: [http://www.djei.ie/press/2012/20120308.htm](http://www.djei.ie/press/2012/20120308.htm); [http://lrc.ie/#6](http://lrc.ie/#6).
Following these judgments, the terms and conditions of employees covered by existing EROs or REAs remain unchanged, while the pay and conditions of new-hires are governed by standard employment legislation (CitizensInformation, 2014). This situation results in a two-tier situation in low-paid sectors, and arguably a race-to-the-bottom in pay.

Despite these SWSMs having been independently judged to be unlawful by the Courts, it is interesting to note that the troika MOU had previously called for a review of the framework of REAs and EROs (MOU point iii. Structural reforms: To facilitate adjustment in the labour market). Indeed, Marginson notes that ‘in an era where competitiveness has displaced productivity as the primary calculus framing the bargaining agenda, wage competition has become the primary mode of internal devaluation in the crisis’ (Marginson, 2014, p5).

ICTU responded to this saying that ‘the economics and politics espoused by the ‘competitiveness through exploitation’ lobby which wants deregulation of the market rather than better regulation is a throwback to the Victorian era’ (ICTU, 2013b).

2.2 Social Partnership

The economic policies pursued by successive governments in Ireland since the 1970s have generally been interventionist and corporatist, and Von Prodzynski notes that ‘successive governments have attempted to exploit collective bargaining patterns in support of its macro-economic policies’ (Von Prodzynski, 1994, p3).

Despite Ireland’s voluntarist heritage, the system of industrial relations has traditionally been highly centralised, with the State taking a strongly interventionist role. The signature feature of Irish industrial relations has been this aforementioned form of SP, that Munchau describes as ‘roundtable corporatism’ (Muhchau, 2008).

Irish SP has involved tripartite, triennial national pay agreements, initiated first in 1987 following a period of high inflation, weak economic growth, increased emigration and unsustainable government borrowing. Agreements set basic pay levels
for unionised workers, with many non-union employers ‘shadowing’ the agreements (Eurofound, 2013). The trade-off of for trade unions has typically involved the acceptance of modest wage increases and a reduced tax burden, in exchange for industrial peace.

D’Art and Tuner (2005) note that the role of the state in most western European countries with tripartite governance models has been neutral or passive, aimed at persuading the social partners to negotiate with each other, inevitably involving some sort of devolution of policy-making. However, the Irish process has always been conducted in the ‘shadow of representative democracy’ with final decisions ultimately being taken by government (Donaghey, 2008, p58).

Partnership can thus be seen as a pragmatic political choice by government, rather than an articulated or specific ideology (Doherty, 2011, p376).

With the onset of recession, the SP model collapsed in late 2009 when talks between government and public sector unions aimed at securing reductions in public sector pay of between 5-8% failed following a revolt by backbench members of parliament, bringing about the first period of company-level bargaining in Ireland since 1987.

Attempts by the ICTU public service committee to offer efficiencies and flexibility, including an unprecedented suggestion of 12 days unpaid leave for all public servants in 2010, failed to secure political or public support. The withdrawal of the State from SP exposes an underlying weakness of the social partners in coordinating their interests autonomously (Regan, 2013, P16).

In the private sector, in December 2009 the employer group IBEC withdrew from negotiations having failed to negotiate a suspension of pay terms with ICTU. In early 2010, IBEC stated dramatically that they were ‘entering a period of enterprise level bargaining in unionised employments’ (IBEC, 2010).

Tirelli, Di Bartalomeo, and Acocella (2009) argue that the probability of social partnership agreements occurring increases with the ‘problem load’ in an economy, including ‘high unemployment and inflation, political instability, and the need for
governments to seek re-election’. This is further illustrated by examples of social pacts being agreed in advance of entry to Economic and Monetary Union (EMU) in several European countries in the early 1990s (Baccaro, 2002). However, Ireland is an exception to this, as an increase in ‘the problem load’ led to the collapse of SP, and the redrawing of the industrial relations landscape.

Following the breakdown of talks in 2009, the Croke Park Agreement (CPA) was agreed in June 2010, in the face of dramatically deteriorating public finances. The government agreed not to impose public sector layoffs or pay-cuts, and public sector unions agreed not to call industrial action and to agree to redeployments, cost-reductions, and non-compulsory redundancies (LRC, 2010). However, agreement could not be reached with the private sector unions, who remain outside the process (in August 2014). Following a protracted negotiation and ratification process, a further renegotiation of CPA involving further reductions in the public sector pay bill took place. The Haddington Road Agreement (HRA), was concluded in May 2013 by public sector unions (Finn, 2013).

A significant change is also seen in the role played by the Taoiseach (prime minister)’s office. Previous agreements (1987-2011) were coordinated at the highest political level, involving the Taoiseach and secretary general of the Taoiseach’s department. In contrast, informal exchanges are currently being pursued unilaterally by government departments, via cabinet subcommittees, or through bilateral relationships. This represents a significant shift away from inclusive concertation, to pluralist lobbying (Regan, 2013, p14).

In response to the collapse, David Begg, ICTU General Secretary, states that ‘we will find life harder in many respects without social partnership, but we are in a sense liberated to campaign for the just society we exit to bring about. The pity that it failed to achieve its full potential and when the pressure came on our Government did not believe in it enough to stick with it’ (Begg, 2011).

Section 2.3: Trade union responses in Ireland
Trade union responses to the crisis in Ireland have involved a range of traditional and non-traditional forms of action ranging from highly technocratic and institutionalized activities deep within national and EU frameworks including: social dialogue, lobbying, and research, to more radical forms of direct action, including strikes, work-stoppages, mobilisations, and transnational cooperation. Other responses have involved an overall redefinition of a given union’s repertoire of activities with for example increased focus on recruitment, organising, professional development, and information dissemination, or with renewed emphasis being placed on either the European or national levels (see Erne, 2008).

The crisis in Ireland has elicited responses from trade unions that reflect associational, structural, and institutional, coalitional and indeed other forms of power and action. However, I argue based on available evidence, that the responses of unions, while diverse, have emphasised forms other than ‘traditional’ radical forms of structural power. For example, many of the responses have been focused on the reorganisation of the way that unions conduct their business, as they come to terms with a world without national level partnership.

From interviews and available literature, there is a clear sense that unions in Ireland were caught off guard by the unprecedented scale of the economic collapse from 2008 (Rigney, 2012; PSEU interview). However, despite presenting significant challenges for unions, the crisis has arguably created opportunities for trade union renewal, new relationships, and strategic alliances and coalitions in opposition to austerity (see Upchurch, Taylor and Mathers 2009).

2.3.1 Institutional Responses

2.3.1.1: Negotiating

Despite the aforementioned collapse of SP, several trade unionists made the conscious decision to negotiate with government via official channels, for example via the negotiations for CPA and HRA, and in so doing claim to have ‘curtailed the damage as much as possible’ (Interview SIPTU, 19.03.14), and tried ‘to save as many jobs as possible’ (Interview, CPSU, 18.03.14). By one reading of the situation, this strategy
was successful, given that there have been no compulsory redundancies made in the public sector.

Furthermore, given the Labour party’s role in government, some trade unionists have used ‘back-channels’ of communications to individual Ministers and members of parliament, and claim to have influenced the debate, for example, about legislating for collective bargaining in this way (O’Connor, 2013; Interview, SIPTU, 19.03.14).

2.3.1.2: Public relations

Some union officials outlined a deliberate attempt to engage more proactively and professionally with what is regarded widely by trade unions as the ‘biased and right-wing media’, in a bid to convey their views of the crisis, by undertaking and providing media training, and by implementing media strategies (Interview IBOA, 21.03.14; Interview, PSEU, 19.03.14)

2.3.1.3: Legalistic responses

Some unions have put resources into legal challenges and similar activities, for example in relation to the reduction in the number of JLCs (Wall, 2014a), and the aforementioned IALPA-IMPACT complaint against the Irish government at the ILO. Given the highly institutionalised nature of dispute settlement in Ireland and the range of bodies and agencies discussed above, it is no surprise that such activities have featured prominently in union responses.

2.3.1.4: European level responses

While the primary focus of unions in Ireland remains the domestic level, the crisis has caused a subtle shift ‘towards Europe’ with stronger links forming between Irish unions and the European Trade Union Confederation (ETUC), through, for example, ETUC’s role in translating and explaining EU-level developments. As one trade unionist explains, ‘the economists at ETUC keep us informed of European-level developments, and it is a great resource’ (Interview, ICTU, 21.10.13) This sheds light on the notion of union activity being multi-scalar as actors shift their locus of
engagement between different levels (Ellem, 2006, p374).

However, despite much literature focusing on the prospect of transnational labour cooperation (see Erne, 2008, Bieler, 2005), and with some limited exceptions, the crisis has arguably caused no meaningful increase in solidarity between unions in Ireland and other ‘bailout’ countries. In fact, the crisis has proven anti-solidaristic, as the trade union leadership reportedly ‘travelled to other European capitals to explain that we were different to Greece’ (Interview SIPTU, 19.03.14) a view confirmed by other interlocutors (Interview ICTU, 21.03.14).

Furthermore, with respect to ETUC’s decentralised ‘European Day of action’ planned for November 2012 (ETUC, 2012), in the words of one senior national-level trade unionist ‘ETUC events have no traction at Congress (ICTU), it’s mainly a question of resources, these events are good, but they are not a priority’ (Interview ICTU, 21.03.14), and Irish unions involvement with Europe-wide mobilisations remains scant (Dufresne, 2013).

2.3.2.1: Associational responses

There are signs of unions ‘reaching-out’ to increasingly transient, diverse, under-organised and precarious workers (see Standing, 2011, Kelpie, 2014), with renewed emphasis by some unions placed on organising and recruiting (Interview, SIPTU, 19.03.14; Interview, IBOA, 21.03.14, Gumbrell-McCormick and Hyman, 2013). This has included the establishment by SIPTU of a ‘Young Workers Network’ (YWN, 2014) designed to provide young people with information on rights, and to campaign on youth issues. In a bid to foster what can be regarded as coalitional power, YWN attempts to build links with student and community groups in order to ‘build a future that works’, for example with the national third level students’ union (USI).

From the unions’ perspective, a significant change in response to the crisis is seen in how in 2010, SIPTU membership approved the move from a regional to a sectoral structure, a tripling in the resources allocated to recruiting new members, and appointing specialised staff to deal with individual grievances. Other unions,

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5 Services, Industrial, Professional and Technical Union, Ireland’s biggest trade union by member.
including Mandate and IMPACT have also made moves to focus more resources on organising (Gumbrell-McCormick and Hyman, 2013).

In arguably the most significant proposed changed to trade union activity in Ireland, in 2011 ICTU initiated a report that called for closer cooperation between groups of unions, stopping short of calling for any immediate mergers, but suggesting that such reforms may be advisable in the years ahead (ICTU, 2011)⁶.

Eoin Ronlyane, secretary general of the Civil and Public Servants Union (CPSU) states that throughout the crisis, ‘representatives of 19 separate unions, representing just under 300,000 public service workers, worked with and against each other while negotiating with a considerably more unified employer side led by the Department of Public Expenditure and Reform’ arguing that it makes sense for unions to ‘join forces’ through merging and rationalising particularly before any future rounds of negotiations (Wall, 2014b). Furthermore, one senior national-level trade unionist contends that this potential rationalisation of ICTU members into six ‘super-unions’ would ‘do away with petty divisions’ (Interview, ICTU, 21.03.14).

Similarly, the Irish Bank Officials Association (IBOA), who lost almost 4,000 members as a result of the crisis through job losses in the financial sector, have initiated an independent ‘root and branch’ assessment of their organisation’s structures and practices. This process includes a survey of members and a review of the organisation’s activities and structures with a view to establishing and addressing organisational strengths and weaknesses (Interview IBOA, 21.03.14; Rouse and Duncan, 2012).

In a further internal redevelopment, unions including IMPACT have sought to overhaul their internal communications methods to ensure they are reaching their members most effectively (Harbor, 2013), and IBOA has reviewed its internal communication practices, and ‘now has a mobile phone number for nearly every of our 18,000 members’, a significant and valuable resource for any membership-based organisation (Interview IBOA, 21.03.14).

⁶ The most recent significant merger was that of Amicus and T&G in 2007 to form UNITE in Ireland.
2.3.2.2: Education and Professional Development

One further response to the crisis is the emphasis that is being placed on education and professional development by some unions with the main nursing (INMO) and finance (IBOA) unions putting particular emphasis on this ‘service provision’ element of their organisations’ offerings (WIN, 2014, p11; Rouse and Duncan, 2012).

IBOA have furthermore focused resources into a range of personal services for members, including: special offers for members on insurance and consumer goods, providing assistance with professional exam preparation and arranging family, social, and community events (Interview IBOA, 21.03.14).

More significantly perhaps, given the need for unions to contribute to the debate on the economic and social crisis, in 2012, 24 unions affiliated to ICTU established the Nevin Economic Research Institute\(^7\), a trade union think tank designed to develop progressive economic policy. As a further development of this, ICTU will in the months ahead unveil plans for a new trade union college that will help train trade union volunteers and organisers (Interview ICTU, 21.03.14). In this regard, one union (IMPACT) outlined how since the crisis, they have been more involved with ICTU than in the past, for example through the exchange of information and data (Interview, Impact, 18.03.14).

2.3.3.1: Coalition-building

Perhaps the most significant coalition that formed by way of response to the crisis was the ‘24/7 Alliance’\(^8\) a coalition of front-line public sector unions and representative organisations involving police, ambulance personnel, nurses and firefighters (Doherty, 2011, p382; Interview, CPSU, 18.03.14). These unions had more often been involved in bitter rivalries and turf-wars, and such cooperation is therefore notable. This coalition was conspicuous during the negotiations for the

\(^7\) See http://www.nerinstitute.net/
\(^8\) http://www.frontlinealliance.ie/
Some unions have sought to build links with community organisations during the crisis, including IMPACT and Age Action Ireland\textsuperscript{10} (Interview, Impact, 18.03.14), SIPTU and the Union of Students’ in Ireland (USI) via the YWN (Interview, SIPTU, 19.03.14), and IBOA’s Informal collaborations with the chambers of commerce (Interview IBOA, 21.03.14).

One interviewee (CPSU, 18.03.14) pointed out that the Irish school curriculum does not include any module that covers industrial relations or trade unions. This was one of the impulses behind the creation of the ‘youth-connect’ website and forum\textsuperscript{11}, designed to link young people of school-going age and the union movement, while providing information about rights at work for young people.

\textbf{2.3.3.2. Mobilisation}

In response to the role of mobilisation and direct action as part of the unions’ response to the crisis, one interviewee noted that ‘reactions to crises are culturally bound. There is a tradition of large-scale mobilization in the South (of Europe), while here (Ireland), we go in for large, once-off, peaceful demonstrations’ (Interview, ICTU, 23.10.13).

The crisis resulted in a huge rise in unemployment in Ireland from 6.4\% in 2008, to a height of 14.7\% in 2012 (and 11.9\% in the first quarter of 2014) (CSO, 2014b). It is broadly accepted that a rise in unemployment causes a weakening of trade union bargaining power, given the rise in surplus labour (Crouch, 1979). One senior trade unionist notes how ‘Workers in that climate being rational, aren’t going to raise claims. In normal times what drives industrial relations is workers’ aspirations. Now, if people have aspirations they keep them to themselves’ (Interview, ICTU, 23.10.13).

This view may go some way to explaining the relatively small amount of industrial action and strikes seen in Ireland over the crisis years.

\textsuperscript{9} http://www.rte.ie/news/2013/0314/376593-siptu-croke-park/
\textsuperscript{10} http://www.impact.ie/About-Us/About-IMPACT.htm
\textsuperscript{11} ‘youth-connect’ website and forum: www.youthconnect.ie
That said, there has been some industrial unrest, including a one day strike in the public sector in November 2009 (Doherty, 2011, p382; Jones, 2009), and a number of peaceful protest marches against austerity (typically at weekends) (Kelly, 2014, Irish Times, 2012).

Nonetheless, some trade union interviewees stressed the fact that they had participated in and had supported these actions (Interview SIPTU, 19.03.14; Interview, CPSU, 18.03.14), with one trade unionist contending that ‘the best way to get more members is if you’re involved in an industrial dispute, as people take more notice of you’ (Interview, INMO, 19.03.14). However, another interlocutor, perhaps pragmatically, acknowledged what he felt as ‘a general unwillingness of members to engage in industrial reaction’, saying it was his responsibility to find alternative ways to defend his members’ interests (Interview IBOA, 21.03.14).

Thus, it may be argued that trade union responses to the crisis in Ireland have taken a wide range of forms, and unions can be seen to proactively search for creative ways of meeting the wide range of challenges the crisis has presented.

Section 3. Greek Industrial relations

3.1. Industrial relations context

In Greece significant crisis-induced reforms are observed relating to, among other things, the minimum wage, national-level negotiations, arbitration, and the decentralisation of collective-bargaining (Panagiotarea, 2013).

As a result of the loan agreements that the Greek government concluded with the troika ‘a policy of internal devaluation has been adopted in an effort to avoid a default of the economy and to allow Greece to remain within the Eurozone. The structural reforms undertaken in line with the loan agreements have been based on the premise that labour market regulation in Greece constituted a significant barrier to growth’ (Koukiadaki, 2013, p276)
Between a fifth and a quarter of employees in Greece are union members. Similarly to Ireland, membership in the public sector is high (around 70%) but is weak in the private sector (around 25.4%) (Fulton, 2013), and collective bargaining coverage is at around 65%.12

Visser (2008) places Greece in the Mediterranean/State-centred grouping in terms of industrial relations. This group is characterised by variable levels of bargaining, state-centred industrial relations, conflict-orientated and adversarial bargaining-style and relatively frequent intervention by the state in industrial relations.

Kristantonis (2001, p512) notes how in Greece, as in other countries of the mediterranean periphery, the post-war alliance between the new capitalist class and the state brought about the marginalisation of organised labour and ‘the adoption of an autocratic and authoritarian management style’.

Following the second-world-war, the framework for post-war labour relations was established by law (Act 3239/1955), which prescribed collective bargaining only at multi-employer level, and employers for the most part refused to recognise unions at workplace level. The restoration of democracy in 1974, following the end of the military dictatorship (1967-74) resulted in more sophisticated labour relations practices and the enactment of Act 1264/1982 which established expanded union rights. However, the long heritage of political repression, and autocratic employers, saw free collective bargaining never becoming a reality (Kristantonis, 2001, p511-512).

There are two trade union confederations in Greece, the General Confederation of Greek Workers (GSEE) in the private sector, and the Greek Civil Servants’ Confederation (ADEDY) in the public sector. These confederations are highly politicised by European standards, and are often characterised by internal factions and tensions.

12 see http://www.worker-participation.eu/National-Industrial-Relations/Countries/Greece/Collective-Bargaining
As such, Greek unions are remarkable by European standards for the continued importance of class politics. Whereas elsewhere in Europe the traditional religious, communist and socialist cleavages within the union movement have largely withered (Ladmiral, 2003), in Greece, they remain important. This reflects the significant degree of political polarisation in Greece, also exhibited by the frequency of public demonstrations and strikes and the recent electoral success of both far-right and far-left parties (Vasilopoulou and Halikiopoulou, 2013).

In this regard, one senior official at PES (Party of European Socialists) with experience of working with Greek unions described the ‘unusual level of internal, often bitter factions and divisions’ remarking bluntly that ‘the first thing to understand about Greek unions is ‘patronage’, describing the Greek trade union culture as being one of ‘rhetoric-based, apolitical tribalism and knee-jerk radicalism’ (Interview, PES, 24.11.13).

In 2012, the social-democrat led PASOK government, elected in 2009 with more than 45% support, collapsed. The former ECB vice-president Loukas Papademos became technocratic prime minister amid widespread social unrest (Financial Times, 2014(a)). Two rounds of elections (in May and June 2012) were needed to form a new government. PASOK suffered losses of more than 30%, and the more radical left SYRIZA party polled at 27% (up from 5% in 2012). The new national-coalition government enjoyed significant parliamentary support (174 of 300 parliament members), which has since narrowed through defections and departures (Markantonatou, 2013, Kentikelenis et al, 2011).

Since the crisis, there have been significant changes that have dismantled the social model in Greece, and that has undermined the role played by trade unions.

3.1.1 Dispute Resolution

There have been wide-ranging reforms affecting the system of arbitration. One of the most significant involves the abolition of the right of trade unions to have unilateral recourse to arbitration, reflecting pre-existing demands by the main employers' association, the Hellenic Federation of Enterprises (SEV).
However, in July 2014, unilateral recourse to arbitration was reinstated. One interview with intimate experience of this process noted ‘This is good news, but it’s a little bit like the German goal in the recent 7-1 world cup semi-final defeat to Brazil, it provides small consolation in the context of all the other problems we have’ (Omed interview, 10.07.14).

With respect to collective bargaining, there have been a range of government-sponsored reforms with the intention of decentralising negotiations from sectoral to company-level, and allowing so-called 'associations of persons' to conclude enterprise-level agreements that generally stipulate worse terms and conditions than those negotiated via higher level agreements (Koukiadaki, 2013).

3.1.2 Statutory Wage Setting Mechanisms

As in Ireland, there have been significant reforms to wage-setting in Greece since the crisis. Law 4093/2012, provided a new process for the establishment of the minimum wage.

Guidelines for determining minimum wages now include extremely broad factors including the situation and prospects of the Greek economy, the situation in the labour market including unemployment rates, and the outcome of consultations with the social partners ‘where they take place’ (see Law 4093/2012).

Thus, via an Act of Cabinet (6/28.2.2012), Law 4093/2012 stipulated a decrease in the minimum wage of 22 % for all workers, and remarkably, of 32 % for under 25s. The Act provides that these minimum rates should be applicable until the ‘expiration of the period of economic adjustment that is prescribed by the MOU signed between Greece and the troika, annexed to Law 4046/2012 and their subsequent amendments’, i.e. between 2013 and 2016.

3.1.3 Social Partnership
It is generally accepted that there has little tradition of bipartite and tripartite social dialogue in Greece, particularly in terms of national-level wage agreements, as had existed in Ireland. Social dialogue has been usually associated with the process of collective bargaining for the conclusion of the national collective agreement and the operation of the Economic and Social Committee, that generally cover non-wage matters such as health and safety and working-time conditions and entitlements (Arnitou and Yannakourou, 2012).

This situation is in spite of successive government attempts to foster social dialogue and social pacts, particularly between 1994-2004 during when PASOK were in power, but also pursued by New Democracy government of 2004-2008, albeit with less vigour. Ioannou notes how SP as a phenomenon that is complex and is ‘profoundly influenced by context-specific conditions’; a series of abortive at social dialogue ended in failure, at least in part due to a ‘lack of trust’ (Ioannou, 2010 p. 7)

Lavdas, 2005, contends that ‘social dialogue in Greece remains an exercise with a limited scope...largely due to the fact that there is a difficult match between Greece’s ‘disjointed corporatism’ and the EU’s emerging ‘competitive corporatism’ (Lavdas, 2005, p8)

3.2 Union Responses

It may be argued that there is a clear divide in the means by which different groups attempt to challenge austerity in Greece, with trade unions relying for example on the courts and other institutions, and other social-movement actors developing different civil mobilisation strategies.

The political space in Greece is notable, given the confrontations and tensions between radical-left and antifascist groups including many trade unionists, and the neo-nazi Golden Dawn party, and the attacks of far-right ‘assault squads’ against migrants, leftists and homosexuals (Vasilopoulou and Halikiopoulou, 2013). This situation has affected the strategies, declarations and resources of trade unions, and has impacted on the ways trade unions have mobilised throughout the crisis.
3.2.1 Institutional Power

In 2012 GSEE and ADEDY, along with some member unions, and with the support of ITUC (International Trade Union Confederation) jointly brought a complaint to the ILO Committee on Freedom of Association concerning a variety of austerity measures in Greece in the context of the Troika bailout agreement. (Eurofound, 2013)

The committee, while ‘deeply aware that these measures were taken within a context qualified as grave and exceptional, provoked by a financial and economic crisis’, rebuked the Greek government, finding that there were a number of unnecessary interventions against free collective bargaining practices, and a significant deficit of social dialogue, highlighting ‘the need to promote and strengthen the institutional framework for these key fundamental rights’ (ILO, 2012b).

The Committee called for the social partners to be fully involved in the determination of further revisions of the Troika agreements in the interests of ‘the human rights of freedom of association and collective bargaining and which are fundamental to the very basis of democracy and social peace’ (ILO, 2012).

As a direct response to these findings, the ILO took the step of establishing an ILO office in Athens in order to more closely monitor events in Greece and to liaise with the social partners.

Despite the Greek government and the EU’s support for ILO conventions and initiatives, this finding did little to alter the extent or direction of the structural reforms being demanded by the troika, and arguably merely proves to highlight the scant regard that government decision-makers and the troika have for both national union organisations, and fundamental social and human rights.

3.2.2 Coalition-building

Since 2013, the moderate parties of the Left have pushed for the creation of social solidarity structures, to attempt to counter the worst humanitarian affects of the crisis, establishing soup-kitchens, street-hospitals, pharmacies, self-organised businesses and
electricians’ crews to reconnect electricity to people’s homes (Smith, 2013). These structures have to some extent taken the place of the mass protests associated with the Greek political scene of 2010-2012.

3.2.3 Mobilisation

Nonetheless, Greek unions continue to participate in anti-austerity mobilisations, and more than fifty 24-hour general strikes have been called between 2010-2014 (Wearden, 2013). However, the extent to which these strikes enjoy popular support is perhaps debateable, with one senior civil-servant with first-hand experience of trade union responses and attitudes to the crisis in Greece saying that ‘when strikes are called by unions, hardly anyone takes any notice, and even fewer workers actually participate’ (interview, 21-05-14).

Nonetheless, during the strikes, tens of thousands of protesters have marched in the major Greek cities, which have often resulted in violent clashes between police and protesters, and in injuries and even deaths, which even included the Greek President running for safety during a public appearance in Thessaloniki (Guardian, 2009; Financial Times, 2013(b)). This degree of radical action has been entirely absent from Irish responses to the crisis, as discussed above.

Despite these manifestations of public support, the concrete achievements of these mobilisations have arguably been minimal, as each further legislative package of austerity provisions has been voted through by Parliament unchanged.

3.2.4 European level

Since the crisis, anecdotal evidence shows Greek unions have withdrawn almost entirely from engaging at EU level via ETUC or via their EU-level representatives. This differs from Ireland, where the crisis has brought about a small but observable shift both in the will towards, and the role played by the European level (interview ICTU 21-10-13; EP, 20.11.13(a); EP 11-12-13(a); EP 12-12-13).
Greek unions’ attitudes to ‘Europe’ are perhaps best illustrated by the events surrounding the European Day of Action organised by ETUC for 14th November 2012, which would include ‘strikes in Spain, Portugal, Greece and Italy’. With ETUC declaring ‘for the first time in its history, an ETUC day of action would include simultaneous strikes in four countries’ (ETUC, 2012)\(^\text{13}\).

However the action would expose the preoccupation of Greek unions with the national level, and the fractured nature of Greek union politics.

While participation in the international strike was confirmed months in advance, the domestic context forced the union leadership to radically alter their plans at short notice, and the European day of Action passed almost completely unnoticed.

In early November 2012, the Greek government was to approve a revised bailout agreement, that would entail further austerity measures. The union leadership was put under pressure from within its own ranks to mobilise in response to this, and a 48-hour general strike was called for one week earlier (6\(^\text{th}\)-7th November). This strike would include a withdrawal of labour from public transport, courts and hospitals. Despite this mass-mobilisation, the bailout agreement passed through parliament without incident.

Given that the European Day of Action was scheduled for just one week later, GSEE’s leaders revised their initial plan for a 24-hour strike to a 3-hour work pause and a demonstration in central Athens, which attracted only a few hundred participants. The GSEE leadership sustained criticism for its handling of these events, and were accused of providing ‘recipes for mobilisation without the masses, which only serve as symbolic moves made by a corrupt bureaucracy’ (Den Plirono, 2012).

As a clear illustration of the adversarial nature of Greek industrial relations, a senior ILO official confirmed that in 2013, following months of effort and negotiation, the ILO succeeded in ‘getting the social partners to sit down together for the first time

\(^\text{13}\) It is interesting to note, that despite the transnational nature of the day of action, and significant activity in cities throughout Europe, there was no record of the event being marked in Ireland by ICTU on November 14\(^\text{th}\) 2012.
since the crisis’ (Interview ILO, 06.05.14). However, the official confirmed that particularly the trade unions feared that this would undermine their position vis-à-vis their membership, which is distinct from the Irish context where partnership and cooperation is a widely accepted part of what unions do.

Such union fears are perhaps understandable. Opinion polls show that union elites are mistrusted by rank-and-file members in Greece, and are seen as government and employer-friendly (Pantazopoulos, 2011). Arguably, the Greek unions may expect to exit the crisis more socially discredited and isolated than they were before.

Section 4. Comparison of Greece and Ireland

Ireland and Greece share many similarities and differences. Both are relatively small, peripheral Eurozone economies, with significant agricultural sectors, and for very different reasons, have experienced massive sovereign debt and banking crises resulting in them being bailed out by the troika.

Trade union responses over the course of the crisis differ in at least two important ways. Firstly, the lack of a radical mobilisation tradition in Ireland (at least, over the past three decades) has continued through the crisis years. With the exception of a relatively small number of well-organised and well-attended national public demonstrations (typically taking place at weekends), the responses of the trade unions in Ireland have been largely unradical (Mercille, 2013) with some isolated examples of well-organised workplace union activity in some instances (e.g. Vita Cortex, La Senza, Lagan Brick). In Greece, the radical traditions of strikes, work stoppages, and coordinated public demonstration continues through the crisis years, with little sign of abating.

One senior Irish civil-servant pragmatically explained how the troika’s priorities over the 3 years of the bailout programme became the government’s priorities: ‘if the troika weren’t happy, we didn’t get paid, so things used to happen quickly, as if by magic. For us, troika business was the priority. Our attitude was, what gets measured, gets done’ (Interview, DJEI, 12.01.14).
Secondly, the Irish experience has seen unions at the very least acknowledging the importance of the EU-level, if for nothing else to help explain the implications of EU-level decisions and variables, including the content and implications of the structural reforms contained in the troika agreements. In Ireland, the main limit on engagement at EU level for trade unions has been a question of resources and logistics, and not of will, and some actors including MEPs confirm an anecdotal increase in contact and engagement by unions over the crisis years (Interview, EP, 11.12.13(a)).

Conversely, the Greek attitude to Europe has been marked by disengagement. A senior Greek official from a party with traditionally close links to the trade union movement, and with responsibility for employment policy at the European Parliament contends that 'unions in Greece need to pass to a new model. The unions have not yet proposed anything of any meaning, or anything realistic, to make things better in Greece', continuing that 'they need to change their mentality'. While being subject to huge volumes of lobbying, the official explains that they receive 'no input from trade unions up to the crisis or since. Since the crisis, explanations were needed in order to change the production model in Greece, but their people (i.e. the unions) did not contribute to the dialogue' (Interview, EP, 20.11.13(a)).

Indeed an official at ICTU with experience at EU level notes that while Greek unions would have been seen occasionally at meetings in Brussels, 'they haven’t been coming since the crisis, possibly because they don’t have the resources, or possibly because they have other priorities at home' (Interview ICTU, 21.03.14).

Section 5: Implications for the European Social Model

Given the significant reforms to industrial relations practices in Europe resulting from the intervention of the troika, it is pertinent to consider what impacts these changes may have for the European Social Model (ESM).

ESM is a contested term that describes the desire to simultaneously promote economic growth and social cohesion, and which is taken to be characteristic of the post World War II consensus in Europe (Jepsen and Serrano Pascual, 2005).
Hyman contends that ESM was coined by Jacques Delors in the 1980s to provide a ‘human face’ to the completion of the single market (Hyman, 2005, p20). When presenting the Commission’s programme for 1986 to the European Parliament (EP), Delors, then President of the Commission, asserted that ‘the creation of a vast economic area based on the market, and business co-operation, is inconceivable - I would say unattainable–without some harmonisation of social legislation. Our ultimate aim must be the creation of a European social area’ (Heppie, 1987, p77). ESM may thus be grounded in the indivisibility of human and social rights, and an historic compromise between economic progress and social protection (Feickert, 2000), and the notion of ‘a highly competitive social market economy’ (see Article 3 Treaty of the European Union).

The structural reforms associated with the economic and social crisis in Ireland and Greece exhibit a frontal challenge to ESM. It is unclear if this erosion is terminal.

However, in the crisis years, the deliberate and systematic measures that have been taken by government and EU decision-makers to undermine and weaken the social model in many European countries via wide-ranging structural reforms have caused some commentators to question whether ESM is already a thing of the past (Irvin, 201014; Hacker, 2013; Yildirim, 201215). Indeed in 2012, the Chairperson of the ECB Mario Draghi when asked about the fate of the welfare model in Europe remarked that ‘the European Social Model is already gone’ (Blackstone, Karnitschnig and Thomson).

Erne (2014, p8) notes how in Greece, for example, the troika imposed wage and welfare cuts, and abolished fundamental principles of ESM including the right to collective bargaining and universal health care. Greece’s 2011 troika agreement stipulated that unemployed Greeks must pay all health care costs out of their own pocket when their employment related health care benefits expire.

Dahan notes how, ‘the EU’s response to the economic crisis presents substantive and procedural implications for employment and social policy governance’ and that the

14 http://www.social-europe.eu/2010/06/the-end-of-social-europe/
programme of economic and monetary union, recent economic reforms, and financial aid packages reveal the ‘growing pre-eminence of fiscal policy over social policy’ in Europe (Dahan, 2012, p326). Similarly, in some instances, policies of ‘internal devaluation’ have taken place as a result of conditions imposed by the troika in attempts by those countries to manage government spending (Koukiadaki & Krestos, 2012, Krugman, 2011). These measures entail restrictions being put on social protection benefits, cuts to education and health provision, minimum wage reductions, extensions to working-time, reduction of legal support for collective bargaining, and legislative encouragement of fixed-term and temporary employment provision (Deakin and Koukiadaki 2012, p9).

Whereas in the past unions widely perceived the EU’s acquis communautaire in the area of social policy as a shield against the damaging effects of an unfettered free-market (Smismsans, 2012), the implementation of the Troika’s radical restructuring programmes and the EU’s new regulations and policies in the area of economic governance over the crisis years (i.e. since 2008) may be changing worker attitudes towards the EU and its policies (see Degryse, 2012). The EU’s current economic policies may not only undermine ESM but also question the popular legitimacy and viability of the EU integration process generally. The success of this unique social experiment may indeed become increasingly unlikely the more EU institutions are perceived to be damaging the working and living conditions of the EU’s population.

The SIPTU leadership expressed its concerns regarding pressure from ‘Brussels’ to question agreements in low-wage sectors, in the absence of consultation with the social partners, by announcing that it ‘fears negative consequences for workers across the whole of the EU if the Commission succeeds in undermining the right of national parliaments to deal with such issues as well as the autonomy of the social partners, the importance of social dialogue and the specific exclusion in the EU Treaties of a European competence on pay’ (ETUI, 2013).

In the context of union cooperation, much has been written over the past century and more about the possibility of the emergence of a transnational union movement in Europe (Bieler, 2005; Erne, 2008; Marginson, 1992).
Erne (2008) argues that neither diverse national backgrounds nor technocratic supranational governance structures rule out transnational trade union action in Europe. However Erne (2014, p2) argues that economic integration itself does not necessarily ‘trigger transnational union cooperation either, because it is very difficult for trade unions to reveal the social relations that constitute markets’, but sees new European Economic Governance (see Degryse, 2012) as a potential catalyst for future European-level concerted action for the trade union movement.

Section 6: Conclusion

This paper has argued that despite the distinct European dimension to union responses to the crisis, union responses remain primarily rooted in their domestic contexts. A European/transnational dimension exists (e.g. seen in the ETUC days of action, Athens declaration, lobbying of MEPs), and some signs of increased linkages between domestic unions and ETUC can be observed, but it remains secondary to the domestic sphere.

Gumbrell-McCormick and Hyman (2013, p22) note ‘that it is clear that if unions are to appeal to the Facebook and YouTube generation, their image, language and modes of communication must be very different from what is traditional, even if the underlying message of solidarity remains the same’.

In order to survive, and indeed thrive, unions in Ireland, Greece and elsewhere need to adapt to what can be seen as more individualistic and consumerist worker orientations, as well as by providing representation in the event of employment-related grievances, and by engaging meaningfully with the European level, to compliment the more traditional forms of union action that they undertake. Without this the challenge of mounting any effective defense to the deconstruction of ESM, and the protection of fundamental labour rights in the face of increased fiscal discipline at European level, is rendered all the more daunting. Smismans, (2012, p42) notes how European industrial relations complements national industrial relations systems, without replacing them. By being procedurally involved in formation of social policy, unions in Ireland have given themselves the scope to influence the agenda, while maintaining their independence.
Based on their histories, socio-political contexts and resources, Irish and Greek unions will continue to respond differently to the challenges proposed by the crisis. Only time will tell if the crisis will result in any significant convergence between unions in different parts of Europe either via independent cooperation, or through the auspices of the ETUC.

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