

# *The Decentralisation of Collective Bargaining and its Consequences for Trade Unions*

## *An Anglo-German Comparison*

Research Project in Comparative Industrial Relations,  
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### **Abstract**

*A decentralisation of collective bargaining has taken place in both Britain and Germany. Despite the fact that British unions have far more experience with a decentralised collective bargaining system than German unions, as the British collective bargaining system has always been decentral to a large degree, British unions ended up in a worse situation than German unions after the (further) decentralisation of collective bargaining in the two states. It is argued here, that unions contrasting fortunes have to be attributed both to contrasts in their environments – political as well as institutional – as well as to differences in unions' own strategic competencies. Crucial in this later respect, it is argued further, is the role of local employee representatives – works councillors in Germany, shop stewards in Britain – and their relationship with unions outside the plant.*

*The research project is (mainly) qualitative and bases on case studies of unions in the metalworking and food manufacturing sectors in both Britain and Germany.*

### **1) Introduction and Research Question**

My research is located in the area of comparative industrial relations and deals with the decentralisation of collective bargaining<sup>1</sup> and its consequences for trade unions.

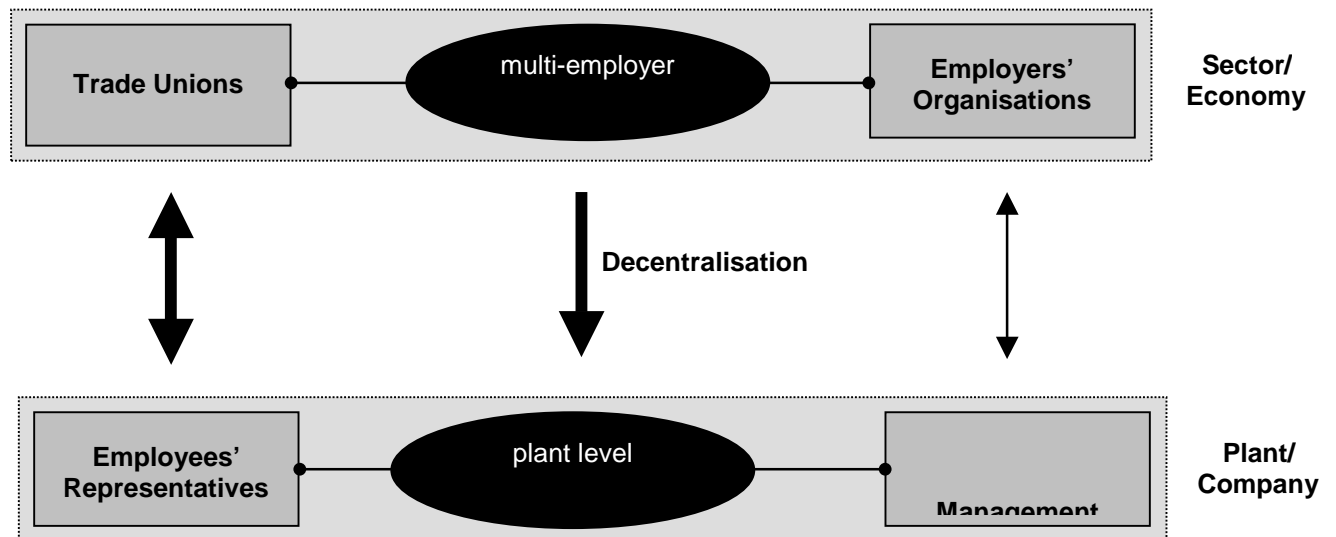
In the last two decades, because of changes in the political economies of industrialised democracies, in particular because of increasing international competition and employer demands for increasing flexibility, collective bargaining has been

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<sup>1</sup> Collective bargaining denotes the collective negotiations of terms and conditions of employment (such as wages and working time) between capital and labour. Collective Bargaining thus has to

subject to increasing pressures, which has led to a decentralisation of collective bargaining several economies.

Figure. 1: *Decentralisation of Collective Bargaining*



Basically, a “decentralisation of collective bargaining” means that collective bargaining is increasingly moving from the macro-level (industry-wide multi-employer bargaining) towards the micro level (enterprise or workplace-bargaining) (cf. figure 1).

When comparing two of the main economies of Europe, Britain and Germany, we are faced with a puzzle: in both countries, a decentralisation of collective bargaining has taken place, however degree and timing of these processes have varied considerably. Collective bargaining in Germany has been comparatively centralised, until a process of decentralisation has taken off at the beginning of the 1990s.

The British collective bargaining system, on the other hand, has always been decentral to a considerable extent. Multi-employer bargaining at industry-level, which set minimum standards, has traditionally been complemented with additional plant-

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be distinguished from unilateral regulations (by unions or employers) and statutory regulation (by the state).

level bargaining between shop stewards and management (Royal Commission 1968). However, a further and considerable decentralisation of collective bargaining took place after the election of Margaret Thatcher in 1979 (Edwards 1995: 4). Step by step, almost all central institutions for multi-employer collective bargaining have been smashed (Edwards et al. 1998: 12ff).

In short: British trade unions have had far more experience than German unions with a decentralised collective bargaining system<sup>2</sup>. Thus, one should expect that British unions have been able to deal with the (further) decentralisation of collective bargaining better than German unions. However, exactly the opposite has happened: British unions are worse off after this process of decentralisation than German unions, judging by indicators such as membership levels and density, bargaining coverage, and bargaining outcomes<sup>3</sup>. Why is this the case? This puzzle provides the starting point for my research.

My research question is how these contrasting fortunes of trade unions in Britain and Germany can be explained. Furthermore, I want to establish in how far these differences are attributable to contrasts in unions' environments<sup>4</sup>, and in how far to their own strategies and structures. I assume that an adequate explanation of this puzzle needs to take into account external factors (unions' environments) as well as internal ones (unions' strategies and structures).

Quite a lot of research has been done on the decentralisation of collective bargaining. Most of this research, however, takes a macro-perspective. Little research

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<sup>2</sup> In Germany, additional plant- or company-level has taken place, too, however to a far lesser degree, only in big and profitable companies.

<sup>3</sup> With "bargaining outcomes", I refer to absolute outcomes, but, more importantly, to the coherence of bargaining outcomes throughout the sector, or with other words, to the extent to which unions have been able to pursue – within a sector – solidaristic wage policies.

<sup>4</sup> These external factors are: The political cycle, the business cycle, structural changes, and institutional differences.

has been done on the plant- and company level, and on what is going on between employee representatives and unions.

I argue that this approach is insufficient. In order to understand the differences described above – the fact that some unions have dealt better than others with bargaining decentralisation – can only be explained when taking into account 1) union activists at the workplace at the workplace, and 2) their relationship with their unions<sup>5</sup>. Those actors at the micro level are important here because they are the ones who put into practice the decentralisation of collective bargaining (together with management). They are the ones who utilise the competencies for collective bargaining which have been delegated to the micro level (plant- or company-level).

The relationship between workplace representatives and unions is important because only a close relationship potentially allows unions to co-ordinate and influence collective bargaining at the local level in order to achieve outcomes in line with union policies.

## **2) Analytical Framework**

My research, and the research design (cf. *infra*) are based on the following initial assumption: The question why the decentralisation of collective bargaining had so different consequences for unions can only be explained taking into account both 1) external factors – the institutional framework and the political situation, i.e. the role of the structure – and 2) internal factors – unions' strategies internal structures, i.e. the role of the actor. I elaborate on this in the following sections.

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<sup>5</sup> with union structures outside the plant, that is

## 2.1 External factors

“External factors” relates to unions’ environments, i.e. cyclical and structural changes in the economy, the political environment, and the institutional framework. I assume that the latter two factors are particularly important, as variation here is rather large between Britain and Germany, while relevant cyclical and structural changes in the economy have applied more or less equally in Britain and Germany<sup>6</sup>.

Thus, two relevant external factors remain: the political environment, and the institutional framework. A considerable degree of variance between Britain and Germany exists here. In respect to the political environment, this may seem surprising: in both countries, conservative governments were in power most of the 1980s and 90s<sup>7</sup>. Yet, one has to notice that the

“German version of neo-liberalism“ has never been as radical as Thatcherism, but aimed instead at a slow transformation of the German model without questioning its fundamental structures” (Esser 1989).

The resilience of the German model was thus one of its most remarkable features until the early 1990s.

The institutional framework in both countries, too, differs significantly: British capitalism belongs to the Anglo-Saxon model, while German capitalism belongs to the regulated Rhine-model. Trade Unions are a major institution of those “models of capitalism”, and as such, have arisen in a distinct context, and form part of a network of interlocking institutions (cf. Hyman 2001a and Yruela/Serrano del Rosal 1999). Unions’ strategies and structures can only be explained with reference to the respective institutional frameworks they are acting in, and have developed in. Thus, the “va-

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<sup>6</sup> This is simplified: structural changes which have taken place in the British economy have taken place later in Germany, and the current state of the German economy differs from the one of the British economy. Yet, before the start of the current recession in Germany, business cycles have been in line more or less.

<sup>7</sup> The Tories, under Prime Ministers Thatcher and Major, were in power from 1979-1997, the Christian Democrats under Chancellor Kohl were in power from 1982 –1998.

rieties of Capitalism” approach (cf. Hall/Soskice 2001) will be applied in explaining the observed differences.

While I am convinced that institutions do matter indeed, I am equally convinced that a sole focus on institutions (and other external factors) is insufficient for the explanation of the puzzle presented here. Much current analysis in the institutionalist tradition begins from the premise of a well-settled institutional framework. Yet, the notion of a “model”, basing on this institutional framework, downplays diversity and variation *within* this model, between different sectors, and, in this case, between different unions (cf. *Author* 2002).

Therefore, the second important set of explanatory variables to be considered are internal factors. Those are influenced and mediated by the mentioned external factors, but not wholly determined by them.

## **2.2 Internal factors**

Those internal factors are unions structures and strategies. I assume that, if one wants to understand the contrasting consequences on unions of the bargaining decentralisation, unions’ workplace representatives, as well as the relationship with their union (i.e. with the “union outside the plant”), are crucial. I explain this in the following sections.

The decentralisation of collective bargaining basically means a delegation of competencies for collective bargaining to union workplace reps<sup>8</sup>. The way they utilise their newly acquired competencies for collective bargaining is, I argue, crucial for understanding unions’ contrasting fortunes following the decentralisation of collective bargaining.

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<sup>8</sup> I use the terms (lay) union workplace representatives or “reps”) and employee representatives interchangeably for reasons of simplicity. While this is not correct de jure, it is correct de facto.

There is one crucial difference between collective bargaining conducted at central level by full-time officers employed by the union, and decentral bargaining at the workplace, conducted by lay (i.e. unpaid) union workplace reps: as opposed to full-time officers, lay union workplace reps at the plant level have two loyalties, one towards their company, including the workforce they are representing, and one towards their trade union, its aims and policies (Hassel/Schulten 1998: 507). In a decentralised bargaining system without a rigid framework, Hassel/Schulten (ibid.) state, “loyalty to the company increasingly outweighs the commitment to the union.”

Therefore, I assume, following Streeck’s line of argument (cf. Streeck 1984) that bargaining decentralisation has encouraged the active pursuit by management and workplace representatives of the economic well-being of the company over other considerations, and thus has promoted a form of plant-syndicalism (Betriebssyndikalismus) which focuses on the interests of insiders (the employees), in particular in times of recession and high unemployment. The implication of this is that the growing autonomy of union workplace reps challenges the ability of unions to pursue their policies (cf. Streeck 1984)<sup>9</sup>. Trade union officials, even in the strong union IG Metall, perceive this to be a major threat (interview notes).

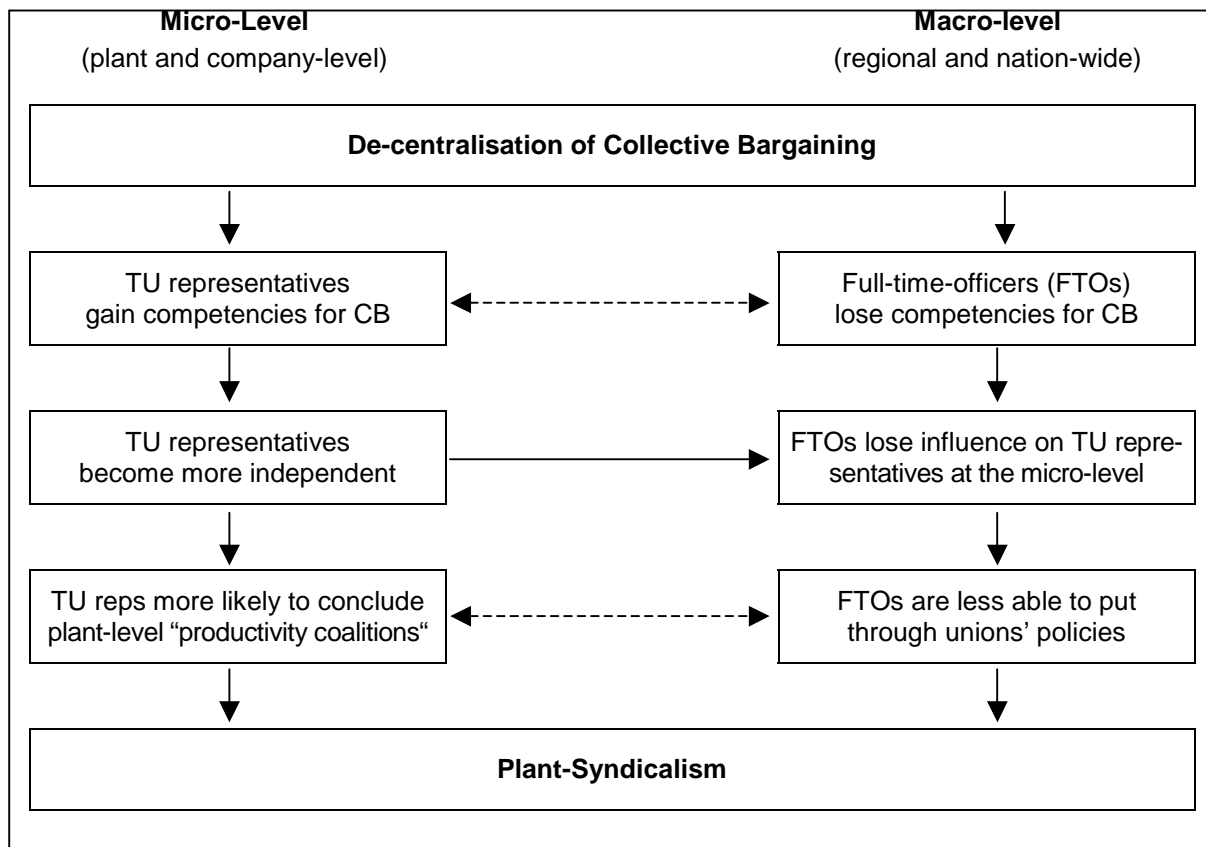
Similarly, Windolf (1989: 5) argues that bargaining decentralisation, and the resulting shift towards company- or plant-level bargaining, would facilitate the formation of so-called “productivity coalitions”, where

“co-operation with management and commitment to the firm’s central goals are exchanged for greater job security and participation in strategic decision-making” (ibid.:3).

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<sup>9</sup> Streeck talks about the extension of workplace co-determination, not about the decentralisation of collective bargaining, which was not a topic at the time when Streeck was writing (1984). Yet, I argue, that the consequences Streeck foresaw in a situation of increasing workplace co-determination are even more likely to happen in the current situation, i.e. in a situation where workplace representatives take over (or increase their) responsibilities for collective bargaining.

**Figure 2:** Decentralisation of collective bargaining and its consequences



The degree to which this actually happens is dependent on the link between workplace reps and their union (i.e. union structures outside the plant). If this relationship is a close one, unions are more likely to be able to influence their workplace reps in order to coherent bargaining policies throughout the sector and union policies in general. The more independent workplace representatives are from their unions, the less unions will be able to influence them, and thus to realise their policies.

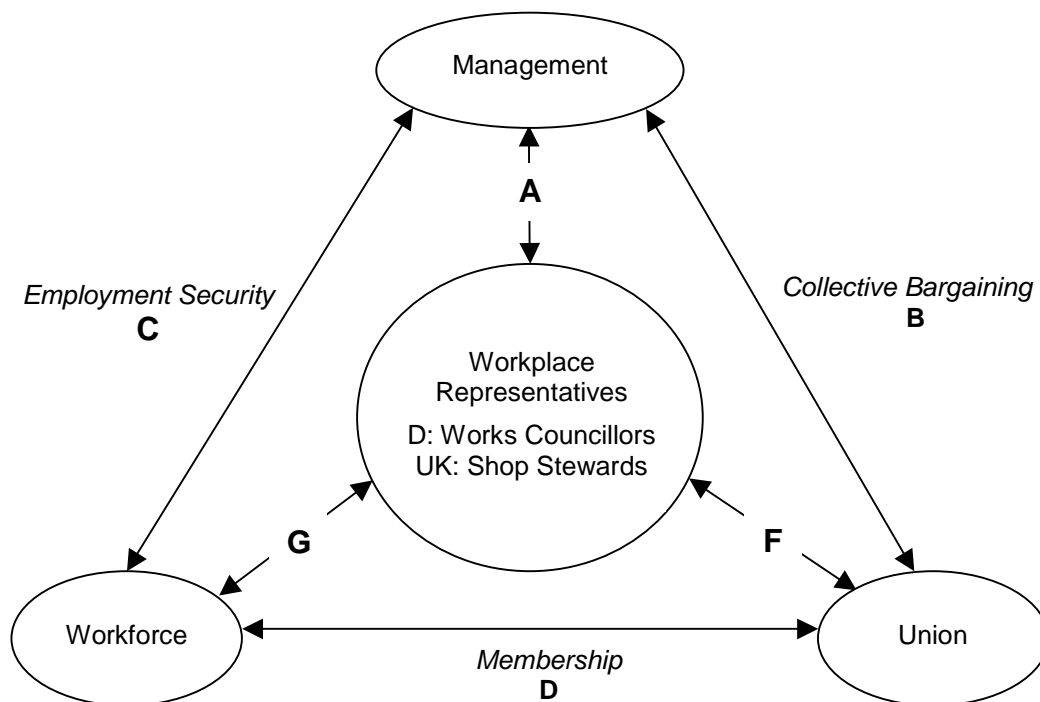
In the case of the west German metalworking industry, works councils were capable and inclined to respect the framework provided by the industry-wide agreement. In this case, the stability was linked to the relatively high membership density of the sector's union, IG Metall, the high proportion of unionised works councillors, and the pre-dominance of large and medium-sized companies in the metalworking sector (Windolf 1989). In short: the stability was based on IG Metall's strength.

Thus, as I stated earlier, workplace representatives (works councillors/shop stewards), and their relation with unions, are crucial for understanding the consequences of bargaining decentralisation on trade unions. In order to understand the way workplace representatives are acting, one has to take into account three other groups of actors which are interacting with them: management and workforce of their plant, and their union outside the plant (cf. figure 3).

The “productivity coalition” argument suggests that, as a result of bargaining decentralisation, the increased responsibilities of workplace reps may be reflected in a closer relationship between them and the management of their plant (A).

The closeness of this relationship between workplace reps and management (A) is dependent on three factors: the degree to which collective bargaining is decentralised and co-ordinated (B), employment security (C), and the degree of union influence within the establishment (D, F) (French 2001: 564f).

Figure 3: *Relationships between industrial relations actors at the workplace*



Source: French 2001, adapted by the author

In such a productivity coalition, workplace reps may endorse positions that counter the collective bargaining policies (*Tarifpolitik*) of their union (ibid.: 566). The degree to which workplace reps may do this depends on their willingness and ability to resist such moves. Their willingness to resist such moves is linked to the loyalty<sup>10</sup> towards their unions, while the ability to resist such moves is based on their strength vis-à-vis management.

The central question raised here relates to the relationship between unions (outside the plant) and (unionised) workplace representatives. The question is in how far unions are able to influence “their” workplace representatives in order to ensure that union policies are put through; and how and why they have managed to do so, or indeed not to do so.

### **2.3 Actors**

Coming from the approach of “actor-centred institutionalism” (Mayntz/Scharpf 1995), I will analyse the studied cases. In order to understand the processes I am investigating, one has to analyse the behaviour of the actors involved. In order to understand their behaviour, again, one has to analyse the context they are acting in. The reciprocity between actor and structure, as conceptualised by Giddens (1988), is important.

The crucial actors for my research, as stated already, are trade union activists at two levels: lay officials at the workplace, and full time officers.

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<sup>10</sup> French only talks about loyalty, not about willingness. He seems to assume that those two things are identical. However, this is not the case: workplace reps may be very loyal towards their unions, and still sign plant agreements which totally counter union policies, because they are in too a weak position vis-à-vis management, and are in a position where they come to believe that signing this agreement, however reluctantly (as it counters their union’s policies) is the only possibility they have to prevent worse (layoffs, that usually is).

Full time officials (FTOs) are officials employed by the union to work on its behalf in union offices. The FTOs I am interested in are those responsible for collective bargaining policies in unions' regional and national headquarters<sup>11</sup>.

Lay officials, on the other hand, act as trade union representatives at the workplace while continuing in paid employment for their company. The most important lay officials are shop stewards (in Britain) and Works Councillors (in Germany) respectively. Their tasks are briefly explained in the following sections.

### *2.3.1 Shop Stewards*

Shop stewards are trade union representatives who are elected by the union members at the place of work. In the decentralised collective bargaining system of the UK, shop stewards handle a very share of collective bargaining activity.

### *2.3.2 Works Councillors*

The works council is an institution of German labour law<sup>12</sup>, not of trade unions. Thus, works councillors are elected by all employees, not just union members. Works councillors have the authority to conclude plant-agreements with management. They are bound by the principles of peace-obligation and "co-operation in good faith" towards the employer, as laid down in the works constitution act. Most works councillors have internalised these principles, one reason for the peaceful and co-operative German industrial relations.

While works councillors are de jure no union representatives, most of them are union members, and are de-facto also union representatives. That means, that in dealing with employers/managers, unions' policies are important.

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<sup>11</sup> As Germany is a federal state, the Regions are important, which also applies to unions. Their regional headquarters are important, and important decisions in the area of collective bargaining (inter alia) are made at this level. In British unions, regional headquarters do not have equal importance – which does not mean, however, that their national headquarters are strong.

### 2.3.3 Comparability?

As so often in comparative research, comparison is difficult here, because works councillors and shop stewards are not really the same, and thus cannot be compared offhand. One of the main responsibilities of shop stewards has always been collective bargaining at the plant level, while works councillors did not traditionally have this responsibility<sup>13</sup>. Only recently have more works councils officially acquired collective bargaining. On the other hand, shop stewards have no co-determination-rights, while co-determination is the a responsibility of works councillors.

Yet, there are also similarities between works councils and shop steward organisations. Both are not a creation of trade unions<sup>14</sup>, and have been backed by unions only later on, after initial resistance<sup>15</sup>. Today, both are since long officially (in Britain) or de facto (in Germany) trade-union institutions.

Works councils and shop steward organisations are certainly not be the same thing, the important fact is however that they perform certain similar functions which are crucial here. Both have, or may have (in the case of Germany) certain collective bargaining rights. Secondly, both are the main link between the plant and its workforce on the one hand, and the union on the other. Finally, both have retained a critical distance towards their unions' policies.

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<sup>12</sup> More precisely, of the works constitution act or *Betriebsverfassungsgesetz (BetrVG)*.

<sup>13</sup> Only in certain large plants, works councils have since long negotiated voluntary payments on top of the wage levels in the branch-level collectively agreements.

<sup>14</sup> Works councils were created "from above", e.g. by the state by means of legislation, while shop steward organisations were created "from below" unions, by grassroot activists in the factories (while those activists often were trade union members, the creation of those bodies was not endorsed by unions.)

<sup>15</sup> In both Germany and the UK, unions initially created their own workplace organisations, based on lay activists, as a reaction to works councils and shop steward organisations respectively. Yet, in both countries, these union workplace representatives never acquired the importance of shop steward and works councillors respectively, and have even lost further in importance in the last two decades.

Next to those actors in the unions, which are paramount for my research, one has to take into account how employers and their associations are acting in collective bargaining. This, however, is not the focus of my research.

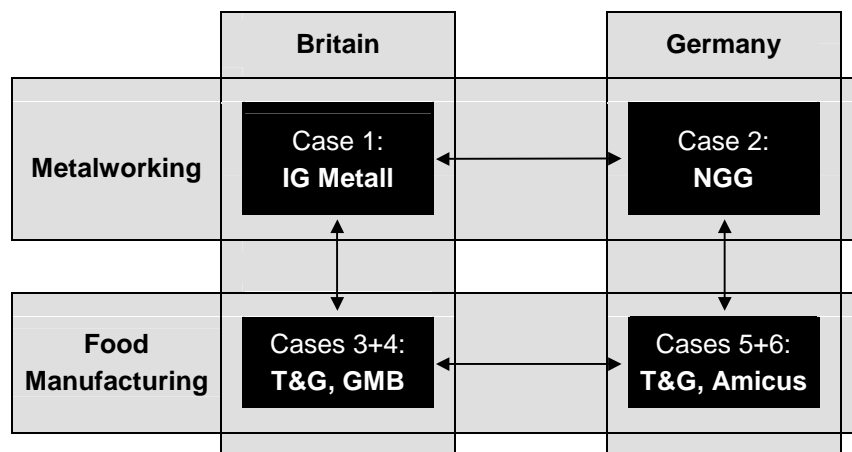
### 3) Research Design

The research bases on a two-by-two design (cf. figure 4). The sample includes unions in Germany and Britain, in both metalworking and manufacturing. Unions in metalworking are rather strong, while they are on the defence in food manufacturing. Thus, I assume that unions in metalworking have been able to actively influence and steer the way in which decentralisation (and the changes caused by it) has happened, while I assume that unions in a weak sector are passive “receivers” of change, and are barely able to steer the change in a desired direction.

This two-by-two comparison will allow to evaluate in how far unions’ contrasting fortunes following the decentralisation of collective bargaining can be attributed to unions own strategic competencies (internal factors/the role of the actor), and in how far to differences in their environment (external factors/the role of the structure).

In the following to sections, I will explain the choice of countries and sectors.

Figure 4: *Depiction of the sample*



### 3.1 Sample – Chosen Countries

In order to establish how different institutional frameworks are mediating the impact of bargaining decentralisation on unions, a comparison of opposite models of capitalism is useful. Britain and Germany are prototypes of opposite production regimes or models of capitalism, the liberal Anglo-Saxon model and the co-ordinated *soziale Marktwirtschaft* (social market economy). In the area of Industrial Relations, there are also considerable differences, and Trade Unions in both countries differ fundamentally in respect to their tradition, programmatic approaches and organisational structure. Thus, the framework in which actors in IR are acting differs significantly.

In both Britain and Germany, a decentralisation of collective bargaining has taken place. However, while multi-employer bargaining was largely replaced by enterprise- or workplace bargaining in Britain, a devolution of only certain aspects of collective bargaining to lower levels took place in Germany, while the practice of concluding overarching framework agreements at sectoral level continues (cf. Baglioni 1990, Traxler 1995, Streeck 1996). Traxler (1995) terms this process “organised decentralisation“, as opposed to “disorganised decentralisation“ or “decollectivisation“ (cf. Visser 1996).

This difference can be explained with the fact that institutional support<sup>16</sup> for collective bargaining continues to be strong in Germany, while it has considerably decreased in Britain since the election of Margaret Thatcher in 1979. This has only partly changed since the election of Tony Blair in 1997.

Yet, this difference does not mean that unions in Germany are in general in a better position than unions in Britain. When I stated that unions in Germany are better off after bargaining decentralisation than British unions, that is based on aggre-

gate figures across the whole economies. When looking at single sectors, large differences within countries can be found. While IG Metall is still a strong union, NGG, the German food manufacturers union, is weak despite the continuing existence of a strong, central bargaining framework.

### **3.2 Sample – Chosen Sectors**

Both sectors I am looking at are from the manufacturing industry, as collective bargaining rarely takes place in the British service industries, and if so, has been decentralised from the very beginning on. As stated above, I compare unions in two sectors, the metalworking sector, where unions are strong, and the food manufacturing sector, where unions are weak. In the following two sections, I look briefly at those two sectors and the unions organising workers in those sectors.

#### *3.2.1 Metalworking Industry*

The first sector I am looking at is the metalworking industry, a core sector of German as well as the British industry. Decline in certain subsectors such as shipbuilding has stabilised, and is counterweighted by other subsectors such as electronics<sup>17</sup>, which is extremely fast growing. The automobile subsector<sup>18</sup>, and particularly the electronics subsector in both countries are strong.

The major unions organising workers in the sector are, in Britain, T&G (Transport and General Workers' Union) and Amicus and, in Germany, the IG Metall. Unions in the sector are strong, as membership density and bargaining coverage are

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<sup>16</sup> With “institutional support” I basically mean two things: support by the government, and support by employers and their organisations.

<sup>17</sup> The electronics sub-sector includes, among other things, telecommunications, professional electronics, such as military equipment, data processing equipment, such as computers, and consumer electronics, such as TVs and DVD players.

<sup>18</sup> Automobile is often cited as example for the decline of the British metalworking sector. However, decline of British and American-owned car factories in Britain has been caught and balanced by inward-investment by Japanese car companies. Honda, Toyota and Nissan now have major production and assembly facilities in Britain.

high, and as the sector is, altogether, in a reasonably good economic shape. Anecdotal evidence supports the finding that unions are strong, despite some decline in the sector<sup>19</sup>.

In Germany, the metalworking sector is interesting to research for another reason: it has a central role in the German model of industrial relations. Industrial relations in the metalworking industry, more than anything else, still represent the notion of a “German model” (Schulten 1997b: 6), and IG Metall has often been a trend-setter in collective bargaining policies. While collective bargaining in the metalworking sector has been particularly centralised (Hassel/Schulten 1998: 497), the decentralisation of collective bargaining in Germany has progressed furthest in this very sector. Thus, the IG Metall has more experience with the decentralisation of collective bargaining than any other German union

### *3.2.2 Food Manufacturing Industry*

The Situation in the German and British food manufacturing industry starkly contrasts with the situation in metalworking. The sector is in a difficult economic situation, and unions in the sector are weak.

Within the EU, the UK and Germany have been in the most exposed competitive situation in recent years, with a combination of low growth, overcapacity, an adverse trading position, and strong pressure from retailers putting extreme pressure of

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<sup>19</sup> IG Metall’s war chest (the strike fund, that is), is brimful, and at the time of writing, IG Metall, is preparing its first major strike after seven years.

In Britain, Amicus recently achieved official recognition at the Honda plant in Swindon against management’s initial will. Events at this plant exemplify the resurrection of unions in the automobile industry: Not only has Amicus secured the biggest recognition deal ever in Britain at this plant (Labour Research Department 2002), but also has Amicus managed to organise the 40% of workers at the plant, after less than 1% were union members just two years ago (Financial Times, 10/12/2001). At another plant, MG Rover’s Longbridge parent plant, Amicus recently backed a strike vote (The Guardian, 23/02/ 2002), a move which would have been rather unlikely until recently. While this move on the one hand shows, obviously, deteriorating industrial relations at MG Rover, it also shows that unions in the sector are willing – and able – to flexing their muscles once again.

profit margins. This, together with new technological developments, has led to heavy declines in employment, and thus created severe problems for trade unions in the sector (Smith 1999: 110f).

Union Density and bargaining coverage in the sector are low, and thus unions are weak. According to a full-time officer of the German NGG, “basically, we as a union can only resort to collective begging in collective bargaining rounds, as we are not able to organise proper strikes.” Furthermore, more and more companies do not comply with the collective agreements .

Unions representing workers in this sector are, in Germany, the NGG (Gewerkschaft Nahrung-Genuss-Gaststätten), and, in Britain, the general unions GMB (General, Municipal and Boilermakers Union) and T&G.

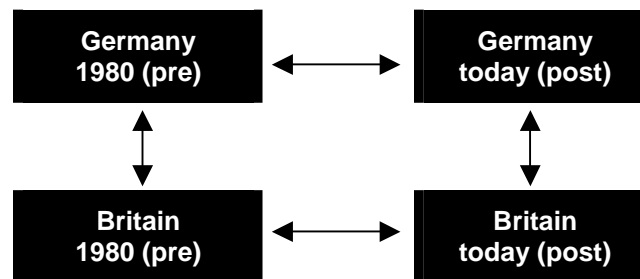
### **3.3 Time period**

In order to compare changes in collective bargaining, the cross-national study will be supplemented with longitudinal studies for the studied cases. This means that the study will be based on four “clusters“ of cases. Based on those four clusters, two longitudinal and two cross-sectional (i.e. cross-national) comparisons can than be conducted. The longitudinal element in the study will allow to assess changes, rather than producing a snapshot (cf. figure 5).

The time period I am interested in reaches from 1980 to the present day. Single-employer bargaining became predominant in Britain in the mid-1980s, after various laws concerning collective bargaining were passed by the conservative government. In Germany, where multi-employer bargaining is still predominant, the move towards decentralisation happened only in the 1990s, mainly because of opening clauses (or hardship clauses) in branch-level collective agreements. Thus, important

changes in the relation between unions' headquarters and workplace representatives have occurred in this period.

Figure 5: *Cross-sectional and longitudinal comparison*



### 3.4 Data and data sources

The research method I intend to apply in the fieldwork is the “Methodenmix” technique, i.e. the application of different types of data in order to allow for triangulation of data. Methodenmix means that

“(i)instead of relying on a narrow part of data, information of different scopes is used. The individual facts are to complement and control each other: Objective data is linked with subjective data, interviews are combined with expert-opinions (...)” (Kern 1982: 155, own translation).

My research will be based on case studies. The empirical data will be derived from questionnaires with workplace representatives and semi-structured interviews<sup>20</sup> with trade union representatives at different levels. This data will be supplemented with data from literature (from both trade union and academic sources as well as the press) and other sources such as collective agreements.

Those case studies will them be supplemented with data from surveys such as WERS (Workplace Employee Relations Survey) in order to set the data from the case studies in context.

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<sup>20</sup> The interviews will be transcribed and evaluated with the Computer Package ATLAS.ti, a program for qualitative data analysis.

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