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## Channels for trade union involvement in the European Semester

Analytical Report Work Package 5



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## Channels for trade union involvement in the European Semester

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## Introduction <sup>(1)</sup>

This Research paper has been written in the framework of the INVOTUNES research project. This EU-funded project explores the extent to which national trade unions are involved in the national and EU cycles of the European Semester (Sabato 2018) <sup>(2)</sup>. It also looks at the access channels and impact of such involvement and aims to understand the linkages between the European Semester and national social dialogue. The focus of the project is on employment and wage setting policies, as well as social protection and social inclusion policies. The research considers the timespan between 2014 and 2018 <sup>(3)</sup>.

The present Research paper explores comparatively the findings of eight case studies which have been produced by INVOTUNES country teams, covering Belgium, Bulgaria, Finland, Germany, Hungary, Italy, Portugal and Sweden <sup>(4)</sup>. It is one of the three Analytical reports produced within the framework of the project; the two others deal with the interplay between national social dialogue and the Semester (Pavolini and Natili 2020) and trade union strategies for involvement in the Semester (Spasova *et al.* 2020).

The main goals of this Research paper are:

- To identify the *channels* through which national trade unions are involved in the European Semester at both national and EU levels;
- To highlight trade unions' *influence* on the agenda-setting, the outputs and the outcomes of the Semester process;
- To address the *supporting* factors and the *barriers* to trade union involvement in the respective countries.

In accordance with the project's analytical framework (Sabato 2018), the following definitions are used. *Involvement* – a process entailing stakeholders' access to decision-making venues and procedures and an exchange of resources with policy-makers (at least information), possibly leading to an influence on the agenda setting, the outputs and outcomes of the policy process.

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1. We would like to thank the INVOTUNES national experts for their meaningful comments and remarks on earlier versions of this paper, and especially Sebastiano Sabato, Bart Vanhercke, Slavina Spasova and Olli Kangas. The usual disclaimer applies.
  2. For more information about the European Semester with particular reference to social policies, see Zeitlin and Vanhercke (2018).
  3. For more information visit the project site: <http://www.ose.be/invotunes/>
  4. See the OSE Working Paper Series at [http://www.ose.be/EN/publications/ose\\_paper\\_series.htm](http://www.ose.be/EN/publications/ose_paper_series.htm)

*Channels*: the actual venues and procedures through which trade unions exchange views with EU and national public authorities, as well as the kind of inputs that are provided (i.e. the specific contributions by trade unions to the milestones of the Semester).

*Influence*: '[...] an actor's ability to shape a decision in line with her preferences' (Dür 2008:561). The influence of the involvement is reported as perceived by the trade unions themselves, in other words, influence refers to the relative impact they consider they are having on the Semester's different stages.

Trade union influence is further differentiated as follows (Sabato 2018):

- a) influence on the *agenda setting*: the capacity of national trade unions to influence the priorities of the European Semester at both the European level (e.g. affecting the contents of the AGS) and the national level (e.g. helping to define the priorities in the NRPs);
- b) influence on the *outputs* of the policy process: the influence of national trade unions on key documents of the Semester at both the European and national levels, including the Annual Growth Survey (AGS), the Country Reports (CRs) and the National Reform Programmes (NRPs);
- c) influence on the *outcomes* of the policy process: the impact of national trade unions on specific policy decisions taken by decision-makers in the framework of the Semester at both the European (e.g. the CSRs) and national levels (e.g. legislation or decisions concerning specific policy reforms or agreements between the social partners).

More specifically, the INVOTUNES project distinguishes between the following types of involvement:

- a) *information*, i.e. the simple sharing of knowledge, which is a prerequisite for all other forms of involvement;
- b) *consultation*, i.e. the possibility to express views on a policy proposal and to influence the final decision, but without being expressly involved in the making of a decision (which is up to policy-makers);
- c) *participation*, i.e. the ability to directly influence the process and to have their views incorporated into the final outcomes;
- d) *co-decision*, i.e. consensual decisions on policy choices and priorities, ensuring joint ownership of the final outcome;
- e) *strategic partnership*, meaning a dynamic where trade unions are conceived of by European and national institutions as key partners, from the agenda-setting stage of policy-making to policy implementation (Sabato *et al.* 2017).

Finally, the influence of the trade unions can be strong, moderate or weak: this is assessed by the unions themselves in the eight country case studies.

Theoretically, the role of trade unions in the EU governance has been explored with reference to multilevel governance systems (Gumbrell-McCormick and Hyman 2013), using multilevel analysis. According to Visser (1998), one of the four specific dimensions of European industrial relations is the supranational dimension, strengthened by European integration. According to Verdun and Zeitlin (2018), the European Semester is intended to provide a socioeconomic governance structure to coordinate national policies without transferring full sovereignty to the EU level. In the complex interaction between the EU level and the national level, trade unions, along with other actors, can choose to activate certain levers and use opportunities in order to influence the policy making process, at European and/or at national level. However, whether or not, and how, these opportunities are used depends partly on trade unions' key resources and strategies, but also on both the EU and national political and institutional contexts (see Pavolini and Natili 2020; Spasova *et al.* 2020).

Earlier literature has explored the channels used by trade unions to influence EU policies. According to Larsson (2015), trade unions in Europe tend to have a particular preference for the use of a national route or a Brussels route, as well as choosing between different channels enabling access to Brussels. This choice depends among others on the country's institutional set-up – e.g. its industrial relations model and the specific national procedures with regard to the Semester and the dynamics of national social dialogue more generally – as well as the type of social partnership (degrees of cooperation between social partners). Indeed, as highlighted by other studies, 'there is a wide range of consultation practices between social partners and governments on matters related to the elaboration of the NRP: from well-established social dialogue, tripartite or bipartite institutional frameworks to specific procedures and, occasionally, ad hoc structures' (Eurofound 2018: 9). At national level, the involvement usually takes place through a combination of access channels enabling different types of involvement. The scarce available sources (Eurofound 2016, 2018; Sabato *et al.* 2017) point to a varied situation across the Member States, but these studies do not provide a systematic picture of the actual channels of social partner involvement at the national level.

Our hypothesis is that involvement will depend on the availability of access channels, including both the specific national procedures of the European Semester and national social dialogue. First of all, when national social dialogue is already strong, social partners have less interest in being involved in the procedures of the European Semester. Secondly, one can hypothesise that the access channels and procedures of the European Semester can be used by trade unions to overcome possible 'blockages' of national social dialogue, e.g. by putting pressure on national governments or the employers' association (see also Sabato 2018). The level of influence depends on the national social dialogue system, but also on the resources of the trade unions and the extent to which these are

used, and on the political attitude of the respective governments, which can facilitate access or make involvement difficult. Those hypotheses are further developed in the INVOTUNES analytical reports by Spasova *et al.* (2020) and Pavolini and Natili (2020).

The remainder of the paper is organised as follows. Section 1 examines the channels for involvement and their importance, according to the national case studies. Section 2 focuses on the influence on agenda setting, outputs and outcomes. Section 3 presents the discussion and conclusions as well as policy recommendations.

## **1. Channels for trade union involvement in the European Semester**

A key objective of the INVOTUNES project is to identify the precise channels for access through which national trade unions are involved in both in the 'EU' and 'national' cycles of the European Semester (Zeitlin and Vanhercke 2018).

These channels for access, analysed on the basis of the eight aforementioned INVOTUNES national case studies, are explored in the following tables (1, 2, 3, and 4). For every country, the national case studies have attempted to identify the channels available at both the national and EU level. Countries with the same industrial relations (IR) model are grouped together in order to better identify similarities and differences, and to search for common patterns in access channels. Thus, in line with Eurofound (2015) we have chosen to use the following geographical typology, which distinguishes between: (a) Northern countries (represented in the INVOTUNES project by Sweden and Finland); (b) Central-Western countries (Belgium and Germany); (c) Southern countries (Italy and Portugal); and finally (d) Central-Eastern countries (Bulgaria and Hungary).

### **Central-Western countries**

The Central Western countries considered in the INVOTUNES project are Belgium and Germany. In Belgium the main channel for involvement in the national cycle of the Semester is through the traditional consultation bodies of the centralised social dialogue: the National Labour Council (NLC) and the Central Economic Council (CEC) (Peña-Casas and Ghailani 2019). Both NLP and CEC advise the government in drafting the NRP and use the positions of trade unions as an input to the NRP, annexed to it. The consultation of the social partners is continuous, taking place also during the other stages of the European Semester process. However, the understanding of social partners is that their involvement at national level is rather weak as the government does not 'listen to them' (*ibid*). A possible explanation of this government attitude concerns the ideological positions of the government in place. The tight deadlines for the social partners to react and present opinions during the stages of the European Semester process are still a serious barrier to effective involvement.

At EU level, Belgian trade unions maintain direct contacts with the European Commission through regular meetings. These are organized in different contexts – during fact-finding missions, as well as during the presentation of the Country Reports (CR) and the Country-specific Recommendations (CSRs) or at large meetings of the NLC and CEC with representatives of the European Commission (EC). During recent years, the number of EC officials involved in these meetings has increased: ‘at European level, the trade unions consider the above-mentioned access channels as important. They have the feeling that the Commission representatives listen to their input and take some of their priorities and corrections into consideration when drafting the Country Report’ (Peña-Casas and Ghailani 2019). Belgian unions are also active in the meetings with the European Trade Union Confederation (ETUC), notably through the Trade Union Semester Liaison Officers (TUSLO) network. At both levels, the types of involvement include information and consultation.

**Table 1: Trade union access channels in Belgium and Germany**

Country		Channels for access	Type of involvement
Belgium	Access at National level	Traditional consultation bodies: National Labour Council (NLP) and Central Economic Council (CEC)	Information, Consultation
	Access at EU level	Direct interaction with EU – regular meetings with social partners (fact-finding missions and informal meetings) Regular meetings: twice per year – meeting of CEC/NLP with EC representatives Common position paper of the three Belgian trade unions, followed by discussion	Information, Consultation
Germany	Access at National level	Through traditional multi-stakeholder consultation: written consultation subject to strong time constraints	Information, Consultation
	Access at EU level	Direct interaction with EU – regular multi-stakeholder meetings and meetings with social partners (at the request of social partners), also informal meetings with EC representatives	Information

**Source:** Own compilation on the basis of INVOTUNES Country case studies (2019).

In Germany, there is no standard social dialogue council. Consultation of the trade unions and employer organisations is a typical feature of the German system but consultation is issue-oriented and varies in format. The main channel for involvement in the ES at national level is a written consultation procedure on the NRP, which involves the largest of the three trade union confederations – DGB - all employers, and several business organisations as well as some other associations (Kraemer 2020). The trade unions criticize the extremely short time frame of the consultation procedure. Some comments and statements emerging from the multi-stakeholder

consultation, including those of the trade union confederation, are attached as annexes to the NRP (the NRP itself having low importance). The trade unions find that they have little influence on the NRP.

At EU level, The European Commission invites the social partners to regular multi-stakeholder meetings and to tripartite meetings. At the request of the social partners the latter are termed 'conversations' (and not consultations), to make it clear that the European Commission is not actually consulting the social partners and that these conversations do not produce binding results. Despite that, the trade unions are more satisfied with the EU-level procedure than with the national channels, which additionally suffer from strong time constraints. The ETUC's policy coordination efforts to link national trade union officers up with the Commission have helped to improve the communication of German unions with the EC officers. The types of involvement include information and consultation.

In both Belgium and Germany, there is a preference for the use of national-level channels. Only in the Belgian case, the EU-level channel is extensively used in order to allow trade unions to be 'heard'.

### **Central-Eastern countries**

Bulgaria and Hungary are the two examples of Central-Eastern countries considered here. At national level, various channels for influencing the Semester co-exist in Bulgaria, as already shown elsewhere (Eurofound 2016). The most important channel is through two working groups under the aegis of the Council for European Affairs (Council of Ministers): Working Group 13 'Social policy and employment' (WG13) and Working Group 31 'Europe 2020' (WG31). The other channels for access include the National Council for Tripartite Cooperation (NCTC), the Economic and Social Council (ECS), different *ad-hoc* groups and the regular budget procedure. But the Bulgarian social partners are not satisfied with the effectiveness of these national channels for access. In fact, trade unions consider that they are not involved in the EU Semester; the national involvement is considered 'ineffective and formal' (Tomev *et al.* 2019). An additional barrier to involvement at national level is a lack of cooperation between trade unions and employers.

According to the INVOTUNES case study, EU-level involvement, through direct communication with the EC and ETUC, is considered as the most successful channel for involving Bulgarian trade unions in the Semester (Tomev *et al.* 2019). Direct meetings and exchange with the EC have indeed improved during the last few years, partly because of the increasing openness of the Commission's Directorate-General for Employment, Social Affairs and Inclusion (DG EMPL). In addition, the Bulgarian case study emphasises the role of the EC delegation in Sofia in facilitating access. Since 2016, the involvement of unions has increased, due to the appointment of the TUSLO. The types of involvement include information and consultation. Table 2 summarises the trade union access channels in Bulgaria and Hungary.

**Table 2: Trade union access channels in Bulgaria and Hungary**

Country		Channels for access	Type of involvement
Bulgaria	Access at National level	Through two working groups (WG 13 and 31) Economic and Social Council National Council for Tripartite Cooperation (NCTC) <i>Ad-hoc</i> groups Budget procedure Written opinions, positions and analyses of social partners.	Information, Consultation
	Access at EU level	Direct contacts with EC Through ETUC Bulgarian representatives at EESC; TUSLOs	Information, Consultation
Hungary	Access at National level	NESC, Permanent consultation forum (PCFPSG)	Information
	Access at EU level	Direct meetings	Information

**Source:** Own compilation on the basis of INVOTUNES country case studies (2019).

In Hungary, at national level, trade unions, together with other organisations, take part in several European Semester-related workshops and ad-hoc meetings, organized by the Ministry for National Economy. The formal social dialogue structures, potential channels for involvement, namely the National Employment and Social Committee (NESC), the Permanent consultation forum (PCFPSG), the Sectoral Dialogue Committees and the National Labour Council of Public-sector employees, are not used in practice. According to Albert (2019), there is a lack of meaningful debate and real partnership, as the government does not take trade unions' proposals into account. Scarce trade union capacities and resources are another important barrier to involvement in Hungary.

The European Commission Representation in Hungary organises events where social partners can voice their opinions: they are invited to talk during the Commission's fact-finding mission and to participate in public events presenting the Country Reports and the CSRs, as well as to meetings with high-level EU officials. This channel is highly valued by the trade unions as they use it to 'voice' their demands. The ETUC is considered as an important channel for communication and exchange with the European Commission. The type of involvement of the Hungarian unions, both at national and at EU level, is information.

The situation in the two Central Eastern countries considered here, Bulgaria and Hungary, differs in terms of national access channels, as most of the channels in Hungary are not actually used. However, in both cases, EU-level access is preferred by the trade unions, as this access provides a better opportunity to voice their demands.

## Southern countries

The two Southern European countries examined in the INVOTUNES project are Italy and Portugal. In Italy, there has been almost no national trade union involvement in the European Semester, and the potential channels at national level have rarely been used. One explanation is the political context in the country, with governments that have been not interested in, or have even been hostile towards, exchange with the social partners. However, according to the authors of the INVOTUNES case studies, in the period 2014 – 2018, trade union involvement in the European cycle of the European Semester improved significantly, mainly with respect to the AGS (Pavolini and Natili 2019). The main channels for involvement are at EU level. As in all eight countries covered by INVOTUNES, in Italy there is direct communication with the European Commission during the Commission’s fact-finding missions or via the European Semester officers in Rome, as well as the meeting(s) in Brussels, organised and supported by the ETUC. The ETUC is seen as an important channel for communication between trade unions and the European Commission, and those meetings are considered by unions as very helpful. However, in general the Italian trade unions have been sceptical regarding their ability to influence the process. The types of involvement include information at national level and information and consultation at EU level. Table 3 summarises the trade union access channels in Italy and Portugal.

**Table 3: Trade union access channels in Italy and Portugal**

Country		Channels for access	Type of involvement
Italy	Access at National level	Parliamentary debates	Information
	EU level access	Direct communication with EC (bilateral meetings and through ETUC)	Information, consultation
Portugal	Access at National level	Economic and Social Council Direct communication with the European Semester Officers Bilateral meetings with the Government.	Information, consultation
	EU level access	Meetings in Brussels and in Portugal between trade unions and the EC ETUC channel	Information

**Source:** Own compilation on the basis of INVOTUNES country case studies (2019).

In Portugal, the European Semester only started in 2015, with a consultation on the 2015 NRP: before this time, the country was subject to monitoring under a Memorandum of Understanding. The trade unions consider their involvement in the process as useful (Perista and Perista 2019).

There are three main channels for access in Portugal. The channel considered as most important is the Economic and Social Council (CES), including the Standing Committee for Social Dialogue, as it is required to issue opinions regarding the NRP. Other channels are direct communication with the European Commission Semester Officers, and the bilateral meetings of the trade unions with the Government, considered less important (*ibid*). Trade unions in the country emphasise that their interaction with the government, although depending on the orientation of the government in power, is weak regarding the European Semester. In addition, tight deadlines for reaction and input provision are underlined by the Portuguese national case study.

At EU level the channels used are the meetings in Brussels and in Portugal between trade unions and the EC officials, and with the ETUC (Perista and Perista 2019). However, awareness of how the process works has been limited to only a few people within the unions, e.g. the TUSLOs. These channels are used, but mostly for receiving information on the CRs or the CSRs, especially during the EU cycle, instead of providing inputs. The types of involvement include information and consultation at national level, and information at EU level.

In the Southern European countries exemplified here with the cases of Italy and Portugal, examination of the access channels in use shows a preference for the European level.

### **Northern countries**

The Northern European countries examined are Finland and Sweden. In Finland, the EU Cabinet Committee has established 37 sectoral bodies, known as EU sections, and 'trade unions have formal access to decision-making mostly via the 37 sections, where they are represented and where most EU issues, including the European Semester' are discussed (Kangas 2019: 13). In addition, according to the Finnish case study, the Sectoral parliamentary committees often invite representatives from trade unions. Trade union access to respective ministries has been however 'depending on the colour of cabinet' (*ibid*). Between 2015 and 2019, under the centre-right coalition government, union participation in government decision-making related to the European Semester deteriorated. At EU level, the most important channel has been the meetings between the European Semester officer and the trade unions. In addition, Finnish trade unions have also had a presence in Brussels, through their own lobbying organization and, mainly, through the intermediation of the ETUC. The trade unions are satisfied with the process, as the main themes in the European Semester coincide with those in the national social dialogue (Pavolini and Natili 2020). For the unions, their only problem is with the tight deadlines to react and provide opinions.

In Sweden, the government and the social partners have established institutionalized procedures for consultation for the purposes of the European Semester (Jansson *et al.* 2019). The main channel is a reference group, including relevant ministries and the social partners. This group holds regular

meetings at key moments during the Semester, for example when the CR or CSRs are issued by the European Commission, when Sweden needs to deliver its NRP, or for discussion and consultations on the implementation of the Europe 2020 Strategy in the country (ibid). Another venue for access is when the prime minister's office meets with the social partners: at least four times per year, but in practice more often. The social partners also often meet with officials from different ministries. The social partners write a joint statement, which is later attached as an appendix to the NRP. The overall involvement of social partners in the European Semester has evolved over time and the participating social partners have gone through a continuous learning process *vis-à-vis* the rules of the game. The Swedish unions have also been active at EU level, communicating directly with the EC to influence the process. The social partners have regular contacts with the representatives of the European Commission, at various meetings and seminars in the EC representation. According to the case study, the unions do not use the ETUC as a channel, because they have rarely had major concerns with the ES.

In the two Northern countries under scrutiny, Finland and Sweden, the main access channels are at national level, which is also the preferred level for involvement. This is the only group of countries where the types of involvement include actual participation, in parallel to information and consultation. Table 4 summarises the trade union access channels in Finland and Sweden.

**Table 4: Trade union access channels in Finland and Sweden**

Country		Channels for access	Type of involvement
Finland	Access at National level	EU Affairs Cabinet Committee (37 sections, various levels of involvement) Parliament (sectoral parliamentary committees)	Information Consultation Participation
	EU level access	Direct communication with EC ETUC channel Lobbying	Information Consultation
Sweden	Access at National level	Institutionalized procedures for consultation: a reference group (ministries and social partners - regular meetings at strategic points over the year) Thematic Consultation Forums on EU affairs	Information Consultation Participation
	EU level access	Exchanges with the EC (including the EC representation in Sweden)	Information Consultation

**Source:** Own compilation on the basis of INVOTUNES country case studies (2019).

## 2. Influencing the European Semester: agenda setting, outputs and outcomes

The second part of the paper explores the trade union influence on the agenda setting, outputs and outcomes of the European Semester process. These influences have been assessed in the eight INVOTUNES case studies, on the basis of a self-assessment by the trade unions, and, sometimes, of opinions of other actors in the European Semester process. The situation varies widely between countries. The existence and use of appropriate access channels is important, but not a sufficient condition to determine the effectiveness and the impact of trade union involvement in the European Semester.

### 2.1 Sweden

In Sweden, trade unions rarely use the European Semester to influence the national political **agenda**. The policy initiatives, for example those mentioned in the NRP or in the appendix to it, come mainly from the national policy debate and not as a result of particular pressure from the European Commission. Usually, Swedish trade unions act together with the employers' organizations on EU issues, despite the potential for disagreements. An example of such a joint action was at the launch of the European Pillar of Social Rights in 2017 in Gothenburg (Jansson *et al.* 2019), when Swedish trade unions started to push for the inclusion of the Pillar and its Social Scoreboard in the European Semester. In general, social dialogue in Sweden has considerable impact on the policy agenda, and trade union influence on agenda setting is strong quite aside from the Semester.

As a result, despite some disagreements between the social partners, all actors work to defend national independence and protect the Swedish industrial relations model from threats to its autonomy. This view has been incorporated into the **outputs** of the European Semester, namely in the annexes to the NRP, as the following example from the 2018 NRP illustrates: 'social partners in Sweden are responsible for the formation of wages on the Swedish labour market and they safeguard their autonomy as a party, including their independence to regulate negotiation procedures, dispute procedures and development issues on the labour market' (Jansson *et al.* 2019). The views of the social partners concerning their autonomy and role have been taken increasingly into consideration by the European Commission since 2012. From the perspective of the social partners, this information exchange has improved the content of the Country Reports and the CSRs: 'Generally speaking, as exchanges of information between the Commission and the social partners have increased (ESOs, fact-finding missions etc.), the description of the conditions in Sweden in the CRs and CSRs has become more closely aligned to the perceptions of the social partners, in their view' (*ibid.*). The level of influence on the **outputs** is self-evaluated as strong.

In Sweden, the strong union influence on the European Semester **outcomes** comes mainly from the national social partners and the national government, rather than through the ETUC or contacts

with the Commission. As stated in the Swedish case study: ‘...any direct influence on the European Commission, it is by providing a better understanding of the working and benefits of the Swedish model of industrial relations, through the annex in the NRP and possibly also in the CRs’ (Jansson *et al.* 2019: 21).

## 2.2 Finland

In Finland, the social partners play an important role in national policy making, in social policy reforms in general, and in pension and labour market reforms in particular. The leading themes for the agenda emerge from the strong national social dialogue, where the trade unions have an important role (Kangas 2019). From this perspective, the process of expanding the European Semester to labour market and welfare issues has always been on the trade unions’ agenda. The motivation for this push is that the European Semester deals with economic and employment policies, and indirectly also with social policy, and for the trade unions it is necessary to include welfare goals. The attempts to influence the AGS and the CSR mainly take place at European level via the ETUC. According to Kangas (2019), the social partners may jointly take up themes that they regard as important, and push the government to react. If that fails, the ‘Brussels way’ may be used, i.e. the social partners may communicate directly with the Commission, asking it to include their demands in the CSRs. If they, together, present the initiative to the Commission, either via the Commission representation in Finland or via fact-finding missions, this initiative will most probably end up on the European Commission’s agenda. Trade unions consider that their influence on the **agenda-setting** on economic issues is weak to moderate, but that they have a strong influence on social policy and labour market questions.

In Finland ‘the Country-specific Recommendations are rather general in the sense that they leave room for national solutions’ (Kangas 2019: 25). At the national level there is a continuous discussion process, transmitting and reacting to messages from the European Commission and emphasising the autonomy of the social partners. At EU level, there has been active communication between the trade unions and the EC, but the trade unions’ level of influence has been moderate. Since this is a collective process, it is difficult to identify the influence directly due to trade unions (*ibid*). In general, the social partners exert stronger influence on labour market, working life and employment-related social policy issues (the pension reform from 2017 is an example). Defending national decision-making in industrial relations and wage setting has been the goal of the employers and trade unions, which have been able to have influence ‘on the **output** process rather than on the outputs as such, i.e. changing the way the Commission presents the Country-specific Recommendations’ (Kangas 2019: 26).

In Finland, the influence of trade unions on the European Semester **outcomes** varies depending on the issue (Kangas 2019). The direct influence on macro-economic issues has been low to moderate, while the indirect influence is moderate. There is a stronger influence on labour market questions

and employment-related social policy programmes (e.g. the 2017 pension reform). The government could not ignore the bipartite or tripartite negotiations and the positions of trade unions in relation to pensions, social policy reforms or facilitation of termination of a labour contract in SMEs. The interplay between the trade unions and the EU has been of importance in labour protection legislation (ibid).

### **2.3 Belgium**

In Belgium, the European Semester approach has changed national-level decision-making and increased the need for national policymakers to defend and discuss their own political decisions at EU level: 'The process pushes governments to reform urgently and to no longer take into account the role and autonomy of the social partners in social matters. An important share of the **agenda setting** is now done through direct interaction between the Commission and the Member State, where the social dialogue actors are far less present (Perrin 2017). According to the trade union representatives interviewed: 'The European Pillar of Social Rights (EPSR) is considered as a window of opportunity to push for a more social agenda, and trade unions expect positive results in the future' (Peña-Casas and Ghailani 2019). EU recommendations are discussed at national level, especially certain controversial issues, but the social dialogue process around the Semester has limited potential for impact on the agreed reforms (ibid.). The trade union influence on **agenda setting** in Belgium is evaluated by the trade unions and by the other actors as 'moderate'.

In Belgium, the social partners consider that they have very weak influence on European Semester **outputs**, because the government 'is reluctant' to question the content of the NRP (ibid). Since 2017, the Central Economic Council has been legally responsible for elaboration of a *Report on Employment and Competitiveness*, later included in the NRP, and social partners can use the preparation of this document in order to transmit their views or at least qualify its positions; this process takes time (ibid). However, trade unions believe that for them it is more important to influence the CRs. On the basis of discussions and exchange with the EC Belgian desk, some of the elements discussed at national level have been reflected in these reports, 'such as their criticism of flexi-jobs, youth wages, discrimination in the labour market, the free functioning of markets for goods and services, and problems in the distribution sector' (ibid: 24). In this context, the trade union influence on **outputs** is evaluated as weak.

Belgian trade unions define their potential influence on the CSRs as 'non-existent, since the recommendations are subject to political discussions that fall outside the TUs' area of influence.' (Peña-Casas and Ghailani 2019). Although trade unions cannot clearly see their impact, some topics have been included in the last two years' CSRs, such as increasing public investment; providing training for all workers and unemployed; reduced competition burdens in service sectors and greater investment in human capital, probably because of union lobbying and arguments (ibid). The employer organisations have had 'greater influence' on the government in this respect, due to their

converging interests (e.g. the recommendation to change the law on wage setting)’ (ibid: 25). In general, the level of influence on **outcomes** is described by trade unions as low.

## **2.4 Germany**

**Agenda-setting** in Germany – similarly to Sweden – is developing in a context where policy initiatives come mainly from the national policy debate and not as a result of particular pressure from the European Commission. Both countries have a strong current account surplus, and the national governments have limited interest in the EU Commission’s Country-specific Recommendations. The German government indeed considers the NRP as a reporting obligation and not an ‘agenda’ of future activities that requires debate by either parliament and/or civil society (Kraemer 2020).

The German trade unions influenced the **outputs** of the European Semester, more particularly a fiscal policy recommendation (increase in public investment), because their demand was shared by the employers; however, their influence on social and labour recommendations – not shared by the employers – resulted in only slight changes in some EC recommendations: for example, the Commission called for measures to raise internal demand by reducing the number of non-standard jobs. The outcome at national level is limited. The government has indicated that the social partners have various ways to make themselves heard, as they are consulted on various issues. But as the NRP is a government report, the influence of the social partners is by nature limited (Kraemer 2020).

In the case of Germany, where the EC’s CSRs aim at lowering the current account surplus while strengthening competitiveness, the employers are more satisfied with the CSRs than the trade unions. Nevertheless, the national trade unions acknowledge that the EU Commission’s outputs on Germany have changed over the years and in some regards better reflect trade union views than they used to. Trade union influence on **outcomes** of the European Semester at national level is low, and their demands tend only to be heard if they are shared by the employers. The German employer organisations have a stronger influence on the CSRs than the unions. The latter aim at having some influence on agenda setting at EU level via the ETUC. In Germany, according to trade unions, their influence on **outcomes** at EU level is limited (CSRs), and weak at national level. The EU takes better account of the trade unions’ views. Both social partners consider that they have little influence on outcomes at national level. This is related to the low level of interest shown by the government in policy recommendations from the EU level and in the ES process, which is not organised in such a way as to promote public policy debates on the CR or CSRs (ibid).

## **2.5 Bulgaria**

In Bulgaria, the trade unions have limited experience of direct influence on the **agenda setting** at EU level, but during the drafting of the common document at EU level (by the ETUC), meetings of national TUSLOs have been organised by the ETUC; the TUs have therefore been able to present

their views and thus to influence indirectly the agenda setting. At national level, the involvement has been characterised as 'formal', because of the consultative status of TUs in WG31 (Tomev *et al.* 2019). According to the trade unions, the level of influence on agenda setting is weak; some 'opportunities are opening up to influence the NRP and CP priorities' (ibid: 20), although these have not used up to now, because of the consultative status of trade unions in the working group.

There are some examples of the influence of Bulgarian trade unions on the **outputs** of the European Semester process (Tomev *et al.* 2019). Another example is the successful trade union strategy (of CITUB) to oppose the European Commission's idea that 'a minimum wage increase would have a negative effect on employment of low-qualified workers' (ibid: 21). This strategy was based on a 12 year time series economic analysis carried out by trade union experts. However, the trade unions themselves consider that they have had a moderate influence with partial success.

In Bulgaria, trade union impact on the **outcomes** occurs through proposals made in social dialogue, for specific legislation and concrete policies concerning the labour market and social policy. The specific outcomes mentioned include the minimum wage increase and the allocation of additional funds to education and health care, thanks to the pro-active role of trade union confederations and the successful communication with the European Commission representatives' concerning the CRs and CSRs. The level of influence on outcomes is high, according to trade unions. According to the DG Employment country desk, one of the CSRs 'was to establish a mechanism for the minimum social insurance income setting. As a result of the position of the government, trade unions and employers, the Commission withdrew this CSR. I think this is a good example on how our cooperation has led to change' (DG employment country desk interview, cited in Tomev *et al.* 2019: 21). This evaluation has been confirmed by other actors. For example, government officials have stated that: trade unions 'use the CSRs to solve specific problems and request specific measures within the national social dialogue' (interview with government official, cited in Tomev *et al.* 2019: 22). Employers also share this view. For them: '...trade unions have resources and a mechanism to influence the outcomes and sometimes it seems that this mechanism is more successful than ours. They are very active in all issues related to employment and social security [...]. Sometimes they work well ahead of us and influence the successful outcome...' (Interview with employers' representative, cited in Tomev *et al.* 2019: 22).

## 2.6 Hungary

According to the Hungarian case study, trade union influence on the **agenda** setting at both EU and national level is weak, mainly because of the insufficient resources of the trade unions (Albert 2019), but also especially because of the position of the government, which is not interested in involving unions in the European Semester process. The European Commission representatives have provided some examples of how social partners contribute to the fine-tuning of EU decisions on European

Semester topics through feedback via the ETUC, but in general the trade union influence has remained very low throughout the period reviewed (ibid).

In Hungary, the social partners have had very weak influence on the European Semester **outputs**: 'Business Europe and ETUC both made efforts so that their Hungarian members could share the topics they would have liked to see among the CSRs with EC representatives. According to the interviews with social partners, these efforts had an impact, as these points appeared in the 2017 Country Report and were featured in the 2018 CSRs' (Albert 2019: 22).

The influence of the Hungarian trade unions on the European Semester **outcomes** is really weak or even inexistent. The social partners have only been able to make proposals via the ETUC or, respectively, to Business Europe on topics they would like to see among the CSRs (Albert 2019). However, the employers' organisations seem to have been more successful in this process, as they, through Business Europe, have introduced issues such as vocational training in relation to labour shortage.

## **2.7 Italy**

In Italy, the trade unions consider that their influence on national **agenda** setting is low, but gradually opportunities have been increasing for them, especially since 2015 (Pavolini and Natili 2019). This self-evaluation is confirmed by other actors involved in the European Semester process. For example, the Italian Ministry of Finance highlights the low importance of trade union inputs to the European Semester. The unions have explained that their ability to influence the agenda setting at EU level is limited by the European governance structure. More concretely, in the interviews, Italian trade unions have expressed the view that the EU governance is predominantly economic, focused on fiscal and budgetary constraints. However, through their participation, trade unions have been able to mitigate 'some of the golden rules of the European Union macro-economic policy' (interview with CGIL representative, cited in Pavolini and Natili 2019: 20).

According to the Italian case study, the trade unions communicate actively with the EU, but their influence on the **outputs** of the process has been weak, although increasing: 'The Italian TUs have devoted considerable efforts to providing the ETUC and the European Commission with ex-ante written and oral recommendations regarding points to be included in the Annual Growth Survey and (more recently) in the Country Reports' (ibid: 20). The trade unions evaluated as positive most of the main messages in the Italian CRs from 2016 to 2018, including the positions on the female and youth employment rates, the weak active labour market policies, the fragmentation of social assistance expenditure and the absence of a minimum income scheme. In parallel, there are still two major issues of disagreement between the unions and the EC: the Commission analysis of the wage development and collective bargaining system in Italy and the references to excessive pension expenditure.

Concerning the influence on the **outcomes** of the European Semester, in Italy trade unions have been 'traditionally unhappy with CSRs', with the exception of 2018 (Pavolini and Natili 2019). Trade unions have provided examples of some important achievements which show their recent influence on the European Semester outcomes: for example, the 2018 recommendations on the low female employment rate <sup>(5)</sup>, and on the need to strengthen active labour market policies. The absence of a Country-specific Recommendation on the decentralisation of collective bargaining is considered also as one of their main achievements, together with the lack of a specific recommendation on pensions (ibid), thanks to joint efforts by the Italian social partners <sup>(6)</sup>. Trade unions have been able also to influence an important decision, taken at national level: the introduction of a national anti-poverty minimum income scheme, called the Inclusion Income, in relation with the persisting EC CSRs (from 2013 to 2016) on the need for an antipoverty programme. Employers' organizations highlight their ability to influence the CSRs, while they perceive that the trade unions are traditionally less satisfied with the outcomes of the process. The officials from the EC delegation also perceive trade union influence as limited.

## **2.8 Portugal**

In Portugal, the trade unions' influence on **agenda**-setting has been weak in general. However, two examples of their influence on particular topics have been showcased at EU level (Perista and Perista 2019). The first one regards the setting of a minimum wage. Previously, caution was recommended in increasing the minimum wage, in order not to harm employment and competitiveness (CSR from 2014 to 2017); however, due to the appropriate reaction of trade unions and the government, the 2018 Country Report and CSRs regarding Portugal acknowledge that the increase is not harmful (op. cit.). The second example concerns the inclusion, in the 2018 CSRs, of a new recommendation on lifelong learning and on adaptability of the workforce, because of the emphasis placed by the Portuguese social partners on skills, in the present context where unemployment is not a major concern. The Trade Union Involvement Index 2017 (calculated by the ETUC) shows that trade unions in Portugal assess that their 'position is just heard' (Perista and Perista 2019), i.e. that the effectiveness of their input is weak.

The Portuguese social partners express the feeling that they have limited, or in other words, weak influence on the **outputs** of the European Semester, namely the Country Reports and on the NRPs. The main challenge for the trade unions is the short time provided for consultations in the CES. The lack of coordination between social partners and the government leads to limited influence on the

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5. Namely to take effective action to promote female employment, by adopting measures to reduce fiscal disincentives for second earners by March 2015 and providing adequate care services (see Pavolini and Natili 2019).
  6. As explained in the Italian case study, after considerable efforts, protests and lobbying, the Italian social partners managed to eliminate this recommendation from the CSRs.

final NRP. There are some examples of influence on measures related to labour market and social policies, but in general the influence level is described as low (ibid).

In Portugal, the social partners have made efforts to exert influence on the **outcomes** of the process, but their influence is still low. The case study shows that the positions of the trade unions differ, but most of the interviewees are doubtful about their influence on outcomes of the European Semester (ibid). The tripartite debate and consultations have expressed support for some legislative changes on topics relevant to the European Semester, such as the revision of the criteria and conditions for the extension of collective agreements or the 'early retirement without penalties' option for workers with very long working careers, but the overall verdict is that their level of influence is low.

## Discussion and conclusion

This Research paper has examined eight country cases, illustrating how trade union preferences for access channels and types of involvement in the European Semester are shaped. The main questions raised in the paper are: *what are the access channels enabling trade unions to be involved in the European Semester? And what is the trade union influence on the agenda-setting, outputs and outcomes of the European Semester?*

### ***Access channels***

The large variety of trade union access channels at national and European level is highlighted by the authors of the INVOTUNES case studies. In most of the countries under scrutiny, traditional social dialogue channels are also used for the purposes of the European Semester at national level. In the case of Belgium, the main channels are the National Labour Council (NLC) and the Central Economic Council (CEC). In Germany, the main channel is the traditional multi-stakeholder consultation. In Bulgaria, the access channels include two working groups (WG 13 and 31), but also the Economic and Social Council and the National Council for Tripartite Cooperation (NCTC). In Portugal, the trade unions use the Economic and Social Council and bilateral meetings with the government. In Finland, at national level the channels used are the EU Affairs Cabinet Committee with its sections, and the Parliament, or more precisely, the sectoral parliamentary committees. Finally, in Sweden, there are institutionalized procedures for consultation, including a reference group with representatives of the relevant ministries and the social partners, and thematic Consultation Forums on EU affairs. In parallel to the traditional social dialogue channels, in some countries Semester-specific channels are also used. This is the case of Hungary, where traditional social dialogue channels are not used, but trade unions, together with other organisations, take part in European Semester-related workshops, organized by the Ministry for National Economy. In Italy, the only access at national level is through the participation of trade unions in Semester-related discussions and parliamentary hearings.

The EU-level access channels used by the trade unions include communication and exchange with the European Commission, in Brussels or in the respective national capitals. These meetings may be formal or informal and are organised in different formats: only trade unions and EC officials, social partners and EC officials, or larger formats, including other organisations in addition to the social partners. At EU level, the ETUC is also a very important channel, used to voice specific demands of various national trade unions in relation to the European Semester.

In the countries examined, we have seen preferences for the use of national-level or European-level access channels. In general, in the Northern and Central-Western countries, national access channels are preferred as a way to impact the process and the EU-level is used as a secondary lever; in the Southern countries and the Central-Eastern countries the EU level is considered as a better option for voicing union demands. The industrial relations models (or institutional contexts) of the respective countries may provide some explanations of these preferences: national or European level. Countries from the Central-Eastern industrial relations model and from Southern Europe tend to use the EU-level access channels. There are various reasons for this. First of all, the national IR actors (and especially the trade unions) are relatively weak (in terms of resources and their use) and in general have difficulties in voicing their demands. Second, in these clusters of countries, the social partners also consider the EU level as more important for involvement, because they expect to influence their own government through the European Commission. On the other hand, countries with stronger trade unions and IR systems, such as the Northern and Central-Western models, are more focused on the national channels and have sufficient resources to pursue their goals at that level; the EU level is therefore less important for them and used only as an additional lever.

The types of involvement observed in this process also reflect the features of the national social dialogue systems. While in most cases the types of involvement include information and consultation, in the Northern countries there are examples of participation, exemplifying the 'organised corporatism' which also characterises their dealings with the European Semester. The other types of involvement identified by Sabato (2018), 'strategic partnership' and 'co-decision', have not been observed. These findings are in line with the existing literature on trade union access channels (Larsson 2015), underlining that countries with strongly polarized industrial relations (e.g. Southern or Central-Eastern countries) tend to have a preference for the so-called 'Brussels' route, as opposed to countries from the Northern or the Central-Western models, with a high degree of cooperation between social partners, embedded in the respective corporatist structures, and which prefer the national route. Our analysis supports the hypothesis on the role of institutional contexts, further developed by Spasova *et al.* (2020) and Pavolini and Natili (2020). An additional explanation of the preferences is provided in the literature: recent research findings show that trade unions have differing views on how to influence EU policies: e.g. Anglo-Saxon and Northern trade unions are traditionally more 'Eurosceptic' or 'defensive' than continental and southern trade unions (Gumbrell McCormick and Hyman 2013).

Our findings are also in line with the literature showing the coexistence of multiple channels (Eurofound 2018). But if one of the major barriers to access is that the multiplication of channels for involving a variety of players 'sometimes makes it difficult for the social partners to understand who does what and when' Sabato *et al.* (2017: 4), in the case studies considered here, this multiplication is not addressed as a barrier. This is probably because in this complex situation of multiple channels, trade unions in many countries have gone through a learning process, enabling them to tackle the European Semester issues more effectively over the period examined, 2014 - 2018. However, a remaining important barrier to the effective involvement of trade unions is the fact that in many countries there are still very tight deadlines to react and present opinions during the stages of the European Semester process (Belgium, Bulgaria, Germany, Finland, Portugal). If social partners do not have sufficient time to assess the documents and provide their views, there is a risk that the consultation process becomes a mere formality. Our findings are in line with the ETUC, which also reported a high percentage of inadequate timing (50%) in their trade union involvement index (ETUC 2018). During the period under examination, trade union involvement in the European Semester has been problematic, because of the hostile political attitudes of governments, for example in Hungary or Italy. But while government attitudes can be a major barrier to trade union involvement, as underlined in the analysis, a positive government stance on the other hand can facilitate the process, as was the case in Finland, after the recent government change, or in Sweden.

### ***Influence***

The choice of particular channels at either national or EU level by no means guarantees that trade unions will be able to exert influence on the agenda setting, the outputs and the outcomes of the European Semester. In the eight case studies, the actors interviewed found it difficult to evaluate the level of their influence, because of the complexity of the targeted policies and of the social dialogue situation. In terms of agenda setting, only the Swedish trade unions evaluated their influence as strong; in Finland it was strong influence on social policy and labour market questions and weak to moderate on economic issues. In the other countries under scrutiny it was assessed as low (Central Eastern countries and Southern countries) or moderate to low (Central Western countries). An examination of how the social partners perceive their influence on the CRs and other outputs from the European Semester shows that this influence is seen as strong in the Northern countries, moderate in Bulgaria and low in Hungary. The influence is also considered low in the Central-Western countries and in the Southern countries (but increasing in Italy). In terms of outcomes, again only Sweden stands apart, with strong influence, because of the strong union involvement in national decision-making, which thereby influences European Semester matters. With regard to outputs, only the Finnish unions are considered to have moderate to strong influence, together, surprisingly, with Bulgaria, while all the other unions under scrutiny have only weak influence. The influence on the outcomes of the process differs among the countries examined even

if some trade union achievements have been recorded, such as removing the CSRs on collective bargain decentralization in Italy and maintenance of the minimum wage increase in Portugal.

The results of the self-evaluation are also determined by the traditions of social dialogue in the country and the expectations of the trade unions themselves: in countries with developed industrial relations (IR) systems those expectations are much higher, while in countries with weak IR systems, even limited achievements are interpreted as strong influence (Delteil and Kirov 2016). In addition, as a recent publication has suggested, not all the EU's CSRs should be treated as equal (Jordan *et al.* 2019), and from this perspective the influence on particular prescriptions could be relativized in terms of their actual importance. In specific cases observed in the eight countries, there could be far-reaching EU recommendations that unions have not been able to influence, while they have been able to bring about changes to less crucial recommendations over the years.

## Recommendations

Based on the analysis above and the recommendations provided by the national experts in the case studies, the following recommendations can be put forward.

**Adequate Timing** – the main barrier to effective involvement of trade unions in the European Semester is inadequate timing. For this reason, our recommendations to the unions is that they should negotiate and lobby for timing arrangements suitable for their needs.

**Developing capabilities** – in some of the countries considered in the research, trade unions have insufficient resources for involvement in the European Semester. For this reason, the European Commission should encourage the development of their capabilities, for example in the form of projects funded by the European Social Fund (ESF) to develop their expertise and administrative capacity and to exchange good practices.

**Expanding channels** – in some countries, multiple access channels are used by trade unions, and this could be an inspiration for others. From this perspective, the ETUC could further support the exchange of practices and strategies among the European trade unions.

**Better cooperation** – in some countries with multiple trade unions, insufficient cooperation between different trade unions acts as a barrier to their involvement in the Semester. Although there is coordination via the TUSLOs, a strengthening of such cooperation might improve the situation. The ETUC could play a role in this respect.

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