consultingeuropa

CONFEDERATION SYNDICAT EUROPEÆN TRADE UNION

CORPORATE SOCIAL RESPONSIBILITY

Union thinking on the EU Strategy 2011-2014 for Corporate Social Responsibility

June 2013

Final report – Corporate Social Responsibility –
Union Thinking on the EU Strategy 2011–2014 for Corporate Social Responsibility

Contract 2012 06
European Trade Union Confederation (ETUC)

The study was conducted by Natacha Seguin of Consulting Europa with the aid of her ConsultingEuropa colleagues Jörg Weingarten and Liesbeth van Criekingen.

The study was overseen by a Steering Committee comprising a Project Director, Patrick Itschert (ETUC Deputy General Secretary), and a Project Manager, Juliane Bir (ETUC Advisor).

The ETUC and the authors of this report would like to thank the national trade unions and sectoral federations for their time responding to the questionnaire and meeting the experts.

With the financial support of the European Commission

consultingeuropa

CONFEDERATION SYNDICAT EUROPEAEN TRADE UNION

REPORT

CORPORATE SOCIAL RESPONSIBILITY

Union thinking on the EU Strategy 2011-2014 for Corporate Social Responsibility

CONTENTS

PREFACE

Is Corporate Social Responsibility (CSR) 'the proverbial good tree that hides a forest of bad practices', a marketing operation, the privatisation of law, a means of weakening the power of unions... or, on the contrary, a tool or a 'lever' for social and environmental progress where circumstances in terms of standards, legislation, industrial relations and social dialogue do not do enough to promote this?

The previous report by the European Trade Union Confederation (ETUC), 'European trade unions and Corporate Social Responsibility' published in May 2004 (1), shows that while at the time few trade unions were deeply sceptical about CSR, many of them admitted to a lack of knowledge about the notion that had emerged in the 1960s and been more widely discussed at the European level since the late 1990s. Others took a cautious, even distrustful, position. However, the majority of members of the ETUC still thought that CSR was, at the very least, a means of making progress on social dialogue and social benefits.

Unfortunately, the way in which discussions within the Multi Stakeholder Forum have become bogged down as well as the Commission's 2006 Communication have shown that the cautious were closer to the mark. Therefore, the ETUC has largely disengaged from CSR although, at the same time, several of its members have developed their expertise and activities in the area.

However, the substantial work carried out internationally regarding the principles and priorities of CSR have since developed and strengthened the global framework. Paradoxically, despite the progress made, too many problems remain, whether in Europe or elsewhere – of which the tragic collapse of the Rana Plaza in Dhaka (Bangladesh) is a sad illustration.

Almost 10 years after the first report, and given how discussion on the subject has moved on – as shown by the Commission's new Communication of 2011 – but also bearing in mind the European financial and socio-economic crisis, it made sense for the ETUC to once again take stock of the changes in trade union practice and priorities.

This report is a genuine mapping exercise, an inventory of 'raw data' illustrating the progress of the - sometimes very different - discussions, questions, positions and activities of members in 2013. It must be acknowledged that the debate over whether CSR is a tool or an illusion rages on. But even the most doubtful members concede that the concept has become a 'reality', a 'given', that must be incorporated and appropriated as corporate social - or rather societal - responsibility can, under certain conditions, have positive 'effects' on society. New priorities and ideas for follow-up emerged from the project's final conference and are set out in the conclusions.

Patrick Itschert

Deputy General Secretary ETUC

(1) François Beaujolin, 10 mai 2004

INTRODUCTION

The Commission's Green Paper on CSR in July 2001 - followed by the implementation of a Multi Stakeholder Forum (MSF) - raised the trade union movement's expectations of CSR in a number of respects. However, the way in which the discussions (which ended on 29 June 2004) unfolded in this MSF and the gradual transfer of this issue from the Directorate-General for Employment to the Directorate-General for Enterprise prompted the ETUC to adopt a resolution that strongly criticised the whole enterprise (Executive Committee meeting of 9 and 10 June 2004). In parallel, the ETUC had had its own discussions on CSR.

The failings of the Communication from the Commission of 22 March 2006, the definition of CSR given there and the establishment of a 'European Alliance for Corporate Social Responsibility' open only to businesses, but effectively responsible for implementing various aspects of the Communication, ultimately caused NGOs and the ETUC to withdraw from the Community process to focus their efforts on other fora, even though at national level several members have developed activities in this area.

The new Communication of 25 October 2011, which concedes that "important challenges remain" despite the progress made, contains significant improvements vis-à-vis the Communication from 2006. Therefore, in its 2011 resolution the ETUC endorsed this new Commission Communication, in particular the new definition of corporate social responsibility as well as the precise agenda for action for 2011-2014. This agenda for action incorporates some 30 proposals based on eight objectives.

While highlighting certain limitations, the ETUC wanted to take advantage of the opportunities afforded by the agenda for action to make improvements to it on the basis of trade union priorities.

This is the reason why the ETUC chose to roll out this new project, giving ConsultingEuropa the task of partially implementing it.

This project has three main objectives:
- to carry out a study to find out the new CSR practices that have developed among ETUC members since 2006;
- to draw up union priorities;
- to develop a policy message regarding the agenda for action 2011-2014.

The project was based on three main outputs: a survey, a work seminar and a final conference.

Three issues form the basis for the study:
- the organisation's familiarity with the concept of CSR;
- the follow-up to trade union action and activities related to CSR;
- future union action involving CSR.

More than five years after the previous study, it enables an assessment to be made of what changes have occurred, what progress, if any, has been made, what initiatives have been taken, which good practices have been implemented and which (new) trade unions have taken up the issue?

In November, the ETUC sent its members – European confederations and federations - a questionnaire. The experts received 21 returns from Belgium, Bulgaria, Cyprus, Finland, France, Germany, Italy, Latvia, the Netherlands, Norway, Poland, Portugal, Spain, Sweden, the United Kingdom and a federation, the EPSU.

Visits to six countries (France, Germany, Italy, Poland, Sweden and the United Kingdom) and a workers' federation, the EPSU, were organised so that the study could be complemented with interviews in the field. The experts met the EPSU and in:

- **France:** CFDT and CGT;
- **Germany:** DGB;
- **Italy:** CGIL, CISL and UIL;
- **Poland:** Solidarnosc;
- **Sweden:** LO and TCO;
- **United Kingdom:** TUC and Prospect;

They also conducted keyword searches on the websites of the member organisations which had a website in French or English.

The launch seminar took place in Brussels on 28 and 29 November 2012 and brought together 20 participants from 13 countries, representing 17 members.

The ETUC's starting point was that the final report of the forum (MSF) in 2006 was a snapshot of the discussions at a particular point in time. It was therefore essential for European unions to continue to develop their thoughts, while in particular ensuring its consistency with the Europe 2020 strategy.

It should be reiterated that CSR is a 'mixture' of voluntary and regulatory measures; it must also be part of a framework and guidelines to be set at European level.

Thus, this seminar was an opportunity both to take stock again of how work has progressed (new European Commission Communication) and for ETUC member organisations to discuss this issue. Following this seminar, a follow-up conference was organised in Brussels on 14 and 15 May 2013.

The conference covered monitoring of the seminar's interim conclusions, the priorities of the trade unions, the trade union contribution to the Commission's agenda for action and a presentation of the conclusions of the new study.

1

CSR and Trade Unions:

PRAGMATIC BUY-IN

The concept of CSR has moved forward towards a more mainstreaming perspective. Today it is more difficult for representatives of the business community to argue that their responsibility is limited to shareholders (- at least in public!).

Having said this, it is a great challenge to raise the trade union voice in the 'chorus' of consultants, auditors, NGOs of different kinds, environmental organisations, government officials (who think that as long as the company is Swedish or European everything is OK) and so on", **LO-Sweden**

The Swedish union's position encapsulates rather well the position of most unions on CSR. It falls within the scope of union action (1.1) but to be a useful tool in progressing workers' rights, it needs to be more credible (1.2).

1. 1. THE FAMILIARITY OF UNIONS WITH CSR

Since the concept of CSR arrived in France from the English-speaking world in the 1990s, European trade unions have been working on it. However, they started talking about the relevant topics even before 'CSR' and the other terminology associated with it (sustainable social responsibility, sustainable development, sustainable human development, etc.) saw the light of day, since the substantive issues covered by CSR offer trade unions new areas and means for action.

Today, although trade unions differ in their approach to CSR and although some unions do not use the term, the subject-matter is familiar to most unions (1.1.1) who have gained expertise on the subject (1.1.2).

1.1.1. Union Work on Defining and Understanding the Concept

LThe arrival of CSR in public debate and in businesses has resulted in jargon that unions, like other organisations, have had to appropriate (**LO**-Denmark has developed a glossary of CSR terms). Today, none of them are unaware of sustainable development and its application in business in the form of *corporate social responsibility.*

In order to appropriate the concept more effectively and in the absence of a legal definition, unions have often developed their own definition based on the institutional definitions of the European Union, their social contexts and the culture of their labour relations. For example, in Italy, all subjects that do not fall within the legal scope of the collective agreement fall under the banner of CSR.

All the unions that responded to the questionnaire recognise that the Commission's new definition, *"the responsibility of enterprises for their impacts on society"*, is better than the previous one. According to the International Trade Union Confederation (**ITUC**), "the definition proposed by the Commission goes back to the first meaning of the term *responsibility*: to be responsible for the consequences of one's actions. It goes some way to solving the problem of CSR for trade unions, since while companies see CSR as a public relations issue and unions as a means of securing sustainable development, it is in fact neither one nor the other. It allows companies to be held accountable for the consequences of how they conduct business."

However, ETUC member organisations wonder how they can make the Commission's definition operational.

Although they welcome the fact that the definition is accompanied by an action plan, they are quite sceptical about whether this plan will make the definition more tangible, as business leaders do not think in terms of the 'impacts' of their business when organising their activities. The new definition implies a cultural change among business leaders in the way they think about their business, how it operates, its responsibility, its contacts, and so on.

Some unions have proposed a joint union/employer definition of CSR. In June 2009, the social partners in the electricity sector, **EPSU** and **INDUSTRIALL** for workers and EURELECTRIC for employers, made public a joint position on CSR: *"The European electricity industry social partners EURELECTRIC, EPSU and INDUSTRIALL have endorsed the EC's definition of CSR believe that "demonstrating their social responsibility and voluntarily taking on commitments which go beyond regulatory and conventional requirements... entails the need to monitor standards of social development, respect for fundamental rights, embrace open governments, and reconcile the interests of various stakeholders in an overall quality-driven approach".*

We should note that some unions, such as **TCO** in Sweden and **DEOK** in Cyprus, use the term CSR very little and prefer sustainable development, while the **CGT** uses the term sustainable human development: *"It is a matter of moving beyond the three foundation stones of sustainable development – economic, social and environmental – towards a comprehensive approach that might be characterised by three questions: What are the human needs of today and tomorrow? What are our aspirations for 'living better together' here and worldwide? What type of development do we need to respond to this?"*

TCO, Sweden : *"The term CSR is not used within TCO, either internally or externally. The term 'sustainable development' is more widespread when referring to issues encompassing social, economic and ecological dimensions (triple bottom line)"*

Other organisations explain that they use the term *sustainable development* as it in more general than *CSR* and better illustrates the idea that it involves everyone.

1.1.2. Trade Union Expertise on CSR

Although CSR also addresses social issues and although several scandals have in some cases highlighted irresponsibility on the part of company management in terms of respecting workers' rights, unions have had to fight to be accepted as legitimate partners in the discussions that fed into CSR. To do this, they have gained the necessary expertise for their particular experience of CSR to be recognised. Indeed unions are both a part of the company and, as workers, an internal stakeholder.

How unions operate with regard to CSR

Several unions have one or more experts on CSR.

In some organisations, there is a confederal secretary with a CSR mandate and sustainable development mandate (for example the **CFDT** in France and **Podkrepa** in Bulgaria). But in most organisations CSR is overseen, according to the skills and subjects, by other departments: departments for economics, international affairs, co-determination, European works councils or social dialogue and collective bargaining.

This distribution of competence with regard to CSR exists because the majority of unions support the idea that CSR should not be a specialism but instead should be connected with and incorporated into different union work strands: *"**NSZZ Solidarnosc** doesn't treat CSR as a separate issue, but as a kind of tool for ensuring the consistency of its policies."*

To coordinate work on CSR, some organisations have created a 'body' which brings together representatives of federations, union branches, and so on, e.g. the **CGT***'s Sustainable Development Collective*, and the **TUC***'s Trade Union Sustainable Development Advisory Committee* (TUSDAC).

By the same token, the issue should not be left as the prerogative of a few trade unionists. To develop the competence of union officials on CSR and to ensure that the different levels of the organisation are familiar with CSR, the unions have developed training programmes for union officials (**CFDT** and **CGT** in France, **CGIL–CISL–UIL** in Italy, **CITUB** in Bulgaria, **LO** in Sweden, **NSZZ Solidarnosc** in Poland). This training takes place at different levels of the organisation and is either delivered by the union itself or by an 'associated' body. The unions have used European funds to develop such training.

Having the right resources

With this issue, as with many others, the question arises as to the resources that unions can dedicate to CSR. According to the *EPSU*, *"In order to be useful and credible, the CSR tools (charter, framework agreements, reporting and so on) must be accompanied by control mechanisms, checking and resources. Having the resources to understand and monitor the commitments of the company management is essential.* In theory, trade union officers may have many monitoring tools but if they do not have the resources to check what happens in practice within the company, these tools will not be effective."

One response to the lack of union resources lies in the special contacts they have with think-tanks who provide analysis on CSR-related subjects.

Etudes sur la RSE réalisées par/pour les organisations syndicales

Country	Trade Union	Subject of study
Belgium	CGSLB/ACLVB - CSC/ACV	Reporting and multinational companies
Bulgaria	CITUB	Analysis of CSR practice (2009) and social audits (2012) CSR in Bulgarian subsidiaries of multinational companies (2008)
France	CFDT	Reporting, a subject for social dialogue?
	CGT	The reporting practices of French companies
Sector	EPSU	Company reporting, case studies of multinational companies, European works councils and CSR, European electricity companies and CSR
Sweden	TCO	Economic and environmental development of 134 countries, *The TCO Rio Ranking report.*

Source: ETUC/ConsultingEuropa questionnaire responses

Since the 1990s and their first work under the banner CSR, unions have developed considerable experience and are developing different approaches to CSR. For some of them, CSR can be a useful tool in attempting to give substance to the European Social Model, but only subject to certain conditions.

1.2. BUY-IN WITHOUT NAIVETY: CSR AND UNION CREDIBILITY

Despite the pervasive nature of the concept of CSR in the discourse of many businesses, trade unions have drawn mixed conclusions about progress on the subject (1.2.1) and consider that conditions for ensuring social responsibility have yet to be met (1.2.2). They are therefore continuing to work on strengthening international standards (1.2.3) and developing their own expertise in the vast field of CSR (1.2.4).

1.2.1. Reality of CSR: Mixed Results According to Trade Unions

Over the 10 years of a voluntary approach, CSR has failed to overcome certain difficulties.

- "Failure of existing CSR approaches to adequately reduce/address adverse impacts of companies.
- Frustration with a lack of credibility/accuracy in CSR reporting
- Very limited progress in company public disclosure of business relationships and their own reporting on impacts." **TUC**
- "A marketing tool – a luxury so there are no binding measures", **FGTB/ABVV**
- "In law and in particular in the Constitution there are articles that might promote corporate social responsibility yet they are not applied", **CGIL**
- "CSR is only accepted by the company if it remains under internal control; any judgment from outside is seen as dangerous", **CGT**

According to unions, the crisis has acted as a brake on CSR. However, there are some encouraging signs.

- "Growing recognition of the role of industrial relations in tackling existing CSR failures
- The growing recognition of the limitations that audits and codes of conduct can have on improving employment practices in global supply chains, and the search for better methods of understanding and addressing the impact.
- The development of the UN Framework on Business and Human Rights has been positive in defining the responsibilities of companies and the duty of states.
- The increasing uptake of global framework agreements, particularly those that have more practical country-level, or regional-level commitments on building positive industrial relations.
- Increase in corporate campaigning, particularly through social media, as well as the growing use of complaints filed under the OECD Guidelines.
- Slow improvements in the effectiveness of National Contact Points under the OECD Guidelines.", **TUC**
- "The issue became more visible and stakeholders became more familiar in related policies", **SEK**
- "Consumers are much better informed - many of them want to buy products that are 'clean'. Politicians see the change of attitude and may fear for election losses.", **FNV**
- "Investment indices and ensuring a good image play a role", **EPSU**

Drawing on these observations, the trade unions have solutions to propose to enhance the credibility of CSR.

1.2.2. Union Conditions for Social Responsibility

Prerequisite: compliance with legislation and collective agreements

Unions reiterate that CSR *"is a tool for moving forward, not a substitute for legal obligations or collective agreements"* (**CGSLB/ACLVB – CSC/ACV**). From this point of view, the new Commission communication on CSR which in its definition of CSR emphasises that *"Respect for applicable legislation, and for collective agreements between social partners, is a prerequisite for meeting that responsibility"* is a step forward.

The failure of unilateralism: the involvement of workers in CSR initiatives

"Company executives are more afraid of CSR than the trade union organisations; that is why they do not want the trade unions to be included in the process", **CGIL–CISL–UIL**

ETUC members reiterate that unilateralism on CSR initiatives has shown its limitations; they therefore welcomed the provision of the Commission's Communication which stipulates: *"To fully meet their corporate social responsibility, enterprises should have in place a process to integrate social, environmental, ethical, human rights and consumer concerns into their business operations and core strategy (...)".*

Many organisations highlight that workers must be involved at all stages of the development of CSR initiatives within the company. For example, in its action plan for 2012-2015 [1], the **EFBWW** states: *"Worker participation is also crucial to guarantee the long-term sustainability of companies, which are clearly more stable and robust when the active participation of their workers is guaranteed in the form of rights to information, consultation and participation at the national and European levels. The promotion of sustainable growth at company level also involves anticipating and managing change in a socially responsible way."*

For the **TUC**, the **CFDT** and **LO-Sweden**, the issue of corporate governance is key to making progress in terms of CSR. Both the **TUC** and **LO-Sweden** have developed guidelines on governance for their members and particularly on performance-related pay. In other countries where workers sit on company management bodies, the issue is a different one.

The failure of a voluntary approach, the need for a legal framework

Since its emergence in the European debate from English-speaking countries, it has been considered by employers and most National and European governments to be at the company's discretion. Yet, over ten years the voluntary approach has shown its limitations.

CSR is a regulatory tool for repairing the adverse impacts of companies and promoting positive impacts: *"To fully meet their corporate social responsibility, enterprises should have in place a process to (...) with the aim of: (...) identifying, preventing and mitigating their possible adverse impacts.*[2]*"*

According to most unions, it is illusory to think that companies will assume their responsibilities voluntarily. However, in countries where there is a strong tradition of collective bargaining (Italy, Sweden and so on), a voluntary approach can be effective provided that unions are involved in the process: *"In Italy, unions have a tradition based on collective bargaining and contracts. That is to say that they are not opposed to these voluntary practices of companies provided that the unions are involved.",* **CGIL-CISL-UIL**

Transparency by businesses about their practices: reporting

To make companies accountable for their CSR commitments, unions like other parties need to know which CSR issues have been identified as relevant by companies, to know the action plans put in place as well as the objectives that the company management has set and the results obtained. The issue of disclosing labour, economic, financial and governance data is therefore crucial in ensuring the credibility of CSR initiatives.

The trade union movement supports the idea of compulsory reporting by businesses. Indeed, an annual study commissioned by the **CGT** from the *Centre Etudes & Prospective* shows that without there being a legal requirement and by relying solely on a voluntary approach, the majority of companies would not have reported on their social and environmental practices .

To prevent non-financial reporting from becoming nothing more than an exercise in institutional communication and public relations, unions must use it as a tool and be involved in developing it: "Representative trade unions must be involved in developing CSR strategies for corporate sustainable development reporting", **DGB**.

According to **FGTB/ABVV**, "Small and medium companies should also be accountable for their social and environmental practices as they can also have a negative impact. They must also act responsibly."

In many countries, trade unions expected the Commission to take action on non-financial reporting: "In Finland, the government has done nothing about non-financial reporting. They were waiting for the Commission to make proposals. Trade unions should discuss best business practice in this area in their respective countries and ensure that information is comparable.", **SAK**

On 16 April 2013, the European Commission proposed amendments to the accounts directives (78/660/EEC and 83/349/EEC) to enhance the transparency of large companies on social and environmental issues. Today, just 10% of European businesses publish a non-financial report. In the words of the representative of DG Internal Market, through this proposal the Commission wishes to *"clarify the legislative framework and make it more binding and coherent at the European level".* But the Commission wants to be reasonable, flexible and proportionate so only large companies and listed companies will be affected. If the DG Internal Market's proposal is accepted 18,000 European companies with over 500 employees and with an annual balance sheet of under €20 million or a net turnover of €40 million will have to disclose information on environmental, social, workforce, Human Rights and anti-corruption policies, risks and results in their annual reports. A report on diversity is also planned. But, the Commission specifies, *"If reporting in a specific area is not relevant for a company, it would not be obliged to report but only to explain why this is the case".* The adoption of 'comply or explain' means that if companies deem it not to be pertinent to publish information on any breaches that they may have committed, they cannot be held responsible. They will not even be sanctioned as the directives do not include provisions for such sanctions and checks will only be made on the correlation between social, environmental and financial information.

1- 11th General Assembly of the EFBWW, Palermo, 1-2 December 2011

2- Communication from the Commission, *'A renewed EU strategy 2011-14 for Corporate Social Responsibility'*

3- Le Centre Etudes & Prospective is the research centre of the Alpha Group to which ConsultingEuropa also belongs. Studies on reporting are available at the following address: http://www.groupe-alpha.com/uk/etudes-prospective/developpement-durable-re.html.

Etat des lieux des obligations/incitations sur le reporting en Europe

Country	Required (R) or optional (O) reporting	Origin	Reporting field	Type of company
Germany	O	*Sustainable Development Code*, German Council on Sustainable Development (2011)	ESG*	Any size
Austria	O	*Guidelines on SD Reporting*, Ministry for the Economy and other stakeholders (2003)	ESG	Any size
Belgium	O	*SD Report: A Practical Guide*, Business & Society Belgium (2008)	ESG	Any size
Denmark	R	Law of 16 December 2008	ESG	The biggest public and private companies
	R	Law of 2001, law of 1998, of 1995	Env.	The biggest state or privately owned, certain sectors
	O	Social index, CSR compass, climate compass	ESG	Any size
Spain	R	Law on Reporting of 15 February 2011	ESG	Public companies. If workforce over 1,000, report transmitted to National Council on CSR
France	R	Implementing decree of 24 April 2012; First law in 2001	ES	Companies with a workforce of over 500
	R	2003 law on preventing technological risks	Env.	High-risk installations
Ireland	R	Credit Institution Act, 2008	ESG	Credit institutions
Norway	R	Law of 17 July 1998	ESG	Private companies (limited)
Netherlands	R	1997 Law	Env.	Pollution intensive companies
	O	Guidelines for drafting CSR reports (2003), 'Transparency Benchmark' (2003), Guidelines for incorporating ESG in financial reporting	ESG	Any size
United Kingdom	R	Climate Change Act 2008	Env.	Listed companies
	R	2006 Law	ESG	Listed companies
	O	Environmental Key Performance Indicators: Reporting Guidelines for UK Business (2001)	Env.	Any size
Sweden	R	Guidelines for external reporting	ESG	State-owned companies
	R	1998 Environment Law	Env.	Polluting or construction companies

** ESG= environment, social, governance*

Moreover, companies will not be required to provide reporting by subsidiary, a report for the group as a whole will suffice. Yet "there is no global representation for workers in multinational companies", **Syndex**. The priority placed by the European Commission on consolidating information at group level and the absence of legal provisions to prosecute the parent company for the irresponsible behaviour of its subsidiaries make it difficult for unions to check whether the CSR commitments made by multinational corporations are being enforced.

CSR across the production chain, in both small and large companies

The unions support the idea that a company's responsibility extends beyond legal boundaries and the borders of the EU. As such they are particularly worried about what is happening to workers in the production of goods and services: "Respect for local cultures must not be used as an excuse for violations by certain multinational companies in countries with low levels of social protection.", **LO-Sweden**

"With CSR, it is about making sure that outsourced responsibility becomes part of the company once again", **CFDT**

Several unions emphasise the fact that responsibility is both a local and international issue and that CSR affects both the smallest companies and large ones, and both workers in European Union Member States and those from non-European countries where European multinationals have outsourced their production.[4]

Unions believe that it would have been beneficial for the Commission to address this issue clearly in its new communication on CSR.

Monitoring commitments

As stated by the European Commission in its communication on CSR, companies are suffering from a trust and credibility deficit: *"There is frequently a gap between citizens' expectations and what they perceive to be the reality of business behaviour. This gap is caused partly by instances of irresponsible behaviour by some enterprises, as well as by cases of some enterprises exaggerating their environmental or social credentials. Sometimes it is caused by an insufficient understanding on the part of some enterprises of fast evolving societal expectations, as well as by an insufficient awareness on the part of citizens of the achievements of enterprises and the constraints under which they operate."*

Companies must make their commitments credible by allowing any parties directly affected by the impact of the activity to monitor them.

In terms of monitoring, several avenues have been explored: audits by 'independent' third parties, social audits by a specialist office, certification and labels. After many years of experimentation, it would seem that they have reached dead-ends as they do not ensure that rights are respected in the long term. According to ETUC members, one of the most effective avenues involves making CSR and related commitments a subject of social dialogue by giving union officials the necessary resources to monitor commitments. Unless the effectiveness of commitments is monitored, these commitments will continue to be in vain, even though they are the product of social dialogue: *"Belgian trade unions have signed an agreement with the Walloon government on workers in car inspection centres and have thought about how the law might be implemented but what next? How can we go further?"*, **CSC/ACV**

Enhancing the credibility of CSR also involves implementing international standards on CSR.

1.2.3. The ILO and the OECD, Priority Standard-setters according to Unions

"The work on the international standards that provide a framework for CSR is important because nationally in many cases the unions have no right to inspect the production chain. Yet this issue is covered by several international standards on CSR.", **FGTB/ABVV**

In its new communication the Commission stipulates that, "For companies seeking a formal approach to CSR, especially large companies, authoritative guidance is provided by internationally recognised principles and guidelines, in particular the recently updated OECD Guidelines for Multinational Enterprises, the ten principles of the United Nations Global Compact, the ISO 26000 Guidance Standard on Social Responsibility, the ILO Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy, and the United Nations Guiding Principles on Business and Human Rights. *This core set of internationally recognised principles and guidelines represents an evolving and recently strengthened global framework for CSR. European policy to promote CSR should be made fully consistent with this framework."*

Unions are familiar with the international standards encompassing CSR, particularly because they are actively or passively involved in developing them (see below). But, they believe, not all internationally-recognised principle and guidelines have the same value. To rank them, they take into account how binding they are, their scope, their effectiveness in progressing workers' rights. So, in the vast majority of cases, unions consider that calling for the ILO standards to be implemented must be a priority for unions in the context of CSR policies: *the Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy and the ILO Declaration on Social Justice for a Fair Globalisation.*

ETUC members are also working on implementing the *OECD Guidelines for Multinational Enterprises and the UN Guiding Principles on Business and Human Rights.* Although these two texts do not refer explicitly to CSR, they cover doing business and related responsibilities.

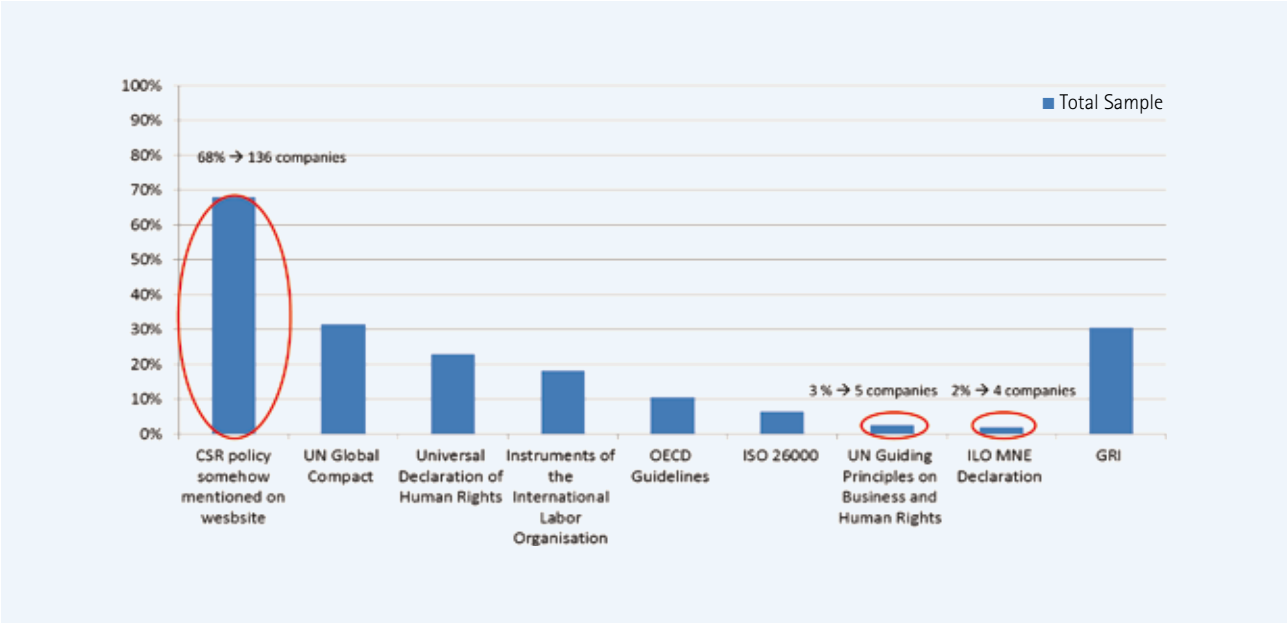
4- In fact, although working situations are not comparable, some International Labour Organisation conventions are not observed within the European Union, for example the one which sets the number of inspectors in relation to the number of workers.

Although most unions have been involved in the work of ISO 26000 committees in national standardisation bodies, the unions do not consider ISO 26000 to be on the same footing as the standards mentioned above; some, such as the **DGB**, even categorically reject the text as it does not include a control or sanction mechanism.

According to other unions, the ISO 26000 and the *Global Reporting Initiative* may be useful but are not of the same nature. According to the **ITUC**, "standard ISO 26000 is a good document for addressing CSR, including the social aspects. But its implementation is not monitored and the ISO works on the basis of an economic model which is incompatible with the text of ISO 260 000 (the ISO charges for the text of the standard ...)".

The results of the study by DG Enterprise and Industry entitled *An Analysis of Policy References made by large EU Companies to Internationally Recognised CSR Guidelines and Principles* (March 2013) highlights the fact that the *ILO Declaration on Multinational Enterprises* and the *Guiding Principles on Business and Human Rights* are the two 'standards' that are the least frequently cited by companies asked to take part in the study.

Total Sample of 200 Compagnies



Source: DG Enterprise and Industry (2013)

Yet these standards are those which, according to ETUC members, must be implemented by way of priority, in particular because, in the case of the former, it is the only ILO text which is aimed specifically at businesses and it covers all social issues. But also in the case of the Principles on Human Rights, because they specify the role of businesses and that of States in respecting human rights, including social rights, contain provisions for the access of victims to justice and make a duty of vigilance (*due diligence*) a requirement.

1.2.4. A Systemic Approach by Unions to CSR Issues

For the ETUC and its members, labour issues remain a priority, particularly in terms of freedom of association and the right to collective bargaining jeopardised by the economic and financial crisis and austerity policies (see study by the International Trade Union Confederation, *Frontlines Report*, April 2013).

"We consider that the social aspects of sustainability is our key issue and we are the only stakeholder to highlight trade unions rights and working conditions in this field.", **LO-Sweden**

Social issues subject to union practices in the framework of CSR

Subject	Union (country)
Employment, Restructuring, Outsourcing	CCOO (Spain), CITUB (Bulg.), DGB (Ger.), EPSU, FGTB/ABVV (Belg.), FNV (Nether.), LBAS (Latvia), LO-S (Swe.), SAK (Finl.), SEK (Cyp.), NSZZ Solidarnosc (Pol.), TUC (UK), UGT-P (Port.)
Health and Safety	CCOO (Spain), CITUB (Bulg.), DGB (Ger.), EPSU, FGTB/ABVV (Belg.), FNV (Nether.), LBAS (Latvia), SAK (Finl.), SEK (Cyp.), NSZZ Solidarnosc (Pol.), TUC (UK), UGT-P (Port.)
Pay and Social Protection	CCOO (Spain), CITUB (Bulg.), FNV (Nether.), FGTB/ABVV (Belg.), LBAS (Latvia), SAK (Finl.), SEK (Cyp.), NSZZ Solidarnosc (Pol.), TUC (UK), UGT P (Port.)
Industrial Relations and Working Conditions	CCOO (Spain), CITUB (Bulg.), DGB (Ger.), EPSU, FNV (Nether.), FGTB/ABVV (Belg.), LBAS (Latvia), LO-S (Swe.), SAK (Finl.), SEK (Cyp.), NSZZ Solidarnosc (Pol.), TUC (UK), UGT-P (Port.)
Equal Opportunities (Discrimination/Diversity)	CCOO (Spain), CITUB, Podkrepa (Bulg.), EPSU, FGTB/ABVV (Belg.), LBAS (Latvia), LO-S (Swe.), SAK (Finl.), SEK (Cyp.), NSZZ Solidarnosc (Pol.), TUC (UK), UGT-P (Port.)
Managing Careers and Training	CITUB (Bulg.), EPSU, FGTB/ABVV (Belg.), LBAS (Latvia), SEK (Cyp.), NSZZ Solidarnosc (Pol.), TUC (UK), UGT-P (Port.)
Child Labour and Forced Labour	CCOO (Spain), EPSU, FNV (Nether.), LO-S (Swe.), Podkrepa (Bulg.), SAK (Finl.), SEK (Cyp.), NSZZ Solidarnosc (Pol.), TUC (UK), UGT-P (Port.)
Corporate Governance	CCOO (Spain), CFDT (Fr.), CITUB (Bulg.), EPSU, LBAS (Latvia), SAK (Finl.), TUC (UK)
Human Rights	CCOO (Spain), CITUB (Bulg.), DGB (Ger.), EPSU, FGTB/ABVV (Belg.), LBAS (Latvia), LO-S (Swe.), Podkrepa (Bulg.), SAK (Finl.), SEK (Cyp.), NSZZ Solidarnosc (Pol.), TUC (UK), UGT-P (Port.)
Relations with Local Population	CCOO (Spain), CITUB (Bulg.), EPSU, TUC (UK)

Source: ETUC/ConsultingEuropa questionnaire responses

The specific nature of unions in defending social rights does not restrict them to their traditional sphere. Dialogue with other parties that are interested in the way in which companies conduct their affairs has fed into their thinking. They are thus striving to develop a systemic approach to CSR and business whilst linking into environmental, social and governance-related subjects but also trying to gain a better understanding of what business is today, how it organises its activities (networks of businesses, legal and tax structure and so on).

"CSR is first and foremost a position which makes due diligence a requirement for all. As such, changes in priorities can only be made on the ground with activists who have experience of the company on a daily basis. This is why governance is the key factor in changing the paradigm.", **CFDT**

Examples of union expertise on the environment

Many unions are concerned by environmental issues; they are addressed in the congress resolutions of many ETUC member organisations (for example, the **DEOK** in Cyprus). Trade unions are seeking to develop their expertise on these issues, either because they are in the general interest or because they can have a direct or indirect impact on workers.

European sectoral federations and national trade unions are working to understand the impact of environmental concerns on work and employment. In its 2012-2015 action plan the **EFBWW**[5] states: *"At company level, management of the changeover to a sustainable growth model requires an investment in technologies and products and also in people, through implementation of further training and of vocational retraining. This also entails limiting the extent of precarious jobs, promoting stability of employment and encouraging career development within the company. In a bid to meet these goals, EFBWW has made a commitment to promote a general strategy to deal with multinationals."*

5- 11th General Assembly of the EFBWW, Palermo, 1-2 December 2011

Environmental issues subject to union practices in the framework of CSR

Topics	Union (country)
Climate change	CGSLB/ACLVB - CSC/ACV - FGTB/ABVV (Belg.), CITUB (Bulg.), DGB (Ger.), EPSU, FETBB, FNV (Nether.), LBAS (Latvia), SEK (Cyp.),TUC (UK)
Waste Management	CGSLB/ACLVB - CSC/ACV - FGTB/ABVV (Belg.), CITUB (Bulg.), DGB (Ger.), LBAS (Latvia), UGT-P (Port.)
Biodiversity	CCOO (Spain), CGSLB/ACLVB - CSC/ACV - FGTB/ABVV (Belg.), CITUB (Bulg.), DGB (Ger.), LBAS (Latvia)
Air Pollution	CCOO (Spain), CGSLB/ACLVB - CSC/ACV - FGTB/ABVV (Belg.), CITUB (Bulg.), DGB (Ger.), FNV (Nether.), LBAS (Latvia)
Water Management and Protection	CCOO (Spain), CGSLB/ACLVB - CSC/ACV - FGTB/ABVV (Belg.), CITUB (Bulg.), DGB (Ger.), FNV (Nether.), LBAS (Latvia), UGT-P (Port.).
Soil Protection	CCOO (Spain), CGSLB/ACLVB - CSC/ACV - FGTB/ABVV (Belg.), CITUB (Bulg.), DGB (Ger.), FNV (Nether.), LBAS (Latvia)

Source: ETUC/ConsultingEuropa questionnaire responses

On the home page of **EFFAT** website is a campaign announcement: *"The climate is changing. How about workers? Fight climate change! Save jobs in agriculture, food and tourism".*

In France, the **CGT** and the **CFDT** commissioned a study on the consequences of climate change on employment and working conditions in industries subject to CO_2 quotas; the executive committee of **EPSU** adopted a position and recommendations on climate change and its impact on public services.

The Belgian unions (**CGSLB/ACLVB – CSC/ACV – FGTB/ABVV**) have created inter-union environmental networks in partnership with environmental consultancy firms whereas the **TUC** (United Kingdom) has created a network and tools to help union officials and employers to make workplaces more environmentally friendly: *TUC's Green Workplace Network.*

In partnership with several national organisations (**FGTB/ABVV – CSC/ACV – TUC**) and European federations (**INDUSTRIALL** (formerly EMF), **EPSU**), the ETUC has created the European Green Workplaces Network.

Each year, many unions are part of the International Trade Union Confederation's delegation to the annual conference on climate change where they advocate the inclusion of decent work and a fair transition in international agreements on the environment.

Unions' work on CSR is not just about developing broad expertise. It is first and foremost embodied in union practices.

2

FROM THEORY TO UNION PRACTICE ON CSR

CSR commitments are most effective when the workers they aim to protect are aware of such commitments and have the confidence and ability to monitor and enforce them. This typically requires a range of "tools" to be in place.

The most relevant is arguably capacity building (training, etc.) to support positive models of industrial relations at the workplace. However this requires pressing multinationals companies to make such commitments and here training, lobbying, campaigning, reporting and codes of conduct all have important roles to play. An IFA (International Framework Agreement) that incorporated these elements would arguably be the most relevant tool for implementing CSR.", **TUC** (United Kingdom)

There has been a proliferation of union practices relating to CSR. For ETUC members it is about combining the different CSR tools and the different levels of union representation.

As is often the case, practices depend on the context, the system of social relations in place in the country: negotiating CSR, involvement in discussions on CSR with other stakeholders, use of CSR standards to safeguard social rights, partnerships with non-governmental organisation, creation of tools for evaluating the CSR policies of companies and so on.

In ten years CSR has become a permanent fixture in unions as a subject of dialogue or even negotiation (2.1). As such it has become embedded in other union practices (2.2).

2.1. CSR: FROM DIALOGUE TO NEGOTIATION

In its 2011 Communication on CSR, the Commission endorses union practices on CSR. It states, *"Trade unions and civil society organisations identify problems, bring pressure for improvement and can work constructively with enterprises to co-build solutions."* Indeed, for unions, CSR is a subject of dialogue with employers (2.1.1) and other institutional representatives (2.1.2) as well as being a subject of negotiation between social partners (2.1.3). They call for an enhanced role in terms of monitoring commitments (2.1.4).

2.1.1. CSR: A Subject of Social Dialogue

On the one hand, CSR encourages the creation of tools to start discussions on social issues (international framework agreements, sustainable development reports, communications by company management on CSR, etc.) and, on the other, it can be a means of awakening public opinion to the issues tackled by the trade unions.

In order for CSR to become a reality, workers and their representatives must be involved in developing it at all levels. Here and there, instances of dialogue on CSR are growing in number.

At Company Level

In countries where workers are members of company management bodies, unions may come to discuss CSR: **DGB**: *"With regard to the participation of employee representatives in supervisory boards on CSR issues, the DGB backs the idea that workers' representatives in Germany can point out to the board possible discrepancies between the publicly expressed claim of a company and its practical implementation in the field of sustainability and they can also work on changes. Employee representatives on supervisory boards should therefore increasingly take the opportunity to discuss with the board CSR issues as part of the overall corporate strategy."*

In other countries, unions are trying to make CSR a subject of social dialogue by using sustainable development or corporate social responsibility reports as a starting point for discussion with the company management (**CCOO**).

Another method of dialogue on CSR within the company is the representation of unions on stakeholder panels set up by companies: **CFDT**.

In terms of dialogue on CSR, the role of European works councils is important. Some agreements establishing European works councils include sustainable development and CSR as areas of competence of the transnational body (for example, the agreement of the European works council of Cegelec). Other European works councils are creating CSR commissions to attempt to connect the company's strategy, its social policy and environmental issues.

Several federations consider that the European works council can play a central role in CSR or sustainable development.

The **EPSU** does not run large-scale training courses on CSR, reporting or how to monitor companies' CSR commitments. However, they work with members of European works councils, they advise them to raise their awareness of CSR, encourage them to read the sustainable development reports of companies and ask their company management questions where information is lacking. And for companies that do not draft sustainable development reports, the European works council can ask management to produce a report according to a given standard.

The EPSU also encourages members of European works councils to check figures provided by the companies (for example, whether the number of work-related accidents is accurate). The information published in sustainable development reports can also be used by union officials to understand what is going on for subcontractors' workers.

Another example of the work of a European trade union federation on CSR is provided by the fact that sustainable development is one of the policy objectives of **EFBWW** for 2012-2015. This is how this federation has organised work on the subject for European works councils and the priorities that it sets out for the future [6].

EFBWW Policy Objectives 2012-2015	Possible implementation in my EWC	Help required from EFBWW or my national trade union
Sustainable Development 1) Development of green jobs 2) Development of environmentally-friendly processes and products 3) Use of certified products 4) Level of investment in research and Development	**G1 :** Little information on jobs linked with the green economy is available. Information on processes and products stem primarily from competitions on innovation. Information is also provided on R&D policy. **G2 :** Most groups do tackle this issue, but mainly from the economic and financial viewpoint. **G3 :** It is early days yet where sustainable development is concerned. Things should gear up over the next few years. Workers' representatives must be involved. **Additional input from coordinator:** The European Parliament is debating how to guide companies' approach to CSR. This text opens up prospects of workers becoming involved in this domain.	Help is needed to obtain information on practices in this domain.

At the level of national unions

In Italy, unions have worked with employers to create an industry level observatory on CSR: in the insurance sector, Annex 19 of the national collective bargaining agreement signed on 17 September 2007 establishes the Joint Observatory for monitoring and applying CSR principles. In addition to this, in 1991 the national collective bargaining agreement for the insurance sector set up the National Equal Opportunities Commission, which has conducted initiatives relating to the work/life balance and the promotion of diversity, and which provides support to companies' own equal opportunity committees.

At the request of its members, **LO-Sweden** has drawn up an international framework agreement template on Human Rights and working conditions with the purpose of promoting dialogue. *"Although it is international trade union federations that are responsible for international framework agreements, the Swedish trade union wanted to create its own agreement template for various reasons: awakening Swedish public opinion to social issues, showing Swedish multinational companies that trade unions are interested in CSR and raising awareness among Swedish trade unions of international issues. The LO-Sweden international framework agreement template is thus designed to be a policy document which is a starting point for discussion both inside and outside the company. Having an international framework agreement template also allows a shared platform on international framework agreements to be developed within the trade union confederation, since LO members have a wide range of experiences in this area."*

Moreover, several ETUC members have built CSR into their action plan and their congress resolution: *"The TCO is currently working on a new policy which goes beyond collective agreements on CSR: The TCO Policy on Social Responsibility in the Global Workplace – human rights, global agreements and trade unions"*, **TCO**, Sweden

At the level of European federations

European trade union federations are working on CSR, often as part of sectoral social dialogue committees. European trade union federations sign many texts on the subject of CSR: social dialogue, training, working conditions, employment and so on. The texts listed in the table below relate specifically to CSR.

6- EFBWW, European Works Councils Seminar, Palermo 28/30 November 2011

European sectoral social dialogue on CSR

Date	Text topic	Text type	Signatory trade union federations
2010	Opinion of the social partners on the potential unilateral increase of the EU GHG reduction target to -30%	Joint Statement	INDUSTRIALL
	ETS benchmarking and the need to keep jobs in support of the economy of rural areas while fostering the environment	Joint position	EFFAT
2009	Joint Position on the Social Aspects of CSR in the European Electricity Industry	Statement	INDUSTRIALL-EPSU
	Joint position of the Social Dialogue Extractive Industries on COP 15 and its impact on EU extractive industries	Statement	INDUSTRIALL
	Joint Statement of the Social Partners of the European Leather Industry on the Greenpeace Report on the deforestation of the Amazon rain forest		INDUSTRIALL
2008	'Towards Responsible Awarding of Contracts'	Joint Statement	EFFAT, INDUSTRIALL, Uni-Europa
	Joint statement on the review of the Emission Trading Scheme.	Joint Statement	INDUSTRIALL (formerly EMF)
	Joint statement by the Social Partners of the Chemical Industry on the European Union Emission Trading Scheme (EU-ETS)	Joint statement	INDUSTRIALL
	Position paper of the Sectoral Social Dialogue Committee Extractive Industries on EU Commission's climate package	Joint statement	INDUSTRIALL
	European Social Dialogue Committee in the Postal Sector - Work Programme 2007/ 2008 on CSR	Statement	Uni-Europa
2007	Position paper on Extractive Industries - Energy policy and the future of the extractive industries: Inseparably linked	Joint statement	INDUSTRIALL
	Joint position on the Commission proposal for a EU-Framework Directive on Soil Protection	Joint statement	INDUSTRIALL
	FERCO-EFFAT Agreement on CSR in the Contract Catering Sector	Statement	EFFAT
	Joint statement on the Social and Economic Aspects of CSR	Statement	Uni-Europa
2005	Employment & Social Affairs in the European Banking Sector: Some Aspects Related to CSR	Recommendation	Uni-Europa Finance
	Joint statement of the EU social partners in the postal sector on corporate social responsibility	Joint statement	Uni-Europa
2004	CSR and the European Electricity Sector	Statement	INDUSTRIALL-EPSU
	An Initiative for Improving CSR in the Hospitality Sector	Recommendation	EFFAT
2003	Joint statement on CSR	Recommendation	Uni-Europa Commerce
	Joint statement on the proposed Directive of the European Parliament and of the Council on the management of waste from the extractive industries	Joint statement	INDUSTRIALL
	Code of Conduct and Ethics for the Private Security Sector	Recommendation	Uni-Europa Property Services
	The social code of conduct of EFFAT and CEFS in the European sugar industry Annex 1 of the Code of Conduct of the European Sugar Industry Examples of good practice	Recommendation	EFFAT
2002	Code of Conduct: A Charter for the Social Partners in the European Woodworking Industry	Recommendation	EFBWW

2001	Green paper consultation on the CSR. Fight against racism and discrimination	Joint position	EFFAT
	Code of Conduct: Guidelines for European Hairdressers - 'How to Get Along Code'	Recommendation	Uni-Europa Hair & Beauty Care
	Corporate Social Responsibility and the Social Model in the Sugar Industry Joint declaration	Joint position	EFFAT
2000	A Charter of Social Partners in the Footwear Sector Code of conduct	Recommendation	INDUSTRIALL
	Code of Conduct in the Leather and Tanning Sector	Recommendation	INDUSTRIALL
1997	A Charter by Social Partners in the European Textile and Clothing Sector Code of conduct	Recommendation	INDUSTRIALL
	Updated Charter on Child Labour in the Footwear Sector	Recommendation	INDUSTRIALL
	Environmental position statement for the intermediate ministerial meeting on the integration of fisheries and environmental issues	Joint statement	ETF
1996	Child labour A Charter of Social Partners in the Footwear Sector	Recommendation	INDUSTRIALL
1995	Charter on Child Labour	Recommendation	INDUSTRIALL
1992	Joint Opinion on Civil Aviation and the Environment	Joint position	ETF, ECA
	Opinion on the Green Paper on the Impact of Transport on the Environment: a Community Strategy for 'sustainable mobility'	Joint position	ETF
1990	Opinion on the necessary technical measures to preserve the maritime environment	Joint position	ETF

Source: ETUI databasel

Example: the European woodworking sectoral social dialogue committee was established in 1994. Between 1994 and 2008, of the eight texts that were adopted by this committee, six related to CSR and sustainable development. As such the European Confederation of woodworking industries (CEI-Bois) and the European trade union confederation (EFBWW) have taken joint positions on sustainable forestry (1997), biomass combustion (2003), the recognition of the role of wood-based products in positive action on climate change (2007), the illegal exploitation of wood (2007) and the European Commission's proposed directive on the Promotion of the use of energy from renewable sources (2008). In all of these texts a connection is made between environmental concerns and social conditions on the production line.

2.1.2. Involvement of Union Officials in Institutional Discussions on CSR

Because CSR is a complex topic which covers multiple realities, which calls into question the growth model of companies, which relates not just to the present but also to the future, it provokes much discussion. Through their expertise and their claims of legitimacy on the issue of CSR, unions are involved in many institutional discussions on CSR, in particular in the context of national platforms on the issue. These bodies are an opportunity for them to meet other parties, exchange their points of view on changes to CSR and ensure that social concerns are incorporated in national CSR strategies.

Involvement of national trade unions in institutional discussions on CSR

Country	Trade Unions	Public authorities CSR platform	Other forums for discussion
Germany	DGB	German National CSR Forum	
Belgium	FGTB/ABVV		Cons. Nature of work...
Bulgaria	CITUB	National Council for CSR	National Round Table of Labour and Social Standard,...
Cyprus	SEK	National platform on CSR	
Spain	CCOO	Spanish CSR Council	Spanish Forum on ISR (SpainSIF)
Finland	SAK	Finnish Committee on CSR	Ethical Forum
France	CFDT-CGT	National Council on the Environmental Transition	Citizens' Forum on CSR, CSR Observatory, International Social Observatory, Social Investment Forum (FIR)
Italy	CGIL-CISL-UIL		Social Investment and Finance Forum
Latvia	LBAS	National CSR Platform,	Sustainability Index Expert Group, National Tripartite Cooperation Council
Norway	LO	KOMpakt	Ad-hoc government committees
Netherlands	FNV		National CSR NGO Platform National CSR committee of the Social Economic Council
Poland	OPZZ	National platform on CSR	
Portugal	UGT		RSP.PT (social responsibility network), Vigeo
United Kingdom	TUC		Ethical Trading Initiative
Sweden	LO	CSR Referencegroup	Swedish Forum for SIR (SweSIF)
	TCO	Does not take part	

Source: ETUC/ConsultingEuropa questionnaire responses

In addition to discussions in which they participate and which allow them to learn the position of other parties and monitor developments, some unions also develop CSR negotiation practices.

2.1.3. Negotiations on CSR

"So when business talks about corporate social responsibility we would regard it as hypocrisy as long as the company involved refuses to allow their staff to be represented by a trade union for collective bargaining purposes.", **ICTU**

Unions enter into social negotiations on the subject either through their representation on European works councils signing European or international framework-agreements, or by incorporating aspects of CSR in traditional collective bargaining.

For national reach, collective bargaining and company-level negotiations

In a number of countries CSR is one of the subjects of collective bargaining at national or industry-level: in Italy (**CGIL-CISL-UIL**), Portugal (**UGT**) and Bulgaria (**Podkrepa**).

In Portugal (**UGT-P**), *"Facing the legal challenges imposed by the new Labour Code and recognising the relevance and need for substantive changes following the negotiations conducted by the unions, UGT-P completed in January 2002 a template for collective agreements that specifically contemplates a clause on CSR.*

A specific clause stipulates a general obligation to the subscribing employers of progressive integration of social and environmental concerns into their activities, in particular in terms of development of work quality, adequate consultation, information and participation procedures, organisational management and quality of products and services." Moreover, UGT's member unions have entered into agreements on CSR such as codes of conduct or ethical codes.

In Italy, collective bargaining on CSR is a widespread practice, at least in certain industries. *"CSR is one tool among many; it is not a substitute for the law or collective agreements but CSR topics must be included in collective agreements. As such, several industries (banking and insurance, chemicals, energy) have included CSR topics in collective agreements: gender equality, work-life balance, health and safety at work and so on.*

For unions, the industry is the most relevant level. Before developing practices at company level, CSR must be developed at industry level.", (**CGIL-CISL-UIL**)

Examples of industry-level agreements on CSR signed by Italian unions:

- **The national collective bargaining agreement for rubber and plastic companies, signed on 18 March 2010 by the association for the rubber and plastic industries and Filctem, Femca and Uilcem.** "This national agreement imposes a requirement on companies to take socially responsible initiatives relating to occupational health and safety, continuing training and the protection of weak groups of workers."
- In the banking sector, the **Protocol on sustainable and compatible development, concluded on 16 June 2004 between Abi and Filcra, Fisac, Fiba and Uilca,** is still in force, providing for the establishment of a national joint observatory for social responsibility evaluating good practices relating to health and safety, the protection of diversity, the promotion of equal opportunities and continuing training.

In Italy there is also the example of a company agreement on CSR: the **Protocol on social responsibility, signed on 27 April 2009 between Enel, the three general secretaries of Cgil, Cisl and Uil and the three general secretaries of Filctem, Flaei and Uilcem**: "This Protocol sets out additional initiatives to those laid down by the legislation and contracts in relation to occupational health and safety, training, equal opportunities and the protection of diversity."

For an international scope, international framework agreements

On another scale, whether European or international, unions are also developing 'bargaining' practices: *"CSR action cannot be restricted to the transnational framework. But what is happening internationally draws attention to national promises and the international practices of large companies"*, **CGT**. Today there are at least 200 or so framework agreements with an international or European scope, signed by trade unions (European or international) confederations and the management of multinational companies relating to CSR in general or CSR subjects in particular.

Although it is not collective bargaining in the legal sense of the term (only the international agreement on maritime transport is recognised by the ILO as a transnational collective agreement), these agreements can nevertheless be deemed to be a legal source and/or can have an impact in terms of enforcing workers' rights. As they are part and parcel of the good reputation and image of multinational companies, they can be used by trade unions as a means of applying pressure to enforce social rights.

Number of international European framework agreements[7]

Country where a company has its headquarters	Number of international agreements (European or global)
Germany	33
Austria	1
Belgium	13
Denmark	3
Spain	5
France	57
Greece	1
Italy	12
Luxembourg	4
Norway	5
Netherlands	9
Portugal	1
United Kingdom	4
Switzerland	6
Sweden	13

Source: DG Employment, Social Affairs and Inclusion, European Commission, 2011

7- This table should be used with caution as it is old. It may relate to international framework agreements, company agreements or groups under national law, a charter/code, a statement or another type of text. Moreover, it is a total number which does not separate out texts that are obsolete following renegotiation.

Although it is not collective bargaining in the legal sense of the term (only the international agreement on maritime transport is recognised by the ILO as a transnational collective agreement), these agreements can nevertheless be deemed to be a legal source and/or can have an impact in terms of enforcing workers' rights. As they are part and parcel of the good reputation and image of multinational companies, they can be used by trade unions as a means of applying pressure to enforce social rights.

They are considered by European trade unions to be one of the most promising tools in terms of CSR. National trade unions are involved in developing these tools in various ways.

In most cases, the union is involved in framework agreements insofar as it supports union officials who sign them within the company either through the European works council, or by giving a mandate to the European or international federation to do so, or by signing the national version of the framework agreement.

For unions, the process of negotiating the agreement can only be complete if union officials are involved in implementing and overseeing commitments under the agreement.

2.1.4. Involvement in Implementing Negotiated Agreements and Monitoring CSR commitments

In Bulgaria, unions are involved in implementing any collective agreements on CSR that they have negotiated (whether at national or industry level).

Unions can also be involved in implementing the European or international framework agreement if stipulated in the text of the agreement. They act either under the auspices of the European works council where this is made a 'monitoring body' for the agreement, or as part of representative bodies within the company at national level where the agreement text stipulates that it should be cascaded to the local level.

Finally, some unions have created a structure to monitor commitments and certify that products are socially responsible. For example, **TCO** (Sweden) certifies the social and environmental sustainability of communication apparatus.

As CSR has yet to become a legally-defined subject, the ways in which unions are involved in defining the framework differ.

2.2. OTHER USES OF CSR IN UNION PRACTICES

Unions have a pragmatic approach to CSR. As such, they adapt their use of CSR to the context and situations they face. The issue for them is to use CSR tools to complement each other. This pragmatism involves incorporating CSR in union demands (2.2.1), the involvement of unions in CSR standardisation work (2.2.2), the use of joint actions with other parties (2.2.3) and the use of CSR tools as a means of monitoring company commitments (2.2.4).

2.2.1. Incorporating CSR in Union Demands

In raising awareness among union officials of CSR, unions seek to make them operate in a more socially responsible way and make CSR a cross-cutting subject of demands. Indeed, certain unions, like **NSZZ Solidarnosc**, prefer to speak of 'social responsibility' as they consider that companies do not bear the responsibility alone but that all organisations must look at their responsibility.

CSR and union demands

In a press release dated 4 February 2009, the **EFBWW and INDUSTRIALL (formerly EMF)** for example advocated CSR as a means of combating social dumping in Europe: *"We call on employers and responsible politicians at national and EU levels to address the situation as quickly as possible by (...) developing a stronger regulatory framework on corporate social responsibility and the social aspects of public and private procurement and outsourcing.*[8]*"*

The **TUC** and **NSZZ Solidarnosc** have used international sporting events organised in their respective countries (the Olympic Games and the European Football Championships) to include CSR in union campaigns such as the Play Fair Campaign:

"Moreover, as a result of engagement with the Playfair 2012 campaign, the organisers of the London Games (LOCOG) included in contracts with companies supplying its goods and services, a requirement to comply with the Ethical Trading Initiative (ETI) Base Code. This Code is based on internationally recognised standards and includes no child labour, payment of a living wage and no discrimination. Engagement with Playfair 2012 also led LOCOG to develop a complaints mechanism to enable workers in its supply chain to report any violations of their rights. During the course of the Olympics, businesses needed to adhere to the London 2012 supply chain management protocols in order to enhance visionary commitments and abide by necessary security measures.

According to the TUC, this full disclosure on the supply chain allowed the filling of complaints by trade unions following human rights issues."

Another example is provided by the **CFDT**, which promotes CSR in the lines taken by its officials, in particular so that they take the issue to political bodies.

Unions capitalise on annual campaigns or union campaigns related to events to use CSR. For example, **Podkrepa** uses the two annual and international union campaigns - the European Health and Safety Week and World Day for Decent Work - to train its members on CSR and social audits in particular.

Moreover, CSR is a theme that is incorporated in union demands on development and cooperation. Indeed, some unions are thinking about what CSR might mean in an organisation such as a union.

CSR and Union Business

Some unions at least incorporate CSR into the day-to-day management of the organisation (the **UGT** in Portugal, the **CFDT** in France).

Several unions use CSR criteria in their investment decisions or the investment decisions made by union officials (pensions, employee saving schemes and so on): **SAK** in Finland, **CCOO** in Spain, **TCO** in Sweden, **LO** in Norway, Inter-Union Committee on Employee Saving Schemes in France (**CGT-CFDT-FO-CFE-CGC-CFTC**) and the **TUC** in the United Kingdom.

Other unions have signed the UN Principles for Responsible Investment: **CFDT**.

SAK in Finland and **TCO** and **LO** in Sweden also incorporate CSR in their purchasing policy. For example, **TCO** and **LO** do not award contracts to companies (hospitality, catering, PR firms, conference centres and so on) that have not signed a collective agreement.

2.2.2. Involvement in 'Standardisation' Activity regarding CSR

Use of CSR standards

The ETUC actively support a series of instruments, e.g. the *OECD Guidelines for Multinational Enterprises*[9], although they recognise the limitations of such instruments.
In certain countries that are anxious to attract foreign investors, the use of the OECD Guidelines, in particular calling in the National Contact Point (NCP), is made difficult (**NSZZ Solidarnosc**). It would appear that with the financial and economic crisis, the national contact points are increasingly being encouraged to judge in favour of the multinationals. A number of European unions express their dismay at the failings of the national contact points.

In 2011, the ETUC members' activities with regard to the OECD Guidelines took the form of:

- promoting the Guidelines at international meetings (**LO**-Sweden);
- raising awareness among their members through internal union newsletters or their web site or a publication by unions about the Guidelines, their use, the role of the NCPs and dispute cases submitted by unions (Belgium **FGTB/ABVV** and **CSC/ACV**, Sweden **LO**, Spain **CCOO**, Netherlands **FNV**);
- the training activities of their members on the content of the Guidelines (Italy, **CGIL**: training 12 national industry federations and 20 regional organisations; Croatia, **SSSH/UATUC**: training 12 members of the multinational coordination group who represent workers in multinational companies based in Croatia; France, **CGT**: case study and role play covering a complaint to the NCP);
- the attendance of unions at multi stakeholder meetings on the Guidelines (Netherlands **FNV**, **LO**-Norway, **LO**-Sweden);
- proposals to change the composition and role of the NCP; in Germany the DGB is organising meetings with members of parliament on this issue; the **DGB** favours the creation of an official cross-government structure and an monitoring body within which they would be represented;
- the creation of a tool to evaluate CSR within the company for staff delegates and union negotiators which incorporates the *Guidelines* (Netherlands **FNV**);
- criticising the policy of multinational companies that breach the OECD Guidelines: complaint by **FNV** in the Netherlands against Heineken for violating freedom of association in Cambodia or in the United-States at Ahold; complaint by the **CGT** (France) and the US trade union SEIU against Sodexo for breaching the OECD Guidelines in the United States, Morocco, Colombia, the Dominican Republic and against Mollex for breaching worker information and consultation requirements.

In countries where there are no national contact points, unions still work with the *OECD Guidelines*. For example, **CITUB** (Bulgaria): *"There is no OECD national contact point (there is only an OECD center for information, publication and documentation, integrated into the Center for Economic Development, which is an NGO, and furthermore some experts from the government are involved in the relations between OECD and Bulgaria). In 2004-2005 the Guiding rules for multinational companies (from 2000) were translated and most of the interested trade union representatives were trained and consulted with the assistance of the representation office of the Swiss Trade Union Confederation in Bulgaria."*

8- 'Protests in the UK: INDUSTRIALL calls for urgent action to tackle the root causes', 4 February 2009
9- Source: Annual Report on *OECD Guidelines for Multinational Enterprises*, 2012

Involvement in drawing up standards

Unions do not place public standards such as those of the International Labour Organisation and private standards that are the fruit of national standardisation bodies or other structures on the same footing. However, increasingly private standardisation seems to cover subjects that are traditionally a matter for social dialogue. This is why unions consider that they have to be involved in this work, even if it is just to oversee it, develop their expertise and carry out their duty of vigilance.

As such, most unions have taken part in the work of mirror committees put in place by national standardisation bodies on the occasion of discussions about ISO 26000. The extent of their involvement has varied. Some have participated actively in drawing up the standard whereas others have opted for a more 'passive' position.

LO-Sweden thus states, *"We are a (rather passive) member of the technical committee on the standardisation body for ISO 26000. We have been active in the process of creating the ISO 26000, in order to safeguard the ILO as the competent body on working conditions and to prevent social responsibility being subjected to a certification scheme."*

In addition to their involvement with ISO 26000, some unions work regularly on standardisation, e.g. **UGT** in Portugal works on the standard on socially-responsible management, while the **TUC** in the United Kingdom, the **CFDT** and the **CGT** in France and so on participate in the committee on sustainable development.

In terms of developing the standards of the *Global Reporting Initiative*, European and international confederations share the work between themselves. It is often the international confederations that are involved, although there may be exceptions as shown in the table below.

		Involvement in work of				
Country	**Organisation**	**Standardisation**	**GRI**	**OECD NCP**	**Global Compact**	**Other**
Germany	DGB			X+ TUAC		European Initiative Germany
Belgium	CGSLB/ACLVB CSC/ACV	X				
	FGTB/ABVV	X		X		
Bulgaria	Podkrepa CITUB	X		"X"		
Spain	CCOO	X				
Finland	SAK			"X"		
France	CFDT-CGT	X		X		
Italy	CGIL-CISL-UIL	X	G4 'Border'	X		
Norway	LO	X		X		
Netherlands	FNV	X	Member of GRI ethics committee Agri-food sector stand-in. G4: Management Approach	X		
Portugal	UGT	X				
United Kingdom	TUC	X	G4: Governance and Remuneration	X+ TUAC group on investment	X	AA standards
Sweden	LO	X	Airport sector stand-in	X		
	TCO	X		X		

Source : réponses au questionnaire CES/ConsultingEuropa, Globla Reporting Initiative

2.2.3. Joint Actions with Other Stakeholders

Some unions consider that worker representatives must keep a separate position among the company stakeholders. *"We must insist on the fact that workers and their representatives are not stakeholders like any other as they are inside the company. Unions therefore have a special position to address CSR. There may be discussions with other stakeholders, consultations and reports but there is no negotiation in the sense of collective bargaining."* (**CGIL–CISL–UIL**, Italy).

Notwithstanding these reservations, unions have substantial experience of working with other parties: NGOs, under their cooperation, aid, development and human rights policies, beyond their national borders, employers in the case of negotiations on social subjects, public authorities in various capacities and so on.

For them CSR can be an opportunity to work on other subjects with other parties (we have already discussed the national platforms on CSR).

With NGOs

Unions work with NGOs on a given subject (governance, diversity and so on) or a particular sector.

As such, several of them are cooperating with members of OECDWatch to enforce the OECD Guidelines: **SAK** in Finland cooperates with the organisation Finnwatch which oversees and reports the action of socially irresponsible companies; **LO**-Sweden works with the NGO Swedwatch the purpose of which is to reissue the accounts of Swedish companies [10] (to find out what European trade unions do at the OECD, see the previous section, 'Involvement in 'Standardisation' Activity regarding CSR').

The **TUC** in the United Kingdom is a founding member of the *Ethical Trading Initiative* and is also involved in a campaign to promote the social rights of workers in the production chain of sports brands through the *Play Fair Campaign*. The TUC is a member of the *Corporate Responsibility Coalition network*.

In 2011, **EFBWW** and the Climate Action Europe network (CAN) made a joint declaration to demand new climate protection and energy-saving measures in Europe [11].

In Belgium, the unions **CSC/ACV – CGSLB/ACLVB – FGTB/ABVV** are involved in action platforms such as the Platform on Decent Work of the National Centre for Cooperation and Development (CNCD).

Unions are conducting several industry-level campaigns with NGOs for the respect of social rights.

The German **DGB** is involved in international multi-stakeholder campaigns in several sectors: textiles, the Clean Clothes Campaign, the FSC in the wood industry, etc.

Unions participating in the *Clean Clothes Campaign*

Country	Unions	Clean Clothes Campaign
Germany	DGB	X
Austria	Gewerkschaft PRO-GE	X
Belgium	CSC/ACV	
	FGTB/ABVV	X
Denmark	LO	X
Spain	CCOO	?
Finland	SAK	?
France	CFDT	X
	CGT	X
Ireland	ICTU	?
Italy	CGIL-CISL-UIL	X
Norway	LO	?
Netherlands	FNV	X
Poland	OPZZ	?
	NSZZ Solidarnosc	?
United Kingdom	TUC	X
Sweden	LO	X
	TCO	?
Switzerland	?	?

Source: from the Clean Clothes Campaign website

With members of parliament

In the UK, the **TUC**, along with the Confederation of British Industry, OECDWatch and the British NCP, attended the annual general assembly of the *All Party Parliamentary Group on International Corporate Responsibility* [12].

In 2011, the **CFTC** in France worked with members of parliament on a bill on social traceability.

10- Source: Annual Report on OECD Guidelines for Multinational Enterprises, 2012
11- *"Stronger EU climate change commitments create jobs and improve EU's competitiveness', EFBWW and CAN, 20 June 2011*
12- Source: Annual Report on OECD Guidelines for Multinational Enterprises, 2012

With consumers

Most unions have structural links with consumer associations; indeed in many cases they have created their own consumer association.

It is often these associations that represent unions in initiatives on fair trade, social clauses in WTO agreements and so on.

In Poland, **NSZZ Solidarnosc** has initiated a 'hyper exploitation' campaign, the purpose of which is to monitor the enforcement of social standards in the distribution trade. Both consumers and workers can play an active role in this campaign. A map of exploitative supermarkets has been created. Workers and customers can report problems and suggest solutions.

2.2.4. Evaluating a Company's CSR Practices (e.g. reporting)

The publication of non-financial data is one of the key issues of CSR according to unions. On the one hand because these data could be a source of dialogue with management, on the other hand because they allow the quality of a company's social policies and the extent its social responsibility to be measured.

In the absence of a legal framework, in most European countries unions are putting in place innovative practices.

Thus, the Spanish **CCOOs** are evaluating the quality of companies' sustainable development reports and publishing their own sustainable development reports for big companies. Workers' commissions are trying to enter into discussions with big companies on the basis of these reports.

EPSU commissioned from the research centre Somo an analysis of company sustainable development reports in the electricity sector; this reached the conclusion that non-financial reporting was too often an exercise in public relations and that companies choose the topics on which they report and tend to only provide partial information. In another report on European works councils, also commissioned from Somo, the sectoral federation argues that European works councils should be informed and consulted about companies' CSR policies.

In Italy, unions at industry-level have signed agreements on reporting, e.g. **the national collective bargaining agreement for tanning, signed on 28 June 2011 between the national union for the tanning industry, Filctem-Cgil, Femca-Cisl and Uilcem-Uil.** Under the terms of the agreement, a social and environmental report will be published each year covering industrial accidents and occupational diseases, the adoption of codes of ethics and codes of conduct, relations with the surrounding area, the adoption and certification of environmental management systems and social responsibility, staff churn, and consumption of resources and energy, atmospheric emissions and water discharges and waste production. Furthermore, the national collective bargaining agreement states that companies that have a code of conduct can "conclude internal agreements that promote efficiency, flexibility and worker participation, with a view to adopting or maintaining the aforementioned codes". Also on 28 June 2011, a code of conduct and social responsibility was concluded for the sector, covering the ban on child labour and forced labour, health and safety, company policies regarding social responsibility, and transparency.

In Latvia, **LBAS** has been involved in developing a CSR self-assessment tool for the use of companies *"The Sustainability Index is a project developed by LBAS and LDDK based on the best global examples (Dow Jones Sustainability Index and CR Index by Business in the Community) and in line with the corporate responsibility standard SO 26000 and the Global Reporting Initiative (GRI) guidelines. The index has been adapted to the local audience, evaluating the local performance of enterprises as regards economic, social and environmental issues, taking into consideration global corporate responsibility and sustainability criteria. The principles include human rights and labour rights. It also sets objective criteria for the community as well as public and non governmental organisations."*

There has been a proliferation of union practices on CSR. However, the unions believe that a lot remains to be done to achieve social responsibility. They have selected several work strands for the years to come.

3

UNION PERSPECTIVES ON CSR

Most important is the answer to the question in what way politicians want to hold businesses responsible. The voluntary character of guidelines and definitions – good as they may be – is simply not good enough. Ecologically speaking, businesses very often have a clear self-interest. For social aspects, in many cases this interest is scarcely present.", **FNV** (Netherlands)

For a number of years unions have been working to make corporate social responsibility a reality. But if, like the European Trade Union Confederation, they recognise that the European Commission's new definition is a step forward, they nevertheless remain convinced that between theory and practice, the road is long. For unions, the priorities of the trade union movement are the implementation of work standards, reporting, respect for workers' rights across the production chain and the definition of a framework for international framework agreements.

Certain CSR-related priorities do not feature in the Commission's action plan (3.1), whereas others are included (3.2).

3.1. THE FUTURE OF UNIONS ON CSR

On a regular basis dramatic events unfortunately go to show that companies remain 'socially irresponsible'. Trade unions are aware that there is a lot left to do but they recognise that the concept of CSR can be a lever for improving the circumstances of workers: without CSR some companies would not feel obliged to report back on how they do business.

Trade unions see CSR as a process in which they want to continue to be involved, since, as highlighted by the **TUAC** "companies are responsible for their impact but they can change; so it is important to continue the dialogue and be vigilant".

Some subjects such as respect for workers' rights across the production chain, incorporating social clauses in international (financial) instruments and aligning public policies are priorities which go beyond the CSR framework. The interesting thing is that CSR offers new areas for action in addition to those that the unions already had. CSR also offers the possibility of working with other stakeholders on these same subjects.

3.1.1. CSR - for whom? Production Chain, SMEs, Foreign Subsidiaries

What goes on beyond the legal boundaries of the company, for sub-contractors, temporary or seconded staff or the employees of suppliers, what goes on beyond the borders of the European Union or in companies without union officials (SMEs) is a CSR 'blind spot' according to the unions. In the absence of legislation that recognises the responsibility of the parent company for the - in some cases, irresponsible - actions of their subsidiaries, unions use different avenues to enforce social rights. According to the **ITUC**, "the role of trade unions is to both prevent violations, i.e. they have a duty of due diligence, and to ensure that companies remedy those violations. Collective bargaining is the most efficient complaint mechanism when it comes to protecting human rights in the workplace."

In its Communication, the Commission has moved a step closer to responsibility by opting for a new definition which includes due diligence, that is the duty on companies in *"identifying, preventing and mitigating their possible adverse impacts*[13]*"*. The Commission stipulated that this duty of due diligence also applies to the supply chain. This concept demands that certain formalities called for by standard practice in the sector are correctly performed. The company therefore only has a duty to allocate resources, not to deliver results.

In terms of monitoring commitments, in particular those made by companies under their responsible purchasing policy, the proposed solutions have failed. However, some, such as the international framework agreements, allow initiatives to be put in place in which trade unions are, in principle, included.

The Failure of Social Audits

Although social audits may have had a purpose in the early days of the CSR initiative, they have since proved ineffective in massively improving the lot of workers in the production chain in a lasting way. Indeed, very often the audited companies choose and pay their auditors and audits are announced. Moreover, even if the auditor is independent, this does not guarantee competence on social matters. Trade unions understand the organisation of production and industrial relations.

Unions in different countries all agree that this has been a failure.

For ETUC members, the best means of safeguarding respect for social rights is a union presence.

For the **TUC** too, social audits have shown their limitations. *"The growing recognition of the limitations that audits and codes of conduct can have on improving employment practices in global supply chains, and the search for better methods of understanding and addressing impact."*

EPSU agrees: *"The international federation of which the EPSU is a member has signed several international framework agreements which are interesting tools as they include monitoring and checking mechanisms which should be strengthened. It is the unions who are involved in monitoring and checking the implementation of the agreement. It is important as the unions are in the company and they are the ones who know the reality of working conditions in the company. It is the best source of information on social aspects. There are third party social auditors but they are paid by the company so we can ask ourselves whether they are truly independent."*

"The three unions do not have much faith in social audits. They know that there have been problems with the SA 8000 in Bangladesh. The three organisations have worked on ISO 26000 which is not a certifiable standard. It is important for companies to have guidelines on CSR and for workers and employers to work together on CSR.", **CGIL–CISL–UIL**

In Spain, **CCOO** assesses the production chain in the textile industry, while in Belgium **FGTB/ABVV** has created a tool to ask questions about the subcontracting chain.

Swedish unions **LO, TCO** and **SACO** are discussing with the OECD national contact point the creation of sectoral platforms for information-sharing and contacts with local unions in supply countries such as Bangladesh.

Members of the ETUC are nevertheless trying to regulate company practices in this area. As such, in its 2013-2017 Action Plan, the ETF suggests working hand in hand with the transport user sector: "The ETF will draw on good experiences of cooperation between transport unions and transnational companies to do more to eliminate social dumping within global supply chains."

ETUC members are implementing several practices: company agreements on outsourcing, clauses in international framework-agreements, dispute resolution mechanisms as stipulated by the *OECD Guidelines for Multinational Enterprises*.

Company Agreements on Suppliers and Outsourcing

In Europe there are a number of examples of agreements signed by unions and national employers, particularly in Italy and France, to put in place socially responsible supply and outsourcing policies.

The Agreement signed in January 2009 between the Gucci Group, Confindustria Firenze, CNA Firenze and the trade unions Filtea-CGIL, Femca-CISL, UGL and RSU Gucci – *"the first in the sector in Italy – provides for the establishment of a Standing Joint Committee for production-chain policies, with a view to adopting good practices with regard to the economic sustainability and compatibility of the whole Gucci supply chain. The agreement also aims to promote behavioural models that safeguard at each level the adoption of social responsibility standards; to promote efficient planning of the various stages of the production cycle; to promote the development of cultural heritage and initiatives regarding training and technological innovation; and to study the feasibility of strategies to facilitate access to the banking system for small and medium-sized enterprises. By means of this agreement the Gucci Group, along with the trade unions, is pursuing the path embarked on in the area of social responsibility with the agreement signed in June 2004.",* **CGIL-CISL-UIL**

According to the Italian unions, *"SA 8000 was chosen as a standard as nine years ago, when the Gucci agreement was signed by the employer and the unions, SA 8000 was a serious standard and quite unique in this area. Today SA 8000 is no longer the best standard."*

Agreement regarding guidelines on social responsibility in the second tier of collective bargaining in the chemical and pharmaceutical sectors, signed between Federchimica and Filctem, Femca and Uilcem on 18 November 2010. *"This agreement provides for initiatives in the domains of the work/life balance, the protection of diversity, income support measures, intergenerational exchange between older and younger workers, employability, equal opportunities and occupational health and safety."*

French unions have signed the *Socially Responsible Outsourcing at EDF SA agreement* with the EDF group.

International Framework Agreements and the Production Chain

"Workers must be united in fighting for their rights within large multinational companies. Companies devise worldwide strategies for their relations with workers and so workers must also draw up worldwide strategies to deal with these companies", Uni-Europa, Uni-Global Union

In most international framework agreements negotiators have included a provision which stipulates that international agreements which signatories commit to implementing, also apply to suppliers and sub-contractors. Several disputes relating to the respect for basic social rights at suppliers of multinationals which have signed such agreements have as such been resolved thanks to union networks that were set up when the agreement was signed.

OECD Guidelines for Enterprises

In an attempt to regulate the practices of companies in the production chain, unions are also using the dispute-resolution mechanism stipulated by the *OECD Guidelines for Multinational Enterprises* or are taking preventative action by promoting the Guidelines to company management.

The Dutch **FNV** is promoting the OECD guidelines to Dutch companies with subsidiaries in countries that do not respect them. For example, FNV drew on CSR when DAF, a Dutch company, restructured sites in Spain without negotiating with unions.

Another example, the **FNV** is also working actively as part of the *Dutch Coal Dialogue*, which is a coalition of stakeholders working on CSR in the supply chain for the coal industry. Its role is partly to examine the way in which the main international CSR standards are implemented. As part of this coalition, the FNV is working in particular on health and safety issues (for example in Colombia). The FNV has also campaigned for the right of women to decent pay with the 'Beer promoting women in Cambodia' initiative at Heineken.

Another example of practice is provided by **CITUB** in Bulgaria, which *"established a network of the shop-stewards in the MNC subsidiaries in Bulgaria in 2001, and meetings/seminars are organised at least once per year (sometimes more), where also some practical issues relating to the OECD guidelines and CSR/corporate governance are discussed."*

The effectiveness of initiatives taken by unions depends, in part, on the public policies implemented by States. Indeed, it is they who play the main role in ensuring that international standards in the area of CSR are complied with and it is they that must make public policies compatible with each other.

13- European Commission Communication on CSR (October 2011)

3.1.2. CSR and the Coherence of Public Policies

For unions, as we have seen, CSR should not be a separate subject. It should be incorporated in all public policy. **NSZZ Solidarnosc** argues: *"Making CSR policies compatible with horizontal policies, especially employment, youth employment, age management, health and wellbeing, qualifications, education, the work-life balance, employment strategies in the green economy, reducing the labour costs of moving into the green economy, CSR tools for restructuring in particular MNCs, social clauses public procurement, etc.*

Social standards are extremely important especially in times of crisis. CSR policies, mechanisms and tools should reinforce these standards, and make sure that they will be taken into account by policymakers."

The problem is that the European Commission and states promote CSR on the one hand whilst destroying Community social acquis on the other.

For **CSC/ACV – CGSLB/ACLVB**, *"Under the Commission's agenda for action, the item 'Enhancing market reward for CSR' makes direct reference to public contracts by mentioning the revision of European public procurement directives as a tool for making the awarding of contracts more sustainable in the sense that social and environmental considerations would be taken into account more easily in the criteria for awarding and honouring contracts. Yet we should not forget that the planned reform puts social acquis in Europe in grave jeopardy, in particular because in no longer drawing a distinction between types of services, it subjects social services and healthcare as well as compulsory social security schemes and union activities to the rules of the internal market. In a resolution in March 2012 the ETUC expressed its dismay "that the aim to better integrate social and environmental considerations in public procurement has not been met. The Commission has favoured a voluntary approach meaning that it would be optional for public authorities to take social and environmental considerations into account. We cannot therefore support a guide on socially responsible public contracts when the rules envisaged by the Commission negate the objectives it has assigned itself. This is an illustration of how CSR can sometimes be cause for concern."*

In addition to the responsibility of public authorities in implementing CSR, unions also question that of international finance.

3.1.3. CSR and Financial Instruments

Like **EPSU**, some organisations consider that finance plays such a role in the future of companies that it should be more transparent in the way in which it incorporates CSR in its investment choices and operations: *"In terms of insurance credit, social standards are swept aside, unlike environmental standards"*, **FGTB/ABVV**

As such, they are thinking about the inclusion of non-financial criteria for private finance instruments such as private equity funds, sovereign funds and so on. Yet, often they are not subject to any duty of transparency. Thus union officials know nothing or next to nothing about these shareholders who purchase a stake in the company where they are working: what is their strategy, their investment horizon (short term or more long term), are they passive or active shareholders, what are their ethics, what is their CSR policy and so on?

The seventh point of the Commission's Action Agenda partially answers their question: *"The Commission intends to (...) consider a requirement on all investment funds and financial institutions to inform all their clients (citizens, enterprises, public authorities, etc.) about any ethical or responsible investment criteria they apply or any standards and codes to which they adhere."* But what about the policy of financial funds and institutions on anything that does not come under ethical or responsible investment?

In addition to their calls on public authorities for improved regulation of international finance, unions are taking action either by being involved in responsible investment or by calling for the inclusion of CSR criteria in public investment policies.

Inclusion of Financial Criteria in Public Policies

Some unions are calling for CSR to be incorporated into European Union trade, development and investment policies, particularly ILO agreements and the OECD guidelines (**TUC** in the United Kingdom, **Uni–Europa**, **LO**-Sweden, **CGT** in France, etc.). The **TUC** in the United Kingdom and **LO**-Sweden are members of a TUAC working group on investment.

At its most recent congress in 2011, **Uni–Europa** supported a resolution entitled *In favour of a foreign trade and investment policy based on solidarity:*

'1. (...) UNI Europa supports the following criteria for foreign trade based on solidarity:
a) The inclusion of comprehensive sustainability chapters in all trade agreements concluded by the EU, including the commitment to implement and comply with the International Labour Organization's (ILO) core labour standards and the principles and objectives of the 2005 UNESCO Convention on the Protection of the Diversity of Cultural Expressions (...).
d) Sustainability checks to be carried out before the EU takes any decision to start negotiations on bilateral or multilateral trade agreements (...)

2. UNI Europa demands an assessment of existing bilateral investment treaties (BITs). (...)
UNI Europa supports the following criteria for a new EU investment policy based on transparency, predictability and proportionality:

a) The inclusion of investor obligations, especially ILO core labour standards, human rights and accountability of transnational corporations. (...)
c) The explicit recognition of a government's right to establish and implement policies of public interest (...)[14]'

The Development of Socially Responsible Investment

Some ETUC members are working on socially-responsible investment and in some cases are members of national forums on socially responsible investment (**LO** in Sweden, **CCOO** in Spain, **CFDT** and **CGT** in France, etc.) and of the international trade union network, *Committee on workers' capital*. Some unions have signed the UN Principles for Responsible Investment (PRI): the **CFDT** in France.

In several countries (Spain, France), unions are working to include social, environmental and governance-related criteria in their management of pension funds or employee saving schemes. They are also trying to develop shareholder activism by challenging management at the general meetings of shareholders. To be more effective, these modes of action are regularly implemented in partnership with NGOs or investors, whether ethical or traditional. Indeed, such investors can be alerted as to the financial consequences of a social or environmental policy for the company's reputation.

These circumstantial partnerships are evidence of the dialogue with other stakeholders that CSR can bring about.

3.1.4. CSR - with whom?

Over the last ten years, unions have become accustomed to entering into dialogue with other parties, including on internal company issues (governance, work, etc.).

The endorsement of CSR as an issue for union action has come through working more with other stakeholders to help them to appropriate social issues and, reciprocally, to better understand the complexity of the world in which businesses operate. *"The CGT congress hereby decides to make sustainable human development, based on international cooperation that respects diversity and safeguards genuine co-development, peace and disarmament, a priority and, alongside, ETUC, CSI and the various NGOs, makes a number of urgent demands (...)"*, **CGT**

"Social actors such as trade unions and civil society organisations represent those who are affected by companies' behaviour. Therefore, they play a very important role not only in monitoring the social and environmental impact of business but also in the process of the development of the CSR concept.", **NSZZ Solidarnosc**

The relations developed by unions with other stakeholders are either within the framework of formal partnerships (complaints made jointly by unions and NGOs to OECD national contact points, partnership between the **CFDT** and France Nature Environment) or within a more informal framework.

Relations with NGOs

Trade union relations with non-governmental organisations are nothing new. Many unions are accustomed to working with them as part of their campaigns on development, for example. But what is new is calling on the expertise of non-governmental organisations on subjects other than the traditional subjects of union action. For example, the **CFDT** has entered into a partnership with France Nature Environnement with the purpose of creating the habit of dialogue on environmental subjects. The idea is that ultimately union officials will be able to enter into social negotiation with an understanding of the environmental implications of the negotiation. These partnerships are put in place at different levels of unions and non-governmental organisations (national, regional, federal and local).

Some unions at industry-level have also entered into partnerships with NGOs under multi-stakeholder initiatives which allow a holistic approach to problems (example of the 'tourism' branch of **LO**-Sweden).

In its draft work programme for 2013-2017, the ETF states that it will "built a network for sustainable transport – involving unions, social movements and NGOs that support trade union values – to launch joint campaigns on this issue."

Finally, some international agreements stipulate that NGOs may be heard by the body monitoring the agreement if the subjects on the agenda require it and trade unions make joint complaints with NGOs to the OECD's NCP.

14- Resolutions adopted by the 3rd Regional Conference of Uni-Europa, Toulouse, 3-5 October 2011

Relations of unions with other stakeholders

Country	Trade Unions	Employers	NGO	State, public authorities	Research, consultants	Investors	Consumers
Germany	DGB		X	X			
Belgium	CGSLB/ACLVB CSC/ACV	X	X		X		X
	FGTB/ABVV	X	X		X		X
Bulgaria	Podkrepa	X	X			X	
	CITUB	X	Balkan Institute for Labour and Social policy				
Cyprus	SEK	x	X				
	FSESP		Alter-EU		X		
Spain	CCOO	x	X	X	X	X	
Finland	SAK	X	Finnwatch	X	X		
France	CFDT	X	X	X	X	X	X
	CGT	X	X	X	X	X	X
Italy	CGIL-CISL-UIL	X	X	X			
Latvia	LBAS				X		
Norway	LO	X					
Netherlands	FNV	X	X	X	X	X	
Poland	NSZZ Solidarnosc	X	X	X	X		
	OPZZ	X					
United Kingdom	TUC	X				X	
Sweden	LO	X				X	

Source : réponses au questionnaire CES/ConsultingEuropa

Relations with Consumers

In several countries, unions and consumer associations work together with NGOs with regard to production workers.

Thus, in Belgium, the unions **FGTB/ABVV** and **CSC/ACV** are taking part in the 'achACT' platform which promotes the rights of workers in the electronics, clothing, sports goods and toys industries.

The relations entered into by unions will also be embodied in the EU action plan, some elements of which are priorities for unions.

3.2. EU ACTION AGENDA: UNION PRIORITIES

In its 2011 Communication on CSR, the Commission proposed something new: a plan of action. This comprises eight priority actions.

EU Action Agenda for the period 2011–2014
Enhancing the visibility of CSR and disseminating good practices
Improving and tracking levels of trust in business
Improving self- and co-regulation processes
Enhancing market reward for CSR
Improving company disclosure of social and environmental information
Further integrating CSR into education, training and research
Emphasising the importance of national and sub-national CSR policies
Better aligning European and global approaches to CSR

The position of unions on this action agenda is summarised by the United Kingdom's **TUC**: *"It is difficult to rank these actions because it is often not clear what potential they have. Nevertheless we support actions that will have the most effect on company behaviour such as reporting requirements, procurement rules, and/or those that apply pressure on member states and companies to implement key international instruments on responsible business conduct or improve their regulatory environment."*

For unions, of the various actions identified by the Commission, only improving the transparency of businesses on social and environmental issues clearly stands out as a priority. Indeed, it is vital to the credibility of CSR in that it makes it possible to measure the results of commitments and can act as a lever for social dialogue. The two other priorities that stand out are 'enhancing the visibility of CSR and dissemination good practices' as well as 'improving self- and co-regulation processes'.

3.2.1. 'Improving company disclosure of social and environmental information' = making reporting compulsory and binding with checks on commitments

"The ETUC must present the subject at European level so that the countries of the European Union then make it a requirement. In Italy, unions have worked on social audits but they are not compulsory. Companies have voluntary reporting practices but there are no guidelines, although certain sectors such as the finance sector have worked on a reporting framework. The problem with reporting is that, as it is not a requirement, companies say what they want.", **CGIL–CISL–UIL**

The unions **EPSU, LBAS** in Latvia, **CGIL–CISL–UIL** in Italy and **DGB** in Germany and the French unions consider that transparency of non-financial information is a crucial condition of social responsibility. Without information on practices, without verifiable information, corporate social responsibility could remain an exercise in external communication, akin to advertising: *"Also reporting is an important tool which forces companies to think and act on the improvement of processes, as well as ensuring a certain level of transparency, giving stakeholders an opportunity to follow companies' performance."*, **LBAS**

According to the **DGB**, *"It should be taken into account that only standardisation of the CSR reports opens up competitive advantages to those enterprises which act in a socially responsible manner, and that only comparability facilitates the purchasing decisions of consumers and provides employees with indications of where their company stands in a worldwide context.*

From the trade union point of view, CSR reports must relate specifically to:

- *the working and employment conditions throughout the entire enterprise, i.e. also across the entire supply chain;*
- *the opportunities for worker participation;*
- *the promotion of disadvantaged groups of individuals;*
- *the compatibility of family and career"*

EPSU: *"The advantage of CSR is that it is less formal than other subjects of industrial relations. For example, the way in which companies present sustainable development reports is less formal than the way in which they present financial data. This can be an advantage for workers and their representatives, who can approach company management, discuss certain subjects with them in a less formal way than if the discussions were not related to CSR. But union officials need resources (trade union networks at company level, web platform, etc.) to be able to use CSR and its tools. And where they have such resources, they should be using them more. The problem is that these tools, such as the sustainable development report, are not binding on the management of companies so union officials wonder why they should waste their time on such reports. It is important that the European Commission makes reporting a requirement with content that is more binding on company management. But we need to make sure the reporting exercise is not transformed into a procedural one: making it more formal does not mean it should only be performed in a formal way."*

Unions are therefore calling for reporting to become a requirement in all EU member states. If the EU proves incapable of promoting such a requirement, unions will continue to fight at the national level for such a requirement to be introduced.

The **ITUC** highlights the fact that *"reporting must not be restricted to quantitative data on social subjects but must include information on the way in which company management is meeting its duty of due diligence."*

To make non-financial information more credible, unions argue for information to be subject to more extensive inspection with the involvement of workers: **CGSLB/ACLVB – CSC/ACV:** *"The type of tool is of little importance as long as it includes forms of evaluation, monitoring and sanctions in the event that commitments are not respected. The idea is always that CSR should go beyond the law which is otherwise correctly applied."*

But this supposes that workers have more resources to carry out this monitoring: firstly, that they have the option and secondly that they have the means of exercising this power.

For the **EPSU**, workers should use the informal nature of CSR to call on the management of businesses to be accountable. They make commitments so workers may ask where they are in keeping them. According to the **CGT**, *"We must not restrict ourselves to merely condemning the rhetoric of multinational companies by condemning the ideological assumptions whilst highlighting the contradictions with the actual practices of businesses, in both the Northern and Southern Hemispheres. Rather, we must take companies that claim to be socially responsible at their word and draw on this rhetoric, or aspects of it, to move forward our own demands as a trade union."*

Moreover, sanctions should be available in the event of disclosure of false, flawed or incomplete information. From this point of view, the study conducted by the Centre for Research on Multinational Corporations, Somo, on behalf of the industry-level federation, the **EPSU**, is not reassuring as it concludes that *"there is significant divergence between what the information electricity companies say that they disclose and the information they actually provide in the sustainable development reports."*

3.2.2. 'Improving self- and co-regulation processes' = developing a compulsory framework for international framework agreements

For unions, a decade ago codes of conducts were a useful tool in starting discussions on CSR in companies. Today unions consider that self- and co-regulation tools have proven ineffective.

ETUC member unions prefer codes of conduct and other charters as well as international or European framework agreements.

According to them they are the most encouraging tools for enhancing the credibility of CSR and safeguarding rights; they are one of the most widespread practices, if not the most widespread practice for implementing CSR in European trade unions.

According to the **CGT**, *"international framework agreements are a promising tool for several reasons: they help to move beyond the all too frequent approach to CSR devised as an expression of the unilateral will of company management, as they are a form of collective agreement resulting from an agreement between an multinational firm and a set of unions (united in an international trade union confederation); they allow an agreement to be drawn up which concerns not only the employees of the parent company, but also those of subsidiaries, in particular those established in countries of the Southern hemisphere. They can thus act as a lever for developing unions in the countries of the Southern hemisphere and a tool for solidarity between the employees of the North and those of the South; they will be even greater in scope if they are able to draw on employee representative bodies - in particular an international Group works council - and if the agreement allows checks by employee representatives."*

As already stated, **LO**-Sweden has even worked on a framework agreement template to help its members to negotiate these texts.

The European Commission recognised their benefit in its communication on CSR. *"Innovative and effective CSR policies have also been developed through transnational company agreements (TCAs) concluded between enterprises and European or global workers' organisations. The EU actively supports TCAs and will launch a searchable database of such agreements."*

But for unions, the Commission's proposal on framework agreements does not go far enough. A database is not enough; what unions would like is for the Commission to set a framework for these agreements. Indeed, an examination of the practices in this area show that the quality of texts signed varies greatly. Indeed, although commitments are relatively similar in that they more or less amount to fundamental social rights, the provisions on implementing and monitoring commitments are a lot more disparate. They nevertheless represent the key stone of the initiative and are crucial in ensuring its effectiveness in safeguarding social rights. With regards these provisions, discussion between unions on practice are necessary. This would prevent agreements being signed which, in addition to having no legal value other than that of a contract, are ineffective.

3.2.3. 'Better aligning European and global approaches to CSR = making governments responsible for implementing CSR standards

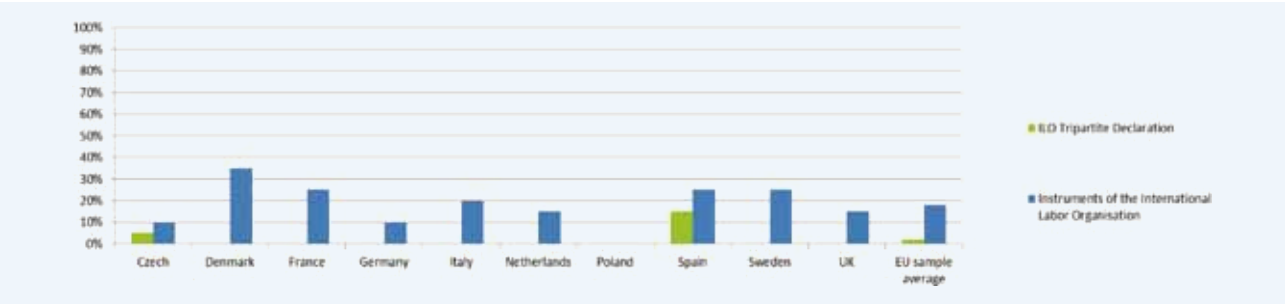
"Both companies and unions are lost in the maze of CSR standards and tools. They need to be aligned with each other.", **NSZZ Solidarnosc**.

By way of reminder, the unions consider that not all the standards cited by the Commission in its new communication on CSR have the same value: *"International and voluntary standards such as ISO 26000 and the GRI are useful but don't have the same legitimacy as public standards. The three confederations took part in the work of the Italian standardisation body's committee on ISO 26000. They think that it is the most comprehensive private standard and that it is a good thing that it is not certifiable. It can be useful for a company wishing to understand what CSR is about. Today, it is the CGIL which chairs the standardisation body's ISO 26000 mirror committee."*, **CGIL–CISL–UIL**

The **ITUC** has produced a guide on the United Nations Guiding Principles on Business and Human Rights and the human rights of workers to form or join trade unions and bargain collectively. According to the ITUC, one of the areas where the text adds value is in setting out how roles are shared between States and companies. In terms of the duty of due diligence, the surest way of implementing it is, in the ITUC's view, to allow union representation and recognise the right to collective bargaining. According to the **CGIL**, *"governments and companies will fight against the United Nations framework on human rights. It is important that union officials are involved in its implementation by countries."*

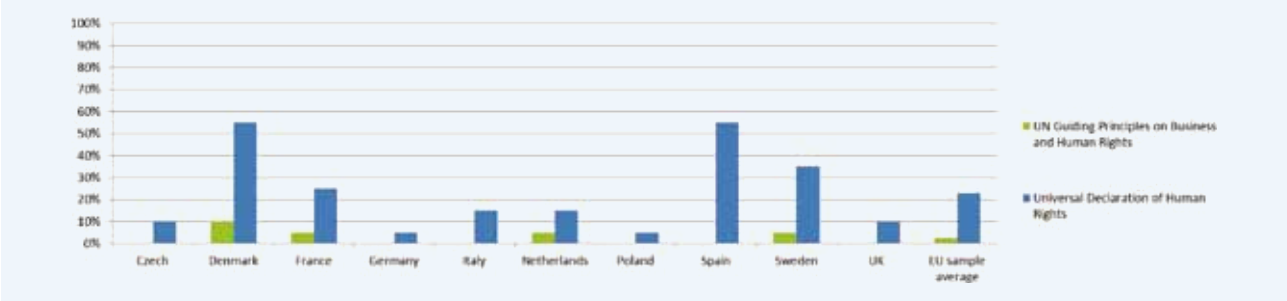
The Commission should focus its efforts on the standards of the International Labour Organisation, in particular the ILO Declaration on Multinational Enterprises, OECD declarations and the United Nations framework on business and human rights. The unions plan to lobby governments to put in place these standards. Judging by the results of the study by DG Enterprise on the standards cited by businesses, the situation varies from one country to another [15]:

References made to the ILO Tripartite Declaration and generally to the Instruments of the ILO



15- *An Analysis of Policy References made by large EU Companies to Internationally Recognised CSR Guidelines and Principles* (March 2013)

References made to the UN Guiding Principles and Human Rights and the Universal Declaration of Human Rights



The European Commission has started to work on the United Nations framework on Business and Human Rights, as have unions. *"When the guidelines were being revised, Italian unions strongly argued for the text to include a new chapter on Human rights and for the principle of due diligence to be put in place."*, **CGIL-CISL-UIL**

Thus, LO-Sweden is circulating information to its members on the United Nations framework and is working with NGOs on this subject. This union has planned to organise a union conference on business and Human rights.

The **TUC** in the United Kingdom is working on implementing the United Nations Guiding Principles on Business and Human Rights, since the TUC considers that *"The UN Guiding Principles are potentially important for trade unions in a number of respects*[16].

Firstly, the Guiding Principles helpfully clarify the different roles and responsibilities of the state and business. It is the duty of states to enact and implement laws and policies to protect against human rights abuses. And businesses should not decide what their responsibilities to society are - as many CSR policies do - but instead should meet their 'responsibility to respect' the human rights of all people affected by their operations.

Secondly, the Guiding Principles call on businesses to prevent negative human rights impacts wherever they occur, even beyond the direct employment relationship. This could include workers in jobs that business outsourcing has made insecure, low-paid and dangerous. For example, if a UK supermarket's purchasing practices are denying an agricultural worker her legal wage or resulting in unsafe working conditions, then it needs to act to prevent that irrespective of whether or not she is directly employed by them.

Thirdly, the Guiding Principles are not legally binding, but can be a strong advocacy tool to improve existing rules and policies, given the strong backing for them from governments, employers, trade unions and other civil society organisations. For example, the TUC worked with the Trade Union Advisory Committee to the OECD (TUAC) to ensure language from the Guiding Principles was incorporated into the recent update of the OECD Guidelines for Multinational Enterprises. Unions have also begun including the Guiding Principles in collective bargaining and international framework agreements with multinational companies.

The TUC issued a position paper in October 2012, outlining TUC policy priorities for the UK government and other actors under each of the 31 Guiding Principles.[17]*"*

Italian unions, **CGIL-CISL-UIL**, are going to work on the Guiding Principles on Business and Human Rights because they think that they can be very useful in protecting subcontracted workers. In June, the Italian Government will present a plan to implement the United Nations Guiding Principles on human rights and multinational corporations; unions are involved in this process.

16- see http://www.tuc.org.uk/international/tuc-21566-f0.cfm
17- see http://www.tuc.org.uk/tucfiles/417/TUCUNGuidingPrinciples.pdf

FIRST CONCLUSIONS

Ten years after the ETUC report 'European Trade Unions and Corporate Social Responsibility', this project has allowed us to once again take stock of developments in trade union activities and priorities.

It is clear that the practice has become more widespread with several member unions having taken ownership of the topic and others having built on their expertise and broadened the scope of their activities. However – as shown by the 'raw' data in the report – the diverse nature of actions is striking, some of them being at the 'periphery' of CSR. Possible explanations for this include differences between trade union cultures, social relations, the socio-economic context or the initial exposure to the concept of CSR. As such, discussions, particularly at the final conference of 2013, have highlighted the urgent need for more regular and structured discussion (creating a network), and improved (European) coordination.

Although the crisis is used by many decision-makers as a pretext for saying that 'priorities lie elsewhere', a lot of work at international level has developed and strengthened the international framework. Unfortunately, as acknowledged by the Commission and others, substantial problems remain.

In 2004, an analysis of buy-in to CSR itself showed that in the vast majority of countries and member unions, the division was still quite 'academic'. Today, practically all trade unions are active: even the most reluctant concede – whilst remaining critical – that the concept has undergone substantial changes and as such represents a given to be worked with. Nevertheless, in addition to standardised information, several unions have asked for union training at the European level, which could then be rolled out nationally. Familiarisation efforts could, among other things, be aimed at members who belong to information centres or European work councils.

In terms of priorities (including in relation to the Commission's 2011-2014 action plan) three areas emerged. The first is about harmonising the rules on a global scale and therefore support for buy-in, also by large European companies, to a series of internationally recognised principles and guidelines such as the OECD guidelines, the ILO Tripartite Declaration or the United Nations Guidelines. Similarly, there is scope for encouraging the member states that have not yet done so to draw up national plans for implementing these United Nations Guidelines (which were in principle planned for 2012).

International framework agreements are a second priority area. The Commission had talked about publishing an 'optional rules framework': the ETUC is in favour of the adoption of such an instrument. Over 220 texts of different types have been signed in 138 multinational companies applying to over 10 million workers. Almost 85% of these agreements are European. These agreements can support and improve social dialogue.

Finally, the last priority relates to non-financial reporting. European plans to make the publication of such reports a requirement is progress, a first step. But current legislative proposals on the transparency of social and environmental information to be provided by companies from all sectors is the result of a compromise and is unsatisfactory from several points of view, particularly with regard to monitoring. The words of John Ruggie, UN Special Representative on Business and Human Rights, that "trade unions are the most efficient monitoring system and grievance mechanism there is" are, as such, all the more pertinent.

In any event, the ETUC will ensure that progress in these various areas is monitored.

consultingeuropa

Links to sites with further information:

www.etuc.org
www.consultingeuropa.eu

CONFEDERATION SYNDICAT EUROPEAEN TRADE UNION

Boulevard du Roi Albert II, 5
1210 Brussels
Tel + 32 2 224 04 11
Fax + 32 2 224 04 54/55
E-mail : etuc@etuc.org