

**Win – Win trade unions and worker cooperatives:
Maximising social and economic potential in worker cooperatives.
Social dialogue for better working conditions
and better business performance**

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Introductory Note

Within the European Union’s ten-year growth strategy, policy makers are calling on social economy enterprises, and especially cooperatives, to actively contribute to the overall aim of achieving a smart, sustainable and inclusive economy by 2020¹. Because of their typical characteristics, cooperatives are acknowledged as capable of meeting relevant criteria from both the economic and the social points of view.

Such ambitious goals necessitate finding a combination between the economic and social interests of companies (cooperatives, in this case), including those of the labour force and those of the whole community. Finding a point of balance, especially within the complex globalised context and in times of economic and financial downturn, is a very difficult exercise for economic and social actors at all levels.

For a long time, however, worker cooperative organisations have often been engaged with trade unions in pursuing mutual objectives related to employment, innovation, education, social inclusion, equality and environmental sustainability. The two movements have common historical roots and a long-lasting commitment on labour-related topics. These features may facilitate a ~~joint~~ joint contribution to the success of the above-mentioned strategies, as witnessed by experience developed in different EU countries where they are actively present. Proactive interactions are documented, in particular, in the area of industrial relations and social dialogue and also in the tripartite dimension, including public authorities.

All this, however, can happen only if certain methodological and substantial conditions are met. In fact, if the relationship between trade unions and worker cooperatives appears to be quite

¹ “Europe 2020” and related policy documents

close, nevertheless, it is also characterised by issues and concerns that, although seldom referred to in the literature, emerge in both movements as threatening collaboration and the achievement of mutual results.

This paper is largely based on original research in the field, which was aimed at getting a better understanding of the main features in this relationship between trade unions and worker cooperatives in the current economic and social context. The objective has been to identify the reasons for closeness and for rifts, their respective and shared challenges, good methods for exchanging and achieving common goals. In doing so, the investigation focused on practices of social dialogue and industrial relations at all levels. The reason is this is that, faced with the complexity of integrating economic and social goals, all over Europe social dialogue, at all levels, is fertile ground for worker and business interests to meet. Quality employment, good working conditions and high economic performance can be combined, in the interests both of trade unions and of cooperatives.

The objective of this paper, therefore, is to analyse, in depth, the contexts within which social dialogue can be “the method” for successful compromises between the two movements and to identify the necessary conditions for this to occur.

This research project found that there is a scarcity of existing literature - at least over recent decades. Targeting four European countries,² where both movements are relatively rooted and active, the study has taken advantage of a series of interviews with representatives of both trade unions and worker cooperatives and of direct evidence gathered at all levels (national, regional and local, as well as at company level).

The research has focused on features of closeness as well as on issues and concerns from both sides that may impact on social dialogue and industrial relations as grounds for seeking the satisfaction of mutual interests. In doing so, the industrial relation systems of the four targeted countries have been taken into account and, also, in the light of the EU legislative and policy background and recent trends.

On the basis of the original direct investigations, the paper presents the main features of the relationship between trade unions and worker cooperatives in all the countries investigated, while

² Italy, Spain, France and United Kingdom

also taking into account national systems.

In the first part, the paper illustrates how trade unions and traditional cooperative organisations share a common set of values: the often called objective of “paying attention to people”; the trust in an intensive participatory approach; the respect of legislative; and bargaining and statutory regulations. Such values are claimed to be intrinsic to the identity of traditional cooperative organisations, which tend to inform their behaviour as collective actors and guide their affiliated companies accordingly. Depending on their power within the national systems, the identifying features of such cooperative organisations often positively mark industrial relations outcomes.

The paper also highlights, however, a series of differences and rifts between the two movements. These result from issues and concerns which mainly relate to the perceived risk that worker cooperatives may provide lower salaries and working conditions than other companies; unequal rights, prerogatives and treatment between member and non-member workers; or self-exploitation, a lack of effective involvement, awareness and freedom of worker members in decision-making.

In taking stock of such criticisms, the paper attempts to identify paths which allow both movements to collaborate towards a market economy that also promotes social development. The paper describes how the worker cooperative movement is capable of finding integrated solutions to face the complexities of economic and legislative constraints and, also, thanks to its devotion to values, such as attention to people, respect of labour rights and intense dialogue with workers, trade unions and public authorities. Such innovative solutions, jointly conceived and implemented with trade unions, can bring to relevant economic and social benefits at the same time to companies, workers and citizens.

A series of case studies, originally investigated, provides concrete examples. Experiences are presented under a dual perspective. First, the positive results achieved in a collective dimension, where trade unions and cooperative organisations have a positive and deep dialogue and act together with the public authorities. The second perspective pertains more to the company dimension and illustrates positive results of social dialogue and worker involvement, leading to the definition of tailored corporate level strategies. In this case, working conditions, management of change, valuation of human resources and business promotion go hand in hand.

A final paragraph outlines the main features enabling collective actors to engage in proactive industrial relations and to enact social innovation. Proactive industrial relations rely on a set of conditions and also allows for overcoming the criticisms mentioned above. Besides the existence of structured collective bargaining systems, a certain cultural approach represents one of the crucial factors for proactively pursuing true democratisation of the economy and social innovation. The development of a culture of dialogue and participation is to be enforced at company level but also within the collective actors. Thus, greater economic and social well-being is achievable at company level, as well as in the communities where the trade union and cooperative movements are deeply rooted.

1. Relationships between trade unions and worker cooperatives: shared values and methods

Existing literature and direct evidence show that both movements share similar historic roots, common values and aims and a methodology based on dialogue and workers' involvement. Affinities based upon these grounds lay the foundations for good relations between trade unions and major cooperative organisations³. However, such similarities appear weaker when looking at the experience in individual cooperative companies and, also, at more recently established cooperative organisations for interest representation.

1.1 A common set of values

Since their origins, there has been a strong ideological link between trade union and cooperative movements. Direct evidence indicates that a **set of shared values still represents** a key factor in their relationship.

In all investigated countries⁴, although to different extents, trade unions and cooperative organisations ~~traditionally~~ are traditionally used to collaborate closely with major political parties⁵ for the protection of labour rights and the promotion of labour-related topics. Currently - albeit

³ CGScop in France, Legacoop, Confcooperative and AGCI in Italy, Coceta in Spain, Cooperatives UK in the United Kingdom.

⁴ Such as Italy

⁵ This is particularly evident in countries such as Italy and Spain, characterised by trade union pluralism, where trade union organisations were linked to ideological movements and political parties. Also, in the UK, although to a lesser extent, the trade union and cooperative movements appear traditionally close to the Labour and left-wing parties.

with less emphasis and despite the less stringent political and ideological bond – the major cooperative organisations still regard work as a driver for democracy, for freedom and individual dignity, for social inclusion and cohesion, legality and security and as a factor in both individual and collective development. Work represents “the constitutive component of the cooperative pact of yesterday, today and tomorrow”⁶, and, especially within *worker* cooperatives, the main reason for the mutual exchange that such companies are based on.

Worker cooperatives, in particular, claim a primary “attention to people”, in their role as workers, (also but not necessarily) cooperative members, as well as individuals and citizens, being part and parcel of the community. In traditionally established major cooperative organisations, such “attention to people” consistently goes hand in hand with attention to *rights*. In particular, the focus is on the fundamental right to work and to *decent* work, as well as on the right of workers’ to be involved in those strategic and organisational decisions that often determine the concrete realisation of the rights themselves. Peculiar attention is also paid to doing business in a coherent way that advances both social and collective goals⁷.

It is this set of values which characterise the *genuine* cooperative model, reflecting the original inspiring principles of the cooperative movement and grounded in legislative and regulatory provisions governing cooperatives. It is also because of these values that trade unions acknowledge “traditional” cooperative organisations as active interlocutors, as partners wishing to implement a business model intended to provide generalised wellbeing, based upon the democratisation of the economy and fairness and equality in governance processes and distribution of resources.

1.2 Cooperative “identity” as characterising industrial relations

The frequent reference to such a shared value-based scenario appears as neither theoretical nor rhetorical. On the contrary, it has been found that both trade union and cooperative representatives agree on the fact that it concretely characterises industrial relations. Within the industrial relations context, interaction takes place in many forms, including confrontational. However, direct evidence shows that the shared ideal heritage may partly ease confrontation and positively influence relations, as well as the set of working conditions the system itself is able to

⁶ Paolo Cattabiani, former President of Legacoop Emilia Romagna

⁷ 2005 World declaration on worker cooperatives, in particular art. 1.2; European Commission’s and Parliament’s acts on Social Business Initiative

guarantee.

This circumstance results from a whole range of factors. In those regions with the highest concentration of worker cooperatives, the unionisation rate, the rate of company level collective bargaining coverage and the percentage of open-ended employment contracts are usually very high, while there is a low degree of conflict⁸. Cooperatives, therefore, are able to act as considerate employers, open to dialogue and involvement, in line with their traditional founding values.

In this regard, a key role in “preserving” such values is played by cooperative associations. While respecting the correct balance of power and responsibilities in playing their democratic representative function, they provide guidance and support to their single associated companies. Major cooperative organisations may offer counselling and supervision, for example, on balance sheets, on compliance with the cooperative laws and statutes, on fiscal and employment regulations, as well as on existing collective agreements. Such full compliance with the regulatory system is often a necessary pre-condition for the affiliation of cooperatives to the organisation itself. Such actions are relevant, especially against any evidence that cooperatives are not “virtuous” companies *per se*. The intrinsic features of their corporate model predispose them to the implementation of value-oriented objectives. However these features alone do not make up strong enough conditions to implement a real mutual exchange. Conversely, it is more appropriate to refer to a “mere” use of the cooperative corporate form rather than to cooperation according to its founding meaning.

1.3 Distinctive pathways of social dialogue and collective bargaining with cooperatives

The investigations in the targeted countries show that industrial relations in cooperatives tend to replicate national models, but with certain peculiarities, following their own typical paths. This occurs mostly where cooperative associations are well established and the national system enables them to do so.

In general, cooperative organisations may be engaged, although to a different extent, in tripartite

⁸ Emilia Romagna in Italy; Rhone Alpes and Île de France in France; Wales in the UK. For example, in Emilia Romagna, the unionisation rate in worker cooperatives reaches almost 90%. Cooperatives affiliated to Legacoop, the major cooperative organisation in the region, registers 85% of open-ended contracts among their employees.

dialogue with public institutions at various levels. This happens with a view to defining wide policy scenarios and action plans for social and economic well-being⁹. In addition, in bilateral dialogue, they tend to exercise autonomously the powers that can arise from their recognition as social partners, by developing their own collective bargaining arrangements. Notably, this occurs in Italy, where cooperative organisations - social partners for all intents and purposes - negotiate and sign sectorial national collective agreements which are different to those applying to non-cooperative companies. This practice has also emerged in other countries, although to a lesser extent and in different ways, in line with national industrial relations and bargaining systems¹⁰. Moreover, this experience concerns key sectors where cooperative companies stand out as valuable economic entities¹¹.

This is relevant, from a methodological point of view.

Collective bargaining for cooperatives is also marked by the quality of its contents. In recent years, economic provisions and remunerations have, on average, been greater when compared to other company types in the same business sector. Even if recent economic and sectorial developments have reduced differentials, nonetheless, measurable working conditions remain globally - albeit at times slightly - more favourable¹². In addition, it is possible to gain further margins in territorial and company level bargaining.

1.4 The participatory method

In all four countries studied, cooperatives appear to have a frequent recourse to participatory methods, both tripartite and bilateral.

⁹ In France, Spain and the UK, cooperative organisations are interlocutors of the public authorities, but in a much less binding way than in Italy, where they enjoy full bargaining power at cross-sectorial level, negotiate and sign framework agreements with the government and the most representative trade unions and other employer organisations.

¹⁰ At the sectorial level, only in Italy are cooperative organisations recognised as full social partners with relative collective bargaining. The national sectorial agreements they sign are binding for all their associated companies. In France such practices are exceptional. In Spain and the UK cooperative organisations may set up territorial or multi-employer negotiations, although final bargaining power resides at the company level.

¹¹ National collective agreements applicable to cooperatives only exist in Italy and concern 13 sectors, including metal sector, food industry, wholesale and retail, building, agriculture and fishing. In France, similar conditions apply only to consumer cooperatives in the wholesale and retail sector. In the UK, where there are no sectorial national collective agreements, the big consumer cooperative groups negotiate and sign collective agreements with the sectorial workers' unions.

¹² Evidence arises from the comparison of economic statements reported in sectorial collective agreements, as well as of different company level agreements in countries with more fragmented bargaining structures. Interviews with cooperative and trade union organisations reveal that beyond the mere economic data, overall working conditions (determined by work organisation, work environment, participatory practices) appear better than in other companies.

Participative provisions¹³, especially when formalised via collective bargaining - although with different effectiveness due to national specificities-, tend to substantiate the democratic organisation and decision-making process – leading to the further completion of the governance structure¹⁴. This is clearly enshrined in Italian national collective agreements for cooperatives.

“The parties acknowledge that *economic democracy* is a typical and essential value of the cooperative enterprise, whose key factors are self-governing members and male and female worker involvement. In the framework of a common establishment of *industrial democracy* values, the signatory parties commit themselves to favour forms of workers’ participation in company development processes - subject to the specific autonomies and responsibilities as well as the specific aspects of the cooperative enterprises¹⁵.

This approach is not limited to the Italian experience, although it appears to be the most structured¹⁶. In all four countries diverse practices of enforced employee information and consultation allow the involvement of *all* workers, for the benefit especially of non-members who do not have access to the company decision-making bodies.

Formal arrangements for worker involvement are significant in a more marked manner the more the bargaining level gets closer to the company level. Experience also shows that informal dialogue is also frequently used.

As demonstrated by the examples of good practices below, attention to work quality and dialogue can lead to good processes, where the increase in productivity and competitiveness is accompanied by the amelioration of working conditions.

2. Criticisms of the relationship between trade unions and worker cooperatives

Despite the commonality of methods and objectives, the relationship between trade unions and worker cooperatives also appear to be problematic. There are various reasons for conflict, which

¹³ Workers’ involvement in enterprises under its three components of information, consultation and participation, is regulated by European law, in particular Directive 2002/14, and national legislation.

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¹⁵ *Introduction* to the 2009-2013 National collective agreement for cooperatives in the metal industry.

¹⁶ Participation arrangements laid out in national collective agreements are possibly integrated and extended by territorial and company level agreements.

can be linked to a high degree of fragmentation of both the legislative and the relationship framework. This may greatly impact on key areas, such as working conditions and the mechanisms for democratic and participatory management of the cooperative companies. Such tensions can also impact on companies' capacity to remain competitive and, furthermore, not only to "survive" but also to grow.

2.1 Fall of the "quadrilateral" relations between trade union – cooperation – politics - public administration

In the four countries studied¹⁷, ~~the, the~~ primary cooperative movement benefited from the closeness to labour movements and the main political parties (mostly left-wing), as well as the public authorities. Such a 'quadrilateral relationship' ensured political support and allowed cooperatives and trade unions to pursue economic success without compromising their principles. On the other hand, it opened new paths of competitiveness for cooperatives, while, at the same time, ~~guaranteeing, guaranteeing~~ the protection of social priorities – a common objective¹⁸.

At the beginning of the 1990s, this bond loosened everywhere. While enabling companies to gain a greater autonomy, this change also led to a reduction in joint and integrated strategies that were developed with the public authorities at the community level.

2.2 The pressure of the global market and the economic crisis

Economic pressure arising from changes in global and sectorial markets and, more recently, from the economic crisis, have impacted on industrial relations. Despite been affected by the credit crunch and the reduction in demand, especially business from public administrations, cooperatives more than other companies proved to be capable of launching an anti-cycle dynamic, in the face of economic and financial instability, and generally showed the ability to maintain pre-crisis employment levels¹⁹.

However, more competitive market conditions and the progressive reduction of resources have also often provoked cost cutting, which has not always been compensated for by true strategic alternatives. In highly labour-intensive sectors, or in those based on the awarding of contracts and

¹⁷ Especially in Italy

¹⁸ Thornley, 1981, p. 167

¹⁹ Roelands 2012

tenders, such as the building and services sectors, the reduction in overall costs has also required cuts in the cost of labour and, therefore, a risk of reduced protection for workers.

The cooperative sector has been exposed to financial instability too. Major cooperative companies, which had adopted a strategy of “cooperative capitalism” before the crisis, had diversified their activities, enabling them to accumulate liquid assets. However, deviating from their core business of labour production led them into unexplored territory, a long way from their roots and primarily established objectives. These structural conditions have made dialogue and relations between unions and worker cooperatives more difficult.

2.3 The fragmentation of representation and the establishment of dignified—decent labour standards

A progressive fragmentation of interest representation on both sides has undermined social dialogue.

The overall context is marked by recent changes in the structure of collective bargaining throughout Europe, which have progressively fragmented bargaining systems and reduced the certainty of application of national collective agreements. In some countries legislative reforms, often imposed by governments, have resulted in the decentralisation of negotiations, weakening the national and sectorial bargaining levels, jeopardising the effectiveness of minimum standards fixed by them and increasingly voiding them of all substance²⁰. In other countries, the social partners themselves have allowed more flexibility at different levels, through reforms agreed by negotiation²¹.

Consequently, the relationship framework has become more problematic both bilaterally and within the two movements. Trade unions have experienced internal divergences, especially in countries with pluralistic trade union traditions²². Disagreements among trade unions have primarily regarded structural measures undertaken to cope with the economic crisis. Such disunity has sometimes exacerbated the situation, with significant consequences especially at the company

²⁰ e.g.: Portugal, Greece, Hungary, and in some respects Spain

²¹ e.g.: Germany, Italy (Article 8 Decree Law N. 138 of 2011-Further urgent measures for the financial stabilisation and development. Interconfederal agreements of 2008 and 2011)

²² Such as Spain, France and Italy. The last collective bargaining seasons in Italy have been quite conflict driven. On various occasions, framework and sectorial collective agreements were not jointly signed by the three most represented union organisations. The same tends to apply at company level, with serious problems in the management of contractual relations. In some circumstances, the conflict levels have invoked the need for more accurate rules on the effective representation of the unions (finally recently put forward).

level. Here, conflicting or demanding approaches make it difficult to manage resources, or to jointly conceive and implement strategic planning, as well as to define workers' rights. On the other hand, the largest cooperative organisations have also increasingly witnessed the rise of employers' associations that diverge from their own value systems and methodology.

In Italy and Spain, in particular, the problem arises with regard to the evolution of cooperative organisations and “independent” trade unions that stipulate company agreements with lower legal and economic standards than those guaranteed by the sectorial national agreements. The differential in remuneration between the former and the latter is at times as much as 35%²³. Such practices deprive national collective agreements of their function of establishing a level playing field for companies and employees²⁴.

In addition to the increased incidence of these “pirate” collective agreements, trade unions have recently registered, with great concern, a wave of unilateral cancellations of company level collective agreements, signed in accordance with national standards.

There is also a risk of social dumping in relation to the misuse of the statute of social or worker cooperative, as in the case where businesses adopt the cooperative formula with the sole purpose of taking advantage of favourable legislation, while failing to comply with the associative and legislative requirements foreseen for the cooperative model²⁵. These “fake” cooperatives avoid controls on compliance with bargaining regulations that are in force, thus distorting the market because of violations of labour standards and legislation. They often also escape checks carried out by the Labour Inspectorate, because of difficulties in monitoring their establishment and operations.

2.4 Position and contractual conditions of the member worker

A long-standing concern for trade unions with respect to worker cooperatives is that the desire to

²³ In Italy reference is made to UNCI, National Union of Italian Cooperatives, and CONFESAL, National Confederation of Independent Trade Unions. Unions and cooperative representatives interviewed on this refer to “pirate” collective agreements, that conflict with those signed by the most representative trade union organisations in Italy CGIL, CISL and UIL and the cooperative organisations Legacoop, Confocooperative and AGCI.

²⁴ Decision of the Ordinary Court of Turin, Labour section n. 3818/2010, enshrining the non-application of the collective agreement signed by UNCI and CNAI, which envisaged compensatory standards in the services sector that are 35% lower than those provided for by the collective agreement signed by the major cooperative and trade union organisations.

²⁵ This issue arises in Italy, in particular, as remarked by both trade union and cooperative organisations, as well as by the public authority in charge of monitoring legislation and statutory provisions in force for cooperatives. The same problem urgently emerged in Spain, as witnessed by the trade union organisation CCOO.

survive in low-margin activities might lead to self-exploitation and a disregard for labour rights. The question of the member worker, although historically unresolved, still concerns trade unions, with particular regard to the application of the standard working conditions set out in collective agreements.

In most of the four countries investigated, legislation attempts to prevent these situations of under-protection. In general, there is a possibility that company or sectorial collective agreements cover all workers in a cooperative, regardless of whether they are members or not²⁶.

However, this is not always the case. In Spain, for example, a worker member is considered to be a self-employed person, to whom collectively agreed standards do not necessarily apply. Associated concerns and tensions with trade unions are related to the risk that legislative provisions allow member workers' wages to be kept lower, in order to capitalise their business²⁷. In Italy, legislative provisions also allow exceptions to treatment of member workers, as set out in collective bargaining standards, though under certain conditions and following specific procedures²⁸. In the case of the handling of a corporate crisis, for example, the reduction of agreed wages is permitted, by virtue of the autonomy of shareholders cooperative members to make decisions.

The protection of this autonomy is undoubtedly important, as co-determination is an integral part of the cooperative idea. The key question is how to turn it into substance, how to make that the exercise of such autonomy in decision-making is not just assumed. These remarks apply to small as well as larger cooperatives, as the matter is relevant in all sizes, albeit to different degrees.

On another level, besides the question of how to organise the interest representation of member workers, a crucial matter emerged concerning how to combine it with that of non-member workers.

3. Innovation for integrated growth: re-launching competitiveness, protecting rights

During the research in the field, traditionally repeated issues and, also, the more recent issues mentioned above, present a high degree of complexity. Solutions are called for, that are able to foster integrated socio-economic development. Such solutions have to meet the needs and

²⁶ In the UK minimum labour standards applicable to workers in a given sector are set by law.

²⁷ The unresolved issue is still open, especially if one takes into consideration that in a similar setting to worker cooperatives in Spain - Sociedad Laborales - members benefit from a collective agreement by law. The law on Sociedad Laborales, however, envisages that participation in the capital can come also from external investors, up to a certain limit, which allows them to raise capital for their business.

²⁸ Article 6, Law 142 of 2001

interests of large parts of the cooperative movement, of the trade unions and the community, all at the same time.

For this to be possible, it is necessary to prepare the ground for an extensive *and* intensive - that is to say structured and tailored - approach to dialogue. It is first necessary to identify the multi-level playing fields, where it is possible to give voice to all collective and even public interests. Participation, dialogue and the exchange of information and to be profitable, implies the involvement of all parties, cooperative companies, trade unions and public authorities, as well as workers. It is necessary to put all concerned actors into contact with each other.

Social dialogue and industrial relations can offer the methodology for such innovative approaches. It is therefore useful to make reference to tripartite social dialogue, developed at national or local levels and, possibly, including other interest representation groups, such as citizens' and users' associations. On another level, bipartite social dialogue between cooperatives and trade unions appears more relevant, complying with typical industrial relations characteristics, collective bargaining and worker involvement practices. Particular attention should be paid to the company/group/territorial levels, the appropriate dimensions for addressing strategic and organisational needs ~~and~~. Here, bargaining and participatory methods need to be applied with a certain degree of flexibility and adaptation, to accommodate complexity.

"Integration versus complexity" is also the rationale whereby good practices are analysed ~~and~~ ~~the~~ and the action levels are based on dialogue and involvement tools appropriate to the task. These tools would be chosen each time by the concerned actors and they appear to combine with each other in a less schematic, but a more integrated way.

The analysed frameworks for action, at different levels, show a distinctive common character. They all address workers' rights and labour conditions as features to be integrated and fostered within strategies aimed at supporting company competitiveness and seeking to lay the foundations for sustainable growth. In this scenario, the protection of collective provisions is to be combined with strategic and organisational needs, typical, for example, of the sectorial and company dimensions. The involvement of workers and trade unions, as well as the issues related to the interest representation, is strictly related to such needs.

4. Cooperatives and trade unions in the collective dimension

Despite the fall of the political “quadrilateral relations”, in several European countries recent trends show a renewed interest in integrated strategies of public relevance, agreed with public authorities and implemented under their coordination and guidance, and enacted through the joint action of trade unions and cooperative organisations. Many various issues are addressed, such as job creation and protection; the promotion of career paths; the enhancement of resources, in particular *human* resources locally; agreed schemes for the efficient and sustainable supply of services of general interest; etc. The common feature is, however, the acknowledgement of worker cooperatives as valuable economic *and* social actors.

4.1 Actions for the implementation of collective agreements rights in Italy

The protection of labour rights and collectively agreed standards (considered as embodying *decent working conditions*) is the reason for joint actions developed by the most representative cooperative and trade union organisations in Emilia Romagna, Italy. They signed a set of joint protocols, addressing crucial issues affecting very labour-intensive sectors (for example, logistics, services and portage), as well as those based on the awarding of contracts and tenders, such as as illegal as illegal forms of employment; the risk of exploitation; and a high incidence of contracting companies applying collective agreements with working conditions that are worse than those foreseen in national collective agreements. Resulting from these joint protocols, initially intended as bilateral, the social partners drew up a proposal for regional draft legislation, which contains provisions on the conditions under which the regional administration should outsource activities, as well as on actions for the monitoring of the invoked enforcement of bargaining rules.

The joint actions and the draft legislation have been widely promoted by the cooperative organisations committed to supporting the cooperative ethos and in seeking solutions for competitiveness that offer an alternative to labour cost-cutting.

The promotion of a legal approach is also supported by an initiative at the national level, whereby the major cooperative and trade union organisations have a regular dialogue with local and territorial departments of the Labour Ministry. Provincial and regional observatories on cooperatives are joint bodies established to detect and compare phenomena, such as black labour, fake cooperatives and the non-application of the terms of collective agreements. The aim is not only to address labour inspections and to detect irregularities, but also to promote a culture of legality and ‘genuine’ cooperation. Pro-active actions include the drawing up of guidelines for bids

in cooperative companies, especially in their start-up stage.

4.2 Assets seized from organised crime returned to the community and work: the experience of Libera Terra

The potential of worker cooperatives as social co-players within the community lays at the foundation for the original experience in Italy. Law 109/96 on the redeployment of assets seized from mafia organisations envisages the allocation of illegally acquired or inherited properties to public or private entities able to exploit them for the welfare of citizens, by means of social and labour-promoting services and activities. Most assets - mainly agricultural land - are being granted by local administrations to already existing, or, indeed, new worker cooperatives created by specific public tenders selecting expert staff. The resulting agricultural worker cooperatives have organised themselves into an association, Libera Terra, and into a consortium-based company, to commercialise biological agricultural products identified by a quality mark and a legal trademark. The consortium, with a €5 million turnover, is experiencing growth in its share base and recapitalisation.

In Southern Italy, where there is a lack of development, unemployment and poor protection of labour. These are often related to the activities of organised crime. The first cooperatives founded as a result of this initiative have been named after trade unionists killed by mafia criminals, because they supported the creation of cooperatives of farmers and day-labourers, in clear contrast to the criminal profits generated by the mafia's management of illegal intermediation. This experience is certainly valuable, not only with regard to job creation, as today's cooperatives embody a legacy of values of peculiar importance in the social context of Southern Italy, where a culture of legality and labour as key elements for economic sustainability still needs to be promoted and affirmed.

The role of trade unions is remarkable in ~~the~~ their provision of expertise, campaign and awareness raising, political support and the promotion of legislative initiatives to improve the effectiveness of the actions. Furthermore, the network of union contacts is available to both individual cooperatives and to the consortium, to attract new investors and bodies committed to social solidarity and other practical ways of contributing.

4.3 Supply of services of general interest and job creation: TUC and Wales Cooperative Centre

Cooperatives UK, the national association for cooperatives in the UK, started a formal process of dialogue with the Trade Union Congress (TUC) in 2012. The objective was to develop a common statement of 'best practice' for worker cooperatives to emerge from the privatisation of the public sector and deliver services, as envisaged by the Conservative Party and the Coalition Government.

The Worker Cooperative Council, a representative body within Cooperatives UK, while welcoming the spirit of the programme, expressed concerns around the risk, in practice, of poor quality enterprises or businesses operating without genuine worker democracy. Its view was that these risks would hurt the reputation of the whole cooperative sector and, should they end up as a stepping stone to an investor-led privatisation, discredit the model in the eyes of the public sector. The TUC was also concerned that worker rights needed to be safeguarded, at a time of cuts and change, in the form of genuine, democratic worker cooperatives with a good standard of employment conditions. Therefore, Cooperatives UK and the TUC developed a common agenda²⁹. In this context, it is also worth mentioning the experience of the creation of the Wales Cooperative Centre (WCC) by the Welsh branch of the TUC, which dates back almost 30 years ago, during a heavy industry downturn. The WCC is now an established agency for cooperative development, publicly supported and funded to promote social, financial and digital inclusion through the creation of new cooperatives or business succession from a retiring owner to employees. It supports the creation of cooperative enterprises, devoted to *social objectives and also economically sustainable*.

The Welsh TUC and the WCC have historically had a strong working relationship at both a strategic and an operational level. They share an underpinning commitment to deliver greater community prosperity through common endeavour. Both parties aim to influence, inform and respond to Welsh public policy and both recognise the advantages of partnership work on strategic issues and in areas of common interest. In order to acknowledge the strong historical origins and mutual goals, as well as to strengthen their social partnership, they have recently agreed a memorandum of understanding. It establishes further cooperation and coordination for developing joint actions across a wide range of public policy issues. Both parties have distinct but complementary roles and functions *vis-à-vis* Welsh public policy on the one hand, and workers, citizens and consumers on

²⁹ This was also informed by finding work in the schools sector, where the growth of cooperative schools, now numbering over 500 in England, was accelerated by the signing of formal agreements between the Schools Cooperative Society and trade unions, such as NASUWT. A 'best practice' guide resulting from this work by Cooperatives UK and the TUC will be published later in 2013.

the other.

The relationship between the two actors has brought significant benefits for both, in terms of their capacity to impact public policy and boost the wealth of the community. Integrated strategies have been jointly conceived and implemented to reduce unemployment among middle-aged people; to combat school drop-out and raise youth employment; to ensure extensive professional training as a measure for anticipating restructuring; and to prevent the negative effects of future downturns in the region. Innovations at company and technological level have been promoted. It is also worth noting that, in launching the joint initiative, the TUC was originally inspired by the experience of the Spanish cooperative group Mondragon, in particular, by the integration of economic activity into the fabric of local communities and especially by its astonishing business performances³⁰. This explains why support provided through the WCC tends to be highly tangible and effective in terms of economic efficiency, as well as meeting community needs.

4.4 The French case: legislative actions to protect employment

In France, the national reform plan, recently presented by the socialist government, includes a chapter which refers to the social economy. New legislation, expected to be approved by the end of 2013, is built around five key areas. One of these is about the modernisation of the cooperative model, which will be the subject of tailored provisions, with particular regard to business succession and the transfer of a company ownership to the workforce. This is expected to cause a "cooperative shock" and to multiply the number of cooperative and participatory societies (SCOP) in the next five years.

French trade unions, involved in processes of enlarged dialogue, have welcomed the initiative, taking part in dialogue on its development and implementation. The trade union movement has been fostering and supporting the creation of new cooperatives for a long time, jointly with cooperative organisations, for the protection and the promotion of employment and of resources, in particular at local and regional levels. The unions have played a crucial role in instances of corporate crisis, where there was a possibility of a take-over of a company's activity and the business transmission to employees was a possibility. The cases of the Helio Corbeil cooperative, High Loire, which is active in the press, magazine and printing sector, and Fontanille, in the textile

³⁰ Notwithstanding concerns about the absence of trade unions in that Spanish company

sector, are such enterprises³¹.

In both these cases, the trade unions (CGT and CFDT) supervised the workers' take-over of the bankrupted enterprises to ensure that they represent actual, viable and safe business options. In fact, workers invested their unemployment benefits and compensation to capitalise these new cooperatives. The active contribution, provided together with CGScop, focused on the drawing up by experts in the respective sectors of industrial strategies and business plans designed to be sustainable over the long run. The trade unions most valuable contribution consisted of the reorganisation of company and work organisation strategies according to ~~the participative~~the participative approach. Changing to the cooperative form, in fact, has required an in-depth reorganisation of the processes of governance and also the participation in the membership base. Training to become a cooperative member has been a high priority, in particular in Helio Corbeil, where it takes 18 months to be trained and admitted as a member. Moreover, all workers in the newly formed cooperatives are members and are unionised. Working conditions in the previous enterprises have been maintained, whereas productive processes have been organised according to renewed flexibility and effectiveness that seemed to be lacking under the previous management.

5 Collaboration between worker cooperatives and trade unions at enterprise level to re-launch competitiveness

In the good cooperative practices examined by the study, responses to the pressures of the global market and the economic crisis are found in diverse company strategies, mainly focused on the enhancement of human capital. These contexts present good overall working conditions as strictly linked to higher competitiveness.

In these case studies, innovation sometimes consists in original solutions that are able to open new business opportunities and deliver the best quality of service. More often, it also consists of improvements in the existing schemes, in organisational rationalisation and in a "leaner" work organisation, leading to higher productivity and cutting of unnecessary costs. In such cases, the active and well-informed involvement of workers plays a vital role. The case studies demonstrate a high degree of integrated growth, based on the most versatile participatory methods, but also on

³¹ In this company case, the trade unions have also fostered actions of crowd-funding, whose development and management is yet to be evaluated.

deep awareness of the competitiveness scenarios needed for the economic sustainability of the company.

As previously mentioned, advanced practices in this context are already coded in national collective bargaining for cooperatives in Italy. For example, the metal sector agreement acknowledges the distinctive participatory features of the worker cooperatives compared to their social and economic objectives:

“Cooperation needs to promote an active and responsible involvement of workers in the company processes and labour organisation in order to pursue social and development purposes. The professional participation at various levels, if combined with the effective and efficient organisation of the various company roles, is a condition of market competitiveness for the enterprise, as well as a condition for workers to actively contribute to the rapid change in professional and organisational systems.”

Consequently, many cooperatives have identified adequate involvement procedures that can foster competitiveness, while achieving relevant social goals.

With an innovation rationale of industrial and organisational strategies, the company level and/or a territorial level collective agreement are closest to the business level where wealth is being produced. It is, therefore, recognised as the most appropriate means to grasp the enterprise's economic and socially distinctive specificities. As such, it appears to be the right tool to delegate (and not derogate from) the topics of innovation and experimentation in areas such as work organisation and productivity growth and also the implementation of remuneration systems designed to acknowledge, enhance and promote credits and skills.

5.1 Innovation, enhancement of human resources and sustainable development: Formula Servizi

Formula Servizi is an Italian worker cooperative specialised in the provision of diverse and high quality services to the public, companies and public administrations. It is rated among the ten best national companies by size and profits and has reached 35th position in the Top 500 European Growth Companies in 2013. Its entrepreneurial success is based on a long-term view of sustainability and innovation:

“Formula Servizi has always acted strategically and not tactically, focusing on service quality

to reduce marginal costs and remain competitive in bids for tender, without affecting working conditions at all”³².

The company policy is based on rethinking work in terms of human, economic and environmental efficiency, by reducing energy consumption, recycling, economising and using renewable energy sources. One of its first innovations was in work organisation - 90% of its employees are female and 80% of these benefit from a modular part-time or full-time contract, providing a personalised schedule to cope with private and family requirements. Work assignments are organised so as to enable each employee to work as close to home as possible, also reducing his/her carbon footprint. This has cut absenteeism and enhanced motivation.

Technological innovation represents a second pillar. Close attention is paid to ground-breaking technologies, especially with regard to environmental impact. Investments have been made in research and development and in partnership with a range of institutes. For example, Formula Servizi's hospital cleaning services will not require the use of any water.

Moreover, adaptation to the labour tools requested by health and safety representatives has become the focus of a separate business, which has allowed the ~~company to~~ company to diversify. In the high labour-intensive sector of cleaning services, the idea of enhancing human resources might seem difficult. However, Formula Servizi has based its success on the care and professional development of its employees, who are involved in the company strategy and are well able to master technological innovation. In line with this multifaceted company strategy, all employees provided with more than 1500 hours of training each year.

This industrial strategy also benefits from the presence of skilled managers, often with a past in the trade unions, who have grown up professionally within the company and are therefore fully aware of its potential, as well as of the communities where it is rooted. The close involvement of workers allows managers to benefit from their daily experience and for the improvement of working methods and ideas for new business products, thus increasing both satisfaction and productivity and saving on management costs.

The company's success is the result of a culture characterised by solidarity, which relies on its

³² Company trade union representatives from CGIL, CISL and UIL.

members, who, for the past two years, have been appropriately trained for this role³³. Employee share-owners are keen to be fully involved in corporate governance. Local assemblies are held in all the locations scattered around the country and these general assemblies are well attended. Members also evaluate the company managers every 3 years.

These assemblies have proved to be one of the most rewarding in terms of internal management/employee cohesion. Representatives of non-member workers also attend the assemblies, thus guaranteeing a flow of detailed and thorough information to all work colleagues. Trade union delegates (sometimes cooperative members) hold a constant and direct dialogue with management, mainly representing the interests of non-member workers, thus strengthening relations throughout the entire workforce. They also deliver workers' opinions, for example, on health and safety issues, which very often have helped to better manage internal organisational processes, streamline procedures and improve communication.

Encouraged by a climate of transparency and mutual trust, company trade unions have never obstructed innovation processes, but have added a significant contribution to the overall collaborative spirit, despite the difficult business environment and the sectors within which the company operates.

5.2 Efficiency of organised satellite cooperative suppliers and professional development: Consorzio Euro2000.

Like other small companies, many worker cooperatives often depend on large private corporations for orders or supplies. Consequently these corporations can exert pressure on cooperatives, or, indeed, jeopardise their very survival as businesses. However, trade unions can play a balancing role, putting pressure on contracting companies on which cooperatives depend, by virtue of the relationships rooted in the territory and the influence they can have on public opinion. Moreover, the experience of trade unions in the consolidation of industrial districts can help cooperatives to develop strategies that can make them more robust, such as the creation of consortia. This is the case of Consorzio Euro2000, established in 1998, and which unites a group of cooperatives active in meat butchering, with 1330 worker members mostly based in Lombardy, Italy. Thanks to collaboration with the trade unions, the establishment of the consortium allowed cooperatives to

³³ Out of 1900 workers, almost 900 are worker-members.

secure a long-term contract for butchering services with the agri-food giant Cremonini Group.

Currently, the consortium no longer depends only on this single client. Thanks to a careful policy of management, training and development of staff, the production processes have reached high standards of excellence. This highly efficient organisation relies on a strong worker involvement and trade union engagement, in particular, on health and safety issues. Butchering procedures have been refined over time, making the job safer and less burdensome, with higher efficiency and quality output.

The experiences gained have been put to further good use. Specific training and job placement plans have been agreed with the national and regional trade unions, to train annually at least 25 young people willing to learn a highly specialised job. The scheme has been running for five years, and all the participants have been recruited by the consortium or by other employers in the area, where there is a strong demand for professionals in an "endangered trade".

5.3 Strategies of participation and solidarity in the building sector: the case of CMB

One of the sectors most affected by the current economic crisis has been construction. Not only did the credit crunch stall private contracts, but the cuts in public spending drastically impacted the economy of the sector. The CMB cooperative of Carpi, Italy, is one of the largest construction companies in Europe. It continues to survive, thanks to a combination of corporate and industrial strategies that have proved capable of safeguarding the jobs of its approximately 900 employees, all hired on permanent contracts. For a long time, its business strategy has been focused on diversification. In addition to the production of work, the cooperative has undertaken 'socially responsible' financial and real estate activities, that are not just speculative, that have successfully provided significant cash reserves at a time when they were most needed. Before the crisis, this "social capitalism" allowed for an increase in employment and the hiring, among other elements, of transferred workers from the across Italy, for whom the cooperative also provides room and board. The *social* aspect of these corporate strategic choices and the strong values of the cooperative, guaranteed that, in times of crisis, the priority lies in safeguarding employment levels. In the event of the application of social safety nets, such as redundancy payments, the company tends, for example, to supplement Government contributions to ensure a decent minimum income to the redundant employees.

About 250 worker-members out of the 900 employees represent the membership base of the cooperative. These are almost all managers and middle managers. A climate of trade union pluralism, promoted by the management in spite of the risks of fragmentation of the consultation arrangements, has fostered trade union membership and the presence of trade union representatives (on behalf of all workers, members and non-members) at cooperative members' meetings has ensured a steady and full flow of information.

The choice of corporate strategy which, so far, has proved to be far-sighted, thanks to a management that is experienced and aware of the environment in which the cooperative operates, are the subject of preliminary discussions with company trade unions. Important decisions are firstly debated at meetings with all workers, together with the management, and *then* at the members' assemblies. They are then the object of a structured participation in the application phase.

This internal participative structure is aided by the extraordinary presence of three bargaining levels applicable to the cooperative, national, provincial, both levels are normal for the construction sector, and at the corporate level, covering all three territorial divisions of CMB³⁴. There is, however, no overlap as the agreements at each level deal with different issues. The corporate layer is the most flexible one, which affords CMB standards of excellence, for example, in relation to the treatment of transferred workers, health and safety issues, salary support and training. Company agreements deal with professional bonuses, based of compliance with safety obligations and responsibilities, which encourage and reward participation in specific training courses and provide accountability on key issues for construction workers.

Trade union agreements concerning industrial organisation see the trade unions and the general representation of workers carrying considerable weight with respect to the decisions taken in the cooperative assemblies. For example, the recent (2011-2012) *solidarity agreements*, even involved a professional category ~~especially typical of the members, that of,~~ middle managers and cadres, mostly cooperative members, and which provided social safety nets for 150 people, was first discussed with trade unions and then discussed by the members' assembly³⁵.

³⁴ In Italy, the local and the corporate levels are alternatives

³⁵ The practice of solidarity agreements is quite widespread among cooperatives.

6. The win-win relationship between trade unions and cooperatives: conditions and pathways of maturation for economic sustainability and quality of work

From evidence reviewed for this article, decent working conditions emerge as protected and promoted primarily through the protection of the bargaining structures, through which rights and obligations between cooperatives and workers are first debated, and then codified. Multi-level collective bargaining systems not only appear more likely to achieve a proper settlement of rights and obligations between cooperatives and workers. They also work to the benefit of the whole process. The value of the agreement lies in its being the culmination of negotiations, even though tough and hard-fought, in which parties must strive together for their respective interests, knowing the point of balance lies in their complementarity.

The signature of the agreement, however, does not put an end to the debate on working conditions, on which cooperatives and trade unions continuously exchange. There remains the question of the 'internal' representation of the interests of members and non-members. In this respect, a common factor among the company analysed by this study is their experiences that, where trade unions are present, they act in the interest of the whole workforce, in different ways. Members' decision-making autonomy on crucial choices (from the appointment of their managers to the application of business and organisational strategies, even extreme and difficult ones), can also be substantiated by the actions of the trade union. The position of member, normally coveted by cooperatives' employees, in general is not automatic, but is the result of a preparation process, whose completion is required by the company and is carried out jointly with trade unions.

This pathway contributes to the creation of a corporate culture based on shared values, such as awareness of labour rights and workers' prerogatives, solidarity and allegiance to the collective reality. The fact that many cooperatives, despite the crisis, have chosen to maintain their employment levels, redistributing the difficulties over all workers, demonstrates a distinctive cohesion, with strong social connotations. Equally the tendency is to engage individually in the cooperative, which is especially, but not only, the source of work. Moreover, it happens that the membership base is the first to make sacrifices, perhaps giving up the return on capital, to safeguard the positions of non-member employees.

In such contexts, there is no condemnation of the autonomous choice of cooperative members to

also resort to "sacrificed" working conditions, as long as they are aware of and compliant with the substantial constraints for the protection of rights. This is overseen and supported by the trade unions.

Such a corporate culture takes into account the communal environment in which cooperatives and their employees coexist, affected by the company choices – as sadly experienced in cases of closure of entire plants. The link with the community supports informed and shared choices and fosters social solidarity. At the same time, cooperatives draw strength and resources from the territory. Management of the cooperatives studied always has a strong link with both, knowing the community and, therefore, is able to enhance its potential in the interests of economic activity, which in turn produces benefits for the local population.

This cultural fact is also of paramount importance when it comes to deciding the rules and modes of participation. All the cases reviewed show some positive traits in this respect. However, in many cooperative experiences, the widespread provision of participatory mechanisms and bodies has not produced the expected innovative results. This may be due, not only to the quality of industrial relations in the companies, but also to a lack of concreteness. A maturing process could, therefore, lead to greater awareness of available tools and viable options. For this to happen, another condition must be met, that is the mutual reliability and transparency of the interlocutors, from both management and trade unions.

"Industrial relations, especially at the enterprise level, are basically made by the people and in cooperatives more than anywhere else" ³⁶.

Even in this case, they are a product of culture and values, which must be shared and mutually encouraged.

The case studies have seen workers' experiences taken seriously, translated into actual improvements in working methods, capitalised as innovative assets for the company and used for the benefit of its economic sustainability. The pathways towards such win-win solutions, therefore, seem to rely on *social innovation*. This is not a new concept, especially for the cooperative world³⁷. Worker cooperatives are frequently acknowledged as able to "respond to unmet social

³⁶ Carlo Marignani, ACI

³⁷ Social and workplace innovations have recently been relaunched by the European Institutions through policy documents and supporting financial interventions (European Structural Funds). See amongst others: Social Business Initiative; <http://ec.europa.eu/enterprise/policies/innovation/policy/social-innovation/>

needs” at different levels, in particular at the company and community levels, while successfully performing as economic actors. In the present context, however, innovation is not only intended in terms of industrial strategy, but mainly in terms of a cultural approach.

Also in a collective dimension, evidence from this ~~research—highlights~~research highlights that innovation is possible if led by awareness and responsibility of all the actors involved. It depends on their capacity to mature and adopt attitudes such as the possibility to

“reshape the relationship among development and rights, globalisation and territory, as growth is not separated from rights, hence they foster each other”³⁸.

For cooperatives, awareness and responsibility relate to the attempt to reverse the trend towards the pursuit of competitiveness at the expense of workers' rights and working conditions, especially for the most disadvantaged categories. This would betray the nature of cooperatives that are usually more attentive in enhancing workers as primary resources in their entrepreneurial ~~mode~~mode and would represent a defeat for trade unions and public authorities. Although this is a challenge for all enterprises, it is more pertinent for cooperatives than for conventional companies.

Trade unions are also facing a cultural change that is affecting their social and economic role. They are now called upon to develop a more proactive and concrete approach, while remaining engaged in affirming general principles and guarding rules that provide minimum standards for all workers. Greater concreteness also implies a less demanding approach and more willingness to put forward proposals and, therefore, to be more able to evaluate individual situations and find ad hoc solutions. Cultural change also involves public authorities, which need to set priorities, enhance existing resources and prevent any risk of marginalisation.

In this framework, social dialogue and industrial relations are the foundation for enhancing industrial and economic democracy through the promotion of participation, mutual responsibility and commitment within companies and in communities where both trade unions and cooperatives are traditionally well rooted.

³⁸ Cattabiani, 2012

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Special thanks to all researchers, public functionaries, representatives of the trade union and cooperative movements, who have dedicated their time (and their confidence) for the interviews carried out in the framework of the present research.