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Disclaimer

The contents of this publication do not necessarily reflect the opinion or position of the European Commission, Directorate-General Employment and Social Affairs. This study has been carried out by independent experts. It therefore does not involve the Commission's responsibility in any way. The European organisations subject of this study have had the opportunity to comment on the content of this study before its final approval¹.

¹ Its approval by the Commission does not imply the approval of any of the European organisations as to its content.

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INTRODUCTION

PRESENTATION OF THE STUDY

This report has been produced as part of the research into the institutional representativeness of social partners in the European Union, and the situation of trade unions and employers' associations in the candidate countries. The research has been conducted by the Institut des Sciences du Travail (Université catholique de Louvain) at the request of the Employment and Social Affairs Directorate-General of the European Commission (Call for tenders No VT/2002/83).

The issue of the representativeness of European organisations came to the fore in the context of the promotion of social dialogue. In a communication published in 1993², the European Commission set out three criteria determining the access that employers' and workers' organisations had to the consultation process under Article 3 of the Agreement on Social Policy. According to the terms of this communication, the organisation must: (1) *be cross-industry or relate to specific sectors or categories and be organised at European level*; (2) *consist of organisations which are themselves part of the social partners structures of Member States which have the capacity to negotiate agreements, and which are representative of all Member States, as far as possible*; (3) *have adequate resources to ensure their effective participation in the consultation process*. In 1996, it adopted a consultation document³ that sought to bring together the widest range of views on the measures to be employed in fostering and strengthening European social dialogue. At that point, given that the social partners at European level were, and still are, in the process of structuring themselves and accepting new applications for membership, the European Commission conducted a study on the representativeness of inter-professional and sector organisations in the European Union, and in a new communication⁴ in 1998, announced the measures that it proposed to take in order to adapt and promote social dialogue at European Union level. In it, the Commission reaffirmed the three criteria established by the 1993 Communication, permitting European organisations to be recognised as representative for consultation purposes under Article 3 of the Social Policy Agreement. Finally, in 2002, the Commission reaffirmed its support for a strengthening of social dialogue in its communication *The European social dialogue, a force for innovation and change*⁵. In the respect of the three criteria set up by the Commission, as has been pointed out in previous studies⁶, *the changes focus on the disappearance of demands relating to the inter-sector nature of organisations and on the fact that they are established in all Member States; the new rules have not been formulated in a very restrictive manner, they only require employers' and workers' organisations to represent "several" Member States. This relaxation of the implementation condition might pose a demarcation problem in the sense that there is no criterion setting out a minimum number of Member States to activate it.*

Against this background, it is clear that one of the main issues, both for the Commission and for the European social partners, is the enlargement of the European Union and its impact on the process of social dialogue at Community level: *The Communication underlines the vital role and the weaknesses of social dialogue in the candidate countries. Much has been achieved over the past decade with the support of Community programmes and initiatives. However, a lot remains to be done to strengthen the capacities of social partners and involve them in the accession process*⁷. As far as the European Commission is concerned, it is *only with sufficiently robust national structures that the social partners will be able to participate effectively in negotiations and in other European social dialogue activities and also implement agreements at national level*⁸.

The development of social dialogue, therefore, formed part of the "*acquis communautaire*" (community achievement): *The Treaty requires that social dialogue be promoted and gives additional powers to the social partners. The candidate countries are, therefore, invited to confirm that social dialogue is accorded the importance required and that the social partners are sufficiently developed in order to discharge their responsibilities at European Union and national level, and to indicate whether they are consulted on legislative drafts relating to the taking over of the*

² COM(93) 600 final of 14 December 1993, Communication from the Commission concerning the application of the Protocol on Social Policy.

³ COM(96) 448 final of 18 September 1996 concerning the development of the social dialogue at Community level.

⁴ COM(98) 322 final of 20 May 1998, Communication from the Commission, *Adapting and promoting the Social Dialogue at Community level*.

⁵ COM(2002) 341 final of 26 June 2002, Communication from the Commission, *The European social dialogue, a force for innovation and change*.

⁶ Spineux A., Walthery P. et al., *Report on the representativeness of European social partners organisations*, Report coordinated by the Institut des Sciences du Travail of the Université catholique de Louvain, for the European Commission, Directorate General for Employment, Industrial Relations and Social Affairs, Louvain-la-Neuve, 1998.

⁷ Op cit.

⁸ Op cit.

employment and social policy acquis... Therefore, the development not only of tripartite structures but also of autonomous, representative bipartite social dialogue is an important aspect for the future involvement of the candidate countries' social partners in the social dialogue activities developed at European and national level⁹.

Enlargement of the European Union is a major issue from a quantitative and qualitative point of view: *The quantitative leap is quite clear as soon as the number of partners rises. The delegations taking part in social dialogue will be enlarged, and that, as we know, does not facilitate dialogue. However, the leap is also qualitative in that the new entrants present the industrial relations systems they have inherited from their national histories¹⁰.* By and large, most of the countries studied are notable for strongly developed tripartism, but for weakness at central bipartite level, in social dialogue at sector level, and at the level of organisations, particularly employers' associations.

The aim of the report is to produce a study that sets out both brief descriptions of the way that social dialogue functions in the countries concerned, and descriptions of the various workers' and employers' organisations involved in social dialogue at sector level. This study may be seen as a tool to help understand these quantitative and qualitative factors.

RESEARCH APPROACH AND COMMENTS ON METHODOLOGY

For the purposes of this study, a network of University researchers throughout the 15 European Union Member States and candidate countries was set up. These researchers are experts in industrial relations and are independent of both the European Commission and employers' and workers' organisations. Each researcher was charged with drawing up a report based on a common template. A questionnaire tailored to the specific realities of the chemical industry sector was elaborated to that effect. Each national report issued by the expert was submitted to the national organisations in order to enable them to make comments on collected data. The IST took charge of coordinating the study and drawing up the summaries. Constant communication and ongoing collaboration between the IST, national experts and national organisations takes place in order to associate the various players of the process of research. The report is also checked by the European organisations and their members in order to enable them to make comments on the report. This phase of consultation represents an important stage of research. Lastly, the report is checked by the European Commission's services. The IST wishes to stress its independence with regard to the political consequences and decisions which may be made on the basis of this study.

The research process, in its design, comprises a phase of collection of data on the players and the social dialogue in which they participate, but also an active approach embracing the building of a consensus, which is an integral part of the process of social dialogue itself. Thus, whereas in a good number of cases the data collected do not permit total definition of the role played by the organisations, the contacts made during the data collection and the discussions with the different players concerned should be an integral part of a process of mutual recognition¹¹. The main sources used within the framework of this study are thus the social partners themselves.

Lastly, a few words on the consultation process involving the European social partners must be added. The organisations which have been consulted are cited in annex. The comments that the IST received from these organisations, and those of their members have been incorporated in different ways, depending on the kind of information received:

- The observation is directly included in the content of the report
- When a difference of opinion exists between the employers' or workers' organisation and the expert, the observation is included as a footnote in the report, as well as the justification of the expert.

The consultation for this report on the chemical industry will take place during the month of October 2006.

Finally, given that national situations are very changeable and evolve rapidly, it is important to stress that the aim of this study is to take "a snapshot" of the situation of the organisations in 2006. Interviews with the organisations took place, and the national reports were written, between April and July 2006.

⁹ Enlargement of the European Union. Guide to the negotiations. Chapter by chapter, European Commission, DG Enlargement, June 2003.

¹⁰ Léonard E., Spineux A., *Les relations industrielles en Europe aujourd'hui*, Institut des Sciences du Travail, UCL, 2003 (unpublished).

¹¹ Reply to Call for Tenders VT/2002/83. Studies on the representativeness of the social partners at sector level in the European Union and monographs on the situation of the social partners in the candidate countries, Institut des Sciences du Travail, UCL, 2002.

ABBREVIATIONS USED IN THIS REPORT

| | |
|--|---|
| <i>In the text</i> | |
| % | Per cent |
| € | Euro(s) |
| CA | Collective agreement |
| CB | Collective bargaining |
| Density | Number of salaried workers or enterprises of the sector affiliated to the organisation divided by total number of salaried workers or enterprises of the sector |
| GDP | Gross Domestic Product |
| NACE | Statistical Classification of Economic Activities in the European Community |
| ND | no data, i.e. no data is available |
| PAV | Present Annual Value |
| SD | Social dialogue |
| SME | Small-to-Medium Enterprise |
| SSD | Sector social dialogue |
| SW | Salaried workers |
| <i>In the tables of the national summaries</i> | |
| CB | Does the organisation take part in collective bargaining? |
| Density companies or enterprises | Number of enterprises of the sector affiliated to the organisation divided by the total number enterprises of the sector |
| Density SW | Number of salaried workers of the sector affiliated to the organisation divided by the total number of salaried workers of the sector |
| <i>Organisations' Abbreviations</i> | |
| APEP | European Association of Potash Producers |
| BWI | Building and Wood Workers' International |
| CAEF | The European Foundry Association |
| CCA-Europe | Calcium Carbonate Association-Europe |
| CEC | European Confederation ,of Executive and Managerial Staff |
| CEEMET | Council of European Employers of the Metal, Engineering and Technology-based Industries |
| CEFIC | European Chemical Industry Council |
| CEPMC | Council of European Producers of Materials for Construction |
| CES | Confédération Européenne des Syndicats |
| CESI | European Confederation of Independent Trade Unions |
| CIC | International Confederation of Executives and Managerial Staff (Confédération Internationale des |

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| | Cadres) |
| CTUC | Commonwealth Trade Union Council |
| EBA | European Borates Association |
| L'ECEG | Groupe Européen des Employeurs de la Chimie |
| ECITU | European Confederation of Independent Trade Unions |
| EDA | European Demolition Association |
| EFFAT | European Federation of Trade Unions in the Food Agriculture and Tourism Sectors |
| EFBWW | European Federation of Building and Woodworkers |
| EICTA | European Information and Communications Technology Industry Association |
| EMC | European Manager Confederation |
| EMCEF | European mine, chemical and energy workers' federation |
| EMF | European Metalworkers' Federation |
| EMO | European Mortar Industry Organisation |
| EPSU | European Federation of Public Service Unions |
| ERMCO | European Ready Mixed Concrete Federation |
| ESMA | European Speciality Minerals Association |
| ETF | European Transport Federation |
| ETUC | European Trade Union Confederation |
| ETUF -TCL | European Trade Union Federation – Textile, Clothing and Leather |
| EUBA | European Bentonite Producers Association |
| EuDA | European Dredging Association |
| EuLA | European Lime Association |
| EURACOAL | European Association for Coal and Lignite |
| EUROCADRES | Council of European Professional and Managerial Staff |
| EUROFEDOP | European Organisation of Public Service Employees |
| EUROFEL | European Association of Feldspar Producers |
| EUROFER | European Confederation of Iron and Steel Industries |
| EURO-Gif | European Oil and Gas Innovation Forum |
| EUROGYPSUM | Association of European Gypsum Industry |
| EUROMINES | European Association of Mining Industries, Metal Ores & Industrial Minerals |
| EUROSIL | European Association of Silica Producers |
| EUROROC | European and International Federation of Natural Stones Industries |
| EUROTALC | Scientific Association of the European Talc Industry |
| EURO WEA | European Workers' Education Association |
| EU SALT | European Salt Producers' Association |
| FECI | Federation of European Construction Industry |
| FEANI | European Federation of National Engineering Associations |

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| FEPA | Federation of European Producers of Abrasives |
| FERPA | Federation of Europe Retired Personnel Association |
| FGE | Fédération Graphique Européenne |
| FIEC | European Construction Industry Federation |
| FIOM | Fédération Internationale des Travailleurs de la Métallurgie |
| FITTHC | Fédération Internationale des Travailleurs du Textile, de l'Habillement et du Cuir |
| FIPA | Latin American Federation of Aggregate Producers |
| FMTI | International Federation of Industry Workers |
| FSM | World Trade Federation |
| ICFTU | International Confederation of Free Trade Unions |
| ICEM | International Federation of Chemical, Energy, Mine and General Workers' Union |
| ICFTI | International Confederation of Free Trade Unions |
| IDPA | International Diatomite Producers Association |
| IFBWW | International Federation of Building and Woodworkers |
| IFWEA | International Federation of Workers' Education |
| ILA | International Lime Association |
| ILO | International Labour Organisation |
| IMA | Industrial Minerals Association |
| IMA-Europe | Industrial Minerals Association - Europe |
| IMF | International Metalworkers' Federation |
| INFEDOP | International Federation of Employees in the Public Service |
| IOE | International Organisation of Employers |
| ITF | International Transport Federation |
| ITGLWF | International Textile, Garment and Leather Workers' Federation |
| IUF | International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations |
| KPC-Europe | European Kaolin & Plastic Clays Association |
| OIEM | Organisation Internationale de l'Energie et des Mines |
| ORGALIME | European federation of national industrial associations representing the European mechanical, electrical, electronic and metal articles industries |
| PRE | The European Federation of Refractories' Manufacturers |
| PSI | Public Services International |
| UEAPME | European Association of Craft Small and Medium-sized Enterprises |
| UEPG | European Aggregates Association |
| UITBB | Trades Union International of Workers in the Building, Wood, Building Materials and Allied Industries |
| UITA | Union Internationale des travailleurs de l'alimentation, de l'agriculture, de l'hôtellerie-restauration, du tabac et des branches connexes |

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| UNI | Union Network International |
| UNI-Europa | Union Network International - Europa |
| UNICE | Union des Industries de la Communauté Européenne |
| WCL | World Confederation of Labour |
| WFIW | World Federation of Industry Workers |
| WFBBW | World Federation of Building and Woodworkers Union |

COMPARATIVE STUDY

1. DEFINITION AND DESCRIPTION OF THE SECTOR

1.1 NACE Nomenclature¹²

In the NACE nomenclature, the mining and quarrying sector (M&Q sector) also includes the extraction of peat, crude petroleum and natural gas. These sections will not be included in the present research following an initial instruction of the European Commission. The following NACE nomenclature description is given here as an indication. Indeed, according to national traditions, the sector delimitation can differ from one country to another. One important aim of this study is to highlight the particular features of each sectoral situation in each country. Moreover, the framework and structuring of the employers' organisations and trade unions as well as the organisations involved in the social dialogue can cover various sub-sectors and/or different trades or professions.

Unless indicated otherwise, the comparative study and each national report will cover the following activities:

SECTION C MINING AND QUARRYING

SUBSECTION CA MINING AND QUARRYING OF ENERGY-PRODUCING MATERIALS

10 MINING OF COAL AND LIGNITE; ~~EXTRACTION OF PEAT~~

10.1 Mining and agglomeration of hard coal

10.10 Mining and agglomeration of hard coal

10.2 Mining and agglomeration of lignite

10.20 Mining and agglomeration of lignite

This section does not include coking (23.10).

12 MINING OF URANIUM AND THORIUM ORES

12.0 Mining of uranium and thorium ores

12.00 Mining of uranium and thorium ores

This section does not cover the enrichment of uranium and thorium ores, production of fissile or fertile material and production of uranium metal (23.30).

¹² Source: Commission Regulation (EC) No 29/2002 of 19 December 2001, amending Council Regulation (EEC) No 3037/90 on the statistical classification of economic activities in the European Community, In: Official Journal of the European Communities (10.01.2001).

SUBSECTION CB MINING AND QUARRYING, EXCEPT ENERGY-PRODUCING MATERIALS

13 MINING OF METAL ORES

13.1 Mining of iron ores

13.10 Mining of iron ores

This class excludes pyrites and pyrrhotite mining and preparation (14.30).

13.2 Mining of non-ferrous metal ores, except uranium and thorium ores

13.20 Mining of non-ferrous metal ores, except uranium and thorium ores

This class mainly includes non-ferrous metals (aluminium, copper, lead, zinc, tin, manganese, chrome, nickel, cobalt, molybdenum, tantalum, vanadium, etc) and precious metals (gold, silver, platinum). However, it excludes the mining and the preparation of uranium and thorium ores (see 12.00) and the production of aluminium oxides and mattes of nickel or of copper (27.4).

14 OTHER MINING AND QUARRYING

14.1 Quarrying of stone

14.11 Quarrying of ornamental and building stone

14.12 Quarrying of limestone, gypsum and chalk

14.13 Quarrying of slate

14.2 Quarrying of sand and clay

14.21 Operation of gravel and sand pits

14.22 Mining of clays and kaolin

This class excludes the mining of bituminous sand (11.10).

14.3 Mining of chemical and fertilizer minerals

14.30 Mining of chemical and fertilizer minerals

This class covers the mining of natural phosphates and natural potassium salts, native sulphur, natural barium sulphate and carbonate, natural borate, natural magnesium sulphates (kieserite), earth colour and fluorspar and guano mining. It also includes the extraction and preparation of pyrites and pyrrhotite.

This class excludes the production of salt (see 14.40), roasting of iron pyrites (24.13) and manufacture of synthetic fertilisers and nitrogen compounds (24.15¹³).

¹³ APEP highlights the fact that, originally, all German statistical potash mining figures are listed under NACE 24.15 (production of potassium fertilizers). The NACE 24.15 figures are, however, not listed in this report. Therefore a correction of NACE 14.3 figures has been made (please see also the German national report).

14.40 Production of salt

This section includes the extraction of salt from underground (including by dissolving and pumping), salt production by evaporation of sea water or other saline water, production of brine and other saline solutions, crushing, purification and refining of saline solutions. However, it excludes potable water production by the evaporation of saline water (41.00).

14.5 Other mining and quarrying

14.50 Other mining and quarrying (e.g. asbestos, siliceous fossils meals, feldspar, quartz, mica, natural asphalt and bitumen)

The mining and quarrying of various minerals and materials are included in this category, for instance, abrasive metals, asbestos, siliceous fossil meals, natural graphite, talc, feldspar, gem stones, quartz, mica, natural asphalt and bitumen.

1.2. Delimitation and scope of activities in the sector

a) European level

At European level, the situation of the social partners is not completely homogeneous. Indeed, the workers' organisation (EMCEF) covers all of NACE 10, 12, 13 and 14. On the other hand, the employers' organisations cover each part of the Mining and Quarrying sector. EUROMINES which represents employers covers activities included in NACE 10, 12, 13 and 14, while EURACOAL represents the employers in the mining of coal and lignite sub-sectors (NACE 10).

IMA-Europe covers the industrial mining sector (NACE 14) and APEP covers the mining of some chemical and fertilizer minerals (NACE 24.15 Manufacture of fertilizers and nitrogen compounds).

b) National level

For this comparative review, we have endeavoured, in terms of the specific characteristics of each of the countries studied, to present two essential pieces of information:

- Activities included in the sector from the statistical point of view
- Activities included in the sector from the collective bargaining point of view

This information clarifies the delimitation at national level and serves as a reference for the remainder of this comparative section. We have made every effort to respect the different national concepts and realities as closely as possible.

Activities included in the sector from the statistical and CB point of view by country

| Country | Statistical point of view | CB point of view |
|----------------|--|--|
| Austria | M&Q activities correspond to the NACE classification. NACE 10.2 and 14 are too small to be distinguished in the national statistics. | The membership domains and the coverage of the CA of all employer associations and unions involved in CB cover more sectors. |
| Belgium | M&Q activities correspond to the NACE classification. However, some activities have never existed or have disappeared. | The membership domains and the coverage of the CA of all employer associations and unions involved in CB cover more sectors. |
| Cyprus | M&Q activities correspond to the NACE classification (except Energy-producing materials). | The membership domains and the coverage of the CA of all employer associations and unions involved in CB cover more sectors. |
| Czech Republic | M&Q activities correspond to the NACE classification. | The membership domains and the coverage of the CA of all employer |

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| | | associations and unions involved in CB cover more sectors. |
| Denmark | M&Q activities correspond to the NACE classification. NACE 14 | The membership domains and the coverage of the CA of all employer associations and unions involved in CB cover more sectors. |
| Estonia | M&Q activities correspond to the NACE classification. | The only trade union active in the sector covers Oil shale extraction activities. Except for the employer active within this sub-sector, the other employers' association activities are not directly connected to social dialogue in the M&Q industry. |
| Finland | Activities correspond to NACE 13, NACE 14.1, 14.2 and 14.5 | The membership domains and the coverage of the CA of all employer associations and unions involved in CB cover more sectors. |
| France | M&Q activities correspond to the NACE classification. | The membership domains and the coverage of the CA of all employer associations and unions involved in CB cover more sectors. |
| Germany | M&Q activities correspond to the NACE classification. | The NACE codices used by the German Federal Bureau of Statistics correspond to the sectors covered by the workers' and employers' organisations except for 24.15. The figures for the potash mining activities are listed under NACE 24.15. |
| Greece | Activities correspond to NACE 10, 13 and NACE 14.1, 14.2, 14.3+14.5 and 14.4 | The membership domains and the coverage of the CA of all employer associations and unions involved in CB cover more sectors. |
| Hungary | Activities correspond to NACE C classification. (But, according to some information sources the NACE classification does not cover the actual number of the people employed in mining industry) | The membership domains and the coverage of the CA of all employer associations and unions involved in CB cover more sectors (for instance, the electricity sector). |
| Ireland | Activities correspond to NACE 10, 11, 13 and 14. | The activities involved in the sector are the same from the point of view of the employers' and workers' organisations involved in CB, except NACE 11 (not covered). |
| Italy | Activities correspond to NACE 10, 13 and 14. | The mining and quarrying industry is linked to the energy sector. In fact, it is covered by broad workers' organisations, but the sector is covered by a separate industry-wide agreement, covering NACE 13.2, 14.3, 14.4, and 14.5. |
| Latvia | Activities correspond to NACE 14. | It is impossible to judge the delimitation of the M&Q industry according to the employers' and workers' organisations and CB, while social dialogue does not exist as a general practice (only specific cases in individual companies). |
| Lithuania | Activities correspond to NACE 10 and NACE 14. | The membership domains and the coverage of the CA of some employer associations involved in CB cover more sectors (there is no trade union association active within these sub-sectors). |
| Luxembourg | Activities correspond to NACE 14. | The membership domains of employer associations and unions involved in CB cover more sectors. No sector CA. |

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| Malta | Activities correspond to NACE 14. But, due to the small size of the industry, for statistical purposes it has been included with the construction sector. | The social partners tend to view the quarrying industry as forming part of the construction sector. |
| The Netherlands | The delimitation of the sector according to SBI corresponds largely to the NACE classification (NACE 14). | The membership domains of employer associations and unions involved in CB cover more sectors. |
| Poland | M&Q activities correspond to the NACE classification. | Some of the organisations active within the M&Q sector are also active in other branches indirectly connected with mining. As regards the CB process in the coal mining sector, it is limited to this branch, without involving other sub-sectors. The organisations are active mainly within NACE 10. In other sub-sectors the organisations are not very numerous. |
| Portugal | From the statistical point of view, the definition of the Mining and Quarrying Industry Sector established by the National Statistics Institute (INE) corresponds to subsection 10 of the CAE (Classification of economic activities) definition. | The membership domains and the coverage of the CA of all employer associations and unions involved in CB cover more sectors. |
| Slovak Republic | Activities correspond to NACE 10, 13 and 14. | The membership domains and the coverage of the CA of all employer associations and unions involved in CB cover more sectors. |
| Slovenia | M&Q activities correspond to the NACE classification (NACE 10, 20, 12, 13.10, 14.10-14.20, 14.30-14.50). | Some sub-sectors of the Mining and Quarrying industry come together with other sectors in the CB processes depending on the social partner's delimitation. |
| Spain | M&Q activities correspond to the NACE classification. | The CB processes, the form of CAs and the membership domains might vary greatly in the four sub-sectors studied. |
| Sweden | M&Q activities correspond to the NACE classification. | The membership domains of employer associations and unions involved in CB cover more sectors. |
| The United Kingdom | Activities correspond to NACE 10, 12, 13 and 14. | The membership domain of some employers or trade union associations covers more sectors. |

Source: national reports

At statistical level, a cross-national comparison reveals the heterogeneous characteristics of the M&Q sector. Indeed, even if the majority of the national statistical surveys are in line with the European NACE nomenclature, one can assume that for the most part the main specific aspects of the M&Q sector depend essentially on the wealth of raw materials in each country. These can differ considerably from one country to another, but also from one region to another. Particular cases concerning the delimitation are The Netherlands and Portugal, however the same applies in some other countries where the small size of the M&Q industry means that the statistical surveys include this sector with other industry branches (such as Construction or the Energy sector). When we take a look at the collective bargaining (CB) delimitation, the situation is rather less homogeneous. Indeed, a lot of national or even regional specific features make use of the social dialogue processes, from the point of view of the social partner's delimitation of the sector. In some countries, Mining and Quarrying CB is included with one or more sector(s), or even constitutes part of the energy or the Construction industry. In others, the Extractive industry is totally independent and comes under separate collective agreements. Finally, the national CB processes can be based upon a sub-sectoral framework. In quite a number of the countries studied, a specific CB process involving its own players has been established for the Mining and Quarrying of Energy-producing materials.

1.3. Socio-economic features of the sector

This section presents comparative data on the economic weight of the sector, employment within the sector, the number and size of enterprises, as well as the number of workers and their distribution by size of enterprise. The weight of the sector and employment within the sector, compared to the economy as a whole, can be considered as a good estimation of the sector's economic importance, and data on enterprises and workers gives an overview of the economic structuring of the sector.

Important methodological note: It must be kept in mind the fact that some national statistical surveys do not distinguish clearly all the sub-sectors of M&Q activity. Some of the following data contains figures about the whole of sector C (including NACE sections 10.30 and 11). Moreover, some sub-sectors are so little developed and lightweight as far as the number of SW is concerned, that the statistical surveys cannot provide accurate information. Moreover, some of these figures (for some sub-sectors) can be considered as confidential information and are not available.

Economic weight and employment weight by country

| | Economic weight | Employment weight |
|-----------------------|---|---|
| Austria | 0.5% of GDP | 0.18% of total employment |
| Belgium | ND | 0.11% of total employment (private sector) |
| Cyprus | 0.3% of GDP | 0.2% of total employment |
| Czech Republic | 1.49% (Gross added value) | 1.14% of total employment |
| Denmark | 0.003% of GDP | 0.14% of total employment |
| Estonia | 0.5 - 0.8% of GDP (with NACE 11) | 1.4% of total employment (with NACE 11) |
| Finland | 0.21% (gross added value) | 0.13% of total employment |
| France | ND | ND |
| Germany ¹⁴ | NACE 14: 0.32% of GDP (total turnover) | 0.46% of total employment |
| Greece | ND | 0.4% of total employment |
| Hungary | 0.5% of GDP (with NACE 10.30 and NACE 11) | 0.7% of total employment (with NACE 10.3 and NACE 11) |
| Ireland | 0.38% of GDP (with NACE 11) | 0.33% of total employment (with NACE 11) |
| Italy | 0.6% of GDP (produced added value) | 0.25% of total employment |
| Latvia | 0.3% of GDP | 0.2% of total employment |
| Lithuania | 0.4% of GDP (NACE 14) | 0.10% of total employment |
| Luxembourg | ND | ND |
| Malta | 0.4% of GDP (Gross value added) | ND |
| The Netherlands | 0.1% of GDP | ND |
| Poland | 2.5% of GDP | 2.5% of total employment (all NACE sector C) |
| Portugal | About 1% of GDP | 0.5% of total employment |
| Slovak Republic | About 0.5% of GDP (with NACE 11) | 0.4% of total employment (with NACE 11) |
| Slovenia | ND | 0.4% of total employment |
| Spain | About 1% of GDP | 0.3% of total employment |
| Sweden | About 1% of GDP (GNP) | 0.41% of total employment |

¹⁴ APEP and EUROMINES note that these figures do not contain the additional potash production figures for Germany (NACE 24.15). See page 118 for more details.

| | | |
|--------------------|-------------------------------------|---------------------------|
| The United Kingdom | About 1.46% of GDP (total turnover) | 0.27% of total employment |
|--------------------|-------------------------------------|---------------------------|

Source: national reports

Among the countries where data is available, we can see that the economic weight of the sector varies between 0.003% of GDP (Denmark) and 2.5% in Poland, reaching an average of almost 0.7% of GDP.

In the same way, the employment rate generated by the M&Q sector accounts for between 0.10% (Lithuania) and 2.5% (Poland) of total employment, with an average of 0.50%.

Enterprises and workers by country

| Country | Enterprises (trends relative to number and size) | Workers (trends relative to number and distribution by size of enterprises) ¹⁵ |
|-----------------------|--|--|
| Austria | NACE 10.2: 2 NACE 13: 2 NACE 14: 327 Total: 331 (ND) | NACE 14: 4,743 (ND) |
| Belgium | NACE 10.1: 9 NACE 14: 136 Total: 145 (55.1% of companies without employees or less than 10 SW) | NACE 10.1: 77 NACE 14: 3,181 Total: 3,258 9.05% in enterprises with <10 SW |
| Cyprus | NACE 14: 91 (79.1% of companies without employees or less than 10 SW) | NACE 14: 601 16.3% in enterprises with < 10 SW |
| Czech Republic | NACE C: 467 (34.05% of companies without employees or less than 10 SW) | NACE C : 45,539 (ND) |
| Denmark | NACE 14: 193 (89.3% of companies without employees or less than 10 SW) | NACE 14: 3,226 (9.5% in enterprises with <10 SW) |
| Estonia | NACE 10: 34 NACE 11: 1 NACE 12 + 13 +14 : 33 Total: 68 (35.3% of companies with less than 10 SW) | NACE 10: ND (confidential data) NACE 11: 3,671 NACE 12+ 13+ 14: 718 Total: 5,898 (1.4% in enterprises with <10 SW) |
| Finland | NACE 13 + 14: 416 (ND) | NACE 13 + 14: 2,498 (22% in enterprises with <10SW) |
| France | NACE 10 + 12 + 13 + 14 :ND (ND) | NACE 10 + 12 + 13 + 14 :ND (ND) |
| Germany ¹⁶ | NACE 10 + NACE 14 : 1,256 (88.7% of companies with less than 50 SW) | NACE 10 + NACE 14: 85,679 (ND) |
| Greece | NACE C: 743 / 1,140 (89.64% of companies without employees or less than 10 SW) | NACE C: 13,415 / 16,800 (ND) |

¹⁵ These figures included the number of salaried workers and self-employed workers active within the sector.

¹⁶ The figures for Germany do not include the potash production figures (NACE 24.15). See page 118 for more details. APEP underlines that potash miners as under NACE 24.15 counted 7,490 in 2005.

| | | |
|--------------------|---|--|
| Hungary | NACE C: 64 NACE 10 + 12 + 13 + 14: 58 (68.8% of companies with 20-49 SW) Data on enterprises with 20 or more employees | NACE C: 5,242 NACE 10 + 12 + 13 + 14: 3,848 (ND) |
| Ireland | NACE C: 91 (ND) | NACE C: 5,926 (ND) |
| Italy | NACE C : 3,818 (74.78% of companies without employees or less than 10 SW) | NACE C: 5,813 31.38% in enterprises with <10 SW |
| Latvia | NACE 14: 62 (ND) | NACE 14: 2,185 9% in enterprises with <10 SW |
| Lithuania | NACE 14: 39 (38% of companies without employees or less than 10 SW) | NACE 14: 1,307-1,414 2% in enterprises with <10 SW |
| Luxembourg | NACE 14 : 13 (ND) | NACE 14: 292 (ND) |
| Malta | NACE 14 : ND (ND) | NACE 14: 363 (ND) |
| The Netherlands | NACE 14: 135 (70.3% of companies without employees or less than 10 SW) | NACE 14: 2,600 (ND) |
| Poland | NACE C: 1,213 (companies) (74.7% of companies with less than 10 SW) Mining plants + companies: 4,847 | NACE C: 191,600 92.9% in enterprises with > 249 SW Mining plants + companies: 195,124 SW |
| Portugal | NACE C: 970 (62.5% of companies without employees or less than 10 SW) | NACE C: 14,048 17.5% in enterprises with <10 SW |
| Slovak Republic | NACE 10 + 11 + 13 + 14: 42 NACE 10 + 13 + 14: 39 (ND) | NACE 10 + 11 + 13 + 14 : 8,996 SW (ND) |
| Slovenia | NACE C: 61 (82.5% of companies with 1- 49 employees) | NACE C: 3,713 14.6% in enterprises with 1-49 SW |
| Spain | NACE C: 2,933 (73.4% of companies without employees or less than 10 SW) | NACE C: 55,600 (ND) |
| Sweden | NACE C: 509 (89.6% of companies without employees or less than 10 SW) | NACE C: 8,714 7.4% in enterprises with <10 SW |
| The United Kingdom | NACE C: 1,209 (ND) | NACE C: 65,000 (ND) |

*depends on the source. Source: national reports

The number of M&Q companies can vary substantially depending on the country (from 13 in Luxembourg to more than 3,800 in Italy). However, a strong trend shows the predominance of SMEs or small enterprises with 10 to 100 salaried workers and, in particular, less than 10 salaried workers.

The same trend can be seen for the workers: their number fluctuates from 292 in Luxembourg to 195,600 in Poland. The majority of them work in enterprises with more than 100 workers. Concerning the main features, we observe that in comparison with other industries, the majority of the workforce in the M&Q sector has a low or intermediate education level. The great majority of employees work in full-time jobs with open-ended contracts; fixed-term contracts, part-time jobs and temporary work are fairly rare. Most of the workers employed by this industry across EU-25 countries are male blue-collar workers.

With regard to the average wage rate, one can assume that it varies greatly, not only from one national M&Q industry to another, but also within a country. Moreover, as far as energy extraction is concerned, these sub-sectors have or had to face important restructuring measures in order to modernize the industries. These processes have globally produced a decreasing wage average in the majority of the countries studied.

Although data on the importance of the underground economy is hard to come by, it seems that its share is probably small, even though some particular phenomena could be identified as “underground economy” in some countries.

2. DESCRIPTION OF THE ORGANISATIONS ACTIVE IN THE SECTOR

2.1. European level

At European level, the organisations which take part in the European sector social dialogue committee for the Extractive Industry are the following:

a) Workers' organisations:

European Mine, Chemical and Energy Workers' Federation (EMCEF)

EMCEF is a federation with a membership of 2.5 million workers in 35 countries and 128 national trade unions. One other organisation has the status of observer. EMCEF represents both blue and white-collar workers. As a trade union, it takes care of the interests of its members and pursues the most effective representation of their interests vis à vis the EU institutions and the employers. Some of its main objectives are as follows: to safeguard economic, social, environmental and cultural interests; to enhance relations between affiliated organisations; to promote contacts, relations and negotiations with employers; to follow the European treaties; to promote equal opportunities regardless of gender, race or creed; to harmonise collective bargaining and industrial relations policies; and to provide relevant data, information and services. EMCEF is a member of ETUC and co-operates with other European Industry Federations in the ETUC. EMCEF also works in line with the International Federation of ICEM. EMCEF organises members in a wide range of industrial areas: Energy - Mines - Chemical - Pharmaceuticals - Rubber - Plastics - Glass - Pulp and Paper. The industrial policy committee looks after industrial, technical and legal matters relevant to these industries. EMCEF has 4 Committees: collective bargaining; European works councils; industrial relations (incl. environment, health and safety); and social dialogue. It has a long-standing record in creating and co-ordinating European Works Councils. With more than 200 EWCs in all its sectors, EMCEF has been extremely active in shaping one important element of the European social dialogue.

It is a member of the European Trade Union Confederation (ETUC) and is part of the International Federation of Chemical, Energy, Mine and General Workers Union (ICEM).¹⁷

b) Employers' organisations:

1. European Association of Potash Producers (APEP)

APEP has three members:

- K + S Kali GmbH, Germany (5 potash mines)
- Cleveland Potash, Ltd., U.K. (one potash mine)
- Iberpotash, S.A., Spain (one potash compound mine)

¹⁷ Source: www.emcef.org. Interview with Mr. P. Mazeau (Brussels, 27th February 2006).

These producers represent all the potash producers of the EU-25. Since APEP is an employers' organisation it has been involved in the Extractive Industry Social Dialogue. One of the main topics of the association is to follow up anti-dumping matters for potash within the European Union and to inform the European social stakeholders. APEP adopts a positive attitude towards dialogue with the social partners.

The legal status of APEP is an association incorporated in Belgium (A.I.S.B.L.).

2. European Association for Coal and Lignite (EURACOAL)

EURACOAL is an umbrella organisation for the European Coal Industry. The associations and companies representing the coal industries of Belgium, France, Germany, Greece, Spain, the U.K., Czech Republic, Hungary, Poland, Slovak Republic, Slovenia as well as in the candidate countries of Bulgaria and Romania (and also in Serbia and Bosnia-Herzegovina) work together in EURACOAL, where they have equal rights. One of the main purposes of EURACOAL is to highlight the importance of coal's contribution to the security of the energy supply within Europe, to price stability, to added value and to environmental protection. EURACOAL's activities are, mainly, to voice the interests of the coal energy industry at European level, get involved in creating adequate political and regulatory conditions, especially through the European institutions, and keep its members informed about coal-relevant matters with a view to creating a platform for discussion and exchanges. Since 2002, EURACOAL has been involved in the Social Dialogue and participates in the Economic and Social Committee.¹⁸

3. European Association of Mining Industries (EUROMINES)

EUROMINES is a federation of the European metals and minerals mining industry. Its main objective is to promote the industry and maintain relations at the level of the European institutions. EUROMINES informs its members of EU policies with the aim of creating a reliable network of information and cooperation throughout the sector within Europe.

Currently, EUROMINES' membership includes 13 national mining federations (Austria, Czech Republic, Finland, France, Germany, Greece, Hungary, Ireland, Slovak Republic, Sweden, the U.K. and two national federations in Turkey), 14 direct company members (in the U.K., Sweden, Poland, Germany, Spain and the Netherlands), 4 associate federations (Belgium, Bulgaria, Spain and Romania) and 5 associate companies (in the U.K., Germany, France and Canada)¹⁹.

EUROMINES' major activities involve the areas of environment, Health and Safety, R&D, communication and international cooperation. It participates in the European Social Dialogue and was a founder member of the European Social Committee for the Extractive Industry.²⁰

4. The European Industrial Minerals Association (IMA-Europe)

Founded in 1993 by the companies in the Industrial Minerals sector, the principal objective of IMA-Europe is to represent these sub-sectors which are individual, but are confronted with the same challenges. The IMA-structure provides administration for its members and represents their interests at EU level on all-non commercial issues. Sustainable development and Health and Safety matters have always been very important in the objectives developed by IMA-Europe. The members of IMA-Europe are European associations specifically related to individual minerals²¹. The companies affiliated to these associations benefit directly from IMA-Europe representation. For instance, IMA-Europe provides scientific information, relevant European policy data, etc. Moreover, IMA-Europe plays an important role in communication about the industrial minerals industry in Europe²².

¹⁸ Source: www.euracoal.be. Interview with Mr. Th. Diercks (Brussels, 6th February 2006).

¹⁹ The status of associate member was first accorded to the accession countries federations. It can also be given to a federation or company which is not directly mining sector-related (consultant, technical). These associates do not have voting rights.

²⁰ Source: www.euromines.org. Interview with Mss. C. Hebestreit (Brussels, 6th February 2006).

²¹ The following organisations are members of IMA-Europe: CCA-Europe (Calcium Carbonate Association-Europe), EBA (European Borates Association), ESMA (European Speciality Minerals Association), EUBA (European Bentonite Producers Association), EUROFEL (European Association of Feldspar Producers), EUROGYPSUM (Association of European Gypsum Industries), EUROSIL (European Association of Silica Producers), EUROTALC (Scientific Association of the European Talc Industry), IDPA (International Diatomite Producers Association), KPC-Europe (European Kaolin & Plastic Clays Association).

²² For instance, by carrying out some information campaigns or by setting up an informal structure for meeting with representatives of the national federation to discuss relevant industrial minerals matters ("Forum des Représentants Nationaux").

IMA-Europe fosters dialogue with all stakeholders and works to create awareness of the specific nature of the industrial minerals sector. Since 2004, IMA-Europe has been involved in the “Extractive Industry” European Economic and Social Committee.²³

2.2. National level

At national level, the situation relating to the organisations active within the sector is heterogeneous. The main objective of this part is to highlight these differences and also the similarities which may arise. We will present the organisations active within the extractive industry sector by country, giving their membership, possible recognition of social partners and role within CB at sector level, as well as their European affiliation(s).

a) Workers' organisations

Workers' organisations active in the sector by country

| Country | Organisations | Total members (members in the sector) | Possible recognition of social partners | Role in CB at sector level | European affiliations – sector related |
|----------------|--|---------------------------------------|---|--|--|
| Austria | The Union of the White-Collar Workers of the Private Sector (GPA) | 287,558 (ND) | Dependent sub-unit of a federation (OGB) which has the status of a legal entity | Negotiates autonomously but signs CAs formally in the name of its federation | - |
| | The Metalworking and Textile Workers' Union (GMT) | 204,674 (ND) | | | EMCEF EMF |
| | The Construction and Woodworkers Union (GBH) | 153,827 (ND) | | | EFBWW |
| Belgium | Belgian General Federation of Labour | 1,300,000 (1,318) | Recognition regulated by law | Negotiates and signs CAs | EMCEF EFBWW |
| | Confederation of Christian Trade Unions | 1,600,000 (645) | | Negotiates and signs CAs | EMCEF EFBWW |
| | Federation of Liberal Trade Unions of Belgium | 220,000 (17) | | Negotiates and signs CAs | EMCEF EFBWW |
| Cyprus | Cyprus Building, Wood, Mines and General Workers Trade Union (PEO) | 13,000 (117) | Legal recognition | Negotiates and signs CAs | - |
| | Federation of Builders, Miners and Related Workers (SEK) | 10,000 (180) | | Negotiates and signs CAs | - |
| Czech Republic | Union of Mine, Geology and Oil Industry Workers (OS PHGN) | 34,200 (29,000) | Conditions authorising bodies to conduct CB as regulated by law | Negotiates and signs CAs | EMCEF |
| | Trade Union of Building Workers of the Czech Republic (OS Stavba CR) | 16,000 (about 1,500) | | Negotiates and signs CAs | EFBWW |
| Denmark | 3F – United Federation of Danish Workers | 321,000 (ND) | Mutual recognition within the system of CB | Represented in the negotiation by the cartel (Central | EMCEF |

²³ Source : www.ima-eu.org. Interview with Mss. Wyart-Remy (Brussels, 28th February 2006).

| | | | | | | |
|---------|---|--|--|--|--|----------------|
| | | | | Organisation for Industrial Employees in Denmark, CO-industri) created by the union. | | |
| Estonia | Estonian Transportation and Road Workers Trade Union (ETTA) | These organisations do not directly cover activities connected to social dialogue in the M&Q industry. They represent only a small number of workers active within the delimited sector studied. | | | EMCEF | |
| | Association of Estonian Energy Workers Trade Union | | | | - | |
| | Federation of Oil Shale Producers' Trade Union | | | | - | |
| Finland | Metal Workers' Union | 166,750 (320) | No formal recognition system on the part of the social partners in Finland | Negotiates and signs CAs (in metal mining) | - | |
| | Union of Salaried Employees (TU) | 127,000 (ND) | | | Negotiates and signs CAs | EMCEF EFBWW |
| | Construction Workers' Union | 7,000 (ND) | | | Negotiates and signs CAs | EMCEF |
| | Federation of professional and managerial staff (YTN) | 113,000 (50-80) | | | Negotiates and signs CAs (in metal mining) | EMCEF |
| | Finnish Electrical Workers' Union | 32,000 (50, maximum) | | | Negotiates and signs CAs (in metal mining) | EMCEF |
| | Union of Chemical Workers | 49,000 (85) | | | Negotiates and signs CAs (in NACE 14.3 and 14.5) | EMCEF |
| France | General union of mine workers and employees with similar status of the CGT-FO General Confederation of Labour – Force Ouvrière FNME CGT-FO | 300,000 (3,000) | Legal recognition | Negotiates and signs CAs | EMCEF | |
| | Mining and Energy workers' federation, CGT - General Confederation of Labour FNME-CGT | 700,000 (510,000) | | | Negotiates and signs CAs | EMCEF |
| | French Democratic Confederation of Labour FGMM-CFDT | 900,000 (ND) | | | Negotiates and signs CAs | EMCEF |
| | Chemicals, Mines, Textiles and Energy Federation of the CFTC-French Christian Workers' Confederation CMTE-CFTC | 140,000 (ND) | | | Negotiates and signs CAs | EMCEF |

| | | | | | |
|---------|--|----------------------------|--------------------|---|----------------|
| | National Federation of employees, technicians of mine industries, of similar activities, and of social protection of miners of the CGC - General Confederation of Executives CFE-CGC | 100,000 (ND) | | Negotiates and signs CAs (only for executives) | - |
| | National Federation of Building and Woodworkers of the CFDT-French Democratic Confederation of Labour FNCB-CFDT | 900,000 (33,500) | | Negotiates and signs CAs | EFBWW |
| | CGT-FO Force ouvrière Building, Public Works, Wood, Paper, Ceramics, Quarries and Construction materials CGT-FO | 300,000 (ND) | | Negotiates and signs CAs | EMCEF EFBWW |
| | Public works, building and Construction materials federation of the General Confederation of Labour FNTC-CGT | 700,000 (19,000) | | Yes | EFBWW |
| | Quarrying and Construction materials federation- General Confederation of Executives CFE-CGC-BTP (SICMA) | 100,000 (ND) | | Negotiates and signs CAs (only for executives) | - |
| Germany | IG BCE - mining, chemicals and energy workers' union | About 1 million (54,170) | Mutual recognition | Negotiates and signs CAs | EMCEF |
| | Ver.di Unified Service Sector Union | 2.4 million (about 10,000) | Mutual recognition | Negotiates and signs CAs (via delegates in the IG BCE commission) | - |
| | IG Building, Agricultural and Environmental Union (IG BAU) | 400,000 (about 26,400) | Mutual recognition | Negotiates and signs CAs | EFBWW |
| Greece | Federation of Construction Workers and Allied Professions (OOSSE) | 53,707 (ND) | Legal recognition | Negotiates and signs CAs | - |
| | Greek Miners' Federation (OME) | 2,857 (2,857) | | Negotiates and signs CAs | - |
| | Greek Federation of Handlers, Engine Drivers and Drilling Machine Operators (OHMGE) | 25,000 (ND) | | Negotiates and signs CAs | - |
| | Greek Federation of Mines –Lignite Pits- Quarries' Employees (OEMLLE) | 4,200 (4,200) | | Negotiates and signs CAs | - |

| | | | | | |
|-----------------|---|-----------------------|---|---|--------------|
| | General Federation of Employees of the Public Power Corporation_(GENOP-DEI) | 34,697 (ND) | | Negotiates and signs CAs (only at company level in Public Power Corporation S.A.) | EMCEF |
| Hungary | Union of Mining and Energy (BDSZ) | ND (ND) | Mutual recognition | Negotiates and signs CAs | EMCEF |
| | Trade Union of Hungarian Oil and Gas Production Workers (HOPWTU/MOL) | ND (ND) | Mutual recognition | Negotiates and signs CAs | EMCEF |
| Ireland | The Services, Industrial, Professional and Technical Union (SIPTU) | 200,000 (ND) | Legal recognition | Negotiates and signs CAs | EMCEF |
| | The Technical, Engineering and Electrical Union (TEEU) | 40,000 (ND) | | Negotiates and signs CAs | - |
| Italy | Federation of Italian Chemicals, Energy and Manufacturing Workers (FILCEM) | 161,652 (ND) | Mutual recognition (sectoral federations are autonomous in the bipartite CB process; they usually behave according to interfederal strategy). | Negotiates and signs CAs | EMCEF |
| | Energy, Fashion, Chemicals and Allied Industries Federation (FEMCA) | 134,621 (ND) | | Negotiates and signs CAs | EMCEF |
| | Union of Italian Chemicals, Energy and Manufacturing Workers (UILCEM) | 80,171 (About 250) | | Negotiates and signs CAs | EMCEF |
| Latvia | Trade Union of Construction Workers (LCA) | 3,000 (ND) | Legal and reciprocal recognition | Negotiates and signs CAs | - |
| Lithuania | There are no workers' organisations in the extractive industry, even at enterprise level | | | | |
| Luxembourg | Federation of Metal Sector Workers (LCGB) | 3,000 (ND) | Legal recognition | Negotiates and signs CAs | EMCEF |
| | Iron and Steel Industry and Mining Union (OGB-L) | 57,000 (ND) | | Negotiates and signs CAs | EMCEF EMF |
| Malta | General Workers' Union (GWU) | 46,489 (0) | Reciprocal recognition | Negotiates and signs CAs | EMCEF EMF |
| | Confederation of Malta Trade Union (CMTU) | about 36,000 (0) | | Negotiates and signs CAs | - |
| | Union of United Workers (UHM-Union Haddiema Maghqudin) | 25,901 (0) | | Negotiates and signs CAs (but not in the M&Q industry) | - |
| The Netherlands | Dutch Federation of Trade Unions, Construction Industry, Hydraulic Engineering Section (FNV Bouw) | 1,600 (1,000) | Mutual recognition | Negotiates and signs CAs | EFBWW |
| | Christian Trade Union Federation Wood and Construction Union | ND (365) | | Negotiates and signs CAs | EFBWW |
| | FNV Bondgenoten | ND (ND) | | Negotiates and signs CAs Only at company level | EMCEF |

| | | | | | |
|----------|---|---------------------|----------------------------------|--------------------------|-------|
| Poland | Trade Union of Miners in Poland (ZZG) | 70,000 (35,000) | Legal recognition | Negotiates and signs CAs | EMCEF |
| | Związek Zawodowy "Kontra"(ZZ „Kontra”) | ND (400) | | | |
| | Związek Zawodowy Jedności Górniczej (ZZJG) | ND (ND) | | | |
| | Związek Zawodowy Ratowników Górniczych w Polsce (ZZRG) | 5,100 (4,800) | | | |
| | Związek Zawodowy Pracowników Dołowych (ZZPD) | 8,000 (7,900) | | | |
| | The Independent and Self-Governing Trade Union Solidarność. National Secretariat of Mine and Energy Worker's Union (SGiE) | 800,000 (35,000) | | | |
| | Związek Zawodowy Pracowników Przeróbki Mechanicznej Węgla „Przeróbka” (ZZPPMW „Przeróbka”) | 5,000 (5000) | | | |
| | Independent Self-Governing Trade Union “Solidarność’80 (NSZZ S’80) | ND (12,000) | | | |
| | Porozumienie Związków Zawodowych “Kadra” | ND (ND) | | | |
| | Związek Zawodowy Pracowników Technicznych i Administracji "DOZÓR" Przemysłu Miedziowego w Lubinie (ZZPTA „D”) | 307 (307) | | | |
| | Związek Zawodowy Pracowników Przemysłu Miedziowego (ZZPPM) | 11,000 (6,000) | | | |
| | Związek Zawodowy Maszynistów Wyciągowych Kopalń w Polsce (ZZMWK) | ND (ND) | | | |
| | Wolny Związek Zawodowy „Sierpień 80” – Konfederacja, Zespół ds. Górnictwa | ND (ND) | | | |
| Portugal | Portuguese Federation of Construction, Ceramic and Glass Trade Unions (FEVICCOM) | ND (ND) | Legal and reciprocal recognition | Negotiates and signs CAs | - |

| | | | | | |
|-----------------|--|---|----------------------------------|--------------------------|---|
| | Mining Industry Workers' Trade Union (STIM) – Inter Trade Union Federation for Metallurgy, Metal-mechanics, Mining, Chemical, Pharmaceutical, Petrol and Gas Industry (FEQUIMETAL) | 1,000 (1,000) | | Negotiates and signs CAs | EMCEF FEM |
| | Democratic Trade Union for Energy, Chemical, Textiles and Different Industries (SINDEQ) | ND (ND) | | ND | ND |
| Slovak Republic | Trade Union of Employees in Mining, Geology and the Oil Industries of the Slovak Republic (OZPBGN) | 7,500 (6,595) | Legal recognition | Negotiates and signs CAs | EFBWW |
| Slovenia | Trade Union of Energy Workers of Slovenia | 8,000 (2,500 within the 10.10 and 10.20) | Legal and reciprocal recognition | Negotiates and signs CAs | EMCEF EPSU |
| | Trade Union of Metal and Electro Industry (Association of Free Trade Unions of Slovenia) | ND (ND) | | Negotiates and signs CAs | ND |
| | Trade Union of Metal, Electro and Metallurgic Industry of Slovenia (Confederation of New Trade Unions of Slovenia) | ND (ND) | | Negotiates and signs CAs | ND |
| | Trade Union of Metal Industry (Independent) | ND (ND) | | Negotiates and signs CAs | ND |
| | Trade Union of Metal, Electro Industry and Electronics (Confederation '90) | ND (ND) | | Negotiates and signs CAs | ND |
| | Union of Workers' Trade Union – Solidarity for the Activity of Producing Motor Vehicles, Trailers and Semi-trailers. | ND (ND) | | Negotiates and signs CAs | ND |
| | Trade Union of Construction Workers of the Republic of Slovenia | 15,000 (about 200 within NACE and 14.10 and 14.20) | | Negotiates and signs CAs | EFBWW (regularly invited to the meetings) |

| | | | | | |
|--------------------|--|-------------------------------------|---|--------------------------|----------------|
| | Trade Union of Chemical, Non-Metallic and Rubber Industry of Slovenia | 15,000 (80 within NACE 14.30-14.50) | | Negotiates and signs CAs | EMCEF |
| Spain | National Federation of Building and Wood Workers and Associated Trades of Workers' Commissions (FECOMA-CCOO) | 90,000 (ND) | Recognised representative at national level | Negotiates and signs CAs | EFBWW |
| | Federation of Miners and Metalworkers of Workers' Commissions (FM-CCOO) | About 150,000 (About 27,500) | | Negotiates and signs CAs | EMCEF EMF |
| | Basque Workers' Solidarity Union – General Industrial (ELA-HAINBAT) | 23,500 (Not significant) | | No | EFBWW |
| | Federation of Associated Industries of the General Workers' Union (FIA-UGT) | ND (ND) | | Negotiates and signs CAs | - |
| Sweden | The Metal Workers' Union (IF Metall) | 440,000 (6,152) | Legal recognition | Negotiates and signs CAs | EMCEF |
| | The Swedish Union of technical and Clerical Employees in Industry (SIF) | 300,000 (950) | | Negotiates and signs CAs | EMCEF EMF |
| | The Swedish Association of Graduate Engineers (CF) | 81,022 (550) | | Negotiates and signs CAs | EMCEF |
| | The Swedish Association for managerial and professional staff (LEDARNA) | 70,500 (409) | | Negotiates and signs CAs | ND |
| The United Kingdom | National Association of Colliery Overmen, Deputies and Shotfirers (NACODS) | 440 (ND) | Voluntary recognition system | No | EMCEF |
| | British Association of Colliery Management (BACM-Team) | 3,580 (About 1,430) | | No | EMCEF FECER |
| | National Union of Mineworkers (NUM) | 3,042 (ND) | | Negotiates and signs CAs | - |
| | Transport and General Workers' Union (TGWU) | 820,118 (ND) | | Negotiates and signs CAs | EMCEF |

Source: national reports

Note: Apart from the information presented in the table, it is worth noting that data is unavailable on members working in the sector by organisation due to problems in evaluating the figures, as may occur, for example, if the delimitation of activities within the organisation does not correspond to the national delimitation of the sector.

At national level, the great diversity of the workers organisations could reside in the sub-sectoral division of the M&Q industry. Indeed, some of them are structured on the activity of extraction and preparation of one or maybe more minerals. By contrast, in some other countries, the sector may be considered as a sub-sectional part of a global national trade union organisation.

b) Employers' organisations

Employers' organisations active in the sector by country

| Country | Organisations | Number of members (number SW) | Recognition | Role in CB at sector level | European Affiliations | |
|---------|--|-------------------------------|---|---|--|--------------------------|
| Austria | The Federal Organisation of the Mining and Iron Industry (FBE) | 45 (17,021) | Recognised as part of the WKO national federation | Negotiates and signs CAs | EUROMINES EUROFER PRE | |
| | Association for Building Materials and Ceramic industries (FSK) ²⁴ | 263 (16,790) ²⁵ | | The Union takes part in the relevant CAs | CEPMC EMO EULA EUROGYPSUM IMA-Europe FEP FEPF PRE UEPG | |
| | OMYA GmbH | ND | | Individual company | No | IMA-Europe CCA-Europe |
| | LUZENAC NAINTSCH GmbH | ND | | Individual company | No | IMA-Europe Eurotalc |
| | LASSELSBERGER Holding International GmbH | ND | | Individual company | No | IMA-Europe KPC-Europe |
| Belgium | Belgian Coal Federation | - | Legally recognised | Negotiates and signs CAs (officially – no longer really exists) | - | |
| | Federation of Producers of Bluestone and Belgian Granite | 9 (ND) | | Negotiates and signs CAs | - | |
| | Belgian Union of Marble Quarries and Mills | 12 (ND) | | Negotiates and signs CAs | EURO-ROC | |
| | Federation of Sandstone Quarries | 39 (ND) | | Negotiates and signs CAs | - | |
| | Sand Quarries Group | 14 (ND) | | Negotiates and signs CAs | IMA-Europe | |
| | Belgian Federation of Gravel and Sand Dredgers | 18 (ND) | | Negotiates and signs CAs | - | |
| | Federation of Extractive Industries and Transformation of Non-combustible Rocks (FEDIEX) | 53 (ND) | | Negotiates and signs CAs | UEPG EULA | |
| | Federation of Ceramics Companies of Belgium and Luxembourg | 16 (ND) | | Negotiates and signs CAs | - | |

²⁴ According to our national expert there is no official English name for this association.

²⁵ The data expressed in the table are from WKO. IMA-Europe claims that the FSK recorded 355 member companies, with a total number of 17,092 employees.

| | | | | | |
|----------------|---|----------------|--|---|----------------------------------|
| | CARMEUSE S.A. | ND | Individual company | No (member of FEDIEX) | IMA-Europe CCA-Europe |
| | IMERYS MINERAUX S.A. | ND | Individual company | No | IMA-Europe CCA-Europe |
| | LHOIST S.A. | ND | Individual company | No (member of FEDIEX) | IMA-Europe CCA-Europe |
| | OMYA BENELUX SA/NV | ND | Individual company | No (member of FEDIEX) | IMA-Europe CCA-Europe |
| | NYCO MINERALS INC. | ND | Individual company | No | IMA-Europe ESMA |
| | ABLG - Assoc. Belgo-Luxembourgeoise de Gypse/ BLGV - Belgisch Luxemburgse Gips Vereniging | ND | ND | ND | IMA-Europe Eurogypsum |
| | SCR SIBELCO N.V. | ND | Individual company | No (member of FEB-VBO and of Sand Quarries Group and of FEDIEX) | IMA-Europe Eurosil |
| | LUZENAC N.V. | ND | Individual company | No (member of FEDICHEM) | IMA-Europe Eurotalc |
| | ISSEP - Institut Scientifique de Service Public | ND | ND | No | EURACOAL |
| | Euriscoal - European Association of Coal Importers | ND | ND | ND | EURACOAL |
| Cyprus | Federation of Associations of Building Contractors of Cyprus (OSEOK) | 15 (260) | Recognition through its membership of OEV - Cyprus Employers and Industrialists Federation | Negotiates and signs CAs | FIEC |
| | Cyprus Association of Crush Plants of Limestone Materials | ND | Recognition through its membership of KEVE | No | - |
| | Cyprus Crush Plants Association of Gravel | ND | - Cyprus Chamber of Commerce and Industry | No | - |
| | PELETICO Ltd. | ND | Individual company | No (member of OEV and KEVE) | IMA-Europe EuBA Eurogypsum |
| Czech Republic | Employers' Union of Mining and Oil Industries (ZSDNP) | 18 (20,000) | Conditions authorising bodies to conduct CB | Negotiates and signs CAs | EURACOAL |

| | | | | | |
|---------|---|--|--|--------------------------|--------------------------|
| | Association of Entrepreneurs in Building Industries in the Czech Republic (SPS) | ND (ND) | as regulated by law | Negotiates and signs CAs | FIEC |
| | SEDLICKY KAOLIN A.S. | ND | Individual company | ND | IMA-Europe KPC-Europe |
| | TEZEBNI-UNIE Mining Union | ND | ND | ND | EUROMINES |
| Denmark | Confederation of Danish Industries (DI) | 6,100 (ND) | Mutual recognition within the system of CB | Negotiates and signs CAs | - |
| | Nordisk Gipspladeforening / Confederation of Danish Industries | ND | | No (member of DI) | IMA-Europe Eurogypsum |
| | Danish Construction Association (DB) | 11 (350-400) | | Negotiates and signs CAs | ND |
| | Ship owners' Association of 1895 | ND (only a few) | | Negotiates and signs CAs | ND |
| | DANKALK a/s | ND | Individual company | No | IMA-Europe CCA-Europe |
| | HUBER ENGINEERED MATERIALS | ND | Individual company | No ²⁶ | IMA-Europe CCA-Europe |
| | DAMOLIN A/S | ND | Individual company | No (member of DI) | IMA-Europe EuBA |
| Estonia | Estonian Association of Construction Enterprises Estonian Peat Association Eesti Põlevkivi (Individual company) | These organisations do not directly cover activities connected to social dialogue in the M&Q industry. They represent only a small number of employers active within the delimited sector studied. | | | |
| Finland | The Technology Industries of Finland | 1,131 (400) | No formal recognition system on the part of the social partners in Finland | Negotiates and signs CAs | EUROMINES |
| | The Central Association of Earth- Moving Contractors in Finland | 1,627 (ND) | | Negotiates and signs CAs | UEPG |
| | The Confederation of Finnish Construction Industries | 2,000 (50,000) | | Negotiates and signs CAs | FIEC EIC |
| | The Finnish Association of Construction Product Industries | 111 (8,956) | | Negotiates and signs CAs | - |
| | The Finnish Natural Stone Association | 76 (1,215) | | No | - |

²⁶ IMA-Europe claims that the two individual companies Dankalk and Huber Engineered Materials are both members of DI. After verification by the Danish expert, we could not confirm this information: "According to the CEO of Dankalk they have been, but are not currently, members of the DI. Regarding Huber, DI confirms that Huber is not a member".

| | | | | | |
|--------|---|-------------------|---------------------------------------|---|-------------------------------------|
| | The Chemical Industry Federation of Finland | 280 (ND) | | Negotiates and signs CAs | - |
| | NORDKALK Oyj Abp | ND | Individual company | No | IMA-Europe CCA-Europe |
| | OMYA OY | ND | | No | IMA-Europe CCA-Europe |
| | SP MINERALS OY | ND | | No | IMA-Europe Eurofel |
| | MONDO MINERALS OY | ND | | No | IMA-Europe Eurotalc |
| | FAERI – Finnish Association of Extractive Resources Industries | ND | ND | No (member of The Technology Industries of Finland) | EUROMINES |
| France | Charbonnages de France (Ch de F) (Individual company) | 1 (2,056) | Particular status recognised by state | Negotiates and signs CAs | EURACOAL |
| | National Union of quarrying and construction materials industries (UNICEM) | 3,661 (60,255) | Legal recognition | Negotiates and signs CAs | UEPG IMA-Europe |
| | Syndicat national des blancs de craie, de marbre et de dolomie (SN-Craie) | ND | - | Indirectly (member of UNICEM) | IMA-Europe CCA-Europe |
| | SNIP-Syndicat National des Industries du Plâtre | ND | - | Indirectly (member of UNICEM) | IMA-Europe Eurogypsum |
| | Minéraux Industriels de France (section silice) | ND | - | Indirectly (member of UNICEM) | IMA-Europe Eurosil |
| | Minéraux Industriels de France (Section argiles) | ND | - | Indirectly (member of UNICEM) | IMA-Europe KPC-Europe |
| | FEDEM – Fédération des minerais, minéraux industriels et métaux non-ferreux | ND | - | No | EUROMINES |
| | LA PROVENCALE S.A. | ND | Individual company | No | IMA-Europe CCA-Europe |
| | DENAIN ANZIN MINERAUX S.A. | ND | | No (member of Minéraux Industriels de France) | IMA-Europe Eurofel KPC-Europe |
| | TALC de LUZENAC | ND | | No (member of Minéraux Industriels de France) | IMA-Europe Eurotalc |
| | CECA S.A. | ND | | No | IMA-Europe IDPA |
| | CELITE EUROPE S.A. | ND | | No (member of Union des Industries Chimiques) | IMA-Europe IDPA |

| | | | | | |
|---------|--|---------------------|--------------------|---|--------------------------|
| | IMERY S.A. | ND | | No (member of Minéraux Industriels de France and of SN-Craie) | IMA-Europe KPC-Europe |
| | SOCIETE KAOLINIERE ARMORICAINE S.A. | ND | | No (member of Minéraux Industriels de France) | IMA-Europe KPC-Europe |
| Germany | German Mining Association (WVB) ²⁷ | ND (ND) | Mutual recognition | No | EUROMINES |
| | Association of the German Coal Industry (GVSt) | 6 (42,000) | | No | EURACOAL |
| | Enterprises Federation Hard Coal Industry (UVSt) | 3 (42,000) | | Negotiates and signs CAs | - |
| | DEBRIV – Brown coal (lignite) employers | 7 (About 24,000) | | No | EURACOAL |
| | WVK – Trade Association Coal | 4 (About 13,000) | | Negotiates and signs CAs (For the East German Brown coal industry) | - |
| | VRB – Association of the Rhineland mining | 3 (About 11,000) | | Negotiates and signs CAs (For the West German Brown coal industry) | - |
| | BKS – Association of the German sand and clay industry | ND (ND) | | Negotiates and signs CAs (the regional organisations of BKS are responsible for CB at sector level) | ND |
| | Employers Association of the German glass industry | About 140 (ND) | | Negotiates and signs CAs | ND |
| | BKR – Federal Federation ceramic raw materials | 50 (ND) | | Negotiates and signs CAs (member of Federal Federation Building materials and WVB) | IMA-Europe KPC-Europe |
| | VKS – Association of the German Potash and Salt Industry | 9 (ND) | | Negotiates and signs CAs | EuSALT APEP |
| | Bundesverband der Gipsindustrie e.V. | ND | - | No | IMA-Europe Eurogypsum |
| | VDKI-Verein der Kohlenimporteure | ND | - | No | EURACOAL |
| | VDMA Mining Equipment | ND | - | No | EURACOAL |
| | OMYA GmbH | ND | Individual company | No | IMA-Europe CCA-Europe |

²⁷ EUROMINES claims that all the members/associations of WVB are included in the study and their task should be described (see webpage: www.wv-bergbau.de).

| | | | | | |
|---------|---|---------------------|--------------------|---|-------------------------------------|
| | VEREINIGTE KREIDEWERKE DAMMANN KG | ND | | No | IMA-Europe CCA-Europe |
| | SÜD-CHEMIE AG | ND | | Member of VKS | IMA-Europe EuBA |
| | AMBERGER KAOLINWERKE EDUARD KICK GmbH & Co. KG | ND | | No | IMA-Europe Eurofel KPC-Europe |
| | ARBEITSKREIS QUARZ IM BUNDESVERBAND BAUSTOFFE - STEINE UND ERDEN E.V. (AKQ) | ND | | No | IMA-Europe Eurosil |
| | EaglePicher Filtration & Minerals Europe | ND | | No | IMA-Europe IDPA |
| | K+S KALI GmbH | ND | | No | APEP |
| | K+S Aktiengesellschaft | ND | | No | EUROMINES |
| | Suedwestdeutsche Salzwerke AG | ND | | No | EUROMINES |
| Greece | Greek Mining Enterprises Association (SME) | 25 (11,000) | Mutual recognition | Negotiates and signs CAs | EUROMINES |
| | Greek Federation of Marble (OSME) | 1,200 (4,500-5,000) | | Negotiates and signs CAs | - |
| | Association of Societes Anonymes and Limited Liability Companies (SAE-EPE) | ~2,000 (ND) | | Negotiates and signs CAs | - |
| | Federation of Industries of Northern Greece (SVVE) | ~600 (ND) | | Negotiates and signs CAs | - |
| | Confederation of Small and Medium-sized Enterprises of Greece (GSEVEE) | ND (101,883) | | Negotiates and signs CAs | UEAPME |
| | Federation of Greek Industries (SEV) | 560 (ND) | | Negotiates and signs CAs | - |
| | PPC-Public Power Corporation (Individual company) | ND | | Negotiates and signs CAs (only at enterprise level) | EURACOAL |
| | S & B INDUSTRIAL MINERALS S.A | ND | Individual company | Member of SEV | IMA-Europe EuBA |
| | ETERIA "5E" A.E. | ND | | Member of SEV | IMA-Europe Eurogypsum |
| Hungary | Hungarian Mining Association | 81 (12,348) | Mutual recognition | Negotiates and signs CAs | EUROMINES EURACOAL |
| | MATRA-Mátra Erömü Rt | ND | Individual company | No - member of the Hungarian Mining Association | EURACOAL |

| | | | | | |
|-----------------|--|--|---|-----------------------------|--|
| Ireland | The Irish Business and Employers Confederation (IBEC) | 7,000 (ND) | Mutual recognition | Negotiates and signs CAs | EUROMINES |
| | The Construction Industry Federation (CIF) | 3,000 (ND) | | Negotiates and signs CAs | - |
| | The Irish Concrete Federation | 120 (13,000-14,000) | | Negotiates and signs CAs | UEPG |
| | The Irish Mining and Exploration Group - IMEG | ND | - | No (member of the IBEC) | EUROMINES |
| Italy | Italian Petroleum and Mining Industry Association (Assomineraria) | 103 out of which 19 are in NACE 13.2 - 14. (822) | Mutual recognition | Negotiates and signs CAs | EBA EUBA Eurogypsum Eurosil IMA-Europe Euro-GIF |
| | SOCIETA GENERALE per l'INDUSTRIA della Magnesia SpA | ND | - | ND | IMA-Europe CCA-Europe |
| | CAGEMA – Assoc. dell' Industria Italiana delle Calce, del Gesso e delle Malte | ND | - | No - Member of Cofindustria | IMA-Europe Eurogypsum |
| | IMERYS MINERALI SpA | ND | Individual company | Member of Assomineraria | IMA-Europe CCA-Europe |
| | OMYA SpA | ND | | Member of Assomineraria | IMA-Europe CCA-Europe |
| | SOCIETÀ chimica larderello SpA | ND | | ND | IMA-Europe EBA |
| | LAVIOSA CHIMICA MINERARIA SpA | ND | | ND | IMA-Europe EuBA |
| | IMI FABI S.p.A. | ND | | Member of Assomineraria | IMA-Europe Eurotalc |
| | LUZENAC VAL CHISONE | ND | | Member of Assomineraria | IMA-Europe Eurotalc |
| Latvia | Latvian Association of Building Material Producers (LBRA) | 50 (ND) | Legal and reciprocal recognition | Negotiates and signs CAs | - |
| Lithuania | Association of Lithuanian Aggregates Producers | 38 (940) | No formal or reciprocal system of recognition | No | - |
| Luxembourg | Since NACE 14 is very limited in Luxembourg, there is no employers' organisation for the mining and extracting industry. | | | | |
| Malta | Malta Chamber for Small and Medium-sized Enterprises (GRTU) | 6,776 (ND) | Reciprocal recognition | No | - |
| The Netherlands | Association of Hydraulic Engineers in | 200 | Mutual recognition | Negotiates and signs CAs | EuDA |

| | | | | | |
|----------|--|--|--------------------|--|---|
| | Dredging, Coastal and Riverbanks Operations (VBKO) | (2,375) | | | |
| | NBVG - Nederlandse Branchevereniging Gips | ND | - | No | IMA-Europe Eurogypsum |
| | ANKERPOORT NV | ND | Individual company | No | IMA-Europe CCA-Europe |
| | CEBO HOLLAND B.V. | ND | | No | IMA-Europe EuBA |
| | SIBELCO NEDERLAND B.V. | ND | | No | IMA-Europe Eurosil |
| | SIGRANO NEDERLAND B.V. | ND | | No | IMA-Europe Eurosil |
| | MONDO MINERALS B.V | ND | | No | IMA-Europe Euroalc |
| | Nedmag Industries | ND | | No | EUROMINES |
| Poland | Związek Pracodawców „Polska Miedź” (ZPPM) | 81 (28,000) | Legal recognition | Negotiates and signs CAs | - |
| | Związek Pracodawców Górnictwa Węgla Kamiennego (ZPGWK) | 5 plants with 36 companies (130,000) | | | EURACOAL |
| | Confederation of the Polish Lignite Industry (PPGWB) | 12 | | | EURACOAL |
| | Polish Cement and Lime Association | ND | - | No | Cembureau (European Cement Association) |
| | Polish Lime Association | ND | - | No | - |
| | PSG - Polskie Stowarzyszenie Gipsu | ND | - | No | IMA-Europe Eurogypsum |
| | KGHM Polska Miedz s.A. | ND | Individual company | ND | EUROMINES |
| Portugal | National Association for the Mining and Manufacturing Industries (ANIET) | 217 (5,473) | Legal recognition | Negotiates and signs CAs | UEPG |
| | Portuguese Association of Marble, Granite and Similar Industries (ASSIMAGRA) | 470 (18,000) | | Negotiates and signs CAs | EUROROC |
| | ECZACIBASI ESAN ENDÜSTRİYEL FELMICA MINERAIS INDUSTRIAIS S.A. | ND | Individual company | No | IMA-Europe Eurofel |
| | SIVAL | ND | | No (Member of Association of Plaster Manufacturer) | IMA-Europe Eurogypsum |

| | | | | | |
|-----------------|---|---|-----------------------------------|--|--------------------------|
| | ADELINO DUARTE DA MOTA S.A. | ND | | No | IMA-Europe KPC-Europe |
| Slovak Republic | Association of Metallurgy, Mining Industry and Geology of the Slovak Republic (ZHTPG) | 42 (ND) | Legal recognition | Negotiates and signs CAs | EUROMINES EURACOAL |
| | Slovak Mining Chamber | 46 (6,000) | | No (member of the Association of Metallurgy, Mining Industry and Geology of the Slovak Republic) | EUROMINES EURACOAL |
| | Premogovnik Velenje-Slovak Lignite Producer | ND | - | No (only via its membership to the Association of Metallurgy, Mining industry and Geology of Slovak Republic) Member of the Slovak Mining Chamber | EURACOAL |
| Slovenia | Metals Association | 102 ; 1 from the 13.20 sector) (8,572 ; out of which 5 SW in the 13.20 sector) | Legal and reciprocal recognition | Negotiates and signs CAs | - |
| | Construction and Building Materials Association | 433; 43 from the 14.10-14.20 sub-sectors (44,872) | | Negotiates and signs CAs | FIEC |
| | Section on Construction Industry | 102; 2 from the 14.10-14.20 sub-sectors (21) | | Negotiates and signs CAs | - |
| | Non-Metals Association | 97; 11 from the 14.30-14.50 sub-sectors (352) | | Negotiates and signs CAs | FEPA |
| Spain | Spanish Slate Federation (FEP) | ND (ND) | Legal system of legal recognition | Negotiates and signs CAs | ND |
| | National Lime Association of Spain (ANCADE) | ND (ND) | | Negotiates and signs CAs | ND |
| | Galician Slate Association (AGP) | ND (ND) | | ND | ND |

| | | | | | |
|--|--|---------------|--------------------|------------------------------------|----------------------------------|
| | Technical and Enterprise Association of Plaster (ATEDY) | 46 (2,400) | | Negotiates and signs CAs | EUROGYPSUM IMA-Europe |
| | National Federation of Coalmining Enterprises (CARBUNION) | 23 (ND) | | Negotiates and signs CAs | EURACOAL |
| | Spanish Natural Stone Federation (FDP) | 1,000 (ND) | | ND | ND |
| | National Confederation of Mining and Metallurgic Enterprises (CONFEDEM) | ND (ND) | | ND | ND |
| | National Association of Aggregate Manufacturers (ANEFA) | 483 (ND) | | ND | UEPG |
| | Spanish Federation of Mining and Quarrying Industry Associations (FEDAE) | ND (ND) | | ND | ND |
| | National Association of Mining, Quarrying and Allied Industries (AINDEX) | ND (160) | | ND | ND |
| | TOLSA S.A. | ND | Individual company | No (member of AINDEX) | IMA-Europe ESMA EuBA |
| | ARCILLAS Y FELDESPATOS RIO PIRON S.A. | ND | | ND | IMA-Europe Eurofel |
| | INDUSTRIAS DEL CUARZO S.A. (INCUSA) | ND | | No (member of SAMCA and of AINDEX) | IMA-Europe Eurofel |
| | MINALCA S.A. | ND | | ND (member of AINDEX) | IMA-Europe Eurofel |
| | SIBELCO MINERALES | ND | | ND | IMA-Europe Ibersil Eurosil |
| | CAOBAR S.A. | ND | | ND (member of AINDEX) | IMA-Europe Ibersil Eurosil |
| | MARIO PILATO BLAT S.A. | ND | | ND | IMA-Europe Ibersil Eurosil |
| | IMERYS TILES MINERALS ESPAÑA S.A. | ND | | ND | IMA-Europe Ibersil Eurosil |
| | SIBELCO ESPANOLA S.A. | ND | | ND | IMA-Europe Ibersil Eurosil |

| | | | | | |
|--------------------|---|--|------------------------------|--------------------------------|--------------------------|
| | LUZENAC SET | ND | | ND (member of AINDEX) | IMA-Europe Eurotalc |
| | CAOLINES DE VIMIANZO, S.A. | ND | | ND (member of AINDEX) | IMA-Europe KPC-Europe |
| | ARAGÓN MINERO S.A. | ND | | ND (member of SAMCA) | IMA-Europe KPC-Europe |
| | WBB ESPAÑA S.A. | ND | | Yes (member of AINDEX – ASCER) | IMA-Europe KPC-Europe |
| | Iberpotash, S.A. | ND | | ND | APEP |
| | Magnesitas de Rubian S.A. | ND | | ND | EUROMINES |
| | Magnesitas Navarras S.A. | ND | | ND | EUROMINES |
| | Rio Narcea Gold Mines, S.A. | ND | | ND | EUROMINES |
| Sweden | Swedish Employers Association of Mine Owners | 9 ; 3 in the M&Q sector (6,200; 5,300 in the M&Q sector) | Legal recognition | Negotiates and signs CAs | EUROMINES |
| | Swedish Building Materials Industry | 186 (10,507) | | Negotiates and signs CAs | ND |
| | Swedish Industrial and Chemical Employers Association | 60 (700) | | Negotiates and signs CAs | EUROROC (obs.) |
| | IMERYS MINERALS AB | ND | Individual company | ND | IMA-Europe CCA-Europe |
| | OMYA AB | ND | | ND | IMA-Europe CCA-Europe |
| | NORTH CAPE MINERALS AB | ND | | ND | IMA-Europe Eurofel |
| | ASKANIA AB | ND | | ND | IMA-Europe Eurosil |
| | BROGARDSAND AB | ND | | ND | IMA-Europe Eurosil |
| | Boliden Minerals | ND | | ND | EUROMINES |
| | LK AB | ND | | ND | EUROMINES |
| The United Kingdom | Confederation of UK Coal Producers (COALPRO) | 23 (ND) | Voluntary recognition system | Negotiates and signs CAs | EURACOL |
| | Mining Association of the UK (MAUK) | 18 (ND) | | ND | EUROMINES EUROMETAUX |
| | Quarry Products Association (QPA) | 86 (ND) | | ND | IMA-Europe |

| | | | | | | |
|--|--|----|--------------------|--|--------------------------|----------|
| | BRITISH CALCIUM CARBONATE FEDERATION (BCCF) | ND | | No | IMA-Europe CCA-Europe | |
| | GPDA-The Gypsum Products Development Assoc., | ND | - | No | IMA-Europe Eurogypsum | |
| | SAMSA, SILICA AND MOULDING SANDS ASSOCIATION | ND | - | Member of the Quarry Product Association | IMA-Europe Eurosil | |
| | THE KAOLIN AND BRITISH BALL CLAY ASSOCIATION (KABCA) | ND | - | No | IMA-Europe KPC-Europe | |
| | RTM /BORAX EUROPE LTD. | ND | Individual company | No | IMA-Europe EBA | |
| | ROCKWOOD ADDITIVES Ltd. | ND | | No | IMA-Europe EuBA | |
| | STEETLEY BENTONITE & ADSORBENTS Ltd. | ND | | No | IMA-Europe EuBA | |
| | CETCO EUROPE LTD | ND | | No | IMA-Europe EuBA | |
| | GOONVEAN Ltd. | ND | | No (member of KABCA) | IMA-Europe KPC-Europe | |
| | WBB MINERALS Ltd. | ND | | No (member of KABCA and SAMSA) | IMA-Europe KPC-Europe | |
| | Cleveland Potash Ltd. | ND | | No | APEP EUROMINES | |
| | Anglo American Pic | ND | | No | EUROMINES | |
| | European Goldfield Limited | ND | | No | EUROMINES | |
| | Iber-Potash Ltd. | ND | | No | EUROMINES | |
| | Rio Tinto | ND | | No | EUROMINES | |
| | Coaltrans Conferences Ltd. Conference Organiser | ND | | - | No | EURACOAL |
| | IMCL - International Mining Consultants Ltd | ND | | - | No | EURACOAL |
| | University of Nottingham | ND | - | No | EURACOAL | |

Source: national reports

Note: Apart from the information presented in the table, it is worth noting that data is unavailable on members working in the sector by organisation due to problems in evaluating the figures, which may occur, for example, if the delimitation of activities within the organisation does not correspond to the national delimitation of the sector.

3. DESCRIPTION OF THE SOCIAL DIALOGUE IN THE SECTOR

3.1. European level²⁸

Under the European Coal and Steel Community (ECSC) Treaty, a sectoral social dialogue committee on coal was set up in 1952. With the expiry of the Treaty in 2002, a committee dealing with mines was established and the rules and procedure were adopted in 2004. The social partners decided in 2005 to change the name of the committee to “Extractive Industry”.

In the EU-25 (2004), the extractive industry sector covers 19,000 enterprises employing 613,000 workers. In fact, an extractive activity can be located in all of the EU-25 countries. In some of European countries or regions, this industry can be particularly important in terms of employment, economy and environment.

As pointed out in a commission report, the rationalisation measures and reduction of activity in the extractive industry in most producing countries has led to a significant reduction in jobs. Competition is strong from large-scale companies. In order to face these multiple challenges, the EU extractive industry tries to compete by supplying high-quality materials. Recently, the Extractive Industry sectoral social dialogue has discussed issues concerning economic and sectoral policies, health and safety in raw materials extraction, training and lifelong learning and the preparation and implementation of the first multi-sectoral agreement on protecting workers against silica crystalline dusts. This agreement (negotiated by 13 European social partners) was signed at the beginning of 2006.

3.2. National level

Social dialogue can be tripartite and/or bipartite. The first is characterised by the involvement of the government and the social partners (workers’ and employers’ organisations) and the second takes place between the latter, without intervention from the government. After a brief overview of tripartite concertation and its existence in a few countries, we will focus on the bipartite social dialogue at sector level in the M&Q industry sector.

a) Description of tripartite concertation in the sector

Basic features of tripartite concertation specifically for the Mining and quarrying sector

| Country | Existence | Basic features of tripartite concertation | Results |
|----------------|-----------|---|----------------------------------|
| Austria | No | - | - |
| Belgium | No | - | - |
| Cyprus | No | Resolution of labour disputes and administrative and regulatory disputes | 1 Signed agreement |
| Czech Republic | No | Participation in national tripartite consultation (RHSD CR) | - |
| Denmark | No | - | - |
| Estonia | No | The state-owned company Eesti Põlevkivi (NACE 11) has signed one tripartite CA. | One CA in the NACE 11 sub-sector |
| Finland | No | Only in matters of vocational education | - |

²⁸ This information and the figures presented in this paragraph are provided by the European Commission publication: Recent Developments in the European Social Dialogue, European Commission. Directorate-General for Employment, Social Affairs and Equal Opportunities, December 2005. This document is available on this URL address: http://ec.europa.eu/employment_social/social_dialogue/docs/sectoral_sd_2006_en.pdf.

| | | | |
|--------------------|-----|--|--|
| France | No | Except for sub-sectors 10.10-10.20 (Charbonnage de France) | Coal Pact (1994) |
| Germany | No | Except for sub-sectors 10.10-10.20 (specific consultations procedures) | Coal agreement (1997) |
| Greece | No | Only within ad-hoc institutions in view of preparation for reforms | - |
| Hungary | Yes | Reinforced during the privatization of the sector, for instance by the conclusion of a National strategy for energy policies,... | National strategy |
| Ireland | No | Only at a general level for all industries | - |
| Italy | No | - | - |
| Latvia | No | - | - |
| Lithuania | No | - | - |
| Luxembourg | No | - | - |
| Malta | No | Employers' associations do not take part in collective negotiations. However, the Malta Chamber for Small and Medium-sized Enterprises (GRTU) takes part in tripartite consultations. GRTU was appointed to the tripartite institution by the government. Building Industry Consultative Council (BICC) – 1997. | - |
| The Netherlands | No | - | - |
| Poland | Yes | Outside the Tripartite Commission for Socio – Economic Affairs, two tripartite bodies are dedicated to the problems of the sector connected with restructuring, ongoing privatisation and reorganisation of activities: The Tripartite team for the Social Welfare Of Miners and the Tripartite Team for Socio-Economic Restructuring of Sulphur Mining and Processing Industry. | Agreements, national plans, pacts and discussion about salaries and wages. The restructuring sulphur mining team is less productive. |
| Portugal | No | Other forms of meetings between the social partners and the Government | - |
| Slovak Republic | Yes | At national and sectoral level | Acts |
| Slovenia | No | Within sub-sector 10.10-10.20 and 12, the government is the only employers' partner. Indeed, there is bipartite consultation with the state as a player | CAs valid only for these State-owned enterprises. |
| Spain | No | Except for the sub-sectors 10.10-10.20 | Plan for coal 2006-2012. |
| Sweden | No | - | - |
| The United Kingdom | No | - | - |

Source: national reports

Only four countries (Cyprus, Hungary, Poland and Slovakia) organise tripartite concertation specifically for the M&Q sector, leading to the conclusion of signed national pacts, agreements or strategies dealing with sector level issues. The case of Malta seems to present a particular situation. Indeed, even though the employers' associations do not take part in collective negotiations, however, the Malta Chamber for Small and Medium-sized Enterprises (GRTU) does take part in tripartite consultations, but not specifically about M&Q matters.

On the other hand, other kinds of consultation or meetings between the government and social partners may be held, as in some countries, for instance in the Czech Republic, Finland and Ireland.

Finally, we have to mention the particular and specific tripartite CB processes inherited from the state-owned past or current characteristics of some sub-sectors (especially in energy products extraction) as existed for instance in Estonia (oil shale production and preparation, NACE 11), France, Germany, Slovenia, and Spain. Indeed, often, the restructuring processes bring together trade unions representatives and the Government as the sole employer's representative. These areas of discussion could be qualified as tripartite *de facto*.

b) Description of the bipartite social dialogue in the sector

Basic features of bipartite social dialogue by country

| Country | Bipartite social dialogue at: | | | Collective agreements at sector level |
|-----------------|-------------------------------|-----------------------------------|--|---|
| | Sector level | Company level | Other | |
| | | | | - |
| Austria | X | - | - | 4 CAs regularly concluded |
| Belgium | X | X (little developed) | Geographical zone representative | CAs |
| Cyprus | X | X | - | CAs |
| Czech Republic | X | X | - | A total of 3 KSVS, one for each sector of the mining and quarrying, building, and glass and ceramics industries, have been concluded. |
| Denmark | X | X | - | Only one CA concerning the M&Q sector |
| Estonia | - | - (only Eesty Polevkivi, NACE 11) | - | - |
| Finland | X | - | Work-place level agreement | CAs (8 CAs in force currently) |
| France | X | X (not widely used) | - | CAs |
| Germany | X | X | - | CAs |
| Greece | X | X | - | CAs |
| Hungary | X | X | - | - |
| Ireland | - | X | - | - |
| Italy | X | X (no data available) | - | CAs |
| Latvia | X | X | - | Only one CA concerning the M&Q sector |
| Lithuania | - | - | - | - |
| Luxembourg | - | - | - | - |
| Malta | - | - | - | - |
| The Netherlands | X | X | Sub-sector CAs (sand and gravel dredging) | CAs |
| Poland | X | X | High asymmetry between the different players representation | CAs |
| Portugal | X | X | Practice in all the M&Q companies of supplementary agreements to the sector level CAs. | CAs |

| | | | | |
|--------------------|---|---|--|-----|
| Slovak Republic | X | X | - | CAs |
| Slovenia | X | X | Depends on sub-sectors | CAs |
| Spain | X | X | NACE 12: only one company NACE 13 and 14: various national, provincial and local agreements | CAs |
| Sweden | X | X | - | CAs |
| The United Kingdom | X | X | - | CAs |

Source: national reports

According to this table, sector level dialogue does not exist in M&Q in five countries out of the EU-25 Member States (Estonia, Ireland, Lithuania, Luxembourg and Malta). However, we must bear in mind that in some countries and within some sub-sectors, more precisely, the socio-economic landscape is characterised by the presence of a large number of SMEs or micro-enterprises. This is balanced by the existence of one or two large companies within the country (which are dominant, practically and geologically speaking). Sometimes, the collective bargaining hosted within these companies can be considered as relevant at sectoral level even if the CB processes do not follow institutionalised forms.

The structure of social dialogue in the M&Q sector in each of the countries considered is diverse.

- In general, for most countries, social dialogue is held, alone or among others, at sector level and leads generally to the conclusion of agreements. Nevertheless, in Hungary, despite the existence of sector social dialogue, no CA has been signed up to now;
- In most cases, social dialogue could also exist only at enterprise level, which functions generally but in one country (Estonia) it is rather rare;
- The last possibility is the absence of a so-called “sector level” among the levels where social dialogue could be held. This is the case in Estonia, Ireland, Lithuania, Luxembourg and Malta.

Thus, we observe that, even if social dialogue for the M&Q sector often takes place at sector and/or enterprise level(s), it also appears at multi-sector, territorial (local, regional, provincial), branch, group, occupational or site levels, with each of these having its particular features and origin.

NATIONAL REPORTS

AUSTRIA

1. DESCRIPTION OF THE SECTOR'S CHARACTERISTICS AT NATIONAL LEVEL

1.1. Delimitation and scope of activities in the sector

This report understands the sector as embracing NACE 10.1, 10.2, 12, 13, 14 and 26²⁹. Companies involved in 10.1 and 12 do not exist in Austria. Furthermore, the number of companies in 10.2 and 13 is so small that official statistics do not document figures on employment and production for them for reasons of secrecy. As a result figures on employment and production cannot be given for the sector as a whole, as it is demarcated above.

It is important to note that the membership domains of all employer associations and unions involved in collective bargaining on behalf of the sector cover more sectors/branches than the sector demarcated above. The same holds true for the sector-related collective agreements.

1.2. Socio-economic features of the sector

In 2002 mining and quarrying as a whole (i.e. NACE C) was carried out by 346 companies, employing a total of 5,645, which included 5,454 employees (Statistik Austria 2003). The employees represented a share of approximately 0.18% of Austria's total number of employees. Turnover of NACE C accounted for 0.5% of GDP in the same year.

No reliable data on the underground economy is available. However, an underground economy seems to be non-existent due to the characteristics of the sector.

In former times, e.g. the 1970s, the sector as a whole recorded more than 10,000 employees. At that time, it was also dominated by nationalized companies. Over the last 15 years especially many companies have shut down and some are in the process of shutting down. Due to this, and privatization, the nationalized companies have disappeared. Nowadays the type of ownership differs considerably, embracing foreign capital, domestic capital, and even family ownership. In one case, the province of Styria holds shares. The companies are rather dispersed geographically, with a traditional centre in Styria. Certain sub-sectors do not exist in Austria. The vast majority of companies belong to NACE 14.

As far as the structure of employment is concerned, blue-collar workers prevail numerically. According to 2003 figures on NACE C, 59.8% of all employees belonged to this group³⁰. The number of employees in the sector has declined greatly over time. This is mainly because many mines have become more and more exhausted, so that they are not competitive with locations in other geographical areas.

Last but not least, a characteristic feature of the Austrian manufacturing sector is worth mentioning. This is the formal divide between "industrial" production in the narrow sense (Industrie) and small-scale craft production (Gewerbe), as laid down by the Trades Code (Gewerbeordnung)³¹. Accordingly "industry" in the narrow sense is defined by characteristics such as capital-intensive production; a high degree of mechanization; standardized mass production; production process involving a high degree of division of labour and using a large number of employees; and the organisational separation of management functions from execution. It is understood that craft production shows none or only few of these characteristics. In contrast to "industry", craft production is normally linked to the award of certain qualifications, gained through vocational training. From the industrial relations perspective, this divide is important, since the domains of the employer associations and the scope of the collective agreements echo this divide. For each sector in the broader area of manufacturing, there are separate employer associations and collective agreements for "industry" and craft production. This sector is the exception to this rule. Since mining and quarrying usually implies capital-intensive large-scale production, it is a purely industry sector, without a craft segment, although micro companies are found. Due to the sector's industry profile, however, there is only one "industry" employer association, as will be described in greater detail below.

²⁹ As FSK covers NACE 26 activities.

³⁰ Rechnungshof (2004) "Bericht gemäß Art §8 Bezügebegrenzungsgesetz". Wien: Rechnungshof.

³¹ Guger, A., Runggaldier, U., and Traxler, F. (2000) European Employment and Industrial Relations Glossary: Austria. London – Luxembourg. Sweet and Maxwell and Office for Official Publications of the European Communities.

Companies

| Sub-sectors | Number of companies | % companies without SW | % companies with <10 SW | % companies with 10-49 SW | % companies with 50-249 SW | % companies with > 249 SW |
|---------------------|---------------------|------------------------|-------------------------|---------------------------|----------------------------|---------------------------|
| NACE 10.2 | 2 | ND | 50.0 | 0.0 | 50.0 | 0.0 |
| NACE 13 | 2 | ND | 50.0 | 0.0 | 50.0 | 0.0 |
| NACE 14 | 327 | ND | 65.4 | 28.4 | 5.8 | 0.3 |
| Total of the sector | 331 | ND | ND | ND | ND | ND |

Source: Statistik Austria (2003); date: 2002

Note: NACE 10.1 and 12 do not exist.

Workers

| Sub-sectors | Number of self-employed workers in the sector | Number of SW in the sector | Number of SW in the sector/ total number of SW in the country –all sectors- (%) | Number of SW in companies with 1-9 workers in the sector/ number of SW in the sector (%) | Number of SW in companies with 10-49 workers in the sector/ number of SW in the sector (%) | Number of SW in companies with 50-249 workers in the sector/ number of SW in the sector (%) | Number of employees in companies with >249 SW in the sector/ number of SW in the sector (%) |
|---------------------|---|----------------------------|---|--|--|---|---|
| 14 | 186 | 4,743 | ND | ND | ND | ND | ND |
| Total of the sector | ND | ND | ND | ND | ND | ND | ND |

Source: Statistik Austria (2003); date: 2002

Note: Figures for NACE 10.2 and 13 not available for reasons of secrecy; NACE 10.1 and 12 do not exist.

2. DESCRIPTION OF THE ORGANISATIONS ACTIVE IN THE SECTOR

2.1. Description of the workers' organisations active in the sector

All unions dealing with the sector are member unions of the Austrian Federation of Trade Unions (Österreichischer Gewerkschaftsbund, ÖGB). Hence, they have many features in common which will be summarized here instead of repeating them when considering each of these unions in detail.

Identification and Representativeness

The ÖGB and its member unions are voluntary associations which are financed by voluntary dues paid by their members. Dues are largely unified in that the standard due to be paid by regular members is one percent of the member's wage. It is only the ÖGB which possesses the status of a legal entity, whereas its member unions are dependent subunits, from a formal point of view. The domains of the member unions are demarcated in a way that ensures as much mutual complementarity as possible. There are two main parameters for domain demarcation, sectoral affiliation and employee category (i.e. blue- vs. white-collar workers). It is extremely difficult to estimate the density ratio of both the member unions and certain member subgroups, since the membership domains of the unions crosscut conventional statistical definitions. Therefore, the density ratios reported below by the union representatives should be understood as very rough estimates. It should also be noted that all staff members of the member unions are employees of the ÖGB from a formal point of view.

Recognition

As a voluntary association, the ÖGB is legally granted recognition as a bargaining party, in accordance with the recognition procedure outlined above. It should be noted that only the ÖGB (in contrast to its member unions) has the legal right to conclude collective agreements.

This is because only the ÖGB has the status of a legal entity. In practice, this means that the unions autonomously (i.e. without interference by the ÖGB) negotiate the collective agreements for their members, while they have formally to sign the collective agreements in the name of the ÖGB. The ÖGB (together with its member unions) has a de facto monopoly of bargaining on behalf of the labour force.

Participation in formal consultations is mainly the province of the ÖGB. However, in sector-specific matters that affect only the employees of one member union, consultative activities are devolved to the respective union. There are no consultation rights at company level. This is because a "dual" system of employee representation exists in Austria, as outlined below.

a) The Union of White-Collar Workers of the Private Sector (Gewerkschaft der Privatangestellten, GPA)

The GPA represents the white-collar employees in the entire private sector and thus also organizes white-collar employment in the sector. In 2002 the GPA's total number of members was 287,558. Precise data on the number of white-collar employees working within the GPA's domain does not exist. Hence, only a rough estimate can be made giving an overall density of approximately 30% within the GPA's domain. There are no membership figures on the sector available. According to estimates by union officials, density in the sector under consideration is between 60 and 90%, varying with the different branches of the sector. The GPA has 335 staff members in 2006. The GPA negotiates the collective agreements for the private-sector white-collar workers. This includes the white-collar workers of the sector, for which one separate collective agreement is concluded every year. This agreement usually covers both wages and non-wage issues. Hence, the GPA is a signatory party to one single, regularly negotiated collective agreement for the sector. The GPA is a member of Union Network International (UNI).

b) The Metalworking and Textile Workers' Union (Gewerkschaft Metall-Textil, GMT)

The GMT is the outcome of the 2000 merger of the Union of Blue-collar Workers of the Metal Industry, Mining and the Power Industry (Gewerkschaft Metall-Bergbau-Energie, GMBE) and the Union of Blue-collar Workers of the Textiles Industry, Clothing Industry and Leather Industry (Gewerkschaft Textil-Bekleidung-Leder, GTBL). In 2001 the GMT recorded 216,799 members. An estimate of the GMT's overall density requires employment figures which are broken down by both employee categories and sub-sectoral branches. Such data is available for 1999³², the year before the GMT was formed. Hence, only a "consolidated" density derived from aggregate membership of the predecessors of the GMT (i.e. the GMBE and the GTBL) can be estimated. This yields a gross density of GMT of approximately 88.7 percent.³³ On May 2006, the GMT will formally merge with another member union of the ÖGB, the Agriculture and Food Workers' Union (Gewerkschaft Agrar, Nahrung, Genuß, ANG) which is also relevant for this sector, as will be outlined below.

As a consequence of its inclusive domain, the GMT covers all areas of mining and quarrying, as far as blue-collar workers are concerned. In 2002 the GMT's total membership was 204,674. Union officials estimate union density of the sector under consideration to be between 90 and 95%. The number of GMT staff members is about 210 employees in 2006. The GMT is the representative of all blue-collar workers of its organisational domain, when it comes to collective bargaining. Hence, it also concludes one collective agreement every year for the blue-collar employees of the sector, in parallel with the sector-specific collective agreement concluded by the GPA for the white-collar employees. The GMT is a member of the European Metalworkers' Federation (EMF), the European Mine, Chemical and Energy Workers' Federation (EMCEF) and the International Federation of Chemical, Energy, Mine and General Workers' Unions (ICEM).

c) The Construction and Woodworkers Union (Gewerkschaft Bau-Holz, GBH)

The GBH organizes blue-collar workers in the entire area of the construction sector and the woodworking and wood processing sector. This includes parts of NACE 14 (i.e. the extraction of materials such as stones which are needed for construction). In 2002 the GBH's total membership was 153,827. Union officials estimate union density of those parts of the sector covered by the domain of GBH to be around 55%. Traditionally, unionization is higher in industry than in the craft segment of the two sectors. The number of staff members is about 130 employees. The GBH is the representative of the blue-collar workers of its sectoral domain, when it comes to collective bargaining. It also concludes the collective agreements for the blue-collar employees for those

³² Rechnungshof (2004) "Bericht gemäß Art §8 Bezügebegrenzungsgesetz". Wien: Rechnungshof.

³³ For the GMBE and the GTB, the corresponding estimates are 92.7% and 58.7%, respectively.

parts of NACE 14 which are covered by its domain. The GBH is a member of the European Federation of Building and Woodworkers (EFBWW) and of the Building and Wood Workers International (BWI).

d) The Agriculture and Food Workers' Union (Gewerkschaft Agrar Nahrung Genuß, ANG)

The ANG organizes all blue-collar workers employed in the areas of food processing, agriculture and forestry. It is a minor member union of the ÖGB which recorded 42,841 members in 2002. It can be seen in the employment figures broken down by employee category for 2003 (Rechnungshof 2004), that this membership represented a density ratio of around 51.7 percent in 2002/2003.

For historical reasons, the ANG organizes the blue-collar workers of one special company in the sector: that is, the Salinen Austria, which operates in the mining and production of salt (i.e. NACE 14.4). The ANG's density in this company is 100 percent.

It is important to note that the ANG has left collective bargaining for the blue-collar workers of this company to the GMT. This means that the company's blue-collar workers are covered by the collective agreement concluded by the GMT on behalf of the sector's blue-collar employees. The ANG concludes collective agreements for the employees of its domain, with the exception of the employees belonging to the sector. Hence, ANG is not a party to sector-related bargaining. Nor is the ANG affiliated to any of the sector's European social partners.

Trade Unions

| Organisation | | Type of SW | Members | Members working in the sector | Density | CB | National Affiliations | European affiliations | International affiliations |
|--|---|---------------------|----------|-------------------------------|---------|--------|-----------------------|-----------------------|----------------------------|
| Original name | English name | Type | Number | Number | % | yes/no | | | |
| Gewerkschaft der Privatangestellten, GPA | The Union of White-Collar Workers of the Private Sector | Any kind | 287,558* | ND | 90** | yes | ÖGB | UNI-Europa | UNI |
| Gewerkschaft Metall-Textil, GMT | The Metalworking and Textile Workers' Union | Blue-collar workers | 204,674* | ND | 90-95** | yes | OGB | EMCEF EMF | ICEM |
| Gewerkschaft Bau-Holz, GBH | The Construction and Woodworkers Union | Blue-collar workers | 153,827 | ND | 55 | yes | OGB | EFBWW | BWI |

Source: Interviews.

* Date 2002

** Estimate by the interview partner

2.2. Description of the employers' organisations active in the sector

All employer associations dealing with the sector are subunits of the Austrian Federal Economic Chamber (Wirtschaftskammer Österreich, WKÖ), i.e. they belong to the WKÖ's Federal Organisations. Hence, they have in common all formal aspects regarding matters of identification, representativeness and recognition. They will be summarized here instead of repeating them for each of the relevant organisations.

Identification and Representativeness

The Structure of the Federal Organisations is determined by the principles generally determining the structure of the WKÖ. In line with this, each Federal Organisation has 9 Länder subunits, echoing the federal structure of the Austrian state. The membership unit of the WKÖ's Federal Organisations is the business licence. This is not identical with the company or establishment. This is because according to business law, a certain kind of (always formally demarcated) business activity can be conducted by a company only when this company has the corresponding business licence. Companies often have more than one licence, so that the number of licences under the umbrella of a certain Federal Organisation normally exceeds the number of member companies, if the sectoral domain of the Federal Organisation embraces more than one licence. Membership in the Federal Organisations is mandatory. This means that every company licensed to carry on a business falling within the scope of the membership domain of a certain Federal Organisation is legally obliged to be a member of this Federal Organisation and its Land-

level subunits. Hence, density in terms of employers and employees is always 100%. Dues payment is compulsory because membership is mandatory. In formal terms, all staff members of the Federal Organisations are employed by their umbrella organisation, the WKÖ.³⁴

Recognition

As part of the WKÖ, each Federal Organisation is an employer organisation directly invested with the capacity to conclude CAs. According to the Labour Constitution Act a law-making function is attributed to CAs. In accordance with this privileged legal status, the right to conclude CAs is contingent on certain preconditions specified by this Act. Above all, this means that CAs may be concluded only by bodies either directly invested with the capacity by the Act or granted recognition as possessing this capacity in accordance with a procedure also regulated by the Act. Hence, labour law provides for two forms of recognition that correspond with the distinction between chambers and voluntary industrial relations associations. Accordingly, the chambers are directly equipped with the capacity to conclude CAs in that they automatically possess this capacity *ex lege*. On the employers' side this involves the WKÖ and its sectoral subunits (i.e. the Federal Organisations and their Land-level subunits), and also legal entities governed by public law such as the social insurance institutions. A special recognition procedure is devised to grant the right to conclude CAs to unions and employer associations, for which membership is voluntary. On request, such unions and employer associations can be granted recognition as a bargaining party only when they meet certain preconditions. These preconditions are fulfilled if they are independent of the opposing side and if the Federal Arbitration Board (Bundeseinigungsamt), a joint body established within the responsible ministry, has granted them recognition as possessing it by virtue of their extensive occupational and territorial coverage and major economic importance. Given that one and the same group of employees or employers may be covered by a chamber and a voluntary association possessing granted recognition, the question is which of the two associations has priority when it comes to entering collective bargaining. Under these circumstances, labour law gives priority to the voluntary association in relation to its chamber counterpart. However, as regards the sector, only the WKÖ's Federal Organisations listed below conduct collective bargaining on behalf of business. There are no special processes of mutual recognition on the part of the sector's social partners.

The reason for this is that the membership domains and responsibilities are defined in a complementary, non-competitive way in the case of both organized business and labour. The consequence is that each of the bargaining parties obtains a de facto bargaining monopoly in its own area of membership and responsibilities. Also as a consequence of its chamber status within the framework of the WKÖ, each Federal Organisation enjoys a legally guaranteed right to be consulted by the authorities on all economic and social matters concerning its domain.

Affiliations

As far as national affiliations are concerned, it would not be appropriate to say that the Federal Organisations are affiliates of the WKÖ. This is because affiliation normally means voluntary membership that might be cancelled. In contrast to this, each Federal Organisation (like all the other subunits of the WKÖ) is part of the business chamber system with the WKÖ at the top according to statute. Hence, not any part of the chamber system has the right to secede.

a) The Federal Organisation of the Mining and Iron Industry (Fachverband der Bergwerke und der eisenerzeugenden Industrie, FBE)

Within the WKÖ, the FBE organizes mining (including the extraction of salt), and the basic manufacture of iron and steel. The domain of the FBE thus cross-cuts the sector. On the one hand, it covers more branches outside the sector (i.e. iron); on the other hand, it covers only parts of the sector, i.e. NACE 10, NACE 13 and the extraction of salt (i.e. 14.4).

In 2001, the FBE had 45 member companies which employed a total number of 17,021 employees (Wirtschaftskammer Österreich n.d.). In administrative respects, the FBE shares its staff with the Federal Organisation of the Non-ferrous Metal Industry (Fachverband der NE-Metallindustrie). This joint staff (i.e. Bürogemeinschaft) has 6 full-time staff members in 2006. The FBE negotiates and concludes the collective agreements on behalf of all companies covered by its membership domain. On behalf of the employers of these sectors, the FBE regularly concludes two collective wage agreements on behalf of the sector's employers. The FBE is a representative of Austria in the following European organisations: EUROFER, EUROMINES, PRE.

³⁴ An exception to this rule is the financial sector, where the branch-specific Federal Organizations are run by the parallel voluntary employer associations according to an agreement with the WKÖ.

b) The Association for Building Materials and Ceramic Industries (Fachverband der Stein- und keramischen Industrie, FSK)³⁵

The membership domain of the FSK embraces a wide area of branches related to the production of ceramic goods (NACE 26), and the extraction and the manufacture of materials for construction. The latter area includes parts of the sector, i.e. by and large NACE 14.1 and 14.2. As is the case of the FBE, the domain of the FSK thus cross-cuts the sector insofar as its domain embraces numerous branches outside the sector and parts of the sector itself.

In 2001, the FSK recorded 263 member companies, with a total number of 16,790 employees (Wirtschaftskammer Österreich n.d.)³⁶. The FSK concludes the collective agreements on behalf of the companies in its domain. The exception to this rule is that it does not negotiate on behalf of that group of members which belong to the sector under consideration and which are mining companies in the narrow sense at the same time, as far as the agreement with the GMT is concerned. This group is covered by the collective agreements which the FBE negotiates with the GMT. The FSK is also a signatory party to these agreements. The other part of the membership belonging to NACE 14.1 and 14.2 and 26 is covered by the two collective agreements which the FSK negotiates with the GPA and the Construction and Woodworkers' Union (Gewerkschaft Bau-Holz, GBH) for white-collar workers and blue-collar workers, respectively. The FSK is affiliated to the following European and international associations: CEPMC, EMO, EULA, EURO-GYPSUM, FEPA, PRE, UEPG, ILA, and FEPF.

Employers' organisations

| Organisation | | Companies | SW | Density Companies | Density SW | CB | National affiliations | European affiliations | International affiliations |
|---|--|-----------|---------|-------------------|------------|--------|-----------------------|--|----------------------------|
| Original name | English name | number | Number | % | % | yes/no | | | |
| Fachverband der Bergwerke und der eisenerzeugenden Industrie, FBE | The Federal Organisation of the Mining and Iron Industry | 45* | 17,021* | 100* | 100 | yes | WKÖ | EUROMINES EUROFER PRE | - |
| Fachverband der Stein- und keramischen Industrie, FSK | The Federal Organisation of the Manufacturers of Non-metallic Minerals and Ceramic Goods | 263* | 16,790* | 100* | 100 | yes | WKÖ | CEPMC, EMO, EULA, EUROGYPSUM, FEPA, PRE, UEPG, FEPF. | ILA |

Source: Interviews.

* Date: 2001.

** Mandatory membership

3. DESCRIPTION OF THE SOCIAL DIALOGUE IN THE SECTOR AT NATIONAL LEVEL

3.1. Description of the tripartite concertation in the sector

It is common practice that the authorities consult the relevant interest associations – i.e. the ÖGB, the Federal Chamber of Labour (Bundesarbeitskammer, BAK) and the WKÖ – on matters affecting labour and business. The Chambers have the formal right to be consulted. The ÖGB and the WKÖ delegate related issues which affect only certain sectors to their corresponding subunits. Concertation processes in the sense of institutionalized tripartite negotiations do not exist in the sector. No other generalized forms of consultation or meetings exist which are specific to the sector under consideration.

³⁵ Our national expert claims that there is no official English name for this association.

³⁶ The data expressed in the table are from WKÖ. IMA-Europe claims that the FSK recorded 355 member companies, with a total number of 17,092 employees.

3.2. Description of the bipartite social dialogue in the sector

a) Collective bargaining

As is generally the case in Austria, the principle of free collective bargaining characterizes the sector under examination, without any state interference. This implies that there is no obligation to participate in collective bargaining.

There are three unions which represent the employees of the sector in the course of collective bargaining: the GMT and the GBH represent the blue-collar workers of the sector. The GPA is the representative of the sectors' white-collar workers.

The companies in the sector are covered altogether by two Federal Organisations of the WKÖ which also act as employer associations in the course of collective bargaining: These are the FBE and the FSK. The membership domains of both the unions and employer associations are mutually exclusive and non-competitive. This coherence rests on the fact that the GBH and the GPA are both members of the ÖGB, and the FBE and FSK, subunits of the WKÖ. No other association-type organisation exists with a role in the industrial relations system of the sector. In line with these association-type structures and domains, collective bargaining is mainly differentiated by employee categories (i.e. blue- and white collar workers) on the one hand, and, by sectoral affiliations on the other hand. Generally, the scope of the collective agreements follows the Federal Organisations involved in the respective bargaining process. This means that the scopes of all the sector-related CAs completely include the sector under consideration and embrace all the other sectors covered by the domain of FBE and FSK. One agreement for white-collar employees covers several other sectors which broadly cover the metal industry and related branches. Since all employer associations involved in collective bargaining on behalf of the sector are based on mandatory membership, the coverage rate of collective bargaining is 100% of all agreements listed in the following Table. Although Austrian labour law provides for mechanisms to extend the scope of CAs to unaffiliated employers, there is no need to use them in the case of the sector as a result of mandatory membership in the sectors' employer associations. In other words, mandatory membership in the employer associations works as a functional equivalent to statutory extension mechanisms.

As a rule, the sector-related CAs regulate both wages and non-wage issues. While agreements on non-wage issues are concluded occasionally, wage agreements are struck regularly. The length of validity of the sector-related CAs is one year in the case of the agreements negotiated by the FBE, and two years in the case of the agreements negotiated by the FSK. As is general practice in industry, the wage agreements contain an actual-pay clause (Istlohnklausel) in addition to minimum pay rates. Actual-pay clauses specify sectorally agreed percentage increases to be applied to the pay rates actually paid, which may vary from company to company. These clauses enable the bargaining partners to gain control of the wages of those employees who are not affected by the minimum pay rate as a consequence of overpayment.

The pattern of regularly concluded CAs

| Bargaining parties | Scope of the CAs ³⁷ | | |
|--|--------------------------------|----------------------|-----------|
| | Sector | Category | Territory |
| GMT and FBE | Mining ^a | Blue-collar workers | Federal |
| GPA and bargaining cartel of employer Organisations ^b | Multi-sectoral ^a | White-collar workers | Federal |
| GPA and FSK | Cross-sectoral ^a | White-collar workers | Federal |
| GBH and FSK | Cross-sectoral ^d | Blue-collar workers | Federal |

^a As demarcated by the membership domain of the FBE, with the exception of parts of NACE 14.1 and 14.2.

^b Including the FBE plus 5 other WKÖ Federal Organisations covering: the vehicle industry; casting; engineering and manufacture of metal products; non-ferrous metal production; and manufacture of gas, steam and hot water supply.

^c As demarcated by the domain of the FSK.

^d As demarcated by the domain of the FSK, including parts of NACE 14.1 and 14.2 (and NACE 26).

³⁷ As regards the number of CAs signed and which remain in force at the moment, there is one each of the CAs listed in the table.

This table gives an overview of the regularly negotiated agreements, i.e. the system of wage bargaining, in terms of the bargaining parties, the type of collective wage agreements and their sectoral, categorical and territorial scope. The territorial scope of the CAs covers the entire country in all cases. In sectoral terms, the overall scope of the CAs follows the domain demarcation of the two employer associations, although the scope of the single agreements does not strictly follow their domains. As noted above, FSK only signs but does not negotiate the agreements concluded by FBE with GMT. Although separate agreements are signed for the blue-collar workers by the GMT and the corresponding area for the white-collar workers by the GPA, these two agreements are negotiated jointly, resulting in the same outcomes for the two categories of employees. Furthermore, these agreements are embedded in the negotiations for the broader area of the metal industry. They are strongly synchronized with the latter, so that formally separate agreements produce the same outcome, leaving aside some sector-specific details. This also holds true for the multi-sectoral agreement concluded by the GPA, insofar as it contains sector-specific regulations, aside from the part common to all sectors.

Collective bargaining is characterized by a high degree of stability. This is mainly because the responsibilities for collective bargaining are demarcated in a complementary, non-competitive way among the players in the sectors' industrial relations. Overall, the representatives of the two sides of industry agree that a cooperative and fair climate characterizes the bargaining process.

b) Company-related Employee Representation

Since labour law does not vest the individual employer with the capacity for collective bargaining, company-level agreements are absent in the sector. In contrast to company collective agreements, plant agreements are notable mechanisms which supplement the sectoral agreements when it comes to regulating employment relations in the major companies. This is based on the dual system for the representation of the employees which is institutionalized in Austria³⁸. Labour law distinguishes between collective employment relations within the firm and at multi-firm (i.e. association) level. Within the firm, the voice of the employees is the works council (Betriebsrat). In every establishment with five or more employees, a works council must be set up, if the workforce so requests. Works councils can either be formed separately for white-collar workers and blue-collar workers, or may combine representation of both employee categories. In multi-plant companies, each works council is entitled to elect a certain number of its members to a central (enterprise) council. Works councils can also be established for holding companies. The works council's rights are precisely defined, ranging from information and consultation to co-determination, including the opportunity to conclude plant agreements (Betriebsvereinbarungen) with management in the case of a rather narrow range of social and personnel matters. In relation to management, the works council must act in a cooperative manner. In relation to the unions, the scope of activities of the works council is legally defined in a complementary way, generally giving priority to the unions. Most essentially, this means that collective bargaining, including any kind of negotiations over pay levels is a prerogative of the unions.

Although the works councils are formally disconnected from the unions as a consequence of the dual representational system, there are very close links in practice. This is because the vast majority of works councillors are unionized. Hence, most of them perform union representative functions on the shop floor, so that the unions can rely on them solely as channels of union workplace representation. Many works councillors are also union officials and clearly predominate in the unions' representative bodies. Generally, the probability that a works council exists tends to increase with the size of a company.

Due to the relatively small size of the companies in the sector under consideration works councils are not widespread. According to a survey conducted on behalf of the ÖGB 60 percent of the employees in the area of mining and quarrying (understood in the broad sense) are covered by a works council altogether (ÖGB 1999³⁹).

4. COMMENT

The industrial relations system of the sector generally fits into the mainstream of industrial relations in Austria. There are complementary responsibilities for bargaining on the side of both the unions and employer associations. This complementarity also applies to domain demarcations. The unusual situation is that the bargaining responsibilities do not strictly echo domain demarcations, as bargaining parties on both sides of industry also bargain on behalf of minor groups outside their domains. At any rate, the overall complementarity fosters cooperative relationships between the two sides of industry. Since the function of the employer association is performed by the subunits of the mandatory WKÖ, collective bargaining coverage is 100 percent. As a consequence, there is no need to resort to extension mechanisms whose provisions and implementation are controversial in some other countries. The upshot of this structural configuration is that the representation of the players involved in representing the sector is uncontested and evident.

³⁸ Traxler, F. (1998) "Austria: Still the Country of Corporatism" in A. Ferner and R. Hyman (eds.) *Changing Industrial Relations in Europe*. Oxford: Blackwell.

³⁹ ÖGB (1999) ÖGB Nachrichtendienst Nr. 3002, November 1999.

BELGIUM

1. DESCRIPTION OF THE SECTOR'S CHARACTERISTICS AT NATIONAL LEVEL

1.1. Delimitation and scope of activities in the sector

NACE codes 10, 12, 13 and 14 correspond to the economic and social reality of the mines and quarries sector in Belgium. However, some activities under these codes have never existed in Belgium and others have disappeared.

1.2. Socio-economic features of the sector

a. Energy-producing products (NACE 10,11 and 12)

"In the nineteenth century the Walloon coal mines of southern Belgium made a major contribution to the industrial expansion of the country. In 1890 coal production already totalled some 20 million t. In 1917 coal mining started in the north-east around Limburg, where the geological conditions made production much more efficient. Between 1952 and 1953 national coal production reached a record peak of 30 million t. This level of production was maintained until the late 1950s, after which output gradually declined as the Walloon mines were shut down. The closure of the Limburg mines followed 20 years later, with Belgium's last colliery ceasing production in 1992.⁴⁰"

Today, the extraction of energy-producing products is restricted to some companies operating former slag heaps or peat deposits. These activities employ 84 active workers in 10 small companies, or an average of 8.4 workers per company (including NACE 10.3 sub-sector).

Companies (2005)

| Sub-sectors | Number of companies | % companies without employees | % companies with < 10 employees | % companies with 10 to 49 employees | % companies with 50 to 199 employees | % companies with > than 200 employees |
|-------------|---------------------|-------------------------------|---------------------------------|-------------------------------------|--------------------------------------|---------------------------------------|
| 10.1 | 9 | ND | 66.6 (6) | 33.3 (3) | - | - |

Source: ONSS (National Office for Social Security), 2005.

Workers (2005)

| Sub-sectors | Number of self-employed workers in the sector | Number of employees in the sector | Number of employees in the sector/total number of employees in the country (%) | Number of employees in companies with < 10 workers/Number of employees in the sector (%) | Number of employees in companies with 10-49 workers/Number of employees in the sector (%) | Number of employees in companies with 50-199 workers/Number of employees in the sector (%) | Number of employees in companies with > 200 workers/Number of employees in the sector (%) |
|-------------|---|-----------------------------------|--|--|---|--|---|
| 10.1 | ND | 77 | 0 | 32.5 (25) | 67.5 (52) | - | - |

Source: ONSS (National Office for Social Security), 2005. According to the BNB (Banque nationale de Belgique – National Bank of Belgium⁴¹), the private sector employed 2,743,000 workers in 2005 (estimate).

⁴⁰ Source : Euracoal, 2005.

⁴¹ Statistical publications <http://www.nbb.be>.

b. Non-energy-producing products (NACE 13 and 14)

In the same way as for coal, « the extraction of stone and stone working are inseparable from the history and economic development of Belgium » (Institut des Sciences naturelles, Institute of Natural Sciences, sd). However, after World War II, the number of sites in operation gradually decreased, and therefore irons, lead and zinc extraction sites were closed because the deposits were not profitable.

While the sector has many VSEs and SMEs, there are also multinationals. Carmeuse and Lhoist are two Belgian groups which are amongst the world's leaders in the lime production sector. In terms of company strategies, we should note that many extracted products are transformed before their final use by the same companies which extract them. This vertical integration is particularly visible in the industries of cement, lime and terra cotta for construction.

Companies (2005)

| Sub-sectors | Number of companies | % companies without employees | % companies with < 10 employees | % companies with 10 to 49 employees | % companies with 50 to 199 employees | % companies with > than 200 employees |
|-----------------------------|---------------------|-------------------------------|---------------------------------|-------------------------------------|--------------------------------------|---------------------------------------|
| 14.1 | 90 | ND | 46.7 (42) | 44.4 (40) | 6.6 (6) | 2.2 (2) |
| 14.2 | 40 | ND | 67.5 (27) | 27.5 (11) | 2.5 (1) | 2.5 (1) |
| 14.3 | 4 | ND | 75 (3) | 25 (1) | - | - |
| 14.5 | 2 | ND | 100 (2) | - | - | - |
| Total in the sector NACE 14 | 136 | ND | 54.4 (74) | 38.2 (52) | 5.1 (7) | 2.2 (3) |

Source: ONSS, 2005.

Workers (2005)

| Sub-sectors | Number of self-employed workers in the sector | Number of employees in the sector | Number of employees in the sector/total number of employees in the country (%) | Number of employees in companies with < 10 workers/Number of employees in the sector (%) | Number of employees in companies with 10-49 workers/Number of employees in the sector (%) | Number of employees in companies with 50-199 workers/Number of employees in the sector (%) | Number of employees in companies with > 200 workers/Number of employees in the sector (%) |
|-----------------------------|---|-----------------------------------|--|--|---|--|---|
| 14.1 | ND | 2,483 | 0.09 | 6.8 (168) | 32.5 (808) | 31 (769) | 29.7 (738) |
| 14.2 | ND | 662 | 0.02 | 14.8 (98) | 29 (192) | 21.4 (142) | 34.7 (230) |
| 14.3 | ND | 26 | 0 | 50 (13) | 50 (13) | - | - |
| 14.5 | ND | 10 | 0 | 100 (10) | - | - | - |
| Total in the sector NACE 14 | ND | 3,181 | 0.11 | 9.1 (289) | 31.8 (1013) | 28.6 (911) | 30.4 (968) |

Source: ONSS, 2005. According to the BNB, the private sector employed 2,743,000 workers in 2005 (estimate).

The overwhelming majority of workers employed in the extraction of non-energy producing products is male: 2,927 men compared to 254 women. There are also many more blue-collar workers than white-collar: 2,484 blue-collar and 697 white-collar. The extractive industry is a sector where there is substantial use of temporary workers and sub-contracting (handling, maintenance, repairs to equipment and transport). In relation to employment and its quality, we should also note that some sites are only in operation intermittently. In Belgium, the extractive industry is mainly located in the Walloon region (79 % of employment compared to 21% in Flanders).

According to the Institute for Consultancy and Research into Sustainable Development (l'Institut de Conseil et d'Etudes en Développement Durable), the resulting products are relatively « heavy and of low unit value, so quarrying products are, allowing for exceptions, traded relatively little at international level. The products which are exported are mainly natural stones due to their high value »⁴². For several years, this sector has also suffered harsh competition in extracted stones, worldwide, at a lower cost.

Finally, we should note that the economic importance of the extractive industry of non-energy-producing products must also be evaluated in terms of particular sectors of activity. This industry has a central role in supplying certain sectors, for which the proximity of sources of supplies is an essential factor in their profitability.

2. DESCRIPTION OF THE ORGANISATIONS ACTIVE IN THE SECTOR

2.1. Description of the workers' organisations active in the sector

In Belgium, a union organisation must be considered as a representative to be admitted to collective bargaining. Only three union organisations are currently recognised as representative organisations: the Confederation of Christian Trade Unions (CSC/ACV), the Belgian General Federation of Labour (FGTB/ABVV) and the Federal of Liberal Trade Unions of Belgium (CGSLB/ACLVB). Funding of union organisations is mainly through affiliated members' dues. These organisations are de facto associations.

As regards the situation in the mines sector in Belgium, it should be emphasised that, while the trade union organisations still have a certain number of affiliated miners, they are former miners. In addition, these affiliations are no longer part of a social dialogue but are involved in the management of disputes on behalf of the former miners. Given this particular situation, it seemed logical to mention the trade unions which are still responsible for the mines sector but without mentioning the number of members they have in this sector.

a. The Belgian General Federation of Labour (Algemeen Belgisch Vakverbond - Fédération générale du travail de Belgique - ABVV/FGTB)

The Belgian General Federation of Labour (Fédération Générale du Travail de Belgique, Algemeen Belgisch Vakverbond FGTB/ABVV) is a multi-industry trade union organisation at federal level. In 2002, the total membership of the FGTB was 1.3 million.

The Trade Union Commission, founded in 1898 by the Belgian Labour Party, established the General Confederation of Work in Belgium. Then, in 1945, the Confederation united with several organisations that had illegally grown up during WW II: the Belgian Confederation of Unique Trade Unions – with communist leanings, the Unified Trade Union Movement – led by André Renard, and the General Trade Union of Public Services, signifying the beginning of FGTB. The FGTB is structured at both inter-professional and professional levels. At inter-professional level, it is composed of 18 regional and 3 interregional organisations, which bring members together according to geographical zone. At professional level, it has 7 branch federations (branch trade unions), which groups members according to work sector and worker's status. Two federations in the FGTB are active in the mines and quarries sector. These are :

- the General Federation (Centrale Générale (CG)/Algemene Centrale (AC)) ;
- the Belgian Union of White-Collar Staff, Technicians and Managers (Syndicat des Employés, Techniciens et Cadres de Belgique/Bond der Bedienden, Technici en Kaders van België, SETCa/BBTK).

The General Federation (355,000 members in 2005) recruits and represents workers in construction, the chemical industry, construction related industry (e.g. wood, quarries, cement works, concrete production, ceramics, bricks and tiles, and glassware), printing, services (e.g. temporary-employment business work, cleaning, security, cinema industry, hairdressing and beauty care) and the non-market sector (e.g. private education, private hospitals and socio-cultural activities). In 2004, it paid 1318 union premiums under JC 102.

The Belgian Union of White-Collar Staff, Technicians and Managers (Syndicat des Employés, Techniciens et Cadres de Belgique/Bond der Bedienden, Technici en Kaders van België, SETCa/BBTK). The SETCa (324,000 members in 2003) represents all white-collar workers, technicians and operatives in the private sector, teachers and administrative workers in secular education, blue-collar workers and workers in books, graphic arts and media. It is organised by main sectors: trade, finance, industries, non-market sector, logistics, information and communication, Joint Committee 218, and other sectors.

FGTB is affiliated to the European Trade Union Confederation (ETUC) and the International Confederation of Free Trade Unions (ICFTI). The CG is also member of EFBWW, EMCEF, Uni Europa, EFFAT and ETUF-TCL (Europe), BWI, ICEM, UNI, UNI Solidarité, UITA and FITTHC (International). The SETCa is member of EMCEF.

⁴² Institut de Conseil et d'Etudes en Développement Durable, The extractive industry, 2004.

b. The Confederation of Christian Trade Unions (Algemeen Christelijke Vakverbond - Confédération des Syndicats chrétiens de Belgique - ACV/CSC)

The Confederation of Christian Trade Unions (Confédération des Syndicats Chrétiens/Algemeen Christelijk Vakverbond, CSC/ACV) is a multi-industry trade union organisation at federal level. With 1,6 million affiliated members (2002), the CSC is the major trade union organisation in Belgium.

The first Catholic Labour Associations were constituted around 1890 in order to counteract the influence of socialist trade unionism among workers in industry, as well as to make the Catholic Party aware of the working class' situation. CSC was founded in 1912 through the merging of two trade union associations: the Union of Christian Professional Associations of Belgium (founded in 1908 and active in Flanders) and the General Confederation of Free and Catholic Trade Union of Walloon provinces (founded in 1909). The CSC is organised at both inter-professional and professional levels. The inter-professional level, structured on a geographical basis, is composed of local sections in 21 regional federations. The professional level is structured in company sections according to two criteria: the work place (the company) and the worker's status (blue-collar worker, employee and executive). These sections are grouped into 16 professional confederations, organised at national level. These professional confederations represent the CSC within the Joint Committees, where the sectoral social dialogue takes place.

Four professional federations in the CSC are active in the mines and quarries sector. These are:

- CSC-Building and Industry (CSC-Bâtiment et industrie/ACV-Bouw en Industrie) ;
- CSC- Energy Chemistry (CSC Energie Chimie/ACV Energie Chemie) ;
- General Federation of White-collar Workers (Centrale Nationale des Employés (CNE)) ;
- General Federation of White-collar Workers-National Managers' Union (Landelijke Bediende Centrale-Nationaal-Verbond voor Kaderpersoneel, (LBC-NVK)).

CSC-Building and Industry (230,000 members) arose from the merger in 1998 between the Christian Federation of Woodworking and Construction Workers (Centrale Chrétienne des Travailleurs du Bois et du Bâtiment) (CCTBB, founded in 1921) and the Christian Federation of Miscellaneous Industries (Centrale Chrétienne des Diverses Industries) (CCDI, founded in 1988). Its members are active blue-collar workers in sectors such as building, stonework, cement and wood. In 2004, it paid 645 union premiums under Joint Committee (JC) 102.

The CSC-Energy and Chemistry (55,000 members in 2003) represents the interests of blue-collar workers in the mines industry, the petroleum sector, gas and electricity, the chemical sector, the leather sector, hairdressers and beauticians.

The CNE (150,000 members in 2005) represents white-collar workers and executives in the private sector in Brussels, the Walloon and the German-speaking regions. It is structured in different main sectors : trade, finance, industries, non-market, and Joint Committee 218⁴³.

The LBC-NVK (294,149 members in 2005) groups together white-collar workers and executives of the Dutch-speaking private sector. The CSC is a member of the European Trade Union Confederation (ETUC) and of the World Confederation of Labour (WLC). The CSC Building-Industry (CSC-Bâtiment et industrie) is a member of the European Federation of Building and Woodworkers (EFBWW), the European Graphic Federation (Fédération Graphique Européenne (FGE)) and the European Mine, Chemical and Energy Workers Federation (EMCEF). At international level, it had mandates within the World Federation of Building and Woodworkers Unions (WFBW), the World Federation of Industry Workers (WFIW) and the World Confederation of Labour (WLC). CSC Energy-Chemistry (CSC Energie-Chimie) is member of EMCEF, ETUC, WFIW and WCL. The CNE and the LBC-NVK are members of EMCEF and ETUC.

c. The Federation of Liberal Trade Unions of Belgium (Algemene Centrale van Liberale Vakbonden - Centrale générale des syndicats libéraux – ACLVB/CGSLB)

The Federation of Liberal Trade Unions of Belgium (Centrale Générale des Syndicats Libéraux de Belgique/Algemene Centrale der Liberale Vakbonden van België, CGSLB/ACLVB) brings together 220.000 members (in 2004) of the three multi-industry trade union organisations representing workers. The first liberal trade unions appeared round 1890. In 1930, they merged to create CGSLB. Unlike FGTB and CSC, CGSLB was structured mainly on a regional basis.

In 2004, it paid 17 union premiums under JC 102. The CGSLB is a member of ETUC, EMCEF, EFBWW and ICFTI.

⁴³ Joint Committee 218 covers white-collar workers whose employers are not attached to any particular Joint Committee.

Workers' organisations

| Organisation | | Type of SW | Members | Members working in the sector | Density | CB | National affiliations | European affiliations | International affiliations |
|-------------------------|---|--|-----------|-------------------------------|---------|--------|-----------------------|--|---|
| Original name | English name | Type | Number | Number | % | yes/no | | | |
| FGTB/ABVV | Belgian General Federation of Labour | | 1,300,000 | | - | Yes | - | ETUC | ICFTI |
| • CG/AC | General Federation | Blue-collar workers in the construction, chemical industry, construction related industry (e.g. wood, quarries, cement works, concrete production, ceramics, bricks and tiles, and glassware), printing, services (e.g. temporary-employment business work, cleaning, security, cinema industry, hairdressing and beauty care) and the non-market sector (e.g. private education, private hospitals and socio-cultural activities) | 339,294 | CP 102 : 1,318 | 37.9 | Yes | FGTB | EFBWW UNI EMCEF EFFAT ETUF-TCL ETUC | BWI ICEM UNI UNI-Solidarité UITA FITTHC ICFTI |
| • SETCa/ BBTk | Belgian Union of White-Collar Staff, Technicians and Managers | white-collar workers, technicians and operatives of the private sector, teachers and administrative workers in secular education, blue-collar workers and workers in books, the graphic arts, the media | 324,294 | ND | - | Yes | FGTB | ETUC EMCEF | - |
| CSC/ACV | Confederation of Christian Trade Unions | | 1,600,000 | | | Yes | - | ETUC | WCL |
| •CSC-Bâtiment Industrie | Building | Blue-collar workers in | 230,000 | CP 102 : | 18.5 | Yes | CSC | EFBWW | WFIW |

| | | | | | | | | | | |
|---------------------|---|---|---------|-------------|-----|--|---|-----|-------------------------------|-----------------------------|
| •CSC-Energie Chimie | Industry Chemistry and Energy | the Building industry, the stone industry, the cement and the wood industry. Blue-collar in the mines industry, the petroleum sector, gas and electricity, the chemical sector, the leather sector, hairdressers and beauticians | 55,000 | 645 | | | Yes | CSC | EMCEF FEG EMCEF ETUC | WCL WFBBW WFIW WCL |
| •CNE | General Federation of White-Collar Workers | White-collar and executives in the private sector in Brussels, the Walloon and the German-speaking regions | 150,000 | ND | - | | Yes | CSC | EMCEF ETUC | - |
| •LBC-NVK | General Federation of White-Collar Workers-National Managers' Union | white-collar and executives of the Dutch-speaking private sector | 290,000 | ND | - | | Yes | CSC | EMCEF ETUC | - |
| CGSLB/ACLVB | Federation of Liberal Trade Unions of Belgium | Blue and white collars White-collar and white-collar working in the sector | 294,149 | | | | Yes | - | EMCEF EFBWW ETUC | ICFTI |
| | | | | CP 102 : 17 | 0.5 | | No (CP 101, 102 et 205) Yes (CP 203, 204 et 218) | - | | |

Source: workers' organisations (2006).

2.2. Description of the employers' organisations active in the sector

8 employers' organisations (with the FEB) are involved in the social dialogue in the mines and quarries sector. These are as follows:

- Belgian Coal Federation (Fédération charbonnière de Belgique/ Belgische Steenkool Federatie) ;
- Federation of Producers of Bluestone and Belgian Granite (Fédération des producteurs de pierre bleue-petit granit) ;
- Belgian Union of Marble Quarries and Mills (Union des carrières et scieries de marbres de Belgique/ Unie van Marmergroeven en Zagerijen van België) ;
- Federation of Sandstone Quarries (Fédération des carrières de grès) ;
- Sand Quarries Group (Groupement des sablières/Bedrijfsgroepering der zandgroeven) ;
- Belgian Federation of Gravel and Sand Dredgers (Fédération belge des dragueurs de gravier et de sable/ Belgische federatie van grind en zand) ;
- Federation of Extractive Industries and Transformation of Non-combustible Rocks (Fédération des industries extractives et transformatrices de roches non combustibles/ Verbond van - Ontginnings- en Veredelingsbedrijven van Onbrandbare Gesteenten) ;
- Federation of Ceramics Companies of Belgium and Luxembourg (Fédération des entreprises céramiques de Belgique et du Luxembourg/ Verbond der Keramische Nijverheid van België en Luxemburg).

As they have mandates in different joint committees covering the mines and quarries sector, these organisations have been considered as being representative of employers by the Ministry of Employment and Labour. Consequently they can all negotiate and conclude sectoral collective agreements (CA).

a) Belgian Coal Federation (Fédération charbonnière de Belgique/Belgische Steenkool Federatie)

According to the information obtained, it appears that it no longer exists or virtually no longer exists. Despite searches, it was not possible to make any contact with this federation.

b) Federation of Producers of Bluestone and Belgian Granite (Fédération des producteurs de pierre bleue-petit granit)

This federation is a non-profit making association with 9 members. Its main source of finance consists of contributions from its members. It has no paid employees. It is not a member of any employers' organisation.

c) Belgian Union of Marble Quarries and Mills (Union des carrières et scieries de marbres de Belgique/Unie van Marmergroeven en Zagerijen van België)

This union, which was founded in 1926, has 12 members. It has no paid employees. Its finance is provided by contributions from its members. It is a member of EURO-ROC.

d) Federation of Sandstone Quarries (Fédération des carrières de grès)

This federation, which was founded in 1946, groups together sandstone quarries. It is a non-profit making association with 39 members. It is financed by contributions from its members. It does not employ anyone directly and is not part of any employers' organisation.

e) Sand Quarries Group (Groupement des sablières/Bedrijfsgroepering der zandgroeven)

Founded in 1937, the Grouping of the Sand Quarries Group is a non-profit making association which gathers 14 active companies in the industry of sand. It does not occupy any worker directly. This group is member of the FEB/VBO. Through the multinational company Sibelco, it is member of IMA-Europe.

f) Belgian Federation of Gravel and Sand Dredgers (Fédération belge des dragueurs de gravier et de sable/Belgische federatie van grind en zand)

This federation, founded in 1967 in the form of a non-profit making association, groups together producers of gravel and sand. It employs 3 people. Its sources of finance consist of contributions from its members. It currently has 18 members.

It is a member of Vlaams netwerk van ondernemingen-Vlaams Economisch Verbond (VOKA-VEV), Bouwunie Limburg and of the Unie van Zelfstandige Ondernemers (UNIZO).

g) Federation of Extractive Industries and Transformation of Non-combustible Rocks (Fédération des industries extractives et transformatrices de roches non combustibles/Verbond van Ontginnings- en Veredelingsbedrijven van Onbrandbare Gesteenten)

This federation was set up in 1942. It is a Cooperative with Limited Liability, and currently employs 22 people. Its main source of finance is contributions from its members. It currently has 53 member companies which are extractors of aggregates (sand, limestone, sandstone, porphyry...), lime producers and producers of ornamental rocks.

This federation is a member of the FEB/VBO. At European level, it is a member of the European Aggregates Association (l'Union Européenne des Producteurs de Granulats (UEPG)) and the European Lime Association (EULA). At international level, it is a member of the International Lime Association (ILA).

h) Federation of Ceramics Companies of Belgium and Luxembourg (Fédération des entreprises céramiques de Belgique et du Luxembourg/ Verbond der Keramische Nijverheid van België en Luxemburg)

Only one member of this federation operates a clay quarry and « it is for this reason that the federation has a seat on the quarries joint committee. » According to its president, however, this federation is not really involved in the quarries sector. It was founded in 1940 and is a non-profit making association. It is financed by the contributions of its 16 members, and has no employed staff. It is a member of the FEB/VBO.

Employers' organisations

| Organisation (English name) | Members | | Estimate of density* | Collective Bargaining** (Yes/No) | Affiliations | | | |
|--|---|---|----------------------|----------------------------------|-----------------------|--------|------------------------------------|--------|
| | Total number of companies that are members of this organisation | Total number of workers who are working in companies which are members of this organisation | | | European affiliations | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| Belgian Coal Federation | - | - | - | Yes (officially) | - | - | - | - |
| Federation of Producers of Bluestone and Belgian Granite | 9 | ND | 5.5* | Yes | - | - | - | - |
| Belgian Union of Marble Quarries and Mills | 12 | ND | 7.4* | Yes | EURO-ROC | - | - | - |
| Federation of Sandstone Quarries | 39 | ND | 23.9* | Yes | - | - | - | - |
| Sand Quarries Group | 14 | ND | - | Yes | IMA-Europe | - | - | FEB |
| Belgian Federation of Gravel and Sand Dredgers | 18 | ND | 11* | Yes | - | - | VOKA-VEV Bouwunie ⁴⁴ | UNIZO |

⁴⁴ IMA-Europe claims that the Belgian Federation of Gravel and Sand Dredgers to the VEV and to the Bouwunie are affiliated.

| | | | | | | | | |
|---|----|----|-------|-----|--------------|---|-----|-----|
| Federation of Extractive Industries and Transformation of Non-combustible Rocks | 53 | ND | 32.5* | Yes | UEPG EULA | - | ILA | - |
| Federation of Ceramics Companies of Belgium and Luxembourg | 16 | ND | 9.8* | Yes | - | - | - | FEB |

Source: Employers' organisations (2006).

* The density has been calculated in relation to the total number of employers under JC 102 (163 in 2005). It is important to note that this method of calculation gives an under-representation in relation to the specific sectoral nature of the weighting of the different employers' federations.

3. DESCRIPTION OF THE SOCIAL DIALOGUE IN THE SECTOR AT NATIONAL LEVEL

3.1. Description of the tripartite concertation in the sector

In Belgium, the social dialogue is mainly bipartite and not tripartite. The prevailing line is that of the independence of the negotiators in relation to the political representative. In other words, to repeat the terms recently used in the press by some social negotiators, social consultation is « their business » and not that of « those in charge politically ».

This line does not, however, exclude the existence of tripartite consultation on certain topics such as employment and the competitiveness of businesses. It should also be noted that the intensity of the tripartite consultation has varied at different times.

3.2. Description of the bipartite social dialogue in the sector

a. At sector level

At sector level, the social dialogue takes place within 6 joint committees (JC):

- the national mixed committee for mines (JC 101) ;
- the joint committee for the quarry industry (JC 102) ;
- the joint committee for employees in Belgian Granite quarries (JC 203) ;
- the joint committee for employees in porphyry quarries in the canton of Lessines, Bierges-lez-Hal and Quenast (JC 204) ;
- the joint committee for employees in coal mines (JC 205) ;
- the national auxiliary joint committee for white-collar workers (JC 218).

Only members of organisations representing employers and workers can occupy seats on Joint Committees (art. 3 of 5 December 1968's law). Members of workers' organisations can only be representatives designated by CSC/ACV, FGTB/ABVV and CGSLB/ACLVB. As for the Employers' Organisations, to sit on a JC (Joint Committee), they must be recognised as representative by the Minister concerned.

Sitting on a joint committee enables organisations to negotiate and conclude collective agreements at sectoral level. The law provides that a sectoral collective agreement can be made compulsory for all workers and employers in the sector when the signatory organisations request that it is « binding ». In the absence of such a request a sectoral agreement only applies to members of the signatory organisations.

We should also note that sectoral negotiation is highly influenced, on an interprofessional level, by the interprofessional agreements. These agreements, which are negotiated every two years, are valid for all of the private sector. The last interprofessional agreement was reached in February 2005. It covers the years 2005 and 2006.

Joint Committee 101 (National mixed committee for mines)

This JC covers active workers in coal mines. In the A.R. (Royal Decree) describing the area of competence of this JC, it is stated that « after coal extraction stops, the competence of the National mixed committee for mines continues for all staff allocated to a particular activity of the company for as long as part of the staff employed in that activity are compulsorily affiliated to the National Retirement Fund for Mineworkers (Fonds national de retraite des ouvriers mineurs). »

While this JC still exists legally, in actual fact it has not been active for several years following the closure of the coal mines. In other words, there is no longer « social dialogue in the mines sector in Belgium. »

The mandates of this JC have been devolved to:

- The Belgian Coal Federation (Fédération charbonnière de Belgique/ Belgische Steenkool Federatie) : 6 actual members and 6 substitute members;
- CSC/ACV: 3 actual members and 3 substitute members;
- FGTB/ABVV: 3 actual members and 3 substitute members.

According to the ONSS, in 2005, 45 blue-collar and 6 white-collar workers still came under this JC.

Joint Committee 102 (Joint Committee for the quarry industry)

This JC concerns workers and their employers in the quarry industry.

The mandates of this JC are taken by:

- The Federation of Producers of Bluestone and Belgian Granite (Fédération des producteurs de pierre bleue-petit granit) : 4 actual members and 4 substitute members;
- Belgian Union of Marble Quarries and Mills (Union des carrières et scieries de marbres de Belgique/Unie van Marmergroeven en Zagerijen van België): 1 actual member and 1 substitute member;
- Federation of Sandstone Quarries: 2 actual members and 2 substitute members;
- Sand Quarries Group (Groupement des sablières/Bedrijfsgroepering der zandgroeven) : 1 actual member and 1 substitute member;
- Belgian Federation of Gravel and Sand Dredgers (Fédération belge des dragueurs de gravier et de sable/ Belgische federatie van grind en zand): 1 actual member and 1 substitute member;
- Federation of Extractive Industries and Transformation of Non-combustible Rocks (Fédération des industries extractives et transformatrices de roches non combustibles/ Verbond van Ontginnings- en Veredelingsbedrijven van Onbrandbare Gesteenten): 8 actual members and 8 substitute members;
- Federation of Ceramics Companies of Belgium and Luxembourg (Fédération des entreprises céramiques de Belgique et du Luxembourg/ Verbond der Keramische Nijverheid van België en Luxemburg) : 1 actual member and 1 substitute member ;
- CSC/ACV: 5 actual members and 5 substitute members;
- FGTB/ABVV: 13 actual members and 13 substitute members.

The composition of this joint committee is currently under review. It will lead to a reduction in the number of mandates devolved to the employers' and workers' organisations (from 18 to 12). All the organisations will see the number of their mandates decrease. Furthermore, on the employers' side, the Belgian Federation of Gravel and Sand Dredgers no longer sits on this JC. On the workers' side, the candidacy of the CGSLB was rejected. This JC itself is divided into 11 joint sub-committees whose structure is based both on type of activity and geographical location. In total, JC 102 involves 3,482 workers and 163 employers. Just under one third of workers fall under JC 102.09.

Number of workers and employers by joint sub-committee

| | No. of workers | No. of employers |
|--|----------------|------------------|
| CP 102.01 (quarries of calcareous Belgian granite-Hainaut) | 647 | 7 |
| CP 102.02 (quarries of calcareous Belgian granite-Liège and Namur) | 290 | 25 |

| | | |
|--|-------|-----|
| CP 102.03 (porphyry quarries – Hainaut ; quartzite in Brabant wallon) | 219 | 3 |
| CP 102.04 (sandstone and quartzite quarries) | 205 | 34 |
| CP 102.05 (kaolin and sand quarries – Brabant wallon, Hainaut, Liège, Luxembourg, Namur) | 46 | 10 |
| CP 102.06 (gravel and sand quarries – Anvers, East and West Flanders, Limbourg, Brabant Flamand) | 259 | 23 |
| CP 102.07 (quarries, cement works and lime kilns – Tournai) | 519 | 7 |
| CP 102.08 (marble quarries and mills) | 201 | 16 |
| CP 102.09 (limestone and dolomite quarries) | 1,024 | 25 |
| CP 102.10 (recovery of slag heaps) | 55 | 10 |
| CP 102.11 (slate, coticule quarries - Brabant Wallon, Hainaut, Liège, Luxembourg, Namur) | 17 | 3 |
| TOTAL CP 102 | 3,482 | 163 |

Source: ONSS, 2005

As the table below shows, from 2000 to 2005, CAs (collective agreements) were concluded in all the joint sub-committees, with the exception of CP 102.10 and 102.11. Out of the 181 CAs concluded, binding power was requested for 176 of them. The CAs concluded deal particularly with the subjects of training at-risk groups, early retirement, working and pay conditions, the status of the trade union delegation and the provision of luncheon vouchers.

Number of CAs concluded by joint sub-committee for 2000-2005

| | No. of CAs |
|--------------|------------|
| CP 102.01 | 14 |
| CP 102.02 | 21 |
| CP 102.03 | 16 |
| CP 102.04 | 26 |
| CP 102.05 | 11 |
| CP 102.06 | 48 |
| CP 102.07 | 22 |
| CP 102.08 | 17 |
| CP 102.09 | 6 |
| CP 102.10 | 0 |
| CP 102.11 | 0 |
| TOTAL CP 102 | 181 |

Source : META (SLPF Emploi, Travail et Concertation sociale (Employment, Labour and Social Consultation), 2005.

Joint Committee 203 (Joint Committee for employees in Belgian granite quarries)

This JC concerns employees and employers active in the operation of Belgian granite quarries.

The mandates of this JC are held by:

- The Federation of Producers of Bluestone-Belgian Granite: 7 actual members and 7 substitute members;
- CSC/ACV: 3 actual members and 3 substitute members;

- FGTB/ABVV: 3 actual members and 3 substitute members;
- CGSLB/ACLVB: 1 actual member and 1 substitute member.

According to the data from the ONSS (2005), 187 employees et 20 employers fall under this JC.

From 2000 to 2005, 6 CAs were concluded under this JC. Binding power was systematically requested. The CAs concluded relate to the employment and training of at-risk groups, early retirement, and working and pay conditions.

Joint Committee 204 (Joint Committee for employees in porphyry quarries in the canton of Lessines, Bierges-lez-Hal and Quenast)

This JC applies to employees and employers « operating porphyry quarries in the aforementioned regions, including the commercial offices dealing with the sale and invoicing of the products. »

The mandates of this JC are held by:

- The Federation of Extractive Industries and Transformation of Non-combustible Rocks (Fédération des industries extractives et transformatrices de roches non combustibles/ Verbond van Ontginnings- en Veredelingsbedrijven van Onbrandbare Gesteenten): 7 actual members and 7 substitute members;
- CSC/ACV: 3 actual members and 3 substitute members;
- FGTB/ABVV: 3 actual members and 3 substitute members;
- CGSLB/ACLVB: 1 actual member and 1 substitute member.

According to the data from the ONSS (2005), 55 employees and 2 employers fall under this JC.

From 2000 to 2005, 10 CAs were concluded under this JC. Binding power was systematically requested. The CAs concluded relate particularly to employment and the training of at risk groups, early retirement and pay conditions.

Joint Committee 205 (Joint Committee for employees in coal mines)

This JC applies to the employees and employers « in coal mines and factories making sub-products attached to them, as well as employees in organisations dependent on these companies regionally and nationally. » The A.R. (Royal Decree) defining the area of competence of this JC states that « a company whose principal and permanent activity was the extraction of coal is considered to be a coal mine after extraction has stopped or until closure of the liquidation of the company and until the company carries out, principally and permanently, an activity other than the extraction of coal. »

While this JC, like JC 101, still exists legally, in fact it has not been active for several years.

The mandates of this JC are devolved to:

- The Belgian Coal Federation (Fédération charbonnière de Belgique/ Belgische Steenkool Federatie): 6 actual members and 6 substitute members;
- CSC/ACV: 3 actual members and 3 substitute members;
- FGTB/ABVV: 3 actual members and 3 substitute members.

According to the data from the ONSS (2005), only 3 employees and 2 employers come under this JC.

Joint Committee 218 (National auxiliary Joint Committee for white-collar workers)

Joint Committee 218 covers white-collar workers whose employers are not attached to any particular Joint Committee. It currently deals with 30 sub-sectors, 50,000 enterprises, and 350,000 workers. This JC applies to employees and employers in the « other extractive industries: extraction of stone, sand and clay ».

According to the CPNAE training centre (CEFORA), in 2000, the other extractive industries had 708 employees, or about 1.5 % of employees under the CPNAE, spread over 74 enterprises.

The mandates within JC 218 are held by :

- The Federation of Belgian Enterprises (Fédération des Entreprises de Belgique (FEB)/ Verbond van Belgische Ondernemingen (VBO)): 11 actual members and 11 substitute members;
- CSC/ACV: 5 actual members and 5 substitute members;

- FGTB/ABVV: 5 actual members and 5 substitute members;
- CGSLB/ACLVB: 1 actual member and 1 substitute member.

The mandates of the FEB/VBO are held by the employers' federation itself and by some of its sectoral federations. In addition, the FEB/VBO has assigned one actual and one substitute mandate to UNIZO, the Flemish representative of self-employed workers and small enterprises.

From 2000 to 2005, 17 collective agreements were concluded under JC 218. Binding power was requested for all these CAs. They relate particularly to the status of the trade union delegation, the subsistence fund and working and pay conditions.

b. At company level

Given the current characteristics of the mines and quarries sector, the social dialogue is not developed to any great extent at company level.

With regard to the problem of trade union representation in small enterprises, it is interesting to look at the initiative taken in the Belgian granite quarries sector in Liege and Namur as well as in the sandstone quarries of the Kingdom. The CA covering the years 2001-2002 provided for the creation of a union fund made up of an employers' contribution (38 euros per worker) allowing the financing of zone delegates (geographically).

4. COMMENT

Nowadays, Belgium no longer has any active mines.

The quarries sector is not a major player with regard to national economic activity; however, this statement must be seen in very relative terms. On one hand, the quarries are often the basis for true sectors of activity. On the other hand, in terms of location, they are mainly situated in the Walloon region where they are an important pole of activity (79% of employment compared to 21% in Flanders).

From the point of view of social dialogue, the quarries sector is in a way the image of sectors which are characterised by a low level of employment which has exploded into small structures. The only true original aspect concerns the existence of zone delegates⁴⁵.

⁴⁵ IMA-Europe underlines that there are also important quarries in Flanders. There is one international company that is actively involved in the social dialogue.

CYPRUS

1. DESCRIPTION OF THE SECTOR'S CHARACTERISTICS AT NATIONAL LEVEL

In Cyprus, the activities covered by the mining and quarrying sector correspond to the NACE classification (except energy-producing materials).

A variety of data on the sector is available and published officially by the Statistical Service of Cyprus⁴⁶. The mining sub-sector was one of the oldest industries in Cyprus and in the past its contribution to domestic production, exports, employment and government revenue was very significant. The running down of high-grade ore reserves, the fall in international prices, the substitution of certain minerals by other products and the loss of one of the main mining areas to the Turkish invading forces in 1974 caused a continuous decline of the sub-sector after 1974, and since 1994 it has been non-existent. At present there is interest in prospecting for copper and precious metals, especially gold.

1.2. Socio-economic features of the sector

The mining and quarrying sector is one of the smallest sectors of the economy of Cyprus. In 2004, its annual contribution to GDP at current market prices was 22.6 million Cyprus pounds or 0.3% of GDP, employing 601 persons (full-time equivalent) or 0.2% of the gainfully employed population.

Companies (2004)

| Sub-sectors | Number of companies | % companies without employees | % companies with <10 employees | % companies with 10-49 employees | % companies with 50-249 employees | % companies with > 249 employees |
|-------------|---------------------|-------------------------------|--------------------------------|----------------------------------|-----------------------------------|----------------------------------|
| NACE 13.1 | 0 | 0 | 0 | 0 | 0 | 0 |
| NACE 13.2 | 0 | 0 | 0 | 0 | 0 | 0 |
| NACE 14.1 | 51 | 62.7 (32) | 37.3 (19) | 0 | 0 | 0 |
| NACE 14.2 | 39 | 0 | 51.3 (20) | 48.7 (19) | 0 | 0 |
| NACE 14.3 | 1 | 0 | 100 (1) | 0 | 0 | 0 |
| NACE 14.4 | 0 | 0 | 0 | 0 | 0 | 0 |
| NACE 14.5 | 0 | 0 | 0 | 0 | 0 | 0 |
| TOTAL | 91 | 35.2 (32) | 43.9 (40) | 20.9 (19) | 0 | 0 |

Source: Compiled from data supplied by the Statistical Service of Cyprus.

According to the 2000 Census of Establishments there were 70 enterprises employing 570 persons. Of these enterprises 34 (48.6%) were in the quarrying of stone (mainly for construction) (Nace 14.1), 35 (50.0%) in the quarrying of sand and clays (Nace 14.2), and 1(1.4%) in the mining of chemical and fertilizer minerals (Nace 14.3). The distribution of these enterprises by ownership was: 34.3% privately owned, 62.8% limited companies and 2.9% partnerships. There are no governmental enterprises.

The sector is characterized by the small enterprise. In the 2000 Census of Establishments 31.4% of enterprises employed 1 person, 30% employed 2-4 persons, 12.9% employed 5-9, 11.4% employed 10-19, 12.9% employed 20-49 and 1.4% employed 50-99 persons. Regarding the labour force in the sector, 3.2% were employers, 2.3% self-employed and 94.5% employees. Women accounted for 5.5% of the total full-time employment in the sector.

In the 2001 Population Census, the occupational structure of the labour force in the sector was :26.3% craftsmen and related workers, 43.5% drivers and machine operators and fitters, 5.1% technicians and specialized staff, 8.2% clerical and related workers, 3.5% professionals, 3.9% managerial, 9.1% unskilled labourers and 0.4% in other occupations.

⁴⁶ These refer to the sector's activities in the Government controlled areas, excluding the areas under Turkish occupation since the Turkish invasion of Cyprus in July 1974.

The educational level of the labour force, based on the 2001 Population Census was as follows: 35.2% completed Lyceum (6 years secondary), 15% gymnasium (3 years secondary) ,33.5% primary school, 5% post-secondary, 7.2% university and 4.1% had education below full primary level.

Workers (2004)

| Sub-sectors | Number of self-employed workers | Number of employees in the sector | Number of employees in the sector / total number of employees in the country – all sectors (%) | Number of employees in companies with < 10 SW (%) | Number of employees in companies with 10-49 SW (%) |
|-------------|---------------------------------|-----------------------------------|--|---|--|
| NACE 13.1 | 0 | 0 | 0 | 0 | 0 |
| NACE 13.2 | 0 | 0 | 0 | 0 | 0 |
| NACE 14.1 | 32 | 75 | 0.01 | 100 (75) | 0 |
| NACE 14.2 | 6 | 487 | 0.14 | 3.3 (16) | 96.7 (471) |
| NACE 14.3 | 0 | 1 | 0 | 100 (1) | 0 |
| NACE 14.4 | 0 | 0 | 0 | 0 | 0 |
| NACE 14.5 | 0 | 0 | 0 | 0 | 0 |
| TOTAL | 38 | 563 | 0.15 | 16.3 (92) | 83.7 (471) |

Source: Compiled from data supplied by the Statistical Service of Cyprus

The distribution of output (value added at current prices) in 2004 was nearly 99% stone quarrying, clay and sand pits (mainly sand, gravel and road aggregate) and 1% other non-metallic mining and quarrying (mainly gypsum, umber and other ochre).

No accurate figures on the shadow economy in the sector are available but it is reckoned to be relatively small and is attributed mainly to under-reporting by firms.

The quarrying sub-sector has been expanding at a satisfactory rate. This can be attributed to increases in the production of sand, gravel and road aggregate, reflecting the expansion of demand for the construction of roads and buildings. Significant investments went into the sub-sector and it is now in a position to meet the demand for its products by the construction sector to a great extent, both in quality and quantity.

The government policy measures to improve the sector refer to harmonisation with the European Acquis regarding safety at work, environment and accreditation of laboratories as well as the modernisation of the mines and quarries legislation, the fixing of zones for quarrying, the upgrading of the quality of quarrying materials and also the restoration of quarries and mines that have been abandoned and the exploitation of these areas.

2. DESCRIPTION OF THE ORGANISATIONS ACTIVE IN THE SECTOR AT NATIONAL LEVEL

2.1 Description of the workers' organisations active in the sector

a) Cyprus Building, Wood, Mines and General Workers Trade Union (PEO) / Synthehnia Ikodomon, Xilourgon, Metallorihon ke Genikon Ergaton Kiprou

The union was created in 1936 and since 1985 has also covered mine workers. Its funding comes mainly from members' subscriptions, amounting to 1% of their gross emoluments. It has a full-time staff of 30.

The membership is about 13,000 (essentially blue-collar workers). It covers workers in the broad construction sector(including workers in the manufacture of construction materials such as mosaics, tiles, bricks, cement, ready-made concrete , stone-cutting), wood and wood products, furniture making, miners and general workers. Its membership consists mainly of skilled, semi-skilled and unskilled workers. There are about 170 members in the mining and quarrying sector.

It is legally recognized on the basis of its registration as a trade union. It takes part in consultations at sectoral, enterprise and tripartite levels, and negotiates and signs agreements at all levels. The collective agreements in its area of activities are nearly all confined to the sub-sector level. In the building sector(including the mining and quarrying sector) it has recently signed 1 collective agreement at sector level and 2 at enterprise level for the mining and quarrying sector, which will be in force for 2006 and 2007. The agreement signed at sectoral level was within a tripartite consultation framework.

It is not affiliated to other local organisations at a higher level. It constitutes part of the Pancyprian Federation of Labour (PEO). It is not affiliated to any European organisation. At international level, it is a member of the Union International of Workers in the Building, Wood and Building Materials Industries (UITBB).

b) Federation of Builders, Miners and Related Workers of Cyprus (SEK) / Omospondia Ikomodon, Metallorihon ke Sinafon Epagelmaton Kiprou

The Federation was created and registered in 1959. Its members are workers in the building industry in general, miners and related workers.

Its funds come mainly from members' subscriptions, amounting to 1% of their gross emoluments. It has a staff of 16, on a full-time basis.

Its membership is about 10,000 (on a full-time basis, principally blue-collar workers), in the broad construction sector (including workers in the manufacture of construction materials). **There are** about 180 members in the mining and quarrying sector.

It is recognized legally on the basis of its registration as a trade union. It takes part in consultations at sectoral, higher than enterprise and enterprise level. It can negotiate and sign collective agreements at all levels. However, in its areas of activities the collective agreements are nearly all confined to the sub-sector level. Recently it has signed 1 collective agreement at sector level for the building sector (including the mining and quarrying sector) and 2 at enterprise level in mining and quarrying, which will be in force for 2006 and 2007.

It also participates in tripartite consultation and can negotiate and sign agreements within this framework. The agreement signed recently at sector level was within this framework.

At national level it is not affiliated to any higher organisation. It is part of the Cyprus Workers Federation (SEK). It is not affiliated to any European organisation. At international level, it is a member of Building and Woodworkers International (BWI).

Workers (2005)

| Organisation (English name) | Members | | Estimated density | Collective Bargaining (Yes/No) | Affiliations | | | |
|---|---|--|-------------------|--------------------------------|-----------------------|--------|-----------------------|--------|
| | Total number of members in the organisation | Number of members who are working in the mining & quarrying sector | | | European affiliations | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| Cyprus Builders, Wood, Miners and General Workers Trade Union (PEO) | 13,000 | 170 | 47% | Yes | - | - | UITBB | - |
| Federation of Builders, Miners and Related Workers(SEK) | 10,000 | 180 | 49 % | Yes | - | - | BWI | - |

Source: Compiled from data supplied by the Trade Unions and the Statistical Service of Cyprus, as follows: The number of members in each Union was given as about 170 and 180, respectively. The total employment in the sector for 2005 as estimated by the Statistical Service of Cyprus is 620 persons of which about 365 are skilled, semi-skilled and unskilled workers .The others are working proprietors and white-collar employees. Therefore the density of each Union was calculated as $(170/ 365) \times 100 = 47\%$ and $(180/ 365) \times 100 = 49\%$, respectively.

2.2. Description of the employers' organisations active in the sector

The **Cyprus Association of Crush Plants of Limestone Materials** and the **Cyprus Crush Plants Association of Gravel** are the professional organisations in the sector. They are members of the Cyprus Chamber of Commerce and Industry (KEVE). Their mission is to promote the economic, labour, environmental and legislative issues related to the sector, through collective and methodical representations to the government, the legislative power and other social partners. As such, they do not participate in collective bargaining.

Federation of Associations of Building Contractors of Cyprus (OSEOK) / Omospondia Sindesmon Ergolavon Ikodomon Kiprou

The Federation was created by the affiliation of the 5 District Associations of Building Contractors of Cyprus and registered with the Registrar of Trade Unions of the Ministry of Labour and Social Insurance in 1995. It covers building contractors of all kinds of buildings. It is funded by a registration fee of C£1000⁴⁷ and an annual subscription of C£250 per member as well as from charges for stamps and contracts for its members. It has a staff of 6. It has about 800 member enterprises which employ 16,000 persons, giving a company density of about 35% and a density of salaried employees of 75% in the sector. Its membership consists of SMEs engaged in various construction activities, but mainly in the general construction of buildings, roads and construction works involving special trades. For the mining and quarrying sector, its members (about 15 employing 325 persons) are enterprises in the construction sector but they are also engaged in the quarrying of building materials in a separate enterprise.

It takes part in consultations at sectoral, higher than enterprise and enterprise levels. It negotiates and signs collective agreements at all levels. However, for the building sector (including mining and quarrying), these are mainly confined to the sectoral level. Recently it signed 1 collective agreement at sectoral level. It also takes part in tripartite concertation and works with the Association of Building Contractors of Cyprus (taking the role of OSEOK before its establishment). The recent agreement was signed within this framework.

At national level, it is affiliated as a member of the Cyprus Employers and Industrialists Federation (OEV). At European level it is a member of the Federation of European Construction Industry (FECI). It is not affiliated to any international organisation.

Note: **PELETICO LTD** is an individual group of six companies. These produce a series of products in the building and pet care industries (it manufactures paints, varnishes, adhesives, sealers, bentonite, gypsum products, umber etc). At national level, Petetico Ltd is a member of the Cyprus Employers and industrialists Federation (OEV) and a member of the Cyprus Chamber of Commerce and Industry (KEVE). It is also a member of EUBA (European Bentonite Producers Association) and of EUROGYPSUM (Association of European Gypsum Industries), and through these affiliations a member of IMA-Europe.

Peletico signs collective agreements at company level with the Trade Unions SEK and PEO. Currently, it has signed three collective agreements covering its range of activities.

At sector level, Peletico does not take part in the social dialogue in the Mining and Quarrying sector.

Employers' organisations (2006)

| Organisation | Members | | Estimated density | Collective Bargaining (Yes/No) | Affiliations | | | |
|--------------|---|---|-------------------|--------------------------------|-----------------------|--------|-----------------------|--------|
| | Total number of companies that are members of this organisation | Total number of workers who are working in companies which are members of this organisation | | | European affiliations | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| | | | | | | | | |

⁴⁷ 1 EUR = C£ 0.578282.

| | | | | | | | | |
|---|----|-----|-----|-----|------|---|---|-----|
| Federation of the Associations of Building Contractors of Cyprus(OSEOK) | 15 | 260 | 25% | Yes | FECI | - | - | OEV |
|---|----|-----|-----|-----|------|---|---|-----|

Source: Compiled from data supplied by the Federation of the Associations of Building Contractors of Cyprus (OSEOK) and the Statistical Service of Cyprus as follows: The number of enterprises which are members of OSEOK was given as 15. The number of enterprises with employees as estimated by the Statistical Service was about 60. Therefore the density is $(15/60) \times 100 = 25\%$. The number of persons employed in these 15 enterprises was estimated at 325 of which 260 are skilled, semi-skilled and unskilled workers and the rest are working proprietors and white collar employees.

3. DESCRIPTION OF THE SOCIAL DIALOGUE IN THE SECTOR AT NATIONAL LEVEL

3.1. Description of the tripartite concertation in the sector

There is no separate tripartite concertation for the mining and quarrying sector. However, if the bipartite social dialogue does not reach an agreement for the sector, then the parties concerned can proceed to tripartite concertation under the chairmanship of the Ministry of Labour and Social Insurance. The main players in tripartite concertation for this sector are the Ministry of Labour and Social Insurance, the two trade unions and the Federation of Associations of Building Contractors of Cyprus (OSEOK). For enterprises which are not members of OSEOK, the tripartite concertation involves the Ministry of Labour & Social Insurance, the two trade Unions and the enterprise concerned.

Within the Industrial Relations Code operating in Cyprus, there is tripartite concertation mainly for the overall economic and social policy of the country which also embraces concertation at sectoral and enterprise levels.

Any relevant issue can be addressed in tripartite concertation. There is a signed agreement of the terms and conditions of employment in the sector or the enterprises concerned. The signatories are the trade unions and OSEOK or the enterprises concerned if they are not members of OSEOK. The content of such agreements is a full employment contract. The name of the agreement is the "Collective Agreement between the Federation of Associations of Building Contractors of Cyprus (OSEOK) and the Trade Union the Cyprus Building, Wood, Mines and General Workers Trade Union (PEO) and the Federation of Builders Miners and Related Workers of Cyprus (SEK) Fixing the Terms of Employment and the Minimum Limits of Pay in the Construction Industry". If it is for enterprises which are not members of OSEOK, a corresponding name applies. For enterprises belonging to OSEOK and others not belonging to OSEOK, employing mechanics, plant operators, drivers of motor-vehicles, plumbers, welders and related workers, a similar Agreement is signed covering these workers and is attached to the Agreement for the construction sector (including the mining and quarrying sector). There are no informal procedures for tripartite concertation.

3.2. Description of the bipartite social dialogue in the sector

a) At sector level

There is bipartite social dialogue at sector level, for those enterprises that are members of OSEOK. The players involved are the two trade unions and OSEOK. Under the Industrial Relations Code operating in Cyprus, there is an obligation to participate in collective bargaining at sector level. There are no conflicts between the players regarding recognition issues. One collective agreement has been signed recently and will be in force for 2006 and 2007. The signatory parties are the trade unions and OSEOK. The content of such an agreement is a full employment contract, with all terms and conditions of employment, including collective bargaining issues. Its duration is usually 2 years. It covers all blue-collar workers and apprentices. (It may be noted that white-collar employees are covered by a collective agreement between the two trade unions and the larger construction companies taken as a group, concluded under the auspices of the Cyprus Employers and Industrialists Federation (OEV).

The coverage rate in comparison with the total number of enterprises (that employ workers) is estimated at nearly 70%, and of the total employees in these enterprises it is 80%. There are no formal procedures for extending collective agreements to parties that are not signatories, but these use this agreement as a norm, and all enterprises in the sector tend to have almost the same employment terms and conditions.

The **Cyprus Employers and Industrialists Federation (OEV)** can be considered as a player; although it does not officially take part in the negotiating process, it plays a decisive role in industrial relations in this sector.

b) At company level

Collective bargaining in the mining and quarrying sector at company level is confined at present to 2 cases. The parties participating in the dialogue are the manager of the enterprise, the two trade unions and representatives of the Cyprus Employers and Industrialists Federation (OEV), if the enterprise is a member of OEV.

There is an obligation to participate in collective bargaining at company level in accordance with the Industrial Relations Code operating in Cyprus. There are no conflicts between players regarding recognition issues. There are two CAs in force at enterprise level.

These agreements include wages, pay systems and other conditions of employment, collective bargaining issues and work specific provisions in the recently enforced new EU harmonized labour legislation, that ensures that collective agreements are amended so that provisions which are contrary to this new legislation are effectively removed.

The duration of collective agreements in the mining and quarrying sector is usually 2 years. The types of workers covered by these agreements are nearly all employees of an enterprise, excluding managerial and other white collar employees, who are covered by another agreement.

There are no formal ways of extending collective agreements to parties that are not signatories, but usually employers adopt these agreements. There is no multi-employers bargaining that corresponds to the mining and quarrying sector, but there are links between the sector and company levels. Some of these companies are members of OEV.

The Cyprus Employers and Industrialists Federation (OEV) can be considered as a player; although it does not officially take part in the negotiating process, it plays a decisive role in industrial relations in this sector.

4. COMMENT

The mining and quarrying sector is relatively small in terms of its value added contribution to GDP, employment and domestic exports. Mining, once a very important industry, is now nearly non-existent. Quarrying is expanding at relatively high rates in line with the expansion of the construction sector. The problems faced by the sector relate to a lack of quality standards for the materials produced, regulations regarding the protection of the environment, modernisation of the mines and quarries legislation and harmonization with EU standards and regulations. Collective bargaining is dependant on developments in collective bargaining in the construction sector. The real obstacle to the development of bipartite social dialogue at sectoral level covering all enterprises concerns the particular features of the construction sector (including the mining and quarrying sector) and the power of the trade unions, and negotiations frequently end up with tripartite consultation.

5. LIST OF ABBREVIATIONS

- KEVE** Cyprus Chamber of Commerce and Industry
- OEV** Cyprus Employers and Industrialists Federation
- OSEOK** Federation of Associations of Building Contractors of Cyprus
- PEO** Pancyprian Federation of Labour
- SEK** Cyprus Workers Federation

CZECH REPUBLIC

1. DESCRIPTION OF THE SECTOR'S CHARACTERISTICS AT NATIONAL LEVEL

1.1. Delimitation and scope of activities in the sector

The OKEČ (Branch Classification of Economic Activities) classification of group C or CA, extraction of mineral resources, corresponds to NACE classification 10-14. In the sector delimited by the required NACE codes and from the point of view of the sector activities of the social partners, an overlap with the natural gas and oil sectors, construction and, to a certain degree, also with the sectors of the glass and ceramics industries has been noted. In the mining industry, the major body on the union side is the Union of Mine, Geology and Oil Industry Workers, (OS PHGN), whose members also include the basic trade union organisations of employers from the oil extraction sector as well as those active in the geology and other sectors. The sectoral scope of activities of this Trade Union is thus wider. On the other hand, apart from this Trade Union, a number of trade union organisations from the mining industry have become members of the Trade Union of Building Workers of the Czech Republic, (OS Stavba ČR) and a limited number have joined the Trade Union of Employees of Glass, Ceramics, Costume Jewellery and Porcelain Industries (OS SKBP). On the employers' side, the major organisation in the mining sector is the Employers' Union of Mining and Oil Industries (ZSDNP) whose sector activities (from the point of view of the sector competence of the Union members), similarly to those of OS PHGN, go beyond the required structure of the NACE sectors and extend to the oil and natural gas extraction sector. In addition, a number of employers in the mining industry are members of the Association of Entrepreneurs in Building Industries in the Czech Republic (SPS) and a limited number are members of the Association of the Glass and Ceramic Industry of the Czech Republic. This means that the membership of all the organisations of the social partners which are active in the delimited sectors does not coincide with those sectors in terms of sector competence, even though the overlaps, for example in the case of OS PHGN, are not extensive (as opposed to the other social partners' organisations mentioned, whose main concentration of activities is, nevertheless, in different sectors – i.e. the building, glass and ceramics sectors⁴⁸).

1.2. Socio-economic features of the sector

The following characteristics of the Mining and Quarrying Industry and the data below relate, in terms of the NACE classification, to the whole of section C Mineral Resources Extraction including 10.3 and 11. This reflects the fact that two fundamental social partners in the mining and quarrying industry are active also in the oil and natural gas extraction sector. Besides, NACE 10.3 could not be eliminated for technical reasons; however, the percentage of this group of companies in the number of employees and economic activities within section C is negligible.

| Year | 2002 | 2003 | 2004 | 2005 |
|--|--------|--------|--------|--------|
| Average registered number of employees (natural persons) | 53,133 | 50,032 | 47,467 | 45,539 |
| As a % of employees in the national economy | 1.37 | 1.24 | 1.20 | 1.14 |
| Average monthly wage per head (CZK) | 18,670 | 19,511 | 20,931 | 22,256 |
| Gross added value in Section C as a % of total gross added value at current prices | 1.32 | 1.13 | 1.40 | 1.49 |

Source: CZSO calculations to order, RILSA calculations

Section C Mineral Resources Extraction is, in terms of the number of employees, one of the smaller sectors of the national economy and its significance has not fundamentally changed in the last four years. The percentage of employees in this sector of the overall employment in the Czech Republic has been slightly more than 1% over the long term. The majority of employees in the sector are men, skilled workmen or machine operators predominantly with secondary education without A level equivalents. Only 5% of employees are employed for a fixed term contract.

⁴⁸ On the other hand, the activities of social partners from the chemical industry are not part of the negotiations in the Mining and Quarrying Sector, as far as we have been informed (by OS ECHO).

Almost all are full-time employees. The following table contains the data on the employee structure in the sector according to their trades and professions, gender, type of employment contracts signed and the extent of work load, obtained from regular surveys conducted by the Czech Statistical Authority (ČSÚ), i.e. Labour Force Survey.

| Section C Mineral Resources Extraction | % |
|---|----------|
| ISCO | |
| Legislators and managers (1) | 1.9 |
| Professionals (2) | 2.4 |
| Technicians (3) | 17.4 |
| Clerks (4) | 3.0 |
| Service and sales workers (5) | 0.2 |
| Craft and related trades workers (7) | 44.0 |
| Plant and machine operators (8) | 24.5 |
| Elementary occupations (9) | 6.6 |
| Education | |
| Basic education - ISCED 1,2 | 8.3 |
| Secondary without GCE. - ISCED 3 | 62.6 |
| Secondary with GCE - ISCED 3,4 | 25.4 |
| University - ISCED 5,6 | 3.7 |
| Work contract | |
| Permanent contract | 94.9 |
| Fix term contract | 5.1 |
| Full-time/part-time | |
| Full-time | 99.7 |
| Part-time | 0.3 |
| Sex | |
| Men | 88.5 |
| Women | 11.5 |

Source: Labour force survey ČSÚ 2005

The average wages in the sector have been higher than the nation-wide average over the long term (the average wage in the national economy in 2003 was CZK 16,920 i.e. € 531⁴⁹, increased to CZK 18,035 i.e. € 565 in 2004 and to CZK 19,024 i.e. € 639 in 2005)

The total number of active business entities in the sector was 467 as at 31 December 2005 (the table below shows the classification according to the legal form of business and number of employees). 52% of the entities in the sector were commercial businesses including companies with foreign capital.

⁴⁹ Yearly average exchange rate for 2003 from the Czech National Bank database (31.844 per EUR in 2003 and 31.904 per EUR in 2004 and 29.784 per EUR in 2005). Source: www.cnb.cz.

The percentage of business entities in this sector is negligible with regard to the overall number of business entities in the national economy of the Czech Republic (the total number of active entities in the Czech economy was 2,102,948 as at 31 December 2005). The proportion of gross added value of Section C Mineral Resources Extraction expressed as a percentage of total added value in the Czech economy exceeds 1%, over the long term, and may be regarded as low compared to other sectors. The whole sector has been gradually privatised. With regard to the type of production, it may be assumed that the extent of the grey economy in this sector is small.

Companies

| Sub-sectors | Number of companies | % companies without employees | % companies with <10 employees | % companies with 10-49 employees | % companies with 50-249 employees | % companies with > 249 employees |
|---------------------|---------------------|-------------------------------|--------------------------------|----------------------------------|-----------------------------------|----------------------------------|
| Total in the sector | 467 | 13.49 | 20.56 | ND | ND | ND |

Source: CZSO, 12/2005

Workers

| Sub-sectors | Number of self-employed workers in the sector | Number of employees in the sector | Number of employees in the sector/ total number of employees in the country –all sectors- (%) | Number of employees in companies with <10 workers in the sector/ number of employees in the sector (%) | Number of employees in companies with 10-49 workers in the sector/ number of employees in the sector (%) | Number of employees in companies with 50-249 workers in the sector/ number of employees in the sector (%) | Number of employees in companies with >249 workers in the sector/ number of employees in the sector (%) |
|---------------------|---|-----------------------------------|---|--|--|---|---|
| Total in the sector | 205 ⁵⁰ | 45,539 ⁵¹ | 1.14 ⁵² | ND | ND | ND | ND |

Source: CZSO 2005

2. DESCRIPTION OF THE ORGANISATIONS ACTIVE IN THE SECTOR AT NATIONAL LEVEL

2.1. Description of the workers' organisations active in the sector

a) Union of Mine, Geology and Oil Industry Workers / Odborový svaz pracovníků hornictví, geologie a naftového průmyslu, OS PHGN⁵³

The union was established in 1990 as a successor to the Trade union of employees in the mining, quarrying and energy industries (once the basic organisations of energy and gas entities became independent). The second congress of 1992 adopted new Union Articles, addressing the legal entity characteristics of the trade unions. The federal status of the union was abandoned with the break up of the federal state in early 1993. The Union is a member of the Czech-Moravian Confederation of Trade Unions (ČMKOS). The union activities are funded from membership fees and revenue from the union's assets. The union members are legal entities – trade union organisations active in businesses in the underground and open cast (surface) coal mining, geological survey and oil extraction sectors. The member organisations of the unions were active in 94 employer companies at the end of 2005.

⁵⁰ Register of business entities of ČZSO, 12/2005.

⁵¹ Average registered number of employees (natural persons), CZSO.

⁵² RILSA calculations, 2005.

⁵³ The source of the information and data on the union was an interview with a representative of OS PHGN and the Internet, including the OS PHGN website: <http://osphgn.cmkos.cz/onas.htm>.

Currently, the union's administration has 15 full-time staff. The trade union member base is composed of both employees in manual professions and administrative staff. Most, however, are blue-collar workers. As at 31 December 2005, the union had about 30,000 members in a total of 116 member organisations (employees, i.e. individuals in an employment relationship with the employer).

Czech law does not require trade union organisations to undergo any kind of recognition procedures for collective bargaining and such procedures do not form standard practice in collective bargaining. The decisive factor is the competence of the organisation and body concluding the collective agreement (in particular the manner of its founding, which must conform to the relevant legislation), and, in practice, the actual existence of the necessary social partner or its willingness to conduct social dialogue and collective bargaining⁵⁴. By law, collective bargaining and the conclusion of a collective agreement may be done, for the trade union side, by a representative of the appropriate trade union body authorised to do so by its statutes or internal regulations. Since 2001, 1 Higher level collective agreement (KSVS) has been in effect for the mining sector, updated by annual amendments. The KSVS Amendment for this calendar year was signed on 27 February 2006 with effect from the beginning of 2006.

The Enterprise collective agreements (PKS) are not negotiated by the Union, but by its member trade union organisations or authorised trade union bodies. The Union provides support to collective bargaining at company level and, in some cases may send a representative (expert) to participate in the bargaining.

No tripartite negotiations are conducted in the sector and no regular tripartite platform has been established (in the Czech Republic, irregular tripartite negotiations are conducted in some sectors, however, the institutionalised approach of using tripartite dialogue is not common). The Union officials regularly negotiate with officials from the ministries about the status and development of the mining sector; the negotiations are, however, mostly bipartite.

The organisation is affiliated to EMCEF and to the Czech-Moravian Confederation of Trade Unions (ČMKOS).

b) Trade Union of Building Workers of the Czech Republic (Odborový svaz Stavba ČR (OS Stavba ČR))⁵⁵

OS Stavba is a legal entity registered according to Act No. 83/1990 Sb., on civic associations. The Union has been working under its current name since 1991. On 1 January 1993 it lost its federal competence. The Union is a member of the Czech-Moravian Confederation of Trade Unions (ČMKOS). Its competence is nation-wide.

The Union activities are funded partly from the membership fees contributed by the Union members and partly from the revenues of the Union assets. According to the Union Articles, each member pays a fee to its basic organisation of 1% of net income. The basic organisations contribute 25% of collected membership fees to Union activities.

The basic organisations of the Trade Union work in companies allocated on the basis of their lines of business mostly in the building and building materials production sectors. However, some may also be found in the mineral resources extraction sector (group 14.1 and 14.2). These represent a total of 20 basic trade union organisations.

The Union administration currently employs 25 people including two elected officials.

The trade union member base comprises both employees in manual professions and administrative staff. Most, however, are blue-collar workers. In mid 2005 the Union had about 16,000 registered members (employees, i.e. persons with a contract of employment with the employer).

Czech law does not require trade union organisations to undergo any kind of recognition procedures for collective bargaining and such procedures do not form standard practice in collective bargaining. The decisive factor is the competence of the organisation and body concluding the collective agreement (in particular the manner of its founding, which must conform to the relevant legislation), and, in practice, the actual existence of the necessary social partner or its willingness to conduct social dialogue and collective bargaining⁵⁶. By law, collective bargaining and the conclusion of a collective agreement may be done, for the trade union side, by a representative of the appropriate trade union body authorised to do so by its statutes or internal regulations.

For 2006, the Union has concluded an Amendment to the KSVS (concluded for 2005 – 2007). The agreement partner of the Union is the Association of Entrepreneurs in Building Industries in the Czech Republic (SPS). In the Mining and Quarrying sector, the agreement applies to 20 companies with a total of 2,300 employees (total of 14.1 and 14.2); after extension, it will apply in defined sub-sectors to 67 employers with a total of approximately 6,000 employees.

⁵⁴ For more information see the EIRO comparative study on changes in national collective bargaining systems since 1990 – Czech Republic.

⁵⁵ The information and data below are based partially on a monograph written previously within this monitoring exercise, and partially on the outcome of a new interview with a representative of OS Stavba. Information available on the Union website was also used. Some data relating to 2005 was taken from the internal survey of ČMKOS.

⁵⁶ For more information see the EIRO comparative study on changes in national collective bargaining systems since 1990 – Czech Republic.

The Enterprise collective agreements (PKS) are not negotiated by the Union but by its member TU organisations or authorised TU bodies. The Union provides support to collective bargaining in companies and may, in certain cases, send its representative (expert) to participate in the bargaining.

In 2006, the member trade union organisation concluded a total of 170 agreements, of which 18 were in sub-sectors 14.1, 14.2 (in two companies the collective agreements have not yet been concluded). In 2005, 165 collective agreements were concluded within the competence of the union.

No tripartite negotiations are conducted in the sector and no regular tripartite platform has been established in the sector (in the Czech Republic, irregular tripartite negotiations are conducted in some sectors, however, the institutionalised approach of using tripartite dialogue is not common). The Union participates in negotiations between representatives of state bodies, employers and trade unions within working groups of departmental ministries (Ministry of Trade and Industry, and Ministry of Labour and Social Affairs of the Czech Republic). The chairman of OS Stavba is one of the representatives of the largest trade union headquarters in the Czech Republic - ČMKOS (OS Stavba is its member) in negotiations regarding the national tripartite Council of Economic and Social Agreement of the Czech Republic (RHSD ČR).

The organisation is affiliated to the European Federation of Building and Woodworkers (EFBWW), the International Federation of Building and Woodworkers (IFBWW), and to the Czech-Moravian Confederation of Trade Unions (ČMKOS).

Workers' organisation(s)

| Organisation (English name) | Members | | Estimated density | Collective Bargaining (Yes/No) | Affiliations | | | |
|--------------------------------|---|--|----------------------|--------------------------------------|--------------------------|--------|--------------------------|--------|
| | Total number of the members of the organisation | Number of members who are working in the sector of the Mining and Quarrying Industry | | | European affiliations | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| OS PHGN | 30,000 ⁵⁷ 34,200 ⁵⁸ | ND (29,000 ⁵⁹) | 0.75 ⁶⁰ | Yes | EMCEF | ČMKOS | - | - |
| OS Stavba ČR | 16,000 ⁶¹ | cca.1,500 ⁶² | 0.033 ⁶³ | Yes | EFBWW | ČMKOS | IFBWW | - |

Source: 2005, 2006. OS PHGN, ČMKOS, RILSA estimation

⁵⁷ Total number of union members (approximate) in 2005.

⁵⁸ Total number of union members in mid 2005.

⁵⁹ RILSA estimate (after deducting an estimated number of members particularly from the oil extraction sector).

⁶⁰ Calculation is based on total data for 2005 (i.e. including data for oil extraction sector). However, we estimate that if calculations are based on data excluding lines of business that are not included in the required sector structure, i.e. the Mining and Quarrying sector, the outcome would be more or less the same.

⁶¹ Total number of members – employees, in 2005, according to ČMKOS.

⁶² RILSA estimate based on information and data provided by the OS Stavba representative during the interview.

⁶³ This is very rough data, which is also slightly misleading as it is based on different parameters of input values for the calculation: the total estimated number of union members in sub-sectors 14.1 and 14.2 divided by the total average number of employees in the Mining and Quarrying sector (i.e. including, for example, oil extraction) in 2005. We believe that the real final density may be slightly higher.

2.2. Description of the employers' organisations active in the sector⁶⁴

a) Employers' Union of Mining and Oil Industries (Zaměstnavatelský svaz důlnho a naftového průmyslu – Společenstvo těžařů ČR, ZSDNP)

In the Czech Republic, the union represents the mining business and public employers. ZSDNP was established in May 1990 with eight founding companies (currently, the membership consists of 18 companies employing about 20 thousand people). The members are major joint stock companies and state-owned companies in the coal, ore, non-ore and oil industries and other companies and institutions whose activities are closely related to mining, e.g. building or engineering entities or entities from the sectors of reclamation, consultancy, geological surveys, designing, processing and assessing of mineral resources. The annual fee for members is CZK 47.0 per employee, in some cases the fee amount is defined by means of an agreement. The union does not follow the membership structure according to NACE. The core business is the mineral resources extraction sector as a whole. The Union has three employees.

Czech law does not require employers' organisations to undergo any kind of recognition procedures for collective bargaining and such procedures do not form standard practice in collective bargaining. The decisive factor is the competence of the organisation and body concluding the collective agreement (in particular the manner of its founding, which must conform to the relevant legislation), and, in practice, the actual existence of the necessary social partner or its willingness to conduct social dialogue and collective bargaining⁶⁵. By law, collective bargaining and the conclusion of a collective agreement may be done, for the trade union side, by a representative of the appropriate trade union body authorised to do so by its statutes or internal regulations.

ZSDNP concludes 1 KSVS, its partner is OS PHGN. Currently the KSVS for 2001 – 2006 is in force and has been amended each year by Appendices. For 2007, a new version of KSVS has been prepared taking into account the new industrial (labour) amendment which will come into effect as of 1 January 2007 in the Czech Republic, and will significantly affect the area of collective bargaining.

The employers' organisations in the Czech Republic do not conclude enterprise level collective agreements but they may participate in collective bargaining at company level through their experts (however, this is not common). On the other hand, the member companies of employers' organisations provide expert support to collective bargaining conducted at sector level by the employers' organisations. ZSDNP does not monitor the number of signed enterprise collective agreements⁶⁶.

No tripartite bargaining is conducted in the sector. ZSDNP participates in the national tripartite negotiations via the Confederation of Employers' and Entrepreneurs' Associations of the Czech Republic (KZPS ČR), of which ZSDNP is a member.

ZSDNP is a member of EURACOAL, and is also a member of the Confederation of Employers' and Entrepreneurs' Associations of the Czech Republic (KZPS ČR).

b) Association of Entrepreneurs in Building Industries in the Czech Republic (Svaz podnikatelů ve stavebnictví v ČR) (SPS)

The federation is an independent legal entity. It was established under Act no. 83/1990 Coll., on civic associations and is registered in the organisations register of the Ministry of the Interior of the Czech Republic.

Its member base is made up of building contractors, manufacturers of building materials and construction products, design, engineering and consultancy organisations and a number of manufacturing and trading firms involved in investment construction. At present the federation has over 1,300 members, which represent more than three quarters of the building capacity in the Czech Republic. Collective members are specialist associations like the Prague Road Building Association, the Railway Infrastructure Association, the Association of Concrete Building Parts

⁶⁴ In addition to the Employers' Union of Mining and Oil Industries (ZSDNP) and the Association of Entrepreneurs in Building Industries in the Czech Republic, there is yet other employers' organisation, namely the **Association of the Glass and Ceramic Industry of the Czech Republic**. As the number of the Association members in the Mining and Quarrying sector and thus also the involvement of the Association in the social dialogue in the sector, is extremely small (there are only two companies dealing in sand extraction employing about 150 people, both companies have TU organisations, of which one is a OS SKBP member), only brief information regarding this particular employers' organisation is provided. Its branch of activities is the glass, porcelain and ceramics industry and currently includes (according to their website) a total of 58 companies. Amongst other activities, it also conducts collective bargaining and conclusion of KSVS (collective agreements), negotiates 1 KSVS and its partner is OS SKBP. Currently, the KSVS (i.e. the Annex to KSVS) concluded for 2005 – 2006 is in effect.

Těžební unie (Mining Union) is a member of the European organisation EUROMINES. This is a professional association, but it does not take part in social dialogue and collective bargaining. The Mining Union serves its members in the organization and support of mutual aid and co-operation. It creates good conditions for the application of justified rights and claims particularly in the light of the creation of a new structure of regulations. The Mining Union's activities are entrepreneurial, and include employers' meetings, the distribution of information and publications. It also helps in looking for appropriate business contacts at home and abroad and in searching for and achieving appropriate topical resolutions to support entrepreneurial efforts.

⁶⁵ For more information see the EIRO comparative study on changes in national collective bargaining systems since 1990 – Czech Republic.

⁶⁶ The representative of ZSDNP we consulted estimates the figure to be 23 enterprise collective agreements at the moment.

Manufacturers, the Cement and Lime Manufacturers Association of Bohemia, Moravia and Silesia, the Silicate Association, the Association of Builders' Merchants, the Association of Plastic Window and Door Manufacturers etc. The federation has set up local offices in all the former regional capitals of the Czech Republic and in certain other locations with high concentrations of construction capacities to handle direct contact with its member firms.

The federation's mission is to defend its interests and the sector in order to improve the conditions for doing business and the economic environment, to expand the building market, improve legislation, simplify the preparation of building work and provide timely information on coming trends and events in investment, so that member firms can react in time. SPS is a member of the Confederation of Employers' and Entrepreneurs' Associations of the Czech Republic (KZPS ČR). Since 1996 the president of SPS has been chairman of KZPS ČR; together with the president of the Confederation of Industry and Transport of the Czech Republic he is also a member of the national tripartite board in the Czech Republic (the Council of Economic and Social Agreement of the Czech Republic). SPS has conducted collective bargaining at sectoral level since 1991.

Members pay dues, which are staggered according to the size of the firm (in terms of output, or in some cases number of employees). These dues make up roughly 1/3 of its income. The remainder comes from its co-organisation of the Brno Trade Fair and related events, organising specialist seminars, including for non-members, publications etc. SPS is also where building work is authorised.

The association covers the following activities: sector F, division 45, Sector D, Sub-Sector DI, Division 26 with the exception of Group 26.1, Sector C, Sub-Sector CB, Division 14, Groups 14.1 and 14.2. SPS has 1,300 members⁶⁷.

The federation headquarters employs⁶⁸ a total of 7 people.

The membership is made up of all large companies operating in the sector (joint stock companies Skanska, Metrostav, Stavby silnic a železnic, Subterra and others), but the majority consist of medium-sized enterprises. "SEDLICKÝ KAOLIN S.A.", a member of this organisation, is also a member of KPC-Europe (European Kaolin and Plastic Clays Association) and through this affiliation, IMA-Europe. Given that the construction sector has no specialised ministry and in view of SPS's national scope of operation and the fact that it is the only employer federation in the sector, it is fair to say that the federation de facto represents construction in the Czech Republic as a whole.

Czech law does not require employers' organisations to undergo any kind of recognition procedures for collective bargaining and such procedures do not form standard practice in collective bargaining. The decisive factor is the competence of the organisation and body concluding the collective agreement (in particular the manner of its founding, which must conform to the relevant legislation), and, in practice, the actual existence of the necessary social partner or its willingness to conduct social dialogue and collective bargaining⁶⁹. By law, collective bargaining and the conclusion of a collective agreement may be done, for the trade union side, by a representative of the appropriate trade union body authorised to do so by its statutes or internal regulations.

For 2006, the Association concluded an amendment to KSVS (negotiated for 2005 – 2007). The agreement partner of the Association is OS Stavba. In the Mining and Quarrying sector, the agreement will apply to 20 companies employing a total of 2,300 people⁷⁰ (NACE 14.1 and 14.2 total), after extension, KSVS will apply, in delimited sectors, to 67 employers employing a total of approximately 6,000 people.

SPS collectively negotiates only at branch level, it does not have the required competence to lead collective bargaining at company level (similar to the other employers' organisations in the Czech Republic).

SPS takes part in tripartite consultations at national level via KZPS ČR.

At European level, SPS is a member of the European Construction Industry Federation (FIEC).

At national level, SPS is a member of the Confederation of Employers' and Entrepreneurs' Associations of the Czech Republic (KZPS ČR).

⁶⁷ The number of members of SPS and the number of companies (members of SPS) is not the same. The number of member companies is not available.

⁶⁸ In 2004.

⁶⁹ For more information see the EIRO comparative study on changes in national collective bargaining systems since 1990 – Czech Republic.

⁷⁰ Data on the competence of KSVS in the Mining and Quarrying sector provided by the representative of OS Stavba during the interview.

Employers' organisations

| Organisation (English name) | Members | | Estimated density | Collective Bargaining(Yes/No) | Affiliations | | | |
|---|--|--|----------------------|----------------------------------|--------------------------|--------|--------------------------|---------|
| | Total number of companies that are members of this organisation | Total number of workers who are working in companies which are members of this organisation | | | European affiliations | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| ZSDNP | 18 | 20,000 | 0.44 ⁷¹ | Yes | EURACOAL | - | - | KZPS ČR |
| Association of Entrepreneurs in Building Industries in the Czech Republic | ND | ND | ND | Yes | FIEC | - | - | ČMKOS |

Source: ZSDN, SPS, RILSA calculations

3. DESCRIPTION OF THE SOCIAL DIALOGUE IN THE SECTOR AT NATIONAL LEVEL

3.1. Description of the tripartite concertation in the sector

There is no tripartite concertation at sector level comparable with that at national level. There are meetings between the representatives of state bodies, employers and trade unions within working groups at departmental ministries (Ministry of Trade and Industry, MPO, and Ministry of Labour and Social Affairs of the Czech Republic, MPSV)⁷². Social partners in the sector also participate via the representatives of KZPS ČR and ČMKOS in the national tripartite (RHSD ČR). These are only consultations.

3.2. Description of the bipartite social dialogue in the sector

a) At sector level

In the Mining and Quarrying sector, a total of six organisations of social partners participate in the social dialogue, namely: OS PHGN, OS Stavba, ZSDNP, SPS, and further, to a lesser extent OS SKBP and the Association of the glass and ceramics industries of the Czech Republic. There is no obligation to participate in collective bargaining at sector level.

There are no conflicts between the players regarding recognition issues. A total of 3 KSVS, one for each sector of the mining and quarrying, building, and glass and ceramics industries, has been concluded.

KSVS are negotiated by authorised bodies of employers' organisations and trade unions and signed by the authorised representatives of these entities.

For example, KSVS contain bargaining regarding the relations between the contracting parties, addressing the issues of unemployment, changes to working time, holidays, night shifts, overtime, barriers at work, work and health, safety and protection, securing the social and medical needs of employees, wages and remuneration issues, bargaining for controls of obligation fulfilment etc. The agreements are usually signed for a period of several years (specific case see above), and drawn up for the given calendar year by means of amendments.

Concluded KSVS will apply (in compliance with legislation of the Czech Republic) to all employees of a particular employer.

⁷¹ Total number of employees of member companies (approximate data, 2006) divided by the average number of employees in the whole sector of the Mining and Quarrying Industry including the oil extraction sector. (2005).

⁷² As notified by the representative of OS PHGN.

As far as the coverage rate in comparison with the total number of companies is concerned, the KSVS concluded between OS PHGN and ZSDNP applies to 7 companies (as notified by the representative of ZSDNP). For 2005, ČMKOS states 10 employers subject to KSVS. The KSVS concluded between OS Stavba and SPS applies (in the mining and quarrying sector) to 67 companies, after extension. The KSVS concluded between OS SKBP and the Association of the Glass and Ceramics Industry of the Czech Republic covers one company within the mining and quarrying sector. That means that currently a total of 75 companies in the whole mining and quarrying sector are covered by KSVS (i.e. including the oil extraction sector). The coverage rate will be about 18.56% (75/404).

As far as the total number of workers is concerned, the KSVS negotiated between OS PHGN and ZSDNP covers about 17,000 employees (as notified by the representative of ZSDN for 2006), ČMKOS states a total of 18,100 employees. The KSVS negotiated between OS Stavba and SPS se (in the mining and quarrying sector) covers, after extension, about 6,000 employees (as notified by the representative of OS Stavba, 2006). The KSVS between OS SKBP and the Association of the glass and ceramics industry of the Czech Republic (RILSA estimate) covers 70 employees. Overall, the KSVSs in effect in the whole mining and quarrying sector cover 23,070 employees. The coverage rate will be about 50.66% (23,070/45,539).

Since 1 July 2005, an Amendment on collective bargaining has been in force in the Czech Republic (Act No. 255/2005Sb) amending the conditions of extension. The objective is for the relevant trade union to become the largest union in terms of the number of members in the sector for which the extension is proposed, or for the relevant employers' organisation to become the largest employers' association in the sector. If the conditions set by law are clearly satisfied, the KSVS will be extended upon a joint proposal of KSVS contractual parties to cover all employers whose economic activities predominantly belong to the respective sector delimited by the NACE (OKEČ) classification.

For further development of collective bargaining at sector level in the Czech Republic (but also on company level) it will be important to what degree the new labour (industrial) amendment in force from 1 January 2007 will be applied (and utilised by the social partners).

b) At company level

In the Czech Republic, the parties authorised to conduct collective bargaining at company level are the representatives of the employer on one hand, and the relevant trade union body of the TU organisation on the other, working in the employer's organisation (or trade union bodies of several TU organisations, if several TU organisations are working in the employer's organisation side by side). There is no obligation to participate in collective bargaining at company level, but current legislation promotes negotiations between social partners. There are no conflicts between players regarding recognition issues. As notified by the organisations of social partners consulted, about 70 PKS have been concluded within the competence of these employers' organisations and trade unions in the whole sector of Mining and Quarrying Industry. The content of these is similar to the KSVS. PKS are usually concluded for a period of one year and cover all employees of a respective employer. The share of companies in the sector covered by a company collective agreement will be about 17.33%, while the share of employees in the sector covered by a company collective agreement will be about 49.12%⁷³.

The current legislation of the Czech Republic does not recognise the PKS extension. Both levels, company and sectoral, have a number of links, whether they are organisational, material or in terms of the relationship between KSVSs and PKSs which have been signed. The social partners who were consulted have not fully come to an agreement in this respect but the prevailing opinion is that both are more or less equally significant levels of collective bargaining. Both levels of collective bargaining are similar in terms of coverage of agreement entities, however, the specific role of KSVS within the collective bargaining system must be looked at, as well as more specific arrangements and bargaining relating to PKS.

4. COMMENT

One general problem of social dialogue in the Czech Republic is the fall in the social partners' membership, both at sectoral and company level. This mainly relates to the trade unions' member base, but employers' organisations and their staffing and technical resources usually suffer from relatively little interest among members.

Irrespective of the abovementioned general factors, the social partners in the Mining and Quarrying Industry sector see no obstacles to the further development of social dialogue in this sector.

Most of the state's support for social dialogue at present comes in the form of legislative work (and in material terms e.g. tax relief designed to support due-paying).

⁷³ This data is valid for 2006 but it is mostly based on estimates or not fully comparable data. Therefore it may not be regarded as fully reliable.

Social dialogue in the Mining and Quarrying sector is based mainly on the activities of the four sectoral organisations of the social partners (OS PHGN, ZSDNP, OS Stavba a SPS). To a lesser extent, two more social partners from the sector of Glass and Ceramics Industry participate in the dialogue. Three KSVSs and a larger number of PKSs are currently in force. The social partners we consulted see no major obstacles to further development of social dialogue (based on the Mining and Quarrying sector, i.e. the collaboration in effect up to now of participating sectoral social players).

5. LIST OF ABBREVIATIONS

| | |
|--|--|
| Asociace sklářského a keramického průmyslu ČR | Association of the Glass and Ceramic Industry of the Czech Republic |
| ČMKOS | Czech-Moravian Confederation of Trade Unions, Českomoravská konfederace odborových svazů |
| CZSO | Czech Statistical Office |
| KZPS ČR | Confederation of Employers' and Entrepreneurs' Associations of the Czech Republic, Konfederace zaměstnavatelských a podnikatelských svazů |
| OS SKBP | Trade Union of Employees of Glass, Ceramics, Costume Jewellery and Porcelain Industries, Odborový svaz zaměstnanců sklářského, keramického, bižuterního průmyslu a porcelánu |
| OS PHGN | Union of Mine, Geology and Oil Industry Workers, Odborový svaz pracovníků hornictví, geologie a naftového průmyslu |
| OS Stavba ČR | Trade Union of Building Workers of the Czech Republic, Odborový svaz Stavba ČR |
| RILSA | Research Institute of Labour and Social Affairs |
| SPS | Association of Entrepreneurs in Building Industries in the Czech Republic, Svaz podnikatelů ve stavebnictví v ČR |
| ZSDNP | Employers' Union of Mining and Oil Industries, Zaměstnavatelský svaz důlního a naftového průmyslu – Společenstvo těžařů ČR |

DENMARK

1. DESCRIPTION OF THE SECTOR'S CHARACTERISTICS AT NATIONAL LEVEL

1.1. Delimitation and scope of activities in the sector

The Danish Industrial Classification (DB03) follows the NACE classification and contains a six-digit code, of which the first four digits refer to the NACE code.

The mining and quarrying industry in Denmark is limited to the mining and quarrying of calcium carbonate, chalk, gypsum, stone, sand, clay, gravel, production of salt, etc. – or in other words only mining activities covered by NACE 14. Activities concerning NACE codes 10, 12 and 13 are not present in Denmark. The Danish underground consists mainly of calcium, chalk and clay. The mining industry consists entirely of 'open pits', and extraction offshore. The materials extracted from underground are used in the Danish building materials industry.

1.2. Socio-economic features of the sector

In comparison with the larger EU countries, the mining industry in Denmark is limited.

Small family-owned companies dominate the company structure. About 80.3% of the companies have less than 10 employees and 94.8% have less than 50 employees. On the other hand this means that the majority of the employees work in a few large companies. Thus seven companies with more than 100 employees – in Danish official statistics considered to be large companies – cover 67% of the workforce in the Danish mining industry.

The contribution to the national economy is also limited compared with other sectors. The gross value added comprises 0.003% of the total gross domestic product (GDP).

In 2003, industries in the quarrying sector (NACE 14) represented a turnover of DKK 1,960 (EUR 263 millions), of which DKK 426 (EUR 57 millions) consisted of exports. Finally, the gross value added produced around DKK 29,178 (EUR 3,914 millions). The underground economy does not seem to be a factor of importance⁷⁴.

Only 0.14% of the national workforce is employed in the mining sector. The majority of workers in the sector are skilled and unskilled blue-collar workers.

From a collective bargaining point of view the sector is part of production industry, which covers mining and quarrying and all manufacturing industry - from food processing to toy manufacturing. The mining and quarrying industry does not conduct sector-specific bargaining and the companies and the workers belong to broadly-based labour market organisations.

Companies 2003

| Sectors | Number of companies | % without employees | % with <10 employees | % with 10-49 employees | % with 50-99 employees | % with 100+ |
|-------------|---------------------|---------------------|----------------------|------------------------|------------------------|-------------|
| 14.00–14.50 | 193 | 37.3% (72) | 43.0% (83) | 14.5% (28) | 1.5% (3) | 3.6% (7) |

Source: Statistics Denmark, General Firm Statistics 2005:16, table 3, 27-grouping.

The activities of the sector are as a whole stagnant and the number of employees is declining; partly because a few areas have been wound up and partly because of simpler work processes with increased use of machines.

Extraction onshore, however, has increased in the last few years and has reached its peak in 15 years. The increase is primarily due to more extraction of sand, gravel and stone, very possibly because of the comprehensive building and construction activities in 2005. The majority of the raw materials extracted in Denmark are used in the domestic building materials industry. The largest concentrations of sand, gravel and stone are extracted in the Municipality of Herning in Jutland.

There are around 35 vessels active in extraction offshore. The offshore industry is estimated to have a yearly turnover of DKK 400–500 million⁷⁵ (EUR 53-67 million).

⁷⁴ Source: Statistics Denmark, General Firm Statistics 2003, Statistikbanken NAT07.

⁷⁵ Information offered by Mr Per Bjerregaard Jepsen, Danish Gravel and Sand Suction Hopper Dredging Association (affiliated to the Danish Construction Association).

Workers broken down by company size - 2003

| Sectors | Number of self-employed | Number of employees in the sector | Number of employees in the sector/total number of employees in all sectors (%) | % of employees in the sector in companies with <10 employees | % of employees in the sector in companies with 10-49 employees | % of employees in the sector in companies with 50-99 employees | % of employees in the sector in companies with 100+ employees |
|-------------|-------------------------|-----------------------------------|--|--|--|--|---|
| 14.00-14.50 | 72 | 3,154 | 0.14% | 9.5% | 16.6% | 7.0% | 67.0% |

Source: Statistics Denmark, General Firm Statistics 2005:16, table 3, 27-grouping.

2. DESCRIPTION OF THE ORGANISATIONS ACTIVE IN THE SECTOR AT NATIONAL LEVEL

There is no formal recognition system, but there is mutual recognition within the process of collective bargaining. There are no conflicts between the players regarding recognition issues.

2.1. Description of the workers' organisations active in the sector

a) 3F- United Federation of Danish Workers (Fagligt Fælles Forbund)

The largest workers' organisation represented in the sector is the United Federation of Danish Workers (Fagligt Fælles Forbund, 3F), which is the largest trade union in Denmark measured in active members. 3F currently has more than 350,000 members of which 321,000 are active. 3F was formed on 1 January 2005 through a merger of the General Workers' Union (**Specialarbejderforbundet i Danmark, SiD**) and The National Union of Female Workers (**Kvindeligt Arbejderforbund, KAD**)⁷⁶. Currently 3F organises both skilled and unskilled workers in several sectors including industry, building and construction, transport, cleaning, gardening, agriculture and forestry. The union activities are entirely funded through membership fees. 3F is a democratic membership-controlled organisation comprising 76 autonomous local unions spread throughout the country. The highest authority is the Congress, which is held every three years.

3F has concluded 166 sector collective agreements (covering workers nationally) and around 4,500 single-employer agreements (also known as adoption agreements). 3F has 5,436 employee representatives, i.e. shop stewards, at company level.

The organisation of 3F's members is divided between six main areas: Industry group (151,000 members), Transport group (68,000 members), Public Sector group (50,000 members), Building and Construction group (48,000 members), the Green group (14,000 members) and finally the Private Sector group (14,000 members). Overall, the total membership of 3F is about 349,000.

The Mining sector belongs to the Industry group which brings together a large proportion of members working in the traditional industries, such as the Metalworking Industry, the Plastics Industry and the Electronics Industry.

The 3F industry group has responsibility for 21 collective agreements negotiated together with the other unions in the bargaining-cartel, the **Central Organisation for Industrial Employees in Denmark (CO-industri)**, and is the largest group within CO-industri. There is no specific sector agreement concerning mining alone. Mining and quarrying in open pits belong to the large (inter-) sectoral agreement, the Industry Agreement.

Whereas CO-industri negotiates the central sector agreement, the shop stewards of 3F negotiate at company level. The framework is the Industry Agreement and all agreement issues (wages, working time, etc.) are negotiated further at local level. It is the local level that determines the actual wage level. The provisions on wages settled in the sector agreement are minimum rate

⁷⁶ SiD was founded in 1897 as a union for unskilled men only. In 1901 local women's unions founded the National Union of Female Workers (KAD) which, until the merger with SiD in 2005, only contained female members. SiD allowed women as members where they occasionally worked under the same collective agreement as SiD members, but it was not until 1971 that the SiD Congress finally allowed female members.

increases. This link between the areas of competence in bargaining, from sectoral to local level, is called “centralised decentralisation” in Denmark. There is no statutory minimum wage in Denmark.

More than 300 staff work in the headquarters in Copenhagen, but it not known how many are employed in the 86 autonomous local unions. Like all Danish unions, membership fees fund 3F (Trade union fees are tax deductible for the individual member).

At national level 3F is a member of the Danish Confederation of Trade Unions (Landsorganisation i Danmark, LO). Union leaders from 3F also represent CO-industri in EMCEF.

Workers' organisations

| Organisation | Members | | Estimated density | Collective bargaining | European affiliation | | Other affiliation | |
|---|---|---|-------------------|-----------------------|-----------------------|------------|-----------------------|--------|
| | Total number of members of the organisation | Number of workers working in the sector | | | Related to the sector | Others | Related to the sector | Others |
| United Federation of Danish Workers, 3F | 321,000 | ND | ND | Yes | EMCEF | UNI-Europa | None | UNI |

Source: 3F (2006)

2.2. Description of the employers' organisations active in the sector

a) Confederation of Danish Industries (Dansk Industri, DI)

The companies in the Danish mining and quarrying sector are mainly organised under the largest employers' organisation in Denmark, the Confederation of Danish Industries (Dansk Industri, DI). DI is a private organisation funded, owned and managed entirely by the currently 6,400 affiliated companies within the production, manufacturing and service industries covering virtually all sub-sectors. A number of sectoral employers' associations and pure trade associations exist within DI's framework. DI is financed and owned by the membership and governed by a council and an executive committee elected at the annual general assembly.

DI was created in 1991 from the merger between the **Association of Employers in Industry (Industriens Arbejdsgivere)** and the **Industrial Council (Industrirådet)**. The result was by far the most influential employers' association representing half of the budget and thus half of the votes in the main organisation of Danish employers, the Confederation of Danish Employers (Dansk Arbejdsgiverforening, DA). In practice DI has had considerable influence on the activities of DA. DI offers professional support nationally as well as in an international context, which has caused different large companies to join DI instead of another perhaps even more 'familiar' sectoral association. Membership is voluntary. The companies can join the association that they believe fits their interests best. It can be considered as a good example of 'recognition of associations'.

The companies in the onshore Danish mining industry are organised in two pure trade associations - the **Association of Danish Gravel and Stone Industries (Foreningen af Danske Grus og Stenindustrier)** and the **Limestone and Brickyard Association of 1893 (Kalk og Teglværksforeningen af 1893)**, which are both members of DI. This means in this case that the two trade associations mentioned take care of the trade and business political interests of the companies in the mining and quarrying sector while DI takes care of the employers' interests. DI is the organisation for more than 50 trade associations or trade communities – for instance the food industry, IT industry, metal industry, wood & furniture industry, the automotive industry and building material industry just to mention a few; this gives an idea of the spread of DI membership. Mining is a small part of this comprising around 1% of DI's membership.

DI organise both SMEs and large companies. SMEs, i.e. companies with less than 50 employees, cover 75% of the 6,100 companies affiliated to one of DI's associations. Only 2% of the companies have more than 500 employees. DI has approximately 6,100 member companies which have a total of 370,000 employees.

DI has 400 employees at the headquarters in Copenhagen and 18 further regional offices.

DI is affiliated to the Confederation of Danish Employers (Dansk Arbejdsgiverforening, DA) at national level, and to UNICE, BIAC and ICC at international level⁷⁷.

b) Danish Construction Association (Dansk Byggeri, DB)

Companies active in offshore extraction (sand and gravel) are members of the Danish Construction Association (Dansk Byggeri, DB) through the pure trade (or branch) association, the **Danish Gravel and Sand Suction Hopper Dredging Association (Foreningen af Danske Ral og Sandsugere, FDRS)**. The association has 11 SMEs as members. As in the case of DI, the trade association does not deal with employers' interests.

DI conducts negotiations at the important sectoral level, but does not take part in the local bargaining which follows. On the other hand, it advises the member companies on all questions related to collective agreements if consulted, but is not present at the actual negotiations between the employees' representatives and the company's management.

DI has signed around 80 collective agreements at sectoral level, of which the Industry Agreement (covering mining and quarrying among other sectors) is by far the most important.

Dansk Byggeri, DB, takes care of collective bargaining for the members of the Danish Gravel and Sand Suction Association, FDRS. A few members of FDRS are members of the **Shipowners' Association of 1895**, i.e. boats / vessels that stay at sea for several days. Ships that carry out extraction (suction) of sand and gravel on a daily basis are members of DB.

Employers' organisations

| Organisation | Members | | Estimated density | Collective bargaining | European affiliation | | Other affiliation | |
|--|----------------------------------|---|-------------------|-----------------------|-----------------------|--------|-----------------------|---------------|
| | Total number of member companies | Total number of workers in member companies | | | Related to the sector | Others | Related to the sector | Others |
| Confederation of Danish Industries, DI | 6,100 Mining: 68 | 370,000 Mining: ND | Mining: 56.2%* | Yes | None | UNICE | None | DA, BIAC, ICC |
| Danish Construction Association, DB | Mining: 11 | Mining: Approx 350-400 | Mining: 9.1% | ND | ND | ND | ND | ND |
| Shipowners' Association of 1895 | ND - But only a few | ND | ND | ND | ND | ND | ND | ND |

* 193 companies in the sector minus 72 without employees (DK statistics) giving 121 potential members. And 68/121 = 56.2%.

⁷⁷ Some enterprises which are members of DI, such as for instance DAMOLIN and Nordisk Gipspladeforening, are members of the European organisation IMA-Europe, through their affiliation to EUBA (European Bentonite Producers Association) and to EUROGYPSUM (Association of European Gypsum Industries). At national level, they are involved in collective bargaining through DI. DANKALK and HUBER ENGINEERED MATERIALS (members of CCA-Europe, Calcium and Carbonate Association, and through this members of IMA-Europe), are not members of DI.

3. DESCRIPTION OF THE SOCIAL DIALOGUE IN THE SECTOR AT NATIONAL LEVEL

The Danish industrial relations system is based on voluntary membership and mutual recognition between employers and employees organisations. The state does not interfere in collective bargaining and collective agreements do not have to be recognised or even registered. The recognition is thus reciprocal and lies in the successful ability to negotiate collective agreements with an equal partner. The Danish industrial relations system was created at the end of the XIX century and the organisations on both sides that were founded and mutually recognised in those days still exist although they have undergone a few changes during the hundred years since then; but basically the structure is the same.

The sectoral social dialogue in the mining and quarrying sector in Denmark takes place between the cartel of CO-industri and DI, and between DB and 3F. There is no tripartite consultation in the sector. Bipartite social dialogue at company level takes place between the employees' trade union representative, the shop steward, and company management. Collective bargaining at company level is linked to the sectoral level through organised (or centralised) decentralisation. CO-I and DI – and DB and 3F - sign a framework agreement containing minimum provisions concerning wages and working time and social issues such as pensions, maternity leave, pay during absence, etc. All provisions are open to bargaining at local level.

3.1. Description of the tripartite concertation in the sector

Tripartite social concertation defined as 'a process in which the state involves workers' and employers' organisations in the policy debate and possibly in decision making' does not take place in the Danish mining sector. As rule tripartite concertations seldom take place in Denmark and when they do, they mostly take place at national level, and not at sectoral level. There is, however, a certain amount of tripartite dialogue taking place at an informal level: the unions and the employers cooperate in organising vocational training in the sector following the instructions of the Ministry of Employment.

3.2. Description of the bipartite social dialogue in the sector

a) At sector level

Collective bargaining in the mining sector is mainly part of large industry bargaining. This means that the DI-member companies and their employees in the sector are covered by the largest sectoral agreement in Denmark, the Industry Agreement, signed between the employees' bargaining cartel, the Central Organisation of Industrial Employees in Denmark, CO-industri, and the employers' association DI.

The Building and Construction Agreement concluded between the Danish Construction Association (DB) and 3F covers the affiliated companies of DB and their employees. The collective agreement between the Shipowners' Association and 3F/Seamen covers a few 'ocean going' companies.

There is no specific obligation to participate in collective bargaining at sector level. It is voluntary, but it is certainly in the interests of the labour market organisations to assert themselves in the social dialogue. There are no conflicts between the players regarding recognition issues.

There is only one agreement in force concerning the mining and quarrying sector onshore – the Industry Agreement, which in total covers 370,000 employees working in the companies affiliated to DI. The Industry Agreement deals with wages, working time, working conditions, continuing training, employees' representation and social issues such as pensions, maternity leave, pay during absence, special holidays, free time in connection with children's hospitalisation, etc. The EU-directives concerning the labour market are implemented in the agreement. The agreement in force was signed in 2004 and runs until 2007.

The types of workers covered by the agreements are skilled and unskilled blue-collar workers, and there is a special part of the agreement concerning salaried employees (white-collar workers). Coverage of the agreement in comparison with the total number of companies in the mining sector is around 60%. The agreement coverage in terms of number of workers is not known – but is estimated by the social partners to be 90%. Union density in general is high in Denmark; the average is around 80%.

Furthermore some 275 seamen work on the vessels.

b) At company level

Collective negotiations at company level take place between the company management and/or owner on the employers' side and the shop steward (the unions' representative) on behalf of the employees. The employers' association is not present during the negotiations but through membership of the association, the employer is guaranteed support and advice in questions

concerning collective bargaining and agreements at local level. In principle, the employer is able to conclude an agreement without needing the formal acceptance of the sector organisation. In practice the employer and the association talk about acceptable wage levels, for instance. It is only in the case of an industrial dispute that the sectoral employers' organisation will represent the employer directly. The number of signed company agreements under the umbrella of the Industry Agreements and the Building and Construction Agreement is not known. There is no obligation in Denmark to report or give information about agreements which have been concluded, but in principle all companies affiliated to an employers' association will negotiate a company agreement after the conclusion of the sectoral agreement.

4. COMMENT

In a European perspective the mining and quarrying sector in Denmark is limited. The activities are concentrated on the extraction of sand, gravel and stone and mainly located in Jutland (North of Denmark). The extracted raw materials are mostly used in the domestic building industry. The sector's share of GDP is low and there are no signs that this balance will change fundamentally. In terms of organisation, the sector mainly belongs to the large industry area. No sector-specific bargaining takes place in mining. Collective bargaining at sector level is conducted between the employees' cartel CO-industri and the Confederation of Danish Industries, DI, for mining onshore and between 3F and Dansk Byggeri, DB, for those working offshore. The mining companies are affiliated to three different trade associations. The predominant union in the sector is 3F consisting mainly of skilled and unskilled workers.

In Denmark the sector level and company level in collective bargaining are linked. First, the sectoral framework agreement, for instance the Industry Agreement, is concluded between the sector organisations. The negotiations then move to company level where the local union' shop steward negotiates wages, working time arrangements, etc. with the management. In recent decades more and more areas of competence in bargaining have been transferred from sectoral to local level, without the bonds being entirely broken. This process is called centralised or organised decentralisation. This practice is also present in the mining sector, where CO-industri negotiates the sectoral Industry Agreement, and the trade union 3F (member of the cartel CO-industri) takes over at local level. DI does not take part directly in company level bargaining.

ESTONIA

Preliminary note:

Although the extraction of oil shale (NACE 11.2: "Service activities incidental to oil and gas extraction") is excluded from the EC cross-country research in mining and quarrying, these activities are discussed in the Estonian report. There are various reasons for their inclusion.

1. Eesti Põlevkivi discussed here in detail, is only involved in the extraction of oil shale rock⁷⁸, but not in extracting energy (gas, oil) from the rock (www.ep.ee). This means that the company can be compared cross-nationally with other companies performing opencast or underground mining of rock.
2. Among several companies operating in the Estonian oil shale mining sector, one state-owned company is clearly the leader and most influential in the mining and quarrying industry. Founded in the early 1920s, this large holding group Eesti Põlevkivi (Estonian Oil Shale)⁷⁹ employs more than 65% of workers employed in the mining and quarrying industry and is responsible for 65% of the industry's output. Trade unions have existed in the company since 1940. In comparison with a large state-owned oil shale company, the other companies representing the industry are small. These companies are involved in the extraction of non-energy producing natural resources, such as limestone, dolomite, sand, gravel, peat and clay. Due to the small size of these companies, trade unions do not exist and the social partnership is evolving slowly.
3. Except for the oil shale sub-sector within the mining and quarrying industry, there are no other sub-sectors in Estonia where trade unions or social dialogue is present. Both workers' and employers' organisations active in social dialogue operate in NACE 11.101 activity field – extraction and enrichment of oil shale. As regards collective bargaining, there is no sectoral collective agreement in the mining and quarrying industry and all signed agreements cover only one single enterprise – Eesti Põlevkivi. Except for Eesti Põlevkivi, there is no significant social partnership evolving in the industry. If this sector were excluded, the survey would omit valuable information on relevant trade union activities, which has long traditions and a volatile history.

1. DESCRIPTION OF THE SECTOR'S CHARACTERISTICS AT NATIONAL LEVEL

1.1. Delimitation and scope of activities in the sector

When reporting the data on the mining and quarrying industry in Estonia, the Statistical Office uses the following groups:

Mining (total)

- a) mining of coal and lignite,
- b) mining and agglomeration of oil shale,
- c) extraction of peat,
- d) other mining and quarrying.

For most of the data only categories (a) and (b) are presented, as well as the total amount for the industry. As the mining and quarrying industry is relatively small in Estonia, and its several fields are dominated by single enterprises, the Statistical Office does not report some of the data for reasons of company confidentiality.

⁷⁸ Oil shale is defined as fine-grained brown to black sedimentary rock (shale, siltstones and marls) containing a large proportion of solid organic matter (kerogen), that will yield liquid or gaseous hydrocarbons upon heating and distillation (Oil Shale, 2004).

⁷⁹ Eesti Põlevkivi consists of the parent company and 3 subsidiaries. In addition to pitches and mines, Põlevkivi Raudtee Ltd. (a railway enterprise) and Mäetehnika Ltd. (mining machinery enterprise) also belong to the group. In their activities, both, railway and mining machinery enterprises support the main activity – mining – of Eesti Põlevkivi.

Both workers' and employers' organisations active in social dialogue operate in NACE 11.101 activity field – the extraction and enrichment of oil shale. As regards collective bargaining, there is no sectoral collective agreement in the mining and quarrying industry and all signed agreements cover only one single enterprise – Eesti Põlevkivi.

1.2. Socio-economic features of the sector

The mining and quarrying industry plays a significant role in the country's economy, since oil shale is the major source of local electrical power. Oil shale is considered to be the most important primary natural resource in Estonia, both in terms of quantities extracted and in terms of economic impact on the Estonian economy. Estonia produces almost 50% of the world's oil shale (Lahererre 2005), whereas more than 90% of local electrical power is produced from oil shale extracted by local companies. The extraction of oil shale has been historically the dominant activity in the mining and quarrying industry in Estonia. If we exclude the activities covered by the NACE 11 sub-sector, then the remaining companies are involved in the extraction of non-energy producing natural resources, such as limestone, dolomite, sand, gravel, peat and clay. Their role in the Estonian economy is marginal. However, in many cases it is complicated to give a numerical estimation of the significance of other sub-sectors in the mining and quarrying industry, as the Statistical Office of Estonia does not publish data by different sub-sectors.

Over the last few years the output of the industry has been stable and its share in the GDP has remained almost constant.

The share of mining and quarrying industry in the GDP has remained constant over the years and is below 1% of total GDP.

Share of the mining and quarrying industry in the Estonian economy, 2000-2005 (million EEK⁸⁰, %)

| Indicator | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 |
|--|-------|-------|-------|----------|----------|----------|
| Total value added (GDP at current prices) of the mining and quarrying industry | 859,3 | 886,3 | 980,7 | 1 144,20 | 1 098,30 | 1 241,30 |
| Share of industry's value added in GDP (%) | 0.9 | 0.8 | 0.8 | 0.9 | 0.8 | 0.8 |
| Share of industry's exports in GDP (%) | 0.4 | 0.4 | 0.5 | 0.6 | 0.6 | 0.4 |

Source: Statistical Office of Estonia, electronic database, www.stat.ee

The industry's shares of net sales and profit in total GDP has remained at 0.5-0.8% over recent years. Net sales in the industry were relatively stable in 2000-2004; the largest growth (11%) was registered in 2003, which was followed by a slowdown of 5% next year. The industry is characterized by significant growth of profit: both in absolute number and as a share in GDP. The mining and quarrying industry is dominated by one public-owned holding group extracting oil shale – Eesti Põlevkivi. The comparison of Eesti Põlevkivi net sales with the net sales of the industry shows that Eesti Põlevkivi's share was 65-75% during the period 2000-2004.

According to the Estonian Institute of Economic Research (Eesti Konjunkturiinstituut-EKI, *Varimajandus Eestis*, 2006), undeclared wages are more widespread in services (43%), construction (20%), trade (12%) and manufacturing (10%). Since the respective data concerning industries is not published by sub-sectors, specific estimates of the underground economy in the mining and quarrying industry cannot be given.

The number of companies in the mining and quarrying industry has been stable over the last few years. The share of the industry's enterprises in the total number of Estonian enterprises is below 1%. In 2000-2004, there were 14-15 companies employing more than 50 people, but the majority of the industry's companies (around 50) employ up to 50 people. The number of large companies decreased from 5 to 2 companies in 2002, which was caused by the restructuring of the largest company in the industry - Eesti Põlevkivi. The subsidiaries of Eesti Põlevkivi are concentrated in North-Eastern Estonia, whereas other much smaller companies involved in extracting sand, limestone etc are spread across the country.

Companies (2004)

| Sub-sectors | Number | of | % companies without | % companies with <10 | % companies with 10-49 | % companies with | % companies with > |
|-------------|--------|----|---------------------|----------------------|------------------------|------------------|--------------------|
|-------------|--------|----|---------------------|----------------------|------------------------|------------------|--------------------|

⁸⁰ The exchange rate is: 1 EUR = 15,6466 EEK.

| | companies | employees | employees | employees | 50-249 employees | 249 employees |
|---|-----------|-----------|-----------|-----------|------------------|---------------|
| Mining of coal and lignite; extraction of peat (NACE 10.1+10.2+10.3) | 34 | ND | 17.6 (6) | 61.8 (21) | 17.6 (6) | 2.9 (1) |
| Extraction of crude petroleum and natural gas; service activities incidental to oil and gas extraction, excluding surveying (NACE 11) | 1 | ND | 0 | 0 | 0 | 100 (1) |
| Other mining and quarrying (NACE 12+13+14) | 33 | ND | 54.5 (18) | 33.3 (11) | 12.1 (4) | 0 |
| Total | 68 | ND | 35.3 (24) | 47.1 (32) | 14.7 (10) | 2.9 (2) |

Note: ND – The Statistical Office of Estonia does not publish data about companies without employees.

Source: Statistical Office of Estonia, electronic database, www.stat.ee

The number of people employed in the industry has decreased by 14% since 2000, amounting to 5,898 employees in 2004 (a decrease of 1,000 during the past five years).

Workers (2004)

| Sub-sectors | Number of self-employed workers in the sector | Number of employees in the sector | Number of employees in the sector/ total number of employees in the country –all sectors- (%) | Number of employees in companies with <10 workers in the sector/ number of employees in the sector (%) | Number of employees in companies with 10-49 workers in the sector/ number of employees in the sector (%) | Number of employees in companies with 50-249 workers in the sector/ number of employees in the sector (%) | Number of employees in companies with >249 workers in the sector/ number of employees in the sector (%) |
|---|---|-----------------------------------|---|--|--|---|---|
| Mining of coal and lignite; extraction of peat (NACE 101+10.2+10.3) | ND | ... | ... | ... | ... | ... | ... |
| Extraction of crude petroleum and natural gas; service activities incidental to oil and gas extraction, excluding surveying (NACE 11) | ND | 3,671 | 0.9 | 0 | 0 | 0 | ... |
| Other mining and quarrying (NACE 12+13+14) | ND | 718 | 0.2 | ... | ... | ... | ... |
| Total | ND | 5,898 | 1.4 | 1.4 | 11.4 | ... | ... |

Note: ND – The Statistical Office of Estonia does not publish data about companies without employees; ... - data is confidential and not reported

Source: Statistical Office of Estonia, electronic database, www.stat.ee

According to the Labour Force Survey data, the majority of workers (around 65%) in the mining and quarrying industry have upper secondary education; approximately 80% of all employees in the industry are men. Since the year 2000, the percentage of people with secondary education has decreased by 10% points (Source: Statistical Office of Estonia, electronic database, www.stat.ee). Compared to the national average wage, wages in the mining and quarrying industry were 24% higher in 2001, but then quickly declined to 108% compared to the national average wage in 2005.

Since the USSR market was closed to Estonian enterprises in 1991, the production of oil shale (NACE 11.101) has been constantly decreasing. During the decline, production has shrunk considerably. The diminishing demand forced Eesti Põlevkivi to close several mines and quarries in 2000-2001. Only since 2000 has production started to grow again. Since oil shale is a major source of electrical energy in Estonia, oil shale extraction quantities are not expected to fluctuate significantly in the next few years.

The mining of carbonate rocks, limestone and dolomite, has been increasing almost constantly. Limestone (NACE 14.12) has become a popular inner and outer decoration material in Estonia. Some of the limestone is exported. Local sand and gravel is used in the construction of buildings and roads. Because the construction sector in Estonia is expanding, it is expected that the production of sand, gravel and limestone will increase in the future. Limestone mining companies usually focus on mining only, whereas for companies extracting sand and gravel, mining is often in support of the main activity – construction (Eesti maapõuekasutuse..., 2001).

Peat (NACE 10.3) is the largest exported item of the mining and quarrying industry. In 2000, the companies changed direction and now focus on selling peat for gardening rather than heating purposes. Unlike the fluctuating production of oil shale, sand, limestone and peat, the amounts of clay extraction are rather stable. Demand for clay (NACE 14.2) is increasing to produce cement, bricks and tiles. Most of the companies operating in the sector are founded by foreign capital, which explains the fact that some of the production is also being exported.

Most of the companies operating in the mining and quarrying industry are private. Despite Eesti Põlevkivi having a complicated privatisation process, it has not been privatised up to now. One of the most problematic areas for the mining and extracting of oil shale is compliance with environmental regulations in terms of water, and the preservation of various flora and fauna species. Mining has caused damage to land, and pollution of water and air. About 7,000 hectares are damaged by mining and quarrying, out of which about 70% is through peat mining, and 15% through oil-shale. Another problem for the mining and quarrying companies is a lack of young engineers in mining to be recruited who are involved in an exchange with older engineers employed by the companies⁸¹.

2. DESCRIPTION OF THE ORGANISATIONS ACTIVE IN THE SECTOR

2.1. Description of the workers' organisations active in the sector

There is no central trade union in Estonia to achieve collective agreements at sectoral level in mining and quarrying. However, as Eesti Põlevkivi employs over 65% of the workers employed in mining and quarrying industry, a large number of employees are influenced by the activities of the Federation of Oil Shale Producers' Trade Unions and its affiliates.

The employees of Eesti Põlevkivi form the largest trade union organisation in the industry. This trade union is the association of several unions, each of which represents the interests of employees working for subsidiaries of Eesti Põlevkivi. The trade union association is called the “**Federation of Oil Shale Producers' Trade Unions**” (Põlevkivitootjate Ametiühingu Liit). At present the association consists of seven officially registered members: mines, quarries and other sub-companies of Eesti Põlevkivi holding group. The Federation (created in 2000) and its affiliates represent employees of Eesti Põlevkivi, they are qualified to prepare and sign collective agreements at company level. The unions are legally recognised and are registered as non-profit making organisations.

Every mine, quarry and other sub-company of Eesti Põlevkivi has at least one trustee who represents the interests of employees in the Eesti Põlevkivi association of trade unions. The association employs 4 people. The members of the trade unions are blue and white-collar employees, and also executives and skilled workers.

The Association of trade unions is a member of the central organisation of trade unions in Estonia – the Confederation of Estonian Trade Unions (Eesti Ametiühingute Keskliit, EAKL). The organisation is a member of ICEM (International Federation of Chemical, Energy, Mine and General Workers' Unions).

⁸¹ In Eesti Põlevkivi, for example, out of 314 people with higher education, 252 are over 40. Only five young (25-30 years old) engineers work for Eesti Põlevkivi. Studying for a degree in mining engineering is not popular among Estonians. Additionally there is the threat that specialists trained by the companies would leave Estonia because of the low salaries compared with European salary levels. To discuss the problems in education, the professional council was formed bringing together three industries: energy, mining and quarrying, and the chemical industry (Mäeinseneride..., 2004).

A small number of the sector's employees are represented in the **Estonian Transportation and Road Workers Trade Union** (Eesti Transpordi- ja Teetöötajate Ametiühing, ETTA). The **Association of Estonian Energy Workers Trade Union** (Energieetikatöötajate Ametiühingute Liit) is a member organisation of the European Mine, Chemical and Energy Workers' Federation (EMCEF). The Estonian Energy Workers Trade Union is the central workers' organisation in the electricity, gas and water supply and its activities are mainly in the energy sector. The activities of these organisations are not directly connected to social dialogue in the mining and quarrying industry.

Workers' organisation(s)

| Organisation (English name) | Members | | Estimated density | Collective Bargaining (Yes/No) | Affiliations | | | |
|--|---|--|-------------------|---|-----------------------|--------|-----------------------|---|
| | Total number of members in the organisation | Number of members who are working in the sector of the Mining and Quarrying Industry | | | European affiliations | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| Federation of Oil Shale Producers' Trade Unions (Põlevikivootajate Ametiühingu Liit) | 4,006 | 4,006 | 0.68 (68%) | No (at sectoral level; only at company level) | - | - | ICEM | Confederation of Estonian Trade Unions (EAKL) |

Source: Interview with Maido Agur (13.06.2006), Statistical Office of Estonia, electronic database (www.stat.ee)

2.2. Description of the employers' organisations active in the sector

There are no employers' organisations in the mining and quarrying sector, acting as a social partner at sectoral level. Instead, there are single companies that are active in social dialogue with their employees. **Eesti Põlevkivi** was founded in 1917 to extract oil shale in North-Eastern Estonia. Since 1991, the holding company has signed 8 bilateral agreements with the company's employees and has sufficient interest to be involved in social dialogue in future. Eesti Põlevkivi has also signed 1 tripartite agreement with the company's employees. However, the company tries to avoid any further cooperation with government when signing collective agreements, because its previous experience was strongly negative. Eesti Põlevkivi is a member of the Estonian Employers' Confederation (Eesti Tööandjate Keskliit, ETTK), which represents employers' organisations at national level.

A small number of employers in the mining and quarrying industry are also represented in organisations such as the **Estonian Association of Construction Enterprises** (Eesti Ehitustevõtjate Liit), the **Estonian Peat Association** (Eesti Turbaliit), and the Eesti Ehitusmaterjalide Tootjate Liit (**Estonian Association of Building Materials Producers**), but the activities of these organisations are not directly connected to social dialogue in the sector or are removed from the core of mining industry.

3. DESCRIPTION OF THE SOCIAL DIALOGUE IN THE SECTOR AT NATIONAL LEVEL

3.1. Description of tripartite concertation in the sector

Tripartism in Estonia is satisfactorily developed only at national level, but the social dialogue at sectoral level is notably less developed. There is no systematic tripartite social concertation in the mining and quarrying industry in Estonia.

The only company that has signed one tripartite collective agreement was Eesti Põlevkivi.

3.2. Description of the bipartite social dialogue in the sector

a) At sector level

In mining and quarrying, bipartite social dialogue is not developed as there are no sectoral level organisations. Continuous social dialogue is characteristic only of one enterprise – Eesti Põlevkivi.

Social partnership and social dialogue at sectoral level is not very common in Estonia. This is evident from the low representation, and often also the institutional and financial shortcomings of the social partners' institutions. Collective agreements on wages and working conditions are only negotiated in a limited number of sectors and companies. There are only a few conventional sector-based collective agreements, as they exist in the old EU member states, in Estonia (there are two valid sectoral collective agreements– one in healthcare and one in the transport sector). The social partners have had to organise themselves first at national level in order to take part in central consultation and negotiations to act as a partner for the government.

b) At company level

The only parties active in negotiating and signing collective bargaining agreements in the sector are Eesti Põlevkivi and the Federation of Oil-Shale Producers' Trade Unions which represents the employees of Eesti Põlevkivi.

At company level, eight bipartite social bargaining agreements have been signed since 1991. The duration of the first six agreements (enforced in 1991, 1993, 1995, 1997, 1999, and 2001) was two years; the duration of the last two agreements (enforced respectively in 2003 and 2006) was 3 years. All three agreements covered the following domains: salaries, healthcare at work and job safety, method of calculating length of service, employment and training.

Eesti Põlevkivi enterprise and trade unions are not interested in cooperation in social bargaining with other companies operating in the sector: the remaining companies are relatively small in comparison to Eesti Põlevkivi and their operating field is rather different.

4. COMMENT

There are no social partners in the conventional sense at sectoral level in mining and quarrying. The only company where employees are represented in a trade union is Eesti Põlevkivi. The company's trade unions have a long tradition of representing employees' interests, but it was not until 1991 that the first bipartite social agreement was signed with Eesti Põlevkivi. In the other companies in the sector, social dialogue is not developed.

5. LIST OF ABBREVIATIONS

Association of Estonian Energy Workers Trade Union, Energeetikatöötajate Ametiühingute Liit

EAKL Confederation of Estonian Trade Unions, Eesti Ametiühingute Keskliit

EKI Estonian Institute of Economic Research, Eesti Konjunkturiinstituut

Estonian Association of Building Materials Producers, Eesti Ehitusmaterjalide Tootjate Liit

Estonian Association of Construction Enterprises, Eesti Ehitusettevõtjate Liit

Estonian Peat Association, Eesti Turbaliit

ETTA Estonian Transportation and Road Workers Trade Union, Eesti Transpordi- ja Teetöötajate Ametiühing

ETTK Estonian Employers Confederation, Eesti Töoandjate Keskliit

FINLAND

1. DESCRIPTION OF THE SECTOR'S CHARACTERISTICS AT NATIONAL LEVEL

1.1. Delimitation and scope of activities in the sector

The Finnish Mining and quarrying sector corresponds to activities included in the NACE classification, but there is no mining of coal and lignite (NACE 10) and of uranium and thorium ores (NACE 12) and production of salt in the mining and quarrying sector in Finland. Thus the following table includes the sub-sectors: NACE 13: Mining of metal ores; NACE 14 Other Mining and Quarrying (NACE 14.1 Quarrying of rock stone, NACE 14.2 Quarrying of sand and clay and NACE 14.5 Other Mining and Quarrying).

1.2 Socio-economic features of the sector

In 2004, total employment in mining and quarrying was 0.73 % of industrial employment and 0.13 % of total employment in Finland. The sector accounted for 0.21 % of national gross value added, 0.82 % of value added in industrial production and 0.1 % of Finnish industrial exports. The mining and quarrying sector produces mostly for domestic markets. Only 12 % of the gross value of production is exported. There are significant exports only in the sub-sector quarrying of rockstone (share of exports 26 %) and in the sub-sectors of chemical and fertilizer minerals and other mining and quarrying (share of exports 36 %).

Most (44 %) of the value added is generated in the sub-sector (NACE 14.2) quarrying of sand and clay and in the sub-sectors mining of chemical and fertilizer minerals (14.3) and other mining and quarrying (NACE 14.5).

Metal mining has been an important foundation for industrialization in Finland. Production has been decreasing since a peak in 1980 (10 million tons) and since 1995 has been around 3.5 million tonnes. At the same time, employment has decreased much faster than the amount of production. In 2004, employment was about 90 % less than in 1980.

Employment and establishments in the mining of metal ores.

| Year | Employment | Establishments |
|------|------------|----------------|
| 1980 | 4,680 | 13 |
| 1986 | 2,610 | 8 |
| 1990 | 1,357 | 7 |
| 1995 | 620 | 8 |
| 2000 | 669 | 9 |
| 2004 | 535 | 14 |

Source: Statistical yearbook of Finland. Statistics Finland. Enterprises 2004. Statistics Finland. Suomen yritykset 2004. Tilastokeskus.

Employment in metal mining has declined for many reasons during the last 25 years. Firstly, the amount of production is only one third compared to level of production in 1980. Secondly, the development of mining technology has decreased the demand for labour. Thirdly, mines use more subcontracting, for instance in building tunnels and in transporting extracted material. This subcontracted manpower is not included in the mining and quarrying sector statistics.

Nowadays, there are four major metal companies, whose personnel accounted for 90% of employment in metal mining in 2004. Three of these companies are foreign-owned and the fourth enterprise is Outokumpu, the traditional and major player in the Finnish mining industry. Finnish bedrock contains many interesting ore deposits and a healthy revitalisation of Finnish metal mining is well underway. Exploration of metal ores has been most intensive in Finland out of the whole of Europe during the last few years.⁸²

⁸² At least two metal ore mines will be opened in the next few years and employment in metal mining will double. In Northern Finland Agnico-Eagle Mines Limited has just opened the largest cold mine in Europe. According to information from the Association of Finnish Extractive Industries about ten enterprises are ready to make a decision about opening a mine in one and half year's time and about 5 decisions will lead to the opening of a mine. There are several reasons for

Blue-collar workers in metal mines have typically a lowest level tertiary education in the mining field. This education was finished in the end of eighties, when there was little need for recruits as many metal mines were closed down. The very few new blue-collar workers acquired their skills as apprentices. White-collar workers in the sub-sector have typically a lowest level tertiary education. Even this education was radically decreased when the declining development of metal mining was seen in the eighties. During the last couple of years the ageing of employees and the revitalisation of metal mining has caused a shortage of white-collar workers. Public authorities have started the vocational training of miners in Northern Finland and other measures are also planned in order to eliminate the shortage of skilled employees in metal mining.

The great majority of enterprises in the mining and quarrying sector consist of enterprises working in the sub-sector quarrying of sand and clay. These extracted materials are used mostly as raw material for the construction of roads and buildings. The enterprises in the sub-sector are mostly small. There is only one medium-sized enterprise (144 SW). The quarrying of stone (mostly ornamental and building stone) has been practiced in Finland for over one hundred years. There are 64 enterprises mostly situated in the countryside of Northern and Eastern Finland. Finland holds position number one as producer of soapstone and Finnish granite is well known in the building sector in Europe.

The quarrying of industrial minerals is nowadays a significant branch of industry in Finland. The branch includes the following sub sectors: Industrial Quarrying of limestone (14.12), mining of clays and kaolin (14.22), mining of chemical and fertilisers minerals (14.30) and other mining and quarrying (14.50). Industrial minerals have a wide range of usages. The amount of extracted industrial minerals was about 12 million tons in 2004, about 400 per cent greater than in 1980. The mining of industrial minerals will increase further in the next ten years. Finland holds position number in Europe as a producer of wollastonite and talc. The only mine in Europe extracting natural phosphates is situated in Siilinjärvi, Eastern Finland. Only one of the most important Finnish enterprises extracting industrial minerals (Nordkalk, Kemphos, Mondo Minerals) is included in the mining and quarrying sector by Statistics Finland. The other two enterprises are not included in the mining and quarrying sector, because their main sector of economic activity is something else, in this case the chemical industry and manufacturing of lime. Nordkalk is affiliated to CCA-Europe and Mondo Minerals to Eurotalc.

Most blue-collar workers in the sub-sectors quarrying of stone (14.1), sand and clay (14.2), mining of chemical and fertilizer minerals (14.3) and other mining and quarrying are workers in earth-moving companies. In addition earth-moving companies work as subcontractors in these sub-sectors. It is difficult to tell the exact number of earth-moving firms and their labour force working in mining and quarrying, because Statistics Finland does not include subcontracting earth-moving companies in the mining and quarrying sector. Even the other earth-moving firms working in the mining and quarrying sector are not included in the sector, if their main branch of economic activity is something other than mining and quarrying. Statistics Finland underestimates to a large extent employment in the mining and quarrying sector. The great majority of blue-collar and white-collar workers in the sector other than mining and quarrying have learned their skills on the job. There have no training especially for mining and quarrying. There is very little training for mining and quarrying tasks in secondary level education institutions, which train youngsters for earth-moving and construction occupations. There is very little training for mining and quarrying tasks even in the tertiary level education institutions of construction.

Companies (2004)

| Sub-sectors | Number of companies | % companies without employees | % companies with <10 employees | % companies with 10-49 employees | % companies with 50-249 employees |
|-------------|---------------------|-------------------------------|--------------------------------|----------------------------------|-----------------------------------|
|-------------|---------------------|-------------------------------|--------------------------------|----------------------------------|-----------------------------------|

the revitalisation of metal mining in Finland. Firstly, the prices of metal ores have risen to record levels. Prices have gone up because the rich metal deposits around the world have been almost wholly depleted and there is a rising demand for metals by the fast-growing Asian countries, especially China and India. Secondly, the Finnish bedrock is seen as very interesting by the industrial mine industry. Thirdly, the Finnish mining sector was opened to foreign companies in 1994. The new legislation made it possible for foreign firms to explore the Finnish bedrock and establish mines. Furthermore, there is a good infrastructure for exploration activities in Finland. Foreign firms are surprised by the extraordinarily good conditions: They can find metal ores in sparsely populated areas. However there are good roads to the areas of potential mine sites and plenty of knowledge for researching the findings. Before 1994 the mining of metal ores was almost a monopoly of the two state-owned mining companies, Outokumpu and Rautaruukki. These two companies and Geologian tutkimuskeskus (GTK, Geological survey of Finland) were the major players responsible for exploring the Finnish bedrock. Private persons and enterprises had a minor role both in exploration and mining.

| | | | | | |
|-----------|-----|----|----|----|-----|
| ONACE 13 | 12 | 17 | 33 | 33 | 17 |
| NACE 14 | 414 | 40 | 49 | 10 | 1 |
| NACE 14.1 | 64 | 33 | 53 | 11 | 3 |
| NACE 14.2 | 338 | 42 | 47 | 11 | 0.3 |
| NACE 14.5 | 12 | 25 | 58 | | 17 |

Source: enterprises 2004. Statistics Finland (Unpublished tables).

Workers (2004)

| Sub-sectors | Number of self-employed workers in the sector | Number of employees in the sector | Number of employees in the sector/ total number of employees in the country –all sectors- (%) | Number of employees in companies with <10 workers in the sector/ number of employees in the sector (%) | Number of employees in companies with 10-49 workers in the sector/ number of employees in the sector (%) | Number of employees in companies with 50-249 workers in the sector/ number of employees in the sector (%) |
|-------------|---|-----------------------------------|---|--|--|---|
| NACE 13 | ND (2) | 444 | 0.19 | 2 | 25 | 73 |
| NACE 14 | ND (165) | 1,885 | 0.79 | 26 | 43 | 31 |
| NACE 141 | ND (21) | 405 | 0.17 | 18 | 34 | 48 |
| NACE 142 | ND (141) | 1,229 | 0.52 | 33 | 55 | 12 |
| NACE 145 | ND (3) | 252 | 0.11 | 5 | 0 | 95 |
| Total | ND (167) | 2,329 | 0.99 | 22 | 39 | 39 |

Source: enterprises 2004. Statistics Finland (Unpublished tables).

ND: No data. Statistics Finland does not provide adequate information on the number of self-employed workers. The figure in parentheses is the number of companies without employees. However all self-employed persons are not included in the number. The number does not include those self-employed workers whose income consists of the wage they pay themselves. They are regarded as employees by the authorities.

The “*extractive industries*” sector is a small but substantial part of the Finnish Economy. The extractive industries are defined as consisting of five major sectors (Metal mining, Aggregates, Dimensional Stones, Industrial minerals, Equipment manufacturers and service sector). Metal mining includes metal mining companies and their subcontractors working at mines. In Finland the most important industrial minerals produced are apatite for fertilisers in agriculture, limestone (carbonate rocks) for metallurgical purposes (steel industry), and as a paper additive and talc as a paper chemical. Aggregates are granular material used in construction. Aggregates may be natural, artificial or recycled. The most common materials are natural sand and gravel and crushed rock. Aggregates are mainly used for the construction of roads and buildings. Dimensional stone is natural rock quarried, selected, trimmed and cut to meet specific requirements of shape or size. The Finnish dimensional stone industry satisfies mainly the demands of the construction industry for interior or exterior purposes and dimensional stones are also used for monuments and as surface coverage on roads and pathways as well as for bridges and landscaping.

The group of companies included under the heading equipment manufacturers and service sector is diverse. It ranges from producers of heavy machinery and equipment specialists and university research departments to consultants and contractors in the exploration sector. The common denominator is that they are all delivering goods and services to the mining sector whether these are metals, industrial minerals or dimensional stones and aggregates. These support industries are today the most important part of the mining cluster in Finland. Most of the production is exported.

The extractive industries accounted for around 1.5 % of total industry exports in 2000. Value added was 1.8 % of total value added in all industry and investments, similarly 1.8 % of all industrial investments⁸³.

The number of people employed in the mining cluster is much greater than in the mining and quarrying sector (NACE 13-14) for three reasons. Firstly, even the subcontractors working in the mining and quarrying sector and enterprises delivering other services and goods (for instance equipment) to the mining and quarrying sector are included in the cluster. NACE classification does not include subcontractors and services in the mining and quarrying sector. Secondly, mineral prospecting is not included in the mining and quarrying sector in the NACE classification. Thirdly, part of the refinement of extracted minerals - manufacturing of plaster (NACE 26.53), manufacturing of lime (26.52), cutting, shaping and finishing of stone (26.70) - is included in the mining cluster.

The extractive industries produce some finished goods but mostly semi-finished goods, which feed into other industrial sectors: basic metals, fabricated metals, chemicals, dyes and pigments, inorganic chemicals, fertilisers, rubber and plastics and non-metallic mineral products. These are the major downstream industries of the Finnish extractive industries. The downstream industries employed 211,000 persons or 39% of the total number of employees in Finnish industry in 2000. Value added by these downstream industries was 34 % of the total value added in all industry.

Employment and turnover in sub-sectors of the mining cluster (extractive industries) in Finland in 2004.

| | Employment | Turnover (million euros) |
|-------------------------|------------|--------------------------|
| Metal mining | 940 | 260 |
| Industrial minerals | 1,100 | 360 |
| Aggregates | 3,000 | 500 |
| Dimensional stone | 2,000 | 200 |
| Mineral prospecting | 400 | 30 |
| Equipment manufacturers | 4,000 | 900 |
| Service sector | 2,000 | Difficult to estimate |
| Total | 13,400 | > 2,300 |

Source: The Finnish Extractive industries. Memorandum for the Finnish Government. Ministry of Trade and Industry, February 2006.

2. DESCRIPTION OF THE ORGANISATIONS ACTIVE IN THE SECTOR AT NATIONAL LEVEL

Employers' and waged workers' organisations do not correspond to the NACE classification. The bargaining fields of labour market associations and collective agreements cover a much wider area of economy than the mining and quarrying sector. There is only one collective agreement especially for the mining and quarrying sector, the collective agreement for blue-collar workers of metal mines.

2.1. Description of the workers' organisations active in the sector

a) *Metallityöväen liitto (Metal Workers' Union)*

Most of the blue-collar workers in the metal mining enterprises are organized under the Metal Workers' Union, which is the most important blue-collar union in Finland. The union was founded in 1899 and it now has 166,750 members. Almost all blue-collar workers in metal mines are members of the Metal Workers' Union.

⁸³ Socio-Economic impacts of the Finnish Extractive Industries. A summary of the report "Socio-Economic Impacts of the Finnish Extractive Industries" by the Raw Materials Group (www.rmg.se), January 2002.

b) Toimihenkilöunioni TU (Union of Salaried Employees TU)

Lower-level white-collar workers are organized under the Union of Salaried Employees. The Union was founded in 2001 when three white-collar unions merged into the single trade union. The membership totals 127,000 and the union concludes 43 collective agreements in the service and industry sectors. It is affiliated to the Finnish confederation of Salaried Employees (STTK) and through this affiliation to the European Trade Union Confederation, ETUC. It is also a member of the EMCEF and EFBWW. The union has an unknown number of members in the whole mining and quarrying sector. The Union of Salaried Employees does not register the main field of activity of their members so accurately that it would know how many members it has in the whole mining and quarrying sector. There is a maximum of 130 members in the metal mines. This estimate is based on the number of all white-collar workers employed by metal mines.

c) Rakennusliitto (Construction Workers' Union)

The Construction Workers' Union is the major blue-collar labour market organisation in the following sub-sectors, quarrying of stone (14.1), sand and clay (14.2), mining of chemical and fertilizer minerals (14.3) and other mining and quarrying (14.5). In these sectors most blue-collar workers are construction workers who are employed by earth-moving companies. In addition earth-moving companies work as subcontractors in these sub-sectors. It is difficult to tell the exact number of earth-moving firms and their workforce working in mining and quarrying, because Statistics Finland does not include subcontracted earth-moving companies in the mining and quarrying sector. Even the other earth-moving firms working in the mining and quarrying sector are not included in the sector, if their main branch of economic activity is something other than mining and quarrying.

The Construction Workers' Union does not know how many members it has in the field of mining and quarrying, because these construction workers are covered by the collective agreement for whole sector of earth-moving and the Union does not have a register of members working in the mining and quarrying sector. The Construction Workers' Union has approximately 7,000 members in the bargaining field of earth-moving. Density is about 70 – 80%.

d) Ylempien toimihenkilöiden neuvottelujärjestö, YTN (Federation of Professional and Managerial Staff)

In metal mining the upper-level white-collar workers are organized in associations, which are affiliated to the Federation of Professional and Managerial Staff. These associations total about 50,000 members in Technology industries and about 50-80 members in the metal mines. There were only 369 blue-collar workers and 169 white-collar workers in metal mines in 2004. The upper-level white-collar workers in metal mines are covered by the collective agreement signed by Federation of Professional and Managerial Staff and Technology Industries of Finland. Upper-level white-collar workers do not have a collective agreement in any other sub-sector of mining and quarrying.

e) Sähköliitto (Finnish Electrical Workers' Union)

Furthermore, metal mining companies employ about 30-40 electricians, who take care of some of the maintenance tasks in the mines. In some mines these electricians are organized under the Metal Workers' Union and in other mines under the Finnish Electric Workers' Union (Sähköliitto). Almost all electricians working in metal mines are members of these two trade unions. There are even members of the Construction Workers' Union working in metal mines, because earth-moving enterprises work as subcontractors in many phases of the mining processes.

f) Kemianliitto (Union of Chemical Workers)

The Union of Chemical Workers plays a minor role in the mining of chemical and fertilizer minerals (14.3) and other mining and quarrying (14.5). There are two open cast mines, where the chemical processing of the extracted minerals starts at concentrating plants situated at the mine states. Both of these mines are owned by chemical industry companies (the first by Mondo Minerals and the second by Kemphos). At Siilinjärvi Kemphos mine chemical workers even quarry the minerals. At both mine sites the crushing and transporting of extracted minerals is done by an earth-moving firm. The collective agreement for blue-collar workers in the basic chemical industry is applied to the workers employed by Mondo Minerals and Kemphos. These companies are on the borderline between the chemical industry and the mining and quarrying sector and they are affiliated to both the Chemical Industry Federation of Finland and to the Association of Finnish Extractive Resources Industry.

Trade Unions

| Organisation (English name) | Members | | Estimate of density | Collective Bargaining ² (Yes/No) | Affiliations | | | |
|---|---|---|------------------------|--|--------------------------|--------|--------------------------|---------|
| | Total number of members in the organisation | Number of members who are working in the Mining and Quarrying Industry sector | | | European affiliations | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| Metal Workers' Union | 166,750 | 320 | 95% | Yes (in metal mining) | - | - | - | IMF, NM |
| Union of Salaried Employees | 127,000 | ND | 80% | Yes | EMCEF | EFBWW | - | - |
| Construction Workers' Union | 7,000 | ND | 80% | Yes | EMCEF | ETUC | - | IFBWW |
| Federation of Professional and Managerial staff | 113,000 | 50-80 | ND | Yes (in metal mining) | EMCEF | - | - | - |
| Finnish Electrical Workers' Union | 32,000 | Maximum 50 | 90% | Yes (in metal mining) | EMCEF | - | - | - |
| Chemical Workers Union | 49,000 | 85 | 95% | Yes (in Nace 14.3., 14.5) | EMCEF | - | - | ICEM |

Source: Member registers of the trade unions and estimates of density by trade union officials

Note: The Federation of Professional and Managerial Staff currently has no individual members, but the associations affiliated to the Federation have a total of 113,000 members. The Federation is not a member of EMCEF, but the associations affiliated to the Federation are members of EMCEF.

2.2. Description of the employers' organisations active in the sector

a) *Teknoliateollisuus (The Technology Industries of Finland)*

In the metal mining sector there is only one employers' labour market association, the Technology Industries of Finland. Its predecessor, the Association of the Finnish Metal Industry, was founded in 1908. The association changed its name to the Technology Industries of Finland in 2002. Over one thousand (1,131) enterprises are affiliated to the association. The members represent the interests of the companies working in the following sectors: mining of metal ores (NACE 13), manufacture of basic metals and fabricated metal products (NACE 27 and 28), manufacture of machinery and equipment (NACE 29), manufacture of electrical and optical equipment (NACE 30, 31, 33) and manufacture of transport equipment (NACE 34, 35). These sub-sectors account for 44% of turnover, 59% of exports, 46% of personnel and 84% of research and development in Finnish Industry. The technology industry is the largest industrial branch in the Finnish economy. The enterprises affiliated to The Technology Industries of Finland employ 86,690 blue-collar workers and 75,885 white-collar workers. The 4 member enterprises in metal mining employ about 90% of the personnel in metal mining. Seven branch associations are affiliated to the Technology Industries of Finland. The Association of Finnish Extractive Resources Industry (FAERI) is one of these branch associations. FAERI is not a labour market association, but an interest organisation of the enterprises in the Finnish mining cluster. FAERI is affiliated to EUROMINES.

b) Suomen Maarakentäjien Keskusliitto (The Central Association of Earth-moving Contractors in Finland)

In sub-sector 14, other mining and quarrying, employer interests concerning labour market issues are represented mostly by Suomen Maarakentäjien Keskusliitto (the Central Association of Earth-moving Contractors in Finland), which was founded in 1954. The Federation had a total of 1,627 members in 2004. It is difficult to estimate how many of these enterprises were actually working in the mining and quarrying sector. However, the figures in the next table are an indication.

Members of the Central Association of Earth-moving Contractors in Finland by main and special sector of activity in 2004

| | Main activity | Special activity |
|--|---------------|------------------|
| Renting the machine (e.g. a digger, dumper truck) and a driver to another firm | 741 | |
| Earth-moving | 862 | |
| Crushing | 80 | |
| Quarrying, blasting | 224 | |
| Renting a crane vehicle and a driver | 88 | |
| Open bit quarrying | | 117 |
| Quarrying of tunnels | | 5 |
| Services for mines and other industries | | 122 |
| Rock reinforcement | | 31 |

Source: The member registers of the Central Association of Earth-moving Contractors in Finland.

Supplementary note: In the column Special activity, only those activities which might be directly involved with mining and quarrying are listed. Altogether 30 special activities are mentioned in the summary table of the member register of the Central Association of Earth-moving Contractors in Finland.

It should be emphasized that numbers are really only indicative, because similar tasks (crushing, quarrying, blasting, rock reinforcement, quarrying of tunnels) may be done both at road construction sites and mining. The terms "open bit quarrying" and "services for mines and other industries" are most unambiguous. However, there is still another problem in estimating the number of earth-moving firms involved in mining and quarrying. The same firm can be involved in many special activities. So adding together the numbers of firms involved in these activities does not give the correct total.

c) Rakennusteollisuus ry (The Confederation of Finnish Construction Industries)

Rakennusteollisuus ry (The Confederation of Finnish Construction Industries) is the joint interest organisation of building contractors, special contractors and the construction product industry. About 2000 companies are organised into the Confederation of Finnish Construction Industries and these companies employ close to 50,000 people. The confederation and its branch associations (among others the Central Association of Earth-moving Contractors in Finland) negotiate the collective agreement for most white-collar workers in the construction field. This agreement covers even the white-collar workers of the sub-sector 14, other mining and quarrying.

d) Rakennustuoteteollisuus ry (The Finnish Association of Construction Product Industries) and Kiviteollisuusliitto ry (The Finnish Natural Stone Association)

Rakennustuoteteollisuus ry (The Finnish Association of Construction Product Industries) and Kiviteollisuusliitto ry (The Finnish Natural Stone Association) are branch associations of the Confederation of Finnish Construction Industries. The Finnish Association of Construction Product Industries represents, among others, the interests of enterprises working in the sub-sector, dimensional stone (quarrying of ornamental and building stone and the refinement of quarried stone). The enterprises working in the sub-sector have their own association The Finnish Natural Stone Association (Kiviteollisuusliitto), but the Finnish Association of Construction Product Industries negotiates the collective agreement for both blue-collar and white-collar workers in the sub-sector, dimensional stone. The Finnish Natural Stone Association has its representative in the negotiation delegation of the Finnish Association of Construction Product Industries. The Finnish Natural Stone Association had 76 member enterprises and they employed 1,215 employees in 2006. Rakennustuoteteollisuus ry (Finnish Association of Construction Product Industries) had 111 member enterprises and they employed 8,956 in 2006.

e) Kemianteollisuus ry (The Chemical Industry Federation of Finland)

The labour market association of the chemical industry, the Chemical Industry Federation of Finland, plays a minor role in mining and quarrying. There are two open cast mines, which are owned by two enterprises affiliated to this association. These two establishments employ altogether 160 persons and the collective agreements of the chemical industry are applied to these employees. The two companies owning these two establishments are on the borderline between the chemical industry and mining and they are also affiliated to the Association of Finnish Extractive Resources Industry (FAERI).

Employers' organisations

| Organisation (English name) | Members | | Estimate of density | Collective Bargaining (Yes/No) | Affiliations | | | |
|--|--|---|--|--------------------------------------|--------------------------|-------------------------------|--------------------------|--------|
| | Total number of companies that are members of this organisation | Total number of workers working in companies which are members of this organisation | | | European affiliations | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| Technology Industries of Finland | 1,131 of which 4 are metal mining firms) | 162,575 (400 in metal mines) | <i>10 % in the whole technology industry and 33 % in metal mining,</i> | Yes | EUROMINES | CEEMET, EICTA, ORGALIME | - | - |

| | | | | | | | | | |
|--|-------|--------|----------------------------------|-----|----------|------------------|------|---|--|
| The Central Association of Earth-moving Contractors in Finland | 1,627 | 9,649 | ND (mining and quarrying sector) | Yes | - | UEPG, NSG | EDA, | - | - |
| The Confederation of Finnish Construction Industries | 2,000 | 50,000 | ND (mining and quarrying sector) | Yes | | FIEC EIC | | - | The Confederation of Finnish Construction Industries |
| The Finnish Association of Construct Product Industries | 111 | 8,956 | ND (mining and quarrying sector) | Yes | | | | | |
| The Finnish Natural Stone Association | 76 | 1,215 | ND (mining and quarrying sector) | No | Eurorock | | | | |
| Chemical Industry Federation of Finland | 280 | 38,000 | 90 % in the chemical industry | Yes | - | CEFIC L' ECEG | | - | - |

Sources:

Membership register of Technology Industries (1,131 members) and the Enterprises 2004, Statistics Finland (for number of enterprises, 11,221, in technology industries).

Memberships register of The Central Association of Earth-moving Contractors in Finland.

Website of the Chemical Industry Federation of Finland (www.chemind.fi)

3. DESCRIPTION OF THE SOCIAL DIALOGUE IN THE SECTOR AT NATIONAL LEVEL

At national level, collective bargaining can be settled at 2 levels:

- Level 1. Income policy agreement negotiated and signed by confederations of employers and workers. The state is the third party in the preparation of income policy agreements. It does not take part in the negotiations, but it has an impact on negotiations by its policies, for instance reduction of taxes and social policy reforms if the parties manage to reach an agreement, which is considered appropriate by government. Income policy agreement has been concluded in Finland since 1968 and in most bargaining rounds confederations of labour market parties have managed to reach such an agreement. Income policy agreement is a labour market policy matter and framework agreement. It has no legal validity. It is up to labour market organisations at sectoral level whether they decide to join the income policy agreement.
- Level 2: Collective agreements are negotiated and signed by the labour market organisations at sectoral level, even if they decide to join the agreement. An income policy agreement sets a tight framework for wage increases and it does not pay attention to particular problems of different sectors of the economy. For this reason all trade unions and employers' associations do not join income policy agreements. In all bargaining some trade unions and employers' associations negotiate collective agreements outside the framework of the income policy agreement. For instance, in the last bargaining round in 1995, the Construction Workers' Union did not join the income policy agreement. There will be no income policy agreement if the most significant labour market associations in the Finnish economy decide to opt out. Without the consent of the Technology Industries of Finland or the Metal Workers' union the income policy agreement is practically impossible.

3.1. Description of the tripartite negotiations in the sector

Tripartite social dialogue takes place almost totally within the framework of income policy. At sectoral level there is tripartite dialogue only in matters of vocational education. This description also applies to the mining and quarrying sector.

3.2. Description of the bipartite social dialogue in the sector

There are eight collective agreements applied in the mining and quarrying sector. All of the agreements except one are negotiated within the framework of the latest income policy agreement concluded in 2005. The exception is the collective agreement for blue-collar workers in the bargaining field of earth-moving.

a) At sector level

The collective agreement for blue-collar workers in metal mines is almost the same as the collective agreement for blue-collar workers in the technology industries. However, the miners get some extra benefits because of the special conditions of mines. Blue-collar and lower level white-collar employees working permanently underground are entitled to so-called mine compensation (126 cents per hour for blue-collar workers and 213 euros per month for white-collar workers) and they do the shortest weekly working time (34.9 hours) in Finnish industry⁸⁴. The physical conditions are also taken into account in the wage system of the technology industries. Employees working permanently underground also get higher wages than others for this reason. The average hourly wage of blue-collar workers doing normal working time was 17.53 euros in metal mines and 13.35 in all technology industries in 2005. Blue-collar workers in metal mines earn significantly higher wages than blue-collar workers in Finnish industry on average (13.03 euros in 2005)

Blue-collar workers in earth-moving have some extra benefits for working hours spent in building underground tunnels. The hourly compensation is 1.05 euros for blue-collar workers. Lower level white-collar workers earn 10 % extra compensation for working hours spent in building tunnels. In addition blue-collar workers doing underground work get a little more time off than other workers. White-collar workers are not entitled to these benefits in the bargaining field of earth-moving⁸⁵. The average hourly wage of blue-collar workers doing normal working time in the bargaining field of earth-moving was 12.03 euros. In the mining and quarrying sector, blue-collar workers earned a little bit more because they did more piece-work than other blue-collar workers in earth-moving. The wage level is about the same as in Finnish industry on average.

All the collective agreements valid in the mining and quarrying sector concern among other things: wages and salaries, wage structures, pay periods, forms of payment of wages, daily allowances, daily benefits, travelling benefits, sickness leave, working time and different forms of working hours, flexible working hours, resting periods, overtime work etc. maternity leave and allowances, medical care, occupational health and safety, insurance, holidays, shop stewards, safety delegates, collection of membership fees, local social dialogue and local agreements, professional training, in-company training, rationalization, information etc.

The negotiation atmosphere between the parties nowadays is businesslike and reasonable in all these bargaining fields. The relationships between the parties have significantly improved especially in the technology and construction industries during the last twenty years. In the 1970s and early 1980s, Finland was one of the most strike-prone countries of the western market economies and the bargaining areas of the technology and construction industry were most confrontational with hundreds of wild-cat strikes per year.

Nowadays wild-cat and other strikes are so rare that the shop stewards at work-places and the bargaining officers at the headquarters of trade unions have difficulty recalling when the last wild-cat strike or national strike took place. The technology industry was a forerunner in improving negotiation relations. Relations started to get better in late 1980s and the serious economic crisis of the early 1990s did not prevent this development. Maybe it even speeded it up in a positive way. The parties were already beginning to talk about "continuous negotiations" in the late 1980s. Since the late 1990s even the parties in the construction and chemical industry have used this concept. The concept "continuous negotiations" highlights the importance of ongoing debate between the parties. Serious discussion should take place even between the bargaining rounds in order to solve problems and prepare new solutions before the next bargaining round and collective agreement. An important part of the continuous negotiations is the bipartite task groups agreed and set up by the parties within the collective agreements. Sometimes the task groups are even able to conclude an agreement before the new bargaining round and new collective agreement. In any case, these task groups are an instrument of dialogue and they help to reach an

⁸⁴ Upper-level white-collar workers do not get these benefits.

⁸⁵ The collective agreements of the chemical industry do not even mention this kind of benefit, because it is really an exception that the employees do mining tasks.

agreement in bargaining rounds. In the latest collective agreement the parties in the technology industries set up task groups concerning working time practices, pay systems and work system innovation and experiments. The negotiation processes and mechanisms within the technology industries have been a kind of model and a good example for other trade unions, among others, the Construction Workers' Union and the Chemical Unions.

Collective agreements (CA) in the field of mining and quarrying (MQ)

| Collective agreement | Period of validity | Coverage(Persons) Collectively Binding yes / no | Negotiation party, employees | Negotiation party, Employers |
|--|-----------------------|--|---|---|
| CA for blue-collar workers in metal mines | 16.2.2005 – 30.9.2007 | 350 Yes | Metal Workers' Union | Technology Industries of Finland |
| CA for white-collar workers in the technology industries | 16.2.2005 – 30.9.2007 | 30,000 (maximum 130 in metal mines) Yes | Union of Salaried Employees | Technology Industries of Finland |
| CA for upper-level white-collar workers in the technology industries | 16.2.2005 – 30.9.2007 | 50,000 (maximum 50 in metal mines) Yes | Federation of Professional and Managerial Staff | Technology Industries of Finland |
| CA for electricians in the technology industries | 16.2.2005 – 30.9.2007 | 2,700 (maximum 30 in metal mines) Yes | Finnish Electrical Workers' Union | Technology Industries of Finland |
| CA for blue-collar workers in earth-moving | 4.4.2005 – 29.2.2008 | 10,000 (ND of MQ) Yes | Construction Workers' Union | The Central Association of Earth-moving Contractors in Finland |
| CA for white-collar workers in construction | 16.2.2005 – 30.9.2007 | 6,200 (ND of MQ) Yes | Union of Salaried Employees | The Central Association of Earth-moving Contractors in Finland, The Confederation of Finnish Construction Industries RT |
| CA for blue-collar workers in dimensional stone industry | 5.4.2005 – 29.2.2005 | 2,000 Yes | Construction Workers' Union | The Finnish Association of Construction Product Industries |
| CA for white-collar workers in Construction Product Industries | 16.2.2005 – 30.9.2007 | 1,900 (ND of MQ) Yes | Union of Salaried Employees | The Finnish Association of Construction Product Industries |
| CA for blue-collar workers in the basic chemical industry | 16.2.2005 – 30.9.2007 | 6,000 (maximum 85 in MQ) Yes | Chemical Workers Union | Chemical Industry Federation of Finland |
| CA for white-collar workers in the chemical industry | 16.2.2005 – 30.9.2007 | 15,000 (maximum 70 in MQ) Yes | Union of Salaried Employees | Chemical Industry Federation of Finland |

b) At work-place level

The terms of employment are mostly regulated by national collective agreements. However, since the early 1990s bargaining at work-place level and local agreements have become more important in Finland. In many bargaining fields the number of so-called opening clauses in collective agreements has increased. The opening clauses allow bargaining at the work-place level on some issues within certain limits set by collective agreements. Depending on the issue concerned, the limits vary as to how strict they are. If the parties at local level are not able to reach an agreement, the national collective agreement is applied. Local agreements are most common concerning working time issues. Various kinds of flexible working time arrangements are usual in all bargaining fields of mining and quarrying except metal mining, where there is less need for these arrangements than in other sub-sectors of mining and quarrying. Pay drift is a traditional local bargaining issue. Since the 1990s local negotiations have focused more on various kinds of production bonuses. The collective agreement for blue-collar workers in the earth-moving industry allows local bargaining on so-called extra compensation according to task. The prerequisites for extra compensation are the especially large responsibility, very high quality standards set for the end result of job and the especially demanding physical conditions of work. The collective agreement does not regulate in any way how much the employer should compensate for

these kinds of extraordinary demands of the work. As far as this question is concerned the collective agreement of the metal mines and technology industries in general is very different. Compensation for especially demanding physical conditions is regulated by collective agreement⁸⁶.

The trade unions active in the mining and quarrying sector have a positive and pragmatic attitude to local bargaining. However the trade unions have some reservations like the trade unions in general in Finland. Local bargaining needs to be based on equality of the parties and it should not be based on dictation by management. According to trade unions, there are already enough options to local bargaining and these options are not fully used. Finnish management and employer associations would like to increase local bargaining. Finnish trade unions argue that the position of shop stewards in the workplace should be strengthened if the options to local bargaining are extended.

4. LIST OF ABBREVIATIONS

| | |
|--------------|---|
| CEPMC | Council of European Producers of Materials for Construction |
| FIEC | European Construction Industry Federation |
| EIC | European International Contractors |
| NEUK | The Nordic Electrical Training and Education Committee |
| NFS | Council of Nordic Trade Unions |
| NIF | The Nordic Industry Workers' Federation |
| NM | Nordic Metal. |
| SAK | Central Organisation of Finnish Trade Unions |
| STTK | Finnish confederation of Salaried Employees |
| NSG | Nordisk Sten och Grusindustri |

⁸⁶ The job evaluation system built into the collective agreements of the technology industries evaluates the demands of the task by using the following basic principles: 1. How long it takes to learn the task 2. The responsibility level demanded by the task and 3. The physical conditions of the task. The wage class of the employee and his basic wage are determined by these criteria. In addition to his basic wage an employee can get a personal extra wage (3-20 % of the wage based on the task), which is based on his/her skill level, versatility of skills, quality and self-discipline at work.

FRANCE

1. DESCRIPTION OF THE SECTOR'S CHARACTERISTICS AT NATIONAL LEVEL

1.1. Delimitation and scope of activities in the sector

From the statistical point of view, the Mining and Quarrying sector in France (Code 10, 12, 13 and 14 of the NAF-French Nomenclature of Activities) consists of the following activities:

- 10.1 Z: mining and agglomeration of coal;
- 10.2 Z: mining and agglomeration of lignite;
- 12.0 Z: mining of uranium ore;
- 13.1 Z: mining of iron ore;
- 13.2 Z: mining of non-iron metal ore;
- 14.1 A: mining of ornamental and building stones
- 14.1 C: mining of industrial limestone, gypsum and chalk;
- 14.1 E: mining of slate;
- 14.2 A: sand production;
- 14.2 C: mining of clay and kaolin;
- 14.3 Z: mining of minerals for the chemical industry and mining of natural fertilizer
- 14.4 Z: salt production;
- 14.5 Z: other mining activities (not mentioned before).

Mining sector:

Mining activity has considerably decreased since the 60's and the adoption of a series of restructuring plans. In October 1994, the « Coal Pact » stated that mining activities should cease by 2005. This pact was signed by Charbonnages de France (which will continue to exist until 2008; then, its mine safety and supervisory functions will be transferred to BRGM (Bureau de Recherche Géologique et Minière, the Mining and Geological Research Office) and all the trade unions except the CGT-Mineurs.

Mining and potash activities have closed down, as well as iron and uranium mines (codes 10. and 13.1). French resources in non-iron metal are exhausted (at the beginning of the 90's, all mining of bauxite (aluminium ore), lead, and zinc stopped). Only one salt mine, a fluor spar mine, and gold mines (in Guyana) are left. There are no employer's organisations for 14.3 and 13.2 Z codes. Miners (other than coal) depend on the « Mines Code » (Code Minier). Their social rights are dealt with by the ANGDM (Agence Nationale pour la Garantie des Droits des Mineurs, National Agency for the Guarantee of Miners' Rights). There is still activity in slate extraction.

Quarrying sector:

Collective negotiation in the quarrying sector (13 and 14 codes) is governed by the collective agreement for the « industries de carrières et de matériaux » (quarrying and building materials industries – signed in 1955). It also deals with activities 26.6A (production of concrete products), 26.6C, 26.6 E (preparation and delivery of concrete ready to be used), 26.6 G, 26.6J, 26.6 L, 26.7Z, 26.8C (production of various building materials).

The trade unions deal with the whole of sector 14 (14.1, 14.1A, 14.1C, 14.2, 14.5), except the mining of slate 14.1 E (which is covered by the miners trade unions), and sub-sectors 14.3 (clay and kaolin) and 14.4 salt (*idem*). The range of activities covered by these associations is more extensive: quarrying, building materials, and the transformation of mining products: concrete for example, or lime (26.5C). The trade unions also deal with the national collective agreement in tile, brick, and ceramic, i.e: about 70,000 salaried employees (but different from the NACE codes). On the employer side, all of sector 14 is covered by UNICEM, except the following sub-sectors 14.1 E – slate (small trade union), 14.2 C – clay and kaolin (which is covered by the French Federation of Tiles and Bricks, with a special collective agreement) and 14.4 – salt (mines).

1.2. Socio-economic features of the sector

Mining sector:

The coal mining sector represents 0% of the French GDP (because all the mines have closed down). In 2004, the sector's financial debts amounted to 5,414 million euros. The mining sector is much more of a financial burden: for instance, it represents 550 million euros for social expenses, according to FO-Mineurs. The turnover is close to zero. There are still some returns (the sale of mine gas for instance), but the main returns are state subsidies. As regards the mining of non-iron metals, it represents a turnover of 45.8 million euros.

Quarrying sector:

According to the 2002 statistical data, the quarrying sector represents 1,584.7 million euros (added value, not including taxes). According to the CFE-CGC, the turnover is about 5,5 billion euros per year. The quarrying sector is characterized by the existence of small enterprises or very small enterprises, and a small number of larger companies

The sector is highly divided. There are very few mergers of enterprises: firms with 20 to 49 employees represent almost three quarters of enterprises and they represent one third of employees. Small enterprises represent an important part of production: for instance, in the production of sand, half of the production is from companies with less than 20 employees. The restructuring of the sector is taking place in some groups on an international scale.

According to the 2002 statistical data, the top four enterprises represent 16.4% of employees, 14% of sales, and 32% of exports. The top ten enterprises represent 25.9% of employees, 23.7% of sales, and 56.3% of exports⁸⁷.

Enterprises:

Total 14: the number of enterprises with more than 20 employees in 2003: 345 (SESSI, 2006).

According to UNICEM, small enterprises or very small enterprises dominate the sector: more than 75%. According to the trade unions, the small enterprises represent around 80% of the sector. (Source: UNICEM, *Statistiques 2004* and www.industrie.gouv.fr/energie/matieres/textes).

| Sub-sectors | Number of enterprises | Number of enterprises without employees | Number of enterprises with less than 20 employees | Number of enterprises with between 20 and 249 employees | Number of enterprises with more than 249 employees |
|-------------|-----------------------------------|---|---|---|--|
| 10.1 | 1 | 0 | 0 | 0 | 1 |
| 10.2 | 0 | 0 | 0 | 0 | 0 |
| 12.Z | 1 (Cogema) ; Do not exist anymore | 0 | 0 | 0 | 0 |
| 13.1Z | 0 | 0 | 0 | 0 | 0 |
| 13.2 | 0 | 0 | 0 | 0 | 0 |

⁸⁷ Source : SESSI, 2006.

| | | | | | |
|-------------------|---|----|----------|--------------------------------|-----|
| 14.1 A88 | 800-1,145 (source: UNICEM) around 1,000 (source : DIREM89) | ND | ND | ND | ND |
| 14.1 C | 115-122 | ND | 106-111 | 7 | 2 |
| 14.1 E | 37 | 0 | ND | ND | ND |
| 14.2 A | 1,770-1,858 | ND | 1,764 | 260 | 6 |
| 14.2 C | 100 | ND | 92 | 7 | 1 |
| 14.3 Z | 9 | 0 | 0 | ND | ND |
| 14.4 Z | 1 (source CFDT) | 0 | 0 | 1 | 0 |
| 14.5 Z | 15 – 20 (according to CFE-CGC) | 0 | 80% (12) | 20% (1) | (2) |
| Total 14 | ND | ND | ND | ¾ of enterprises ⁹⁰ | ND |
| Total 10,12,13,14 | ND | ND | ND | ND | ND |

Sources : SESSI, Statistiques 2006, UNICEM, Statistiques 2004 and www.industrie.gouv.fr/energie/matieres/textes.

Note: In the quarrying sector, according to UNICEM, the small enterprises or very small enterprises represent more than 75% of the sector enterprises. According to the SESSI, in 2004, there were 345 enterprises with more than 20 employees.

Mining sector:

As regards the different categories of workers, according to Charbonnages de France (2005), there were 138 executives (engineers) which represents 4.25%; 1,008 technicians (31.25%) and 2,079 blue-collar workers representing 64.5% of the workforce. However, Charbonnages de France considers that this data is not relevant because no employees have been taken on in mining for more than 20 years.

As a rule, the workers had a miners' CAP (technical diploma taken by apprentices), the technicians used to hold a "Baccalauréat" (secondary school leaving certificate) and the executives had a university degree in engineering. According to the trade unions, the average miners' wage is about the minimum legal wage. It is slightly above the minimum legal wage for the underground miners (the minimum legal wage added to a bonus depending on their productivity).

According to Charbonnages de France, the annual average gross wage in 2005 was 29,000 euros for blue-collar workers, 35,500 euros for technicians and 82,000 euros for executives. However, Charbonnages de France considers that this data is not relevant because no employees have been taken on in the mines for more than 20 years.

Mining was exclusively a male activity (forbidden by the law for women and children). Administrative and tertiary functions were occupied by women.

According to FO-mineurs, Charbonnages de France made considerable efforts to train its workforce (internal training to help workers become technicians in order to anticipate mechanization) and external training (to prepare for adapting to a new job). In fact, since 1994, the "Coal Pact" has made provision for a substantial training policy because the closure of the mines must not involve any redundancies.

Quarrying sector

In this sector⁹¹, blue-collar workers represent about 66% of the workforce, technicians about 26% and executives 8%. We find workers without training or a diploma, trained workers (with a CAP, BEP, BAC), executives (engineering at university), employees, and technicians (BTS). In this sector, the social partners are negotiating the adoption of a better recognition of training: "CQP" (Certificat de Qualification Professionnelle – Professional Qualification Certificate).

For the trade unions, wages are around the minimum legal wage. According to FO, last month regional wage negotiations allowed wages to increase slightly.

⁸⁸ According to SESSI, this information is confidential.

⁸⁹ DIREM : Direction des Ressources Énergétiques et Minérales du Ministère de l'Économie et des Finances. These figures have been confirmed by the CFE-CGC.

⁹⁰ Source : SESSI, *Statistiques*.

⁹¹ Source : UNICEM, 2006.

According to UNICEM, workers earn 20,000 euros⁹² per year on average, technicians and executives 34,000 euros⁹³, but there are many wage differences between the French regions. The minimum legal wage in the sector is between 1,225 euros (for 35 hours a week) and 2,050 euros (for 35 hours a week) (source: CGT and last social agreement). Atypical work mainly concerns white-collar employees in administrative services. However, the CFDT underline the importance of shift work and hard time constraints (night work for instance). According to UNICEM, 83% of workers are men and 17% are women. Tertiary and administrative functions are mainly held by women. The CGT and CFDT underline that this sector has a lot of ageing workers. Within 5 or 6 years, there will be a considerable shortage of workers due to the high number of retirements. The sector is faced with major difficulties in hiring new workers. Indeed, due to low wages, difficult working conditions (noise, wetness, vibrations, dirtiness, dangerous working conditions, etc.), working for the public building sector is much more attractive. The quarrying sector is also generally described by the unions and UNICEM as stable. This sector is closely linked to the good health of the building sector and public building. Its economic health is good, its workforce is stable (no redundancy), few new companies are created.

Workers:

| Sub-sectors | Number of self-employed workers in the sector | Number of employees in the sector | Number of employees in firms with less than 20 workers | Number of employees in firms with between 20 and 249 workers | Number of employees in firms with more than 249 workers |
|--------------------|---|--|--|--|--|
| 10.1 | 0 | 1,000 ⁹⁴ | 0 | 0 | 2,056 workers still active or 8,308 workers registered (and if one considers workers being retired ⁹⁵) |
| 10.2 | 0 | 0 | 0 | 0 | 0 |
| 12.Z | 0 | 0 | 0 | 0 | 0 |
| 13.1Z * | 0 | 0 | 0 | 0 | 0 |
| 13.2 * | 0 | 500 (200-300 in the near future) for rehabilitation of mines | ND | ND | ND |
| 14.1 A * | 0 | 8,332 | ND | ND | ND |
| 14.1 C | 0 | > 1,129 | ND | 506 | 623 |
| 14.1 E | ND | ND | ND | ND | ND |
| 14.2 A | 0 | 14,695 -14, 711 | 0 | 12,049 | 2,662 |
| 14.2 C | 0 | 2,600 | 1,843 | 461 | 296 |
| 14.3 Z + 14.4 Z | 0 | > 1,805 | 0 | 549 | 1,215 |
| 14.5 Z | ND | > 800 | ND | 24 | 776 |
| Total 14 | ND | ND | ND | 1/3 of the workforce > 20 employees : 20,105 | ND |
| Total 10,12,13,14 | ND | ND | ND | ND | ND |

Source : Interviews (May-June 2006)

⁹² Between 15,000 and 18,000 euros per year , according to the CFE-CGC.

⁹³ Between 30,000 and 35,000 euros per year, according to the CFE-CGC.

⁹⁴ Source FO -mineurs : then 300-400 in 2007.

⁹⁵ Even though it is highly unlikely, these workers must be ready to work as miners if the activity starts again.

Total quarrying sector: 7,809 of unqualified workers in 2002 (source: INSEE *Enquête emploi*).

* : The SESSI stated the statistical secrecy of this data.

According to the CGT and CFDT, between 80 and 90% of enterprises have between 10 and 20 employees.

2. DESCRIPTION OF THE ORGANISATIONS ACTIVE IN THE SECTOR

2.1. Description of the workers' organisations active in the sector

A 1966 national Decree legally recognised five confederations as representative at national level⁹⁶ : CGT, CFDT, FO, CFTC and CGC. All federations' members of these five confederations can represent employees in every sector.

a) *Mining sector:*

1. FNME CGT-FO: Syndicat général des personnels des mines et assimilés de la CGT-FO Confédération Générale du Travail – Force Ouvrière (General union of mine workers and employees with similar status of the CGT-FO General Confederation of Labour – Force Ouvrière)

This federation was created in 1947 and merged with the Federation of Energy, resulting in the Mine and Energy Federation in 2000. It has a staff of about ten people (mines and energy included) and is funded by members' fees, resources from training, etc. It has 3,000 members (for mines and energy) (however, there are no longer any active mines). It brings together two kinds of members, on the one hand, miners having the miners' particular status of 1946, and on the other hand workers having a job in the mines: i.e doctors, nurses, social activities or hospitals (about 500 employees). The vast majority of the members are blue-collar workers (about 85%). The Mine and Energy Federation negotiates and signs collective agreements for the sector. At European level, the FNME CGT-FO belongs to ETUC and EMCEF. At international level, it belongs to ICEM.

2. FNME-CGT: Fédération des mines et de l'Énergie – Confédération Générale du Travail (Mining and Energy workers' federation, CGT - General Confederation of Labour)

This federation was created in 1883 and merged with the Federation of Energy in 1999, to become the current FNME-CGT. It has a staff of about ten people and is funded by members' fees, resources from training, etc. It has 510,000 members (for mines and energy) (the CGT energy federation is one of the most powerful trade union federations in France because of workers in EDF- Electricité de France, and GDF – Gaz de France ; however, there are no longer any active mines). The vast majority of the members (about 90%) are blue-collar workers. The Mine and Energy Federation negotiates and signs collective agreements for the sector (and also for the energy sector). At European level, the FNME-CGT belongs to ETUC and EMCEF. At international level, it belongs to ICEM.

3. FGMM-CFDT: Fédération Générale des Mines et de la Métallurgie, or more precisely l'Union fédérale des Mines de la CFDT - Confédération Française Démocratique du Travail (French Democratic Confederation of Labour)

The Federal Mining Union of the CFDT belongs to FGMM (FGMM - Metalworking and Mining Workers' Federation) and was created in 1921. It merged with the CFDT miner's federation in 1984 in order to bring together many resources. It has a staff of six and is funded by members' fees, resources from training, etc. The vast majority of the members are blue-collar workers (about 75 %). The Mine and Energy Federation negotiates and signs collective agreements for the sector. There is no data available as regards its membership. At European level, the FNME-CGT belongs to ETUC and EMCEF. At international level, it belongs to ICEM.

4. CMTE-CFTC: Fédération Chimie, Mines, Textiles et Énergie de la CFTC – Confédération Française des Travailleurs Chrétiens (Chemicals, Mines, Textiles and Energy Federation of the CFTC French Christian Workers' Confederation)

This federation was created in 1919 and is funded by members' fees, resources from training, etc. It negotiates and signs collective agreements for the mining and quarrying sector. It is divided into 4 main branches: Chemicals, Mines, Textiles and Energy (and more accurately: Chemical industries, mines, quarrying sector, textiles, leather, electrical and gas industries, energy). The

⁹⁶ The Labour Minister's circular of 28 May 1945 sets the criteria for recognition of trade union organisations by the administration: number of declared members, independence, regularity and level of dues paid, experience and seniority, patriotic attitude during the war.

number of members is quite small in the quarrying sector and also in the mining sector. There is no data available on its membership. At European level, it is a member of ETUC and EMCEF. At international level, it belongs to WCL (World Confederation of Labour).

5. CFE-CGC : Fédération Nationale des Employés, Techniciens et Agents de Maîtrise des Industries Minières et de transformation, de leurs filiales, des activités connexes, des organismes du régime de sécurité sociale minier et leurs établissements sanitaires et sociaux de la CGC - Confédération française de l'encadrement (National Federation of employees, technicians of mine industries, of similar activities, and of social protection of miners of the CGC - General Confederation of Executives).

It is known as the « Fédération nationale des ETAM des Mines CFE-CGC » or « ENERMINE » - Energy Managers' Union) and was created in 1950. It is funded by membership' fees, resources from training, etc. The CFE-CGC negotiates and signs collective agreements only for its executive members and is not entitled to intervene for other categories of employees. There is no data available on its membership.

b) Quarrying sector:

1. CMTE-CFTC: Fédération Chimie, Mines, Textile et Energie de la CFTC - Confédération Française des Travailleurs Chrétiens (Chemicals, Mines, Textiles and Energy Federation of the CFTC-French Christian Workers' Confederation)

It was created in 1919 and is funded by members' fees, resources from training, etc. It negotiates and signs collective agreements for the mining and quarrying sector. It is divided into 4 main branches: Chemicals, Mines, Textiles and Energy (and more accurately: Chemical industries, mines, quarrying sector, textiles, leather, electrical and gas industries, energy). The number of members is quite small in the quarrying sector and also in the mining sector. There is no data available on its membership. At European level, it is a member of ETUC and EMCEF. At international level, it belongs to WCL (World Confederation of Labour).

2. FNCB-CFDT: Fédération Nationale des salariés de la Construction et du Bois de la CFDT – Confédération française démocratique du travail (National Federation of Building and Woodworkers of the CFDT-French Democratic Confederation of Labour)

It was created in 1934 and is funded by membership fees, resources from training, etc. It has a staff of about 20. This federation deals with the following main branches: building and public works, wood and furniture workers, quarrying and metal industries, etc. The FNCB-CFDT negotiates and signs collective agreements for these sectors. The number of members is 33,500 (70% of them are blue-collar workers). There is no data available as regards its membership for the quarrying sector alone. It is a member of EFBWW and IFBWW.

3. CGT-FO : Fédération Générale Force Ouvrière Bâtiment Travaux publics, Bois, Papier, Carton, Céramique, Carrières, matériaux de construction, exploitation thermique (CGT-FO Force ouvrière Building, Public Works, Wood, Paper, Ceramics, Quarries and Construction materials)

It was created in 1948 and is funded by members' fees, resources from training, etc. It has a staff of five and deals with Building, Public Works, Wood, Paper, Ceramic, Quarries and Construction materials. The FNCB-CFDT negotiates and signs collective agreements for these sectors. There is no data available as regards its membership (60% are blue-collar workers). It must be emphasised that it is quite difficult for the federation to know all its members since very small businesses dominate in the sector. It is member of EFBWW, EMCEF and IFWW.

4. FNTC-CGT : Fédération nationale des travailleurs de la Construction des travaux publics, du bâtiment et des matériaux de construction (Public works, building and Construction materials federation of the General Confederation of Labour)

This federation was created in 1937 and is funded by membership fees, resources from training, etc. It has a staff of two. It deals with matters regarding the quarrying sector, public works, and building and Construction materials. The FNTC-CGT negotiates and signs collective agreements for these sectors. The members (quarrying and building activities included) represent 19,000 workers (90% are blue-collar workers). It belongs to EFBWW and is an observer in IFBWW.

5. CGC-CFE BTP « SICMA – Syndicat des industries des carrières et matériaux de construction » (Quarrying and Construction materials federation- General Confederation of Executives)

This federation was created in 1947 and brings together, within the building and public works federation (CFE-CGC BTP), the executive workers from five national agreements : quarrying industries, selling of construction materials, cement industries, lime industries, motorways. It is funded by membership fees, resources from training, etc. The CGC-CFE BTP negotiates and signs collective agreements for these sectors, for its executive members only. There is no data available as regards its membership. It is a member of the European Confederation of Executives and the European Building Executive Federation.

Workers' organisations

| Organisation (English name) | Members | | Estimated density | Collective Bargaining (Yes/No) | Affiliations | | | |
|-----------------------------|---|---|-------------------|--------------------------------|--|--------|-----------------------|--------|
| | Total number of members in the organisation ⁹⁷ | Number of members who are working in the sector | | | European affiliation | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| FGMM-CFD | 900,000 | ND | | Yes | EMCEF | ETUC | ICEM | - |
| FNME-CGT | 700,000 | 510,000 | | Yes | EMCEF | ETUC | ICEM | - |
| FNME CGT-FO | 300,000 (600,000 claimed) | 3,000 | | Yes | EMCEF | ETUC | ICEM | - |
| CMTE-CFTC | 140,000 | ND | | Yes | EMCEF | ETUC | FMTI | WCL |
| CFE-CGE-CGC | 100,000 (300,000 claimed) | ND | | Yes (only for executives) | - | - | - | - |
| FNCB-CFD | 900,000 | 33,500 | ND | Yes | EFBWW | ETUC | IFBWW | - |
| FNTC-CGT | 700,000 | 19,000 | ND | Yes | EFBWW | - | IFBWW (obs.) | - |
| CGT-FO | 300,000 (600,000 claimed) | ND | ND | Yes | EMCEF EFBWW | - | ICEM IFBWW | - |
| CGE-CGC-BTP (SICMA) | 100,000 (300,000 claimed) | ND | ND | Yes (only for executives) | European Building Executive Federation | ECE | - | - |

Source: Interviews: May –June 2006

2.2. Description of the employers' organisations active in the sector

Mining sector:

Charbonnages de France (Ch de F – Coal Board) was created in 1946 by the nationalization law. Mining activity must completely cease in 2005 (Coal Pact of 1994). Charbonnages de France deals with all mining industry and also electrical activities linked to coal. It is a state-owned industry. Today, its financial debts represent 5,414 million euros. In 2006, Charbonnages de France

⁹⁷ Not only in the mining or quarrying sector but within the federation as a whole.

had 8,308 employees, (2,056 of them actually working)⁹⁸. Its particular status, recognised by the State, gives it the ability to negotiate and sign national collective agreements (it is the sole employer representative). It belongs to EURACOAL.

Quarrying sector:

UNICEM: the « Union nationale des industries de carrières et matériaux de construction » (National union of quarrying and construction materials industries) was created in 1965. It is funded by member companies' dues and has a staff of 19. It is the spokesman of its member companies for the collective negotiations. Its members (3,661 enterprises representing 60,255 employees) are not direct members of UNICEM. There are intermediary unions (sectoral unions). UNICEM's members consist of about 15 branch unions, representing 17 activities around the building sector. It covers the following sub-sectors: quarrying of mineral resources and their preparation (gypsum and chalk, lime, ornamental and building stones, etc.). UNICEM's members include the vast majority of the firms working in the quarrying sector (but also the cement quarrying industry, for instance). These activities represent a turnover of about 12 billion euros⁹⁹.

List of sectoral union members of UNICEM (not exhaustive):

- *Union des Producteurs de Grès des Vosges* (Union of Vosges Sandstone Producers) [member of UNICEM Alsace, its members include 8 enterprises representing about 100 employees and a production of 20,000 tons a year].
- *Le syndicat national des industries du plâtre, SNIP* (National Union of Plaster Industries) (member of IMA-Europe)
- *L'Union nationale des Producteurs de Granulats* (National Union of Granulate Producers) [in 1988, the UNPG created the « Union Européenne des Producteurs de Granulats » (UEPG)]
- *Le syndicat national des Roches ornementales et de construction – SNROC* (National Union of Ornamental and Building Stones) [300 companies out of 1,000]
- *Minéraux Industriels France* (Industrial Minerals France) [representing 2,600 employees and a turnover of 450 millions euros] (member of IMA-Europe).
- *Le syndicat national des blancs de craie, de marbre et de dolomie – SN CRAIE* (National Union of White Chalk, Marble and Dolomite) (member of IMA-Europe)
- *La chambre syndicale nationale des fabricants de chaux grasse et magnésienne* (National Union Chamber of Magnesia and Lime Producers)
- *Le groupement national des professionnels clôturistes* (National Group of Professional Wire Fence Producers)
- *Le syndicat national du béton prêt à l'emploi* (National Union of Ready-to- use Concrete)

The vast majority of the enterprises are small firms, except for a few huge company groups. UNICEM is recognised as a representative union by the Labour Code (« Code du Travail », book IV, title 1). It negotiates and signs the national collective agreement for the quarrying and construction materials sector. Some employers' unions which belong to UNICEM are members of IMA-Europe. At national level, UNICEM belongs to MEDEF, and at European level, it to the UEPG (Union Européenne des producteurs de Granulats).

Employers' organisations

| Organisation (English name) | Members | | Estimated density | Collective Bargaining | Affiliations | | | |
|--------------------------------|---|---|-------------------|-----------------------|-----------------------|--------|-----------------------|--------|
| | Total number of companies that are members of this organisation | Total number of workers who are working in companies which are members of this organisation | | | European affiliations | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| Charbonnage de France | 1 | 2,056 | ND | Yes | EURACOAL | - | - | - |
| UNICEM | 3,661 | 60,255 | ND | Yes | UEPG | - | - | - |

Source: Interviews, May-June 2006.

⁹⁸ Source : Rapport d'activité de Charbonnage de France, 2004.

⁹⁹ Source : Unicem, *Statistiques 2004*.

3. DESCRIPTION OF THE SOCIAL DIALOGUE IN THE SECTOR AT NATIONAL LEVEL

3.1. Description of the tripartite concertation in the sector

In the mining sector, tripartite negotiation (with the State) is well-established. In fact, since the Coal Pact of 1994 and the restructuring of the sector, many discussions are held with the Ministry of Industry and of the Budget. These discussions deal with : the closing down of mines, the restructuring of activities, the social consequences for the region, safety in mines, the social guarantees to miners, training, retirement, wages, sick leave, etc.

In the quarrying sector, tripartite negotiation is exceptional: in the event of conflict between workers' unions and employers. In this case a union can ask the State to intervene, and it will do so when at least two unions ask it. The Labour Ministry intervenes but cannot require employers and employees to sign an agreement. The State has no constraining power. The dialogue is about wages, working time reduction, training and so on. At the moment, negotiations are blocked on the question of classifications (type of work and its type of wage). According to UNICEM, the social dialogue is good and not in conflict.

3.2. Description of the bipartite social dialogue in the sector

In the mining sector, a special regime has governed the miner's status since 1946. In recent years, the social dialogue has been limited to the consequences of the mines closing. In 2004, Charbonnage de France became a public organism with industrial and trade functions (EPIC): this change led to new agreements on trade union representation (signed by all on 5/2/2004 and until 2007). In 2005, a new Plan to save jobs was signed.

List of agreements between Charbonnages de France and the trade unions:

| Name of agreement | Date | signatory (employer) | signatory (employees) |
|---|------------|------------------------|--------------------------|
| Agreement on union representation | 5/02/2004 | Charbonnages de France | CFTC, FO, CGC, CFDT, CGT |
| Amendment to the Agreement on union representation | 3/12/2005 | Charbonnages de France | CFTC, FO, CGC, CFDT, CGT |
| Agreement on professional lifelong training | 13/12/2005 | Charbonnages de France | CFTC, FO, CGC, CFDT |
| Agreement on the adoption of the solidarity day (30/6/2004 law) | 7/12/2004 | Charbonnages de France | CFTC, FO, CGC |
| Agreement on the executives and engineers measures (end of Charbonnage de France) | 14/06/2004 | Charbonnages de France | CFTC, FO, CGC |
| Agreement on EPIC status adoption | 5/02/2004 | Charbonnages de France | CFTC, CFDT, FO, CGT, CGC |
| Agreement on early retirement AGGLOCENTRE | 22/01/2003 | Charbonnages de France | CFDT |
| Agreement on the end of Charbonnage de France's activities | 11/02/2003 | Charbonnages de France | CFTC, FO, CGC |
| Additional clause n°1 | 24/02/2003 | Charbonnages de France | CFDT, CFTC, CGT, FO, CGC |
| Agreement on wage negotiation 2003 | 26/09/2003 | Charbonnages de France | CFTC, FO, CGC, CFDT |
| Agreement on professional mobility | 20/06/2002 | Charbonnages de France | CFTC, FO, CGC, CFDT, CGT |
| Agreement on the adoption of Aubry II law (working time reduction) | 23/01/2001 | Charbonnages de France | CGC, CFTC, FO |
| Agreement on the « Amount of time saved » | 24/01/2001 | Charbonnages de France | CGC, CFTC, FO |

In the quarrying sector, there is a national collective convention (n° 3081, « Quarrying and construction materials industries ») which came into force in 1955 and was extended by decree in 1960. It was signed by UNICEM, CFTC, CGT, CGT-FO.

There is a national collective convention for the executive workers of the sector. It entered into force in 1955 and was extended by decree in 1960. It was signed by UNICEM, CFTC, CGC, CGT, CGT-FO. As regards wages, there is a regional wage negotiation every year for blue-collar workers (i.e. 19 wage agreements each year).

| Name of agreement | Date | signatory (employers) | signatory (employees) |
|--|------------|-----------------------|--|
| National collective Convention n°3081 on blue-collar workers' working conditions | 1955 | UNICEM | CFTC, CGT, CGT-FO |
| National collective Convention on technicians and executives' working conditions | 1955 | UNICEM | CFTC, CGC, CGT, CGT-FO |
| National collective Convention on executives | 1956 | UNICEM | CFTC, CGC, CGT-FO |
| Agreement on working time reduction | 22/12/1988 | UNICEM | CGT-FO |
| Agreement on the training of drivers | 30/06/1999 | UNICEM | CFTC, CFDT, CFE-CGC, CGT, CGT-FO |
| Agreement on early retirement | 25/10/2000 | UNICEM | CFDT, CGT-FO, SICMA CFE-CGC, CFTC |
| Interbranch Agreement on the development of professional training | 21/06/2004 | UNICEM | CFDT, CGT-FO, SICMA CFE-CGC, CFTC |
| Agreement on retirement | 15/11/2004 | UNICEM | FNCB CFDT (Construction and Woodworking) BATMAT-TP CFTC SICMA CFE-CGC FNTC CGT (Construction) FG-FO (General Federation) |

According to UNICEM and FO they signed almost every agreement with CFTC, CFDT and CGC. However, the CGT do not often agree to sign them. The agreement on working time reduction was only signed by FO. Sectoral agreements apply to all workers and directly, indeed 100% of the employees are covered. They mainly deal with wages, training, and working time.

At enterprise level, collective bargaining takes place between the manager of the enterprise and the union delegation. There is no data on collective agreements (number, content, etc.) signed at this level. It should be noted that collective bargaining at company level is not widely used in this sector because of the predominance of small enterprises.

4. LIST OF ABBREVIATIONS

| | |
|-------------------|---|
| CFCT | French Christian Workers' Confederation (Confédération française des travailleurs chrétiens) |
| CGT | General Confederation of Labour (Confédération Générale du Travail) |
| CGT-FO | General Confederation of Labour – Force Ouvrière (Confédération Générale du Travail – Force Ouvrière) |
| CGC-CFE | General Confederation of Executives |
| FNCB– CFDT | National Federation of Building and Woodworkers – French Democratic Confederation of Labour (Fédération Nationale des salariés de la Construction et du Bois - Confédération Française Démocratique du travail) |
| INSEE | National Statistics Institute (Institut National de la Statistique et des Études Économiques) |
| SESSI | Statistical Service of the French Ministry of Industry |
| MEDEF | Movement of French Enterprises (Mouvement des Entreprises de France) |

GERMANY

1. DESCRIPTION OF THE SECTOR'S CHARACTERISTICS AT NATIONAL LEVEL

1.1. Delimitation and scope of activities in the sector

The German Federal Office of Statistics (Statistisches Bundesamt) uses the NACE nomenclature. Statistical data for the mining sector are grouped into the category 10; 11; 12; 13; 14 and their sub-sectors. The NACE codes used by the German Federal Bureau of Statistics correspond to the sectors covered by the worker's and employer's organisations.

According to the information of the Federal Bureau of Statistics, the trade unions and the employers' associations no industry from the area NACE 12 has existed in Germany since 1995. As far as the NACE 13 is concerned, the Federal Bureau of Statistics does not register any industry.

Finally, normally, all the statistics relating to German potash mining are listed under NACE 24.15 (production of potassium fertilisers).

1.2. Socio-economic features of the sector

NACE 10.1 Mining and agglomeration of hard coal

In this sub-sector merely one enterprise is active in Germany: DSK – Deutsche Steinkohle AG (German Hard Coal Corporation). Since 1998, all activities of the German coal mining industry are bundled into the Deutschen Steinkohle AG (DSK). The DSK activities cover eight mines. At the end of 2005, 34,720 people were employed in hard coal mining (38,525, including the employees in qualification and structural short time programs). In 1997, a collective agreement on a restructuring program for the hard coal sector was concluded. This comprised a decrease in employment to 36,000 people in 2005. The restructuring program also had an impact on the number of hard coal mines (only 8 in 2004).

In 2004, about 25.7 million tons of usable coal were produced. Imports of coal and coal products increased significantly over the last few years.

According to the German Hard Coal Association (Gesamtverband des deutschen Steinkohlebergbaus - 2005), there were about 42,000 employees (white and blue collar workers) in the German mining industry and the agglomeration of hard coal (NACE 10.1) in 2004¹⁰⁰.

In 2005, the total turnover of the sector NACE 10.1 was 2, 5 billion EURO; this was an increase of 7% compared with the year before. The wage bill went down by about 5.6%.

The average age of the staff continues to increase and today it is 42. At present, there are about 12% of the employees who are 50 years old or more. Nearly 60% of the employees are in the age group 40 to 50. In contrast, only one fifth are in the 30-40 group and only 8% were below 30 years old in mid 2004.

Because of the hard manual work involved, men account for around 70% of the workforce.

NACE 10.2 Mining and agglomeration of lignite

The brown coal beds in Germany have reserves of 78 billion metric tons, from which 41 billion metric tons could be mined economically. The approved mines have a capacity of about 7 billion metric tons of. Brown coal is used to generate more than 90% of energy production. The number of the employees decreased by 770 in 2005 to 23,299 (this number included 1,837 trainees and 6,303 general maintenance people in the power stations). Men account for around 70% of the employees.

Mining and agglomeration of lignite in Germany is dominated by five big holdings/companies:

RWE Power AG (100% owned by RWE AG)

Vattenfall Europe Mining AG (100% owned by Vattenfall Europe AG)

MIBRAG mbH (100% owned by MIBRAG B.V, in the Netherlands which is owned by Washington Group International (50%; USA) and NRG Energy Inc. (50%; USA))

¹⁰⁰ The data for the number of employees and the number of companies of the German Federal Bureau of Statistics differ a little from the data provided by the employer's organisation (German Hard Coal Association). According to information from the German Federal Bureau of Statistics, these differences are the result of different kinds of counting. But in general, the differences are not very significant.

ROMONTA GmbH (94,9% owned by ROMONTA Bergwerks-Holding AG and 5,1% by ROWIND GmbH)
BKB AG (100% owned by E.ON Kraftwerke GmbH)

In 2004, production in the German lignite industry exceeded that of 2003. The production was 182 million tons (+1.6%). Moreover, the development was different in each district. In 2005, the total turnover of the sector NACE 10.2 was 1,3 billion EURO, this represents an increase of 3% compared with the 2004 figures. Wages rose, on average, by 4.8%. It should also be noted that, mining of lignite has a very important impact on the regional employment structure¹⁰¹.

NACE 14.1 Quarrying of stone

In this sub sector 7,540 people were employed by 366 companies in the year 2004. Thus, the average company size is around 20 employees. According to the Federal Bureau of Statistics more than 70% (5,283) of all workers work in companies with 1 to 49 employees. The sector is characterised by SME's (there is no company with more than 250 employees).

In 2005, the total turnover of the sector NACE 14.1 was 1,15 billion EURO (95% domestic), this was an increase of 2.4% compared with the 2004 figures. The export rate in 2005 amounted to 4.8%. Wages fell, on average, by 2.8%.

NACE 14.2 Quarrying of sand and clay

Altogether 16,048 people were employed in the sector NACE 14.2 in 2004. The sector is dominated by companies which employ less than 49 workers. 754 out of 801 companies belong to this group (94.1%; 10,300 employees). According to the Federal Bureau of Statistics, there is no single company with more than 250 employees.

In 2005, the total turnover of the sector NACE 14.2 was 2,1 billion EURO, this was a decrease of 6.1% compared with the 2004 figures. The export rate in 2005 amounted to 13.7%. Wages fell, on average, by about 10.1%.

NACE 14.3 Mining of chemical and fertiliser minerals

In Germany, two potash mining companies exist (K+S KALI GmbH and Deusa International GmbH) running five underground potash mines (K+S KALI GmbH) and one potash solution mining operation (Deusa). The K+S KALI GmbH had a total of 7,352 employees, in 2004, and a turnover of about 1.1 billion Euros, and Deusa International GmbH had 75 employees (the turnover being unknown). The German potash mining and production figures are registered under NACE 24.15 (Manufacture of fertilisers and nitrogen compounds).

NACE 14.4 Production of salt

Approximately 2,000 people are employed in the salt mining and in saline production. From 14 million metric tons of salt which were produced in 2004, only 3% was food salt, followed by 5% for special trade salt and 12% for road salt. The majority (80%) was industrial salt for electrolysis.

In the case of the salt industry, the numbers of employees provided by the employer's organisation corresponds with the data provided by the Federal Bureau of Statistics. In the salt mining sector, three out of 12 companies in 2004, had more than 250 employees.

In 2005, the total turnover of the sector NACE 14.4 was 650 million EURO. This was an increase of 19.8% compared with the 2004 figures. The export rate in 2005 amounted to 19.8%. Wages rose, on average by 6.5%.

NACE 14.5 Other mining and quarrying n.e.c.

According to the Federal Bureau of Statistics 360 people were employed directly in these sub-sectors during 2004, in 11 companies. Nine of the companies employ between 1 and 49 workers. Due to the marginality of this sector, structural data are not available.

¹⁰¹ For the case of the region Rheinland, a study was carried out in 2000, on the basis of 11,000 direct employees in the lignite sector of Northrhine-Westfalia. After the result of this analysis about 35,600 competitive workplaces are protected by the adaptation measures which were unavoidable on account of the occurred liberalisation of the German energy market. According to the interviews carried out in the framework of this report, these multiplier effects do also exist in the other sub-sectors of the mining industry.

In 2005 the total turnover of the sector NACE 14.5 was 105 million EURO, which was an increase of 9.4% compared with the 2004 figures. The export rate in 2005 amounted to 32.7 Wages rose, on average by 3.6%.

Companies (September 2004)

| Sub-sectors | Number of Companies | % companies with <50 SW | % Companies with 50-499 SW | % companies with 500 and more SW |
|----------------------------|---------------------|-------------------------|----------------------------|----------------------------------|
| NACE 10.1 | 39 | 7.7 (3) | 48.7 (19) | 43.6 (17) |
| NACE 10.2 | 16 | 6.25 (1) | 31.25 (5) | 65.5 (10) |
| NACE 12 | - | - | - | - |
| NACE 13 | - | - | - | - |
| NACE 14.1 | 366 | 91.8 (336) | 8.2 (30) | - |
| NACE 14.2 | 801 | 94.1 (754) | 5.6 (45) | 0.3 (2) |
| NACE 14.3 | 2 | ND | 1 company | 1 company |
| NACE 14.4 | 12 | 16.6 (2) | 83.3 (10) | - |
| NACE 14.5 | 11 | 81.8 (9) | 18.2 (2) | - |
| Total of the sector | 1,256 | 88.7 (1,114) | 8.9 (113) | 2.3 (29) |

Source: Federal Bureau of Statistics (2004)

Workers (September 2004)

| Sub-sectors | Number of workers | Number of SW | Number of SW/number of SWs in the country (%) | Number of SW in companies <50 SW/number of SW in the sector (%) | Number of SW in companies 50-499 SW/number of SW in the sector (%) | Number of SW in companies >499 SW/number of SW in the sector (%) |
|---------------------|-------------------|--------------|---|---|--|--|
| NACE 10.1 | ND | 44,983 | ND | 85 | 1,842 | 38,754 |
| NACE 10.2 | ND | 14,349 | ND | ND | ND | 9,665 |
| NACE 12 | ND | - | ND | ND | ND | ND |
| NACE 13 | ND | - | ND | ND | 75(1.0) | 7,352(99) |
| NACE 14.1 | ND | 7,540 | ND | 5,283 | 2,257 | ND |
| NACE 14.2 | ND | 16,048 | ND | 10,300 | 4,029 | ND |
| NACE 14.3 | ND | 441 | ND | 234 | ND | ND |
| NACE 14.4 | ND | 1,958 | ND | ND | 1,596 | ND |
| NACE 14.5 | ND | 360 | ND | ND | ND | ND |
| Total of the sector | ND | 85,679 | ND | ND | ND | ND |

Source: Federal Bureau of Statistics (2004)

It is very difficult to get hard facts concerning the socio-economic impact of the different sectors to the whole German economy,, because information from the Associations and the Federal Bureau of Statistics diverge. But we can use the data on the sales taxes by sector for the year 2004 which are available.

| NACE | Turnover in 2004 (in 1 000 EURO) | Share of the total Turnover (in %) | Number of employees | Share of the sectors of the total employees (in %) |
|----------------|----------------------------------|------------------------------------|----------------------|--|
| NACE A-O total | 4 347 506 204 | 100 | 38,782,000 | 100 |
| 10 | • | | 61,102 | 0.16 |
| 10.1 | • | | 44,983 | 0.12 |
| 10.2 | • | | 14,349 | 0.04 |
| 12 | – | ND | ND | ND |
| 13.1 | • | ND | ND | ND |
| 13.2 | • | ND | ND | ND |
| 14 | 7 908 830 | 0.18 | 26,347 | 0.07 |
| 14.1 | 2 600 154 | 0.06 | 7,540 | 0.02 |
| 14.2 | 3 165 622 | 0.07 | 16,048 | 0.04 |
| 14.3 | about 1 100 000 | ND | 7,727 ¹⁰² | ND |
| 14.4 | 516,366 | 0.01 | 1,958 | 0.01 |
| 14.5 | • | | 360 | 0 |

Statistisches Bundesamt (2004 and 2006)

2. DESCRIPTION OF THE ORGANISATIONS ACTIVE IN THE SECTOR AT NATIONAL LEVEL

There are no formal recognition procedures in Germany. The workers' and employers' organisations recognise each other as bargaining partners/parties. The IG BCE, Ver.di and IG BAU have the power to negotiate and sign agreements at sector level as well as at company level.

2.1. Description of the workers' organisations active in the sector

NACE 10.1; 10.2; 14.4

The IG BCE (mining, chemicals and energy workers' union)

IG BCE was founded in 1997 after a merger of the unions IG Bergbau und Energie (IGBE – Union Mining and Energy), IG Chemie, Papier, Keramik (IGCPK – Union Chemistry, Paper and Ceramic) and the union Gewerkschaft Leder (GL – Union Leather). The IG BCE is a member of the DGB, the Federation of German Trade Unions.

¹⁰² NACE 14.3 figures contain personnel originally listed under NACE 24.15 (figures provided by APEP).

IG BCE covers occupations in the following branches: Brown coal, Chemicals, Energy, Gas, Glass, Potash mining / Non-coal mining, India rubber, Ceramics, Plastics, Leather, Mineral oil, Paper, Renovation/Disposal, Hard Coal, Water economy. To co-ordinate the activities, the IG BCE is divided into eight regional districts. A major task of the regional district divisions consists of supporting those districts, which fall into their area, by coordinating certain common tasks, such as collective bargaining. The IG BCE is financed by membership subscriptions.

The IG BCE is a member of the European Mine, Chemical and Energy Workers' Federation (EMCEF). At the international level, the IG BCE is a member of the International Federation of Chemical, Energy, Mine and General Workers' Unions (ICEM), International Textile, Garment and Leather Workers' Federation (ITGLWF) and its European regional organisation, the European Textile, Garment and Leather Workers' Federation.

Bilaterally, the IG BCE concluded co-operation agreements with the British GMB, the French Chemical and Energy Union FCE-CFDT, and the three unions representing the Italian chemical sector.

VER.DI- Unified Service Sector Union

Ver.di takes part as an active partner in collective bargaining. - (Ver.di - Unified Service Sector Union)

In 2001, five trade unions from the service area and those industries related to services as well as the media, cultural and educational activities joined forces: the Deutsche Angestellten-Gewerkschaft (DAG) (German White Collar Unions); the Deutsche Postgewerkschaft (DPG) (German Post Union); the Gewerkschaft Handel, Banken und Versicherungen (HBV) (Union Trade, Banks and Insurance); the Industriegewerkschaft Medien, Druck und Papier, Publizistik und Kunst (IG Medien) (Industrial Union for Media, Print, and Paper, Journalism and Arts); the Gewerkschaft Öffentliche Dienste, Transport und Verkehr (ÖTV) (Trade union civil service, transport and traffic)

Verdi is funded by subscriptions from its members and covers 13 departments/branches (Finance services, Care and disposal, Health, social services, welfare and churches, Social security, Education, science and research, regional government Municipalities, Media, art and culture, pressure and paper, industrial services and production, Telecommunications, information technology, data processing, Postal services, forwarding agencies and logistics, Traffic, Special services).

Verdi is divided into organisational units at national, country, district and city levels.

The Verdi union has about 2.4 million members (2005). Verdi is the trade union for the service sectors. About 31,000 members are independent, mainly from independent professions, in particular from the media branch. In 2004, approximately 5,000 people were directly employed by Verdi. Ver.di is mainly a partner in collective bargaining in the case of the energy sector. This includes, above all, power generation by power stations – and not the defined sector of mining! Ver.di has delegated members in the collective bargaining committees of the IGBCE. According to the arrangements for organisation relations and in the Federation of German Trade Unions, IG BCE is responsible for the collective bargaining in the mining sector.

Workers' organisation(s): NACE 10.1; 10.2; 14.4

| Organisation (English name) | Members | | Estimation of the density | Collective Bargaining (Yes/No) | Affiliations | | | |
|---|---|--|---|--|--------------------------|--------|--------------------------|---------------|
| | Total number of the members of the organisation | Number of members who are working in the sector of Mining and Quarrying Industry (a) | | | European affiliations | | Others affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| IG BCE - mining, chemicals and energy workers' union | About 1 Mio. | NACE 10.1: 29,252 NACE 10.2: 15,426 NACE 14.4: 8,683 NACE 13: 809 | NACE 10.1: 95% NACE 10.2: >95% NACE 14.4:>50% NACE 13: (b) | Yes | EMCEF | ETGLWF | ICEM | ITGLWF DGB |
| Ver.di Unified Service Sector Union | 2,4 Mio. | About 10,000 | ND | Yes (via delegates in the IG BCE | ND | ETF | ND | DGB |

| | | | | | | | | |
|--|--|--|--|-------------|--|--|--|--|
| | | | | commission) | | | | |
|--|--|--|--|-------------|--|--|--|--|

(a) The number of members working in the sectors differ from the data provided by the Federal Bureau of Statistics

(b) According to the statistical information provided by the Federal Bureau of Statistics a number of employees in the sector NACE 13 cannot be estimated. Therefore the density in this sector is impossible to specify.

NACE 14.1; 14.2; 14.3; 14.5

IG BAU (Building, Agricultural and Environmental Union)

The IG BAU was founded in 1996 by a merger between the former union for construction and building materials (IG BSE) and the trade union for gardening, agriculture, forestry, facility management and environmental protection. The IG BAU is a member of the DGB (Federation of German Trade Unions), of the European federation of building and wood workers (EFBWW) as well as in the international alliance of the construction workers and wooden workers (BHI). The IG BAU is, according to its statutes, responsible for the following branches of industry and administrative branches: Building trade, building material industry, disposal and recycling, agriculture and forestry, facility management, as well as environment protection. It has approximately 400,000 members (2003).

The IG BCE is divided in 16 regional districts, and is financed by membership subscriptions.

Workers' organisation: NACE 14.1; 14.2; 14.3; 14.5

| Organisation (English name) | Members | | Estimation of the density | Collective Bargaining (Yes/No) | Affiliations | | | |
|--------------------------------|---|--|------------------------------|--------------------------------------|--------------------------|--------|--------------------------|--------|
| | Total number of the members of the organisation | Number of members who are working in the sector of Mining and Quarrying Industry | | | European affiliations | | Others affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| IG BAU | 400,000 | About 26,400 | About 60% ¹⁰³ | Yes | EFBWW | - | - | DGB |

2.2. Description of the employers' organisations active in the sector

NACE 10.1

Wirtschaftsvereinigung Bergbau e.V. (WVB) - German Mining Association

The German Mining Association represents the political interests of the German mining industry, especially concerning all matters to do with mining and environmental law aspects, health and safety regulations and national and international policies on raw material supply.

The German Mining Association (WVB) is the top political employers' organisation in German mining. Members of the WVB are 11 sector or regional federations from the areas of hard coal and brown coal, iron ore, barytes and fluorspar, slate, plastic, clay, graphite, kaolin, quartz and others as well as the mining special societies, the mining-related enterprises and the environmental protection. At national level, it is a member of BDI and BDA. At the European level, WVB is a member of EUROMINES.

Gesamtverband der deutschen Steinkohlebergbaus (GVSt) - Association of the German coal mining industry

¹⁰³ Estimated by the communications officer of the union.

The Association of the German coal mining industry (GVSt) was founded in 1968. Its objective is to perform statutory duties and look after the general interests of its members, in particular with regard to economic and socio-political issues. The activity of the association applies outside the national area to the level of the European Union as well as to the co-operation in other international committees. It also takes part in the umbrella organisations of the German economy and as such, the GVSt takes part in the political decision-making process in Germany. At national level, it is a member of BDA. At the European level, GVSt is a member of EURACOAL.

Unternehmensverband Steinkohlebergbau – (UVSt) – Enterprise Federation Hard Coal Industry

The federation was founded as an enterprise federation in 1952 and was converted in 1999 to the enterprise federation, Steinkohlenbergbau (UVSt). It now has sole responsibility as an employers' organisation for looking after the interests of the German coal industry and performing the role as bargaining partner in the collective bargaining process at sector level.

Employers' organisations: NACE 10.1

| Organisation (English name) | Members | | Estimation of the density | Collective Bargaining (Yes/No) | Affiliations | | | |
|--|---|---|---------------------------|--------------------------------|-----------------------|--------|----------------------------|---------------------|
| | Total number of companies that are members of this organisation | Total number of workers who are working in the companies members of this organisation | | | European affiliations | | Others affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| WV Bergbau - German Mining Association | (only associations are members of it) | About 90,000 | ND | No | Euromines | - | BIAC WVB ¹⁰⁴ | BDI BDA UNICE |
| GVST Association of the German coal mining industry | 6 | About 42,000 | 100% | No | Euracoal | - | WVB | BDA |
| UVST Enterprise association of the German Hard coal industry | 3 | About 42,000 | 100% | Yes | - | - | WVB | - |

NACE 10.2

Deutscher Braunkohlen Industrie Verband (DEBRIV)

DEBRIV is the federal German association of lignite producing companies and their affiliated organisations. Its objective is to promote the technical, scientific, economic, and political development of the lignite industry. DEBRIV was founded nearly 120 years ago.

DEBRIV is a federation for the brown coal sector, in which all enterprises involved in mining, processing brown coal or dealing in brown coal renovation in the new regions are members. In addition, many of its members are suppliers to the brown coal industry.

The DEBRIV does not take part in collective bargaining at sector level, nevertheless, it performs a coordinating role for the German brown coal industry at national level..

At national level, it is a member of BDA. At European level, DEBRIV is a member of EURACOAL.

¹⁰⁴ According to EUROMINES, in 2005, potash and salt associations were member of WVB.

Wirtschaftsverband Kohle e.V. (WVK)**Verein rheinischer Bergbau e.V. (VRB)**

WVK and VRB are regional employer's organisations which are responsible for collective bargaining in the sector 10.2. While the WVK covers the Eastern German brown coal sector, the VRB is the negotiating partner for the Western German brown coal industry (which is exclusively concentrated in the Rheinland region). WVK and VRB are responsible for collective bargaining.

Wirtschaftsvereinigung Bergbau e.V. (WVB)

The German Mining Association represents the political interests of the German mining industry with regard to all matters relating to mining and the environmental law aspects, health and safety regulations and national and international raw material resources.

The German Mining Association (WVB) is the top employers' organisation in German mining. Members of the WVB are 11 technical or regional federations from the areas of Coal and brown coal, iron ore, heavy spavin and fluorspar, plastic, clay, slate, graphite, kaolin, quartz and others as well as the mining special societies, the mining-related enterprises and the mountain-architectural environment protection.

At national level, it is a member of BDI and BDA. At European level, WVB is a member of EUROMINES.

Employers' organisations: NACE 10.2

| Organisation (English name) | Members | | Estimation of the density | Collective Bargaining (Yes/No) | Affiliations | | | |
|--|---|---|---------------------------|--------------------------------|-----------------------|--------|-----------------------|------------|
| | Total number of companies that are members of this organisation | Total number of workers who are working in the companies members of this organisation | | | European affiliations | | Others affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| DEBRIV – brown coal (lignite) employers | 7 | About 24,000 | 100% | No | Euracoal | - | WVB | BDA |
| WVK Wirtschaftsverband Kohle e.V. (Trade association Coal) | 4 | About 13,000 | 100% | Yes | - | - | DEBRIV | - |
| VRB Vereinigung Rheinischer Bergbau e.V. (Association of the Rheinland mining) | 3 | About 11,000 | 100% | Yes | - | - | DEBRIV | - |
| WV Bergbau - German Mining Association | (only associations are members of it) | | | No | Euromines | - | CIAB UNECE | BDI BDA |

NACE 14.1; 14.2; 14.3; 14.5

Bundesverband des deutschen Kies- und Sandindustrie (BKS) – Association of the German sand and gravel industry

The BKS is the top trade organisation of the German sand and gravel industry which covers all sub-sectors of NACE 14 except NACE14.4 (salt industries). The regional organisations of BKS are responsible for collective bargaining at sector level. Typically, collective agreements negotiated in one region will be adopted by the other regional organisations, so that there will be similar regulations for the whole German sand and gravel industry. In general the members are small and medium size companies.

Arbeitgeberverband der deutschen Glasindustrie – Employers association of the German glass industry

As the only employers' association for the German glass industry the federation looks after approximately 140 member companies in 180 locations. These enterprises belong to the federation directly.

The association is responsible for negotiations on collective agreements for its members on the following subjects: Wages, salaries, remunerations and education reimbursements, General wages agreement matters including working hour regulations, holiday pay and Christmas allowances and property-effective achievements,

Bundesverband Keramische Rohstoffe (BKR) – Federation of the ceramic raw materials

The federation of the ceramic raw materials producers (BKR) represents the technical and economic interests of companies which mine fire-resistant and ceramic raw materials.

The BKR, has about 50 member companies.

The BKR is a member in the umbrella organisation, the German BUILDING MATERIALS Association (BBS), as a national umbrella organisation representing the common national and European economic interests immediately as well as the interests of the federations of ancillary industries. The BKR is a member of the German Mining Association (WVB).

At European level, the BKR is a member of KPC-Europe, and through this affiliation to IMA-Europe.

Verband der Kali- und Salzindustrie e.V (VKS) – Association of the German Potash and Salt Industry

The VKS started its activity on the 1st January 2006 and is the result of the merger between Kali Verein and the Verein der Deutschen Salz Industrie. As from that date, the new federation, VKS, is the sole association of the German potash and salt industry at national level. In addition, it also performs the function of an employers' association for paid up members.. The VKS is partly responsible for collective bargaining. Currently the staff of the VKS has 8 employees, but in the future, as a result of the coming restructuring process, the number of employees working for the VKS will be reduced to 6. The membership is composed of small and medium size companies. VKS is a member of the BDI and BDA, and of Euromines at European level.

Employer's organisation: (NACE 14.2-14.3-14.4)

| Organisation (English name) | Members | | Estimation of the density | Collective Bargaining (Yes/No) | Affiliations | | | |
|--|---|---|---------------------------|--------------------------------|--------------------------|--------|--|--------|
| | Total number of companies that are members of this organisation | Total number of workers who are working in the companies members of this organisation | | | European affiliations | | Others affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| Bundesverband des deutschen Kies- und Sandindustrie (BKS) – Association of the German sand and gravel industry | ND | ND | ND | Yes | UEPG | ND | BBS, German Building Materials Association | ND |
| Arbeitgeberverband der deutschen Glasindustrie – Employers association of the German glass industry | About 140 | ND | ND | Yes | ND | ND | ND | ND |
| Bundesverband Keramische Rohstoffe (BKR) – Federal | About 50 | ND | 95% | No | KPC-Europe IMA-Europe | - | BBS WVB | ND |

| | | | | | | | | |
|---|---|-----------------------|-------------------------|-----|-------------------|---|---|------------|
| Federation of ceramic raw materials | | | | | | | | |
| VKS Association of the German Potash and Salt Industry ¹⁰⁵ | 1 | About 7,490 (in 2005) | Up to 100 % (estimated) | Yes | APEP EUROMINES | - | - | BDI BDA |

2.3. Other organisations active in the Mining and Quarrying sector affiliated by European organisations

VDKI Verein der Kohleimporteure (member of EURACOAL)

The VDKI is the association of the German coal importers. It does not take part in negotiations on collective agreements at sector level. The VDK represents 56 members who use about 85% of the German coal needs of 68 million tons.

VDMA mining equipment (member of EURACOAL)

The VDMA mining equipment is a sub-section of the umbrella organisation VDMA. The VDMA represents 3,000 mainly small/medium size member companies in the engineering industry, making it one of the largest and most important industrial associations in Europe. In the Mining Equipment Association, approximately 90 mainly medium-sized companies, have merged from the following sectors: Underground mining, Open cast mining/Materials handling, Mineral processing technology and Consulting, research and Development.

The VDMA represents the interests of its members both on the national and international level. Current focal points of its representation work include Labour market and pay policy and deregulation.

OMYA Gmbh (member of CCA-Europe and through this affiliation to IMA-Europe)

No Information available.

Vereinigte Kreidewerke Dammann Kg (member of CCA-Europe and through this affiliation to IMA-Europe)

The united chalk works Dammann KG is a single privately owned company that produces fine chalks, coarse chalks and lime. It is not an organisation which takes part in sector level negotiations.

Sud Chemie AG (member of EUBA and through this affiliation to IMA-Europe)

The Süd-Chemie is a speciality chemicals producing company with worldwide activity,. The group is in the business of **absorbents** and catalysts and it employs approximately 5,100 people to produce a sales turnover of a total of about 933 million EUR. The company is a member of the VKS and is covered by collective agreements at company level but not at sector level.

Amberger Kaolinwerke Eduard Kick (member of EUROFEL and through this affiliation to IMA-Europe)

Amberger Kaolinwerke is an international enterprise group which has its main focus in the area of the production, processing and refining of mineral raw materials as kaolin, feldspar and quartz sand.

Quarzwerte GmbH (member of EUROSIL and through this affiliation of IMA-Europe)

¹⁰⁵ Details given by APEP and Euromines for VKS concerning the number of workers and collective bargaining slightly differ. The figures on the number of workers in the table are the ones given by APEP. APEP notes that the figures relate to potash mining only because the potash part is a member of the social dialogue of the extractive industries. According to Euromines, the total number of workers in the companies member of VKS reaches 10,000. Euromines' answer on the role of VKS in collective bargaining is: 'partly'.

Quarzwirke GmbH is an international enterprise group which has its main focus in the area of the production, processing and refining of mineral raw materials as quartz sand.

Bundesverband des Gypsindustrie EV (Federation of the German Gypsum Industries)

The federation has been struck off the association register and maintains no economic activity. The objective of the federation is to promote and to represent the interests of the German Gypsum industry in the Federal Republic of Germany. In fulfilment of this purpose the federation performs economic, scientific and technical duties.

Der Bundesverband Glasindustrie e.V. (The federation of the German glass industry)

This is a trade association for the German glass industry. The association does not take part in negotiations on collective agreements but is responsible for lobbying.

Arbeitskreis Quarz im Bundesverband Baustoffe - Steine und Erden (Working Group Quarz of the German Building Materials Association)

The German Building Materials Association is a lobbying organisation and does not take part in collective negotiations at sector level. No information is available about its membership in EUROSIL, and therefore in IMA-Europe.

EaglePoicher Filtration Minerals Europe

Eagle-Picher Minerals Europe GmbH & Co KG / Germany

The company pioneered the development and production of granular DE absorbents and entered the filter aid market in the 1950's. To this day, Eagle Picher Filtration & Minerals continues to deliver the highest quality filter aids and fillers for paints, catalyst supports, and polyethylene film

Gebroder Dorfner GmbH (member of KPC Europe and through this affiliation to IMA-Europe)

For more than 100 years, the company has produced industrial minerals like kaolin, feldspar and quartz sand from home supplies and beds all over the world.

3. DESCRIPTION OF THE SOCIAL DIALOGUE IN THE SECTOR AT NATIONAL LEVEL

3.1. Description of the tripartite concertation in the sector

In Germany, there is, generally, no tripartite social concertation concerning collective bargaining. Only in the case of the hard coal industry (NACE 10.1 and 10.2) there are specific consultation procedures between the government and the social partners. These consultation procedures have a long tradition in Germany and one of the results was the so called "Kohlevereinbarung" (hard coal agreement) in the year 1997, which comprised a structural adjustment program. One of the main contents of this agreement was the reduction of the number of employees in the hard coal industry.

Beyond the collective bargaining procedures the employers' and worker's organisations are involved in meetings with the federal government on the future of the German hard coal industry. The participants try to develop a common program for the structural adjustment of the industry.

3.2. Description of the bipartite social dialogue in the sector

a) At sector level

Collective bargaining in all sectors, covered by this report, takes place between the unions and the employer's organisations. In the case of companies which do not belong to the employer's organisation, the unions negotiate directly with single companies on a collective agreement at company level. In these cases, most of the agreements signed by the unions and the companies

adopt the main regulations of the collective agreements for each sector. In all sectors there is no obligation to participate in collective bargaining at sector level, and conflicts between the players occur because of different standpoints but not on the level of mutual recognition as a negotiating partner.

NACE 10.1

Employer's organisation: UVSt

Worker's organisation: IG BCE, Ver.di (is represented in the collective bargaining process by delegating representatives to the negotiating commission of IG BCE)

For the sector of NACE 10.1 several collective agreements at sector level have been signed by the employer's organisation UVSt and the union IG BCE. According to estimations by the employer's organisation nearly 20 agreements are currently valid.

There is one industry-wide collective agreement ("Manteltarifvertrag") which covers the main working conditions like working times, the duration holidays etc. This industry-wide collective agreement has no time limit. There are no specific procedures for extending collective agreements to parties that are not signatories to the agreements, because collective bargaining is a voluntary procedure for all the participants.

In addition, there are a number of further collective agreements regulating others issues such as wages, old-age provisions and other supplementary grants. These agreements have an average duration of up to three years. In 2005, the union and the employer's organisation signed an agreement, which is valid until the end of 2007, on wages, comprising a single payment of 400,- EURO on May 2005 and an increase of wages of 1.5% from January 2007. One can say that nearly 100% of the companies of the sector (and also 100% of the workers) are covered by collective agreements at sector level.

NACE 10.2

Employer's organisation: WVK - Trade association Coal; VRB - Association of the Rhineland mining

Worker's organisation: IG BCE

For the sector of NACE 10.2 several collective agreements at the sector level were signed by the employer's organisations WVK, VRB and the union IG BCE. According to estimations by the employer's organisation more 20 agreements are valid at the moment. There are no specific procedures for extending collective agreements to parties that are not signatories to the agreements, because collective bargaining is a voluntary procedure for all the participants.

There is one industry-wide collective agreement ("Manteltarifvertrag") which covers the main working conditions like working times, holiday entitlement etc. This industry-wide collective agreement has no time limit. In addition, there are a number of further collective agreements regulating others issues such as wages, old-age provisions and other supplementary grants. These agreements have an average duration of up to three years. If there are companies active in the sector which are members of the employer's organisation but have not signed these agreements, the union negotiates with these companies on company level agreements. In general, according to information from both the employer's and the union's side, these company-wide agreements do adopt most of the regulations of the industry-wide collective agreement. Only a few exceptions are made in these agreements taking consideration of specific company circumstances.

One can say that nearly 100% of the companies of the sector (and also 100% of the workers) are covered by collective agreements at the sector level and the company level. There are no specific procedures for extending collective agreements to parties that are not signatories to the agreements, because collective bargaining is a voluntary procedure for all the participants.

NACE 14.4

Employer's organisation: VKS Association of the German Potash and Salt Industry

Worker's organisation: IG BCE

For the sector of NACE 14.4 several collective agreements at sector level have been signed by the employer's organisation VKS and the union IG BCE. According to estimations by the union nearly 10 agreements are valid at the moment. There are no specific procedures for extending collective agreements to parties that are not signatories to the agreements, because collective bargaining is a voluntary procedure for all the participants.

There is one industry-wide collective agreement ("Manteltarifvertrag") which covers the main working conditions like working times, the duration holidays etc. This industry-wide collective agreement has no time limit. In addition there are a number of further collective agreements regulating others issues such as wages, old-age provisions and other supplementary grants. These

agreements have an average duration of up to three years. In summer, 2006, the IG BCE and the federation of the potash and salt industry (VKS) signed a new collective agreement on wages for the sector.

If there are companies active in the sector which are members of the employer's organisation but have not signed these agreements, the union negotiates with these companies on company level agreements. In general, according to information from both the employer's and the union's side, these company-wide agreements do adopt most of the regulations of the industry-wide collective agreement. Only a few exceptions are made in these agreements taking consideration of specific company circumstances.

One can say that about 70% of the companies of the sector (and also 70% of the workers) are covered by collective agreements at the sector level. In the remaining companies workers are covered under the conditions of their specific company agreement.

NACE 14.1; 14.2; 14.3; 14.5

Employer's organisation: BKS Association of the German sand and gravel industry

Worker's organisation: IG BAU

For the sector of NACE 14.1; 14.2; 14.3; 14.5 several collective agreements at sector level were signed by the employer's organisation VKS and the union IG BCE. According to estimations by the union nearly 10 agreements are valid at the moment:

There is one industry-wide collective agreement ("Manteltarifvertrag") which covers the main working conditions such as working times, holiday entitlements etc. This industry-wide collective agreement has no time limit. In addition there are a number of further collective agreements regulating others issues such as wages, old-age provisions and other supplementary grants. These agreements have an average duration of up to three years. There are no specific procedures for extending collective agreements to parties that are not signatories to the agreements, because collective bargaining is a voluntary procedure for all the participants.

b) At company level

If there are companies active in the sector which are members of the employer's organisation but have not signed these agreements, the union negotiates with these companies on company level agreements. In general, according to information from both the employer's and the union's side, these company-wide agreements do adopt most of the regulations of the industry-wide collective agreement. Only a few exceptions are made in these agreements taking consideration of specific company circumstances.

One can say that approximately 60% of the companies of the sector (and also 60% of the workers) are covered by collective agreements at the sector level (estimated by the representative).

Within the remaining companies conditions are defined by specific company agreement.

There are no specific procedures for extending collective agreements to parties that are not signatories to the agreements, because collective bargaining is a voluntary procedure for all the participants.

4. COMMENT

With regard to the future developments in the social dialogue at sector level in the sector of hard coal Mining and Quarrying Industry, both the employers and the unions are faced with the decreasing relevance of the hard coal mining and quarrying industry sector (NACE 10.1 and 10.2). After the ending of the restructuring program (coal agreement) in December 2005, the production of the German mining industry is now only half as big as it was in 1997. Due to the bad image of the hard coal industry, as a widely subsidised sector, it is hard to recruit young and qualified workers. Especially in the case of NACE 10.1 and NACE 10.2 it must be underlined that the social partners have to take into account the future of the German mining industry facing the threat of increasing imports of raw materials. Mines are often located in structurally weak regions, therefore the social partners but also the German government have to develop answers for the future of the German mining industry.

For the future, the social partners underlined that they will try to save jobs by flexible collective agreements. Therefore, wage increases will not be the top priority. Concerning the tripartite consultation on the future of the German hard coal industry, the social partners emphasised that it is important for the industry to have a minimum annual extraction of hard coal of 16 million tons per year (2004: 25.7 million tons) . This is important to maintain the German coal industry, to save the technical know-how and to provide security of supply.

By contrast, the productivity of the industry has been improved rapidly and huge progress has been made in the field of environmental policy and working security. Unions and employer's organisations do appreciate the instrument of the social dialogue – even if they have different tasks (i.e. wages, working times etc.). Both sides support the instrument of collective bargaining/collective agreements because it simplifies the regulation of work and provides a level-playing field at national level.

5. LIST OF ABBREVIATIONS

| | |
|-------------------|--|
| DEBRIV | brown coal (lignite) employers |
| DGB | German Confederation of Trade Unions |
| GMB | GMB general union |
| GVSt | Federation of the German Hard Coal Industry |
| IG BCE | mining, chemicals and energy workers' union |
| ITGLWF | International Textile, Garment and Leather Workers' Federation |
| UVst | Enterprise Federation of the German Hard Coal Industry |
| Ver.di | Unified Service Sector Union |
| WV Bergbau | German Mining Association |
| WVK | Trade association Coal |
| VRB | Association of the Rhineland mining |

GREECE

1. DESCRIPTION OF THE SECTOR'S CHARACTERISTICS AT NATIONAL LEVEL

1.1. Delimitation and scope of activities in the sector

Mining sector activities in Greece come under NACE classifications 10, 13 and 14. Indeed, the extraction of crude petroleum and natural gas (NACE 11), and the mining of uranium and thorium ores (NACE 12) are not included in the national statistics, since the deposits discovered so far are not yet considered as exploitable, owing to the high cost of extraction.

1.2. Socio-economic features of the sector

Mining and quarrying constitutes a vital activity for the national economy, with over 1,140 establishments of all sizes (ranging from some of the largest and most dynamic firms in the country to micro-firms of less than 4 employees that constitute the vast majority), an annual turnover of 656.27 million euros and a total employment of 13,215 salaried workers.¹⁰⁶ The mining industry is a dynamic and extraverted sector with an intensive export trend, (over 65% of total sales originate from exports) and despite its chronic problems which have driven it into stagnation in past years, its growth prospects are very good.

Despite the fact that over 90% of the companies fall under the category "other mining and quarrying" (NACE 14), the mining and agglomeration of *lignite* (NACE 10.2) has traditionally been the most important sub-sector of the Greek mining industry, in terms of the number of companies, employment, gross production value and gross investments. Greece, in fact, ranks in 5th position in the extraction of lignite worldwide. The *marble* industry (NACE 14.11), with its immense marble deposits, is the second most important sub-sector in terms of annual turnover, with an annual marble quarry production of approximately 2 million tons and a significant rise in its volume of exports in recent years to over 270,000 tons. (However, imports of marble from third countries are also rising alarmingly: in one year they increased by 33.6 %). Other important minerals that are exported include bauxite, nickel, bentonite, perlite, caustic and deadburnt magnesia, and pumice stone. Extraction of some of the major mining and quarrying products has remained fairly stable over the past few years (bauxite, gypsum, pozzuolana, etc.), whilst the production of kaolin and salt has fallen substantially¹⁰⁷.

Companies

| Sub-sectors | Number of companies | % companies without employees | % companies with <10 employees | % companies with 10-49 employees | % companies with > 50 employees |
|---------------------|---------------------|-------------------------------|--------------------------------|----------------------------------|---------------------------------|
| 10.2 | 9 | ND | ND | ND | ND |
| 13.2 | 21 | ND | ND | ND | ND |
| 14.1 | 340 | ND | ND | ND | ND |
| 14.2 | 326 | ND | ND | ND | ND |
| 14.3 + 14.5 | 26 | ND | ND | ND | ND |
| 14.4 | 21 | ND | ND | ND | ND |
| Total in the | 743 | ND | ND | ND | ND |

¹⁰⁶ National statistics figures lump together the mining of lignite with the extraction of crude petroleum and natural gas. Hence, it is not possible to subtract NACE classification 11 from the total, but the numbers are in any case negligible. Moreover, it should be stressed that employment figures differ from one source to another, even within the same organisation: for example, the 2005 Labour Force Survey of the NSSG reports 16,800 salaried employees working in the mining and quarrying sector (rather than 13,215 mentioned previously), but gives no breakdown of the different sub-sectors.

¹⁰⁷ See "Business Registry, 2002", National Statistics Service of Greece

| | | | | | |
|---------------|---------|----|-----------------|-------------|-------------|
| sector | 1,140 * | ND | 89.64% (1,022*) | 8.42% (96*) | 1.92% (22*) |
|---------------|---------|----|-----------------|-------------|-------------|

Source: NSSG, *Research on quarries-mines-salt marshes*, 2002

* Source: NSSG, *The Business Register*, 2002

The sustained high demand for raw materials and mining products and the relatively high international prices have largely offset the negative trends in the construction industry (which is strongly related to mining and quarrying production), as well as the high cost of transportation and petrol. However, the **major challenges** ahead for the mining industry in Greece need to be urgently addressed, in order to face growing international competition, especially from Chinese products. These challenges include the need to facilitate access to the natural deposits and to simplify and codify the European and national regulatory frameworks. Eager to overcome stagnation and remain competitive in an open and extraverted market, the Greek mining companies have on several occasions put forward their proposals to improve the overall business environment, boost production and ensure sustainable growth.

Workers

| Sub-sectors | Number of self-employed workers in the sector | Number of salaried employees in the sector | Number of employees in the sector/ total number of employees in the country –all sectors- (%) | Number of employees in companies with <10 workers in the sector/ number of employees in the sector (%) | Number of employees in companies with 10-49 workers in the sector/ number of employees in the sector (%) | Number of employees in companies with 50-249 workers in the sector/ number of employees in the sector (%) | Number of employees in companies with >249 workers in the sector/ number of employees in the sector (%) |
|---------------------|---|--|---|--|--|---|---|
| 102 | ND | 6,647 | ND | ND | ND | ND | ND |
| 132 | ND | 832 | ND | ND | ND | ND | ND |
| 141 | ND | 1,489 | ND | ND | ND | ND | ND |
| 142 | ND | 3,034 | ND | ND | ND | ND | ND |
| 143 + 145 | ND | 754 | ND | ND | ND | ND | ND |
| 144 | ND | 459 | ND | ND | ND | ND | ND |
| Total in the sector | 200 | 13,215 16,800 | 0.4%* | ND | ND | ND | ND |

Source: NSSG, *Research on quarries-mines-salt marshes*, 2002

Source: NSSG, *Labour Force Survey*, year 2005 (2nd semester)

2. DESCRIPTION OF THE ORGANISATIONS ACTIVE IN THE SECTOR AT NATIONAL LEVEL

2.1. Description of the workers' organisations active in the sector

a) Federation of Construction Workers and Allied Professions / Omospondia Oikodomon kai Synafon Epaggelmaton Elladas (OOSSE)

OOSSE was established in 1953. It is the second largest federation affiliated to GSEE with 53,707 registered members. OOSSE represents construction workers and allied professions (workers employed in stone and limestone quarries, marble carvers and cutters, carpenters, ironmongers, tilers, floorers, insulators, house painters, etc.) and every year concludes 8 collective agreements with the tertiary-level employers' organisations and the various sectoral employers' associations. Regarding *mining and quarrying activities*, the Federation concludes 2 collective agreements:

- (a) one for workers employed in marble cutting and carving establishments, with the employers' organisations SEV, GSEVEE and the Greek Federation of Marble Associations (OSME), and
- (b) another covering workers employed in stone and marble quarries and in lime- burning, with SEV and the Greek Federation of Marble Associations (OSME).

Both agreements are annual and the most recent were signed in April 2005. The 2006 agreements are still at the negotiation stage.

OOSSE employs 3 full-time employees. It is affiliated to GSEE at national level and participates as an observer at Construction Workers' International. It is not affiliated to the ETUC.

b) Greek Miners' Federation / Omospondoia Metalloryhon Elladas (OME)

OME was established in 1952. It represents both white-collar and blue-collar workers employed in mining activities. Its membership consists of 2,857 registered and 1,889 voting members. The Federation concludes one annual collective agreement, with the employers' organisation, the Greek Mining Enterprises Association (SME). The most recent agreement was signed in July 2005. OME is affiliated to GSEE at national level, and to the International Miners' Federation (OIAM), at international level.

c) Greek Federation of Handlers, Engine Drivers and Drilling Machine Operators / Omospondoia Heiriston Mihanodigon kai Geotrypaniston Ellados (OHMGE)

OHMGE was established in 1952. It groups together 67 primary unions and its membership consists of 25,000 registered and 12,500 voting members. It represents handlers, drivers and operators working in several sub-sectors of the economy, including mining and quarrying, estimated at over 100,000 members. The Federation concludes 2 collective agreements related to the mining sector:

- (a) one with the Greek Mining Enterprises Association (SME), covering operators working in mines and lignite ores, and
- (b) Another, with the Greek Federation of Marble Associations (OSME), the Association of Societies Anonymes and of Limited Liability Companies (SAE-EPE), the Federation of Greek Industries (SEV), and the Federation of Industries of Northern Greece (SVVE), covering operators working in stone and marble quarries.

The first agreement, signed recently, covers a 2-year period (2006-07), whilst the second is in arbitration.

OHMGE is affiliated to GSEE at national level and to the International Metalworkers Federation at international level.

d) Greek Federation of Mines –Lignite Pits- Quarries' Employees / Omospondoia Ergazomenon Metalleion – Lignitoryhion- Latomeion Elladas (OEMLLE)

OEMLLE was established in 1956. It represents blue-collar workers and foremen and its membership consists of 4,200 registered and 3,500 voting members. The Federation concludes one collective agreement with the Greek Mining Enterprises Association (SME), covering workers employed in quarries, mines and lignite ores. The most recent agreement was signed in April 2004 and covered a 2-year period. This year's agreement will be annual and has not yet been signed.

OEMLLE is affiliated to GSEE at national level. It has no international or European affiliations.

e) GENOP-DEI – General Federation of Employees of Public Power Corporation / Geniki Omospondoia Prosopikou – Demosia Epicheirisi Electrismou A.E.

GENOP-DEI was established in 1971, to represent all categories of staff employed in the Public Power Corporation DEI. It consists of 25 different primary associations with a total membership of 34,697. It concludes a company-level collective agreement with the Public Power Corporation S.A. The most recent agreement, covering a 2-year period, was signed in June 2006. The Federation is a member of EMCEF (European Mine, Chemical and Energy Workers' Federation) and ICEM (International Federation of Chemical, Energy, Mine and General Workers' Unions).

Workers' organisations

| Organisation (English name) | Members | | Estimated density | Collective Bargaining (Yes/No) | Affiliations | | | |
|--|---|--|----------------------|--------------------------------------|--------------------------|--------|--------------------------|---|
| | Total number of the members of the organisation | Number of members who are working in the sector of the Mining and Quarrying Industry | | | European affiliations | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| Federation of Construction Workers and Allied Professions | 53,707 | ND | ND | yes | None | None | None | Construction Workers International (observer status) |

| | | | | | | | | | |
|---|--------|-------|-----|--|-------|------|------|------|--|
| (OSEE) | | | | | | | | | |
| Greek Miners' Federation (OME) | 2,857 | 2,857 | 22% | yes | None | None | OIEM | None | |
| Greek Federation of Handlers, Engine Drivers and Drilling Machine Operators (OHMGE) | 25,000 | ND | ND | yes | None | None | IMF | None | |
| Greek Federation of Mines –Lignite Pits- Quarries' Employees (OEMLE) | 4,200 | 4,200 | 32% | yes | None | None | None | None | |
| General Federation of Employees of Public Power Corporation (GENOP-DEI) | 34,697 | ND | ND | yes (Only at the company level of Public Power Corporation S.A) | EMCEF | None | ICEM | None | |

Source: author's research, 2006

2.2. Description of the employers' organisations active in the sector

a) *Greek Mining Enterprises Association /Syndesmos Metallifiton Epiheiriseon (SME)*

SME was established in 1924 and represents the larger mining companies of Greece. In particular, it represents 100% of mineral firms, 85-90% of industrial minerals' firms, and about 50% of marble industries. Only the small quarry and marble units are not represented. Its membership consists of 25 firms, employing approximately 9,500 workers, out of a total of 11,000 employees working in the sector. The Association concludes 3 collective agreements:

- with the Greek Federation of Mines-Lignite Pits –Quarries' Employees (OEMLE). The most recent agreement was signed in 2005 for a two-year duration,
- with the Greek Miners' Federation (OME) –one year duration
- and with the Greek Federation of Handlers, Engine Drivers and Drilling Machine Operators (OHMGE), which is co-signed also by the Federation of Greek Industries (SEV), – two years duration (2006-07).

SME is associated to SEV at national level and to Euromines, at European level. It also co-operates closely with the Industrial Mineral Association (IMA).

b) Greek Federation of Marble Associations / Omospondoia Somateion Marmarou Ellados (OSME)

OSME was established in 1965. Its membership consists of approximately 1,200 primary unions, representing both large and small and medium-sized firms, employing a total of approximately 4,500-5,000 workers¹⁰⁸. The Federation concludes 3 collective agreements:

- (a) with the Federation of Construction Workers and Allied Professions (OOSEE), covering workers employed in marble cutting and carving establishments (co-signed by SEV and GSEVEE). The agreement is annual and the most recent was concluded in April 2005. This year's agreement is still under negotiation;
- (b) with the Federation of Construction Workers and Allied Professions (OOSEE), covering workers employed in stone and marble quarries and in lime-burning (co-signed by SEV). The agreement is annual and the most recent was concluded in April 2005. This year's agreement is still under negotiation;
- (c) with the Greek Federation of Handlers, Engine Drivers and Drilling Machine Operators (OHMGE), covering handlers and drilling machine operators working in stone and marble quarries. This year's agreement is in arbitration. The previous agreement was of two years duration (2004-06).

OSME is affiliated to SEV at national level. It has no European or international affiliations. At present, it does not employ any staff at its headquarters, owing to financial difficulties.

c) Association of Societes Anonymes and Limited Liability Companies /Syndesmos AE & EPE (SAE-EPE)

SAE-EPE was established in 1922. Its membership consists of approximately 2,000 companies and it employs 12 full time workers. It concludes one collective agreement relating to the mining and quarrying sector, with the workers' organisation Greek Federation of Handlers, Engine Drivers and Drilling Machine Operators (OHMGE), which is co-signed by SEV (Federation of Greek Industries), SVVE (Federation of Industries of Northern Greece), and OSME (Greek Federation of Marble Associations). The 2004 agreement was of two years duration. This year's agreement is in arbitration.

d) Federation of Industries of Northern Greece / Syndesmos Viomihanion Voreiou Ellados (SVVE)

SVVE was established in 1915. Its membership consists of 600 companies based in Macedonia-Thrace-Epirus. It concludes a collective agreement covering the mining and quarrying sector, with the workers' organisation the Greek Federation of Handlers, Engine Drivers and Drilling Machine Operators (OHMGE), which is co-signed by SEV (Federation of Greek Industries), SAE-EPE (Association of Societes Anonymes and Limited Liability Companies) and OSME (Greek Federation of Marble Associations). The 2004 agreement was of two years duration. This year's agreement is in arbitration.

SVVE has no national, European or international affiliations.

e) Confederation of Small and Medium-Sized Enterprises of Greece / Geniki Synomospondoia Epaggelmaton, Viotechnon kai Emporon Ellados (GSEVEE)

GSEVEE is a tertiary-level association¹⁰⁹ representing the interests of artisans, traders and professionals at national level. It was established in 1919 under the name of the "Association of Greek Handicrafts" and has gradually evolved into the largest union organisation for SMEs. Its membership consists of 69 federations and 1,359 associations with 101,883 registered members (entrepreneurs). GSEVEE negotiates and concludes the *National General Collective Labour Agreement* with the confederal union organisation GSEE. It also concludes various sectoral collective agreements, including one with OOSEE (Federation of Construction Workers and Allied Professions) covering employees working in marble cutting and carving establishments (co-signed by SEV and OSME). The most recent agreement, which is annual, was signed in April 2005.

f) Federation of Greek Industries / Syndesmos Ellinikon Viomihanion (SEV)¹¹⁰

¹⁰⁸ This figure, provided by OSME, is exaggerated and cannot be considered reliable. It probably also includes commercial activities.

¹⁰⁹ It is one of the nationally recognised social partners' organisations, along with the Federation of Greek Industries (SEV) and the *Federation of Greek Traders' Associations* (ESEE) on the employers' organisation's side and with the GSEE on the trade union's side.

¹¹⁰ S & B Industrial Minerals is a member of EUBA (European Bentonite Producers' Association), which is affiliated to IMA-Europe, whilst ETERIA "5E" A.E. (established in Patras) is a member of EUROGYPSUM and is also a member of IMA-Europe. At national level, these two companies are affiliated to the Federation of Greek Industries (SEV), the tertiary level employers' organisation.

The Federation of Greek Industries (**SEV**) was established in 1907. It is the most powerful and influential employers' organisation, as it includes among its members the most important sectors of the economy, as well as the largest firms. According to its statute, SEV represents firms employing over 50 employees, which are considered medium-sized and large by Greek standards. Although increasingly SEV membership covers a broad spectrum of economic activity, ranging from small entities to large corporations, including privatised public utility companies, in practice, it represents the "big" and long-established manufacturing companies.

SEV remains a business organisation, consisting of both associations and firms, but not individuals. The affiliated members (private law legal entities) can be organised at either sectoral or regional level. Membership of SEV is voluntary. As recent, official membership figures have not been disclosed by SEV, we can only provide an estimate, by using 1998 data; given the fact that according to those we consulted figures have not changed substantially since 1998, we can infer that membership consists of approximately 560 private companies, 70 sectoral and 7 regional associations. Although most sectoral industrial associations are members of SEV, this is true for less than half of the regional associations.

SEV is directly engaged in collective bargaining and plays a central role in negotiating the National General Collective Labour Agreement, as well as 67 sectoral and occupational labour agreements. In the mining and quarrying sector, SEV concludes a collective agreement with the workers' organisation OHGME (Greek Federation of Handlers, Engine Drivers and Drilling Machine Operators), which is co-signed by SVVE (Federation of Industries of Northern Greece), SAE-EPE (Association of Societes Anonymes and Limited Liability Companies) and OSME (Greek Federation of Marble Associations). The 2004 agreement was for two years duration. This year's agreement is in arbitration.

g) Public Power Corporation S.A. / Demosia Epicheirisi Electrismou A.E.

PPC S.A. was first established in 1950 as a state monopoly. In 2001 it was converted to a Societe Anonyme. PPC S.A. is currently one of the largest Greek companies, fully vertically-integrated, and holds a leading position in the Greek electrical energy market. PPC has 8 lignite power stations, comprising 43% of the country's total installed capacity and producing nearly 61% of the country's electrical energy. Lignite is, in fact, the most important source of fuel for electrical generation in Greece. In 2005, a total of 67.3 million tons were mined. Greece is second in the European Union in terms of lignite production.

At European level, Public Power Corporation S.A is a member of EURACOAL.

Employers' organisations

| Organisation (English name) | Members | | Estimated density | Collective Bargaining (Yes/No) | Affiliations | | | | |
|---|--|---|----------------------|--------------------------------------|--|--------|--------------------------|--------|------|
| | Total number of companies that are members of this organisation | Total number of workers who are working in companies which are members of this organisation | | | European affiliations | | Other affiliations | | |
| | | | | | Related to the sector | Others | Related to the sector | Others | |
| Greek Mining Enterprises Association (SME) | 25 | ~ 9,500 | 72% | Yes | Euromines Industrial Mineral Association (IMA) | None | None | None | None |
| Greek Federation of Marble (OSME) | 1,200 primary unions | ND | ND | Yes | None | None | None | None | None |
| Association of Societes | ~2,000 | ND | ND | Yes | None | None | None | None | None |

| | | | | | | | | |
|--|---------|----|----|-----|--------|------|------|------|
| Anonymes and Limited Liability Companies (SAE-EPE) | | | | | | | | |
| Federation of Northern Greece Industries (SVVE) | ~600 | ND | ND | Yes | None | None | None | None |
| Confederation of Small and Medium-sized Enterprises of Greece (GSEVEE) | 101,883 | ND | ND | Yes | UEAPME | None | None | None |
| Federation of Greek Industries (SEV) | 560 | ND | ND | Yes | UNICE | None | None | None |

Source: authors' research, 2006

3. DESCRIPTION OF THE SOCIAL DIALOGUE IN THE SECTOR AT NATIONAL LEVEL

3.1. Description of the tripartite concertation in the sector

There is no tripartite consultation for industry-wide agreements. Tripartite social dialogue takes place either within the established social consultation institutions (Economic and Social Committee, National Employment Committee, National Social Protection Committee, etc.), or on ad-hoc occasions for the preparation of reforms on public policy issues (for instance, the labour market reforms in 1997 and 2000). The social partners' organisations [i.e. GSEE, SEV, GSEVEE and ESEE], also have the capacity to nominate their representatives to a wide array of public bodies; thus, they participate in a large number of institutions, decision-making bodies, ministerial committees, steering committees, and monitoring committees of EU funded programmes.

3.2. Description of the bipartite social dialogue in the sector

Six different collective labour agreements are concluded in the mining and quarrying industry. The sectoral social dialogue is restricted to short-term problems, such as rising labour costs for employers, and job intensity in mines and quarries, shortage of labour, low pay and conditions of health and safety at work for workers. There is a serious problem due to the fact that an increasing number of pits are closing down. The provisions of the 6 collective labour agreements related to the mining and quarrying sector concern mainly basic rates and allowances. The main players involved in this collective bargaining process are the four workers' organisations (OOSSE, OME, OHMGE, OEMLLE), the two sectoral employers' organisations (SME, OSME) and finally the four other employer's organisations (SAE-EPE, SEV, SVVE, GSEVEE). These four organisations are broadly-based, not branch-specific, and they conclude other collective agreements as well, with other unions representing different sectors from mining. The same recognition criteria apply, as with all organisations.

4. COMMENT

The mining sector in Greece has very good growth prospects that need to be fully developed through the appropriate policy initiatives. The sustainable growth of the sector will boost employment, especially in the less developed regions of Greece, and improve the terms and conditions of workers.

5. LIST OF ABBREVIATIONS

- GSEE** General Confederation of Greek Workers
OEMLLE Greek Federation of Mines –Lignite Pits- Quarries’ Employees
OHMGE Greek Federation of Handlers, Engine Drivers and Drilling Machine Operators
OME Greek Miners’ Federation
OOSEE Federation of Construction Workers and Allied Professions
OSME Greek Federation of Marble Associations
SAE-EPE Association of Societes Anonymes and Limited Liability Companies
SVVE Federation of Northern Greece Industries
SEV Federation of Greek Industries
SME Greek Mining Enterprises Association

HUNGARY

1. DESCRIPTION OF THE SECTOR'S CHARACTERISTICS AT NATIONAL LEVEL

1.1. Delimitation and scope of activities in the sector

The statistical specification of the mining and quarrying sector in Hungary is in accordance with the NACE codes. However, we have to note that mining activities are also carried out in the electricity industry, because during the early 1990s, when a large wave of privatization took place, the largest coal mines were integrated into power plants, the most important coal users in the country (export activity has never played a significant role in the industry). Therefore, miners working in these power plants are covered by collective agreements concluded within the framework of the social dialogue committee of the electricity sector and they are not registered in the statistics as part of the mining sector. To a smaller extent, the same is true for enterprises operating in the construction industry: some of these firms also deal with quarrying gravel, stone and sand but as their primary activity belongs to the category of construction, they and their employees are not registered in the mining sector. Another divergence is that enterprises belonging to NACE 11 (Extraction of crude petroleum and natural gas; Service activities incidental to oil and gas extraction, excluding surveying) take part in the sectoral level social dialogue. In the following report, we will give a short overview of the sector according to these particular features, that is including activities belonging to the category of NACE 11 and excluding mining activities carried out in the power plants.

1.2. Socio-economic features of the sector

a) The importance of the sector within the national economy (GDP, output)

The mining and quarrying industry has a long history in Hungary, stretching back over several centuries. After a 'glorious' period in the post-war era when mining (especially coal mining) was of crucial importance from the point of view of economic development and extensive industrialization, the sector experienced a significant decline from the middle of the 1960s, but this decline has been accelerating since the beginning of the 1990s when the sector was privatized. In the 'golden age' of the sector the number of employees exceeded 100,000 while currently there are a little over 5,000 (excluding those who are employed by power plants). The share of the sector in the industry in terms of gross output and number of employees was 0.5% and 0.7%, respectively, in 2004. The following table shows the value of gross production and sales in absolute terms, by sub-sectors.

Gross output and sales in the mining sector, 2004 (million HUF¹¹¹)

| Branches | | Gross output | Sales | | |
|-----------|---|--------------|--------|----------|--------|
| NACE Code | Denomination | | Total | Domestic | Export |
| 101 | Mining and agglomeration of hard coal | 2,652 | 2,654 | 2,625 | 29 |
| 102 | Mining and agglomeration of lignite | 3,730 | 3,674 | 3,185 | 489 |
| 103 | Extraction and agglomeration of peat | 548 | 528 | 491 | 38 |
| 10 | Mining of coal and lignite; extraction of peat | 6,930 | 6,856 | 6,301 | 555 |
| 111 | Extraction of crude petroleum and natural gas | - | - | - | - |
| 112 | Service activities incidental to oil and gas extraction, excluding surveying | 11,929 | 11,881 | 11,384 | 497 |
| 11 | Extraction of crude petroleum and natural gas; Service activities incidental to oil and gas | 11,929 | 11,881 | 11,384 | 497 |

¹¹¹ 1 EUR = 281.757 HUF.

| | | | | | |
|------|---|------------|------------|------------|------------|
| | extraction, excluding surveying | | | | |
| 12 | Mining of uranium and thorium ores | - | - | - | - |
| 131 | Mining of iron ores | - | - | - | - |
| 132 | Mining of non-ferrous metal ores, except uranium and thorium ores | Negligible | Negligible | Negligible | Negligible |
| 13 | Mining of metal ores | Negligible | Negligible | Negligible | Negligible |
| 1411 | Quarrying of ornamental and building stone | 4,942 | 4,969 | 4,969 | - |
| 1412 | Quarrying of limestone, gypsum and chalk | 8,980 | 8,952 | 8,932 | 20 |
| 1413 | Quarrying of slate | - | - | - | - |
| 141 | Quarrying of stone | 13,922 | 13,921 | 13,901 | 20 |
| 1421 | Operation of gravel and sand pits | 30,631 | 30,361 | 29,787 | 574 |
| 1422 | Mining of clays and kaolin | 2,657 | 2,665 | 2,144 | 521 |
| 142 | Quarrying of sand and clay | 33,289 | 33,027 | 31,932 | 1,095 |
| 143 | Mining of chemical and fertilizer minerals | - | - | - | - |
| 144 | Production of salt | Negligible | Negligible | Negligible | Negligible |
| 145 | Other mining and quarrying n. e. c. | 287 | 288 | 288 | - |
| 14 | Other mining and quarrying | 47,898 | 47,637 | 46,522 | 1,115 |
| C | Mining | 71,967 | 71,512 | 69,345 | 2,167 |

Source: KSH (2005), p. 72.

b) The role of the mining and quarrying industry in employment, the composition of the work force and wage levels

As we mentioned earlier, one of the most dramatic consequences of the privatization process in social terms was the decline in the number of employees. The following table gives a brief overview of the structure of employees currently working in the sector. According to the experts, the NACE classification does not cover the real number of the people employed in mining industry, since in Hungary only the main economic activity of the firms is reflected in the statistics. It means for example that miners working for the Hungarian Oil & Gas Company Plc are recorded in the official statistics as belonging to the chemical industry, as it is the main activity of the company. According to the experts' estimate, the real number of employees who work as miners may be three times higher than the data reflected in the official statistics.

Number of employees by staff-groups, 2004*

| NACE Code | Denomination | Blue-collar | White-collar | Total |
|-----------|---|-------------|--------------|-------|
| 101 | Mining and agglomeration of hard coal | 17 | 19 | 36 |
| 102 | Mining and agglomeration of lignite | 283 | 103 | 386 |
| 103 | Extraction and agglomeration of peat | 87 | 34 | 121 |
| 10 | Mining of coal and lignite; extraction of peat | 387 | 156 | 543 |
| 111 | Extraction of crude petroleum and natural gas | - | - | - |
| 112 | Service activities incidental to oil and gas extraction, excluding surveying | 642 | 195 | 837 |
| 11 | Extraction of crude petroleum and natural gas; Service activities incidental to oil and gas extraction, excluding surveying | 642 | 195 | 837 |
| 12 | Mining of uranium and thorium ores | - | - | - |
| 131 | Mining of iron ores | - | - | - |

| | | | | |
|------|---|------------|------------|------------|
| 132 | Mining of non-ferrous metal ores, except uranium and thorium ores | Negligible | Negligible | Negligible |
| 13 | Mining of metal ores | Negligible | Negligible | Negligible |
| 1411 | Quarrying of ornamental and building stone | 310 | 75 | 385 |
| 1412 | Quarrying of limestone, gypsum and chalk | 439 | 101 | 540 |
| 1413 | Quarrying of slate | - | - | - |
| 141 | Quarrying of stone | 749 | 176 | 925 |
| 1421 | Operation of gravel and sand pits | 1,600 | 476 | 2,076 |
| 1422 | Mining of clays and kaolin | 195 | 45 | 240 |
| 142 | Quarrying of sand and clay | 1,795 | 521 | 2,316 |
| 143 | Mining of chemical and fertilizer minerals | - | - | - |
| 144 | Production of salt | Negligible | Negligible | Negligible |
| 145 | Other mining and quarrying n. e. c. | 46 | 15 | 61 |
| 14 | Other mining and quarrying | 2,600 | 715 | 3,315 |
| C | Mining | 4,098 | 1,144 | 5,242 |

*Data of enterprises with 5 or more employees.

Source: KSH (2005), p. 173.

The wages paid are higher than the national average mainly because of the supplements and other additional benefits paid due to the health risks in the sector. Most of the employees are blue-collar workers, the share of white-collar workers is less than 28%. Part-time work is not as prevalent as in Western Europe and this holds true for the mining industry as well, the proportion of part-time jobs is less than 3%. Generally speaking, the qualification level is lower than the national average and the sector is dominated by male employees.

Number of enterprises by size groups of employees, 2004*

| Branches NACE Code | Size group of employees, persons | | | | Total number of enterprises |
|-----------------------|----------------------------------|--------|-----------|---------------|-----------------------------|
| | 20-49 | 50-249 | 250-1,999 | 2,000 or more | |
| 10 | 7 | 4 | - | - | 11 |
| 11 | 2 | 3 | 1 | - | 6 |
| 12 | - | - | - | - | - |
| 13 | - | 1 | 1 | - | 2 |
| 14 | 31 | 13 | 1 | - | 45 |
| C | 40 | 21 | 3 | - | 64 |

*Data of enterprises with 20 or more employees

Source: KSH (2005), p. 242.

Workers

| Sub-sectors | Number of self-employed workers in the sector | Number of employees in the sector | Number of employees in the sector/ total number of employees in the country –all sectors- (%) | Number of employees in companies with <10 workers in the sector/ number of employees in the sector (%) | Number of employees in companies with 10-49 workers in the sector/ number of employees in the sector (%) | Number of employees in companies with 50-249 workers in the sector/ number of employees in the sector (%) | Number of employees in companies with >249 workers in the sector/ number of employees in the sector (%) |
|-------------|---|-----------------------------------|---|--|--|---|---|
| | | | | | | | |

| | | | | | | | |
|---------------------|----|----|----|----|----|----|----|
| NACE | ND |
| NACE | ND |
| Total in the sector | ND |

c) Ownership structure, privatisation, market structure

Since the transformation period of the 1990s, the mining industry has been constantly losing its economic weight with respect to both production and employment figures. This is due partly to privatization when market conditions were implemented into the daily operation of the mines, and partly to the changing energy policies and strategy concerning the environmental protection of the country. In parallel to this, large infrastructural investments (e.g. highway construction) made previously neglected sub-sectors more valuable, such as the activities belonging to the category of NACE 14, which is currently the dominant sub-sector in terms of number of firms or employees. As regards the privatization process, with the exception of the activities belonging to the category of NACE 12 (Mining of uranium and thorium ores), all sub-sectors have been entirely privatized, a process in which foreign capital played a significant role by renewing technology, implementing new working methods and increasing productivity.

Share of state-owned and foreign capital in subscribed capital, 2004*

| NACE Code | Denomination | State | Foreign |
|-----------|---|--|---------|
| | | Investment share of subscribed capital | |
| 10 | Mining of coal and lignite; extraction of peat | 0.0 | 21.6 |
| 11 | Extraction of crude petroleum and natural gas; Service activities incidental to oil and gas extraction, excluding surveying | 0.0 | 13.3 |
| 12 | Mining of uranium and thorium ores | 100.0 | 0.0 |
| 13 | Mining of metal ores | 0.0 | 0.5 |
| 14 | Other mining and quarrying | 0.3 | 64.2 |
| C | Mining and quarrying | 2.0 | 50.6 |

*Data of enterprises with 20 or more employees

Source: KSH (2005), p. 242.

2. DESCRIPTION OF THE ORGANISATIONS ACTIVE IN THE SECTOR

2.1. Description of the workers' organisations active in the sector

a) Union of Mining and Energy/ Bányászati és Energia Ipari Dolgozók Szakszervezete (BDSZ)

BDSZ is the biggest representative trade union operating in the mining sector. Before 1990 there were 19 sectoral trade unions in Hungary and BDSZ was one of them.

BDSZ is a representative and legally recognised social partner in sectoral level collective bargaining in mining. It has 28 member organisations and is financed partly by membership fees and partly by revenues from the management of its properties. It has 19 employees.

BDSZ is a member of the National Confederation of Hungarian Trade Unions (MSZOSZ) which is the largest confederation of the Hungarian trade unions.

b) Trade Union of Hungarian Oil and Gas Production Workers (HOPWTU/MOL Bányász Szakszervezet)

HOPWTU was created in 1990. It is a trade union representing the workers in the biggest Hungarian oil company (MOL) who are involved in the mining industry. HOPWTU has one staff employee. Its financing is provided by members' fees, its economic sovereign activities and other Hungarian and international applications.

This organisation does not provide public information on the number of members and type of membership. The activities covered by the trade union are in line with NACE code 11. HOPWTU takes part in sector level social dialogue and has signed CAs, but currently only at company level.

HOPWTU also takes part in sectoral level social dialogue and it is a representative and legally recognised social partner in sectoral level collective bargaining (legal and mutual recognition).

Workers' organisation(s)

| Organisation (English name) | Members ¹¹² | | Estimated density | Collective Bargaining (Yes/No) | Affiliations | | | |
|---|---|--|-------------------|--------------------------------|-----------------------|--------|-----------------------|--------|
| | Total number of members in the organisation | Number of members who are working in the Mining and quarrying sector | | | European affiliations | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| Union of Mining and Energy | ND | ND | Above 50% | Yes | EMCEF | - | ICEM | - |
| Trade Union of Hungarian Oil and Gas Production Workers | ND | ND | ND | Yes | EMCEF | - | - | - |

Source: interviews with representatives of BDSZ.

2.2. Description of the employers' organisations active in the sector

a) Hungarian Mining Association/Magyar Bányászati Szövetség

The organisation is the only representative body of enterprises operating in the Hungarian mining industry. It was founded in 1992 in order to represent the professional and social interests of the sector in the process of privatization. The Association now has 81 members, representing the most important Hungarian employers operating in the mining sector. The organisation represents the interests of its members both at national and EU-level, and the President of the Association was elected President of the European Mining Sectoral Dialogue Committee, in November 2005. It is financed exclusively by membership fees and has two employees. The organisation is legally recognized and it takes part in sector level collective bargaining. At European level, the Hungarian Mining Association is a member of EUROMINES. The privatised company Mátra Erőmű Rt (Owners: RWE Power Aktiengesellschaft – 50.2%, Magyar Villamos Művek Rt. – 25.51 %, Energie Baden-Württemberg AG – 21.70%, other shareholders – 1.85%) is a member of the Hungarian Mining Association and of the European organisation EURACOAL.

Employers' organisations

| Organisation (English name) | Members | | Estimated density | Collective Bargaining | Affiliations | |
|-----------------------------|-----------------|-----------------|-------------------|-----------------------|-----------------------|--------------------|
| | Total number of | Total number of | | | European affiliations | Other affiliations |

¹¹² We have no reliable data on the number of members, because of the sectoral overlapping we mentioned in the introduction. As an example, a stakeholder mentioned that they have no less than 30,000 pensioner-aged members, even if the total number of the employees working in the sector is only 5,000 according to the statistical classification.

| | companies that are members of this organisation | workers who are working in companies which are members of this organisation | | (Yes/No) | Related to the sector | Others | Related to the sector | Others |
|------------------------------|---|---|-----|----------|-------------------------------------|--------|-----------------------|--------|
| Hungarian Mining Association | 81 | 12,348 | 80% | Yes | EUROMINES EURACOAL IMA-Europe | - | - | - |

Source: Stakeholder interview at the Hungarian Mining Association

3. DESCRIPTION OF THE SOCIAL DIALOGUE IN THE SECTOR AT NATIONAL LEVEL

3.1. Description of the tripartite concertation in the sector

There is tripartite social dialogue in the sector which was reinforced during privatization. The stakeholders who were interviewed agreed that they can negotiate more easily with the government if they participate in sector level collective bargaining. The above institutions participate in this tripartite concertation together with specific governmental bodies. The main issues are as follows: legislation affecting the sector, privatization and restructuring of the sector, European level issues such as CO₂, SO₂, etc. quotas, national strategy for energy policies, environmental policies, etc.

3.2. Description of the bipartite social dialogue in the sector

In the mining industry sector level collective bargaining is traditionally strong. However, the formal institution of sector level social dialogue began in 2003 when the so-called 'Sectoral Dialogue Committees' were established. The mining industry was amongst the first sectors where these committees were formed. This is partly due to tradition and the small number of players present in the sector: the employers have only one organisation dealing with the representation of their interests, while on the employees' side there are only two trade unions (see above). The trade unions have a long tradition, while the employers' organisation was established in 1992 when the players were faced with privatization which radically transformed the inner structure of the industry. The most important consequences of this process were as follows: state ownership has been eliminated (with the exception of the mining of uranium which is of strategic importance and only one coal mine remained in state ownership), and the majority of the coal mines were integrated into power plants, thus the employees of these mines have been transferred to the electricity industry. In parallel, the importance of such previously neglected sub-sectors as Quarrying of stone (NACE 14.1) and Quarrying of sand and clay (NACE 14.2) has been significantly increased. This resulted in a more fragmented and heterogeneous organisational structure on the employers' side which makes consultation much more difficult because of the divergent interests of the employers. Indeed, there are some relatively large companies operating in the sector but it is dominated by small or rather micro firms (with less than 50, sometimes even 5 employees) and these two groups are different in terms of their resources, work organisation structures and economic interests. Therefore no collective agreement has been signed at sectoral level. The typical level of social bargaining (wage bargaining, working time issues, etc) is enterprise level. However, the social partners mutually recognize each other and they expressed their interest in signing collective agreements in the future.

b) At enterprise level: Legislation at company level

During the privatization/restructuring process, there were two main aims of the trade unions active in the sector. Firstly, they wanted to preserve as many jobs as possible and secondly they wanted to sign as many collective agreements at company level as possible. As we have already noted, the importance of quarrying sand and clay has been increased significantly and one of the main concerns was that in these companies there was no well-established social dialogue (the trade unions mainly targeted the largest mining companies). According to a trade union leader, nowadays, after a relatively long period of negotiation and a mutual learning process, there is a collective agreement in almost all companies where the trade unions are present; even if the quality of these agreements varies greatly, generally speaking we can say that it depends on the economic position of the firm. The most important issues negotiated at company level are as

follows: wages and benefits, working hours, working conditions and occupational health and safety. The most problematic questions are the annual wage increase and working time (e.g. in opencast mining, it is impossible to work in winter, and to compensate for this some of the employers want to make their employees to work 12 or more hours in summer time).

According to a trade union leader, there is a link between the sector level and company level collective bargaining. This is partly due to the fact that the participants at both levels are the same and they can easily utilize the experiences gained during sector level collective bargaining also at company level.

4. COMMENT

On the whole, we can say that in the mining and quarrying industry, the disadvantageous economic and employment circumstances motivate the social partners to develop and maintain a cooperative model which is increasingly founded on the recognition of each other's mutual and long-term interests. This motivates all social players to make reciprocal concessions on issues of employment, working time, working conditions or wages. The most problematic issue which hinders the further development of collective agreement at both company and sectoral level is the emergence of small enterprises (e.g. 1-5 employees). Trade unions and also the employers' organisation can hardly negotiate with these small enterprises whose economic situation is rather unstable. This has, of course, a negative impact on the prospects of sector level collective bargaining. All the players interviewed acknowledged that the biggest obstacle to the further development of sector level social dialogue (i.e. the collective agreement) in the mining and quarrying industry is the extremely heterogeneous and fragmented organisational structure of the employers.

5. LIST OF ABBREVIATIONS

| | |
|---------------|--|
| BDSZ | Union of Mining and Energy/ Bányászati és Energia Ipari Dolgozók Szakszervezete |
| HOPWTU | Trade Union of Hungarian Oil and Gas Production Workers (HOPWTU/MOL Bányász Szakszervezet) |

IRELAND

1. DESCRIPTION OF THE SECTOR'S CHARACTERISTICS AT NATIONAL LEVEL

1.1. Delimitation and scope of activities in the sector

The activities included in the sector from the point of view of the employers' and workers' bodies are the same as those included in the NACE classification used for this study, except for the Irish Concrete Federation which includes quarries and other activities associated with concrete production. The Central Statistics Office (CSO) is the agency with responsibility for collecting statistical data in Ireland. The CSO uses NACE classifications in the Census of Industrial Production which examines NACE C, D and E. Although the CSO considers NACE 11 part of the mining and quarrying industry, it is not considered to be in the sector from the point of view of the organisations active in the sector. The Irish mining and quarrying industry consists of NACE 10, 11, 13 and 14. There is no mining of uranium and thorium ores in Ireland (NACE 12), although deposits of uranium exist in Ireland.

Both mining and quarrying are regulated under the Mines and Quarries Act, 1965. Mining is also regulated by the Minerals Development Acts, 1940-1999. Some of the Regulations and Orders under the Act cover both mines and quarries together, while others cover areas specific to mining, such as Locomotive regulations, or specific to quarrying, such as Explosives.

1.2. Socio-economic features of the sector

Gross Value Added of all industrial enterprises was €7,801 million in 2004. The Gross Value Added for the mining and quarrying industry in Ireland was €565 million in 2004. Irish Gross Domestic Product (GDP) at current prices amounted to €148,556 million in 2004.¹¹³ The mining and quarrying industry (NACE 10, 11, 13, 14) accounted for 0.38% of GDP the same year.

NACE 10, 11 and 13 exports value 64.6% of total turnover compared to 3.6% of NACE 14. According to the Irish Mining and Quarrying Society (IMQS) quarrying in Ireland is contributing significantly towards the achievement of the National Development Plan¹¹⁴ (NDP) by providing the raw materials necessary for the additional housing stock and the new infrastructure planned. Ireland's thriving construction and road building industries utilise a significant amount of the raw materials produced by quarrying, with the value of exports accounting for only 3.6 per cent of the total turnover of quarrying enterprises. Exports in mining, on the other hand, account for 64.6% of the total turnover of mining enterprises. No underground economy was identified by most of the partners in the mining or quarrying sector in Ireland. However, one of the employers' organisations stated that there are quite a number of unauthorized quarries.¹¹⁵

There are 91 mining and quarrying enterprises in Ireland (including companies in NACE 11). Of these, 16 are NACE 10, 11 and 13 enterprises and 71 are NACE 14 enterprises.

There are currently three active metal mines in Ireland at Navan, Galmoy and Lisheen. Quarries, on the other hand are spread out over the whole country, with clusters around the Greater Dublin Area, the Munster Region and The Border Midland and Western Region.¹¹⁶ The most recent edition of the Directory of Active Quarries, Pits and Mines in Ireland lists over 400 current operations from which sand, gravel or crushed rock are extracted.¹¹⁷

¹¹³ Central Statistics Office (July 2005) National Income and Expenditure Annual Results for 2004, CSO, Dublin.

¹¹⁴ The NDP involves an investment of over €52 billion of public, private and EU funds from 2000-2006 in health services, social housing, education, roads, public transport, rural development, industry, water and waste services.

¹¹⁵ Ralaheen interview, June 2006.

¹¹⁶ Ralaheen interview, June 2006.

¹¹⁷ Doyle, E., Hinch, C. and Cox, W. (2001) *Directory of Active Quarries, Pits and Mines in Ireland*, (3rd Edition), Geological Survey of Ireland.

The following table shows that quite a large number of the local units are small in size. Sixty-eight units employ fewer than 10 persons and 57 employ 10-19 persons. Of the larger local units, 10 employ 50-99 persons, while 11 employ over 99 persons.

Size of Local Units and Total Persons Employed, Ireland 2003

| NACE Code | Number of Persons Employed | Number of Local Units | Total Persons Employed |
|----------------|----------------------------|-----------------------|------------------------|
| 10, 11, 13, 14 | Under 10 | 68 | 292 |
| | 10-19 | 57 | 787 |
| | 20-49 | 30 | 925 |
| | 50-99 | 10 | 681 |
| | 100 and over | 11 | 3,241 |
| | Total | 176 | 5,926 |

Source: Central Statistics Office (2005) *Census of Industrial Production, 2003*, CSO, Dublin.

According to figures from the Central Statistics Office, a total of 5,926 persons work in the mining and quarrying industry in Ireland. Of these, 3,241 are employed in local units with 100 or more persons employed.

The mining and quarrying sector in Ireland consists mostly of skilled workers with many different types of qualifications. For example, a mining company would employ a variety of workers such as engineers, manual workers, clerical workers and heavy machinery operators and drivers. The quarrying sector consists of professional, technical, administrative, skilled, semi-skilled and unskilled workers.¹¹⁸ Most of the workers in this sector are permanent employees. Mining and quarrying is mainly a male sector of employment in Ireland. Of a total of 5,926 workers, 5,463 are male, while only 463 are female¹¹⁹.

Number and size of companies in the mining and quarrying sector, Ireland 2003¹²⁰

| Sub-sectors | Number of companies ¹²¹ | % companies without employees ¹²² | % companies with <10 employees | % companies with 10-49 employees | % companies with 50-249 employees | % companies with > 249 employees |
|---------------------|------------------------------------|--|--------------------------------|----------------------------------|-----------------------------------|----------------------------------|
| NACE 10, 11, 13 | 16 | ND | ND | ND | ND | ND |
| NACE 14 | 75 | ND | ND | ND | ND | ND |
| Total of the sector | 91 | ND | ND | ND | ND | ND |

Source: Central Statistics Office (2005) *Census of Industrial Production, 2003*, CSO, Dublin.

¹¹⁸ Ralaheen interview, June 2006.

¹¹⁹ Source: CSO (2005) *Census of Industrial Production, 2003*.

¹²⁰ The most recent *Census of Industrial Production* that has been published presents figures from 2003.

¹²¹ Data available is for the number of industrial enterprises.

¹²² The statistics include proprietors and family workers and exclude outside piece workers.

Workers statistics for the mining and quarrying sector, Ireland 2003

| Sub-sectors | Number of self-employed workers in the sector | Number of employees ¹²³ in the sector | Number of employees in the sector/ total number of employees in the country – all sectors- (%) | Number of employees in companies with <10 workers in the sector/ number of employees in the sector (%) | Number of employees in companies with 10-49 workers in the sector/ number of employees in the sector (%) | Number of employees in companies with 50-249 workers in the sector/ number of employees in the sector (%) | Number of employees in companies with >249 workers in the sector/ number of employees in the sector (%) |
|---------------------|---|--|--|--|--|---|---|
| NACE 10, 11, 13 | ND | 2,542 | 0.14 | ND | ND | ND | ND |
| NACE 14 | ND | 3,384 | 0.19 | ND | ND | ND | ND |
| Total of the sector | ND | 5,926 | 0.33 | ND | ND | ND | ND |

Source: Central Statistics Office (2005) *Census of Industrial Production, 2003*, CSO, Dublin.

2. DESCRIPTION OF THE ORGANISATION'S ACTIVE IN THE SECTOR AT NATIONAL LEVEL

2.1. Description of the workers' organisations active in the sector

a) The Services, Industrial, Professional and Technical Union (SIPTU)

SIPTU is the largest trade union in Ireland and represents over 200,000 workers in the public and private sectors in general, technical and professional occupations and sectors. Its history dates back to the turn of the 20th Century as the Irish Transport and General Workers' Union (ITGWU), which later amalgamated with the Workers' Union of Ireland and the Irish Women Workers' Union. SIPTU is organised in sectoral Branches and in Regions. SIPTU is funded through a subscription fee and employs around 300 full-time employees. It is legally recognised as a trade union and has a negotiator's licence. SIPTU has the power to sign collective agreements at company level and a number of such agreements exist for the mining sector. However, there is no database of these agreements so the exact numbers are not known. Company level agreements usually relate to issues such as pay and conditions of work. At present there is no sector level dialogue for the mining and quarrying industry in Ireland. However, SIPTU stated that they are exploring the possibility of developing this in the future.

SIPTU represents workers from the mining sector in Ireland. It has representatives for the three mines currently active in Ireland at Navan, Galmoy and Lisheen. SIPTU estimates that mine workers are as close to 100 per cent unionised as you are likely to get in Ireland (70-100%). At the European level, SIPTU is an affiliate of EMCEF.

b) The Technical, Engineering and Electrical Union (TEEU)

The TEEU came into existence in 1992 with the amalgamation of the Electrical Trades Union and the National Engineering & Electrical Trades Union, which both originated in 1920. The union represents over 40,000 workers from both the public and private sectors.

The TEEU is made up of different Branches that elect their own officers and a representative to the National Executive Council. The TEEU has legal recognition as a trade union and has its negotiator's licence. It takes part in collective bargaining at company level for workers in the mining and quarrying sector. At present no sector level dialogue exists for mining and quarrying. The TEEU represents some workers in both the mining and quarrying sectors.

¹²³ The statistics include proprietors and family workers and exclude outside piece workers.

Workers' organisations in the mining and quarrying sector, Ireland 2006

| Organisation (English name) | Members | | Estimate of density | Collective Bargaining (Yes/No) | Affiliations | | | |
|--------------------------------|---|---|-----------------------------|--------------------------------------|--------------------------|--------|--------------------------|--------|
| | Total number of members in the organisation | Number of members who are working in the mining and quarrying sector | | | European affiliations | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| SIPTU | 200,000 | ND | 70-100 for mining sector | Yes | EMCEF | - | - | ICTU |
| TEEU | 40,000 | ND | ND | Yes | - | - | - | ICTU |

Source: Ralaheen interviews, January 2006.

2.2. Description of the employers' organisations active in the sector

a) The Irish Business and Employers' Confederation (IBEC)

IBEC is the leading umbrella body acting as a voice for industry in Ireland on behalf of Irish business and employers (more than 7,000 business and organisations comprise the organisation's membership). IBEC represents their members' interests to the Government, state agencies, the trade unions, other national interest groups, and the general public. IBEC works on European policy issues on behalf of Irish business and employers at European level through the Irish Business Bureau (IBB), Brussels. IBEC is funded through membership fees and it has around 200 full-time employees.

Mining and quarrying businesses are represented by IBEC in two ways. Firstly it has regional representatives who deal with the individual companies' industrial relations issues. As there is no sectoral dialogue or agreements, the representatives negotiate with the trade unions on a company-by-company basis.

Secondly, members can join the **Irish Mining and Exploration Group**. This is a small organisation within IBEC (with one part-time staff member) that is funded by IBEC subscription fees. On occasions if for instance the organisation is doing a particular study, they may ask their members or sponsors for a contribution towards the cost.

The Irish Mining and Exploration Group is a Trade Association that does not deal with industrial relations issues for the mining and exploration sector, but with other issues such as lobbying. Its main focus is on mining although it does have some members from the quarrying industry. The Irish Mining and Exploration Group is a member of the European Association of Mining Industries (EUROMINES).

b) The Construction Industry Federation (CIF)

The Construction Industry Federation was founded in 1935. It represents and provides services to over 3,000 members who account for over 85% of the output of the Irish construction industry. CIF covers businesses in all areas of the Irish construction industry with a network of 13 branches in three regions and 37 associations so as to ensure that their members are served at a local, sectoral and national level. The organisation is funded through member subscriptions. One hundred and forty full-time permanent staff are employed by CIF.

The trade associations in CIF that are of relevance to the quarrying sector are the **Concrete Manufacturers Association** and the **National Concrete Producers Association**.

c) The Irish Concrete Federation

The Irish Concrete Federation was set up in 1994 as a company limited by guarantee. It represents employers in quarrying and concrete production, which it views as intrinsically linked. Its membership consists of 120 companies (91-92% of concrete companies in Ireland) which employ between 13,000-14,000 people. The companies represented are of varying sizes. It represents three Public Limited Companies (PLCs), and roughly equal proportions of SMEs (many of which are family-run) and smaller family-run businesses. The Federation is funded through membership subscription and by charging professional fees for services provided, such as archaeological services or technical services. The Federation employs 14 full-time staff, which includes both professional and administrative employees.

The Irish Concrete Federation has negotiating rights and is due to meet with trade union representatives soon to discuss the recently concluded European Respirable Crystalline Silica Agreement. The Federation has also taken part in negotiations on a company-by-company basis.

Employers' organisations in the mining and quarrying sector, Ireland 2006

| Organisation (English name) | Members | | Estimate of density | Collective Bargaining (Yes/No) | Affiliations | | | |
|---|---|---|-----------------------|--------------------------------|-----------------------|--------|-----------------------|--------|
| | Total number of companies that are members of this organisation | Total number of workers working in the companies which are members of this organisation | | | European affiliations | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| Construction Industry Federation | 3,000 | ND | ND | Yes | - | - | - | - |
| Irish Business and Employers Confederation (IBEC) | 7,000 | ND | ND | Yes | EUROMINES | UNICE | - | - |
| Mining and Exploration Group (part of IBEC) | ND | ND | 0 | No | EUROMINES | - | - | - |
| The Irish Concrete Federation | 120 | 13,000-14,000 | 91-92% ¹²⁴ | Yes | UEPG | ERMCO | - | - |

Source: Ralaheen interviews, February 2006 and www.ibec.ie

2.3. Other organisations active in the Mining and Quarrying sector

The **Irish Mining and Exploration Group** a small organisation within IBEC (with one part-time staff member) that is funded by IBEC subscription fees. The Irish Mining and Exploration Group is a Trade Association that does not deal with industrial relations issues for the mining and exploration sector, but with other issues such as lobbying. The Irish Mining and Exploration Group is a member of the European Association of Mining Industries (EUROMINES).

The **Irish Mining and Quarrying Society (IMQS)** was founded in 1958 in order to provide a focal point for all those working in the extractive industries in Ireland. It is not an employers' group or a trade union but rather it has 300 members from all sectors of the industry and has workers as members, as well as corporate members. The IMQS has a role in Ireland as a forum for contact between the different branches of the industry. The IMQS is an important organisation as it is well recognised by the various players in the sector and has an important lobbying role. It has negotiated with a few Government Departments on various non-industrial relations issues.¹²⁵

The **Health and Safety Authority (HSA)** was mentioned by a number of the interviewees as a very important non-industrial relations player, with a strong presence in the sector. The HSA is the Irish national body with responsibility for health and safety at work.

¹²⁴ This included companies involved in quarrying and other concrete production activities.

¹²⁵ Ralaheen Interview, April 2006.

3. DESCRIPTION OF THE SOCIAL DIALOGUE IN THE SECTOR AT NATIONAL LEVEL

3.1. Description of the tripartite concertation in the sector

Tripartite Social Dialogue in Ireland takes place at a general level for all industries and not specifically for the mining and quarrying sector.

Tripartite collective bargaining in Ireland is conducted on a voluntary basis, whereby no side is obligated by law to enter negotiations, nor do the negotiations have a statutory basis¹²⁶. Since the 1980s there have been six successive Social Partnership Agreements. The Agreements are: The Programme for National Recovery (1987-1990); The Programme for Economic and Social Progress (PESP) (1991-1993); The Programme for Competitiveness and Work (PCW) (1994-1996); Partnership 2000 for Inclusion, Employment and Competitiveness (1997-1999); The Programme for Prosperity and Fairness (2000-2002); and Sustaining Progress (2003-2005). The tripartite social dialogue takes place every three years. The most recent collective bargaining agreement was negotiated in 2002/2003 for the three year period 2003 to 2005. As in the past, the Social Partnership Agreements have served as a reference point for a wide number of bodies and companies who are not part of the social partner groups who negotiate the Agreement. The Agreement in this sense fulfils a stabilising role for the economy as a whole and provides an element of predictability of labour costs at times of market volatility.

A new partnership deal, provisionally entitled *Towards 2016*, was agreed by the partners in June 2006.

3.2. Description of the bipartite social dialogue in the sector

a) At sector level

There are no sector level agreements for the mining and quarrying industry in Ireland. One of the trade union representatives for mining said that they are exploring the possibility of organising sector level negotiations at the moment and he does not foresee any difficulties in doing so¹²⁷. However, another of the interviewees thought that it might be difficult to develop a sectoral dialogue for the mining sector as the three active companies are all from different countries and have different industrial relations backgrounds¹²⁸. One of the employers representatives explained they believe it would only be necessary to develop this level of dialogue if the social partnership process breaks down¹²⁹.

b) At company level

There are a number of company level agreements for the mining and quarrying industry. These agreements may be negotiated directly between the trade union and employer or the employer may ask their representative body to negotiate on their behalf. There is no database of these agreements so exact details are not available. However, within the remit of the Irish Concrete Federation, which includes both quarrying and the production of concrete, there are approximately 18 such agreements, which cover areas such as pay and conditions of work. Around 50 per cent of the Federations member companies are covered by these agreements, which cover all categories of workers. There is no procedure for extending these agreements to parties that are not signatories to the agreement¹³⁰. The agreements within mining cover everything from pay and conditions to disciplinary procedures.

There is no obligation to participate in company level bargaining in Ireland. Within the mining and quarrying sector, there are no conflicts in relation to recognition issues.

¹²⁶ The agreements are voluntary in that they are not made into law.

¹²⁷ Ralaheen Interview, April 2006.

¹²⁸ Ralaheen Interview, April 2006.

¹²⁹ Ralaheen Interview, April 2006.

¹³⁰ Ralaheen interview, June 2006.

4. COMMENT

The mining and quarrying industry is a small but important sector in Ireland. Ireland is the largest producer of zinc concentrates in Europe and is also a significant producer of lead concentrates. The quarrying sector is contributing considerably to the construction boom in Ireland. Only a very small proportion of the total turnover of quarrying in Ireland is accounted for by exports with most of the materials extracted staying in the country.

Many of the companies in this sector are small. However, the largest 11 companies employ 3,241 of the 5,926 workers in this sector. The workers are mostly male.

There are a number of trade unions and employers' bodies active in the sector. No centralised dialogue exists between them at present. However, one of the representatives stated that they are looking at possibly developing this in the near future. At present, negotiations in the sector take place at a company-by-company level. These agreements usually cover areas such as pay and conditions of work. In the mining sector, each trade union will negotiate an agreement for the workers they represent. Therefore, a company may have three agreements with three different trade unions. However, the details of the agreements would be very similar. There is no database of these agreements so the exact number and details are not available.

5. LIST OF ABBREVIATIONS

| | |
|--------------|--|
| CSO | Central Statistics Office |
| CIF | Construction Industry Federation |
| IBEC | Irish Business and Employers' Confederation |
| | Irish Concrete Federation |
| ICTI | Irish Congress of Trade Unions |
| | Irish Mining and Exploration Group (part of IBEC) |
| IMQS | Irish Mining and Quarrying Society |
| SIPTU | Services, Industrial, Professional and Technical Union |
| TEEU | Technical, Engineering and Electrical Union |
| HSA | The Health and Safety Authority |

ITALY

1. DESCRIPTION OF THE SECTOR'S CHARACTERISTICS AT NATIONAL LEVEL

1.1. Delimitation and scope of activities in the sector

From the statistical point of view, following the NACE classification, in Italy the sector is sub-divided into two sub-sections: Mining and quarrying of energy-producing materials (CA), and Mining and quarrying, except energy-producing materials (CB). Excluding division 11 (petroleum and gas), sub-section CA is of slight relevance, and refers mainly to Mining and agglomeration of hard coal (10.1). On the other hand, sub-section CB includes the following groups: Mining of non-ferrous metal ores, except uranium and thorium ores (13.2); Quarrying of stone (14.1); Quarrying of sand and clay (14.2); Mining of chemical and fertilizer minerals (14.3); Production of salt (14.4); Other mining and quarrying n.e.c. (14.5).

From the point of view of interest representation, the mining and quarrying industry is linked to the energy sector. In effect, it is covered by wide-ranging workers' organisations gathering together chemicals, energy, and manufacturing, and by several employers' associations, among which a specific one also covers petroleum and gas as well as services. Quarrying of stone, sand and clay is, instead, regarded as being part of the production chain of construction materials and is thus covered by organisations operating in construction. Hence, the mining and quarrying sector refers to metal ores (NACE 13.2) and various minerals and quarry products (14.3, 14.4, and 14.5), and excludes petroleum and gas as well as construction materials, i.e. stone (14.1) and sand and clay (14.2). Despite the fact that the mining and quarrying industry is normally linked to the energy sector and, on the workers' side, to the wider chemical sector, the sector is covered by a separate industry-wide agreement¹³¹ (*Contratto Collettivo Nazionale di Lavoro – CCNL*), covering the following NACE groups: 13.2, 14.3, 14.4, and 14.5.

1.2. Socio-economic features of the sector

In Italy, activities within the sector do exist, even though with significant differences at sub-sector level. In fact, two sub-sectors, i.e. mining and agglomeration of hard coal (NACE 10.1), and Mining of non-ferrous metal, except uranium and thorium ores (13.2), are of slight relevance, while three other sub-sectors, i.e. Mining and agglomeration of lignite (10.2), Mining of uranium and thorium (12.0), and Mining of iron ores (13.1), are not relevant at all. According to more recent data, only a few companies are actually active in the above-mentioned sub-sectors. As regards social dialogue and collective bargaining, the sector is covered by a specific industry-wide agreement.

Referring to the national economic accounts, provided by the National Institute of Statistics (Istat), in 2003 production in mining and quarrying, except energy-producing materials (NACE sub-section CB) amounted to 2,886 million euro (0.2% in the country, and 0.4% in industry, excluding construction), while the produced added value reached the amount of 1,447 million euro in 2004 (0.1% of the whole economy, and 0.6% in industry). According to Confindustria, in 2004 imports reached 438 million euro (+7.4% compared 2003), while exports were only 82 million euro (+1.2%). As a result, the commercial balance is clearly negative (-356 million euro, -8.9% compared to 2003)¹³².

Taking as a reference the InfoCamere¹³³ database named Movimprese, providing data on the creation/failure rate of Italian companies, the number of registered companies active in the sector on 31 December 2005 was 4,149 of which 4,084 were in NACE division 14 (0.1% of the total in the country, and 0.6% in industry, excluding construction). Furthermore, in 2005 there were only 33 new registrations in the sector (32 in division 14) in comparison with 173 companies closed (166 in division 14), showing the low dynamism of the Italian mining and quarrying industry.

Referring to the 8th National Statistical Census on Industry and Services (available since 2004 and providing data updated to 2001), there were 3,818 companies (0.09% and 0.35% of the total in the country and industry respectively). They are almost exclusively small companies, with less than 10 employees (1,868; 48.93%), with no employees (987; 25.85%), and with 10-49

¹³¹ The European Employment and Industrial Relations Glossaries (EMIRE) define CCNLs as agreements which are "concluded at national level between employees' and employers' sectoral federations", and whose "sphere of application is the homogeneous product sector, which usually corresponds to an industrial category (such as metalworking, textiles, construction, chemicals)". Under the Agreement of 23 July 1993, the industry-wide agreement constitutes the first and more important of the two levels in the Italian bargaining structure.

¹³² Source: Confindustria, *Rapporto sull'industria italiana*, 2005.

¹³³ InfoCamere is the Italian private company which created and now administers the national information system linking up the 103 provincial Chambers of Commerce and their 300 branches.

employees (915; 23.97%). Companies with more than 50 employees represent only 1.25%. Furthermore, there are only 2 companies with more than 250 employees, in sub-sectors 10.1 and 14.4. Proportions do not seem to vary significantly at sub-sector level.

With regard to their legal form, firms are mostly stock companies (1,893; 49.58%), partnerships (1,012; 26.51%), and individual companies (827; 21.66%), while co-operatives and other types of companies represent only a small part (86; 2.25%).

Geographically, companies are spread all over the country, with a relative majority in the North. In detail, 24.12% of them are in the Northwest; 21.48% in the Northeast; 20.48% in the Centre; 18.57% in the South; and 15.35% in Islands.

Companies

| Sub-sectors | Number of companies | % companies without employees | % companies with < 10 employees | % companies with 10 to 49 employees | % companies with 50 to 249 employees | % companies with > than 249 employees |
|------------------------------|---------------------|-------------------------------|---------------------------------|-------------------------------------|--------------------------------------|---------------------------------------|
| Sub-sector 10.1 | 3 | 0.00 | 0.00 | 66.67 | 0.00 | 33.33 |
| Sub-sector 13.2 | 6 | 0.00 | 33.33 | 33.33 | 33.33 | 0.00 |
| Sub-sector 14.1 | 1,352 | 20.71 | 52.59 | 25.52 | 1.18 | 0.00 |
| Sub-sector 14.2 | 1,908 | 26.89 | 47.64 | 24.63 | 0.84 | 0.00 |
| Sub-sector 14.3 | 4 | 0.00 | 25.00 | 75.00 | 0.00 | 0.00 |
| Sub-sector 14.4 | 33 | 27.27 | 42.42 | 21.21 | 6.06 | 3.03 |
| Sub-sector 14.5 | 512 | 36.13 | 45.12 | 16.80 | 1.95 | 0.00 |
| Total of the sector 14 | 3,809 | 25.91 | 48.99 | 23.92 | 1.16 | 0.03 |
| Total of the sector 10+13+14 | 3,818 | 25.85 | 48.93 | 23.97 | 1.20 | 0.05 |

Source: Istat, 8th National Statistical Census on Industry and Services (2001)

According to the Census on Industry and Services, in 2001 there were 31,856 regular workers in the sector, of which 78.85% were employees and 18.25% self-employed workers. On the other hand, non-standard workers represented only 2.90% of total employment in the sector. In detail, there were 923 workers with a non-standard contract of employment, including 846 (91.66%) so-called "coordinated freelance workers" (*collaboratori coordinati e continuativi* or *co.co.co.*) and only 77 (8.34%) temporary workers.

Most workers are employed in small companies, with 10-49 employees (16,915, 53.10%), and with less than 10 employees (8,943, 28.07%). The rest are mostly in medium-sized companies, with 50-249 employees (3,836, 12.04%). Only 1,107 workers (3.48%) are employed in larger companies, and 1,055 (3.31%) in individual firms. Similar figures can be seen for employees. In fact, they are employed for the most part in small companies, with 10-49 employees (14,971, 59.60%), and with less than 10 employees (5,401, 21.50%). The rest are mostly in companies with 50-249 employees (3,654, 14.55%), while only 1,094 (4.36%) are in larger companies. As for self-employed workers, they work mostly in companies with 10-49 employees (3,177, 54.65%), and with 10-49 employees (1,560, 26.84%). The rest are mainly in individual firms (987, 16.98%), and an insignificant number in companies with more than 50 employees. To end with non-standard workers, they are concentrated in companies with less than 49 employees (749, 81.15%), while the rest represent an insignificant amount.

96.26% of workers (30,666) are employed in sub-sector 14: in particular, 46.44% (14,793) are in 14.2, 35.29% (11,243) in 14.1, and 11.94% (3,803) in 14.5, while only 2.36% are in 14.4, and 0.24% in 14.3. As for the rest, only 2.58% (821) are in sub-sector 10.1, and 1.16% (369) in 13.2. The proportion between employees, self-employed workers, and non-standard workers does not seem to vary significantly in the several sub-sectors. In the most representative one, sub-sector 14, they are 78.17%, 18.92%, and 2.91% respectively.

As to gender distribution, women employed in the sector represent only 10.12% of the total number of workers (excluding non-standard workers), whereas men amount to 89.88%. The incidence of women on employment decreases as the companies get larger in size, from 13.27% in individual firms to 4.65% in companies with more than 249 employees.

The weight of non-regular employment was estimated by Istat at 8.4% (about 3,500 workers) in 2002, and it varied from a minimum of 7.4% in 1994 to a maximum of 9.0% in 1999. This is the only available source of information on the weight of the underground economy at sector level.

According to Istat (2001), contractual pay in the sector (28,7 million ITL per year) is much lower than the national average (37,2 million), and one of the lowest in the country.

Workers

| Sub-sectors | Number of self-employed workers in the sector | Number of employees in the sector | Number of employees in the sector / total number of employees in the country (%) | Number of employees in companies with < 10 employees in the sector / number of employees in the sector (%) | Number of employees in companies with 10-49 employees in the sector / number of employees in the sector (%) | Number of employees in companies with 50-249 employees in the sector / number of employees in the sector (%) | Number of employees in companies with > 249 employees in the sector / number of employees in the sector (%) |
|------------------------------|---|-----------------------------------|--|--|---|--|---|
| Sub-sector 10.1 | 4 | 810 | 0.01 | 0.00 | 5.48 | 0.00 | 94.52 |
| Sub-sector 13.2 | 7 | 338 | 0.00 | 4.61 | 21.41 | 73.98 | 0.00 |
| Sub-sector 14.1 | 2,123 | 8,839 | 0.09 | 33.35 | 56.38 | 10.27 | 0.00 |
| Sub-sector 14.2 | 2,905 | 11,405 | 0.11 | 33.84 | 58.35 | 7.81 | 0.00 |
| Sub-sector 14.3 | 5 | 63 | 0.00 | 12.00 | 88.00 | 0.00 | 0.00 |
| Sub-sector 14.4 | 53 | 689 | 0.01 | 9.31 | 19.15 | 27.53 | 44.01 |
| Sub-sector 14.5 | 716 | 2,976 | 0.03 | 30.16 | 42.36 | 27.48 | 0.00 |
| Total of the sector 14 | 5,802 | 23,972 | 0.24 | 32.55 | 54.75 | 11.62 | 1.08 |
| Total of the sector 10+13+14 | 5,813 | 25,120 | 0.25 | 31.38 | 53.10 | 12.04 | 3.48 |

Source: Istat, 8th National Statistical Census on Industry and Services (2001)

The Italian mining and quarrying sector suffered a slowdown during the Eighties, when both the number of companies and the employment level started falling. In the following period, the sector has faced profound changes, due to the introduction of new technologies. Referring to the above-mentioned Census and comparing data from 1971 to 2001, it is possible to observe a decline in the number of firms from 4,425 in 1981 to 3,584 in 1991, and then a small increase to 3,818 in 2001. Very different figures have been observed at sub-sector level: in particular, in sub-sector 14.1 the number of firms has almost halved (from 3,534 in 1981 to 1,352 in 2001), whereas in sub-sector 14.2 it has sharply increased (from 143 in 1981 to 1,908 in 2001). On the contrary, Istat's Labour Force Survey Historical Series show the evidence of a progressive decline in the number of workers, from a maximum of 58,300 in 1982 to a minimum of 31,300 in 2003. Similarly, the number of employees has decreased from 53,800 in 1982 to 27,800 in 2003.

2. DESCRIPTION OF THE ORGANISATIONS ACTIVE IN THE SECTOR

As far as negotiation and consultation are concerned, the lack of the ordinary law ex art. 39 of the Constitution makes the representation system highly informal and uncertain¹³⁴ (also on the employers' side), as it is based only on mutual recognition.

Trade union organisations are free associations. Membership fees are the main financial source, although almost all the trade unions also receive public funds. As a consequence, trade union financial assets derive from both membership dues and State contributions. The former constitute the trade unions' assets, and are subject to general financial laws. The latter are connected to their tax and patronage services, which require a consistent organisational structure, and therefore imply State evaluation of trade unions' consistency. Internal financial distribution may differ from one organisation to another. In any case, funds are granted to all structures.

Information on the number of employees working for the representative organisations is rarely available. Sector organisations are often reluctant to give information on their staff. Therefore, there is no specific data on the organisations operating in the sector.

¹³⁴ Law Decree no. 396/1997 represents an exception only for the public sector.

2.1. Description of the workers' organisation active in the sector

Workers' representation in Italy is both horizontal and sectoral: sectoral federations are, nevertheless, structures of general trade unions. Despite the fact that sectoral federations have autonomy in collective bipartite negotiations, they usually behave according to inter-federal strategies, especially in the field of social and industrial relations policies.

The most representative trade unions and the dominant players within the sector are the following: (1) the **Federation of Italian Chemicals, Energy and Manufacturing Workers (FILCEM)** of the General Confederation of Italian Workers (CGIL); (2) the **Energy, Fashion, Chemicals and Allied Industries Federation (FEMCA)** of the Italian Confederation of Workers' Unions (CISL); (3) the **Union of Italian Chemicals, Energy and Manufacturing Workers (UILCEM)** of the Union of Italian Workers (UIL). In point of fact, these sectoral federations have a strong "oligopoly" of interest representation, as they are the only signatories to a specific industry-wide agreement on the workers' side. Moreover, they represent the only successful case of unions' unity. In fact, the Unitary Federation of Chemical Workers (FULC) has brought together the three main sectoral federations since 1972. FULC shows more unity of action than a real organisational unity on the model of FLM¹³⁵. In fact, the three sectoral federations continue to exist and sign collective agreements separately. In July 2004, an unexpected worsening of the relationships between FILCEA, on the one side, and FEMCA and UILCEM, on the other side, led to the formal interruption of this unity of action. Since March 2005, the three organisations have been working to resume it, and now this situation has been overcome.

a) FILCEM-CGIL (Federation of Italian Chemicals, Energy and Manufacturing Workers, Federazione Italiana Lavoratori Chimica, Energia, Manifatture)

FILCEM is the most representative trade union in the sector. It was created on 14 January 2004, when FILCEA (the Chemical and Allied Workers' Union) and FNLE (the Energy Workers' Federation) merged. FILCEM gathers together all types of employees of industrial companies, SMEs, and craft companies in the following sub-sectors: chemicals; chemical fibres; pharmaceuticals; ceramic goods; rubber and plastic materials; glass; thermionic valves or tubes; ceramic tiles; energy and petrochemicals; tanning. It also represents employees in R&D, as well as in the service activities related to these sub-sectors. Furthermore, it is signatory to fifteen industry-wide agreements.

b) FEMCA-CISL (Energy, Fashion, Chemicals and Allied Industries Federation, Federazione Energia, Moda, Chimica e Affini)

A merging strategy had been previously pursued by CISL, in 2001, with the creation of a wide federation, signatory to more than thirty industry-wide agreements: FEMCA. It is currently structured into six sectoral groups: Energy and Resources; Chemical/Pharmaceuticals; Chemical products; Textiles-Clothing; Tanning-Leather-Footwear; Small businesses-Handicrafts and allied sectors. FEMCA gathers together all types of employees, as well as professionals and managers, who are organized separately by *ad hoc* co-ordinating bodies (*Coordinamenti*). The merging process is still ongoing: at the 1st National Meeting (held in Bellaria on 2003, October the 29th) it was decided to include also FLAEI (the Electricity Workers' Union), although this has not yet occurred.

c) UILCEM-UIL (Union of Italian Chemicals, Energy and Manufacturing Workers, Unione Italiana Lavoratori Chimica Energia Manifatturiero)

UILCEM, the sectoral union of UIL, was created on 26 March 1999 from the merger of UILCER (the Union of Italian Chemicals, Energy and Resources Workers) and UILSP (the Union of Italian Public Services Workers). It gathers together all types of employees in the following sub-sectors: chemicals, pharmaceuticals, insulating fittings, and mining; energy, petrochemicals, engineering, and services; manufacturing SMEs (rubber and plastic materials; glass; tanning; ceramic, ceramic tiles, and allied products); electricals; water and gas; handicrafts (rubber and plastic materials; glass; tanning; ceramic, ceramic tiles, and allied products). UILCEM is signatory to fifteen CCNLs.

To conclude, FILCEA, FEMCA, and UILCEM are directly affiliated to the European Mine, Chemical, and Energy Workers' Federation (EMCEF), the International Federation of Chemical, Energy, Mine and General Workers' Unions (ICEM), and other sectoral federations.

¹³⁵ The Unitary Federation of Metalworkers started in 1972 and finished in 1984.

Workers' organisations

| Organisation (English name) | Members | | Estimate of density | Collective bargaining (Yes/No) | Affiliations | | | |
|--|--|--|------------------------|--------------------------------------|--------------------------|------------------|--------------------------|---------------|
| | Total number of members in the organisation | Number of members working in the sector | | | European affiliations | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| Federation of Italian Chemicals, Energy and Manufacturing Workers (FILCEM) | 161,652 | ND [1] | ND [1] | yes | EMCEF | No | ICEM | No |
| Energy, Fashion, Chemicals and Allied Industries Federation (FEMCA) | 134,621 | ND [1] | ND [1] | yes | EMCEF | ETUF-TCL EPSU | ICEM | ITGLWF PSI |
| Union of Italian Chemicals, Energy and Manufacturing Workers (UILCEM) | 80,171 | About 250 | About 6% | yes | EMCEF | No | ICEM | No |

Source: Direct contacts with each organisation (2005)

NB. Density is calculated on the basis of 2001 data on companies, and therefore might be under/overestimated, depending on the recent sectoral trends

[1] Data broken down by sector is currently unavailable

2.2. Description of the employers' organisations active in the sector

Employers' associations are usually intersectoral and have many vertical structures: as a rule, employers join their territorial structures and, through them, the national one. The territorial structures are also entitled to negotiate collective agreements at decentralized level (territorial or company).

Assomineraria (Italian Petroleum and Mining Industry Association, Associazione Italiana per l'industria mineraria e petrolifera)

Assomineraria is the only association representing employers in mining and quarrying¹³⁶. Furthermore, it is the only signatory organisation on the employers' side to the specific CCNL for the mining and quarrying sector. In, this situation of "quasi-monopoly"¹³⁷ of representation is a clear anomaly in the Italian representation system, well-known for a high degree of fragmentation and lack of coordination of employers.

Assomineraria was founded in 1917, and is part of the General Confederation of Italian Industry (Confindustria). It represents companies – mainly industrial firms, but also SMEs – carrying out exploration and production of oil and natural gases, industrial and energy minerals, and geothermal fluids, as well as companies supplying equipment and services to the petroleum and mining industries. Among its main activities, the Association: cooperates with other national and local industrial associations for the development of common actions aimed at supporting business activities; participates actively in political initiatives on energy, mining and environmental issues; maintains relations with international organisations and associations; promotes the adoption of environment and quality standards, and the diffusion of technical innovations that are likely to combine business cost-effectiveness and corporate social responsibility. As it is a sectoral association, it does not take part in collective bargaining at decentralized level. As noticed, territorial structures do.

Assomineraria is organized in three sections, depending on the activity of the member company: (1) Mining; (2) Hydrocarbons and Geothermal Resources; (3) Manufacturers and Suppliers of Equipment and Services. Moreover, It hosts and coordinates a number of specialized Commissions on strategic issues, such as legal affairs, environment, safety and health, emergencies, and decommissioning. To conclude, it supports several Working Groups, involving external experts.

¹³⁶ Actually, there are other organisations covering the mining and quarrying sector, but Assomineraria is the only one covering the specific segment defined in paragraph 1.1, coinciding with the area covered by the above-mentioned CCNL.

¹³⁷ IMA-Europe claims that it is not a situation of monopoly, but a very spread representation.

As for solid minerals, Assomineraria is a member of the Industrial Minerals Association (IMA-Europe). It is also an active member of the Association of Oil & Gas Producers (OGP) and of the European Oil & Gas Innovation Forum (Euro-GIF).

Employers' organisations

| Organisation (English name) | Members | | Estimate of density | Collective bargaining (Yes/No) | Affiliations | | | |
|---|---|---|--|--------------------------------|-----------------------|----------|-----------------------|--------|
| | Total number of companies that are members of this organisation (NACE 13.2, 14.3, 14.4, and 14.5) | Total number of workers working in companies which are members of this organisation | | | European affiliations | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| Italian Petroleum and Mining Industry Association (Assomineraria) | 19 [1] | 822 | 3.2% in the sector, 100% of larger companies | yes | IMA-Europe [2] | Euro-GIF | No | OGP |

Source: Direct contacts with the organisation (2005)

NB. Density is calculated on the basis of 2001 data on companies, and therefore might be under/overestimated, depending on the recent sectoral trends

[1] The Association represents a total of 103 companies

[2] Four companies are direct members of both Assomineraria and European-level sectoral associations affiliated to IMA-Europe: Imerys Minerali Spa, Omya Spa are affiliated to CCA-Europe, while IMI Fabi and Luzenac Val Chisone are affiliated to Eurotalco. Among IMA-Europe members, there are also two Italian chemical companies, which are not affiliated to Assomineraria (i.e. Società Chimica Laredello Spa and Laviosa Chimica Mineraria Spa, which are direct members of EBA and EUBA respectively), and Cagema (Associazione dell'Industria Italiana della Calce, del Gesso e delle Malte), which is a sectoral association representing 26 companies producing construction materials and is affiliated to Confindustria and Eurogypsum

3. DESCRIPTION OF THE SOCIAL DIALOGUE IN THE SECTOR AT NATIONAL LEVEL

3.1. Description of the tripartite concertation in the sector

There is no negotiation activity at this level in the sector.

3.2. Description of the bipartite social dialogue in the sector

The Italian collective bargaining structure operates on a two-tier system: a first level industry-wide agreement (CCNL), and a decentralized one (regional, provincial or company). The former provides minimum standards concerning pay, working time, working conditions, and equal opportunities for women and men. The latter provides for the implementation of the CCNL and is mainly addressed to variable pay and incentives. The first part of the CCNLs is "normative", setting general rules in the field of personnel classification, contracts of employment and flexibility, working time and rest periods, and union rights, on the one side, and the procedures and content of second level bargaining, on the other side. The second part is "economic" (wages). The normative part lasts four years, while the economic part lasts only two years.

Article 39 of the Italian Constitution states that a collective agreement is automatically extended to all employees (*erga omnes*), whenever it is signed by representative bodies in which "registered" trade unions are represented in proportion to their numerical strength. The failure to implement Article 39 makes the *erga omnes* extension impossible, even if, in actual fact, the courts often provide *erga omnes*, especially for pay issues. Finally, there are no obligations to participate in collective bargaining, at any level.

a) At sector level

As pointed out previously, the mining and quarrying sector is covered by a specific CCNL for workers employed in companies operating in the following NACE groups: 13.2, 14.3, 14.4, and 14.5. This CCNL is supposed to cover something like 2,000 employees (about 50% in the sector, 100% in larger companies).

The **CCNL for Mining and Quarrying Industry (20 December 2000)**, signed by Assomineraria on the employers' side, and by FILCEA, FEMCA, and UILCEM (FULC) on the employees' side, was renewed on 6 July 2004. As regards wages, the renewal agreement provided average pay increases of 94 euro, plus a supplementary one-off payment of an average of 141 euro. The normative part slightly revised the jobs classification system, which remains divided into eight levels and based on job profiles. It also confirmed an average of 40 working hours per week, but to be calculated within a period of six months (flexitime). Very importantly, the renewal agreement indicated the necessity of the opportunity for mining and quarrying workers to join the Supplementary Health Insurance Fund for Chemical Workers (Faschim). Last but not least, it set up a joint commission for the definition of new regulations on flexible contracts of employment, on the basis of the recent reform of the labour market (Decree 276/2003). Further changes should be included in the next renewal of the economic part. Last but not least, it set up a joint commission for the definition of new regulations on flexible contracts of employment, on the basis of the recent reform of the labour market (Decree 276/2003). Very importantly, the renewal of wages on 19 July 2006 introduced supplementary pension schemes by joining the Supplementary Health Insurance Fund for Chemical Workers (Faschim).

b) At company level

There is no official data on decentralised bargaining (at regional, local or company level).

4. COMMENT

In summary, the mining and quarrying industry in Italy is facing a situation of low growth combined with a progressive decline in employment levels. As regards interest representation and collective bargaining, this sector presents distinctive features which make it a very particular case within the Italian system: in effect, on the workers' side there is a strong oligopoly of the main three trade unions, with no room for action by minor or marginal players; on the employers' side, however, there is a quite unusual situation of monopoly of representation.

LATVIA

1. DESCRIPTION OF THE SECTOR'S CHARACTERISTICS AT NATIONAL LEVEL

1.1. Delimitation and scope of activities in the sector

The delimitation of the Mining and Quarrying Industry of the Central Statistical Bureau of Latvia (CSB) corresponds to the NACE classification. However, the scope is considerably narrower, as in Latvia this industry is very small. It is also hard to define the delimitation and scope of this industry according to employers' and workers' organisations and collective bargaining, while social dialogue is weak at national level, and usually is considered together with construction material production.

The Environment, Geology, and Meteorology Agency of Latvia (EGMAL) maintains a register for mining and quarrying, which consists of three parts – deposits for extraction of construction supplies (see more detailed division in Table below), peat extraction, and underground water beds. Altogether there are 2,180 beds of construction supplies and 3,606 peat extraction beds registered (EGMAL, 2004). This clarifies which parts of Mining and Quarrying are relevant to Latvia.

Deposits of extraction of construction supplies

| Mineral Type | Number of beds |
|----------------------|----------------|
| Sand and grit | 1,626 |
| Clay | 229 |
| Freshwater limestone | 138 |
| Dolomite | 126 |
| Quartz sand | 22 |
| Limestone | 15 |
| Gypsum | 15 |
| Sandy loam | 4 |
| Calcareous tufa | 4 |
| Rubble | 1 |

Source: "Derīgo izrakteņu atradņu reģistra uzturēšana," EGMAL. 2004. EGMAL. 7 Jul. 2006. <<http://www.meteo.lv/public/26715.html>>

1.2. Socio-economic features of the sector

Latvia has always been rather poor in minerals, and the mining and quarrying sector has represented a very small part of the economy. At the moment, according to CSB, this sector constitutes 0.3% of all value added (GDP) in Latvia. In 2000 it was only 0.1%. It also represents only 1.2% of the whole industry (NACE C+D+E). There is no reliable estimate of the importance of the underground economy in this sector in Latvia.

Most of the mining and quarrying companies are local and rather small. In 2003, out of 62 companies active in the sector 50 were small, with less than 50 employees. The remaining, 12 companies, were medium-sized, with 50-249 employees. There is also very little information about the characteristics of employment in the sector. Levels of capital are very low, so the qualification level needed to work in this area is low. This statement is also supported by the low productivity per person per year, reported by CSB, which in 2005 was 15,000 lats (21.500 euros), and this is almost 4,000 lats less than the industry average. There are no statistics available about wages in the sector, but the average wage before taxes in industry was LVL 234 before tax (LVL 168 after tax), which is almost the average wage rate in Latvia – LVL 246. As productivity in the mining and quarrying sector is lower, the wages should also be lower than the industry average.

After the collapse of the Soviet Union, the mining and quarrying industry experienced a significant decline, and from 1993 to 1998 total production was 38-47% of the 1990 level. It has been increasing ever since 1995, and in 2004 it surpassed the 1990 level by almost 10%. This development has not been influenced much by privatisation, (achieved in the mid-1990s). No company or companies have taken the lead, thus creating a monopoly or oligopoly – all companies have been rather small all the time.

Companies

| | Number of companies | % companies without employees | % companies with <10 employees | % companies with 10-49 employees | % companies with 50-249 employees | % companies with > 249 employees |
|---------------------|---------------------|-------------------------------|--------------------------------|----------------------------------|-----------------------------------|----------------------------------|
| Total in the sector | 62 | ND | ND | ND | 19% | 0% |

Source: CSP datubāze. 2006. Central Statistical Bureau of Latvia. 7 Jul. 2006. <<http://data.csb.lv/>> (year 2003)

Workers

| Sub-sectors | Number of self-employed workers in the sector | Number of employees in the sector | Number of employees in the sector/ total number of employees in the country –all sectors- (%) | Number of employees in companies with <10 workers in the sector/ number of employees in the sector (%) | Number of employees in companies with 10-49 workers in the sector/ number of employees in the sector (%) | Number of employees in companies with 50-249 workers in the sector/ number of employees in the sector (%) | Number of employees in companies with >249 workers in the sector/ number of employees in the sector (%) |
|---------------------|---|-----------------------------------|---|--|--|---|---|
| Total in the sector | 65* | 2,120** | 0.2% | 9% | ND | ND | 0% |

Source: *CSP datubāze. 2006. Central Statistical Bureau of Latvia. 7 Jul. 2006. <<http://data.csb.lv/>> (year 2004)

**Eurostat. 2006. Eurostat. 7 Jul 2006. <<http://epp.eurostat.ec.eu.int/>> (year 2006, quarter I)

2. DESCRIPTION OF ORGANISATIONS ACTIVE IN THE SECTOR AT NATIONAL LEVEL

2.1. Description of the workers' organisation active in the sector

Trade Union of Construction Workers / Latvijas Celtnieku arodbiedrība (LCA)

LCA was founded in 1990. Although it mainly deals with construction workers, it also has structures which deal with employees in the Mining and Quarrying Industry. Concerning the Mining and Quarrying Industry, on 29 April 2004, LCA signed a general agreement with the Latvian Association of Building Material Producers (LBRA). LCA is funded by membership fees, and it employs four full-time staff. It has both white- and blue-collar workers as members, although most are still white-collar construction workers.

LCA is officially registered in the Republic of Latvia as a trade union, and as such, it has full legal recognition. It is also recognised by the biggest employers' organisations in the sectors in which it works. As a trade union, it has the right to sign collective agreements in Latvia at sector level called general agreements (ģenerālvienošānās), and among organisations uniting this sector's companies, it has done so with LBRA. As a trade union, LCA also enjoys the power to negotiate and sign collective agreements at company level. It has done so with two companies from the sector – CEMEX Ltd. and Knauf Ltd. There is no tripartite concertation specific to the sector, mainly for the sole reason that it is rather small. However, LCA and LBRA still try to come to a common standpoint on issues that need to be dealt with at government level, so tripartite concertation is divided into two parts – dialogue between LCA and LBRA, and dialogue between the government and the sector.

LCA is a member of the Free Trade Union Confederation of Latvia (LBAS).

| Organisation (English name) | Members | | Estimated density | Collective Bargaining (Yes/No) | Affiliations | | | |
|---|---|--|----------------------|--------------------------------------|--------------------------|--------|--------------------------|---------|
| | Total number of members in the organisation | Number of members who are working in the sector of the | | | European affiliations | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| Trade Union of Construction Workers (LCA) | 3,000* | ND | ND | Yes | - | - | - | IFBWW** |

Source: Puntuža, Agnese. "Re: leguves rūpniecība". Personal e-mail. 15 Aug 2006.

**Latvijas Brīvo arodbiedrību savienība. 2006. LBAS. 15 Aug 2006. <<http://www.lbas.lv/En/Affiliates/03.html>>

2.2. Description of the employers' organisation active in the sector

Latvian Association of Building Material Producers / Latvijas būvmateriālu ražotāju asociācija (LBRA)

LBRA was founded in 1996, and at the moment it has 50 member companies that are using mostly Latvian resources for their production, so many of these companies work in the Mining and Quarrying Industry. More than 90% of all construction materials produced in Latvia are produced in companies affiliated to LBRA. It is mainly financed from membership fees. The organisation employs one full-time employee – its executive director. LBRA is a member of the Council of European Producers of Materials for Construction (CEPMC).

LBRA is a registered NGO, and as such is legally recognised. It is also recognised by LCA, as both organisations have general agreements stating that they should co-operate in social dialogue. LBRA is registered as a producers' association, instead of an employers' organisation, and it is not obliged to take part in collective bargaining. LBRA can still bargain and sign agreements on behalf of its members, and it has involved itself in social dialogue with LCA. Both organisations have signed a general agreement, and two to three times a year both organisations have joint meetings. LBRA can also consult companies if needed, but each company does its collective bargaining individually. Tripartite consultation specific to the Mining and Quarrying Industry does not exist.

| Organisation (English name) | Members | | Estimated density | Collective Bargaining (Yes/No) | Affiliations | | | |
|--|--|--|----------------------|--------------------------------------|--------------------------|--------|--------------------------|--------|
| | Total number of companies that are members of this | Total number of workers who are working in | | | European affiliations | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| Latvian Association of Building Material Producers (LBRA) | 50 | ND | ND | Yes | - | CEPMC | - | - |

Source: LBRA. 2006. LBRA. 15 Aug 2006. <http://www.lbra.lv/index_en.htm>.

3. DESCRIPTION OF THE SOCIAL DIALOGUE IN THE SECTOR AT NATIONAL LEVEL

Latvian mining and quarrying activity has played a minor role in the economy. This situation has not changed, and predictably for such a small sector, social dialogue is underdeveloped. However there is still some activity at both national and company level. Social dialogue is developing slowly, especially with the general agreement signed between LCA and LBRA in 2004.

3.1. Description of the tripartite concertation in the sector

There is no tripartite concertation specific to the sector, and, as regards social dialogue, there is a National Tripartite Council that deals with these issues. In this council there are representatives from the government, as well as elected representatives from LBAS and the Employers' Confederation of Latvia (LDDK). Issues connected to social dialogue are resolved within the framework of this council, which is not sector-specific. However, LCA and LBRA usually try to find a common standpoint on all issues regarding legislation recommendations.

3.2. Description of the bipartite social dialogue in the sector

At sector level in the Mining and Quarrying Industry two organisations take part in collective bargaining – LCA and LBRA. This is their choice, because there is no obligation for them to participate in collective bargaining. There are also no conflicts regarding recognition issues.

There is one general agreement signed at the moment between these two organisations. This agreement is not very specific in its terms and is mainly a positive statement that both organisations should work together on social dialogue issues. The most important point of this agreement is that both organisations meet on a regular basis – at the moment it is two or three times per year, when representatives from LCA join the meetings of LBRA, and all issues of interest are discussed. Sometimes both organisations also have joint seminars. The second important point is that both organisations should prepare a common standpoint as regards legislation issues. The agreement also states that both organisations should encourage their members to implement all decisions taken by both organisations, i.e. these agreements are mostly recommendations and are not binding. The duration of the agreement is indefinite, but it can be broken by either of the organisations by giving three months notice to the other organisation.

There is also collective bargaining at company level. At the moment there are collective agreements between LCA and CEMEX Ltd and Knauf Ltd. In several other companies in the Mining and Quarrying Industry bargaining is still ongoing. In general, a company's board is obliged to accept invitations to enter into dialogue with the trade union; however, they are not forced to come to a point where both sides can sign an agreement. There are no conflicts regarding recognition issues.

At the moment LCA has two collective agreements with companies working in the sphere of Mining and Quarrying. These companies are among the biggest in the sector in Latvia, but in European terms they are still medium-sized companies. The collective agreements deal with wages, holidays, social guarantees, work-place safety, vocational training, etc. The agreements do not have a specific end date, so they apply until the next agreement is signed or those in force are broken.

4. COMMENT

Since 2004 the trade union has had a general agreement with LBRA, which brings together many of the companies working in the sector. Although it is not very specific, it gives grounds for further dialogue. On one hand, LCA has only two collective agreements with companies working in the sector, on the other hand, most companies are rather small, and their members can simply join the trade union without a local trade union organisation. Altogether, predictably for such a small sector, social dialogue is not very strong, but there are positive developments happening at the moment, and more are foreseeable in the future.

5. LIST OF ABBREVIATIONS

| | |
|--------------|--|
| EGMAL | Environment, Geology, and Metereology Agency of Latvia |
| LBAS | Free Trade Union Confederation of Latvia / Latvijas Brīvo arodbiedrību savienība |
| LBRA | Latvian Association of Building Material Producers / Latvijas būvmateriālu ražotāju asociācija |
| LCA | Trade Union of Construction Workers / Latvijas Celtnieku arodbiedrība |
| LDDK | Latvijas Darba devēju konfederācija/ Employers' Confederation of Latvia |
| LVĢMA | Latvijas Vides, ģeoloģijas un meteoroloģijas aģentūra |

LITHUANIA

1. DESCRIPTION OF THE SECTOR'S CHARACTERISTICS AT NATIONAL LEVEL

1.1. Delimitation and scope of activities in the sector

In Lithuania the sector is delimited as NACE 10, 12, 13 and 14 without divergence from the standard nomenclature by Statistics Lithuania. However, the Association of Lithuanian Aggregate Producers includes equipment manufacturers and traders firms among its membership.

1.2. Socio-economic features of the sector

In 2003, other mining and quarrying (NACE 14) contributed €19.4 mln¹³⁸, of which approximately 1% comes from sole traders. The total Lithuanian GDP in 2003 was €16,672 mln, hence other mining and quarrying (NACE 14) represented about 0.1% of GDP. The total value added at cost factor in Lithuania in 2002 was 16,541.813mln LTL for non-sole traders and 1,658.243 for sole traders. According to official statistics, employee numbers were 1,305 in other mining and quarrying. Other official statistics for 2003 give 1,414 for the number of employees in other mining and quarrying; 0.1% of total Lithuanian employment. The underground economy is not considered to be a serious problem in this sector.

According to official data for 2002, there were sole traders in other mining and quarrying. The largest firms in this sector have 100-249 employees. However, some firms form cooperative agreements which may unite the production of up to 500 workers. There were no self-employed individuals working in the sector. There were a total of 60 enterprises in 2002, of which 7 were sole traders¹³⁹. Data from the Register of Legal Enterprises shows that there were 39 firms in other mining and quarrying in 2005, of which 3 were sole traders. In 2003 there were the same number of firms, but 8 of them were sole traders. A further breakdown of enterprises, according to official statistics, is given in the table below. 41 (68%) of the enterprises are classified as SMEs (less than 50 employees). However these SMEs employ less than 38% of the sector workforce.

Companies (2003)

| Sub-sectors | Number of companies | % companies without employees | % companies with <10 employees | % companies with 10-49 employees | % companies with 50-249 employees | % companies with > 249 employees |
|-------------|---------------------|-------------------------------|--------------------------------|----------------------------------|-----------------------------------|----------------------------------|
| NACE 14 | 39 | 13 (5) | 23 (8) | 38 (14) | 31 (12) | 0 |

Note: Some percentage totals do not equal 100 due to rounding.

Sources: EuroStat website <<http://epp.eurostat.ec.europa.eu>>, Statistics Lithuania (2004). *Main Indicators of Small, Medium and Large Enterprises 2002* (Vilnius).

No data is available for skill levels, or the gender distribution and categories of salaried workers. However, the work is largely automated and hence requires at least some technical education. Wages tend to be at around the average Lithuanian wage; currently approximately €400 per month.

Workers (2003)

| Sub-sectors | Number of self-employed workers in the sector | Number of employees in the sector | Number of employees in the sector/ total number of employees in the country –all sectors- (%) | Number of employees in companies with <10 workers in the sector/ number of employees in the sector (%) | Number of employees in companies with 10-49 workers in the sector/ number of employees in the sector (%) | Number of employees in companies with 50-249 workers in the sector/ number of employees in the sector (%) | Number of employees in companies with >249 workers in the sector/ number of employees in the sector (%) |
|-------------|---|-----------------------------------|---|--|--|---|---|
| | | | | | | | |

¹³⁸ 1 EUR = 3,45280 LTL

¹³⁹ These companies are legal entities with a single owner and unlimited liability.

| | | | | | | | |
|---------|---|-------|------|----|-----|-----|---|
| NACE 14 | 0 | 1,414 | 0.1% | 2% | 28% | 70% | 0 |
|---------|---|-------|------|----|-----|-----|---|

Sources: EuroStat website <<http://epp.eurostat.ec.europa.eu>>, Statistics Lithuania (2004). *Main Indicators of Small, Medium and Large Enterprises 2002* (Vilnius)

There has been a slight increase in employment from 2001 to 2002. The whole industry is now in the private sector. The industry has a natural limit to its life based on the limited deposits available for extraction. EU regulatory requirements make it practically impossible to develop new plots for extraction. When extraction is complete the industry goes through a stage of preparing the land to restart cultivation and then the land re-enters the agricultural market.

2. DESCRIPTION OF THE ORGANISATIONS ACTIVE IN THE SECTOR

2.1. Description of the workers' organisations active in the sector

There are no workers' organisations in the extractive industry, even at enterprise level. This is despite the fact that the largest companies have over 100 employees.

2.2. Description of the employers' organisation active in the sector

Lietuvos karjeru asociacija (Association of Lithuanian Aggregate Producers)

The Association of Lithuanian Aggregate Producers was established in 1995.¹⁴⁰ In 2002 the Association became a member of the Lithuanian Confederation of Industrialists. It currently has 15 members, who produce approximately 40% of the extracted non-ferrous minerals in Lithuania. Four employees work directly for the Association, the President, Accountant, Lawyer and Technical Secretary.

The Association's 15 member companies employ 940 persons. However, 4 of the member firms are actually engaged in the production and sale of quarrying equipment and do not carry out excavation themselves. These four companies employ approximately 40 people.

There are no worker unions in the sectors; hence there is no recognition of the Association for social dialogue.

Employers' organisations

| Organisation | | Sub-sectors covered | Companies | SW | Density Companies | Density SW | CB | National affiliations | European affiliations | Internationalaffiliations |
|-----------------------------|---|---------------------|-----------|--------|-------------------|------------|--------|--|-----------------------|---------------------------|
| Original name | English name | | Number | number | % | % | yes/no | | | |
| Lietuvos karjeru asociacija | Association of Lithuanian Aggregate Producers | NACE 14 | 15 | 940 | 29 | 69 | no | Lithuanian Confederation of Industrialists (LPK) | - | - |

3. DESCRIPTION OF THE SOCIAL DIALOGUE IN THE SECTOR AT NATIONAL LEVEL

There are no unions in the Lithuanian extractive sectors covered by this study, even in the large enterprises with more than 100 employees. Therefore, no social dialogue takes place within these sectors.

¹⁴⁰ See the website of the Association of Lithuanian Aggregate Producers <www.nsm.lt>.

4. COMMENT

There appears to be a complete absence of worker unions in the Lithuanian extractive industries covered by this study. This is despite the fact that 2 of the firms have over 100 employees. On the other side the employers are quite organised, with a single association for the quarrying industry - the Association of Lithuanian Aggregate Producers. This association is a member of the Lithuanian Confederation of Industrialists, but is not a member of any European level organisations. The Association of Lithuanian Aggregate Producers meeting in May this year decided to postpone a decision on joining the European Quarry Association.

LUXEMBOURG

1. DESCRIPTION OF THE SECTOR'S CHARACTERISTICS AT NATIONAL LEVEL

1.1. Delimitation and scope of activities in the sector¹⁴¹

The mining sector, as defined in this study, is on the decline in Luxembourg. Statistics are only available for NACE 14, moreover, since they are no longer being kept for NACE codes 10 to 13. The mining sector in the broad sense should be viewed in relation to the national iron and steel industry in Luxembourg. The appreciable growth in steel production from 1945 to 1974 was not reflected in similar growth in the extracting industry. In fact, the ore mined in Luxembourg was quite poor in iron (NACE 13.1) so that, at the time of the first World War, the steel industry secured richer ore from Flanders and later, after World War II, also from Brazil and Sweden.

During the latter half of the 20th century, the share of local ore consumed by Luxembourg's industry gradually diminished. This trend led in 1981 to the shutdown of the last iron mine. The sector is extremely limited in terms of both number of employees and number of companies. In parallel, mining activity in Luxembourg has been integrated into the iron and steel industry.

1.2. Socio-economic features of the sector

Companies

| Sub-sectors | Number of Companies | % companies without SW | % companies with <10 SW | % Companies 10-100 SW | % companies with > 100 SW |
|---------------------|---------------------|------------------------|-------------------------|-----------------------|---------------------------|
| NACE 14.11 | 5 | ND | ND | ND | ND |
| NACE 14.12 | 1 | ND | ND | ND | ND |
| NACE 14.21 | 7 | ND | ND | ND | ND |
| Total of the sector | 13 | ND | ND | ND | ND |

Source: Les entreprises luxembourgeoises, répertoire systématique, STATEC, Luxembourg, 2005

Workers

| Sub-sectors | Number of workers | Number of SW | Number of SW/number of SW in the country (%) | Number of SW in companies <10 SW/number of SW in the sector (%) | Number of SW in companies 10-100 SW/number of SW in the sector (%) | Number of SW in companies >100 SW/number of SW in the sector (%) |
|---------------------|-------------------|--------------|--|---|--|--|
| NACE 14.11 | ND | ND | ND | ND | ND | ND |
| NACE 14.12 | ND | ND | ND | ND | ND | ND |
| NACE 14.21 | ND | ND | ND | ND | ND | ND |
| Total of the sector | 292 | 290 | ND | ND | ND | ND |

Source: Annuaire statistique du Luxembourg 2004 (Luxembourg Statistics Yearbook), Statec, Luxembourg, 2005

The figures above illustrate the very limited nature of the NACE 14 sector for both number of companies and number of workers.

¹⁴¹ Portrait économique et social du Luxembourg, Statec, Luxembourg, March 2003, p. 8-13 and p. 36.

There are no statistics on the characteristics of employment in the mining sector, or on the gender, qualifications or wages of the workforce. Moreover, no statistics are available on the size of companies in the NACE 14 sector. The following information on the size of enterprises was obtained from the website of the FEDIL¹⁴². The data is incomplete, however, and concerns only the workforce of five of the 13 companies. For those five enterprises, only one has more than 100 workers. It can therefore be concluded that the majority of companies in Luxembourg currently active in this sector are relatively small in size.

2. DESCRIPTION OF THE ORGANISATIONS ACTIVE IN THE SECTOR

2.1. Description of the workers' organisations active in the sector

Due to the low level of representativity of the mining sector in Luxembourg, there are no collective agreements.

The trade union organisations in the NACE 14 sector are described below, although they do not conclude any collective agreements.

It is impossible to estimate the overall rate of union membership and representativity of the two organisations consulted in the context of NACE 14 activities. The members who can be classified under this code are limited and form part of the union membership of the iron and steel industry.

a) Fédération des Travailleurs du Secteur de la Métallurgie (LCGB) (Federation of Metal Sector Workers)

Within the **LCGB** (Confédération chrétienne des syndicats – Christian Trade Union Confederation), the Federation of Metal Sector Workers represents the sector that concerns us here. This organisation has been a member of the LCGB since 1921. There are no figures available on the make-up of the staff of the federation, which has some 3,000 members. The federation is an internal section of the LCGB.

LCGB's membership of around 40,000 includes 30% white-collar workers and 70% blue-collar workers. It is impossible to isolate among these members those employed by companies active in the NACE 14 sector.

The LCGB takes part in collective bargaining given its representative status at national level under the law of 30 June 2004 on collective agreements. This representativity is not under challenge.

At national level, the federation is a section within the LCGB. At European level, it is affiliated to the EMCEF and the ETUC through the LCGB. Internationally, the LCGB is not a member of any sector-specific organisation.

b) Syndicat sidérurgie et mines (OGB-L) (Iron and Steel Industry and Mining Union)

The **OGB-L**'s origins lie in various mine and metal workers' associations of the past century and in the basic trade union organisation that preceded it, the LAV, which was created in 1944. The organisation covers the following activities: aviation, banks, insurance and credit institutions, construction, building material, metal construction, wood, rubber, ceramic, chemicals, cement, paper, plastic, textiles and glass, trade, education and science, printing, media and art, health, social and educational services, food and hotels, energy and services, private cleaning, hygiene and environmental services, public services, mining and iron and steel industry, automotive body works and mechanics, and road transport. The OGB-L currently has nearly 57,000 members¹⁴³ and a staff of 72.

The Iron and Steel Industry and Mining Union is the OGB-L member organisation in charge of the sector of interest to us here. It has been a full member of the OGB-L since the confederation's founding.

¹⁴² www.fedil.lu.

¹⁴³ www.ogb-l.lu, 8 February 2006.

In the OGB-L, this union claims to be the biggest trade union organisation among all iron and steel workers in the sector in Luxembourg. It did not communicate its exact number of members, but estimates that it has a 70% membership rate among all workers in the sector. These 70% allegedly represent 100% of manual workers. The OGB-L is entitled to take part in collective bargaining given its national representativity recognised under the law of 30 June 2004 on collective agreements. This representativity is not challenged by any parties. The organisation also participates in discussions and meetings with the public powers.

At national level, it is directly affiliated to the OGB-L and to the CGT-L¹⁴⁴ through the OGB-L. At European level, it is affiliated through the OGB-L to the EMF (European Metalworkers' Federation) and to the EMCEF. Internationally, it is affiliated through the OGB-L to the FIOM (International Federation of Metalworkers' Organisations).

Trade Unions

| Organisation | | Type of SW | Members | Members working in the sector | Density | CB | National affiliations | European affiliations | International affiliations |
|---|--|---|---------|-------------------------------|---------|--------|-----------------------|-----------------------|----------------------------|
| Original name | English name | Type | Number | Number | % | yes/no | | | |
| Fédération des Travailleurs du Secteur de la Métallurgie (LCGB) | Federation of the Metal-sector workers | 30% salaried employees, 70% manual workers. | 3,000 | ND | ND | yes | LCGB | CES EMCEF | - |
| Syndicat sidérurgie et mines (OGB-L) | Iron and steel industry and mining union | 100% manual workers | 57,000 | ND | ND | yes | OGB-L CGT-L | FEM EMCEF | FIOM |

Source: personal interviews with representatives (see "national validation" at end of report).

2.2. Description of the employers' organisation active in the sector

Since NACE 14 is very limited in Luxembourg, there is no employers' organisation for mining and the extracting industry.

3. DESCRIPTION OF THE SOCIAL DIALOGUE IN THE SECTOR AT NATIONAL LEVEL

Due to the limited representativity of the sector, there are no collective agreements. Moreover, the 13 enterprises active in the sector in Luxembourg have no company agreements.

¹⁴⁴ General Confederation of Labour (Confédération Générale du Travail)-Luxembourg.

MALTA

1. DESCRIPTION OF THE SECTOR'S CHARACTERISTICS AT NATIONAL LEVEL

1.1. Delimitation and scope of activities in the sector

All mining and quarrying activities in the Maltese Islands fall within the classification of NACE code 14. This is due to the absence of other minerals that could be quarried or mined. Quarrying in Malta is dominated by the extraction of hard stone from coralline limestone resources, for use in aggregates, and the extraction of soft stone from globigerina limestone resources, for use in the construction industry. Other types of economic activities that exist in the same field are the operation of gravel and sand pits and, on a much smaller scale, the production of sea salt. The extraction of other existing minerals such as clays or phosphates is not considered economically and environmentally feasible.

In the Labour Force Survey (LFS), conducted by the National Statistics Office (NSO), mining and quarrying are listed as separate economic activities from construction, thus corresponding to the NACE classification of economic activities. The Central Bank of Malta Annual Report for 2005 lists mining and quarrying as a totally separate economy from construction. However, due to the small nature of the quarrying industry, at times, for statistical purposes, it is included with the construction sector. The social partners also tend to view the quarrying industry as forming part of the construction sector.

1.2. Socio-economic features of the sector

According to the NSO (2006), in real terms, Malta's GDP increased by 2.5% to Lm1,700.8 million¹⁴⁵ between 2004 and 2005. During the same period, the quarrying industry reported an increase over the previous year. GDP data shows that nominal net value added in the quarrying industry registered a significant increase of 9.9% (Central Bank of Malta, 2005, p.30). The gross value-added attributable to the Mining and Quarrying sector reached Lm6.0 million during the period under review, an improvement of 9.3%. This industry's contribution to gross value-added stood at around 0.4%. Compensation of employees increased by 4.5% reaching Lm1.9 million while the industry's operating surplus registered an increase of Lm0.4 million to reach Lm3.7 million (NSO, 2006).

While no exact figures exist that can determine the significance of the underground economy, it is widely known that lack of monitoring of the quarrying industry led to abuse. Until 1992, police licences were the only means of controlling the quarrying industry. These licences came with very few terms and conditions attached. According to the Mineral Subject Plan for the Maltese Islands 2002, a report conducted for the Malta Environment and Planning Authority (MEPA), enforcement in the quarrying industry was generally weak. Illegal quarrying had occurred in many sites and the sheer number of quarries and lack of resources made monitoring of the existing quarries difficult. Moreover, statistics on mineral production have not been comprehensive; while there have been no figures for consumption or permissible reserves.

While it is very difficult to quantify the exact number employed in the underground economy, the quarrying sector is known to attract a considerable number of individuals who are registering as unemployed. In recent years, there were no significant changes in the amount of individuals working in the quarrying sector. This seems to be an anomaly since construction has been on the increase.

Quarries are in the large majority privately-owned, family-run businesses. There is only one publicly owned quarry and there are no foreign or multi-national companies running quarries in Malta. According to a GRTU representative, about 60% of all quarries do not employ more than 20 workers and 35% are SME's. The majority of privately-owned quarries tend to lack basic company structure, and have minimal complementary staff (maximum of ten staff) to support the running of the particular company. The only exception are a handful of entrepreneurs who own ventures in both the quarrying and construction sector and employ up to a total of 400 employees, but again the majority of these workers work in construction and not in quarrying.

The 45 licensed soft stone quarries are relatively concentrated. The main areas where soft stone is extracted are found in the south of Malta and in the west of Gozo. The 26 licensed hard stone quarries are less concentrated and are found in central areas as well as along the west and northwest coast of Malta. In Gozo, hard stone quarries are found on the eastern coast.

¹⁴⁵ 1 EUR= 0.429300 Lm.

Companies

| Sub-sectors | Number of Companies | % companies without SW | % companies with <10 SW | % Companies 10-100 with SW | % companies with > 100 SW |
|---------------------|---------------------|------------------------|-------------------------|----------------------------|---------------------------|
| Total in the sector | ND | ND | ND | ND | ND |

The quarrying industry attracts non-skilled and semi-skilled workers. Most of the workers have a low level of education and the workforce is principally male.

Quarries attract workers between the ages of 18 and 45. Full-time employment in this sector has registered a decrease from 2000 to 2002, while between 2002 and 2006, an upward trend was recorded.

Full-time employment in Mining and Quarrying (Private Sector)

| | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | January 2006 |
|-------------------------------------|-------|-------|-------|-------|-------|-------|--------------|
| Number | 337 | 329 | 314 | 320 | 323 | 337 | 338 |
| % in relation to gainfully employed | 0.25% | 0.24% | 0.23% | 0.23% | 0.24% | 0.24% | 0.25% |

Source: NSO (2006)

Very few people work part-time in Mining and Quarrying. Table 3 shows a slight increase between 2000 and 2003 and a subsequent slight decrease from 2004 to 2005.

Part-time employment in Mining and Quarrying (Private Sector)

| Average 2000 | Average 2001 | Average 2002 | Average 2003 | Average 2004 | January 2005 | 2006 |
|--------------|--------------|--------------|--------------|--------------|--------------|------|
| 20 | 23 | 26 | 30 | 28 | 26 | N/A |

Source: NSO (2005)

Workers

| Sub-sectors | Number of workers | Number of SW | Number of SW/number of SW in the country (%) | Number of SW in companies with <10 SW/number of SW in the sector (%) | Number of SW in companies with 10-100 SW/number of SW in the sector (%) | Number of SW in companies with >100 SW/number of SW in the sector (%) |
|---------------------|-------------------|--------------|--|--|---|---|
| Total in the sector | 363* | ND | ND | ND | ND | ND |

Source: NSO (2006)

* = figure for 2005 workers in the private sector

Limestone resources are being depleted and therefore the sector is increasingly utilising hard stone for the manufacturing of bricks. Until now, these changes have not affected the privatisation levels or the size of companies. However, there is a possibility that hard stone aggregate might start being imported from Sicily. This might have a considerable effect on the nature of Maltese quarrying companies.

2. DESCRIPTION OF THE ORGANISATIONS ACTIVE IN THE SECTOR AT NATIONAL LEVEL

2.1. Description of the workers' organisations active in the sector

Workers in the Quarrying sector are generally non-unionised. This stems mainly from three separate factors:

First of all, bargaining for better working conditions is usually conducted between employees and quarry owners. The demands of the former are very rarely turned down due to the lack of individuals willing to work in this industry. As a result, employees generally possess strong bargaining power.

The second reason stems from the fact that since the vast majority of quarries are family-run, the general rule is that family matters are solved by and within the family.

The third reason is that a considerable amount of quarry workers are undeclared workers who are registering as unemployed.

However, the General Workers' Union (GWU), the Confederation of Malta Trade Unions (CMTU), and the Union Haddiema Maghqudin (UHM) are represented in the tripartite institution, the Building Industry Consultative Council (BICC) (see 3.1). They were appointed to the tripartite institution by government.

a) General Workers' Union (GWU)

The GWU is the largest trade union in Malta. It boasts a wide representation reaching most sectors of the Maltese economy and is especially strong in the public sector and in state-owned or state-controlled enterprises and corporations.

It was founded in 1943, and has eight sections dealing with different employment sectors. It is funded by the members' subscription fees and by several subsidiary companies and publications.

The GWU has a total of around 46,489 members (Registrar of Trade Unions, 2004), none of whom work in quarrying.

The organisation takes part in consultations at enterprise level and has the ability to sign collective agreements, though it does not sign any in the quarrying industry.

On an international level, the GWU is affiliated to various networks of other unions and confederations, including the International Confederation of Free Trade Unions of which the GWU is one of the founding members.

The GWU represents Maltese workers in the International Labour Organisation (ILO), Geneva conference and is affiliated to the Commonwealth Trade Union Council (CTUC) United Kingdom and the European Trade Union Confederation (ETUC).

The GWU is affiliated to various networks of other unions and confederations at European and International levels. In the Quarrying sector, at a European or international level:

- International Federation of Building and Wood Workers (IFBWW);
- International Metalworkers' Federation (IMF);
- International Federation of Chemical, Energy, Mining and General Workers' Unions (ICEM);
- European Federation of Public Service Unions, (EPSU);
- European Metalworkers' Federation (EMF);
- European Mine, Chemical and Energy Workers' Federation (EMCEF);

At national level, the GWU is affiliated to one organisation called "Din L-Art Helwa", which is an environmentalist non-governmental organisation.

b) Confederation of Malta Trade Unions (CMTU)

CMTU is an umbrella organisation representing 10 unions which include the UHM. The confederation was founded in 1959 with the aim of coordinating and rationalising Malta's trade union activities. The objectives of the confederation are to promote the interests of its affiliates and to further the ideals of a democratic trade union movement, as well as to improve generally the economic and social conditions of workers. The CMTU grew considerably during the statutory merger between the GWU and MLP, as many workers wished to be represented by a free trade union. While the CMTU professes no political allegiance, the official policies of its members often converge with those of the Nationalist Party.

CMTU does not take part in collective agreements. In addition, it does not represent any worker in the quarrying industry.

Internationally, the CMTU is affiliated to the World Confederation of Labour (WCL), the European Trade Union Confederation (ETUC), and the Commonwealth Trade Union Council (CTUC).

c) Union of United Workers / Union Haddiema Maghqudin UHM

The UHM was founded in 1966, under the name of the Malta Government Clerical Union (MGCU) with membership restricted to clerical employees in the Public Service. In 1973 it changed its name to the Malta Government Employees Union (MGEU) and membership was extended to all categories of workers in Public Service, Parastatal Bodies and Public Corporations. Industrial unrest in 1977 resulted in MGEU being renamed Union Haddiema Maghqudin which, besides widening the aims of the Union, also opened its doors to all workers irrespective of class, sector or grade, and it was officially registered in 1978. Smaller unions merged with the UHM and a large number of workers, from all sectors, joined its ranks. Within a very short time the Union's membership shot up considerably, becoming Malta's second largest union.

The UHM is mainly funded by members' subscriptions. It has a total of around 25,901 members (Registrar of Trade Unions, 2004), none of whom work in the quarrying industry. The UHM has about 25 salaried workers.

The UHM has been a full member of the International Federation of Employees in Public Service (INFEDOP) since 1971. The Union is also affiliated to the European Organisation of Public Service Employees (EUROFEDOP). Moreover, through its affiliation with the CMTU, the Union has very good and close relations with the World Confederation of Labour (WCL), the European Trade Union Confederation (ETUC), the Commonwealth Trade Union Council, and the European Federation of Retired and Elderly Persons (FERPA). The UHM has also contacts and good relations with quite a large number of foreign trade union organisations.

Similar to GWU, UHM is able to negotiate collective agreements, but does not sign any in the quarrying industry.

Workers' Organisations

| Organisation | Members | | Estimated density | Collective Bargaining (Yes/No) | Affiliations | | | |
|-------------------------------------|---|--|-------------------|--|-----------------------|---|-----------------------|---|
| | Total number of the members in the organisation | Number of members who are working in the sector of the Mining and Quarrying Industry | | | European Affiliations | | Other Affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| General Workers' Union | 46,489 | None | 0% | Yes (but not in the Mining and Quarrying Industry) | EMCEF | ETF EFFAT EPSU ETUF – TCL EMF EMCEF UNI Europa EURO WEA FERPA ETUC – Youth | ICEM | ITF IUF PSI ITGLWF IMF ICEM UNI IFWEA IFBWW |
| Confederation of Malta Trade Unions | Around 36,000 | None | 0% | No | | ETUC | | WCL CTUC |

| | | | | | | | | |
|-------------------------|--------|------|----|--|--|----------------------------|--|------------------------|
| Union of United Workers | 25,901 | None | 0% | Yes (but not in the Mining and Quarrying Industry) | | EUROFEDOP ETUC FERPA | | INFEDOP WCL CTUC |
|-------------------------|--------|------|----|--|--|----------------------------|--|------------------------|

Sources: Registrar of Trade Unions, unions' websites, and interviews

2.2 Description of the employers' organisations active in the sector

Employers' associations do not take part in collective negotiations. However, the Malta Chamber for Small and Medium-sized Enterprises (GRTU) takes part in tripartite consultations. GRTU was appointed to the tripartite institution by government.

Malta Chamber for Small and Medium-sized Enterprises (GRTU)

GRTU was founded in 1948, and is Malta's national organisation of independent private businesses. It has 6,776 members (Registrar of Trade Unions, 2004) from over 12,000 business outlets. GRTU represents the largest group of retailers of goods and services, contractors, distributors, wholesalers, and independent technical and professional services.

The president of the Construction and Development Division of GRTU is also the president of the apparently inactive Quarry Owners Association and he represents the GRTU on the Health and Safety Board. This division does not sign collective agreements in this sector and is not involved in negotiations with trade unions. On the other hand, it generally deals directly with government officials about policy issues related to the sector. In recent years, several meetings have dealt with the transposition of EU directives. The president emphasised that these meetings are intended to find solutions to problems that might be harmful to industry rather than to adopt a confrontational approach.

GRTU also influences the sector through its direct contact with its members. For instance, the pricing system of the quarrying industry was revised through the intervention of GRTU. (Pricing is not set by the government and is at the discretion of quarry owners, who are known to fix prices between them in the form of an unorganized cartel).

GRTU is a participant member of the Union Européenne De L'artisanat Et Des Petites Et Moyennes Entreprises (UEAPME), and the *Confédération Internationale Des Agents en Douane* (CONFIAD).

Employers' organisations

| Organisation (English name) | Members | | Estimated density | Collective Bargaining (Yes/No) | Affiliations | | | |
|---|--|--|----------------------|--------------------------------------|--------------------------|--------|--------------------------|---------|
| | Total number of companies that are members of this organisation | Total number of workers who are working in companies which are members of this organisation | | | European affiliations | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| Association of Retailers and Traders (GRTU) | 6,776 | Unknown | unknown | No | - | UEAPME | - | CONFIAD |

Sources: Registrar of Trade Unions, GRTU website

3. DESCRIPTION OF THE SOCIAL DIALOGUE IN THE SECTOR AT NATIONAL LEVEL

3.1. Description of the tripartite concertation in the sector

There is no board, committee or forum which has been set up specifically to deal with issues concerning the quarrying industry. However, matters regarding the quarrying industry can be discussed on a monthly basis at the Building Industry Consultative Council (BICC). BICC is composed of representatives from the major trade unions, namely: GWU, UHM and CMTU. BICC also has representatives from the major employer associations namely: GRTU, the Chamber of Commerce, the Federation of Industry (FOI) and the Federation of Building and Civil Engineering Contractors (FOBC).

Government is represented by the Ministry of Education, the Housing Authority and the Land Department. Other institutions represented in the Council are the Malta Environment and Planning Authority, the Health and Safety Authority, the Association of Estate Agents, the Chamber of Professional Engineers, the Chamber of Architects, the Malta Resources Authority (MRA) and Malta Enterprise (ME).

The Building Industry Consultative Council (BICC) was set-up in 1997 by government to allow greater participation of non-government entities with direct interests in building and construction, to recommend a framework of policies and procedures which should govern this industry. BICC provides a forum in which the problems and issues of building industry are discussed. Another major role is to advise the government and the private sector on ways of upgrading and monitoring the building industry, taking into account the specific situation of Malta. BICC is used as a platform for discussion about government policies and local plans, issues of health and safety, the sharing of knowledge in the sector, public private partnership projects and continuing professional development of workers in the sector. BICC is only a consultative body and does not have the power to negotiate collective agreements in this sector. Thus, issues regarding collective agreements are not addressed in this tripartite concertation institution. However BICC can put pressure on the players to conform to the rules and regulations relating to the industry.

BICC is mainly funded by the government and to date it is not affiliated to any local or foreign organisation. However, it tries to generate money by means of training courses which it organises on a regular basis. As an institution it provides premises, organisational and administrative support that enables tripartite concertation to happen on a regular basis.

A GRTU official said that while there have been instances when the intervention of GRTU influenced the outcome of the decisions taken with regard to the quarrying sector, the representatives chosen by GRTU are not always the most competent persons to deal with matters related to the local quarrying sector. Besides, there is insufficient consultation between GRTU and the key players in the quarrying industry. Government institutions such as MEPA and MRA were accused of hardly ever consulting quarry owners when drafting important policies.

3.2. Description of the bipartite social dialogue in the sector

There is no social dialogue in this sector between employer and workers' organisation representatives.

No trade unions are involved in bipartite social dialogue as they do not represent any workers within this sector. As mentioned earlier, quarries are basically family-run businesses and any matters that arise are not usually solved through the intervention of a union but are dealt with within the confines of the family. The very tough nature of quarry work leads to a shortage in the supply of competent workers. Quarry workers know this and use it as a bargaining chip to obtain better working conditions. Moreover, a considerable amount of quarry workers are illegally registered as unemployed thus reaping social benefits from the state while earning a hefty salary. For these illegal registrants joining a union is simply out of the question.

Neither GWU nor UHM foresee any significant changes that could lead to a positive effect on union membership. On the contrary, unions tend to predict a grim future for the quarrying industry. Union representatives argue that there are a number of odds stacked against the future of quarries: Soft stone and hard stone are finite resources that are rapidly diminishing due to the demands of the construction industry; permits for the opening or extension of existing quarries are becoming increasingly difficult to obtain; EU regulations that safeguard environmental standards and the mounting pressure from environmental groups also hinder the development of the sector.

In the interviews, trade union and BICC representatives argued that soft stone as a building material shall be phased out as buildings are becoming higher. They pointed out that soft stone can only support the stresses of buildings up to eight stories, unlike concrete. Therefore, in the foreseeable future, there may be a move towards the importing of hard stone for the manufacturing of bricks and pre-cast concrete from Sicily. These representatives added that if this situation materialises, it will leave an everlasting impact on the quarrying industry.

There is occasional dialogue between employers and government on matters regarding the quarrying industry, for instance, issues related to an EU directive on the weight and size of bricks which does not take into consideration the type of stone being quarried in Malta were resolved through dialogue between GRTU and government.

At enterprise level

There is no company level collective bargaining as workers are not represented by trade unions. No collective agreements are signed. Thus, there are no procedures for extending collective agreements.

4. COMMENT

While the opinions regarding the reasons behind the non-unionisation of workers varied slightly from one interviewee to another, interviewees unanimously agreed that the quarrying industry is bound to change in the future. Factors such as mounting environmental concerns against the creation of new quarries and the imminent importing of high grade hard stone for the production of pre-cast concrete and stone blocks are just two factors that might seal the fate of this industry.

The Maltese quarrying industry as we know it might find its place in the history books, but other smaller quarrying-related ventures could evolve. As one quarry owner stated, “we shall go back to quarrying in the way our forefathers did.” He explained that when current excavation works are carried out on building sites good quality soft stone that could be used for building is not being utilised. Builders overlook this wastage by reasoning that it is too time-consuming and costly to conduct quarry work on each building site. New technologies and basic economics might make such ventures worthwhile.

5. LIST OF ABBREVIATIONS

| | |
|-------------|--|
| NSO | National Statistics Office |
| CBM | Central Bank of Malta |
| MEPA | Malta Environment and Planning Authority |
| QOA | Quarry Owners Association |
| GWU | General Workers' Union |
| MRA | Malta Resources Authority |
| ME | Malta Enterprise |
| COC | Chamber of Commerce |
| GRTU | Association of General Retailers and Traders |
| CMTU | Confederation of Malta Trade Unions |
| UHM | Union of United Workers, Union Haddiema Maghqudin |
| BICC | Building Industry Consultative Council |
| FOBC | Federation of Building and Civil Engineering Contractors |

THE NETHERLANDS

1. DESCRIPTION OF THE SECTOR'S CHARACTERISTICS AT NATIONAL LEVEL

1.1. Delimitation and scope of activities in the sector

In the Standaard Bedrijfsindeling 1993 (SBI, the Dutch equivalent of the NACE classification system) of the Centraal Bureau voor de Statistiek (Central Statistics Office-CBS), the following activities are classified as part of the Mining and Quarrying Industry¹⁴⁶: extraction of peat (SBI 103), extraction of sand, gravel (ENGELS), and clay (SBI 142), extraction of salt (SBI 144), other mining and quarrying (SBI 145). However, as regards SBI 144, the extraction of salt, no companies are registered with the CBS as from 1 January 2005. Whereas CBS still has 5 companies registered in this sub-sector (with 1 to 5 employees) in SBI 103, the extraction of peat, the representatives of the unions and employers' organisations interviewed in the context of this research state that there are no longer any companies in this sub-sector in the Netherlands. SBI 145, other mining and quarrying, is also small, with 30 companies registered with CBS as from 1 January 2005, of which 10 have no employees. The delimitation of the sector according to SBI corresponds largely to the NACE classification, except for the fact that certain sub-sectors are absent in SBI, that is, NACE 10.1, NACE 10.2, NACE 12, NACE 13, NACE 14.1, NACE 14.3. Another difference concerns the category of Other mining and quarrying (NACE 14.5 / SBI 145), that in SBI, apart from actual mining and quarrying, also covers a few primary treatments of the minerals.

In the past, both coal mines (NACE 10.1) and a peat extraction sector (NACE 10.3) existed in the Netherlands. The first was located in the south-east of the Netherlands. The mines in the province of Limburg were closed in the 1960s for economic reasons. Cheaper coal from other countries as well as gas extracted from the north of the Netherlands took over the function of Dutch coal. The closure of the mines meant a major economic decline for the province of Limburg.

The only two sub-sectors that remain, in the mining and quarrying sector in the Netherlands, apart from petroleum and gas extraction, are the sub-sectors of the extraction (mainly dredging) of sand and gravel (SBI 142) and the sub-sector of other mining and quarrying (SBI 145). From a collective bargaining point of view, the sand dredging branch is covered by the sectoral Collective Agreement for the Dredging and Hydraulic Engineering Sector. The gravel dredging branch is covered by a collective agreement at sub-sector level: the Collective Agreement for the Wet Gravel Dredging Companies. One gravel and sand dredging company has a company level collective agreement. In the category Other mining and Quarrying (SBI 145) there are different kinds of companies. The larger companies are still relatively small with only 35–50 employees, and one larger company has 350 employees. Usually all these companies negotiate their own collective agreements at company level.

1.2. Socio-economic features of the sector

In the Netherlands the share of the mining and quarrying industry in the GDP shows a stable 0.1% between 2001 and 2004. This does not mean that the sector is of marginal importance. Sand dredging, as part of the Dutch hydraulic engineering sector, is a flourishing branch in the Netherlands, since much sand is needed not only for the construction of roads, railways, houses, etc., but also to keep the beaches and dunes at an adequate height. The largest companies in the sector, that is, the multinationals Boskalis and Van Oord, are the world's largest companies in the dredging services sector. Together with two Flemish companies, these two companies have a share of 70% of the world market. Not only at worldwide level, but also at national level, the future of the dredging industry is bright. Gravel dredging at sea is no longer done by Dutch companies; English companies are responsible for gravel dredging in the North Sea. Dutch companies dredge gravel in the rivers, mainly for the purpose of concrete production.

The sub-sector of other mining and quarrying, however, is of less importance, and some parts of it are declining or even expected to disappear from the Netherlands in the near future. The latter will quite probably be the case by 2010 for the mining of marl that is still being done by the First Dutch Cement Industry (ENCI). The international concern of which ENCI is part has set benchmarks, however, and decided to invest in marl extraction in China rather than in the Netherlands. Also other companies in this sub-sector are usually part of multinationals, e.g. companies that extract quartz, of which a few exist in the south of the Netherlands. Also the few talc milling companies (covered by SBI 145, but not by NACE 14.5) that exist in the Netherlands, are part of multinationals.

¹⁴⁶ We do not mention SBI 11 Extraction of petroleum and gas, because this category falls outside the scope of this research.

In the sand dredging sector, the Netherlands is a world leader. The multinationals Boskalis and Van Oord have 40% of the world market, that is, of that part of the world market that is open for competition. This does not include, for example, China and the US, which have taken protective measures. Beside these large companies, many smaller companies exist in the sand dredging sector. About 10 medium-sized companies (50-100 employees) in the sand dredging sector are active in the European market, and about 30 smaller ones (< 50 employees) operate in the national market (source: VBKO interview). In the gravel dredging sector about 10 small companies (10-25 employees) and one medium-sized company (about 50 employees) exist operating exclusively as gravel dredging companies. They cover about 90% of the gravel dredging activities in the Netherlands. However, there are also companies that have gravel dredging as part of their activities.

In the category of other mining and quarrying, companies of a different type exist: marl extraction, limestone extraction, quartz extraction, and talc milling. The Dutch Gypsum Industry falls outside the scope of this research because Dutch companies import their gypsum, mainly from France and Germany. Also if we take the definition of "other mining and quarrying" of SBI 145 into account, which includes a few primary treatments of the minerals, the Dutch gypsum industry is not included in this category (source: interview NBVG).

Companies

| Sub-sectors | Number of companies | % companies without employees | % companies with < 10 employees | % companies with 10-49 employees | % companies with 50-100 employees | % companies with > 100 employees |
|---|---------------------|-------------------------------|---------------------------------|----------------------------------|-----------------------------------|----------------------------------|
| Extraction of peat (SBI 103 / NACE 10.3) | 5 | 0 | 100 | 0 | 0 | 0 |
| Extraction of sand, gravel and clay (SBI 142 / NACE 14.2) | 105 | 42.86 | 33.33 | 23.81 | 0 | 0 |
| Extraction of salt (SBI 144 / NACE 14.4) | 0 | 0 | 0 | 0 | 0 | 0 |
| Other mining and quarrying (SBI145 / NACE 14.5) | 30 | 33.33 | 16.67 | 33.33 | 16.67 | 0 |

Source: CBS, Statline, 2006.

In the sand dredging sector there are different categories of workers. The main category is engineers, who have the level of intermediate vocational training, especially the many elderly workers in the sector, often not by way of school certificates, but by way of so-called required competences (that may be officially recognised by means of a Recognition of Required Competences procedure www.kenniscentrumevc.nl). Other categories of workers are: dredge masters, first and second mates and captains. Wages in the sand dredging sector are high compared to other sectors. The sector is highly sensitive to economic fluctuations which have led to a greater use of temporary contracts in the sector. Another form of atypical labour is the hiring of temporary personnel from temporary employment agencies. These agencies specialise in the hydraulic engineering sector and apply the Collective Agreement for the Dredging and Hydraulic Engineering Sector. For the lower skilled jobs foreign workers are also hired. The gravel dredging sector offers both unskilled / low skilled work, this concerns usually the treatment of the gravel ashore, and skilled work, that is, of intermediate vocational level (mechanical engineering), usually on the ships. The employees in the sand- and gravel dredging sector are mainly male (11.5% female workers) (Source: CBS).

Workers

| Sub-sectors | Number of self-employed workers in | Number of employees in the sector | Number of employees in the sector / total number of | Number of employees in companies with < 10 workers in the sector / number of | Number of employees in companies with 10-49 workers in | Number of employees in companies with 50-249 | Number of employees in companies with > 249 workers in the sector / number of employees in the sector (%) |
|-------------|------------------------------------|-----------------------------------|---|--|--|--|---|
| | | | | | | | |

| | the sector | | employees in the country (%) | employees in the sector (%) | the sector / number of employees in the sector (%) | workers in the sector / number of employees in the sector (%) | |
|--|------------|-------|------------------------------|-----------------------------|--|---|----|
| Extraction and agglomeration of peat (NACE 10.3 / SBI 103) | ND | 0.0 | ND | ND | ND | ND | ND |
| Other mining and quarrying (NACE 14 / SBI14)** | ND | 2,600 | ND | ND | ND | ND | ND |

We use the NACE categorization here. In the Dutch equivalent of NACE, this category is called the “mining and quarrying of sand, gravel, clay, salt, and mining of other minerals” which is a better description of it in the Netherlands.

Source: CBS, Statline, 2006.

The prospects for the sand dredging sector are bright. The so-called Maasvlakte 2 project is part of a larger project relating to the development of Rotterdam Mainport. The planning of this broader development goes back to 1993, but the definitive government decision on Maasvlakte 2 has only recently been made (2006). Also the large dike building projects that are being planned for the years ahead will provide the sector with a considerable amount of work.

The prospects for the gravel dredging sector, which is already very small, are different. The sector is declining and the importing of gravel, mainly from Germany, is already relatively important and will become more important in the future. Moreover, gravel dredging often provokes protests from citizens because of the noise hindrance they experience. The authorities are less and less inclined to give the companies the concessions needed for dredging gravel from rivers and lakes. This often causes periods in which a company is without work and has to fire its employees.

The marl extraction sector consists basically of the activities of the large cement producing company ENCI. This company digs 1.7 million tons of marl every year, a volume that has been stable over many years. The expectation is, however, that marl extraction will disappear from the Netherlands by 2010. The purpose of closing down the Dutch plant of ENCI is to rationalise production in the Benelux countries and by doing so try to stabilise employment in the sector. New investments are being made by ENCI in China because of the prosperous economic prospects in that country.

2. DESCRIPTION OF THE ORGANISATIONS ACTIVE IN THE SECTOR AT NATIONAL LEVEL

2.1. Workers’ organisations active in the sector

a) Federatie Nederlandse Vakbeweging Bouw, Sector Waterbouw (FNV Bouw) (Dutch Federation of Trade Unions, Construction Industry, Hydraulic Engineering Section)

FNV Bouw is the largest union in the construction sector, and is affiliated to the Dutch Federation of Trade Unions, the largest federation of unions in the Netherlands. At European level, FNV Bouw is affiliated to the EFBWW, and at international level to the BWI. FNV Bouw is a signatory partner to the sectoral Collective Agreement for Dredging and Hydraulic Engineering, to the branch level Collective Agreement for Gravel Dredging Companies, and to the company level Collective Agreement of the Gravel- and Sand Dredging Company van het Smals. FNV Bouw has 1,000 active members in the Hydraulic Engineering Sector and 600 inactive members. At a total of 2,500 workers in the sector, this would bring FNV Bouw’s density in the sector to 40%. The high density may be explained by the existing tradition of union membership in the sector. FNV Bouw has about 1.5 full-time employees working for the Dredging and Hydraulic Engineering Sector.

b) Hout- en Bouwbond Christelijk Nationaal Vakverbond (Hout- en Bouwtbond CNV) (Christian Trade Union Federation Wood and Construction Union)

Hout- en bouwbond CNV is the second largest union in the construction sector. It is affiliated at national level to the Christian Trade Union Federation, at European Level to the EFBWW and at international level to the BWI. Hout- en Bouwbond CNV is a signatory partner to the sectoral Collective Agreement for Hydraulic Engineering. It has 365 active members in the sector, which brings its density to 16%.

c) FNV Bondgenoten

FNV Bondgenoten is the third union that operates in the mining and quarrying sector. FNV Bondgenoten is a signatory partner to several company level collective agreements in the category “other mining and quarrying”, not being sand- and gravel dredging. This may include companies in marl extraction, quartz extraction, talc milling, etc., the largest of which is the First Dutch Cement Industry (ENCI), which has 350 employees. The other companies with which FNV-Bondgenoten has collective agreements are medium-sized companies with less than 50 employees. FNV Bondgenoten is affiliated to the Dutch Federation of Trade Unions (FNV) at national level, to the European Mine, Chemical and Energy Workers Federation (EMCEF) at European level and to the International Federation of Chemical, Energy, Mine and General Workers’ Unions (ICEM) at international level. There is no data on membership figures in this fragmented and very small sub-sector.

Worker’s organisations

| Organisation (English name) | Members | | Collective Bargaining | Affiliations | |
|--|---|---|-----------------------|-----------------------|--------------------|
| | Total number of the members in the organisation | Number of members working in the industry | | European affiliations | Other affiliations |
| Dutch Trade Union Federation, Construction Sector, Hydraulic Engineering Section | 1,600 | 1,000 | Yes | EFBWW | BWI |
| Construction and Woodworking Union, Christian Trade Union Federation | | 365 | Yes | EFBWW | BWI |
| FNV Bondgenoten | ND | ND | No** | EMCEF | ICEM |

Source: FNV Bouw and Hout en Bouwbond CNV.

** FNV Bondgenoten negotiates and signs at company level in the mining and quarrying sector.

2.2. Description of the employers' organisations active in the sector¹⁴⁷

Vereniging van Waterbouwers in Bagger-, Kust- en Oeverwerken (VBKO) (Association of Hydraulic Engineers in Dredging-, Coastal and Riverbank Operations)

The VBKO is the organisation representing the interests of companies operating in the hydraulic engineering sector. Ten years ago, three organisations (Association of Central Dredging Companies, Association of Coastal and Riverbank Operations and the Association of Small Scale Dredgers) merged into the VBKO. VBKO has about 200 members, 40-45 of which are active in the sand dredging sector, and a few also in the gravel dredging sector. Among its members in the sand dredging branch are two multinationals, 10 medium-sized companies with 50-100 employees and 30 smaller companies with less than 50 employees. Its other members are service companies in the waterworks sector. VBKO organises about 90% of the companies in the sand dredging sector that cover together about 95% of the employees in the sector. The VBKO has about 10 full time employees. VBKO is affiliated to the European Dredging Association (EuDA).

Employers' organisations

| Organisation (English name) | Members | | Collective Bargaining | Affiliations | |
|---|--|---|-----------------------|-----------------------|--------------------|
| | Total number of companies which are members of this organisation | Total number of workers working in companies which are members of this organisation | | European Affiliations | Other affiliations |
| Association of Hydraulic Engineers in Dredging Coastal and Riverbank Operations | 200 | 2,375 | Yes | EuDA | No |

Source: interview VBKO.

3. DESCRIPTION OF THE SOCIAL DIALOGUE IN THE SECTOR AT NATIONAL LEVEL

3.1. Description of the tripartite concertation in the sector

VBKO, FNV Bouw and Hout- en Bouwbond CNV and representatives of companies regularly have consultations with the Ministry of Transport and Public Works, mostly on new regulations for the sector. The VBKO is active in lobbying for regulations that are favourable for the sector. To a lesser extent, consultations also take place with the Ministry of Social Affairs. The hydraulic engineering sector was one of the first sectors to enter into an Occupational Safety and Health Covenant (1992). The measures agreed on in the covenant have been implemented and the covenant is no longer in operation.

3.2. Description of the bipartite social dialogue in the sector

Bipartite dialogue in the mining and quarrying sector takes place at different levels. There is no obligation to participate in collective bargaining (voluntary basis).

The sand dredging branch is covered by the sectoral Collective Agreement for the Dredging and Hydraulic Engineering Sector. This agreement covers not only sand dredging for building purposes, which can be considered as mining activity, but also sand dredging for the sole purpose of keeping waterways, harbours, etc. at the right depth, which is not considered as a mining activity. VBKO estimates that 2/3 of the work covered by this collective agreement concerns saltwater dredging, which is done for building purposes. The remaining 1/3 of the work covered by the agreement relates to the so-called inland waters dredging, which is only meant to keep waterways, harbours and the like at the right depth. Both forms of dredging are done by the same

¹⁴⁷ The following organisations, Nedmag Industries (member of EUROMINES); the Dutch indirect affiliates of IMA-Europe Ankerpoort (member of CCA-Europe, Calcium and Carbonate Association); CEBO (member of EUBA, European Bentonite Producer Association); NBVG (member of EUROGYPSUM, Association of European Gypsum Industries); SIBELCO and SIGRANO (members of EUROSIL, European Association of Silica Producers); Mondo Minerals B.V. (member of EUROTALC, Scientific association of the European Talc Industry), are not members of the Dutch employers' association (VBKO) or of the 10 gravel-dredging companies not organised in an association. They do not play a role within collective bargaining at sector level.

workers, however, on the same ships. Signatory partners to this agreement are: VBKO, FNV Bouw and Hout- en bouwbond CNV. There are no conflicts between the partners regarding recognition issues. The Collective Agreement for the Dredging and Hydraulic Engineering Sector is generally extended, so it covers all companies and all workers in the sector. The number of workers covered by the agreement varies over time, because of the international character of the sector. Depending on the country where the work is done, the workers are or are not covered by the collective agreement. If they work in the Netherlands, they are covered, if they work abroad, they are not. Apart from the general sectoral collective agreement, the hydraulic engineering sector has a Collective Agreement for Branch Specific Arrangements that covers a holiday fund, pre-pension funding, and an education fund for the sector. This collective agreement is also generally extended.

The sub-sector of gravel dredging has its own branch level collective agreement, the Collective Agreement for the Wet Gravel Dredging Sector. Signatory partners are FNV Bouw and 10 companies in the sector. These 10 companies together employ about 100 employees. There are no exact figures available on the total number of companies and workers in the wet gravel dredging branch, because gravel dredging also occurs in companies that do not have this as their main activity. The 10 companies covered by the collective agreement are not organised in an association, but have chosen a representative among themselves, who is mandated to carry out the negotiations and sign the agreement. Apart from the general collective agreement, the gravel dredging companies also have a collective agreement on early retirement. In the past the gravel dredging branch has always insisted on signing its own collective agreement, but now that the branch is declining, it is seeking to join the Collective Agreement for the Hydraulic Engineering sector. One medium-sized company (Smals Bouwgrondstoffen B.V.) in the gravel dredging sector (with 50 employees) has its own company level agreement, also signed by FNV Bouw on the employee side.

The category of companies in “other mining and quarrying”, covered by SBI 145 / NACE 14.5, does not have a sectoral or sub-sectoral level collective agreement. The one large company in this category, the ENCI, has its own company level collective agreement, with FNV Bondgenoten, industry section as the signatory partner on the employee side. Also some medium-sized companies (30-50 workers) in this category have a company level agreement. Neither figure is available in public statistics concerning the exact number of companies with a company level agreement in this sector, or the number of employees covered by them.

| Sectors covered | Agreement | Parties | | Duration | Coverage |
|---|--|--|---|-----------------------------------|---|
| | | Trade Union | Employers' organisation | | |
| Sand dredging (SBI 142 / NACE 14.2) | Collective Agreement for the Hydraulic Engineering Sector | 1. FNV Bouw 2. Hout en Bouwbond CNV | VBKO | 1 January 2006 - 31 December 2007 | Generally extended by the government, 100% coverage |
| Sand dredging (part of SBI 142 / part of NACE 14.2) | Collective Agreement for Branch Specific Arrangements for the Hydraulic Engineering Sector | 1. FNV Bouw 2. Hout en Bouwbond CNV | VBKO | 30 July 2004 – 31 March 2006 | Generally extended by the government. 100% coverage |
| Gravel dredging (part of SBI 142 / part of NACE 14.2) | Collective Agreement for the Wet Gravel Dredging Companies | 1. FNV Bouw | 10 gravel dredging companies, not organised in an association | 1 april 2006 – 31 maart 2007 | No exact data, but covers the largest part of the sector, at least all companies except those that have gravel dredging as their only activity. |
| Gravel dredging (part of SBI 142 / | Collective Agreement on Early Retirement for the | 1. FNV Bouw | 10 gravel dredging companies, not | 2003-2008 | No exact data, but covers the largest part of the sector, at least |

| | | | | | |
|-----------------------|-------------------------------|--|--------------------------------|--|--|
| part of NACE 14.2) | Wet Gravel Dredging Sector | | organised in an association | | all companies except those that have gravel dredging as their only activity. |
|-----------------------|-------------------------------|--|--------------------------------|--|--|

Source: Ministry of Social Affairs and Employment, 2006 / interviews

4. COMMENT

First of all, we must conclude that the mining and quarrying sector in the Netherlands is a very small part of industry, except for the sand dredging sector and the gravel dredging sector and a small remaining category of other mining and quarrying. The latter two, however, are also declining. The sand dredging and gravel sector (SBI 142 / NACE 14.2) is a highly organised sector, both on the employers' side (95%) and on the workers side (56%).

Collective bargaining takes place in a number of sub-sectors. Sand dredging is covered by the sectoral collective agreement for the dredging and hydraulic engineering sector. About ten gravel dredging companies negotiate their own collective agreement. In the remaining category of other mining and quarrying, one large and a number of medium-sized companies have their own company level collective agreements. No mention was made in any of the interviews about the lack of representation of any of the players involved.

POLAND

1. DESCRIPTION OF THE SECTOR'S CHARACTERISTICS AT NATIONAL LEVEL

1.1. Delimitation and scope of activities

The Polish Classification of Activities (PCA) is in line with NACE nomenclature. The trade unions and organisations which are active in the mining industry sector cover the PCA sections CA 10, 12 and sections CB 13, 14. The organisations are active mainly in coal extraction and processing and copper and lignite extraction and processing. In other sub-sectors the organisations are not very numerous.

Some of the described organisations are also active in other branches indirectly connected with mining, such as: sub-section DF (manufacture of coke, refined petroleum products and nuclear fuel); sub-section DI 26.5 (manufacture of cement, lime and plaster); sub-section DJ 27.43 (lead, zinc and tin production); sub-section DJ 27.44 (copper production); sub-section DK 29.52 (manufacture of machinery for mining, quarrying and construction); section E (electricity, gas and water supply); sub-section G 51.12.Z (agents involved in the sale of fuels, ores, metals and industrial chemicals), sub-section G 51.52.Z (wholesale of metals and metal ores); sub-section I 60.1 (transport via railways), sub-section I 63.3 (activities of travel agencies and tour operators; tourist assistance activities), sub-section I 64.1 (post and courier activities); sub-section K 71.21 (renting of other land transport equipment), sub-section K 73.10.H (research and experimental development on natural sciences and engineering); sub-section K 74.20 (architectural and engineering activities and related technical consultancy); section M (education); sub-section N 85 (health and social work); sub-section O 91.20 (activities of trade unions); sub-section 91.33 (activities of other membership organisations).

Because of the specific characteristics (the strongest unions and subject of the most intense discussion), the social dialogue for the coal mining sector is limited to this branch, without involving others sub sectors.

1.2. Socio-economic features of the sector

The number one raw material extracted in Poland is hard coal. During the whole socialist period (1945-1989) there was a substantial demand for coal (coal miner salaries exceeding other sectors' salaries). After 1989, efforts were undertaken to limit coal mining output and decrease the employment in the sector. Since 1990, the old, socialist-era associations of the mines were liquidated. A status of individual state-owned companies was given to each individual mine. This experiment, as well as other restructuring attempts, proved to be a failure. In 2000 The Ministry for Economic Affairs prepared a project for a fundamental change of the structure of mining industry, freezing the salaries until 2006, privatisation and six-day workweek. The trade unions of the coal mining sectors have decidedly opposed the project. During 17 years of transformation¹⁴⁸ the employment in mining sector has decreased significantly. The major reduction of employment, resulting from restructuring of the sector, was accomplished in a relatively peaceful manner. The calmness of coal miners can be attributed, above all, to relatively high gratuities, paid to individually dismissed miners.

In April 2004 the government accepted the Program for Restructuring the Coal Mining Industry in 2004 - 2006 together with the Strategy for 2007 – 2010, and at the end of July 2004, the Plan for Exploitation of Deposits in 2004 – 2006, and the Plan for the Closing of Mines in 2004 – 2007.

At the present moment, a compromise concerning payments for miners taking into account the profitability of the mines for 2004 was reached, a sector level collective work agreement is being negotiated, the Ministry of Finance together with the Tripartite Team has started working on the Strategy for 2007 – 2011¹⁴⁹.

In 2004, the share of mining industry in GDP was 2.5%¹⁵⁰. In contrast with other sectors of the Polish economy, there is no illegal employment. However, some phenomena could be considered as related at the black economy. For instance, some service companies are carrying out contracts for selected works underground in hard coal and copper mines. These companies employ miners, who have taken benefits packages and left the mining industry as such or pensioners (about 70,000 estimated).

¹⁴⁸ Direct subsidies to coal mining in the years 1989-2001 amounted to more than 3 billion euros.

¹⁴⁹ Juliusz Gardawski *The Problems with restructuring the Polish Mining Industry* articles and analyses prepared for European Foundation for the Improvement of Working and Living Conditions, Warszawa 2005

¹⁵⁰ Source: Central Statistical Office *Rachunki narodowe* 2005

The miners that work in these companies do not enjoy to the same workers' rights (social and financial) as the workers of a mine where a particular company is active – there is no company level collective work agreement. These companies are not a party to plant-based collective work agreements, only the labour regulations are in force in these companies. Coal mining in Poland is predominantly carried out by large companies, which are partly state owned ¹⁵¹. The share of companies with more than 49 employees was more than 15%. In the public sector, it was almost 54%, and in the private sector it was 9.5%. In comparison with the previous year the number of such companies in the public sector decreased by about 10%, and in the private sector it increased by 5%. Despite the fact that most of the subjects (more than 87%) were privately owned, more than 96% of the total number of mining industry workers were in the public sector.

Important note: There may be slight differences in the data in the report, which is the result of different principles being adopted by the Central Statistical Office, National Labour Inspectorate and State Mining Authority, or the researches were conducted or data taken from different periods. In Poland, the term górnictwo (mining) most of the time means hard coal mining, and therefore statistics or research often concentrate solely on data pertaining to this branch. There is also an important distinction between a plant and an economic entity – an economic entity may be a group of several to several dozen plants. Differences in employment data stem from taking into account plants in the course of liquidation. Data in the tables Mining plants in 2005 are from State Mining Authority, but data in the tables Workers and Companies are from the Central Statistical Office. None of those institutions has complete information about the sector. Generally they are close, but it's impossible to agree the same numbers.

| Sub-sectors | Mining Plants (in 2005) | | Companies performing services for mining plants (in 2005) | |
|-------------------------------|-------------------------|------------|---|------------|
| | Number | Employment | Number | Employment |
| 10.1 | 36 | 123,269 | 388 | 19,426 |
| 10.2 | 11 | 13,904 | 92 | 867 |
| 13.2 | 6 | 13,358 | 78 | 3,547 |
| 14.1 | 2 | 203 | 1 | 2 |
| 14.2 | 93 | 3,226 | 167 | 884 |
| 14.3 | 4 | 1,055 | 19 | 435 |
| 14.4 | 5 | 1,360 | 7 | 102 |
| Common minerals mining plants | 3,938 | 13,486 | - | - |
| Total | 4,095 | 169,861 | 752 | 25,263 |

Source: State Mining Authority, data from 31.12.2005, Zakłady górnicze objęte nadzorem i kontrolą urzędów górniczych <http://www.wug.gov.pl/zaklady.html>

Note: Common minerals mining plant gathers enterprises from the NACE sector 14.5 but also some from sub-sectors 10.0 and 14.2 (sand, grey, chalk, peat and raw materials extraction).

Companies – no data dividing into subsectors

| Sub-sectors | Number of companies | % companies without employees | % companies with <10 employees | % companies 10-49 employees | % companies 50-249 employees | % companies with > 249 employees |
|-----------------------|---------------------|-------------------------------|--------------------------------|-----------------------------|------------------------------|----------------------------------|
| Total of the sector C | 1,213 | ND | 74.7% | 15.3% | 7.6% | 2.4% |

Source: Statistical Year Book of Industry 2005.

¹⁵¹ Among others, the largest European mining company – Kompania Węglowa S.A.

Workers – no data dividing into sub-sectors.

| Sub-sectors | Number of self-employees workers in the sector | Number of employees in the sector | Number of employees in the sector/ total number of employees in the country – all sectors- (%) | Number of employees in companies <10 workers in the sector/ number of employees in the sector (%) | Number of employees in companies <49 workers in the sector/ number of employees in the sector (%) | Number of employees in companies 50-249 workers in the sector/ number of employees in the sector (%) | Number of employees in companies >249 workers in the sector/ number of employees in the sector (%) |
|-----------------------|--|-----------------------------------|--|---|---|--|--|
| Total of the sector C | ND | 191,600 | 2.5% | ND | 1.78% | 5.32% | 92.9% |

Source: Statistical Year Book of Industry 2005.

With regard to the characteristics of employment in the sector, one can assume that the majority of workers are male blue collar workers¹⁵². As far as the average salary is concerned a worker's salary is about EUR 720 per month (EUR 1,232 for a white-collar worker)¹⁵³ within the Mining sector (Section C). As far as the section CB 14.5 (including remaining mining activities) is concerned, the workers' salary varies between EUR 539 and EUR 923 for a white-collar salary.

From 1990 to 2004, 167 state-owned companies were undergoing the processes of ownership transformation (commercialisation, liquidation, direct privatisation). The sector was the only one not to be subjected to direct privatisation after 1989. The resistance against privatisation of the mines came mainly from the trade unions. This process results in the establishment of 3 big coal companies which include the majority of mines in Upper Silesia: Kompania Węglowa S.A., Katowicki Holding Węglowy S.A., and Jastrzębska Spółka Węglowa S.A.

2. DESCRIPTION OF THE ORGANISATIONS ACTIVE IN THE SECTOR

2.1. Description of the workers' organisations active in the sector

There are more than a dozen trade unions active in the sector in Poland¹⁵⁴. The trade unions are the sole representatives of workers in the mining industry (there are no works committees). The coordination between the unions themselves and the employers can encounter difficulties in organisation. Particular forms of cooperation amongst trade unions above plant level are not usually institutionalised. In contrast with other sectors, a mining trade union can have a significant influence upon the decisions of the government and the employers. In fact, they affiliate most of the workers of the sector, so they have the capability to enter the agreements representing all the social actors of the dialogue. Agreements and positions are discussed in writing. The agreements of this type at the level of individual companies are so common that it is possible to speak about a stabilising pattern of cooperation of trade union representation in many of the companies. It has to be noted, however, that the agreements most often do not have an institutionalised form and thus can be easily revoked.

The direction of the discussions is often decided by Związek Zawodowy Górników (the Trade Union of Miners) (a member of OPZZ) and Secretariat of Mining and Energy Industries of NSZZ "Solidarność". There are also branch trade unions and radical organisations, such as „Sierpień '80”, „Kontra”, „Solidarność '80”. The multitude of trade unions and their varied political and ideological options had made reaching common positions difficult in the past, especially in the period when the trade unions participated directly in politics (until 2001).

On December 1991, a national collective work agreement for the hard bituminous coal sector was signed; it was later terminated by the employers. In the opinion of the courts, of the National Labour Inspectorate and the trade unions, the agreement is still in force. According to a regulation, a terminated agreement remains in force until the next is accepted. Work on a new agreement started in 2003 and continues today. Until now 3 projects of a national collective agreement have been submitted: the project of Kompanie Węglowa S.A., a joint project of 13 trade union groups and a project of Trade Union "Sierpień 80". The agreement is signed point by point, after the contents of each point are agreed upon. All the parties must agree on 90% of the regulations. Often, negotiations are difficult due to the high number of stakeholders. The issues which figure most in the discussions are salaries, overtime etc.

¹⁵² According to the Central Statistical Office information for 2004, out of 139,803 people working in mining and quarrying sector 21,099 were women (around 11%, mostly employed in the public sector).

¹⁵³ Source: Central Statistical Office.

¹⁵⁴ Some experts state that there are as many as 60 miners' trade unions; however, there are only 12 important ones. There are such organisations as : Związek Zawodowy po Urlopiach Górniczych or Związek Zawodowy Kobiet Pracowników Górnictwa.

All the following organisations are recognised thanks to the Trade Union Act (signed in 1991) and its subsequent amendments¹⁵⁵. All these Unions are mostly financed by their membership subscriptions.

2.1.1 Związek Zawodowy Górników w Polsce (ZZG) / Trade Union of Miners in Poland¹⁵⁶

In 1993 ZZG with a uniform structure was established. The union is active country-wide, affiliating mainly the workers of all the minerals and resources (section C), and workers of heating engineering companies, processing and energy (section D, E, I 60.1 and N). 90% of members are manual workers, 10% are supervisory workers, administrative personnel and engineers. Five full-time employees work for the Union. In 2006, the ZZG signed 8 documents. ZZG is a signatory of its own positions, declarations, announcements, agreements and pacts that concern the sector and also joint ones. The significance of the ZZG in the sector is extensive, so the union initiates many of the activities of all the social actors in the sector.

ZZG has signed 21 company level work agreements. ZZG takes part in meetings of the Tripartite Team for Social Welfare of Miners and is a signatory of documents signed therein (more than a dozen). At national level, ZZG is a member of Ogólnopolskie Porozumienie Związków Zawodowych OPZZ (All-Poland Alliance of Trade Unions).

2.1.2 Związek Zawodowy “Kontra”(ZZ „Kontra”)¹⁵⁷

The Trade Union „Kontra” was established in July 1992. The organisation is divided into 6 regional structures, then into sections and plant-based organisations. “Kontra” affiliates workers of all the branches of industry (section D), miners, steelworkers (section C), railwaymen (section I 61.1), postmen (section I 64.1), education workers (section M), health care workers (section N) and others. The representative of the union did not want to disclose which plants the organisation is active in or what was the number of members (between ten and twenty thousand members in his words). About 400 members are miners. Its staff is composed of two full time employees.

ZZ “Kontra” has the power to negotiate and to sign CAs at sector level, but the union does not sign any agreements with other trade union organisations.

At the company level, ZZ “Kontra” has the power to negotiate and to sign CAs. The union has 15 plant work agreements signed. “Kontra” signs agreements even if it is not represented in a given plant. ZZG takes part in meetings of the Tripartite Team for Social Welfare of Miners and is a signatory of documents signed therein (more than a dozen).

2.1.3 Związek Zawodowy Jedności Górniczej (ZZJG)¹⁵⁸

ZZJG was established in 1996 afterof the merger of several organisations included in ZZMGŚ (Trade Union of Youth Miners in Silesia). All the workers of the mining industry and related companies can belong to the union. Trade union organisations are active in 16 plants: in hard coal mines (section C 10.1) and in companies performing services directly for mines. Most of the members are blue collars (3-4% of white-collars). Four people are employed in the staff of the organisation. ZZJG has the power to negotiate and to sign CAs at sector level.

ZZJG does not sign separate agreements with other trade unions. ZZJG acts in joint actions concerning the sector, signing joint positions, participating in strikes and negotiations as one of the social actors. ZZJG has signed 16 plant work agreements.

ZZJG takes part in meetings of the Tripartite Team for Social Welfare of Miners and is a signatory of documents signed therein. At the national level, ZZJG is member of Konfederacja Związków Zawodowych Górnictwa w Polsce (KZZG) and the OPZZ.

2.1.4 Związek Zawodowy Ratowników Górniczych w Polsce (ZZRG)¹⁵⁹

ZZRG was registered in November 1995. ZZRG is an organisation that affiliates workers from mines extracting raw materials (active within 44 plants).

The activity of ZZRG's members is qualified in section C – extraction, and section N 85.14 – health care. Most of its affiliates are blue-collars workers. The union has a staff of two full-time employees.

¹⁵⁵ JoL 1991 no. 55 pos. 234, Trade Union Act, 23 May 1991 with subsequent amendments, JoL. 2004 no. 240 pos. 2407, Tripartite Commission for Socio-Economic Affairs Act Amendment Act, 8 October 2004, Ordinance of the Minister Of Labour and Social Policy, 3 July 2001 concerning the Commission for Collective Labour Agreements (JoL No. 73, pos. 773, 18 July 2001, with subsequent changes).

¹⁵⁶ Source: an interview with vice-president of ZZG Dariusz Potyrała and vice-president of ZZG and co-president of the Tripartite Team for Social Welfare of Miners, Waclaw Czerkawski; www.zzg.org.pl

¹⁵⁷ Source: 06.07.06 interview.

¹⁵⁸ Source: 03.07.06 interview with president of the union Jerzy Sarata; <http://www.zzjg.org>

¹⁵⁹ Source: 04.07.06 interview with Piotr Luberta, the president of National Board; <http://www.zzrg.org>

ZZRG has the power to negotiate and to sign CAs at sector level. There are no separate agreements signed. To retain its representativeness ZZRG is a member of OPZZ. The union is a signatory of positions, declarations, announcements, agreements and pacts that concern the sector. In 2006 ZZRG has signed 8 documents. The union has signed 23 company employment agreements. The union participates in meetings of the Tripartite Team for Social Welfare of Miners and is a signatory of documents signed therein. At the national level, it is a member of the OPZZ.

2.1.5 Związek Zawodowy Pracowników Dołowych (ZZPD)¹⁶⁰

ZZPD was established in 1993. The union has nationwide coverage; it is divided into 21 regional branches. It affiliates workers who mine coal at the coal face. 99% of the members of the union are male blue-collar workers. The organisation does not have any employees.

ZZPD has the power to negotiate and to sign CAs at sector level. The union is a signatory of positions, declarations, announcements, agreements and pacts that concern the sector. In 2006 ZZPD has signed 8 documents. The union has signed 20 company level work agreements.

The union participates in meetings of the Tripartite Team for Social Welfare of Miners and is a signatory of documents signed therein. At the national level, it is affiliated at the OPZZ.

2.1.6 Niezależny Samorządny Związek Zawodowy „Solidarność”. Sekretariat Górnictwa i Energetyki (SGiE) / The Independent and Self-Governing Trade Union Solidarność. National Secretariat of Mine and Energy Worker's Union¹⁶¹

NSZZ „Solidarność” was established in 1981. The union has a territorial and a branch structure. There are 16 branch secretariats active in the framework of the union, further divided into sections relating to specific branch divisions. The Secretariat is active in all the mines. It has organisations in 56 companies. 90% of the members of the Secretariat are blue collar workers, 10% are engineering and administrative staff. The organisation employs 2.5 full-time equivalent employees.

At the sector level bargaining, SGiE has the power to negotiate and to sign CAs. It is a signatory of positions, declarations, announcements, agreements and pacts that concern the sector. In 2006, the section signed 8 documents. SGiE has signed 16 company level collective work agreements.

SGiE participates in meetings of the Tripartite Team for the Social Welfare of Miners and is a signatory of documents signed therein.

At national level, it is a member of the Niezależny Samorządny Związek Zawodowy “Solidarność” (NSZZ „S”) - The Independent and Self-Governing Trade Union Solidarność (NSZZ „S”).

2.1.7 Związek Zawodowy Pracowników Przeróbki Mechanicznej Węgla „Przeróbka” (ZZPPMW „Przeróbka”)¹⁶²

The Trade Union of Workers of Mechanised Coal Processing was established in 1993. It affiliates workers from the processing, concentrating and sale of coal (Sections CA 10.10B, CA 10.20.B, CB 13, DF 23.1)¹⁶³. A definite majority of members of ZZPPMW are blue collar workers, 50% of them are women. The union is active in 24 plants.

ZZPPMW has the power to negotiate and to sign CAs at sector level. The organisation does not sign any separate agreements with other trade unions. It acts jointly with other organisations, signing positions and documents issued by all the social actors.

No data are available about the exact number of plant work agreements signed by the union (probably about 24 – as many as there are plants wherein the union is active).

The union participates in meetings of the Tripartite Team for Social Welfare of Miners and is a signatory of documents signed therein. To maintain its representativeness, the union belongs to two sector-level associations – OPZZ and KZZG.

2.1.8 Niezależny Samorządny Związek Zawodowy “Solidarność’80” (NSZZ S’80) / Independent Self-Governing Trade Union “Solidarność’80”¹⁶⁴

¹⁶⁰ Source: 05.07.06 interview with the first vice-president of ZZPD, Jerzy Demski, <http://www.zzpd.pl/>

¹⁶¹ Source: 04.07.06 interview, www.solidarnosc.org.pl

¹⁶² Source: 03.07.06 interview, <http://www.przerobka.pl>

¹⁶³ ZZPPMW was established because of special work conditions of the above mentioned group. The number of workers of processing (sometimes even lower than 7% of the whole personnel of a mine) not always guarantees the representativeness of a company trade union organisation and the possibility to represent the interests of the group on a basis similar to other groups of workers.

¹⁶⁴ Source: 05.07.06 interview.

NSZZ S'80 was established on the wave on protests after the changes that occurred in NSZZ "Solidarność". It was registered officially in 1992. The organisation has a regional and plant structure. There are 10 branch secretariats. The Secretariat of Mining and Energy of NSZZ S'80 is active in plants extracting hard coal (section CA 10.1), brown coal (section CA 10.2), copper (CB 13.2) and connected with the energy sector (section E 40). There are mainly blue collar workers in the union; office workers constitute about 15% and women about 20% of the membership. The organisation employs about a dozen people.

At sector level bargaining, the NSZZ S'80 has the power to negotiate and to sign CA's. NSZZ S'80 is a signatory of positions, declarations, announcements, agreements and pacts. It happens, however, that it does not access a coalition of other trade union organisations and presents its own proposals for rules or agreements. There are no data available as far as the number of signed documents is concerned. At the company level, NSZZ S'80 is a signatory of 21 plant work agreements.

The union participates in meetings of the Tripartite Team for Social Welfare of Miners as a signatory part. At national level, NSZZ S'80 is affiliated to the Forum Związków Zawodowych (FZZ).

2.1.9 Porozumienie Związków Zawodowych "Kadra"¹⁶⁵

PZZ „Kadra” is an association of trade union organisations from hard coal plants (sub-section CA 10.1), brown coal plants (sub-section CA 10.2), zinc and lead plants (sub-section CB 13.20.B), salt plants (sub-section CB 14.4), metallurgy plants (sub-section DJ), mining infrastructure, research plants and mining industry offices (sub-sections CB 14.5, K 73.10.H). It affiliates workers from engineering and technical staff that belong to particular organisations. Every organisation is a legal entity, has its own statute and is separately registered in the National Court Register. The plant organisations are associated in 9 sections, and the Section of Hard Coal has the most members. PZZ “Kadra” is a nationwide organisation which is present in 140 plants.

PZZ “Kadra” is an exclusive union of engineering, technical and administrative staff. It does not affiliate blue collar workers. The representative of the organisation was not willing to disclose the number of its members. According to him, 70% of members work in the mining sector which must represent around 10% representativeness in 99% of the plants in which it is present. In his words, about 85 people work for the PZZ “Kadra” organisation, but he does not indicate the exact number of salaried employees.

At sector level bargaining PZZ “Kadra” has the power to negotiate and to sign a CA. However, the organisation has no agreements signed in order to retain its independence. PZZ “Kadra” does not always sign the joint positions of social actors. At the company level, the organisation has signed 23 company employment agreements.

The union participates in meetings of the Tripartite Team for Social Welfare of Miners and is a signatory of documents signed therein. It has signed one collective agreement at national level for the mining industry, that has been terminated, yet is still valid, and 2 others on national level for metallurgy and lignite mining. Since 2003, PZZ “Kadra” participates in negotiations over a national collective agreement concerning the mining industry.

At the national level, PZZ “Kadra” is affiliated at the FZZ.

2.1.10 Związek Zawodowy Pracowników Technicznych i Administracji "DOZÓR" Przemysłu Miedziowego w Lubinie (ZZPTA „D”)¹⁶⁶

The aim of the union is to represent supervisory and administrative workers. The Union employs 1/5 of a full-time equivalent person. ZZPTiA “Dozór” Przemysłu Miedziowego covers activities of section CB 13.20.A, other trade unions of “Dozór” are active in sections CB 14.12, CB 14,5.

Members of the union have to have at least secondary technical education in the field of supervision. About 21% of the association members are women (65 out of 307).

ZZPTA „D” has the power to negotiate at the sector level. ZZPTA „D” is empowered to sign sector CAs. Usually, the trade unions prepare a joint annex concerning salaries in a plant collective employment agreement and present it to an employer. At company level, the organisation has signed one company collective employment agreement.

There is no separate tripartite team for copper mining sector. The employers are opposed to the signing of a sector level collective employment agreement. At national level, it is a member of the OPZZ.

2.1.11 Związek Zawodowy Pracowników Przemysłu Miedziowego (ZZPPM)¹⁶⁷

ZZPPM has been established on 1991. It was formed by 17 trade union organisations present in the company KGHM Polska Miedź S.A.

¹⁶⁵ Source: 06.07.06 interview, <http://www.kadra.org.pl>

¹⁶⁶ Source: 04.07.06 interview

¹⁶⁷ Source: 04.07.06 interview with Ryszard Kurek, ZZPPM's Vice-President for Mining Issues. <http://www.zzppm.pl/>

The union has 32 plant organisations, mostly in copper mining and processing (CB 13), and in other branches (D, E, F, I according to PCA nomenclature). 15% of members are the so-called supervisory workers, as well as foremen, general foremen, watchmen and masters. The rest of the members are blue collars. 10% of ZZPPM members are women. Its staff consists of 8 full time employees¹⁶⁸.

ZZPPM has the power to negotiate at sector level and to sign CAs. Usually, before some changes are proposed or a position is presented to an employer, all the unions, including ZZPM sign a proper agreement pertaining to this particular matter. The unions often use the option of making decisions by the staff through a plant referendum, the results of which have to be taken into account by the employer. At company level, a collective agreement has been signed by this organisation in 11 branches of the company and concerns 17,500 workers.

There is no separate tripartite team for the copper industry. The representatives of the union are not members of the Tripartite Team for Social Welfare of Miners – they did not even know that such a body existed. At the national level, ZZPPM is a member of the OPZZ.

Workers' organisation(s)

| Organisation (English name) | Members | | Estimation of the density | Collective Bargaining (Yes/No) | Affiliations | | | |
|---|---|--|---------------------------|--------------------------------|-----------------------|--------|-----------------------|----------|
| | Total number of the members of the organisation | Number of members who are working in the sector of Mining and Quarrying Industry | | | European affiliations | | Others affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| The Union Miners of Poland Związek Zawodowy Górników w Polsce | 70,000 | 35,000 | 17.9% | Yes | EMCEF | - | - | OPZZ |
| Związek Zawodowy "Kontra" | ND | 400 | 0.2% | Yes | - | - | - | - |
| Związek Zawodowy Jedności Górniczej | ND | ND | ND | Yes | - | - | KZZG | OPZZ |
| Związek Zawodowy Ratowników Górniczych w Polsce | 5,100 | 4,800 | 2.4% | Yes | - | - | - | OPZZ |
| Związek Zawodowy Pracowników Dołowych | 8,000 | 7,900 | 4.90*% | Yes | - | - | - | OPZZ |
| ISGTU "Solidarność", National Secretary of Mine and Energy Workers Union | 800,000 | 35,000 | 17.9% | Yes | - | - | ICEM | NSZZ "S" |
| Związek Zawodowy Pracowników Przeróbki Mechanicznej Węgla „Przeróbka” | 5,000 | 5000 | 3.6% | Yes | - | - | KZZG | OPZZ |
| Independent Self-Governing Trade Union "Solidarność'80" | ND | 12,000 | 6.15% | Yes | - | - | - | FZZ |
| Porozumienie Związków Zawodowych "Kadra" | ND | ND | ND | Yes | - | CEC | ICEM | FZZ |
| Związek Zawodowy Pracowników Technicznych i Administracji "Dozór" w Lubinie | 307 | 307 | 2.1% | Yes | - | - | - | OPZZ |
| Związek Zawodowy Pracowników Przemysłu Miedziowego | 11,000 | 6,000 | 41.1% | Yes | - | - | - | OPZZ |

Source: interviews 2006.

Comments: the mining sector is one of the branches of Polish industry that has the highest participation in trade unions. However it has to be noted that the total number of members given by the representatives includes pensioners and people who have accepted compensation and have left the sector, including the unemployed.

¹⁶⁸ An important characteristic of ZZPPM is the fact that its chairman, Ryszard Zbrzyzny is, for the fourth term, a Member of Parliament.

Other trade unions active in the Mining and Quarrying Sector and participate in the social dialogue.

1. **Związek Zawodowy Maszynistów Wyciągowych Kopalń w Polsce (ZZMWK)**¹⁶⁹

Since 1992, the winding engine operators have tried to start their own organisation in their branch. ZZMWK is a member of OPZZ and KZZGP. The organisation is a member of the Tripartite Team for the Social Welfare of Miners.

2. **Wolny Związek Zawodowy „Sierpień 80” – Konfederacja, Zespół ds. Górnictwa.**

A leftist organisation, connected with Polska Partia Pracy (Polish Labour Party). The organisation is a member of the Tripartite Team for Social Welfare of Miners.

2.2. Description of the employers' organisations active in the sector

The three below-mentioned organisations are legally recognised thanks to the Employers Organisation Act¹⁷⁰.

2.2.1. **Związek Pracodawców „Polska Miedź” (ZPPM)**¹⁷¹

ZPPM was established in 1996. The founders of ZPPM are branches and joint-stock companies of KGHM Polska Miedź S.A. Members of ZPPM have participated in works of Sejm and Senate commissions as members of the Confederation of Polish Employers (KPP), of Sejm Committees, of the Scientific Research Committee, of the regional Labour Protection Council, and of the State Accreditation committee. ZPPM has co-initiated the establishment of Forum Przemysłu Wydobywczego (Forum for quarrying industry-FPW).

Unfortunately, no data is available about the accurate number of employees which constitute the employees staff of this organisation.

ZPPM gathers 81 employers (employing about 28,000 workers). Half of the companies gathered in ZPPM are small and medium companies.

At sector level collective bargaining, ZPPM has the power to negotiate and sign CA's. ZPPM has signed 4 sector level agreements. The next, at present in the stage of planning, is an agreement with subjects constituting FPW

ZPPM does not have the power to negotiate at company level for the sector, as it is not an employer.

There is no tripartite team for the copper mining sector. ZPPM is of opinion that there is no need to sign a sector level collective work agreement (which would make the functioning of plants difficult, forcing them to negotiate plant agreements according to the general regulations).

ZPPM was member of Polska Konfederacja Pracodawców Prywatnych „Lewiatan” - Polish Confederation of Private Employers „Lewiatan”. But, since June 2006 ZPPM has decided to leave the confederation.

2.2.2. **Związek Pracodawców Górnictwa Węgla Kamiennego (ZPGWK)**¹⁷²

ZPGWK gathers companies extracting and processing hard coal and others companies connected with mining sector. The type of member of this organisation is composed by companies with a State Treasury's share active in the hard coal mining sector (section CA 10.1) and privately owned companies active in the back –up services for hard coal industry. The largest companies extracting hard coal in Poland belong to the union. The ZPGWK is the only organisation of employers participating in meetings of the Tripartite Team for Social Welfare of Miners. As far as its staff is concerned, three people are employed by this organisation one of whom is a full time employee.

At sector collective bargaining level, ZPGWK has the power to negotiate and sign CA's. The signature of an agreement with the FPW is planned. At company level, the organisation coordinated the signature of collective agreements in several companies: three conventions are in force, one is in process of registration and is being negotiated.

¹⁶⁹ <http://www.zzmwk-wp.org/>

¹⁷⁰ Art. 17. 23 may 1991 (JoL no 55, pos.235 with subsequent amendments): Employers' unions participate in collective negotiations, in forming collective work agreements and other agreements pertaining to their statutory tasks according to separately stated regulations.

¹⁷¹ Source: 04.07.06 interview with Michał Kuszyc, Vice-Chairman of ZPPM; www.pracodawcy.pl

¹⁷² Source: 30.06.06. interview.

Finally, at the tripartite concertation level, the organisation is a signatory of a 1 collective sector level work agreement, which is now out of date but is still in force. ZPGWiK participates in negotiating new sector level collective employment agreements and in the meetings of the Tripartite Team for the Social Welfare of Miners. At the national level, ZPGWK is a member of the Konfederacja Pracodawców Polskich (KPP) - Confederation of Polish Employers (CPE).

2.2.3. Związek Pracodawców Porozumienie Pracodawców Górnictwa Węgla Brunatnego (PPGWB) / Confederation of the Polish Lignite Industry

PPGWB was registered in 1992. It is a confederation of private employers with no state involvement. Its members are 12 companies (15 workplants). They include mines, companies with a state shareholding, large and medium companies active in mining and processing of lignite (section CA 10.2) and in the production of mechanised equipment for the sector (sub-section DK 29.52.B), construction design, urban planning and technology design (sub-section K 74.20.A).

No data are available on the precise number of employees working for the organisation.

At sector collective bargaining level, the PPGWB has the power to negotiate and to sign CA's. The organisation is itself, an agreement between 12 companies. However, no data are available about the participation of this organisation in company level bargaining. The PPGWB has the power to negotiate and sign CAs at tripartite level for the sector. Lignite is not in the sphere of activity of a tripartite team.

Employers' organisations

| Organisation (English name) | Members | | Estimation of the density | Collective Bargaining (Yes/No) | Affiliations | | | |
|--|--|--|---|--------------------------------|-----------------------|--------|-----------------------|---|
| | Total number of companies that are members of this | Total number of workers who are working in the | | | European affiliations | | Others affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| Związek Pracodawców "Polska Miedz" | 81 | 28,000 | 81/84 = 96.4% 84 = companies in sub section 13.2 | No | - | - | - | Polish Confederation of Private Employers |
| Związek Pracodawców Górnictwa Węgla Kamiennego | 5 plants with 36 companies | 130,000 | 36/424 = 8.5% 424 = companies in sub section 10.1 | Yes | EURACOAL | - | - | Confederation of Polish Employers |
| Confederation of the Polish Lignite Industry | 12 | ND | 12/103 = 11.6% 103 = companies in sub section 10.2 | ND | EURACOAL | - | - | Confederation of Polish Employers |

Source: 2006 interviews.

Other organisations active in the Mining and Quarrying Sector affiliated by European organisations

1. The Polish Cement and Lime Association was established in 1990. It affiliates the managerial staff of companies in the cement, lime and associated industries and other legal entities in these industries. The PCLA represents the interests of the lime and cement industries in areas common to all the members both nationally and internationally. The organisation does not participate in social dialogue; it is not a party in agreements with workers. The Association is a member of European Cement Association – Cembureau.

2. The Polish Lime Association does not participate in the social dialogue, is not a party in agreements with workers. Its mission is that of education and promotion in the field of lime products¹⁷³.

3. The Polish Association of Gypsum Industries (Polskie Stowarzyszenie Gipsu – PSG or Polski Gips) was created in 1999 and affiliates the principal companies of dry building products (Gypsum plates, gypsum productions..): Knauf Polska, Lafarge Nida Gips, Norgips Polska, Rigips Polska-Stawiany, and Unigip Polska. The Institute of Mineral Building Materials is also a member of this Association. The principal objective of the association is to promote the knowledge and the use of gypsum materials in the private and public construction sectors. PSG has been active in the structure of Eurogypsum since 2001 (and through this affiliation is a member of IMA-Europe).

3. DESCRIPTION OF THE SOCIAL DIALOGUE IN THE SECTOR AT NATIONAL LEVEL

3.1. Description of the tripartite concertation in the sector

The tripartite social dialogue for the mining sector takes place in two branch teams: one for the Social Welfare Of Miners and another for the Socio-Economic Restructuring of the Sulphur Mining and Processing Industry. The tripartite branch teams deal with the problems of the sector connected with restructuring, ongoing privatisation and reorganisation of activities. This tripartite concertation is organised by the Ministry of Labour and Social Policy, the Department of Social dialogue and Partnership.

This high unionisation rate and the common interest are of a great importance for the social dialogue in the Mining sector. There are more than a dozen active trade unions, of which the largest are ZZG (affiliated in OPZZ) and the Section of Hard Coal Mining of NSZZ Solidarność. The smaller, more radical unions also play an important role. Historically, strong political connections on the part of the trade unions enables effective lobbying in the power centres. The employers are only represented by ZPGW.

The relations between trade unionists and employers play an important role in the Mining sector and social dialogue. Usually, in the face of a direct threat of restructuring of the sector, both parties form a united front opposing the government and the proposed changes. All the representatives of the trade unions and employer associations interviewed declare that the role of the government in the negotiations is usually not specified precisely enough (the officials enter the negotiations as representatives of an owner of mining companies). Additionally, the trade unions and employers consider that it would be easier to reach compromises and to introduce resolutions more promptly without the participation of the government with its complicated decision-making procedures.

It has to be noted that in the social dialogue in the mining sector the attitudes of two trade unions (ZZG and SGiE) are decisive for successful introduction of agreements, restructuring programs, collective work agreements or discussions about proposed actions. The abovementioned organisations are so important in the sector that the lack of support of even one of them results in not accepting a document and the rupture of negotiations.

The Tripartite Team for the Social Welfare of Miners established in 1992, it is one of the most active and efficient branch teams. Despite the conflicts of interests the members of the team negotiate and reach constructive results. In the opinion of the trade unions the only drawback of the team is a lack of legislative base that would provide real influence on the politics of the mining sector. Both trade unions and employers complain that the decisions of the team, if not introduced promptly enough, lose their validity.

The Tripartite Team for Socio-Economic Restructuring of Sulphur Mining and Processing Industry works much less efficiently – there was no meeting for a year. The “sulphur act” lies idle in Sejm, while sulphur companies consolidate or are liquidated without the participation of the Team.

There are no other institutions involved in social dialogue addressing the problems of the mining sector in other sub-sectors, for example lignite, copper, zinc, lead or salt. A team is appointed when there is a government team devoted to the restructuring of a given sector; however, other mining branches are too insignificant to be included in the government restructuring program. However, the Department of Public Benefits, having noticed the problem, has proposed to create tripartite teams for the smaller branches: a permanent mechanism of social dialogue, but not in the form of a Tripartite Team. The representatives of the sector demand negotiations, especially if a branch is privatised, and there is a particular, specific owner. The interviews made in the framework of this research indicate that, for example, the representatives did not know about the existence of tripartite teams.

The Tripartite Commission has two kinds of issues: establishing the salary increase index in the companies and in the public sector and participating in preliminary works on the Budget. Additionally, the Commission has a right to take the floor in every matter of high economic and social importance.

¹⁷³ www.wapno.info.pl.

The Tripartite Team for the Social Welfare of Miners

11 workers' organisations¹⁷⁴ are member of this tripartite team. On the employers' side, only ZPGWK is represented. The most important agreements and solutions are worked out by the Team:

1. The Mining Social Package (regulation of the matters of rights and benefits that the workers of restructured mining companies are entitled to. 100,000 of miners have left the sector, benefiting from the Package; each received about 13,000 €).
2. Programs of restructuring the hard coal mining sector.
3. December 2002 – the agreement about structural changes in the mining industry (consolidating 5 mining companies and establishing Kompania Węglowa S.A., the largest mining company in Europe, employing 70,000 people).
4. The agreement connected with utilising the demand for coal – stabilisation of employment in large companies: Jastrzębska Spółka Węglowa, Katowicki Holding Węglowy and Kompania Węglowa.
5. 14 June 2006 – an agreement about the pay-out of profits for 2005 in coal companies.
6. Decision about the increase in the average monthly salary index.
7. The program for resolving the negative consequences of restructuring the employment in Silesia.

The members of the team have consulted the plan of access to hard coal deposits in 2004 – 2010 the Plan of Closing Mines in 2004 – 2007, and the plan of privatisation of companies in the hard coal mining sector.

The Tripartite Team for Socio-Economic Restructuring of Sulphur Mining and Processing Industry

Five workers' organisations (NSZZ „Solidarność”; Związek Zawodowy Górników w Polsce; NSZZ Pracowników Górnictwa i Przetwórstwa Siarki; NSZZ „Solidarność'80”; Ogólnokrajowe Zrzeszenie Związków Zawodowych Pracowników Ruchu Ciągłego) are represented within this team. The employer's representation is not composed of employers' organisations, but of representatives of particular plants¹⁷⁵; there is no employers' organisation in the sulphur sector. The main issues resolved by the team are the following:

1. September 2001 – an agreement concerning the payments for the workers of „Siarkopol” in Tarnobrzeg (unpaid salaries for the workers of a bankrupt plant).
2. The program of restructuring of mining and processing of sulphur in Poland.
3. 2005 – an agreement concerning a consolidation of three sulphur companies (KS “Machów, KS “Grzybów”, PRTG “Jeziórko”).
4. The members of the team have prepared and submitted a project of a financial restructuring of the sulphur mining sector to the Chamber of Deputies.

The agreements are mainly concerned with the plans for restructuring the sectors. They have to be approved by all of the parties to the social dialogue, which can be extremely controversial since it will be necessary to make most of the workers redundant.

According to the experts, there is the so-called “clientelism” of trade unions of the mining sector. The mining sector has special privileges, receives significant budget subsidies, and has relatively high salaries. The persons in key positions in the sector (the boards of management) get their “clientele” (mining sector trade unions) to act jointly for the interests of the sector. A widely quoted example of successful pressure from the mining sector clientele is the blocking of a few government restructuring plans.¹⁷⁶

The social dialogue concerns almost exclusively the hard coal mining sector. In other extraction sections there are no permanent and formalised institutions of social dialogue.

¹⁷⁴ Związek Zawodowy Pracowników Dołowych; Związek Zawodowy Pracowników Przeróbki Mechanicznej Węgla „Przeróbka”; Wolny Związek Zawodowy „Sierpień'80”; Związek Zawodowy Górników w Polsce; Porozumienie Związków Zawodowych “Kadra”; Związek Zawodowy Maszynistów Wyciągowych Kopalń w Polsce; Sekretariat Górnictwa i Energetyki NSZZ „Solidarność”; Sekcja Krajowa Górnictwa Węgla Kamiennego; Związek Zawodowy Ratowników Górniczych w Polsce; Związek Zawodowy Jedności Górniczej; Związek Zawodowy „Kontra” z siedzibą w Gliwicach; Związek Zawodowy „Kontra” Region Śląski.

¹⁷⁵ Representatives of the Sulphur Mine “Machów”, representatives of the Sulphur Mine “Grzybów”, representatives of the Mine and Chemical Plant “Siarkopol” in Grzybów; representatives of the Sulphur Mine and Processing Plant “Siarkopol” in Tarnobrzeg (South Eastern of the country) -in the course of liquidation-, representatives of Przedsiębiorstwa Rekultywacji Terenów Górniczych „Jeziórko”; representatives of „Siarkopol” Gdańsk S.A.

¹⁷⁶ Cp. Juliusz Gardawski Multinational Companies a integracja polskich związków zawodowych; Spadek poziomu uzwiązkowienia w Polsce – przyczyny i próby wyjścia z impasu, Artykuły informacyjne oraz analizy przygotowane przez Polskie Centrum Monitorowania Stosunków Przemysłowych na zlecenie European Foundation for the Improvement of Working and Living Conditions, Warszawa 2005

A special case is the KGHM "Polska Miedź" company, active in Lower Silesia in copper ore extraction. There are some activities of the organisation of employers, cooperation with trade unions and the state administration at local level.

3.2. Description of the bipartite social dialogue in the sector

3.2.1. At the sector level

There is a legal obligation to participate in collective bargaining at sector level. The high asymmetry of representation of the different stakeholders has to be noted.

- Workers' organisations:

Independent and not federated trade unions:

Wolny Związek Zawodowy „Sierpień'80”;

Związek Zawodowy „Kontra” z siedzibą w Gliwicach; with its seat in Gliwice

Związek Zawodowy „Kontra” Region Śląski. Region Silesia

The unions associated in OPZZ:

Związek Zawodowy Pracowników Przemysłu Miedziowego

Związek Zawodowy Górników w Polsce

Związek Zawodowy Pracowników Dołowych

Związek Zawodowy Maszynistów Wyciągowych Kopalń w Polsce

Federacja Związków Zawodowych Górnictwa Węgla Brunatnego

Porozumienie Związków Zawodowych Górnictwa

Związek Zawodowy Pracowników Zakładów Przeróbki Mechanicznej Węgla w Polsce "Przeróbka"

Związek Zawodowy Jedności Górniczej

Związek Zawodowy Ratowników Górniczych w Polsce

Związek Zawodowy Pracowników Technicznych i Administracji "Dozór" KGHM Polska Miedź S.A

National Secretariats belonging to NSZZ „Solidarność”:

SK Górnictwa Węgla Kamiennego

SK Górnictwa i Przetwórstwa Siarki

SK Górnictwa Rud Cynku i Ołowiu

SK Górnictwa Rud Miedzi

SK Górnictwa Soli

SK Górnictwa Węgla Brunatnego

SK Zakładów Zaplecza Górnictwa

The unions associated in FZZ:

NSZZ Solidarność '80

Ogólnokrajowe Zrzeszenie Zw. Zaw. Pracowników Ruchu Ciągłego

Porozumienie Zw. Zaw. „Kadra”

Zw. Zaw. Inżynierów i Techników

- Employers' organisations

1. Związek Pracodawców Górnictwa Węgla Kamiennego
2. Związek Pracodawców "Polska Miedź"
3. Związek Pracodawców Porozumienie Pracodawców Górnictwa Węgla Brunatnego

In the past, the political allegiances of unions had an influence in provoking tension between the social partners, but today, there are no visible conflicts between the trade unions. 122 collective agreements (related at the studied sub sectors) have been signed and remain currently in force. Most of them were signed in 1989 or at the beginning of 1990s and amended by later annexes to particular agreements. They concern all the workers of mines and coal processing plants. As far as the coverage rate is concerned, 4,847 companies are covered by these CAs which corresponds to a total number of 79,340 workers. Finally, the non signatory parties can join the agreements when they come into effect.

3.2.2. At the company level

If the collective bargaining in the sector of the Mining and Quarrying Industry takes place at company level, although there is no obligation for them to do so, the players can be identified as Związek Pracodawców "Polska Miedź"; Związek Pracodawców Górnictwa Węgla Kamiennego; The Confederation of the Polish Lignite Industry on the employers side and the Polish Cement and Lime Association and the Polish Lime Association on the sector organisation side.

It seems that in the hard coal, lignite and copper sectors, the social actors and employers have worked out the methods of cooperation and negotiations. The other sub-sectors of the Mining and Quarrying sector either do not have significant trade union organisations. They are practically non-existent and there is no efficient cooperation. Moreover, the Mining and Quarrying Sector has not been privatised in Poland – the government, as an owner of a company participates in all the processes taking place in companies, including social dialogue.

A so-called secret agreement between employers and trade unions can be concluded, in opposition to the government party as the owner of a mine. Indeed, both the parties are equally interested in supporting the activity of the mining sector, and their networks collude to ensure that the system functions well and to resist any restructuring of the sector.

4. COMMENT

The Mining and Quarrying industry in Poland is mostly hard coal mining; therefore, most of analyses, restructuring and development programs, activities undertaken by trade unions, employers and the government concern only this sector of the industry. Hard coal mining is one of the sectors with the highest trade union participation in Poland. Thanks to a high level of unionisation, they form a significant and institutionalised force. The relations between trade union organisations and employers can be said to be stable. The employers, despite the asymmetry of representation in relation to trade unions are able to conduct social dialogue. The diffusion of social actors into branch professional organisations forces the partners to work out particular solutions. The representatives of all the organisations and institutions addressed in this research have stressed the importance of social dialogue. They were of the opinion that the current form is right, but the efficiency of decisions and resolutions accepted during tripartite negotiations has to be increased. The unions would like to have real influence on the restructuring of the sector and be able to participate, for example, in creating the operations program for the sector for the years 2007- 2011. The representatives of the employers and the trade unions also stress that the instability of the government is one of the major obstacles in the way of successful reform of the sector.

PORTUGAL

1. DESCRIPTION OF THE SECTOR'S CHARACTERISTICS AT NATIONAL LEVEL

1.1. Delimitation and scope of activities in the sector

From the statistical point of view, the definition of the Mining and Quarrying Industry Sector established by the National Statistics Institute (INE) corresponds to subsection 10 of the CAE definition¹⁷⁷.

1.2. Socio-economic features of the sector

Below, we present some data on the sector for the year 2003, based on statistics from the Instituto Nacional de Estatística (National Statistics Institute) (INE) – Economy and Finance, Enterprise Statistics and Enterprise and Establishment Statistics – and from the Labour, Employment and Professional Training Statistic Department (DETEFP) of MSST (Ministry of Labour and Social Solidarity – Personnel Tables), respectively¹⁷⁸.

| CAE-REV. 2 | INE | | DGEEP | |
|--|--------------|------------------|-------------|------------------|
| | Enterprises | Persons employed | Enterprises | Persons employed |
| 10.10 – Extraction of hard coal including manufacture of patent coal – including anthracite | 0 | 0 | 1 | 4 |
| 10.20 – Extraction and briquetting of lignite | 0 | 0 | 0 | 0 |
| 12 – Mining and preparation of uranium and thorium ores | 0 | 0 | 1 | 5 |
| 13.10 – Mining and preparation of iron ore | 0 | 0 | 0 | 0 |
| 13.20 – Extraction and preparation of non-ferrous metallic ores, except uranium and thorium ores | ND | ND | 9 | 1,103 |
| 14.10 – Stone quarrying | 765 | 7,829 | 614 | 8,323 |
| 14.20 – Sand and clay extraction | 430 | 4,808 | 317 | 4,170 |
| 14.30 – Extraction of minerals for the chemical industry and for the manufacture of fertilisers | ND | ND | 0 | 0 |
| 14.40 – Salt mining and refining | 27 | 285 | 13 | 276 |
| 14.50 – Other extraction industries | ND | ND | 15 | 167 |
| Total | 1,239 | 14,244 | 970 | 14,048 |

Source: INE and DGEEP, 2003.

The industrial fabric of the Mining and Quarrying Industry sector is mainly made up of small and medium-sized enterprises (62.5% and 33.1%, respectively), which reflects the situation of Portuguese business in general. Only 4.2% of companies in this industry have between 50 and 249 employees and just 0.2% have more than 250 employees. In the sub-sector of Extraction and Preparation of Non-Ferrous Metallic Ore, except Uranium and Thorium Ores, there is a higher percentage of companies with a larger workforce: 22.2% of companies in this sub-sector have between 50 and 249 employees and 11.1% have more than 250 employees.

¹⁷⁷ Classification of Economic Activities.

¹⁷⁸ Please note the difference in the amounts presented which is due to the different time periods and the definition of concepts and methodology used by each of the organisations consulted.

Enterprises

| Sub-sectors | Number of enterprises | % enterprises without employees | % enterprises with <10 employees | % enterprises with 10-49 employees | % enterprises with 50-249 employees | % enterprises with > 250 employees |
|---------------------|-----------------------|---------------------------------|----------------------------------|------------------------------------|-------------------------------------|------------------------------------|
| 10.10 | 1 | 0 | 100 (1) | 0 (0) | 0 (0) | 0 (0) |
| 10.20 | 0 | 0 | 0 (0) | 0 (0) | 0 (0) | 0 (0) |
| 12 | 1 | 0 | 100 (1) | 0 (0) | 0 (0) | 0 (0) |
| 13.10 | 0 | 0 | 0 (0) | 0 (0) | 0 (0) | 0 (0) |
| 13.20 | 9 | 0 | 33.3 (3) | 33.3 (3) | 22.2 (2) | 11.1(1) |
| 14.10 | 614 | 0 | 62.7 (385) | 33.1 (203) | 0.33(25) | 0.2 (1) |
| 14.20 | 317 | 0 | 63.1(200) | 32.8 (104) | 4.1 (13) | 0 (0) |
| 14.30 | 0 | 0 | 0 (0) | 0 (0) | 0 (0) | 0 (0) |
| 14.40 | 13 | 0 | 46.2 (6) | 46.2 (6) | 7.7 (1) | 0 (0) |
| 14.50 | 15 | 0 | 66.7 (10) | 33.3 (5) | 0 (0) | 0 (0) |
| Total in the sector | 970 | 0 | 62.5 (606) | 33.1 (321) | 4.2 (41) | 0.2 (2) |

Source: DGEEP, 2003.

Workers

| Sub-sectors | Number of self-employed workers in the sector | Number of employees in the sector | Number of employees in the sector/ total number of employees in the country –all sectors- (%) | Number of employees in enterprises with <10 workers in the sector/ number of employees in the sector (%) | Number of employees in enterprises with 10-49 workers in the sector/ number of employees in the sector (%) | Number of employees in enterprises with 50-249 workers in the sector/ number of employees in the sector (%) | Number of employees in enterprises with >250 workers in the sector/ number of employees in the sector (%) |
|---------------------|---|-----------------------------------|---|--|--|---|---|
| 10.10 | 0 | 4 | 0.00014 (4) | 100 (4) | 0 (0) | 0 (0) | 0 (0) |
| 10.20 | 0 | 0 | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) |
| 12 | 0 | 5 | 0.0002 (5) | 100 (5) | 0 (0) | 0 (0) | 0 (0) |
| 13.10 | 0 | 0 | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) |
| 13.20 | 0 | 1,103 | 0.04 (1103) | 1.4 (15) | 3 (33) | 24.2 (267) | 71.4 (788) |
| 14.10 | 0 | 8,323 | 0.3 (8323) | 18.4 (1,529) | 50.6 (4,214) | 27.8 (2,312) | 3.2 (268) |
| 14.20 | 0 | 4,170 | 0.2 (4170) | 20.2 (843) | 51.9 (2,166) | 27.8 (1,161) | 0 (0) |
| 14.30 | 0 | 0 | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) |
| 14.40 | 0 | 276 | 0.01 (276) | 9.1 (25) | 55.4 (153) | 35.5 (98) | 0 (0) |
| 14.50 | 0 | 167 | 0.006 (167) | 24 (40) | 76.04 (127) | 0 (0) | 0 (0) |
| Total in the sector | 0 | 14,048 | 0.5 | 17.5 (2,461) | 47.6 (6,693) | 27.3 (3,838) | 7.5 (1,056) |

Source: DGEEP, 2003.

Most companies in this sector are located in the Centre region (37.9%: INE; 35.2%: DGEEP), in the North region (31.8%: INE; 36.1%: DGEEP) and in the Alentejo region (15.7%: INE; 15.6%: DGEEP). The number of workers in the companies in this sector is substantially higher in the North region (34%: INE; 34.9%: DGEEP), in the Centre region (28.8%: INE; 28.2%: DGEEP) and in the Alentejo region (18.6%: INE; 17.9%: DGEEP).

An analysis of the hired employees by gender reveals that male employment is greater than female employment in this sector (89.9%). The largest percentage of female workers is found in the Extraction of hard coal including manufacture of patent coal (75%) and Salt mining and refining (23.4%). The highest percentage of men is in the sub-sectors of Extraction and preparation of non-ferrous metallic ore, except uranium and thorium ores (91.3%) and Stone quarrying (91.03%) (Source: DGEEP, 2003).

Overall, the sector is characterized by a highly-skilled and skilled workforce (54.2%); the qualification level of the latter is extremely high in the Sand and clay extraction sub-sector (71%). Roughly 18% of the workers in the sector are semi-skilled. At this level, the biggest percentage is in the Stone quarrying sub-sector (23.2%). Just 4.5% of the workers in the sector are senior managers and 6.9% are middle managers, foremen, supervisors and team leaders.

In spite of efforts made by government organisations, companies and the sector's business associations, the evolution of the sector's human resources has not been as good as it could be; there is a large number of workers in the older age group and their "know how" has not been transmitted to the younger generations. In the short term, it will be necessary to give vocational training in line with the Companies' needs and also create courses for trainers to make up for the lack of existing training, particularly in the areas of surveying and manufacturing.

The mining industry sector is characterised by a workforce with low schooling levels, namely at the first cycle (47.3%) and 2nd cycle (23.7%) of basic schooling. Schooling of workers in the Extraction of hard coal including manufacture of patent coal does not go beyond the 1st cycle of basic education. When compared with the other sub-sectors, the workers from the Extraction and preparation of non-ferrous metallic ore, except uranium and thorium ores have the highest schooling levels: 40% of the workers have the 3rd cycle of basic education (in contrast with an average of 11.3% workers in the sector who concluded this level of schooling); 20% completed secondary school (in contrast with an average of 8.5% workers in the sector who concluded this level of schooling); the remaining 40% of the workers have a bachelors diploma (3 years) or a degree (compared with an average of 4.1% workers in the sector who completed this level of education). This can also be highlighted when we look at the workers in the Extraction and preparation of non-ferrous metalliferous ore, except uranium and thorium ore sub sector, who also have higher schooling levels: 14.5% completed secondary school (compared with an average of 8.5% for the sector with this level) and 7.8% have a bachelors diploma or degree (in contrast with an average of 4.1% of workers in the sector with this level).

The structure of the production figures for the mining and quarrying industry has changed significantly in recent years; there has been a decline in the sub-sectors of metallic and energy ores, and a significant increase in industrial stone which represented nearly 50% of the mining industry's total production in 2002.

| Structure of the Production Figures for the Mining Industry (%) | | |
|---|------|------|
| | 1992 | 2002 |
| Non metalliferous ore | 1.0 | 1.0 |
| Metalliferous ore | 29.0 | 11.0 |
| Uranium ore | 2.0 | 0.0 |
| Ornamental stone | 14.0 | 17.0 |
| Industrial stone | 38.0 | 50.0 |
| Water | 16.0 | 21.0 |

Source: DGGE, 1992 and 2002.

In 2004¹⁷⁹, the production figures for the national mining and quarrying industry were roughly 9% higher than 2003, amounting to about 975 million euros.

¹⁷⁹ General Department for Geology and Energy (2005), Statistical Information: Mining and Quarrying Industry, n.º 9, Ministry of the Economy, Lisbon

In that year, the mining sector contributed about 1% of Portugal's Gross Domestic Product. Even so, Portugal is one of the leading world producers of ornamental stone, tungsten and copper in the European Union. All the other substances produced in Portugal are only relevant in the national context. In 2004, the production of copper ore increased about 22% in volume and 100% in value in relation to 2003; these increases are a direct reflection of the improved performance of the mines and the recovery in the price of metals.

Although there was a fall in the value of the mining industry sub-sector from the mid 90s as a result of the sharp decline in the metallic and energy ores, the mining industry is an important pillar of the national economy. In addition to its contribution to exports and employment, it supplies various raw materials to different sectors of the manufacturing and civil construction sectors in Portugal. In addition, mining in the broad sense is found to some extent throughout the country, often in depressed areas in the deep interior where there are little or no alternatives for employment; therefore, the industry is of great interest to the national economy even though it is small.

At present the Portuguese Government is developing a programme aimed at recovering abandoned mining areas – Plan for the Recuperation and Environmental Supervision of Run-down Mining Areas – which foresees interventions in about 30 deactivated mines in the coming years with an investment of 35 million euros. For the 2007 to 2010 period and with the support of the next programme of community funds, the plan expects to cover 4 mines in the North region, 33 in the Centre, 26 of which are radioactive mines, and 23 in the Alentejo region.

In the non-metal and stone mining sectors, Portugal produces a wide range of substances. Emphasis is given to the sectors of ornamental stone, industrial stone and minerals for the ceramic industry. In 2004, the export of ornamental stone stabilised in relation to 2003 (exports declined from 207,112 million euros 2003 to 206,291 million euros in 2004); however, exports of slate and cut calcareous rocks increased. Thanks to the rise in the production of metalliferous ore, the sector's exports also increased sharply in relation to 2003. These two sub-sectors (metallic and ornamental stone) represented about 95% of the total amount exploited in 2004 (of which metallic represents 43%). The significant growth in the ornamental stone and industrial stone sub-sectors in recent years is due to: companies increasing their competitiveness following an internal valorisation of the products marketed; the improvement in quality standards and a more aggressive stance in the foreign markets (in the case of the export of ornamental stone); and a sharp increase in the consumption of these raw materials in the civil construction and public works sub-sector driven by heavy investments in infrastructures linked to community funding.

2. DESCRIPTION OF THE ORGANISATIONS ACTIVE IN THE SECTOR

2.1. Description of the workers' organisations active in the sector¹⁸⁰

a) FEVICCOM – Federação Portuguesa dos Sindicatos da Construção, Cerâmica e Vidro – (Portuguese Federation of Construction, Ceramic and Glass Trade Unions)¹⁸¹

This resulted from the merger on 8 July 2004 of the Federação dos Sindicatos das Indústrias de Cerâmica, Cimento e Vidro de Portugal - Federation of Portuguese Ceramic, Cement and Glass Industry Trade Unions with the Federação Nacional dos Sindicatos da Construção, Madeiras, Mármore e Materiais de Construção – National Federation of Construction, Wood, Marble and Building Materials Trade Unions. It is financed by subscriptions from member Trade Unions. FEVICCOM has 2 salaried staff. Member workers are from the skilled workforce.

FEVICCOM has legal and reciprocal recognition; it takes part in the collective bargaining for the sector and has powers to negotiate and sign collective work agreements. The federation has already signed a number of collective work contracts. It negotiates the CLC for the stone sector with the AIPGN (now ANIET) and others, the CLC for the marble and stone sector with ASSIMAGRA and others; the CLC for the civil construction and public works sector with AECOPS and others.

Its European and international memberships are: UITBB and FSM.

b) STIM - Sindicato dos Trabalhadores da Indústria Mineira – (Mining Industry Workers' Trade Union)

On 25 April 1974 there were two Trade Unions in the mining sector: *Sindicato dos Mineiros do Norte* – Trade Union of Northern Miners and *Sindicato dos Mineiros do Sul* Trade Union of Southern Miners. With the closing of the Mines in the north of Portugal, the two organisations merged and formed the current *Sindicato dos Trabalhadores da Indústria Mineira* - Mining Industry

¹⁸⁰ Data provided by the organisations themselves unless otherwise indicated.

¹⁸¹ Despite the efforts of the research team and insistence by letter, fax and telephone and letters of recommendation from the European Commission and from ISST, no data was provided by this organization on the total number of member workers or on the number of members who work in the sector.

Workers' Trade Union which has national scope. The trade union only represents workers from the mining sector; representation of workers from other sub-sectors in the quarrying industry (marble, crushed stone etc.) is outside its jurisdiction.

The trade union is financed exclusively by membership fees. It has two salaried staff and receives technical and administrative support from FEQUIMETAL (Federação Intersindical da Metalurgia, Metalomecânica, Minas, Química, Farmacêutica, Petróleo e Gás -Inter Trade Union Federation for Metallurgy, Metal-mechanics, Mining, Chemical, Pharmaceutical, Oil and Gas Industry).

It is a vertical union which represents workers from all professions.

STIM is represented by FEQUIMETAL in negotiations with the employers' association (currently with ANIET) for the mining sector CLC which has negotiation and signing powers. The agreement currently in force, including the various revisions made over the years, was signed by the trade union.

STIM also takes part in negotiating complementary agreements to CLC; this is common practice in all companies.

STIM belongs to FEQUIMETAL and to CGTP-IN.

FEQUIMETAL, an intermediate sectoral structure of CGTP-IN, consists of 11 member trade unions; 8 of these are metallurgy and metal mechanic, 2 chemical and pharmaceutical and 1 mining. In total they organise 81,000 member workers and conduct extensive trade union activities aimed at defending the interests and rights of all the workers under their jurisdiction. The organisation was formed in 1999 following the merger of *Federações dos Sindicatos da Metalurgia e Minas e da Química e Farmacêutica* – Trade Union Federations of Metallurgy and Mines and of Chemical and Pharmaceutical Industries due to the evolution of the Portuguese movement of workers' trade unions.

STIM has close links with FEQUIMETAL which represents the trade unions in negotiation and signs more than 30 collective labour contracts (CLC's) and Enterprise Agreements (EA's) which protect the basic rights of workers. In addition, through its trade unions the Federation backs the demands made in more than 500 companies, supporting and organising the workers in the fight for better living and working conditions.

At international level, the federation belongs to FEM, where it is on the executive committees and participates actively in its political and sectorial committees. It also works in cooperation with EMCEF, FITIM and various Trade Union Federations from various countries.

c) SINDEQ - Sindicato Democrático da Energia, Química, Têxtil e Indústrias Diversas –(Democratic Trade Union for Energy, Chemical, Textiles and Different Industries)

SINDEQ represented mining workers in the north of Portugal. However, the mines that existed have been deactivated and the representation of the union is almost nil¹⁸².

Trade Unions

| Organisation (English name) | Members | | Estimated density | Collective Bargaining | Affiliations | |
|-----------------------------|------------------------------------|---|-------------------|-----------------------|-----------------------|--------------------|
| | Total number | Number of | | | European affiliations | Other affiliations |
| | of the members of the organisation | members who are working in the sector of Mining and Quarrying | | | | |

¹⁸² The General Secretary of the union has not answered the research inquiry stating that he did not have credible information to support a detailed response to an inquiry.

| | | | | | Related to the sector | Others | Related to the sector | Others |
|--|-------|-------|--------------------------|-----|-----------------------|--------|-----------------------|------------------|
| <i>FEVICCOM</i> Portuguese Federation of Construction, Ceramic and Glass Trade Unions | ND | ND | ND | Yes | --- | --- | UITBB | FSM |
| <i>STIM</i> Mining Industry Workers' Trade Union / <i>FEQUIMETAL</i> Inter Trade Union Federation for Metallurgy, Metal-mechanics, Mining, Chemical, Pharmaceutical, Oil and Gas Industry | 1,000 | 1,000 | 7.1% (DGEEP) 7% (INE) | Yes | EMCEF | FEM | FEQUIMETAL | CGTP-IN FITIM |
| <i>SINDEQ</i> Democratic Trade Union for Energy, Chemical, Textiles and Different Industries | ND | ND | ND | ND | ND | ND | ND | ND |

Source: FEVICCOM, STIM / FEQUIMETAL, SINDEQ (2006).

2.2. Description of the employers' organisations active in the sector¹⁸³

a) ANIET – Associação Nacional das Indústrias Extractivas e Transformadoras – (National Association for the Mining and Manufacturing Industries)

This national Association covers all private or collective companies which work in the mining and or manufacturing, production and commercialisation of mineral mass and mineral deposits, as well as related equipment, products and services which are directly or indirectly related to the sector.

It was founded in 1975, as AIPGN, and had regional scope. In 2005 it became a national association and its name changed to ANIP.

Structural and conjunctural factors led ANIP and APIMINERAL to join forces in order to provide the sector with better coverage. In 2005, ANIP's name changed to ANIET, and it continued its determined defence of the legitimate interests of members in the mining and quarrying sector (mining and manufacturing sector) among entities directly or indirectly related to this sector.

ANIET is a non-profit making employers' association; it is legally recognized. It has a staff of 6: 2 mining engineers, 1 law graduate and 3 administrative staff. They also contract the services of a number of people on a non-salaried basis.

The member companies (217) are from the industrial and ornamental stone quarrying and manufacturing sector and from the mining industry; most are SMEs.

ANIET takes part in the collective bargaining for the sector and has the power to negotiate and sign collective work agreements. It negotiates the CLC for the quarrying and manufacturing sector, the CLC for the mining sector and the CLC for the office and services sector.

At European level, it is a member of the UEPG. It works in partnership with AEP and CIP.

b) ASSIMAGRA – Associação Portuguesa dos Industriais de Mármore, Granitos e Ramos Afins – Portuguese Association of Marble, Granite and Similar Industries

ASSIMAGRA represents Marble, Granite and Similar Industries. Its mission is to: contribute to the technological and economic development of the sector; make consolidated and structured interventions to represent and defend the sector in official bodies; foster contact among its members and its commercial activity as a whole, making use of synergies and raising the capacity to trade in the market; promote contact and liaison with bodies and associations that represent sectors upstream and downstream of their sector; promote collaboration with national and foreign counterpart organisations.

¹⁸³ Data provided by the organisations themselves unless otherwise indicated.

ASSIMAGRA represents a strongly expanding sector, not only in the Portuguese civil engineering market but also in the export markets, particularly in the European Union. The turnover of member companies exceeds 500 million escudos annually; invoicing from the export of stone in recent years was more than 175 million escudos, with a particularly significant contribution from marble with about 100 million in exports.

ASSIMAGRA provides its members with technical advice and support both in terms of developing projects and resolving problems in the following areas: industrial/technical, environmental studies, safety, hygiene and health in the work place, economic studies, legal, vocational training, energy studies, IT.

It currently has 470 member companies, mainly small and medium-sized enterprises, which employ roughly 18,000 workers. The association has 9 salaried staff.

It is legally recognised as an employer, takes part in the collective bargaining for the sector and has the power to negotiate and sign collective work agreements. More than two dozen collective work agreements have already been signed by the association. It negotiates the CLC for the marble and stone sector (BTE, 1st series, no. 47, of 22/06/2003) with FEVICOM and others, which regulates the working relations between the industrialists represented by ASSIMAGRA and the workers in their service represented by the signatory trade union associations in Continental Portugal.

Employers' organisations

| Organisation (English name) | Members | | Estimated density | Collective Bargaining (Yes/No) | Affiliations | | | |
|--|---|---|------------------------------|--------------------------------|-----------------------|--------|-----------------------|------------|
| | Total number of companies that are members of this organisation | Total number of workers who are working in companies which are members of this organisation | | | European affiliations | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| <i>ANIET</i> National Association for the Mining and Manufacturing Industries | 217 | 5,473 | 22.4% (DGEEP) 17.5% (INE) | Yes | UEPG | --- | --- | AEP CIP |
| <i>ASSIMAGRA</i> Portuguese Association of Marble, Granite and Similar Industries | 470 | 18,000 | 48.5% (DGEEP) 37.9% (INE) | Yes | EUROROC | --- | --- | --- |

Source: ANIET, ASSIMAGRA (2006).

2.3. Other organisations active in the Mining and Quarrying sector affiliated by European organisations

a) FELMICA

This company is affiliated to EUROFEL (European Association of Feldspar Producers), and through this affiliation to IMA-Europe.

Within this sub-sector, there is no collective bargaining. There is no employers' association active within this sub-sector of the quarrying industry in Portugal.

b) SIVAL

SIVAL is a company affiliated to EUROGYPSUM – Association of European Gypsum Industries (direct representation), and thus a member of IMA-Europe. Within national collective bargaining this company is represented by the Association of Plaster Manufacturers.

c) SIBELCO

SIBELCO is no longer a member of EUROSIL (European Association of Industrial Silica Producers). In the sand extraction sub-sector, there is a collective agreement (negotiated by the employer's association and the trade union of the glass industry).

d) Adelino Duarte da Mota

This company is a member of KPC-Europe (European Kaolin & Plastic Clays Association), and through this affiliation, a member of IMA-Europe.

3. DESCRIPTION OF THE SOCIAL DIALOGUE IN THE SECTOR AT NATIONAL LEVEL

3.1. Description of the tripartite concertation in the sector

In Portugal, there is no tripartite social dialogue as such. There are other forms of consultation or meetings between the government and the trade union organisations and the employers' organisations which are considered positive but with no effect on the agreements signed; these meetings take place at a general level and are not specifically for each sector of activity. There are sometimes regular meetings with the Government at the request of the trade unions or the employer associations to respond to specific questions related to the companies or the sector of activity.

3.2. Description of the bipartite social dialogue in the sector

There is permanent dialogue on collective agreements between the structures representing the companies and those representing the workers; this has no political connotations and they discuss all legal and labour questions which have an impact on the companies and the workers.

The model for social dialogue in the Quarry Industry sector is essentially bipartite through the Collective Labour Contracts (CLC):

- CLC of the quarry and manufacturing sector (quarries) between ANIET (ex-AIPGN and ex-APIMINERAL) and FEVICCOM and others (last publication BTE, 1st series, no 23, of 22/06/2003);
- CLC of the marble and quarry sector between ASSIMAGRA and FEVICCOM and others (last publication BTE, 1st series, no 47, of 22/12/2003);
- CLC of the mining sector between ANIET (ex-AIPGN and ex-APIMINERAL) and FEQUIMETAL, representing STIM (last publication BTE, 1st series, no. 31, of 22/08/1999);
- CLC of the mining and quarrying industry between ANIET (ex-AIPGN and ex-APIMINERAL) and FETICEQ (last publication BTE, 1st series, no.40, of 29/10/2003).

a) At sector level

The sector's social partners are: ASSIMAGRA, ANIET, FEVICCOM, FEQUIMETAL, STIM, FETICEQ, SINDEQ.

The main intervention areas of the collective contract are: workers' career development, rights and duties of the parties, working timetable, remuneration, time off provided (weekly rest, holidays, national holidays and absences), termination of the labour contract, safety, hygiene and health in the workplace and the framework of professional categories in the remuneration levels.

In August 2004 APIMINERAL abandoned their collective labour contract with FEQUIMETAL (1990) and FETICEQ (2003), with a view to signing new agreements. When APIMINERAL ceased to exist (8 December 2005), it was in negotiations with the two Trade Union Federations mentioned above. As a result of the disappearance of APIMINERAL, the respective agreements remained in force for one year, as in the arrangement when membership terminates. However, ANIET intends to take on these negotiation processes given that the companies that were in APIMINERAL have joined ANIET.

On 30 November 2005, ASSIMAGRA made a unilateral decision to interrupt the negotiations to revise the contract which had started two and a half months earlier. The trade union considered that conciliation (which is mediated by the Ministry of Labour) was used "as a delaying device to endlessly slow down the negotiation process". Two conciliation meetings were held, but ASSIMAGRA maintained its blocking of the process by refusing three negotiating assumptions: the proposed revision presented by FEVICCOM (CGTP-IN) in January 2005; the proposal presented in August by the employers' associations; and a discussion based on the text of the contract in force. In this case, the trade union states that clearly "the Ministry of Labour does not take on its responsibility to foster collective bargaining, and the conciliation process closed without all the legal prerogatives being examined for the negotiations to be concluded effectively".

The sector's CLCs directly cover all affiliated workers and member companies of the signatory employers' associations; they also cover the remaining workers and companies in the sector through the extension mechanism (administrative procedure in accordance with the current legislation), so as to clarify working conditions in the sector. The coverage rate of the CLCs in the sector is therefore 100%. The extension mechanisms are considered in the Law and are brought into effect by the Ministry of Labour following consultation with the interested parties.

There are no social partners who should be considered as playing a role in the sector's professional relations but are not recognised by the main partners or by the public authorities. On the other hand, there are no conflicts between the social partners on questions of recognition.

There is compliance with the requirement determined by the Constitution of the Republic to participate in collective bargaining which entitles the parties to negotiation; this is regulated by the Labour Code.

With regard to social dialogue in the sector, there has been a recognised improvement in terms of relations, contacts, and exchanges of ideas and in recent years there have been a great deal of positive and clear discussions. Those consulted agreed that there were adequate conditions for social dialogue in the sector to be developed further.

b) At company level

Particularly in the mining industry sub-sector, there is negotiation on complementary agreements to the CLC, as is the practice in all companies. In the other sub sectors, the organisations contacted referred to the fact that there were no negotiations at this level.

4. COMMENT

In terms of the sector's development, work linked to the mining and quarrying of construction materials is surviving, particularly that of industrial and ornamental stone. The traditional mining sector, linked to metalliferous ore, is in decline and this work is currently undertaken by five companies: Somincor, Pirites Alentejanas, Minas da Panasqueira, Quimigal / Departamento Mineiro de Loulé and Minas de Lousa de Valongo. In recent years the mining and quarrying industry has moved away from metal resources; non-metallic substances are now the economic and structural base supplying raw materials to important sectors of the manufacturing industry. This trend will continue although producers are confronted with the need to conduct their operations in such a way that they minimize negative environmental impacts and systematically incorporate more technology in response to an increasingly segmented market (Costa, 1999).

SLOVAK REPUBLIC

1. DESCRIPTION OF THE SECTOR'S CHARACTERISTICS AT NATIONAL LEVEL

1.1. Delimitation and scope of activities in the sector

The sector classification coincides with the NACE classification. The report covers the following classes: 10, 13 and 14. The activities of category NACE 12 are not carried out in the Slovak Republic.

1.2. Socio-economic features of the sector

The statistical data for the sector includes all mining and quarrying activities and does not provide a detailed breakdown so that the specific data for the identified classes alone is not available. Based on the Statistical Yearbook 2003¹⁸⁴, the total for mining and quarrying accounted for SKK 6,074 mill¹⁸⁵ of the total GDP of SKK 1,201,196 mill, i.e. for approximately 0.505 %. In the year 2004¹⁸⁶ it accounted for 6,226 mill of the total GDP of SKK 1,325,466 mill., i.e. approximately 0.469%.

Based on the Statistical Yearbook of the Association of Metallurgy, Mining Industry and Geology of the Slovak Republic (*Zvaz hutnictva, tazobneho priemyslu a geologie Slovenskej republiky*) for 2003 mining and quarrying accounted for SKK 6,076 mill representing approximately 0.51% of the country's GDP. It must be noted, however, that the total production of the Association of Metallurgy, Mining Industry and Geology of the Slovak Republic representing approximately 3.18% of GDP covers more NACE classes than just those identified for the purposes of this report (NACE 10, 11, 13, 14, 26, 27, and 28).

The Statistical Yearbook of the Slovak Republic for 2005¹⁸⁷ gives the following numbers of employees broken down by gender:

| | Males (thousands) | Females(thousands) | Total (thousands) |
|----------------------|-------------------|--------------------|-------------------|
| Mining and Quarrying | 13.4 | 1.1 | 14.5 |
| Total | 1,193.3 | 976.7 | 2,170.0 |
| Percentage | 1.12% | 0.11% | 0.67% |

Companies*

| Sub-sectors | Number of Companies | % companies without SW | % companies with <10 SW | % companies with 10-100 SW | % companies with > 100 SW |
|---------------------|---------------------|------------------------|-------------------------|----------------------------|---------------------------|
| NACE 10 | 4 | ND | ND | ND | ND |
| NACE 11 | 3 | ND | | | |
| NACE 13 | 2 | ND | | | |
| NACE 14 | 33 | ND | | | |
| Total of the sector | 42 | ND | | | |

¹⁸⁴ Statistical Yearbook of the Slovak Republic for the Year 2003, Veda 2003.

¹⁸⁵ 1 euro = 38.4550 SKK. (as of June 1, 2006).

¹⁸⁶ Statistical Yearbook of the Slovak Republic for the Year 2004, Veda 2004.

¹⁸⁷ Calculated and consolidated based on the Statistical Yearbook of the Slovak Republic for the Year 2005, Veda 2005.

Workers*

| Sub-sectors | Number of workers | Number of SW | Number of SW/number of SW in the country (%) | Number of SW in companies with <10 SW/number of SW in the sector (%) | Number of SW in companies with 10-100 SW/number of SW in the sector (%) | Number of SW in companies with >100 SW/number of SW in the sector (%) |
|---------------------|-------------------|--------------|--|--|---|---|
| NACE 10 | 4,997 | 4,997 | 0.23 | ND | ND | ND |
| NACE 11 | 998 | 998 | 0.04 | | | |
| NACE 13 | ND | ND | ND | | | |
| NACE 14 | ND | ND | ND | | | |
| Total of the sector | 8,996 | 8,996 | 0.41 | | | |

* Source: Report on the 22nd Annual Meeting of the Association of Metallurgy, Mining Industry and Geology of the Slovak Republic 2006.

2. DESCRIPTION OF THE ORGANISATIONS ACTIVE IN THE SECTOR

2.1. Description of the workers' organisation active in the sector

The **Trade Union of the Employees in the Mining, Geology and Oil Industries of the Slovak Republic** (*Odborovy zväz pracovníkov bani, geológie a naftového priemyslu Slovenskej republiky*) was established on 7 April 1993. It covers 7,500 out of 11,070 employees in 9 enterprises, however, only 6 are covered by NACE classes 10 – 14 (except for 12) accounting for 6,595 employees.

The Trade Union of the Employees in the Mining, Geology and Oil Industries of the Slovak Republic employs 6 full-time staff. Its activities are funded from membership fees and dividends.

In the national context the Trade Union is a member of the Confederation of Trade Unions of the Slovak Republic (*Konfederacia odborových zväzov Slovenskej republiky – KOZ SR*). In the international context due to financial problems it terminated its membership of all international organisations.

Trade Unions***

| Organisation | Type of SW | Members | Members working in the sector | Density | CB | National affiliations | European affiliations | International affiliations | |
|---|---|---------|-------------------------------|---------|--------|-----------------------|-----------------------|----------------------------|-------|
| Odborovy zväz pracovníkov bani, geológie a naftového priemyslu Slovenskej republiky | Trade Union of the Employees in the Mining, Geology and Oil Industries of the Slovak Republic | ND | 7,500 | 6,595 | 73.3 % | Yes | KOZ SR | EFBWW | IFBWW |

** Source: Report on the 22nd Annual Meeting of the Association of Metallurgy, Mining Industry and Geology of the Slovak Republic 2006.

*** Source: Mr. Gazdik, KOZ SK.

2.2. Description of the employers' organisations active in the sector

The **Association of Metallurgy, Mining Industry and Geology of the Slovak Republic** (*Zväz hutníctva, ťažobného priemyslu a geológie Slovenskej republiky*) is an employer organisation. It was founded on 24 August 1990. Its members are organisations working in the production of iron and steel, non-ferrous metals, metallurgical secondary production, the coal industry, iron-ore

mining, ore and non-ore mining, the magnesite industry and the geology of Slovakia. Its activities stem from the tradition of the Association of Industrialists and Entrepreneurs of Slovakia (*Zväz priemyselníkov a podnikateľov Slovenska*) established in 1921 that used to be a member of the International Employers' Organisation (*Medzinarodnej organizacie zamestnávateľov*). The Association of Metallurgy, Mining Industry and Geology of the Slovak Republic is an open organisation: it brings together organisations in the above branches, of various sizes and of all kinds of ownership. The sectors covered by the activities of the Association of Metallurgy, Mining Industry and Geology of the Slovak Republic thus coincide with the NACE demarcation of the sector being studied, i.e. NACE 10 – 13 – 14 and also NACE 26,27 and 28.

The aim of the Association is to represent and protect the interests of its members in the issues of employment in bargaining with trade unions, negotiating with governmental and other authorities, coordinating joint activities, supporting and creating conditions for entrepreneurial actions by its members, cooperating with partner organisations within the framework of the Union of Industrial and Employers' Confederations of Europe (UNICE) and the International Organisation of Employers' (IOE), contributing to the economic policy of Slovakia, establishing and maintaining sound communication with the public at large and providing information on the Associations' goals and aims, and supporting and organizing employee development for the member organisations within the country and also abroad.¹⁸⁸ It is a member of the European organisations, such as Euracoal¹⁸⁹ and Euromines.

Within the Slovak Republic it is a member of the Republic Union of Employers (*Republikova unia zamestnávateľov – RUZ*)

Number of enterprises and employees as of 31 December 2005¹⁹⁰:

| NACE | Number of Enterprises | Number of Member Enterprises | Average Number of Employees | Average Number of Employees in the Member Enterprises |
|--------------|-----------------------|------------------------------|-----------------------------|---|
| 10 | 4 | 1 | 4,997 | 4,560 |
| 11 | 3 | 2 | 998 | 939 |
| 13 | 2 | 1 | ND | 591 |
| 14 | 33 | 2 | ND | 505 |
| Total | 42 | 6 | 8,996 | 6,595 |

The Association of Metallurgy, Mining Industry and Geology of the Slovak Republic employs 3 full-time staff. Its activities are funded from membership fees.

This association is an important association within Slovak industry covering 43 enterprises with almost 25,000 employees in total. In 2004 there were 560,461 employees working in the Slovak industries, in 2005 there were 577,836 employees (+3.1%). Numbers of employees in the Association's member enterprises accounted for 4.9% and 4.2% respectively.

The share of the Association's member enterprises in the country's GDP accounts for 2.54 to 3.18 % which accounts only for 1.3% to 1.1% out of all the companies within the Slovak industries.

The **Slovak Mining Chamber** (*Slovenská banská komora*) is a member of the Association of Metallurgy, Mining Industry and Geology of the Slovak Republic. It was founded in 1998 and has 46 organisations as members. It employs one full-time employee. Its activities are funded from the membership fees, and it does not participate in social dialogue.

At European level, the Slovak Mining Chamber is a member of EUROMINES.

¹⁸⁸ Annals of the Association of Metallurgy, Mining Industry and Geology of the Slovak Republic (*Rocenna Zväzu hutníctva, ťažobného priemyslu a geológie Slovenskej republiky*), Zväz hutníctva, ťažobného priemyslu a geológie SR 2004. p. 7.

¹⁸⁹ Hornonitrianske Bane Prievidza (HBD) is an enterprise (member of the European organization EURACOAL) and member of both The Slovak Mining Chamber and the Association of Metallurgy, Mining Industry and Geology of the Slovak Republic. This means that it does not participate in the collective bargaining directly, but does indirectly, being represented by the Association of Metallurgy, Mining Industry and Geology of the Slovak Republic at sectoral level.

¹⁹⁰ Report on the 22nd Annual Meeting of the Association of Metallurgy, Mining Industry and Geology of the Slovak Republic 2006.

Employers' organisations

| Organisation | | Sub-sectors covered | Companies | SW | Density Companies | Density SW | CB | National affiliations | European affiliations | International affiliations |
|---|---|---|-----------|-------|-------------------|--------------|-----|---|--------------------------------|----------------------------|
| Zväz hutníctva, ťazobneho priemyslu a geologie Slovenskej republiky | Association of Metallurgy, Mining Industry and Geology of the Slovak Republic | NACE 10 | 4 | 4,997 | 25.0 % | 91 % | yes | RUZ | UNICE EUROMINES EURACOAL | IOE |
| | | NACE 11 | 3 | 998 | 66.6 % | 94 % | | | | |
| | | NACE 13 | 2 | ND | 50.0 % | ND | | | | |
| | | NACE 14 | 33 | ND | 6.1 % | ND | | | | |
| Slovenská banská komora | Slovak Mining Chamber | it does not correspond to any particular NACE | 46 | 6,000 | not relevant | not relevant | No | Association of MetallurgyMining Industry and Geology of the Slovak Republic | EUROMINES EURACOAL UNICE | IOE |

3. DESCRIPTION OF THE SOCIAL DIALOGUE IN THE SECTOR AT NATIONAL LEVEL

3.1. Description of the tripartite concertation in the sector

National Tripartite Level

At national level, the employees are represented by the Confederation of Trade Unions of the Slovak Republic (Konfederacia odborovych zväzov Slovenskej republiky – KOZ SR) of which most of the trade unions in the country are members, the employers are members either of the Federation of the Employers' Associations of the Slovak Republic (Asociacia zamestnavatelskych zväzov a zdruzeni Slovenskej republiky – AZZaZ SR) or of the Republic Union of Employers (Republikova unia zamestnavateľov – RUZ) established on 30 March 2004.

These institutions act as the main players in the social dialogue at national level and, in reality, are the only partners of the Government to be consulted on economic and social matters within the so-called 'general' tripartite partnership.

Since 1 December 2004, based on the Act 575/2004 Coll. of Laws, the 'general' tripartite partnership has worked on the principles of the voluntary participation of the social partners, i.e. the Government, the employers and the employees' representatives. The newly organized body of tripartite concertation is called the **Council of Economic and Social Partnership of the Slovak Republic** (*Rada hospodárskeho a sociálneho partnerstva Slovenskej republiky – RHSP SR*). The main topics discussed are: legislation in general – social laws and their amendments – estimates – energy policy - raw material policy – remuneration – health and safety.

There is no problem in the recognition of the social partners on this level, while they are explicitly identified by the Act on the Organisation of the Government and National Administration No. 575/2004 Coll. of Laws and by the Act on Collective Bargaining No. 2/1991 Coll. of Laws in their amendments.

Collective bargaining at tripartite level is initiated by the government. The most important issues are the raw materials policy of the country and the so-called social laws (e.g. employment of the handicapped, pension schemes etc.). The negotiations at tripartite level under the legislation of the Slovak Republic are concluded in the form of non-binding recommendations. Recently, the most important outcomes of the bargaining were the following 4 acts:

- Act on the Raw Materials Policy of the Slovak Republic No. 722/2004 Coll. of Laws
- Act on Social Insurance No. 461/2003 Coll. of Laws having 17 amendments
- Act on Energy No. 656/2004 Coll. of Laws and the amendments of the relevant Acts

-Act on Regulation of Network Sectors No. 658/2004 Coll. of Laws

Sector Tripartite Level

In the case of mining and quarrying, the **Republic Union of Employers** (*Republikova unia zamestnavatelov – RUZ*) represents the employers and the **Confederation of Trade Unions of the Slovak Republic** (*Konfederacia odborovych zväzov Slovenskej republiky – KOZ SR*) represents the employees.

3.2. Description of the bipartite social dialogue in the sector

Historically, there is no direct link between Tripartite and Bipartite partnership in the Slovak Republic. The activities of individual parties are governed by the Act on collective Bargaining No. 2/1991 Coll. of Laws in its amendments.

a) At sector level

At sector level, the employees are represented by the Trade Union of Employees in Mining, Geology and Oil Industries of the Slovak Republic. The employers are represented by the Association of Metallurgy, Mining Industry and Geology of the Slovak Republic.

The partners at bipartite level conclude a sectoral collective agreement. It is published in the Collection of Laws and has the power of the law. Collective bargaining is mostly initiated by the Trade Union of the Employees in Mining, Geology and Oil Industries of the Slovak Republic.

The Bipartite collective agreements are binding for 9 out of 28 companies in the sector employing approximately 7,500 employees out of the total of 11,070 employees in the sector, i.e. approximately 68%¹⁹¹.

The problem areas encountered while bargaining¹⁹² in the sector in this way (at Tripartite, Bipartite as well as enterprise levels) are as follows:

1. the coal industry because of problematic contracts with buyers
2. the magnesia industry –costs and inputs, wage increases

On the bipartite level, the sectoral collective agreements are mostly concluded annually and are directly linked to the Estimates of the Slovak Republic. They cover all the employees of the member companies of the Trade Union of the Employees in Mining, Geology and Oil Industries of the Slovak Republic (irrespective of their membership of the Trade Union). The employees of the public administration (Ministry of Environment, Dioniz Stur State Institute of Geology) are covered by sectoral collective agreements for public administration.

The current sectoral collective agreement concluded by the Trade Union of the Employees in Mining, Geology and Oil Industries of the Slovak Republic and the Association of Metallurgy, Mining Industry and Geology of the Slovak Republic is in effect from 1 April 2006 to 31 March 2007. If a new sectoral collective agreement is not concluded, it will be extended until 31 December 2007 automatically.

In recent years, the sectoral collective agreements concluded by the Trade Union of the Employees in Mining, Geology and Oil Industries of the Slovak Republic and the Association of Metallurgy, Mining Industry and Geology of the Slovak Republic were as follows:

1997 – 2006 The Sectoral Collective Agreement on the Complementary Pension Scheme concluded with 27 employers for a period of 10 years. It was extended to 11 additional employers.

¹⁹¹ Recently, a decline in representation has been witnessed. A few years ago, representation reached 85 – 90%.

¹⁹² Presented by Dr. Gazdik, KOZ.

| | |
|-------------|---|
| 1998 – 2000 | The Sectoral Collective Agreement on Pay Increases concluded with 28 employers for a period of 3 years, extended to 10 other employers.. An amendment was agreed for the current year annually. |
| 2001 – 2004 | The Sectoral Collective Agreement on Pay Increases concluded with 17 employers for a period of 4 years, extended to 16 other employers. An amendment was agreed for the current year annually. |
| 2005 | Sectoral Collective Agreement on Pay Increases concluded with 9 employers for a period of 1 year. Extension to other employers is impossible due to the change in legislation. |
| 2006 | The Sectoral Collective Agreement on Pay Increases concluded with 9 employers for a period of 1 year. |

In previous years, the sectoral collective agreements covered approximately 85 – 90% of all the employees in the sector, nowadays it is approximately 68% (7,500 employees out of a total of 11,070 employees (except for the Oil Industry). The main reasons for the decline lie primarily in the closures of companies, companies' opting out of membership of the Association of Metallurgy, Mining Industry and Geology of the Slovak Republic, as well as the inability to extend the sectoral collective agreement to the other companies due to the change in legislation.

b) At enterprise level

The company collective agreements are directly linked to the sectoral collective agreements in effect. They cover issues outside the terms and conditions of the Labour Code as well as the relevant sectoral collective agreement. In 2005, 28¹⁹³ company collective agreements were concluded by the enterprise trade union units of the Trade Union of the Employees in Mining, Geology and Oil Industries of the Slovak Republic, ie one for each company in the sector.

Within the Trade Union of the Employees in Mining, Geology and Oil Industries of the Slovak Republic, there are 33 enterprise trade union units active in 30 companies (including public administration bodies etc.). The term of the concluded agreement varies; however, they are mostly for 1 year. When concluded for a 2- or 3-year period, the pay increases are negotiated yearly and become an appendix to the relevant collective agreement.

4. LIST OF ABBREVIATIONS

| | |
|------------------|---|
| AZZaZ SR | Federation of the Employers' Associations of the Slovak Republic |
| KZVS | Sectoral Collective Agreement |
| KOZ SR | Confederation of Trade Unions of the Slovak Republic |
| MPSVaR SR | Ministry of Labour, Social Affairs and Family of the Slovak Republic |
| OZPBGN | Trade Union of the Employees in Mining, Geology and Oil Industries of the Slovak Republic |
| RUZ | Republic Union of Employers |
| RHSP SR | Council of Economic and Social Partnership of the Slovak Republic |
| ZHTPG | Association of Metallurgy, Mining Industry and Geology of the Slovak Republic |

¹⁹³ Data provided by Mr Gazdik, of the Confederation of Trade Unions of the Slovak Republic (Konfederacia odborovych zväzov Slovenskej republiky – KOZ SR)

SLOVENIA

1. DESCRIPTION OF THE SECTOR'S CHARACTERISTICS AT NATIONAL LEVEL

1.1. Delimitation and scope of activities in the sector

In Slovenia, the sector we are studying includes the activities conforming to the NACE classification. Nevertheless, some sub-sectors in the Mining and Quarrying industry come together with other sectors in the collective bargaining processes and with regard to the social partner's delimitation. This report will present the situation in each sub-sector covered by this study, active in Slovenia.

1.2. Socio-economic features of the sector

NACE 10.10-10.20 (Mining of coal and lignite) and 12 (Mining of uranium and thorium ores)

In Slovenia, these sub-sectors are consistent with NACE classification. The size and importance of the sector is hard to estimate since there are no special statistics. With respect to the (non) existence of the grey economy the trade union representative argues that in fact there is no possibility for a grey economy due to strict regulations regarding safety at work and strict regulations even concerning who can enter the mine. The collective agreement which covers this sector is signed only for this sector.

In Slovenia this sector includes six companies. Sub-sector 10.10 does not include any company, 10.20 includes five companies, while 12.00 includes one company (all companies are in state ownership). In this sector most companies have between 1 and 49 employees, namely four companies, while two companies have more than 249 employees (one company has 1966 employees, the other 852). Here, we have to emphasise that even five companies are in the process of closing-down. According to both representatives of the social partners, there are no multinationals in the sector, while companies in Slovenia are geographically dispersed over the whole country.

Altogether in the sector there are 2,933 employees. Most of them are employed in 10.20, whereas 36 workers are employed in 12.00. If we compare the proportion of employees in the investigated sector with all the employees in Slovenia, it represents 0.3%. In the sector there are many more male workers than female (99% of all employees¹⁹⁴). According to the data from the Directorate for Energy, 52% of employees have finished three years of secondary school, while 28.7% of employees have finished four years of secondary school (V. degree of education). At the same time this means that blue-collars predominate (about 60%).

Average salaries in the sector are 36% above the Slovenian average. In mines there are four 'forms' of work: one-shift work (only white-collars), two-shift, three-shift (which is in a majority) and four-shift work. Otherwise sector employment is for full and indefinite work-time. According to a trade union representative, no new employees are being taken on currently in the sector, but new arrangements in mining are being looked at.

The trade union representative expects a decline in the sector, as that was the conscious decision of the politicians in 2001¹⁹⁵. According to him, Slovenia, with current exploitation, still has stocks for 35 to 40 years. He also states that the feature of this sector in recent years is company mergers.

NACE 13 (Mining of metals ores)

In Slovenia there is no company in sub-sector 13.10, while sub-sector 13.20 has one company (state-owned) with 5 employees but is currently in the process of closure. Basically all we can say is that the percentage share of employees in sub-sector 13.20 compared to all employees in Slovenia is 0.0006%, while the added value of this company in 2005 was SIT -5,816,000.¹⁹⁶

¹⁹⁴ Estimate provided by a trade Union representative.

¹⁹⁵ According to him, the state is interested in privatising the sector, but there is no strategic partner. In fact, a potential strategic partner would like to buy energy, but not a mine as well. At the same time he mentions the European Union and the mechanism of quotas (the trade union representative argues that the Slovenian State forwarded the wrong data and consequently for Slovenia quotas were distributed incorrectly) and the Kyoto protocol on the question of closing down the mines in Slovenia.

¹⁹⁶ 1 EUR = 239.64 SIT

The average wage per employee in 13.20 is almost identical to the average wage (in Slovenia the average wage per employee in 2004 amounted to SIT 168,203 and in 13.20 it was some SIT 1,000 higher). The employer's representative considers that the 5 employees of the company can be classified as white-collar rather than blue-collar workers. He also believes that the employees in 13.20 probably have an education level five or higher. The collective agreement in Slovenia, which also covers sector 13.20, is concluded for the entire sector 27 and 28.40, while in the studied sector, the social dialogue does not take place autonomously at all. According to the assessment of the employer's representative, the questions concerning this sector are not subjected to the social dialogue in order to conclude a collective agreement, and this also includes the activities under 13.20. Similarly, tripartite consultation does not take place in the studied sector either.

NACE 14.1 and 14.2 (Mining of stone; Mining of sand-clay)

Activities 14.1 and 14.2 are consistent with NACE classification. The collective agreement, which covers both the activities under investigation, also includes the activities of the whole construction industry and building materials, namely F 45.1 – 45.5 and DI 26.4 – 26.7. In Slovenia, these two activities include 43 companies altogether. If we look at the detail, 14.1 includes 13 companies, while 14.2 includes 30 companies (all companies in the sector under examination are in private ownership). The majority are small companies¹⁹⁷ (with 1-49 employees), which represent 97.7% of all companies in this sector.

The sector has 423 employees altogether, of which 147 are employed in 14.1 and 276 in 14.2. If we compare the proportion of employees in the investigated sector with all employees in Slovenia, it represents 0.05%. Male workers predominate¹⁹⁸. The IV. degree of education is prevalent. The representative of the workers' organisation even estimates that around 80% of all employees in the sector have IV. or lower degree of education. Those we consulted agree that blue-collar workers predominate, while they have slightly different views on numbers. Nonetheless, all their estimates of blue-collars are between 80 and 90%.

The size and importance of the sector is hard to estimate since there are no special statistics.¹⁹⁹ However, we can at least give the data on added value per employee in one year: in 14.1 it was 7,732,000 SIT and in 14.2 it was 8,508,000 SIT.²⁰⁰

Average wages in the sector are at the level of the average wage in Slovenia and are about 14% higher than average wages in the construction and building materials industry, which all belong to the same collective agreement. With regard to atypical forms of work we could mention above all the reorganisation of working hours (result of weather conditions). Otherwise, in the sector employment is mostly for a full and indefinite period. The Section representative emphasises that in this sector there is a relatively high proportion of injured workers, who required some time and energy; hence employers are not interested in losing such workers in a short time. The representatives of the trade union and the Section differ in their estimates of the shortage of manpower. The trade union representative believes that in 14.1 and 14.2. as in the whole construction industry, we can speak about shortage of manpower. On the other hand, the Section representative does not agree with this opinion and adds that in this sector above all local residents have been employed.

Here, the representative of the Section on the construction industry adds that according to the number of employees, the sector under examination cannot have any greater impact, but the sector gains in importance due to ecological impacts. So he emphasises that in the past many quarries were closed down but they were never suitably ecologically sanitized, while some of them were even re-opened. At this point he mentions the problem of such (re-opened) quarries – since they are not ecologically sanitized and modernized they are actually illegal as their activity is not harmonised with regulations. The Section representative estimates that there is about 80% of such illegal surface mining. He also states the dilemma of whether such activities should be included in the grey economy. Two other people we consulted estimate that there is a very small amount of grey economy in 14.1 and 14.2. The Section and trade union representatives estimate that in Slovenia there are enough raw materials for the activity to continue. Here, the Section representative argues that in the future the export of raw materials could be slightly increased²⁰¹. Besides, all three expect neither a decline nor an expansion of the sector. As the representative of the Association emphasises, in the sector there is a tendency for a characteristic slow growth, but at the same time he also argues the presence of cyclical trends, especially in relation to the season and extent of the work. For the most part those we consulted agreed on the

¹⁹⁷ In accordance with Slovenian legislation a small company has no more than 50 employees; a medium-sized company has between 50 and 249 employees, while a large company has more than 250 employees.

¹⁹⁸ The representatives of the employers' organisation estimate that male manpower represents about 97-98%, while the representative of the workers' organisation estimates it represents more than 90%.

¹⁹⁹ The representative of the Association warns that the greater part of profit is created in construction industry companies, which own bigger quarries, but these companies, according to their prevalent activities, do not belong in 14.1 and 14.2, but in F 45.

²⁰⁰ 1 EUR = 239.64 SIT.

²⁰¹ The Section representative links such a standpoint to the position of this activity in neighbouring Italy where they have already closed down smaller quarries, but have not opened new ones. The consequence of this situation is in his opinion also expressed in the tendency of Italian companies to buy Slovenian quarries.

question of changes in the size of companies; they do not expect any great changes. The Association representative would potentially expect companies to merge only in the framework of bigger construction companies, while the section representative would expect only a concentration of ownership in the case of bigger quarries (which are in any case in the ownership of bigger construction companies). If there were changes in the size of companies, the trade union representative would expect a large number of small companies to be set up, rather than the merger of companies in the sector.

NACE 14.30 -14.40 -14.50 (Mining of chemical and fertilizer minerals – Production of salt – Other)

In Slovenia sectors 14.30 – 14.40 -14.50 include all three activities conforming to the NACE classification. The collective agreement covering the three sub-sectors being studied also includes the activities 26.11- 26.15, 26.21-26.26, 26.30, 26.81 and 26.82. It is difficult to assess the size and importance of the sector, since no special statistics are available, yet both persons we consulted agree that the size and the importance of this sector are negligible. There is no grey economy in these sub-sectors (strong inspections).

There is a total of 11 companies in these sub-sectors in Slovenia. If we take a closer look we can see that there are no companies in 14.30, 5 companies in 14.40 and 6 companies in 14.50 (all companies are privately owned). In these sub-sectors the number of companies is relatively evenly distributed in relation to their size, since 18.2% of the companies have less than 10 employees, while there is an equal share of 27.3% of companies having 10-49 employees, 50-249 employees and 27.3% of companies without employees. There are no multinationals.

The sector has a total of 352 employees, of which most (291) are employed in 14.50. If we look at the share of employees in the sector being studied in relation to all employees in Slovenia we can see that it amounts to 0.04%. The sector is dominated by a male labour force²⁰². Level III and IV of education predominate, with the employer's representative going even further in his opinion, claiming that up to 90% of the employees have an education level five or lower. Those we consulted agree that blue-collar workers predominate in the sector, but offer diverging views regarding their share²⁰³.

The average wages in the sector are a little above the average wage in Slovenia (in 2004 the average net wage in Slovenia amounted to SIT 168,203, while in this sector it was some SIT 1,000 higher), but definitely above average in relation to the activities that are covered by the collective agreement in which the sector is included. The sector is strongly dominated by full-time working and permanent employment. Both persons we consulted are of the opinion that no major expansion or decline of the sector is likely in the future. The employer's representative estimates that the trend of a stable small growth (a sales increase of around 10%) will continue. Moreover, those we consulted do not expect any changes in the size of the companies – neither in the form of company mergers nor in the form of company separation. The employer's representative expects only that in the future it could come to integration of Slovenian companies with foreign ones, namely in terms of complementing rather than duplicating their programmes.

Companies

| Sub-sectors | Number of Companies | % companies without SW | % companies with <10 SW | % companies with 10-49 SW | % companies with 50-249 SW | % companies with >249 SW |
|-------------|---------------------|------------------------|-------------------------|---------------------------|----------------------------|--------------------------|
| NACE 10.10 | - | - | - | - | - | - |
| NACE 10.20 | 5 | 0 | 60 (3) ^y | | 0 | 40 (2) |
| NACE 12 | 1 | 0 | 100 (1) | | 0 | 0 |
| NACE 13.10 | - | - | - | - | - | - |
| NACE 13.20 | 1 | 0 | 100 (1) | 0 | 0 | 0 |
| NACE 14.10 | 13 | 0 | 100 (13) | | 0 | 0 |
| NACE 14.20 | 30 | 0 | 96.7 (29) | | 3.3 (1) | 0 |
| NACE 14.30 | - | - | - | - | - | - |
| NACE 14.40 | 5 | 40 (2) | 20 (1) | 40 (2) | 0 | 0 |
| NACE 14.50 | 6 | 16.6 (1) | 16.6 (1) | 16.6 (1) | 50 (3) | 0 |

²⁰² The employer's representative says there are as few as 5% of female employees, but the trade union representative says there are up to 20% of them.

²⁰³ According to the employer's representative the blue-collar workers amount 85 - 90%, while the trade union representative mentions 70%.

| | | | | | |
|---------------------|----|---------|-----------|---------|---------|
| Total in the sector | 61 | 4.9 (3) | 85.2 (52) | 6.5 (4) | 3.2 (2) |
|---------------------|----|---------|-----------|---------|---------|

Source: Kazalniki poslovanja GZS za leto 2005 (Gospodarska zbornica Slovenije: 2005) NACE 12 and 14.10-14.20.

<http://www.gzs.si/register/podrobno.asp> (7.6. 2006); Konjunktorna gibanja (Gospodarska zbornica Slovenije, februar 2006)

Data from the Directorate for Energy (NACE 10.10-10.20).

Workers

| Sub-sectors | Number of self-employed workers | Number of SW | Number of SW/number of SW in the country (%) | Number of SW in companies with <10 SW/number of SW in the sector (%) | Number of SW in companies with 10-49 SW/number of SW in the sector (%) | Number of SW in companies with 50-249 SW/number of SW in the sector (%) | Number of SW in companies with >249 SW/number of SW in the sector (%) |
|---------------------|---------------------------------|--------------|--|--|--|---|---|
| NACE 10.10 | - | - | - | - | - | - | - |
| NACE 10.20 | 0 | 2,897 | 0.3 | 2.7 (78) | 0 | 97.3 (2,819) | |
| NACE 12 | 0 | 36 | 0.004 | 100 (36) | 0 | 0 | |
| NACE 13.10 | - | - | - | - | - | - | - |
| NACE 13.20 | 0 | 5 | 0.0006 | 100 (5) | 0 | 0 | 0 |
| NACE 14.10 | 0 | 147 | 0.01 | 100 (147) | 0 | 0 | |
| NACE 14.20 | 0 | 276 | 0.03 | 72.8 (201) | 27.2 (75) | 0 | |
| NACE 14.30 | - | - | - | - | - | - | - |
| NACE 14.40 | 0 | 61 | 0.007 | 13.2 (8) | 86.8 (53) | 0 | 0 |
| NACE 14.50 | 0 | 291 | 0.03 | 0.3 (1) | 4.8 (14) | 94.8 (276) | 0 |
| Total in the sector | 0 | 3,713 | 0.4 | 14.6 (543) | 9.4 (351) | 75.9 (2,819) | |

Source: Kazalniki poslovanja GZS za leto 2005 (Gospodarska zbornica Slovenije: 2005) NACE 12 and 14.10-14.20

<http://www.gzs.si/register/podrobno.asp> (7.6. 2006); Konjunktorna gibanja (Gospodarska zbornica Slovenije, februar 2006)

Data from the Directorate for Energy (NACE 10.10-10.20).

2. DESCRIPTION OF THE ORGANISATIONS ACTIVE IN THE SECTOR AT NATIONAL LEVEL

2.1. Description of the workers' organisation active in the sector

NACE 10.10-10.20 (Mining of coal and lignite) and 12 (Mining of uranium and thorium ores)

Trade Union of Energy Workers of Slovenia (Sindikat delavcev energetike Slovenije)

The trade union was first established before the Second World War and also operated in the socialist period, while in 1991 it was re-registered. The trade union currently consists of three conferences, namely the Conference on Mining, the Conference on the Electro-economy, and the Conference on the Oil-gas Economy. Thus besides the sector under investigation the trade union also covers the sectors of the electro-economy and the oil-gas economy. The trade union is financed by membership fees. Altogether it has 8,000 members; there are about 2,500

members from the sector representing approximately 85% density. The trade union representative emphasises that among their members they do not have evidence of a line of separation between blue and white-collar workers, but among their (non-active) members there are also company directors. The trade union is in a bipartite social dialogue as a player recognised in the legal (status of representative trade union) as well as in the reciprocal sense (the other player acknowledges it as a partner). In this way the trade union cooperates in bipartite social dialogue at sectoral level and signs collective agreements. So far it has signed two collective agreements (in 1991 and 1996) as well as two annexes.

At company level, in the social dialogue the trade union cooperates only as an expert/technical help to 'its own' trade unions in companies and is thereby not able to sign collective agreements at that level. The trade union organisation signs the company collective agreements within an individual company.

The trade union also cooperates in tripartite consultation in the sector that is, however, *de facto* bipartite dialogue since the state acts in two roles simultaneously: as owner and employer.

At national level the trade union is a member of the Association of Free Trade Unions of Slovenia. At European level it is a full member of EMCEF and EPSU. At international level it is a full member of ICEM and PSI.

NACE 13 (Mining of metals ores)

Those participating in the social dialogue to conclude a collective agreement, which among numerous other sectors also includes the sector being studied here, are the following:

On the employers' side:

Metals Association in the Chamber of Commerce and Industry of Slovenia and Section for Metals in the Employer's Association.

On the employees' side:

Trade Union of Metal and Electro Industry in the Association of Free Trade Unions of Slovenia, Trade Union of Metal, Electro and Metallurgic Industry of Slovenia, Trade Union of Metal Industry in the Confederation of New Trade Unions of Slovenia – Independent, Trade Union of Metal, Electro Industry and Electronics in the Confederation '90 and Union of Worker's Trade Unions – Solidarity for the Activity of Producing Motor Vehicles, Trailers and Semi-trailers.

All these players, with the exception of the Metals Association, refused to participate in the preparation of this report, since they have no-one from the studied sector 13.10 and 13.20 among their members.

NACE 14.1 and 14.2 (Mining of stone; Mining of sand-clay)

Trade Union of Construction Workers of the Republic of Slovenia (Sindikat delavcev gradbeništva Slovenije)

This trade union was already formed before the First World War and it also operated after the Second World War. In 1990 it was registered again. The trade union is almost exclusively financed from membership fees. It employs two staff. Besides the sector under examination (14.1 and 14.2) it also covers the following sectors: F 45.1 – 45.5 and DI 26.4 – 26.7. Altogether it has 15,000 members, of which about 80% are blue-collar. The trade union has approximately 200 members in the investigated sector (14.1 and 14.2), around 50% density in respect of all employees in 14.1 and 14.2.

The trade union is in bipartite social dialogue as a recognised player in the legal (status of representative trade union) as well as in the reciprocal sense (other players acknowledge it as a partner). In this way the trade union cooperates in bipartite social dialogue at sectoral level and signs collective agreements. So far it has signed all four collective agreements (in 1991, 1994, 1998 and 2004) and their annexes. At enterprise level, in social dialogue the trade union cooperates only as an expert/technical help to trade unions in companies and is thereby not able to sign collective agreements at that level. Since tripartite consultation does not exist in this sector in Slovenia, the trade union does not cooperate in it.

At national level the trade union is a member of Association of Free Trade Unions of Slovenia, while at European level its representatives are invited to the meetings of EFBWW (they are not members of this organisation). At international level the trade union is a member of BWI.

NACE 14.30 -14.40 -14.50 (Mining of chemical and fertilizer minerals – Production of salt – Other)

Trade Union of Chemical, Non-Metallic and Rubber Industry of Slovenia (Sindikat kemične, nekovinske in gumarske industrije Slovenije)

The trade union was first established after World War II and then newly registered in 1990. It is financed by membership fees that are fixed at 1% of the gross wage of an employed member of the trade union. The trade union has three employees. Apart from the sectors studied, 14.30, 14.40 and 14.50, the trade union also covers the following sectors: 21, 22, 24, 25, 26. In total the

trade union has 15,000 members (13,000 members, who are employed and 2,000 members, who are retired or temporarily unemployed), which represents around 60% of all employees in the activities covered by the trade union. Otherwise around 80 members of the trade union are employed in the sector which has a total of 352 employees, representing a density of 22.7%. The trade union is recognised as a player in the bipartite social dialogue both in the legal (status of a representative trade union) and the reciprocal sense (the other players recognise it as a partner). In this way the trade union participates in the bipartite social dialogue at sector level and has the power to sign collective agreements. Up to now, it has signed all of the three collective agreements (1992, 1998 and 2005). At company level the trade union participates in the social dialogue only in providing professional assistance to trade unions in the company and is therefore not eligible to sign collective agreements at this level. Since tripartite consultation is not established in the sector in Slovenia, the trade union cannot participate in it. At national level the trade union is a member of the Association of Free Trade Unions of Slovenia and a member of EMCEF at European level (in this way it is (in)directly twice involved also in the ETUC – namely through the organisations at national and European level). At international level the trade union is a member of ICEM.

Workers' organisation(s) NACE 10.10 – 10.20

| Organisation (English name) | Members | | Estimated density | Collective Bargaining (Yes/No) | Affiliations | | | |
|--|---|--|-------------------|-----------------------------------|-----------------------|--------|-----------------------|--------|
| | Total number of members in the organisation | Number of members who are working in the sector 14.10, 14.20 | | | European affiliations | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| Sindikat delavcev energetske Slovenije (Trade Union of Energy Workers of Slovenia) | 8,000 | app. 2,500 | app. 85 %; | yes | EMCEF | EPSU | ICEM | PSI |

Source: Interview with representative of the trade union Franc Dolar (27.6. 2006)

Workers' organisation(s) NACE 14.10-14.20

| Organisation (English name) | Members | | Estimated density | Collective Bargaining (Yes/No) | Affiliations | | | |
|--|---|--|-------------------|-----------------------------------|--|--------|-----------------------|--------|
| | Total number of members in the organisation | Number of members who are working in the sector 14.10, 14.20 | | | European affiliations | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| Trade Union of Construction Workers of the Republic of Slovenia (Sindikat delavcev gradbeništva Slovenije) | 15,000 | app. 200 | app. 50 %; | yes | EFBWW (not a member but regularly invited to meetings) | - | BWI | - |

Source: Interview with representative of the trade union Oskar Komac (14.6. 2006)

Workers' organisation(s) NACE 14.30-14.40-14.50

| Organisation (English name) | Members | | Estimated density | Collective Bargaining (Yes/No) | Affiliations | | | |
|---|---|---|-------------------|-----------------------------------|-----------------------|--------|-----------------------|--------|
| | Total number of members in the organisation | Number of members who are working in the sector 14.30, 14.40, 14.50 | | | European affiliations | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| Trade Union of Chemical, Non-Metallic and Rubber Industry of Slovenia (Sindikat kemične, nekovinske in gumarske industrije Slovenije) | 15,000 | 80 | 22.7 %. | yes | EMCEF | ETUC | ICEM | - |

Source: Interview with representative of the trade union Milica Dabanovič (9.6. 2006)

2.2. Description of the employers' organisations active in the sector²⁰⁴

NACE 13 (Mining of metals ores)

Metals Association (Združenje kovinskih materialov)

This association was already established after World War II. The Association is financed by compulsory membership fees from its members, since membership is obligatory for all companies which, according to their activity, belong to sectors 13.10, 13.20, 27 and 28.40. The Association has 1.5 employees. Besides sector 13.20, the Association also covers the entire sector 27 and 28.40. Thus its total number of members amounts to 102 (of which one company is from the sector being studied, 13.20). The majority of the companies (namely 78), which are members of the Association, are small companies, 14 of them are medium-sized companies and 10 are large companies.²⁰⁵ The companies are mainly privately owned, some are also still state-owned.

In the social dialogue at sector level the Association is recognised both in legal and reciprocal terms, participates in collective bargaining and has the power to sign collective agreements at sector level. However it does not participate in tripartite consultation at sector level, as this is not established in the studied sector; moreover, the Association does not participate in the social dialogue at company level. In Slovenia bargaining at this level takes place between the company management and trade union(s) in the company. In the existing company in the sector being studied a collective agreement is not reached at all. However, the Association did sign both collective agreements that include the studied sector 13.20. These were signed in 1996 and 2006.

²⁰⁴ Premogovnik Velenje is one of the 6 companies from sector 10.1, 10.2 and 12 and the only one which is not in the process of closing down. Consequently it has 1,966 workers and most of them are members of the Trade Union of Energy Workers of Slovenia. So, the workers from the company are thus indirectly included in social dialogue at sector level (as are all the other 5 companies). But the company itself is not a social partner nor a signatory party since the only social partner on the employers side in this sector is the government. On the other hand the company or its management is involved in the social dialogue at company level, like managements in other companies. At European level, Premogovnik Velenje is a member of EURACOAL.

²⁰⁵ In accordance with the law, a small company in Slovenia is one in which the number of employees is less than 50; a medium-sized company has between 50 and 249 employees, while large companies have more than 250 employees.

At national level, the Metals Association is a member of the Chamber of Commerce and Industry of Slovenia, and is a member of CAEF at European level.

NACE 14.1 and 14.2 (Mining of stone; Mining of sand-clay)

a) Construction and Building Materials Association (Združenje za gradbeništvo in industrijo gradbenega materiala)

The association was formed after World War II. In 1990 it was re-established in today's form. The association is financed from membership fees (membership in the Chamber of Commerce and Industry of Slovenia is still obligatory for all companies). The association covers the sectors under the collective agreement for construction activities. In this respect besides the investigated sector (14.1 and 14.2) its members are also companies from sectors F 45.1 – 45.5 and DI 26.4 – 26.7. The association employs 4.5 staff²⁰⁶. Due to obligatory membership all companies (43) from the investigated sector are members of the association, representing 100% density. The association has 3,907 members altogether, of which 96.5% are from small companies, 2.1 per cent from medium-sized companies and 1.3% from large companies. All companies are in private ownership.

The association is in bipartite social dialogue as a player recognized in the legal as well as in the reciprocal sense (other players acknowledge it as a partner). In this way the association, in a bipartite social dialogue, cooperates at sectoral level and signs collective agreements. So far it has signed all three collective agreements (in 1991, 1994, 1998 and 2004) and its annexes.

At enterprise level the association does not cooperate in social dialogue and thus is not able to sign collective agreements at that level.

Since tripartite consultation does not exist in this sector in Slovenia, the association does not cooperate in it.

At national level the association is a member of the Chamber of Commerce and Industry of Slovenia. At European level it is a member of FIEC, as a full member, and of CEPMC, as an observer. The association is not a member of any of the international organisations.

b) Section on Construction Industry (Sekcija za gradbeništvo)

The Section was established in 1994 and covers the construction sector. It is financed from membership fees. It does not have any employees, but in the framework of the Association of Employers of Slovenia, of which it is a member, seven people are employed. The members include 102 companies altogether from the construction activities sector. It also has two members from sectors 14.1 and 14.2, which are currently members of the Section on Energy. According to all companies from 14.1 and 14.2 the density represents 4.6%.

The Section cooperates in bipartite social dialogue to reach a collective agreement, which besides the investigated sector (14.1 and 14.2) also includes sectors from F 45.1 – 45.5 and DI 26.4 – 26.7, and in this framework also signs collective agreements. So far it has signed three collective agreements in the investigated sector, namely in 1994, 1998 and 2004, and annexes. The section does not cooperate in bipartite social dialogue at company level and in this framework does not sign collective agreements.²⁰⁷

Since tripartite consultation does not exist in this sector in Slovenia, the section does not cooperate in it.

Otherwise, the Association of Employers of Slovenia includes altogether more than 1,300 members/companies, which employ more than 50% of all employees in Slovenia and represent 50% of capital. At national level the section is a member of the Association of Employers of Slovenia, while it is not a member of any of the European or international organisations.

NACE 14.30 -14.40 -14.50 (Mining of chemical and fertilizer minerals – Production of salt – Other)

a) Non-Metals Association (Združenje za nekovine)

The Association was established some 30 years ago and is financed through membership fees (membership of the Chamber of Commerce and Industry of Slovenia is still obligatory for all companies). The Association covers the sectors for which a collective agreement on non-metals is formed. Thus, besides the sector being studied it also includes activities 26.11 – 26.15, 26.21 – 26.26, 26.30, 26.81, 26.82 among its membership. 1.5 people are employed in the Association (moreover, the association can use the support of the technical services of the Chamber of Commerce and Industry for its activities).

²⁰⁶ In addition,, the association can also use the support of technical services from the Chamber of Commerce and Industry of Slovenia.

²⁰⁷ The Section representative stressed that in Slovenia it would be necessary to have trust collective agreements as well as general, sectoral and enterprise collective agreements. Therefore, they are planning to start an initiative to establish this kind of collective agreement very soon.

Due to obligatory membership, all companies (11) from the studied sector are members of the Association, representing a density of 100%. In total the Association has 97 members. From these 97 members 6.1% are companies with more than 250 employees, 14.4% with 50 to 249 employees, 20.6% with 10 to 49 employees and 58.8% of companies with less than 10 employees. The majority of all the companies which are members of the Association are privately owned, while some are at least partly stated-owned.

The Association is recognised as a player in the bipartite social dialogue both in legal as well as reciprocal terms (other players recognise it as a partner). Therefore the Association participates in the bipartite social dialogue at sector level and has the power to sign collective agreements. Up to now it has signed all of the three collective agreements (1992, 1998 and 2005).

At company level however, the Association does not take part in the social dialogue and thus cannot sign collective agreements at this level.

Since no tripartite consultation is established in the sector in Slovenia, the Association does not participate in it.

At national level the Association is a member of the Chamber of Commerce and Industry of Slovenia, at European level it is a member of FEPA, while at international level it is not a member of any organisation.

Employers' organisations 13.10

| Organisation (English name) | Members | | Estimated density | Collective Bargaining (Yes/No) | Affiliations | | | |
|--|--|---|-----------------------------------|-----------------------------------|-----------------------|--------|-----------------------|--------|
| | Total number of companies that are members of this organisation | Total number of workers who are working in companies which are members of this organisation | | | European affiliations | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| Metals Association (Združenje kovinskih materialov) | 1 company from 13.20; altogether 102 companies from all sectors covered by the association | 5 workers in sub-sector 13.20; 8,572 workers in all sectors covered by the association | 100 %. (obligatory membership) | yes | - | CAEF | - | - |

Source: Interview with representative of the association Martin Debelak (8.6. 2006); <http://www.gzs.si/register/podrobno.asp> (7.6. 2006); Materiali in tehnologije (2004), 28, 6. Inštitut za kovinske materiale in tehnologije.

Employers' organisations 14.10

| Organisation (English name) | Members | | Estimated density | Collective Bargaining (Yes/No) | Affiliations | | | |
|--|---|---|-----------------------------------|-----------------------------------|--|--------|-----------------------|--------|
| | Total number of companies that are members of this organisation | Total number of workers who are working in companies which are members of this organisation | | | European affiliations | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| Construction and Building Materials Association (Združenje za | 43 | 423 workers in the 14.10 and 14.20; 44,872 workers in all sectors covered by | 100 %. (obligatory membership) | yes | FIEC (full membership); CEPMC (observer) | - | - | - |

| | | | | | | | | |
|--|--|-----------------|--------|-----|---|---|---|---|
| gradbeništvo in industrijo gradbenega materiala) | | the association | | | | | | |
| Section on Construction Industry (Sekcija za gradbeništvo) | 2 companies from 14.1 and 14.2; altogether 102 companies from all sectors covered by the section | 21 workers | 4.6 %. | yes | - | - | - | - |

Source: Interview with representative of the association Borut Gržinič (19.6. 2006); Interview with representative of the section Zvonimir Kristančič (29.6. 2006); Poslovanje gradbeništva in IGM v letu 2004 (Gospodarska zbornica Slovenije); Kazalniki poslovanja GZS v letu 2005 (Gospodarska zbornica Slovenije).

Employers' organisations 14.30

| Organisation (English name) | Members | | Estimated density | Collective Bargaining (Yes/No) | Affiliations | | | |
|--|---|---|-------------------|-----------------------------------|-----------------------|--------|-----------------------|--------|
| | Total number of companies that are members of this organisation | Total number of workers who are working in companies which are members of this organisation | | | European affiliations | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| Non-Metals Association (Združenje za nekovine) | 11 companies from 97 companies members. | 352 workers | 100 % | yes | - | FEPA | - | - |

Source: Interview with representative of the association Martin Debelak (8.6. 2006); <http://www.gzs.si/register/podrobno.asp> (7.6. 2006)

3. DESCRIPTION OF THE SOCIAL DIALOGUE IN THE SECTOR AT NATIONAL LEVEL

3.1. Description of the tripartite concertation in the sector

NACE 10.10-10.20 (Mining of coal and lignite) and 12 (Mining of uranium and thorium ores)

In sub-sectors 10.20 and 12 a tripartite committee, namely the Economic-Social Committee has been established since 1991. Here the trade union representative interviewed highlighted that this committee is indeed in a tripartite form, but due to the specific position of the State it is *de facto* a bipartite committee – the state plays two roles at the same time, as employer and owner. The social dialogue takes place in the aforementioned committee.

At sectoral level in the field of mining, negotiation on the collective agreement takes place between the Trade Union of Energy Workers of Slovenia (member of Association of Free Trade Unions of Slovenia) and the Government of the Republic of Slovenia, which is represented by the Minister of the Economy. The trade union representative believes that the social dialogue should also

include a “real” employers organisation (Chamber of Commerce and Industry of Slovenia or Association of Employers of Slovenia), but at the moment it still includes only the government as the sole second partner.

In the opinion of the trade union representative and the representative of the directorate, in this sector there is an obligation to cooperate in social dialogue, which is defined in valid contracts between partners as well as in an agreement on cooperation. The trade union representative also adds that social dialogue is in the interests of both partners. The players mutually acknowledge each other as partners in a social dialogue. At this point the trade union representative argues that the State by no means refuses discussions or negotiations, but still it delays in some areas, while some questions are relatively frequently dealt with directly by laws.

The first collective agreement in the mining sector was signed in 1991, while the second was in 1996. Later, two annexes to the 1996 collective agreement were signed; the first was adopted in 2002 and the second in 2004. The 1996 collective agreement states that it is valid until the end of 2000 and could be automatically extended for one year if none of the partners cancels it in a pre-defined period before termination of the old agreement. The trade union representative states that initiatives for changes to a collective agreement have up to now always come from the trade union side. The collective agreement includes normative and tariff parts, while the agreement is valid automatically for all companies and all employees in the sector.

The trade union representative sees the frequent changes in the leadership of the Directorate for Energy as the only barrier to social dialogue in the mining sector. According to him, ‘the Economic-social committee is very inefficient at the moment. In the framework of the agreement to establish the committee, it was stated that a director of the Directorate for Energy should lead it, but in the last two years there have only been acting managers in this post and even they have changed frequently. This means that there is no possibility of working normally and therefore some problems have emerged in the work of the committee, including the social dialogue at sectoral level.’

Except in matters concerning activities 10.10-10.20 and 12, all interviewees thought that at sector level in the Mining and quarrying industry in Slovenia (as far as sub-sector 13.20; 14.10-14.20-14.30-14.40-14.50 are concerned) there is no tripartite social consultation, and there are also no tripartite meetings, discussions or debates.

3.2. Description of the bipartite social dialogue in the sector

Bipartite social dialogue in Slovenia is found at sector and enterprise levels. However, within these dialogues there is a hierarchy at different levels. At general-national level, some minimum standards are agreed. Usually, it is at sector level that the specific issues of the individual sectors are dealt with, and, as a rule, workers’ rights are generally improved compared to the general CA. In this respect, one of the trade union representatives emphasised that negotiators in the process of shaping the sector CA should take into consideration the economic conditions of all enterprises, both good and bad. The CA should not be set up for the best companies, since this would mean that the worst ones would be forced out of business. Consequently, the Slovenian system allows CAs to be set up at enterprise level, enabling good companies to further upgrade wages, workers’ rights etc. The CA at sector level ensures minimum pay and conditions of work for all companies in the sector, which all CAs at enterprise level have to respect. The CA at enterprise level can only upgrade the rights of workers in terms of wages and working conditions. As far as legal as well as reciprocal recognition systems are concerned, trade unions have to acquire the position of a representative trade union.

3.2.1 Bipartite dialogue at sector level

NACE 10.10-10.20 (Mining of coal and lignite) and 12 (Mining of uranium and thorium ores)

A *de facto* bipartite sectoral dialogue exists in these sub-sectors (see section above 3.1, description of tripartite consultation in the sector).

NACE 13 (Mining of metals ores)

As emphasised by the employer’s representative, the participation of the players in the social dialogue is not an obligation, but rather it is in their interests to do so, whilst also stressing that the players do mutually recognise each other as partners in the social dialogue.

So far two collective agreements also covering sector 13.20 had been signed, namely in 1996 and 2006. However, the employer’s representative points out that the collective agreement from 1996 also covered the sectors of foundries, metal and electrical industry, while the collective agreement from 2006 only includes activities in metal materials.

NACE 14.1 and 14.2 (Mining of stone; Mining of sand-clay)

At sectoral level negotiations for a collective agreement are in progress, which also include 14.1 and 14.2, and these involve three partners: the Construction and Building Materials Association as a member of the Chamber of Commerce and Industry of Slovenia, the Section on Construction Industry as a member of the Association of Employers of Slovenia, and the Trade Union of Construction Workers of the Republic of Slovenia as a member of the Association of Free Trade Unions of Slovenia. The trade union representative considers that in a social dialogue the construction industry (in which the sector under investigation is included) would also like some other trade unions to be involved but they do not have the status of representative trade unions and consequently do not have a legal foundation for cooperation in bipartite dialogue at sectoral level. The association representative as an interested partner mentioned the Chamber of Craft of Slovenia. Here he emphasises that this organisation expresses an interest in cooperation but its main problem is it does not know how to reach the decision. When the social partners invited it to cooperate it did not respond, while after the social partners signed the collective agreement and its changes, the chamber expressed disagreement as it had not been included in this process. The section representative at this point states another important aspect, namely the problem is that some activity, which has 80% of its activities in the construction industry, is not covered by the collective agreement for that sector but for some other sector. He adds that in future such cases should be clarified and included in sectoral collective agreements, where the majority of its activities belong

The representatives of the social partners stress that as regards the question of cooperation obligations in bipartite dialogue we can merely say that it is in the interests of all the players to cooperate, while there is no legal obligation to do so. Besides they all point out that the players mutually recognize each other as partners. They all admit that there are normally differences in standpoints, but only the association representative mentions that in the past they also reached the situation when one of the partners triggered some question which the other side at first refused to discuss. After some time the other side also started discussion on this matter and in the end an agreement was reached.

Since 1990 in the construction sector, which also includes 14.1 and 14.2, four collective agreements have been signed, namely in 1991, 1994, 1998 and 2004 which are still valid today, while in 2005 an annex to the collective agreement was signed. The time limitation on the collective agreement is two years with a possibility of automatic extension for one more year if none of the partners cancels it within a defined period before termination of the old agreement. The collective agreement includes normative as well as tariff parts, and is automatically valid for all companies and employees in the sector. Here, the section representative warns that all employers do not comply with the signed collective agreement. At the same time he stresses the importance of the work of the trade unions, especially at enterprise level, which can expose violations and demand that the collective agreement be applied.

Regarding the future existence of bipartite dialogue in the construction sector, those we consulted have a positive standpoint and believe the dialogue will continue to exist in the future. The trade union representative stresses that negotiations and agreements are easier as only one trade union has the acknowledged position of representative trade union and can consequently cooperate in bipartite dialogue; the opposite would most probably mean more difficult reconciliation of standpoints on the trade unions' side, which would have a negative impact on negotiations. The association representative stresses that lately cooperation with the trade union has been easier and more efficient, as on the trade union's side there was a change in the leadership, which now no longer has such a radical standpoint, which made it very difficult to negotiate. The section representative argues that negotiations for the collective agreement in 2004 were hard and tiresome, but they established a good system of talks and reconciliation between partners. Special promotions on bipartite dialogue at sectoral level do not exist, but all three persons we consulted agree that the trade unions are showing more interest in this aspect.

NACE 14.30 -14.40 -14.50 (Mining of chemical and fertilizer minerals – Production of salt – Other)

At sector level, bargaining is thus conducted by the Non-Metals Association of the Chamber of Commerce and Industry of Slovenia and the Trade Union of Chemical, Non-metal and Rubber Industry, which is a member of the Association of Free Trade Unions of Slovenia.

Both also mention the existence of an additional trade union that is to a certain extent interested in participating in the bipartite dialogue at the sector level under examination, but it does not have the necessary representation and is therefore not legally entitled to participate in the bipartite dialogue.

The employer's representative stresses that with regard to the issue of obligatory participation in the bipartite dialogue, we can only say that it is in the interests of both players to cooperate, while there is no legal commitment to do so. On the other hand, the trade union representative points out the indirect legal commitment for a bipartite dialogue at sector level. According to her belief the Employment Act imposes the commitment upon the social partners to regulate employment relationships at sector level. But she definitely agrees that the social dialogue is of course subject to interest. Both stress that the players mutually recognise each other as partners in the social dialogue; moreover they stress that the partners do not have any major problems within the social dialogue.

As emphasised by those we consulted, three collective agreements have been signed in the sector since 1990, the first of which was in 1992 (at that point the collective agreement also included the chemical and rubber industry sectors); then in 1998 a collective agreement for non-metals was signed, also covering the sector; and the last collective agreement was signed in 2005. The collective agreement is valid for a year with the possibility of automatic extension for another year if none of the partners cancels it in due time before the expiry of the old agreement. The collective agreement includes both a normative and a tariff part and is valid automatically for all companies and all employees in the sector.

Those we consulted stress that they do not expect any difficulties in the social dialogue in the future. Moreover, the employer's representative emphasises that he does not foresee any threats of strikes, and the trade union representative said that she does not expect the collective agreement to be cancelled by either side. They consider there are no obstacles in the way of further bipartite dialogue. The employer's representative sees the inclusion of another trade union in the bipartite dialogue as a potential 'threat' to the exemplary social dialogue in the sector (if another trade union manages to obtain the status of a representative trade union). Otherwise they estimate that no special promotion of the bipartite dialogue is taking place at sector level, but according to the representative of the trade union, it is the trade unions themselves that are more interested in having this dialogue and will thus promote it more.

3.2.2 Bipartite dialogue at enterprise level

NACE 10.10-10.20 (Mining of coal and lignite) and 12 (Mining of uranium and thorium ores)

Bipartite dialogue in this sector also exists at enterprise level. Here in a social dialogue, the management of the respective company and the trade union(s) within the individual company cooperate. Those we consulted stress that in the case of social dialogue at company level this also represents an obligation that derives from the valid contracts between the partners as well as agreement on cooperation. Anything which is valid for the sectoral collective agreement will also apply to the collective agreements at company level; their validity was defined in 2000 with a possibility for automatic extension if no party cancels it in the pre-defined period before termination of the valid collective agreement. The contents of collective agreements at sectoral and company levels are also similar (normative and tariff parts). The important point in company collective agreements in Slovenia is that such agreements can only give workers more benefits than sectoral collective agreements, i.e. upgrade the rights of workers. The trade union representative and the representative of the directorate both state that company collective agreements have been signed in all six companies in the sector under examination. The trade union representative believes that the current signed company collective agreements will remain valid until the mines close.

NACE 13 (Mining of metals ores)

In Slovenia the conclusion of collective agreements is also established at company level. However the company in 13.20 does not have such an agreement.

NACE 14.1 and 14.2 (Mining of stone; Mining of sand-clay)

At company level, the management of the individual company and the trade union(s) in the company co-operate in social dialogue. Those we consulted stress that in the case of social dialogue at company level the key is the interest of the players and not their obligation to cooperate. Anything which is valid for the sectoral collective agreement will also apply to the collective agreement at enterprise level; its validity is two years with the possibility of automatic extension if no party cancels it in the pre-defined period before termination of the valid collective agreement. The content of the collective agreements at sectoral and company levels are also similar (normative and tariff parts). The important point in company collective agreements is that such agreements can only give workers more benefits than sectoral collective agreements, i.e. upgrade the rights of workers. Therefore, the trade unions are especially interested in reaching agreements at this level. As stressed by the section representative, in companies where workers are not organised or where there is no signed company collective agreement, certain questions can be resolved by the management of the company alone in line with regulations. Hence, in his opinion, the trade unions have a primary interest in reaching agreements at this level.

With regard to the estimate of the number of signed collective agreements the section and trade union representatives have very different opinions. The section representative estimates that there is a very small number of companies where a company collective agreement is not signed. According to him these are in particular small companies which have no organised workers organisations. On the contrary, the trade union representative expresses doubts on whether any of the companies in the sector (14.1 and 14.2) have signed enterprise collective agreements. In his opinion this depends above all on the size of the company – the larger the company, the greater the possibility that such an agreement would be signed. However, in sector 14.1. and 14.2 there are currently only small companies.

NACE 14.30 -14.40 -14.50 (Mining of chemical and fertilizer minerals – Production of salt – Other)

Bipartite dialogue in these sub-sectors also exists at company level. At this level it is the management of the individual company and the trade union(s) in the company who participate in the social dialogue. Those we consulted emphasise that in the case of social dialogue at company level the participation of the players is voluntary and based on interest rather than obligation. Anything which applies to the sector's collective agreement also applies to collective agreements at company level; their validity is one year with the possibility of automatic extension if none of the parties cancels it in due time before the agreement expires. The contents of the collective agreements at sector and company level are also similar (normative part and tariff part). The trade union representative adds that the content of the collective agreement at company level can also have certain company specifics; in this case certain issues (for example reorganisation of working hours) can be dealt with at this level. The important aspect of company collective agreements is that these types of agreements can only give more benefits than sectoral collective agreements, e.g. upgrading the rights of workers. The opinion of those we consulted is that in the sector studied almost half of the companies also conduct a company collective agreement, whilst the tendency of signing such collective agreements is connected to the size of the company – the larger the company, the greater the probability of having a collective agreement signed at company level. Due to this tendency both people we consulted are convinced that most of the workers in the studied sector are covered by a company agreement. As at sector level a signed collective agreement at company level is automatically valid for all employees in the company. The trade union representative believes that there will be no increase in the number of company collective agreements, rather the opposite, they will be cancelled. She explains this by the fact that the sectoral collective agreement, which also includes activities 14.30, 14.40 and 14.50, already guarantees the workers a relatively high standard and level of rights; therefore a tendency towards using different regulations instead of company collective agreements could emerge.

SPAIN

1. DESCRIPTION OF THE SECTOR'S CHARACTERISTICS AT NATIONAL LEVEL

1.1. Delimitation and scope of activities in the sector

NACE 10.1 and 10.2 cover the mining and agglomeration of coal (anthracite, other coals and lignite) which is the only fuel source that Spain possesses. Both in oil and gas Spain is totally dependent on imports from abroad. In Spain the mining of uranium and thorium (NACE 12) is practically non-existent. The only company which produces any is the Enusa Industrias Avanzadas, S. A., the national uranium company, which is 60% owned by the Sociedad Estatal de Participaciones Industriales (SEPI) (state-owned holding company) and 40% owned by the Centro de Investigaciones Energéticas, Medioambientales y Tecnológicas (CIEMAT) (Research Centre for Energy, Environment and Technology). NACE 13 deals with the mining of metal ores which, following a study written and published by FM-CCOO in September of 2005: *Mining in Spain (I)*, include iron, pyrite sulphur, copper, tin, zinc, cadmium, germanium, mercury, gold, silver and lead.

Finally NACE 14, under the heading of "Other mining and quarrying", deals with materials that are neither metallic nor energy-producing and which, following the classification of the FM-CCOO study, can be divided into two categories: on one hand, non-metals (kaolin, red clays, diatomite, talcum, magnetite, lithium, mica, salt, potash,...) and on the other hand, ornamental and quarry stone (aggregate, lime, dolomite, silica, natural stone, feldspar, gypsum,...).

1.2. Socio-economic features of the sector

In the last few years Spanish mining has experienced a drop in coal mining production and a crisis in ore extraction, while the mining and quarrying of non-metallic minerals and ornamental and quarry stone, on the other hand, has shown a steady increase²⁰⁸. Companies engaged in rock and natural stone production are particularly significant for their strong showing. The overall weight of the whole mining sector in the GDP is, according to FM-CCOO, of the order of 1%, however its importance to the economy is extremely high due to its partially guaranteeing energy supplies and the possibility of access to greater production if necessary.

In general the production systems have kept evolving in recent years to reach the present high level of mechanisation and robotisation, especially in primary extraction and processing.

In 2004 Spain produced 12.3 million tons of coal (NACE 10) and imported 24.5 million tons. The decline in coal production (and employment in the industry) has been sharper since 1998, the year when the first Coal Plan came into force. Lignite (brownish grey lignite) mining in Spain is mainly concentrated in Galicia and in Andalusia. 8.2 million tons of brownish grey lignite was produced in Spain in 2004. There is another kind of lignite, called black lignite, in Aragon and Catalonia.

In the sub-sector of metal ores mining (NACE 13) there has been no policy of aid on the part of governments in the recent history of Spain. It has been exposed instead to the free competition of the international minerals and metals' market²⁰⁹ which has led to many companies shutting down and to the practical disappearance of much metal production (iron, copper, tin, sulphur, etc.). Ornamental and quarry stone (NACE 14.1) such as gypsum, granite, slate and marble are materials that are exported from Spain in large amounts. Important developments have taken place in the sector both from a technological point of view and in terms of concern on the part of the companies to offer a competitive product.

In general, most jobs in the mining and quarrying sector have a low-skill content. Investment in training by a company is generally low. Workers in mining and quarrying used to be under 50 years of age (as a rule they are male, engaged in mainly manual work) and are unlikely to have either temporary or part-time work contracts, although use of temporary contracts has increased of late. According to FM-CCOO wage levels are high in comparison with those in other industrial sectors.

²⁰⁸ Data from report: *Mining in Spain (I)*, published by the Federación Minerometalúrgica de Comisiones Obreras. (Metalworkers' Federation of Workers' Commissions). Madrid, September 2005.

²⁰⁹ *Mining in Spain (I)*, published by the Federación Minerometalúrgica de Comisiones Obreras. (Metalworkers' Federation of Workers' Commissions). Madrid, September 2005.

Workers involved in mineral extraction can have access to early retirement via “reduction coefficients”. FECOMA-CCOO has expressed the need for this option to be extended to the processing workshops called “benefit establishments”. The amount of temporary contracts in this sub-sector is worrying, according to FECOMA-CCOO, and more so when the stable and structural nature of the work in question is taken into account. FECOMA-CCOO claims to have detected the presence of self-employed workers in quarrying, mainly machine operators and haulage contractors. In some cases they may be falsely self employed, working “off the cards”. In general, the growing tendency towards subcontracting is creating the possibility of a hidden economy arising in the sector.

Workers (2001).

| Sub-sectors | Number of workers | Number of SW | Number of SW/number of SW in the country (%) | Number of SW in companies with <10 SW/number of SW in the sector (%) | Number of SW in companies with 10-100 SW/number of SW in the sector (%) | Number of SW in companies with >100 SW/number of SW in the sector (%) |
|-------------|-------------------|--------------|--|--|---|---|
| NACE 10 (*) | 18,200 | 11,400 | 0.1 | 0.6% | 15% | 84.4% |
| NACE 12 | 600 | 400 | 0.0 | - | - | 100% |
| NACE 13 | 2,300 | 2,200 | 0.0 | - | 50% | 50% |
| NACE 14 (*) | 34,500 | 32,000 | 0.2 | ND | ND | 3.7% |
| TOTAL | 55,600 | 46,000 | 0.3 | ND | ND | ND |

Sources: For the number of workers: Labour Force Survey (EPA). INE, 2001. For the distribution of workers according to company size: FM-CCOO.

(*) The information provided by the National Statistical Institute does not allow for separate data for NACE 10.3. The data provided is for the whole of NACE 10.

Company size varies, though small and medium-sized firms predominate. In general the level of internationalisation in the sector is low, although stone and slate companies have a major part of their market abroad.

Companies (2005)

| Sectors and sub-sectors | Number of Companies | % companies without SW | % companies with <10 SW | % Companies with 10-100 SW | % companies with > 100 SW |
|--|---------------------|------------------------|-------------------------|----------------------------|---------------------------|
| 10 Mining of coal and lignite; extraction of peat (-10.30) | 129 | 36.5 (47) | 22.5 (29) | 27 (35) | 14 (18) |
| 10.1 Mining and agglomeration of hard coal | 124 | 37 (46) | 21.7 (27) | 27.4 (34) | 13.7 (17) |
| 10.2 Mining and agglomeration of lignite | 5 | 20 (1) | 40 (2) | 20 (1) | 20 (1) |
| 12 Mining of uranium and thorium ores (*) | 1 | - | - | - | 100 (1) |
| 13 Mining of metal ores | 64 | 36 (23) | 43.8 (28) | 17 (11) | 3.2 (2) |
| 13.1 Mining of iron ores | 18 | 27.7 (5) | 55.5 (10) | 16.6 (3) | 0 |
| 13.2 Mining of non-ferrous metal ores, except uranium and thorium ores | 46 | 39 (18) | 39 (18) | 17.4 (8) | 4.4 (2) |
| 14 Other mining and quarrying | 2,739 | 25.5 (700) | 48.5 (1,326) | 25.3 (694) | 0.7 (19) |
| 14.1 Quarrying of stone | 1,284 | 26.5 (339) | 51 (656) | 22 (282) | 0.5 (7) |
| 14.2 Quarrying of sand and clay | 1,291 | 25 (319) | 46.5 (600) | 28 (365) | 0.5 (7) |

| | | | | | |
|--|--------------|-------------------|---------------------|-------------------|-----------------|
| 14.3 Quarrying of chemical and fertilizer minerals | 28 | 21.4 (6) | 46.4 (13) | 25 (7) | 7.2 (2) |
| 14.4 Production of salt | 55 | 27.3 (15) | 45.5 (25) | 23.6 (13) | 3.6 (2) |
| 14.5 Other mining and quarrying n.e.c. | 81 | 26 (21) | 39.5 (32) | 33.3 (27) | 1.2 (1) |
| TOTAL FOR THE SECTOR | 2,933 | 26.2 (770) | 47.2 (1,383) | 25.3 (740) | 1.4 (40) |

SW: salaried workers

Source: INE 2006. Directorio Central de Empresas (DIRCE).

(*) Data provided by FM-CCOO.

2. DESCRIPTION OF THE ORGANISATIONS ACTIVE IN THE SECTOR

2.1. Description of the workers' organisations active in the sector

The most representative unions taking part in the process of social consultation and in CB for the whole sector are CCOO and UGT. The Ministry of Labour has provided the data of representation according to the number of workers' delegates each union has in different activity sub-sectors. This data appears in the following table:

NACE 10, 12, 13 and 14: number and distribution of workplace delegates

| | Number of delegates | Distribution |
|--------------|---------------------|--------------|
| CCOO | 1,025 | 39,7% |
| UGT | 989 | 38,3% |
| Others | 568 | 22% |
| TOTAL | 2,582 | 100% |

Source: Ministry of Labour and Social Affairs.

a) FECOMA-CCOO (Federación Estatal de Construcción, Madera y Afines de Comisiones Obreras) (National Federation of Building and Wood Workers and Associated Trades of Workers' Commissions)

FECOMA-CCOO is the result of the merger of the Construction and Wood unions which took place in 1984. After being legalised, its development can be summarised as the transformation from a trade union based on confrontation and struggle to one centred on a policy of negotiation and mobilisation. There are currently 10 persons working in the national office of FECOMA-CCOO. The organisation is funded mainly from subscriptions from its 90,000 members.

The sub-sectors covered by this union federation which belong to the mining and quarrying sector are the following (sub-sectors different from those in traditional mining):

- Quarries, sand and gravel pits and work on urban and industrial land.
- Stone and marble, including workshops for cutting and carving, both manually and by machine.

b) FM-CCOO (Federación Minerometalúrgica de Comisiones Obreras) (Federation of Miners and Metalworkers of Workers' Commissions)

This trade union federation is the result of a merger of the metalworkers' and miners' federations of CCOO which took place in 1995. In 2000 the electrical sector of CCOO also joined the organisation. The federation, funded in the main by members' subscriptions, covers the following sub-sectors: shipbuilding, capital goods, mining, iron and steel, electrical, automobile, ICT, car components and all matters related to metalworking. A staff of some 30 employees work in the FM-CCOO head office in Madrid and at national level there are some 150 workers on the organisation's payroll. The Federation has about 150,000 members in all sectors of whom some 27,432 (2004 figures) belong to the mining and quarrying industry. FM-CCOO members in this sector are in the main workers involved in ramp working, boring, timbering and shoring, face work (in general jobs involved in underground work). FM-CCOO belongs to the Confederación

Sindical de Comisiones Obreras (Central Trade Union Confederation of Workers' Commissions) and is affiliated to the European Mine, Chemical and Energy Workers' Federation (EMCEF), the European Metalworkers' Federation (FEM), the International Federation of Chemical, Energy, Mine and General Workers' Union (ICEM) and the International Metalworkers' Federation (IMF). It is also a member of the ETUC and the ICFTU.

c) ELA-HAINBAT (Solidaridad de Trabajadores Vascos – Diversidad / Euzko Langileen Alkartasuna-Hainbat) (Basque Workers' Solidarity Union – General Industrial)

ELA-HAINBAT is a federation of the trade union ELA which brings together the membership of different sectors, though mainly industrial ones. It was founded in June 2004 as the culmination of a merger process which drew together four different federations. The organisation is funded by subscriptions from its 23,000 members. It covers the chemical, transport, building, wood, sea, energy, telecommunications, communications media and paper sectors. The union has informed us that its role in the mining and quarrying sector is not a significant one.

ELA-HAINBAT is affiliated to the European Trades Union Confederation (ETUC) and to the ICFTU.

d) FIA-UGT (Federación de Industrias Afines de la Unión General de Trabajadores) (Federation of Associated Industries of the General Workers' Union)

Unfortunately, this trade union federation did not reply to our questionnaire.

Trade Unions

| Organisation | | Type of SW | Members | Members working in the sector | Density | CB | National affiliations | European affiliations | International affiliations |
|--|--|--|-------------------|-------------------------------|---------|--------|-----------------------|-----------------------|----------------------------|
| Original name | English name | Type | Number | Number | % | yes/no | CCOO | EFBWW ETUC | IFBWW IFCTU |
| FECOMA-CCOO (Federación Estatal de Construcción Madera y Afines de Comisiones Obreras) | National Federation of Building and Wood Workers and Associated Trades of Workers' Commissions | All | 90,000 | ND | ND | Yes | CCOO | EFBWW ETUC | IFBWW IFCTU |
| FM-CCOO (Federación Minerometalúrgica de Comisiones Obreras) | Federation of Miners and Metalworkers of Workers' Commissions | The majority are workers involved in ramp working, boring, timbering and shoring, face working; nearly all underground work. | 150,000 (approx.) | 27,500 (approx.) | 60% | Yes | CCOO | EMCEF EMF ETUC | ICEM IFM IFCTU |
| ELA-HAINBAT (Solidaridad de Trabajadores Vascos / Euzko Langileen Alkartasuna) | Basque Workers' Solidarity – General Industrial | All, in Basque Country and Navarre | 23,500 | ND | ND | no | ELA | EFBWW ETUC | IFBWW IFCTU |
| FIA-UGT (Federación de Industrias Afines de la Unión General de Trabajadores) | Federation of Associated Industries of the General Workers' Union | All | ND | ND | ND | yes | UGT | - | IFCTU |

2.2. Description of the employers' organisations active in the sector

The social partners have a system of recognition. As far as the negotiation of collective agreements is concerned, recognition of employers' organisations is regulated by article 87 of the *Texto Refundido del Estatuto de los Trabajadores*, Amended Text of the Workers' Statute, (Royal Law Decree 1/95). For CAs with scope above company level, the employers' organisations authorised to participate in the bargaining are those which, within the geographical and functional scope of the CA, have at least 10% of employers in the sector, provided that they apply the same rates to the workers involved.

a) ATEDY: Asociación Técnica y Empresarial del Yeso (Technical and Enterprise Association of Plaster)

ATEDY was formed in 1993, although already in the seventies Spain had a similar association for the development of the plaster industry. It was set up to promote the quality production of plaster, but evolved to take on technical and enterprise roles as well. The companies affiliated to ATEDY come under NACE 26 which is outside the remit of this study and which covers the production of other non-metallic minerals.

ATEDY, with a staff of two working in the organisation, is the only national association for plaster linked in with national and European confederations. It is financed from affiliates subscriptions. The sub-sectors covered by the organisation are: powder, prefabricated material and laminated plasterboard. The 46 affiliated companies are mostly SMEs with between 10 and 150 workers (together with two large companies, BPB-Iberplaco and Yesos Ibéricos) engaged in the production of plaster, and also the manufacture of machinery, additives, as well as technical consultancy. These companies are spread over various Autonomous Community regions where gypsum deposit formations are to be found (Andalusia, Comunidad Valenciana, Madrid, Catalonia, Castilla La Mancha, Aragón, etc.).

ATEDY covers 90% of plaster production and approximately 60% of the companies in the sub-sector. There are many family firms producing prefabricated material which do not belong to the association. The affiliated companies together employ a total of 2,400 workers. Market share is 90%, as these are groups of products which are not imported.

ATEDY is a member of CEPCO, AENOR, CNC and CEOE in Spain and of EUROGYPSUM, IMA and CEPMC in the European and international arenas.

b) FEP: Federación Española de Pizarra (Spanish Slate Federation)

This organisation did not answer our questionnaire.

c) ANCADE: Asociación Nacional de Fabricantes de Cales y Derivados de España (National Lime Association of Spain)

This organisation did not answer our questionnaire.

d) AGP: Asociación Gallega de Pizarra (Galician Slate Association)

This organisation did not answer our questionnaire.

e) CARBUNION: Federación Nacional de Empresarios de Minas de Carbón (National Federation of Coalmining Enterprises)

This organisation did not answer our questionnaire.

At European level, CARBUNION is a member of EURACOAL.

f) FDP: Federación Española de la Piedra Natural (Spanish Natural Stone Federation)

This organisation did not answer our questionnaire.

g) CONFEDEM: Confederación Nacional de Empresarios de la Minería y de la Metalurgia (National Confederation of Mining and Metallurgic Enterprises)

This organisation did not answer our questionnaire.

h) ANEFA: Asociación Nacional de Empresarios Fabricantes de Áridos (National Association of Aggregate Manufacturers)

This organisation did not answer our questionnaire.

i) FEDEA: Federación Española de Asociaciones de Industrias Extractivas (Spanish Federation of Mining and Quarrying Industry Associations)

This organisation did not answer our questionnaire.

j) AINDEX: Asociación Nacional de Industrias Extractivas y Afines (National Association of Mining, Quarrying and Allied Industries)

This organisation did not answer our questionnaire.

Employers' organisations

| Organisation | | Sub-sectors covered | Companies | SW | Density Companies | Density SW | CB | National affiliations | European affiliations | International affiliations |
|---|---|--|-------------------------|--------|-------------------|------------|--------|------------------------|-----------------------------------|----------------------------|
| Original name | English name | | number | number | % | % | yes/no | | | |
| Federación Española de Pizarra (FEP) | Spanish Slate Federation | | | | | | yes | | | |
| Asociación Nacional de Fabricantes de Cales y Derivados de España (ANCADE) | National Lime Association of Spain | | | | | | yes | | | |
| Asociación Gallega de Pizarra (AGP) | Galician Slate Association | | | | | | | | | |
| Asociación Técnica y Empresarial del Yeso (ATEDY) | Technical and Enterprise Association of Plaster | Powder, prefabricated material and laminated plasterboard | 46 | 2,400 | 1.6% | 5.2% | yes | CEPCO AENOR CEOE | EUROGYPSUM IMA-Europe CEPMC | - |
| Federación Nacional de Empresarios de Minas de Carbón (CARBUNION) | National Federation of Coalmining Enterprises | Coal | 23 | | 0.8% | | yes | | EURACOAL | |
| Federación Española de la Piedra Natural (FDP) | Spanish Natural Stone Federation | Quarrying, marketing and distribution of natural stone, machinery, diamond tools, abrasives, fixing systems and funerary marble masons | 1,000 (18 associations) | | 34% | | | | | |
| Confederación Nacional de Empresarios de la Minería y de la Metalurgia (CONFEDEM) | National Confederation of Mining and | | | | | | | | | |

| | | | | | | | | | | |
|---|--|--|---|--|-------|--|--|---|----------|------|
| | Metallurgic Enterprises | | | | | | | | | |
| Asociación Nacional de Empresarios Fabricantes de Áridos (ANEFA) | National Association of Aggregate Manufacturers | Working with aggregates | 41 companies associated and 483 companies with active members (651 working) | | 17.9% | | | CONFEDEM, CEPCO, AENOR and the Asociación Española de la Carretera (Spanish Road Association) | UEPG CEN | FIPA |
| Federación Española de Asociaciones de Industrias Extractivas (FEDAE) | Spanish Federation of Mining and Quarrying Industry Associations | Extractive industries, understood as all types of mining and quarrying, except those for metals and energy producing materials. | 3 provincial associations | | | | | | | |
| Asociación Nacional de Industrias Extractivas y Afines (AINDEX) | National Association of Mining, Quarrying and Allied Industries | Various stages of the mining process: extraction of minerals, crushing, grinding, washing, concentrating, drying, calcining, micronizing, etc. | 160 companies (60 associated) | | 5.5% | | | CONFEDEM, and AITEMIN | | |

SW: salaried workers

Density of companies: number of companies affiliated / total number of companies in the sector (= 2,933)

Density SW: number of salaried workers in the affiliated companies / total number of salaried workers in the sector (= 46,000)

2.3. Other organisations active in the Mining and Quarrying sector affiliated by European organisations

a) WATTS BLAKE BEARNE ESPAÑA S.A. (WBB ESPAÑA S.A.)

WBB España S.A. belongs to the WBB Minerals Group with headquarters in the UK. The Spanish company was formed in 1999 and is involved in exploration, research and working with mineral deposits and other geological resources. The sub-sectors covered by the company are the quarrying and sale of red clay, the marketing of English and Ukrainian white clay in Spain, the production of silica and kaolin sand for the ceramic, pottery and glass sector and the production and marketing of dolomite.

At present WBB España S.A. has 76 employees and an annual business turnover which rises to around 22 million euros. The company's market share of red clay is 40%, of white clay 25% and of kaolin 30%. The company belongs to an international group, but all of its production centres are to be found on home soil.

The company takes part directly in the bargaining for the two provincial agreements and for the National Collective Agreement for Quarrying Industries. WBB España S.A. belongs to the Asociación Nacional de Industrias Extractivas y Afines (AINDEX) (Spanish Association of Producers of Industrial Minerals) and to the Asociación Española de Fabricantes de Azulejos y Pavimentos Cerámicos (ASCER) (Spanish Association of Tile and Ceramic Pavement Producers) in Spain and to the IMA (Industrial Mineral Association).

WBB España S.A. employees, of whom 10% are women, have an average age of 40. 30% have higher educational qualifications.

b) INDUSTRIAS DEL CUARZO S.A. (INCUSA)

INCUSA is a company formed in 1961 which operates in the mining and quarrying of non-metallic minerals. It has 47 employees. The company began in the Ribadesella area of Asturias and in 1973 moved to its present location in Carrascal del Río (Segovia). The sub-sectors covered by the company are: potassic feldspar, glass, frits and ceramic glazes, smelters (moulds), dry mortars, sports grounds and construction. The company's turnover in 2005 was of the order of 12 million euros.

The company does not take part in sector collective bargaining nor in bargaining for framework agreements. The main issues that the company is currently interested in discussing with the unions are training and applicable "reduction coefficients". INCUSA has its own collective agreement whose main points concern organisation, working time, wages and social benefits. This agreement is not used as a benchmark by other companies in the sector.

15% of the company's employees have temporary work contracts. There are no part-time workers.

It is a member of IMA-Europe through the European Feldspar Association (EUROFEL).

c) Sociedad Anónima Minero Catalana Aragonesa (SAMCA)

This company has informed us that it does not wish to take part in this type of study. The SAMCA group includes important mining companies such as: Aragón Minero, S.A. and Arcillas y Feldespatos Río Pirón.

d) Mario Pilato Blat, S.A.

This company is involved in the processing and marketing of minerals and does not come under the NACE pertaining to this study. Its activities come under NACE 24.9 and 61.69.

e) TOLSA, S.A.

The company TOLSA produces and markets special clays. It owns the biggest deposit of sepiolite in the world, important reserves of attapulgite as well as deposits of bentonite. 350 employees work in the company, which has its own collective agreement valid for three years and covering all workers and all aspects of working conditions. The company does not take part in the sector collective bargaining nor in tripartite concertation.

It is a member of IMA-Europe through the European Bentonite Association (EUBA) and the European Speciality Minerals Association (ESMA).

f) The following companies have been contacted but have not answered the questionnaire: Magnesitas de Rubian, S.A. (Company Member of EUROMINES), Iberpotash, S.A. (member of APEP), Rio Narcea Gold Mines S.A. (Company Member of EUROMINES), LUZENAC SET (member of IMA, via its affiliation to EUROTALC), Caolines de Vimianzo, S. A.(member of IMA-Europe through the European Kaolin and Plastic Clays association (KPC-Europe)), Magnesitas Navarras, S.A. (Company Member of EUROMINES), Sibelco (Sibelco Minerales y Sibelco Española) (member of IMA, via its affiliation to EUROSIL), CAOBAR, S.A. and IMERY'S TILES MINERALES ESPAÑA, S.A.

3. DESCRIPTION OF THE SOCIAL DIALOGUE IN THE SECTOR AT NATIONAL LEVEL

3.1. Description of the tripartite concertation in the sector

Tripartite negotiation in the sector has centred basically on coal production, in particular as it affects the supply to coal-fired power stations and aspects of training. The main areas of tripartite discussion are focussed on aid to the coal industry (expressly authorised by Brussels in Regulation 1407 of July 2002), social support for the workforce (incentive packages for pre-retirement and voluntary redundancy) and assistance in the renewal and revival of the coalfield areas (infrastructures, help with setting up business projects in these areas and training). In the other sub-sectors tripartite negotiations only take place in very particular contexts. The main issues that are the subject of this kind of concertation are training and health & safety at work and FM-CCOO, FIA-UGT and CONFEDEM take part in these discussions. Hulleras del Norte S.A. (HUNOSA) is a publicly owned company operating in mining coal in the Central Asturian coalfield since 1967. Faced with significant capital losses, the Instituto Nacional de Industria (INI) (State Controlled Holding Company) came to own 100% of the company in 1970 and in 1971 the Restructuring Plan of HUNOSA was approved. During the eighties new planning mechanisms were set up through public administration and trade union concertation for the three-yearly periods of 1981-1983 and 1984-1986, and for the four year period 1987-1990²¹⁰. Consensus over public assistance for coal was reached through the "Plan de la Minería del Carbón y Desarrollo Alternativo" (Coal Mining and Alternative Development Plan) of the mining areas. It reached the statute book in 1997 and established an aid regime for coal mining (aiming to cover the difference between the costs of production and the income from the sales of power station coal) as well as development alternatives for the mining areas. This mining plan, which came into force in 1998, involved the setting up of the "Instituto para la Reestructuración de la Minería del Carbón" (Coal Mining Restructuring Institute), under the Ministry of Industry.

Currently, a new Plan for Coal for 2006 to 2012 has just been signed which, according to the Industry Minister will mean a greater level of public accountability than its predecessor (signed by the PP government for the period 1998-2005) given that a bigger participating role for the trade unions for carrying it out is foreseen along with greater control over subsidised production. One significant figure is the larger amount of money allotted to economic renewal which rises by 700,000 euros for each job loss.

However, FM-CCOO wishes to make it clear that, despite the lower amount allocated for each job lost in comparison with the present one, the previous plan was important because it was the first to deal seriously with the problem. Its implementation resulted in 14,000 new jobs being created in 1,000 companies, as well as new investment in infrastructures and the promotion of various activities.

The Miners' and Metalworkers' Federation of CCOO sees the new plan in a positive light given that it has incorporated the aims that the union spelt out at the start of negotiations between the miners' trade unions and the Administration. Regional bargaining tables for mining have also been set up during the last few years, organized by the autonomous communities affected by the restructuring (Catalonia, Aragon, Andalusia, Castilla-La Mancha, Castilla-León, Galicia and Asturias) and by the employers' association with the coalmining trade unions, and also by the local governments.

3.2. Description of the bipartite social dialogue in the sector

The form of collective agreements varies greatly in the four NACE under study.

NACE 10.1 and 10.2, pertaining basically to coal in the case of Spain, are regulated via tripartite negotiations (see the previous section 3.1). There is a Framework Agreement for Coalmining, the Plan for Coal 2006-2012 and the corresponding Monitoring Commission for the Plan, but there is no national agreement. There are three provincial level agreements for Coalmining (Asturias, León, Palencia)

²¹⁰ Information about the history of HUNOSA can be found on its website: www.hunosa.es.

There are also some large companies with their own collective agreements: HUNOSA, ENDESA, ENCASUR, MSP, UMINSA and Hullera Vascoleonera.

NACE 12 is represented by only one production company, Empresa Enusa Industrias Avanzadas, S. A., the national uranium company, a state-owned enterprise as already mentioned.

Under mining of metal ores and other mining and quarrying (NACE 13 and 14) there are various national agreements, as well as types of work which come under the national building industry agreement and a number of provincial and local agreements.

The main national agreements (NACE 13 and 14) at sector/national level:

- Framework Agreement for the Slate Sector (1997) signed by the Federación Española de Pizarra (FEP) (Spanish Slate Federation) and by the trade unions CCOO and UGT.
- II Collective Agreement with nationwide remit covering producers of plaster, plaster casts, limes and their prefabricated versions (2003-2007), signed by UGT, CCOO, ATEDY and ANCADE.
- Collective Agreement for quarrying, glass and ceramic industries and for the exclusive commercialisation of these materials (2004-2006). Applicable nationally and signed by CCOO, UGT and the employers' association Confederación Empresarial Española del Vidrio y la Cerámica (Spanish Confederation of Glass and Ceramic Producers).
- General Agreement for the Building Industry (2002-2006) signed by FECOMA-CCOO, MCA-UGT and the Confederación Nacional de la Construcción (CNC-National Confederation of Construction). Unions and employers are at present bargaining over specific aspects in the sector, within the framework of this general agreement.

Main provincial agreements (NACE 13 and 14) at provincial or autonomous level:

- Agreement covering marble, stone and granite in Alicante.
- Collective agreement for building in the province of Granada.
- Collective agreement for silica and kaolin extraction in the province of Valencia.
- Agreement for marble quarrying and cutting in Almería.
- Agreement for the marble and stone industry in Castellón.
- Agreement for stone and marble working in La Coruña.
- Agreement for the slate sector in Castilla y León.
- Agreement for slate in Lugo and Orense.
- Agreement for quarry, marble and natural granite workers in Valencia.
- Agreement for the stone and marble sector in Vizcaya.
- Agreement for marble and stone in Pontevedra.
- Agreement for the alabaster industry in Navarre
- Agreement covering working conditions for marble and stone in Murcia, in force since 1998.

At enterprise level

There are numerous company level agreements in the sector and those of the large companies serve as benchmarks for other smaller companies as well as having an influence on provincial agreements. Given that the same trade unions bargain at national as well as local level, they generally try to use agreements at the latter level as benchmarks for the former.

The main bargaining issues in these kinds of agreement are wages and conditions, and also piecework.

4. COMMENT

FECOMA-CCOO draws attention to a certain apathy on the part of the representative employers' organisations (ANEFA, FDP, FEDAE) when it comes to bargaining over matters specifically relating to the sub-sector. The tendency is to limit their intervention to when conflicts arise (industrial relations, environmental, etc.).

According to FECOMA-CCOO, one of the major obstacles at present to the maintenance of the current industrial fabric and to further growth is the consequence of regional and local policies regarding environmental matters, these being restrictive when it comes to exploiting new deposits. WBB España S.A. has also emphasised this discrepancy between public administrations and private companies, suggesting that the companies debate the way for public administrations to give permits for the opening of new mines.

FM-CCOO underlines positively the tendency in recent years towards improved technologies and respect for the environment in the sector, as well as the ever-diminishing presence of the public sector. However, the ever-diminishing presence of the public sector in mining other than in the energy sector (in this sector state intervention is very extensive) is seen as a negative factor by this trade union centre. Taking into account that mined and quarried substances are non-renewable raw materials and are subject to considerable swings in supply and demand, the union believes it is necessary for the government to step in and take measures to regulate the industry.

5. LIST OF ABBREVIATIONS

| | |
|--------------------|--|
| AGP | Asociación Gallega de Pizarra (Galician Slate Association) |
| AINDEX | Asociación Nacional de Industrias Extractivas y Afines (National Association of Mining, Quarrying and Allied Industries) |
| ANCADE | Asociación Nacional de Fabricantes de Cales y Derivados de España (National Lime Association of Spain) |
| ANEFA | Asociación Nacional de Empresarios Fabricantes de Áridos (National Association of Aggregate Manufacturers) |
| ASCER | Asociación Española de Fabricantes de Azulejos y Pavimentos Cerámicos (Spanish Association of Tile and Ceramic Pavement Producers) |
| ATEDY | Asociación Técnica y Empresarial del Yeso (Technical and Enterprise Association of Plaster) |
| CARBUNION | Federación Nacional de Empresarios de Minas de Carbón (National Federation of Coalmining Enterprises) |
| CIEMAT | Centro de Investigaciones Energéticas, Medioambientales y Tecnológicas (Research Centre for Energy, Environment and Technology) |
| CNC | Confederación Nacional de la Construcción (National Confederation of Construction). |
| CONFEDEM | Confederación Nacional de Empresarios de la Minería y de la Metalurgia (National Confederation of Mining and Metallurgic Enterprises) |
| ELA-HAINBAT | Solidaridad de Trabajadores Vascos – Diversidad / Euzko Langileen Alkartasuna-Hainbat (Basque Workers' Solidarity Union – General Industrial) |
| FDP | Federación Española de la Piedra Natural (Spanish Natural Stone Federation) |
| FECOMA-CCOO | Federación Estatal de Construcción, Madera y Afines de Comisiones Obreras (National Federation of Building and Wood Workers and Associated Trades of Workers' Commissions) |
| FEDEA | Federación Española de Asociaciones de Industrias Extractivas (Spanish Federation of Mining and Quarrying Industry Associations) |
| FEP | Federación Española de Pizarra (Spanish Slate Federation) |
| FIA-UGT | Federación de Industrias Afines de la Unión General de Trabajadores (Federation of Associated Industries of the General Workers' Union) |
| FM-CCOO | Federación Minerometalúrgica de Comisiones Obreras (Federation of Miners and Metalworkers of Workers' Commissions) |

SWEDEN

1. DESCRIPTION OF THE SECTOR'S CHARACTERISTICS AT NATIONAL LEVEL

1.1. Delimitation and scope of activities in the sector

From a statistical point of view, the extractive industries sector includes the activities classified under section C, sub-section CA-CB, divisions 10, 12,13 and 14 of the nomenclature. The conventional fields of the extractive industries coincide *mutatis mutandis* with NACE C-10, 12, 13, 14.

However, it should be noted that in Sweden the quarries branch also includes in its conventional field transformation activities (cement works, brickworks, construction ceramics, construction materials, gypsum, concrete etc.), and it is divided into 2 conventional fields, one comprising part of stone extraction activities, the other comprising the extraction of industrial minerals. As regards the mines branch, it should be noted that in its conventional field it includes prospecting companies and firms involved in the enrichment of metals and foundries.

1.2. Socio-economic features of the sector

a) Brief background of the sector, its structure and main developments

As it belongs to the Baltic stage of primitive rocks, the structure of the ground in Sweden contains rich mineral deposits. The extensive distribution of these natural resources along with the relatively low population density minimises the risks of territorial and environmental conflicts between the economic parties involved. It is in the northern and central parts of the country that the mining basins of ferrous and non-ferrous metals are concentrated; while in the southern regions quarries are mostly found containing minerals such as diabase, clay, steatite etc. During the last decade, strong world demand (China, India) for minerals on the market has led to an increase in mining activity in Sweden. In fact in 2005, the National Mines Office granted 305 prospecting consents compared to 159 in the previous year²¹¹.

With regard to the production of industrial minerals, it should be noted that in the majority of cases Sweden is self-sufficient. The value added in this industry is around 9% of the GNP of the EU. In 2005, the sector share of the extractive industries in the Swedish GNP was 1%, and 3.2% of the industrial production of Sweden. Between 1995 and 2005 the annual growth rate of that branch of activity grew in volume by about 8.6%. Over the same period, salaried employment in the sector decreased by about 4.2%, this decrease being more pronounced in quarries (-11%) than in mines (-1.8%). Development over the last decade therefore shows a considerable rise in productivity.

b) Number of companies

According to Statistics Sweden, SCB, in 2005 Sweden had around 509 enterprises belonging to the extractive industries sector as defined in section C of the NACE nomenclature. About 58% of enterprises did not have employees (or 295 enterprises). The distribution by size of the enterprises in the sector does not differ greatly from that of the whole of the economy, particularly concerning the share of enterprises without employees which is approximately of the same order of magnitude (58% compared to 75% for the whole economy). In the quarry sector, many companies have a lightweight structure as regards number of employees. In the mining sector three companies own a total of 10 of the 16 active mines.

Companies

| Sub-sectors | Number of companies | % companies without employees | % companies with <10 employees | % companies with 10-49 employees | % companies with 50-499 employees | % companies with > 500 employees |
|----------------------|---------------------|-------------------------------|--------------------------------|----------------------------------|-----------------------------------|----------------------------------|
| Mines | 38 | 55.2 % | 31.6% | 2.6% | 5.3% | 5.3% |
| Quarrying industries | 471 | 58.2 % | 31.6 % | 8.7% | 1.4% | 0 % |
| Total of the sector | 509 | 58 % | 31.6 % | 8.3 % | 1.7 % | 0.3 % |

Source: Fötetagsdatabaser, Statistics Sweden (SCB, 2006).

²¹¹ Source: *Bergsstaten*, årsredovisning, 2005 Annual Report of the National Mines Office, 2005.

c) Data on employment in the sector

In 2005, the extractive industries branch represented around 0.23 % of the active employed population in Sweden and 0.41% of salaried employment, or around 8,419 salaried employment posts. Over the whole period from 1995-2005, salaried employment fell by around 4.2%. Enterprises with fewer than 50 employees approximately represent, respectively, 1.3% for mines and 60% for quarries, of salaried employment. The large enterprises (more than 100 employees) comprise around 98% of total employment in the mines sector and 37% in quarries. In the mines sector 20% of employees (blue-collar) have a job directly linked to extraction. Overall, employment fell by around 4.2% over the last decade (1995-2005), the decrease being more pronounced in the quarries sector (-11%) than in the mines sector (-1.8%)²¹².

In 2005 the average hourly wage for workers in the extractive industries was in the region of 160 SEK²¹³ (130 SEK for the whole of industry). For white-collar workers the average monthly wage on the same date was around 30,300 SEK (about 28,710 SEK for the whole of industry). In 2005, about 7 % in the extractive industries had fixed term contracts, a lower figure than that of the whole of the economy (15% in 2005). On the same date the number of women in the total employment figure for the sector was 13%, and more than 92% of workers in the sector worked full time. In 2005 the working week was 38.8 hours. The percentage of qualified and unqualified workers (blue-collar) in the total employment of the sector represented about 73% of salaried employment in 2005. The share of managers and higher grade technicians and employees was, on the same date, respectively, 5.9% and 13.1%²¹⁴. In 2005 the extractive industries included about 295 self-employed workers.²¹⁵

Workers

| Sub-sectors | Number of self-employed workers in the sector | Number of employees in the sector | Number of employees in the sector/ total number of employees in the country –all sectors- (%) | Number of employees in companies with <10 workers in the sector/ number of employees in the sector (%) | Number of employees in companies with 10-49 workers in the sector/ number of employees in the sector (%) | Number of employees in companies with 50-499 workers in the sector/ number of employees in the sector (%) | Number of employees in companies with >500 workers in the sector/ number of employees in the sector (%) |
|----------------------|---|-----------------------------------|---|--|--|---|---|
| Mines | 21 | 6,367 | 0.17 % | 0.9 % | 0.5 % | 5.3 % | 93.2% |
| Quarrying industries | 274 | 2,052 | 0.05 % | 27.7 % | 34.9% | 37.2 % | 0 % |
| Total of the sector | 295 | 8,419 | 0.22 % | 7.4 % | 8.9% | 13.1% | 70.5 % |

Source: Fötetagsdatabaser, Statistics Sweden (SCB, 2006).

²¹² Source: Fötetagsdatabaser, Statistics Sweden (SCB, 2006).

²¹³ 1 SEK=0.1099 EUR.

²¹⁴ Source interviews with delegates, 2006.

²¹⁵ Source Statistics Sweden, 2005.

2. DESCRIPTION OF THE ORGANISATIONS ACTIVE IN THE SECTOR

2.1. Description of the workers' organisations active in the sector

The extractive industries sector has 4 trade union organisations, namely:

IF Metall (The Metal Workers' Union)

This Federation, which was created from the recent merger of the Federations of Industry and Metallurgy (2005), is one of the most important in terms of volume of membership within the Swedish Trade Union Confederation (Landsorganisation Sverige, LO). IF Metall had around 440,000 members in 2005, in almost 12,500 workplaces. The Federation finances its activities mainly by contributions from its members. It employs 37 people. The number of members with an activity directly linked to all categories of the extractive industries is 9,980 (or about 2.2% of the total membership of IF Metall). According to the trade union source, union membership in the extractive industries is of the order of 95%. In 2004, IF Metall signed three branch agreements²¹⁶ with the employers' associations Gruvornas Arbetsgivareförbund, Byggnadsämnesförbundet, and Industri-och Kemigruppen, one for mines and two for the extractive industries.

Civilingenjörskörbundet, CF, (The Swedish Association of Graduate Engineers)

With around 81,022 active members in 2005, the Swedish Association of Graduate Engineers, CF, is the second federation in terms of its number of members within the Confederation of Professional Associations, SACO. CF recruits its members from graduate engineers. It finances its activities mainly by contributions from its members. It has 100 employees. In the extractive industries sector, CF had, in 2005, around 550 active members with an activity directly linked to the branch (or about 0.7% of its members). According to the trade union source, union membership is of the order of 95%. CF concluded²¹⁷, separately, three collective branch agreements with the employers' associations Gruvornas Arbetsgivareförbund, Byggnadsämnesförbundet, and Industri-och Kemigruppen covering the sector.

Svenska Industritjänstemannaförbundet, SIF (The Swedish Union of Technical and Clerical Employees in Industry)

The most important federation in terms of its number of members (300,000 active members in 2005) within the Confederation for Professional Employees (Tjänstemännens Centralorganisation, TCO), Sif obtains its members mainly from employees and technicians in industry (principally employees and middle managers). It finances its activities mainly by contributions from its members. It has about 200 employees working for the organisation including around 30 for the mining sector. Looking only at employees in the extractive industries sector, Sif recruits its members mainly from employees and the intermediary professions. In 2005 it had around 950 members with an activity directly linked to mines and the extractive industries (or around 0.31% of the members of Sif). According to the trade union source, union membership is of the order of 80%. In the sector, Sif signed three branch agreements with Gruvornas Arbetsgivareförbund, Byggnadsämnesförbundet, and Industri-och Kemigruppen for the three conventional fields (mines, extraction of stones and extraction of minerals for industry).

LEDARNA (Swedish Association for Managerial and Professional Staff)

Following a disagreement between the TCO and the Swedish Association for Managerial and Professional Staff (LEDARNA), the latter was excluded from the TCO in 1997. LEDARNA recruits its members mainly from management staff (middle managers, foremen, and executive staff) principally in the private sector (the public sector represents about 9% of members) as well as from self-employed workers. The federation has an administrative staff of 106, and is financed by contributions from its members. In 2005, there were 70,500 active members. LEDARNA has about 409 members working in the extractive industries sector (or about 0.57% of its members). LEDARNA has concluded a collective agreement with the employers' association Gruvornas Arbetsgivareförbund for the mining sector and an agreement with Byggnadsämnesförbundet. It appears not to have any substantial involvement in quarrying.²¹⁸

²¹⁶ These two agreements, concluded for a period of three years (2004-2007), stipulate an increase in salary of 7.3% for the whole period and a reduction in working time of 0.5%.

²¹⁷ It can also be noted that the CF also negotiates on behalf of three other federations within SACO, namely *Juristförbund* (The Swedish Association of Lawyers), *Civilekonomerna* (The Swedish Association of Economists) and the association of Scientists.

²¹⁸ Source: According to the delegate at the negotiations (2006).

The various trade union associations in the extractive industries sector have a total of around 8,061 members, including all categories. Taking into account a volume of employment of about 16,500 workers²¹⁹ the overall rate of union membership was of the order of 92% in 2005. The cover rate of the collective agreements is very high and exceeds 95%. This high rate can be explained partly by the affiliation of all the major companies in the sector to the employers' associations described above. In addition, the cover rate is generally higher than the overall union membership rate because of the extension mechanisms (hängavtal) of the collective agreements to companies not affiliated to the employers' associations.

The trade union federations which are signatories to the collective agreements in the sector are part of the European Trade Union Confederation (ETUC) either through the LO for blue-collar workers (IF Metall) or through the TCO for white-collar workers (SIF) or through SACO for the CF (Civilingenjöröförbundet). The three federations are indirectly part of the Confederation of Free Trade Unions through their respective confederation. They are also members of the Nordic Industry Workers Federation (NIF, Nordiska Industrierbetarefederationen). Sif and CF are also members of EUROCADRE by belonging to the TCO and SACO. Finally, IF Metall is a member of the following branch organisations: EMCEF European Mine, Chemical and Energy Workers Federation and the ICEM (The International Federation of Chemical, Energy, Mine and General Workers' Unions). The Swedish Association for Managerial and Professional Staff (LEDARNA) is affiliated to the European Managers Confederation.

Workers' organisation(s)

| Organisation (English name) | Members | | Estimate of density | Collective Bargaining (Yes/No) | Affiliations | | | |
|---|---|---|---------------------|-----------------------------------|-----------------------|---|-----------------------|---|
| | Total number of the members of the organisation | Number of members who are working in the sector of mining and quarrying | | | European affiliations | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| The Metal Workers' Union | 440,000 | 4,100 (mines) 2,052 (quarrying) | 73 % | Yes | EMCEF | NIF: Nordiska Industrierbetarefederation | ICEM | Via LO affiliated to ETUC. Via LO affiliated to the International Confederation of Free Trade Unions (ICFTU). IMF |
| The Swedish Union of Technical and Clerical Employees in Industry | 300,000 | 700 (mines) 250 (quarrying) | 11.28 % | Yes | EMCEF | Via TCO affiliated to ETUC Via TCO affiliated to EUROCADRE EMF NM Nordic Metal NIF: Nordiska Industrierbetarefederation | ICEM | Via TCO affiliated to ICFTU IMF |

²¹⁹ Note: This figure includes branches of activity which are not part of the conventional fields under consideration.

| | | | | | | | | |
|---|--------|-------------------------------|-------|-----|-------|--|------|-------------------------------------|
| The Swedish Association of Graduate Engineers | 81,022 | 500 (mines) 50 (quarrying) | 6.5 % | Yes | EMCEF | Via SACO affiliated to ETUC Via SACO affiliated to EUROCADRE EMF NM Nordic Metal NIF: Nordiska Industriarbetarefederation FEANI | ICEM | Via SACO affiliated to ICFTU IMF |
| The Swedish Association for Managerial and Professional Staff | 70,500 | 409 | 4.8% | Yes | ND | EMC | ND | ND |

Source: Interviews with delegates at negotiations (2006).

2.2. Description of the employers' organisations active in the sector

Gruvornas Arbetsgivareförbundet (Swedish Employers Association of Mine Owners)

This employers' association was created in 1916 and is by right the negotiator in collective agreements. In 2004 it merged with another branch organisation Svenska Gruvföreningen (set up in 1941) to found SveMin (Swedish Association of Mines, Mineral and Metal Producers) the parent organisation through which Gruvornas Arbetsgivareförbundet is a member of the Confederation of Swedish Enterprise, Svenskt Näringsliv. The Federation finances its activities mainly through contributions from its members, and employs about 3.5 employees who work for the organisation. Gruvornas Arbetsgivareförbundet has a membership of about 29 enterprises (including 3 for the extractive industries strictly speaking) covering a total of around 6,200 employees²²⁰, including 5,300 for mines. For blue-collar workers, 1 collective agreement is concluded between Gruvornas Arbetsgivareförbundet, and IF Metall, and 3 agreements for white-collar workers with SIF, CF and Ledarna.

Byggnadsämnesförbundet (Swedish Building Material Industry)

Byggnadsämnesförbundet is a member of the Confederation of Swedish Enterprise, Svenskt Näringsliv. The Federation finances its activities mainly by contributions from its members, and employs about 2.25 employees who work for the organisation. Byggnadsämnesförbundet has a membership of about 186 enterprises covering a total or around 10,507 employees²²¹, including all branches of activity. For blue-collar workers, 1 collective agreement is concluded between Byggnadsämnesförbundet, and IF Metall, and 3 for white-collar workers with SIF, CF and Ledarna.

Industri-och Kemigruppen (Swedish Industrial and Chemical Employers Association)

²²⁰ Source: Interview with the delegate at the negotiations, 2006.

²²¹ Source: Interview with the delegate at the negotiations, 2006.

Industri-och Kemigruppen is a member of the Confederation of Swedish Enterprise, Svenskt Näringsliv. The Federation finances its activities mainly through contributions from its members, and employs about 15 employees who work for the organisation. Industri-och Kemigruppen has a membership of about 60 enterprises covering a total of about 700 employees²²². For blue-collar workers, 1 collective agreement is concluded between Industri-och Kemigruppen and IF Metall, and 2 agreements for white-collar workers with SIF and CF.

The employers' associations Gruvornas Arbetsgivareförbund, Byggnadsämnesförbundet and Industri-och Kemigruppen are affiliated to the Confederation of Swedish Enterprise **Svenskt Näringsliv** and through this are affiliated to UNICE (Union of Industrial and Employers' Confederations of Europe). Gruvornas Arbetsgivareförbund is also a member of the European Association of Mining Industries EUROMINES. Industri-och Kemigruppen takes part as an observer in the social dialogue in EUROROC through the branch association SSF (Sveriges Stenindustriförbund)²²³.

Employers' organisations

| Organisation (English name) | Members | | Estimate of density | Collective Bargaining (Yes/No) | Affiliations | | | |
|---|---|---|---------------------|-----------------------------------|-----------------------|--|-----------------------|--------|
| | Total number of companies that are members of this organisation | Total number of workers working in the companies which are members of this organisation | | | European affiliations | | Other affiliations | |
| | | | | | Related to the sector | Others | Related to the sector | Others |
| Swedish Employers Association of Mine Owners | 3 | 5,300 | 3 / 9*** = 33.3 % | Yes | EUROMINES | UNICE via the Confederation Svenskt Näringsliv | ND | ND |
| Swedish Building Material Industry | 186 | 10,507 | 186/197** = 94.4 % | Yes | ND | UNICE via the Confederation Svenskt Näringsliv | ND | ND |
| Swedish Industrial and Chemical Employers Association | 60 | 700 | 60/150* = 40 % | Yes | EUROROC (Observer) | UNICE via the Confederation Svenskt Näringsliv | ND | ND |

Sources:

* Interviews with the delegates to the negotiations (2006).

** SCB (National Institute of Statistics and Economic Studies).

***Bergsstaten (National Mines Office).

According to the Swedish Statistics Office SCB, in 2005, the extractive industries sector, strictly speaking, comprised about 214 enterprises with employees. The number of enterprises affiliated to the employers' associations Gruvornas Arbetsgivareförbund, Byggnadsämnesförbundet and Industri-och Kemigruppen, in 2005 was 275 including about 249 enterprises linked to the

²²² Source: Interview with the delegate at the negotiations, 2006.

²²³ Some enterprises, which are members of the European organisation IMA-Europe, are not directly members of the Confederation « Svenskt Näringsliv », such as Brogårdsand, for example. The enterprise is involved in social agreements, due to the extension mechanisms (hängavtal) of the collective agreements to enterprises not affiliated to the employers' associations. Brogårdsand is a member of EUROSIL (European Association of Industrial Silica Producers) and through this is a member of IMA-Europe. In the same way, Askania is a member of EUROSIL and thus of IMA-Europe. North Cape Minerals is a member of EUROFEL (European Association of Feldspar Producers) and thus of IMA-Europe. Finally, OMYA is an indirect member of IMA-Europe (through an affiliation to CCA-Europe, Calcium Carbonate Association-Europe). IMERY has not confirmed this affiliation.

extractive industries sector, the density is therefore 90.54 % (=249/275). It would appear that the affiliated enterprises are also those which employ the highest number of employees: the ratio of the number of employees in affiliated enterprises to the total number of employees in the sector is of the order of 78 % (=12,035/15,429).

3. DESCRIPTION OF THE SOCIAL DIALOGUE IN THE SECTOR AT NATIONAL LEVEL

3.1. The context of collective bargaining: sector level

The extractive industries sector has three branch employers' organisations: Gruvornas Arbetsgivareförbund, (Association of Mines, Mineral and Metal Producers in Sweden), and two employers' associations for the extractive industries: Byggnadsämnesförbundet (Swedish Building Material Industry) and Industri-och Kemigruppen (Swedish Industrial and Chemical Employers Association).

On the workers' side there are 4 trade union organisations which take part in collective branch negotiations ; for blue-collar workers the Federation IF Metall (The Metal Workers' Union) affiliated to the Swedish Trade Union Confederation, LO (Landsorganisation i Sverige) and for white-collar workers , the Federation SIF (The Swedish Union of Technical and Clerical Employees in Industry²²⁴) affiliated to the Confederation for Professional Employees, TCO (Tjänstemanna Central Organisation) and the Federation CF Civilingeniörs förbund (The Swedish Association of Graduate Engineers) affiliated to the Swedish Confederation of Professional Associations, SACO (Sveriges akademikers centralorganisation), and finally LEDARNA (The Swedish Association for Managerial and Professional Staff) an independent trade union organisation. It should be noted that the extractive industries sector groups together industries of a rather traditional type, often with lightweight structures and/or family-run (apart from the 3 large mining enterprises). These industries are characterised by a geographical location in the mining basins in the north and centre of the country as well as in the forest regions of the south-east, which explains the strong trade union tradition.

The extractive industries have three conventional fields, the extractive industries of minerals or mines strictly speaking, stone extraction and the extraction of minerals for industry. For the 3 conventional fields, 11 collective agreements are concluded between on one side the Swedish employers' associations for the extractive industries, Gruvornas Arbetsgivareförbund, Byggnadsämnesförbundet and Industri-och Kemigruppen, and on the other side the trade unions mentioned above, that is : four between Gruvornas Arbetsgivareförbund and respectively the Federations IF Metall, SIF, CF Civilingeniörs förbund, and LEDARNA; four between Byggnadsämnesförbundet and on the other side IF Metall, SIF, CF Civilingeniörs förbund and LEDARNA ; and finally three between Industri-och Kemigruppen and on the other side IF Metall, SIF and CF Civilingeniörs förbund.

The latest collective agreements in the extractive industries concluded in spring 2004 are valid for 3 years (2004-2007). Following the example of the other conventional fields, these collective agreements include general provisions concerning the conditions of work and pay (notice of dismissal, duration of work, paid holidays, level of compensation for overtime, training, legal absenteeism, parental leave). During the last round of negotiations, amongst the main subjects for negotiation, apart from the level of pay and its progress, questions touched on working time (duration and arrangements²²⁵). The collective negotiations reached an agreement to a pay increase of the order of 7.3% over three years (2.2%-2.3%, 2.8%). The wage package decided at branch level was calculated as a percentage on the basis of the salaried payroll of the enterprise generally as of 30 April of each year. The package is distributed at company level according to individualised criteria. For blue-collar workers a minimum increase is guaranteed to all workers but part of the overall package is subject to an individualisation process negotiated by the workers. For white-collar workers all of the wage package decided at branch level is subject to individualised distribution at company level.

According to the social partners questioned the rate of cover of the collective agreements in the extractive industries is very high and exceeds 95%. Also according to the same trade union sources, the rate of union membership is high, more than 85%.

The climate of negotiation, without being one of consensus, is not one of conflict and the social partners make an effort to reach a constructive compromise, according to one interviewee, based on "give and take". According to the social partners in the sector, the extractive industries have not experienced any industrial disputes in the past decade (Strikes lock-out).

²²⁴ For the questions we retained the former name of the Federation Sif.. Since 2004 the term "Sif" has been a meaningless acronym..

²²⁵ It was agreed that this question would be settled at local level and that a choice could be made between either a reduction in working time or an increase in salary of 0.5% added to the package at company level during the third period of the agreement.

4. COMMENT

The extractive industries sector groups together diverse enterprises which cover a range of different activities from extraction itself to prospecting, logistics, and the transformation and enrichment of metals and minerals.

The extractive industries in Sweden and especially mining have always been part of the industrial and economic landscape of the country, and they were the backbone of the Swedish economy during the Second World War. During the last decade, the extractive industries have experienced as a whole positive growth in volume in terms of the value added, particularly due to the activities in the mining branch. However the volume of employment in quarries has fallen during the period (about -11%). In other words the extractive industries have seen a large increase in productivity. Generally, the future prospects for the mining sector are relatively good given the level of demand internationally.

The extractive industries include three conventional fields, namely, mines, the extraction of stones and industrial minerals. Union membership in the extractive industries is high, with 85-95 % of employees being members of one of the four unions, the federations IF Metall, SIF, CF and Ledarna which are signatories to 11 collective agreements for the branch, three for blue-collar workers and eight for white-collar workers. The rate of cover of the collective agreements is also particularly high (> 90%) mainly due to the large enterprises in the extractive industries being members of the employers' associations, Gruvornas Arbetsgivareförbund, Byggnadsämnesförbundet and Industri-och Kemigruppen. During the latest negotiations (March 2004) the collective agreements covering three conventional fields were signed between the social partners for a period of 3 years (2004-2007). During the last decade no industrial dispute has taken place in the sector and the climate of negotiations, according to the social partners, is constructive. The social partners participate actively in the social dialogue both nationally and at European level, in particular through their membership of EMCEF for IF Metall and EUROMINES, and EUROROC for the employers in the mining branch, Gruvornas Arbetsgivareförbund, and Industri-och Kemigruppen for the quarries branch.

THE UNITED KINGDOM

1. DESCRIPTION OF THE SECTOR'S CHARACTERISTICS AT NATIONAL LEVEL

1.1. Delimitation and scope of activities in the sector

From a statistical point of view, the Mining and Quarrying sector includes the activities of NACE 10, NACE 12, NACE 13, NACE 14 nomenclatures. These cover the extraction of minerals occurring naturally as solids (coal and ores), liquids (petroleum), or gases (natural gas). From the point of view of the organisations that take part in this report, the sector includes mining of coal. The activities taken into account are those considered from a statistical point of view.

1.2. Socio-economic features of the sector

In 2004, the Mining and Quarrying sector represented about 0.27% of total employment and about 1.46% of total turnover. Between 1995 and 2004, the number of enterprises in the mining and quarrying sector decreased from 1,288 to 1,209 thousand, as shown in the Annual Business Inquiry. The total turnover has fallen by 1.6 per cent from £32.95 billion in 2002 to £32.43 billion in 2003. The average employment size of firms in the sector is about 53 employees.

Employment and output in the Mining and Quarrying Sector: Section C – Mining and Quarrying²²⁶

| Year | Number of enterprises | Total Turnover | Approximate gross value added at basic prices | Total employment-point in time | Total employment average during the year | Total employment costs |
|------|-----------------------|------------------|---|--------------------------------|--|------------------------|
| | <i>Number</i> | <i>£ million</i> | <i>£ million</i> | <i>Thousand</i> | <i>Thousand</i> | <i>£ million</i> |
| 1995 | 1,288 | 23,922 | 14,925 | ND | ND | 2,534 |
| 1996 | 1,274 | 27,507 | 18,633 | ND | ND | 2,533 |
| 1997 | 1,664 | 26,791 | 16,530 | ND | ND | 2,577 |
| 1998 | 1,609 | 23,953 | 13,120 | 80 | 81 | 2,542 |
| 1999 | 1,667 | 26,270 | 15,245 | 75 | 77 | 2,469 |
| 2000 | 1,654 | 36,513 | 22,289 | 75 | 74 | 2,669 |
| 2001 | 1,668 | 37,057 | 22,560 | 72 | 71 | 2,698 |
| 2002 | 1,711 | 32,950 | 19,279 | 68 | 67 | 2,682 |
| 2003 | 1,310 | 32,425 | 18,274 | 67 | 70 | 2,787 |
| 2004 | 1,209 | 34,301 | 20,067 | 63 | 65 | 2,725 |

Source: Annual Business Inquiry, Office for National Statistics, December 2005.

²²⁶ Mr. Pybus, from APEP, regrets that the "UK position is missing two key minerals, namely salt and potash, with combined production of approximately 2 million tones per year and employing approximately 2,000 workers. Perhaps they have been included in the totals, but potash and salt are specifically mentioned for the German and the Spanish reports – the UK report concentrates upon coal oil and gas and is therefore less than perfect in its coverage and conclusions." Contacted afterwards, the British experts confirms that the values for salt and potash are included in the totals. The number of employees who work in both industries is also included in the totals.

Companies NACE section C – Mining and Quarrying

| Sub-sectors | Number of Companies | % companies without SW | % companies with <10 SW | % Companies with 10-100 SW | % companies with > 100 SW |
|--|---------------------|------------------------|-------------------------|----------------------------|---------------------------|
| Total of the sector | 1,209 | ND | ND | ND | ND |
| Mining and quarrying of energy-producing materials | 459 | ND | ND | ND | ND |
| Mining and quarrying except energy-producing materials | 750 | ND | ND | ND | ND |

Source: Annual Business Inquiry, Office for National Statistics, December 2005.

Workers

| Sub-sectors | Number of workers | Number of SW | Number of SW /number of SW in the country (%) | Number of SW in Companies with <10 SW/number of SW in the sector (%) | Number of SW in companies with 10-100 SW/number of SW in the sector (%) | Number of SW in companies with >100 SW/number of SW in the sector (%) |
|--|-------------------|--------------|---|--|---|---|
| Total for the sector | 65,000 | 65,000 | 0.27% | ND | ND | ND |
| Mining and quarrying of energy-producing materials | 37,000 | 37,000 | 0.15% | ND | ND | ND |
| Mining and quarrying except energy-producing materials | 28,000 | 28,000 | 0.12% | ND | ND | ND |

Source: Annual Business Inquiry, Office for National Statistics, December 2005.

Most of the information on employers' and workers' organisations in this report relates to coal mining. In 2004 the sector represented around 0.04% of total employment with 9,000 workers and a turnover of £925 million representing 0.04% of total turnover.

Since the end of the 1984-1985 strike, when the miners were defeated, the mining industry has been dismantled. 79 pits have been closed, and over 100,000 miners' jobs have been destroyed. The coal mining sector, previously a strong and relatively large sector, has been in decline for many years although it may now stabilize. It is fully privatised and there are no significant changes in company sizes or in other trends.

The sector is structured by mid-size companies and SME's for coal concentrated in Scotland, South Wales, the North East, Yorkshire and the Midlands. All types of workers are involved and wages are above average for those geographical areas where the industry is concentrated. There are very few female employees although there is no data available on the exact number.

2. DESCRIPTION OF THE ORGANISATIONS ACTIVE IN THE SECTOR

2.1. Description of the workers' organisations active in the sector

Four major unions represent workers in the mining and quarrying industry in the UK.

a) NACODS

NACODS, the National Association of Colliery Overmen, Deputies and Shotfirers, has its roots in coal mining, and with the rapid decline of the industry, has now 440 members, down from nearly 20,000 in 1979²²⁷. It is funded by members' subscriptions. There is no data on the number of SW working for the organisation (staff). This organisation takes part in consultations at company and site levels and has agreements with UK Coal Mining plc. Data on the number of CAs signed by the organisation in the last years is unavailable. It is affiliated to EMCEF.

b) BACM-Team

The British Association of Colliery Management has historically represented management staff in coal mining and associated industries. It is funded by members' subscriptions. 40% of its members work in the mining industry. There is no data on the number of SW working for the organisation (staff). Data on the number of CAs signed by the organisation in recent years is unavailable, but this organisation has no major company presence. BACM is affiliated to the TUC, the ETUC, EMCEF, and through the TUC to ICFTU. It is also affiliated to FECER.

c) NUM

The National Union of Mineworkers has 3,042 members and represents the miners, their families and their communities. The NUM is very active industrially and politically and it is funded by members' subscriptions. The union presents itself as a unique organisation with a federal structure, which is comprised of area unions covering the length and breadth of Britain. The union has been highly successful in representing miners who suffered greatly from chest diseases and other injuries caused by the negligence of coal industry employers. There is no data available on the number of SW working for the organisation (staff) or the number of CAs signed in the last years.

d) Transport and General Workers' Union - TGWU

The TGWU has 820,118 members across all sectors. Its roots lie in the transport sector, but it has grown considerably by merging with other unions into one of Britain's largest trade unions covering a wide range of occupations and economic sectors. The Power and Engineering Trade Group has over 56,000 members in industries such as aerospace, steel and metals, energy and engineering. This trade group covers some workers in the mining industry but there is no data available on the number of members in this sector. It is funded by members' subscriptions. The TGWU has agreements with companies such as Alcan and Alcoa (Metals) and National Grid and Transco (Energy), which involve some mining work. Data on the number of CAs signed by the organisation in past years is unavailable.

Trade Unions

| Organisation | Type of SW | Members* | Members working in the sector | Density | CB | National affiliations | European affiliations | International affiliations |
|---------------|--|----------|-------------------------------|---------|--------|-----------------------|-----------------------|----------------------------|
| Original name | Type | Number | Number | % | yes/no | | | |
| NACODS | Supervisors in underground coal mining | 440 | ND | ND | No | TUC | EMCEF | - |

²²⁷ ACAS Industrial Relations Handbook, 1980, London HMSO.

| | | | | | | | | |
|------|------------------------------|---------|-------------|----|-----|-----|------------------------|-------|
| BACM | Managers | 3,580 | About 1,430 | ND | No | TUC | EMCEF FECER ETUC | ICFTU |
| TGWU | Process workers White collar | 820,118 | ND | ND | Yes | TUC | EMCEF ETUC | ICEM |
| NUM | All workers in coal mining | 3,042 | ND | ND | Yes | TUC | - | ICFTU |

* Source: union websites and communications with the unions.

2.2. Description of the employers' organisations active in the sector

Confederation of UK Coal Producers - COALPRO

The Confederation of UK Coal Producers is the trade organisation representing most of the deep and surface coal producers. COALPRO promotes the UK coal industry and best working practices throughout the industry to ensure the Health, Safety and Welfare of all. The Confederation works with the UK Governments, the Mineral Planning Authorities, Local Authorities and other agencies to access coal reserves for the benefit of local communities and the nation. COALPRO has 3 employees and its members include companies in the mining of coal, mainly SME's and affiliated suppliers. The Confederation is a legal organisation but with informal recognition. COALPRO is a signatory to the Opencast Coal Mining Agreement with the TGWU. Not all member companies are party to this agreement. COALPRO has no legal ability, or desire, to enforce participation. There is no sector-wide agreement for deep coal mining. It is affiliated to the CBI and EURACOAL.

Mining Association of the United Kingdom – MAUK

The Mining Association of the United Kingdom was founded in August 1946 under the name of the British Overseas Mining Association. The founding members were: New Consolidated Gold Fields Ltd; Johannesburg Consolidated Investment Co Ltd; Mining Trust Ltd; Rio Tinto Co Ltd; Union Corporation Ltd; General Mining and Finance Corporation Ltd and Mason and Berry Ltd. The issues which the Association dealt with on behalf of this original group were mainly taxation issues.

In 1966 this name was changed to the Overseas Mining Association and in 1976 the name was changed to its present style when it merged with the United Kingdom Metal Mining Association. The Association was established to promote and foster the interests of the metals and mining industry in any part of the world. Today the Association's members include all the major industrial mineral mining operators in the United Kingdom. Its work is concentrated on representing its members' interests at Government and European level on environmental and health & safety issues. It is actively involved in lobbying and consulting on proposed legislation. It is affiliated to the CBI, Euromines and Eurometaux.

Quarry Products Association – QPA

The Quarry Products Association is the trade association for companies involved in supplying crushed rock and sand and gravel from land and marine sources, asphalt and flexible paving, ready-mixed concrete, silica sand, agricultural lime, industrial lime, mortar, slag, recycled materials and construction and quarrying plant. In representing the interests of over 90% of the UK quarrying industry, the QPA is the key national contact on every aspect of that industry. The QPA also represents members' interests on policy, planning and technical matters with government departments, local authorities, professional trade bodies and other key audiences at European, national and local levels. It has 86 organisation members and 24 employees working for the Association. The following organisations are constituent bodies of the Quarry Products Association – Agricultural Lime Association (ALA), British Marine Aggregate Producers Association (BMAPA), British Lime Association (BLA), Mortar Industry Association (MIA), Silica and Moulding Sands Association (SAMSA).

Employers' organisation

| Organisation | Sub-sectors covered | Companies | SW | Density Companies | Density SW | CB | National affiliations | European affiliations | International affiliations |
|--------------|---------------------|-----------|----|-------------------|------------|----|-----------------------|-----------------------|----------------------------|
|--------------|---------------------|-----------|----|-------------------|------------|----|-----------------------|-----------------------|----------------------------|

| Original name | | number | number | % | % | yes/no | | | |
|---------------|------------------------------------|-------------------|--------|----|----|--------|-----|-------------------------|---|
| COALPRO | Mining of coal | 21 ²²⁸ | ND | ND | ND | Yes | CBI | EURACOAL | - |
| MAUK | Mining of coal | About 18 | ND | ND | ND | ND | CBI | Euromines Eurometaux | - |
| QPA | Quarrying of rock, gravel, sand | 86 | ND | ND | ND | ND | - | IMA-Europe | - |

Source: Confederation of UK Coal Producers (COALPRO) and companies' websites, 2006.

3. DESCRIPTION OF THE SOCIAL DIALOGUE IN THE SECTOR AT NATIONAL LEVEL

3.1. Description of the tripartite concertation in the sector

Trade unions and employers organisations are consulted occasionally by the state but there is no formal link with the government. Consultations called by the Government may seek views from workers' and employers' organisations but are done separately. Joint responses by workers and employers are informal and ad hoc.

3.2. Description of the bipartite social dialogue in the sector

Collective bargaining over pay takes place at sector and company level. The workers' and employers' organisations identified at this level are the Confederation of UK Coal Producers – COALPRO and the Transport and General Workers' Union – TGWU. They are the signatory parties to the Collective Agreement in force at the moment. The agreement is for the Opencast sector only and not all member companies are participants. It was signed in 2006. The content of the agreement is related to minimum rates of pay and other conditions of employment (e.g. holidays, pensions). The agreement has duration of one year and covers manual and blue-collar workers.

a) At company level

The players at this level were identified as individual companies, NUM, NACODS and BACM for the deep mines sector and individual companies and TGWU for the opencast sector. However, there is no data available on the number of collective agreements signed at this level or the number of employees covered by these agreements.

b) At site level

There is no data on collective agreements signed at this level.

4. COMMENT

The UK's primary energy consumption in 2004 was 353.5 mtce with natural gas accounting for the largest share (39.8%), followed by oil (35.4%), hard coal (15.9%) and nuclear energy (7.5%). UK hard coal consumption and production have also decreased dramatically over the last fifteen years due to an increase in gas-fired power generation, the rationalisation of colliers in the run-up to privatization in 1995 and more recently as mines reach the end of their economic lives. However, the introduction of more competitive electricity trading arrangements in 2001 has seen coal demand stabilise, assisted by a firming of gas prices. Consumption of hard coal in the UK in 2004 was 60.6 million tonnes, of which 50.5 million tonnes was used for electricity generation. Hard coal consumption in the steel industry was 6.4 million tonnes. The UK's coalmines are mainly located in central and Northern England, South Wales and central and southern Scotland, where there is the largest concentration of surface mines. The quarrying sector of non energy-producing minerals such as, stone, limestone, sand, clay and gravel, produces £ 3 billion worth of products a year. The construction industry, which contributes around 10% of the nation's gross domestic product, is totally reliant on quarrying. Demand for those aggregates, which peaked at some 300 million tonnes a year in 1989, has now settled at around 210 million tonnes. Quarrying provides around 20,000 jobs directly and supports a similar number indirectly through the

²²⁸ Coalpro has 8 full members, 11 affiliate members and 2 associate members.

industry's spending on services. Many of these jobs are in rural areas where other employment opportunities can be scarce. Quarrying affects only 0.35% of the land area of England and Wales.

ANNEXES

A. REFERENCES*

*Besides the interview of organisations' representatives (see B. Validation).

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Italy

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- Malta Employers Association Website: <http://sites.maltanet.net/websites/mea/>
- National Statistics Office Website: <http://www.nso.gov.mt/>
- Union of United Workers Website: <http://www.uhm.org.mt/>
- Malta Chamber of Small and Medium Enterprises (GRTU): <http://www.grtu.org.mt>

The Netherlands

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Portugal

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The United Kingdom

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B. VALIDATION

1. NATIONAL VALIDATION

Austria

| Name of the organisation consulted | Name of the person consulted | Function of this person in this organisation |
|--|------------------------------|--|
| GMT | Karl Haas | General Secretary |
| ANG | Franz Rigler | Section Secretary |
| Fachverband der Bergwerke und der eisenerzeugenden Industrie | Mag. Hebert Bardach | Secretary |
| GPA | Michael Pieber | Secretary – Section Mining |
| Fachverband der Stein-und keramischen Industrie | Dr. Carl Hennrich | Secretary |
| GBH | Mag. Herbert Aufner | Secretary |

Belgium

| Name of the organisation consulted | Name of the person consulted | Function of this person in this organisation |
|--|------------------------------|--|
| Fédération des producteurs de Pierre bleue-petit granit | P. Garcia | |
| Union des carrières et scieries de marbre en Belgique | J. Georges | |
| Fédération des carrières de grès | Mr. De Thiers | |
| Groupement des sablières | C. Blervacq | |
| Fédération belge des dragueurs de gravier et de sable | F. Liebens | |
| Fédération des industries extractives et transformatrices de roches non combustibles | N. Rommel | |
| Fédération des entreprises céramiques de Belgique et du Luxembourg | J.P. Eeckman | |
| CG/AC | Mr. Van Mello | |
| SETCa/BBTK | J.-Cl. Fagnant | |
| CSC-Bâtiment Industrie | P. Cuppens | |
| CSC-Energie Chimie | I. Rodomonti | |
| CGSLB/ACLVB | D. Seghin | |
| CNE | M. Vandermosten | |
| LBC-NVK | P. Van Heddegem | |

Cyprus

| Name of the organisation consulted | Name of the person consulted | Function of this person in this organisation |
|--|------------------------------|---|
| Cyprus Builders, Wood, Miners and General workers Trade Union (PEO) | Marcos Tsieftes | Central Organising Secretary |
| Federation of Builders, Miners and Related Workers (SEK) | Yiannikis Ioannou | General Secretary |
| Federation of the Associations of Building Contractors of Cyprus (OSEOK) | Angelos Constantinou | General Secretary |
| Cyprus Chamber of Commerce and Industry | Vasilis Vasiliades | Officer responsible for the two associations for the sector |

Czech Republic

| Name of the organisation consulted | Name of the person consulted | Function of this person in this organisation |
|--|------------------------------|--|
| Trade Union of Building Workers of the Czech Republic (Odborový svaz Stavba ČR) | Bc. Zdeněk Král | expert - analyst |
| Employers' Union of Mining and Oil Industries (Zaměstnavatelský svaz důlnho a naftového průmyslu – Společenstvo těžařů ČR) | Ing. Josef Pomahač | executive director |
| Union of Mine, Geology and Oil Industry Workers (Odborový svaz pracovníků hornictví, geologie a naftového průmyslu) | Jaromír Vláčil | expert - analyst |
| Association of Entrepreneurs in Building Industries in the Czech Republic (Svaz podnikatelů ve stavebnictví v ČR) | | |

Denmark

| Name of the organisation consulted | Name of the person consulted | Function of this person in this organisation |
|--|------------------------------|---|
| Confederation of Danish Industries, DI | Helle Bundgaard | Chief Consultant |
| Danish Construction Association, Dansk Byggeri | Per Bjerregaard Jepsen | Consultant |
| Federation of United Workers, 3F | Per Sørensen | Union Secretary, negotiations and international relations |

Estonia

| Name of the organisation consulted | Name of the person consulted | Function of this person in this organisation |
|---|------------------------------|---|
| Eesti Põlevkivi | Anneki Teelaht | Head of the Eesti Põlevkivi Human Resource Department |
| Eesti Põlevkivi association of trade unions | Maido Agur | Head of Eesti Põlevkivi association of trade unions |
| Eesti Põlevkivi association of trade unions | Rein Tallemaa | Inspector of Labor Occupational Safety |

Finland

| Name of the organisation consulted | Name of the person consulted | Function of this person in this organisation |
|------------------------------------|------------------------------|--|
| Technology Industries of Finland | Ari Sipilä | Deputy Director, Industrial Relations |

| | | |
|--|-----------------------------------|---|
| Technology Industries of Finland | Ilkka Itäranta | Adviser, collective agreements, white collar |
| Finnish Metalworkers' Union | Kauno Koskela | Collective Bargaining Secretary |
| The Central Association of Earth Moving Contractors in Finland | Kimmo Laukkanen Tuomo Laitinen | Expert, labour law and collective agreements Department Manger |
| Construction Workers' Union | Matti Korhonen | Bargaining Officer |
| Finnish Association of Extractive Resources Industry | Olavi Paatsola | General Secretary |
| Finnish Association of Extractive Resources Industry | Lauri Siirama | Chair |
| Chemical Industry Federation | Martti Niskanen | Deputy Director General |
| Chemical Workers' Union | Seppo Wikström | General Secretary |
| Finnish Electrical Workers' Union | Antti Nieminen | Bargaining Officer |
| Union of Salaried Employees | Roni Jokinen | Bargaining Officer |
| Federation of Professional and managerial staff | Matti Viljanen | Chair |
| Technology Industries of Finland | Ari Sipilä | Deputy Director, Industrial Relations |

France

| Name of the organisation consulted | Name of the person consulted | Function of this person in this organisation |
|---|------------------------------|--|
| FO mineurs | Jean-Pierre DAMM | Secrétaire général |
| CGT mineurs | Alain Barrier | |
| UNICEM | Gerard Maussion | Responsables des affaires juridiques et sociales |
| Charbonnages de France | Sylvain Duda | Collaborateur du DRH |
| CFTC mineurs et carrières | Serge Brettar | |
| CFDT mineurs | Luc Meichelbeck | |
| CGT Carrières | Jacques Dandurrand | Secrétaire fédéral |
| CFDT Carrières | Pascal Roussel | Secrétaire national de la fédération |
| CGT-FO | Mr. Guelfucci | Secrétaire fédéral |
| CGC-CFE SICMA | Mr. Coudray | Secrétaire fédéral |
| Ministère de l'Economie et des Finances | Mr. Foata Direm | |

Germany

| Name of the organisation consulted | Name of the person consulted | Function of this person in this organisation |
|---|------------------------------|--|
| VKS Federation of the German Kali- and Saltindustry | Dieter Krüger | |

| | | |
|---|-------------------------------|--------------------------|
| IG BCE mining, chemicals and energy workers' union | Holger Nieden | Trade union secretary |
| Federation of the German Hard Coal Industry - GvST | Dr. Wolfgang Herting | Manager |
| German Brown Coal Association | Erwin Kaltenbach | Manager |
| UVst Enterprise Federation of the German Hard Coal Industry | Dr. Wolfgang Herting | |
| IG BAU Building, Agricultural and Environmental Union | Sigrun Heil Gisela Stürmer | Communications Officer |
| WV Bergbau (German Mining Association) | George Milojcic | Director |
| DEBRIV brown coal (lignite) employers | Uwe Maaßen | Meber of the Headwuarter |

Greece

| Name of the organisation consulted | Name of the person consulted | Function of this person in this organisation |
|---|------------------------------|--|
| Federation of Construction Workers and Allied Professions (OOSSE) | Ioan. Pasoulas | President of the Board |
| Greek Miners' Federation / Omospondioia Metalloryhon Elladas (OME) | Ioan. Konstandinides | President of the Board |
| Greek Federation of Handlers, Engine Drivers and Drilling Machine Operators (OHMGE) | Ant. Eliopoulos | President of the Board |
| Greek Federation of Mines –Lignite Pits- Quarries' Employees (OEMLLE) | Th. Theofylaktopoulos | Vice-President of the Board |
| Greek Mining Enterprises Association (SME) | Chr. Kavalopoulos | Director |
| Greek Federation of Marble Associations (OSME) | Ior. Piziklis | President of the Board |
| Association of Societes Anonymes and Limited Liability Companies (SAE-EPE) | G. Anastasopoulos | Legal adviser |
| Federation of Greek Industries (SEV) | Dion. Nikolaou | Director |
| Federation of Industries of Northern Greece (SVVE) | G Mylonas | President of the Board |
| General Confederation of Greek Small Business & Trades (GSEVEE) | S. Vassiliou | General Secretary of the Board |

Hungary

| Name of the organisation consulted | Name of the person consulted | Function of this person in this organisation |
|------------------------------------|------------------------------|--|
| Union of Mining and Energy | Ferenc Rabi | General Secretary |
| Hungarian Mining Association | Dr. Akos Zoltay | General Secretary |

Ireland

| Name of the organisation consulted | Name of the person consulted | Function of this person in this organisation |
|---|------------------------------|---|
| IBEC | Jim Rea | Representative for Tara Mines |
| IBEC (Irish Mining and Expolration Group) | Sean Beary | Irish Mining and Exploration Group Representative |
| Irish Mining and Quarrying Society | Fergus Gallagher | Irish Mining and Quarrying Society Representative |

| | | |
|---------------------------|---------------|---------------------------|
| SIPTU | John Reagan | Tara Mines Representative |
| CIF | Justin Molloy | Quarry Representative |
| TEEU | Dan Miller | Quarry representative |
| Irish Concrete Federation | John Maguire | Chief Executive Officer |

Italy

| Name of the organisation consulted | Name of the person consulted | Function of this person in this organisation |
|------------------------------------|------------------------------|--|
| Assomineraria | GIARDA, Monica | Coordinator, Mining Sector |
| FILCEM-CGIL | GARZINO, Gino | National Secretary |
| | SPLENDORINI, Simona | Responsible, Historical Archive |
| | VALERI, Gabriele | National Secretary |
| | MORSELLI, Alberto | General Secretary |
| UILCEM-UIL | PASCUCCI, Augusto | National Secretary |
| FEMCA-CISL | QUADRELLI, Bruno | Directive, Energy Sector |

Latvia

| Name of the organisation consulted | Name of the person consulted | Function of this person in this organisation |
|--|------------------------------|--|
| Employers' Confederation of Latvia | Edgars Korcagins | Deputy Director General |
| Environment, Geology, and Metereology Agency of Latvia | Vladimirs Krutofals | Head of licencing section |
| Free Trade Union Confederation of Latvia | Peteris Krigers | Chairman |
| Regional Trade-Union Organisation „Broceni“ | Agita Ose | Chairwoman |

Lithuania

| Name of the organisation consulted | Name of the person consulted | Function of this person in this organisation |
|---|------------------------------|--|
| Association of Lithuanian Aggregate Producers | Dr. Skirmantas Skriskas | President |

Luxembourg

| Name of the organisation consulted | Name of the person consulted | Function of this person in this organisation |
|------------------------------------|------------------------------|--|
| OGB-L Syndicat Sidérurgie et mines | Alain Kinn | Conseiller juridique |
| LCGB Secteur artisanat et bâtiment | Joel Rameisl | Secrétaire syndical |

Malta

| Name of the organisation consulted | Name of the person consulted | Function of this person in this organisation |
|------------------------------------|------------------------------|--|
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| | | |
|--|----------------------|--|
| Federation of Industry (FOI) | John Scicluna | Administration Manager |
| Building Industry Consultative Council | Claudio Tonna | Executive Board Secretary |
| Malta Chamber of Small and Medium Enterprises (GRTU) | Gejtu Abdilla | GRTU Representative |
| General Workers' Union (GWU) | Charles Agius | Metal and Construction Section Secretary |
| Union of United Workers (UHM) | Nicholas Baldacchino | Manufacturing and Services Section Secretary |

The Netherlands

| Name of the organisation consulted | Name of the person consulted | Function of this person in this organisation |
|------------------------------------|------------------------------|---|
| FNV Bouw | L. Elzinga | Administrator Dredging and Hydraulic Engineering Sector |
| FNV Bouw | H. Wijers | Administrator Gravel Dredging Sector |
| Hout- en Bouwbond CNV | A. van den Brink | Administrator Dredging and Hydraulic Engineering Sector |
| FNV Bonsgenoten | G. Klinkenberg | Administrator Industrial Sectors |
| VBKO | S. Hoek | Staff member and secretary social dialogue |
| NBVG | H. Schinkel | Staff member |
| ENCI | P. Lanser | Staff member |

Poland

| Name of the organisation consulted | Name of the person consulted | Function of this person in this organisation |
|---|------------------------------|--|
| The Union Miners of Poland | Dariusz Potyrała | vice-president of ZZG; |
| | Wacław Czerkawski | vice-president of ZZG & co-president of the Tripartite Team for Social Welfare of Miners |
| Związek Zawodowy "Kontra" | Krzysztof Kozik | Vice-chairman |
| Związek Zawodowy Jedności Górniczej | Jerzy Sarata | President |
| Związek Zawodowy Ratowników Górniczych w Polsce | Piotr Luberta | President |
| Związek Zawodowy Pracowników Dołowych | Jerzy Demski | Vice-chairman |
| ISGTU "Solidarność", National Secretary of Mine and Energy Workers Union | Kazimierz Grajcarek | president |
| Związek Zawodowy Pracowników Przeróbki Mechanicznej Węgla „Przeróbka” | Sławomir Łukasiewicz | president |
| Independent Self-Governing Trade Union "Solidarność'80" | Stanisław Brzeziniak | president |
| Porozumienie Związków Zawodowych "Kadra" | Dariusz Trzcionka | president |
| Związek Zawodowy Pracowników Technicznych i Administracji "Dozór" w Lubinie | Krzysztof Jagiello | Vice-president |
| Związek Zawodowy Pracowników Przemysłu Miedziowego | Ryszard Kurek | Vice-chairman for affairs mining industry |

| | | |
|---|-------------------------|-----------------------------------|
| Związek Zawodowy Maszynistów Wyciągowych Kopalń w Polsce (ZZMWK) | - | - |
| Związek Pracodawców "Polska Miedź" | Michał Kuszyk | vice-president |
| Związek Pracodawców Górnictwa Węgla Kamiennego | Stanisław Jędrzychowski | president |
| Confederation of the Polish Lignite Industry | Ada Poszeleżny | representative of the Association |
| Ministry of Labour and Social Policy, Department of Social Dialogue and Partnership, The Tripartite Team for Social Security of Miners & The Tripartite Team for Socio-Economic Restructuring of Sulphur Mining and Processing Industry | Andrzej Magrzyk | Secretary of teams |

Portugal

| Name of the organisation consulted | Name of the person consulted | Function of this person in this organisation |
|------------------------------------|------------------------------|--|
| FEVICOM | Fátima Messias | General Secretary |
| FEQUIMETAL | João Silva | General Secretary |
| ANIET | Francelina Pinto | Executive Director |
| ASSIMAGRA | Miguel Goulão | General Secretary |
| SINDEQ | Francisco Negrões | General Secretary |

Slovak Republic

| Name of the organisation consulted | Name of the person consulted | Function of this person in this organisation |
|---|------------------------------|--|
| Trade Union of Chemistry SR | Juraj Blahak | chairman |
| Association of Chemical and Pharmaceutical Industry of the Slovak Republic | Rudolf Glasa | General Secretary |
| Association of Metallurgy, Mining Industry and Geology of the Slovak Republic | Jan Hijj | General Secretary |
| Trade Union of the Employees in Mining, Geology and Oil Industries of the Slovak Republic | Miroslav Gazdik | Chairman |

Slovenia

| Name of the organisation consulted | Name of the person consulted | Function of this person in this organisation |
|---|------------------------------|--|
| Trade Union of Chemical, Non-Metallic and Rubber Industry of Slovenia | Milica Dabanovič | General Secretary |
| NonMetals Association | Martin Debelak | Director |

Spain

| Name of the organisation consulted | Name of the person consulted | Function of this person in this organisation |
|--|------------------------------|--|
| CCOO-FM (Federación Minerometalúrgica) | Rafael Varea | Secretario de Estudios |

| | | |
|---|-----------------|--|
| CCOO-FECOMA (Federación Estatal de Construcción, Madera y Afines) | Jose Luis López | Secretario de Formación Sindical, Estudios y Servicios Jurídicos |
| ELA-Hainbat | Gurutz Gorraiz | Secretario General |
| UGT-FIA (Federación de Industrias Afines) | Antonio Deusa | Secretario General |

Sweden

| Name of the organisation consulted | Name of the person consulted | Function of this person in this organisation |
|---|-----------------------------------|--|
| Gruvornas ArbetsgivareFörbund – Swedish Association of Mines, Mineral and Metal producers | Robert Schön | Délégué aux négociations |
| Industri och kemigruppen- Swedish Industrial and Chemical Employers association | Tom Johansson | Délégué aux négociations (carrières) |
| Byggnadsämnesförbundet -BAF-Swedish building material industry | Arne Sehlström | Délégué aux négociations (carrières) |
| IF Metall | Tommy Andersson Göran Nilsson | Délégué aux négociations (mines) Délégué aux négociations (carrières) |
| Civilingenjöröförbundet, CF, The Swedish Association of Graduate Engineer | Christine Villa Orvar Turegård | Délégué aux négociations (mines) Délégué aux négociations (carrières) |
| Svenska Industritjänstemannaförbundet SIF (The Swedish Union of technical and Clerical Employees in Industry) | Anders Boström Torbjörn Olsson | Délégué aux négociations (mines) Délégué aux négociations (carrières) |
| LEDARNA (The Swedish association for managerial and professional staff) | Börje Hammarström | Délégué aux négociations (mines) |

The United Kingdom

| Name of the organisation consulted | Name of the person consulted | Function of this person in this organisation |
|------------------------------------|------------------------------|--|
| NACODS | Ian Parker | National Secretary |
| BACM-Team | General company email | - |
| NUM | Steve Kemp | National Secretary |
| TGWU | Jim Mowatt | National Secretary |
| COALPRO | David Brewer | Director General |
| MAUK | Robert Fenton | Director |
| QPA | General company email | - |

2. EUROPEAN VALIDATION

| Name of the organisation consulted | Name of the person consulted | Function of this person in this organisation |
|------------------------------------|------------------------------|--|
| EMCEF | Patrick Mazeau | Deputy Secretary General |
| APEP | Ernst-Ullrich Krische | European Affairs, K+S Aktiengesellschaft |
| EURACOAL | Thorsten Diercks | Secretary General |
| EUROMINES | Corina Hebestreit | Director |
| IMA-Europe | Michelle Wyart-Remy | Secretary General |