



## **Final Report**

### **Review of Decent Work and Tripartite Dialogue**

**January 2016**

**Nordic Consulting Group A/S**



## **Disclaimer**

This report has been prepared as a result of an independent external review by a team of consultants from Nordic Consulting Group A/S in Denmark and Norway, between April and October 2015. The Review was commissioned by the Financial Mechanism Office of the EEA and Norway Grants. The views expressed in the document are those of the Review team and do not necessarily reflect those of the Financial Mechanism Office.

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## List of acronyms and abbreviations

CBA	Collective Bargaining Agreement
CEDEFOP	European Centre for the Development of Vocational Training (Thessaloniki, Greece)
CEECs	Central Eastern European Countries
CEEP	European Centre of Employers and Enterprises providing Public Services
CfP	Call for Proposals
DW	Decent Work
DWCP	Decent Work Country Programmes (of the ILO)
DWTD	Decent Work and Tripartite Dialogue
EEA	European Economic Area ( <a href="http://www.eeagrants.org">www.eeagrants.org</a> )
ESD	European Social Dialogue
ESF	European Social Fund
ETUC	European Trade Union Confederation
EU	European Union
FAFO	Norwegian Trade Union Research Institute ( <a href="http://www.fafo.no">www.fafo.no</a> )
Fellesforbundet	Norwegian trade union within construction, industry, farming, hotels, restaurants and graphical sector
FMO	Financial Mechanism Office (EEA and Norway Grants)
ILO	International Labour Organisation
IN	Innovation Norway
KS	Kommunesektorens organisasjon (The Norwegian Association of Local and Regional Authorities)
LO	Landsorganisasjonen i Norge (Confederation of Trade Unions in Norway)
NHO	Næringslivets Hovedorganisasjon (Confederation of Norwegian Enterprise)
NMFA	Norwegian Ministry of Foreign Affairs
NTL	Norsk Tjenestemannslag (The Norwegian Civil Service Union)
NUMGE	Norwegian Union of Municipal and General Employees (Fagforbundet)
OHS	Occupational Health and Safety
PO	Programme Operator
RT	Review Team
RBM	Results Based Management
SD	Social Dialogue
ToRs	Terms of Reference
TPD	Tripartite Dialogue
UEPME	The European Association of Craft, Small and Medium-Sized Enterprises
UNIO	National Confederation of Public and Education Sector employees ( <i>our description</i> )

## 1 Executive summary

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### 1.1 Introduction

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The Decent Work and Tripartite Dialogue programme (DWTD) is one of the 32 programme areas supported under the EEA and Norway Grants 2009-2014. The programme supports a broad range of activities aimed at enhancing Social and Tripartite Dialogue and promoting Decent Work in all of the 13 countries which are financed by the Norway Grants. Under the Agreement between Norway and the European Union on a Norwegian Financial Mechanism 2009-2014, one per cent of the allocation to each of the 13 beneficiary states was to be set aside for a global fund for promotion of Decent Work and Tripartite Dialogue (DWTD). This amounts to € 8.1 million, excluding management costs to the programme operator.

The programme is implemented by a programme operator (PO), Innovation Norway (IN), starting in November 2011, ending in Spring 2016. Three Open Calls were made and 120 applications received. A total of 53 projects in the 13 countries were approved and 52 implemented (one project was cancelled). 51 of 52 projects were successfully completed by December 2014, with the last project to be completed by September 2015. The projects were implemented by a variety of project promoters. The nature of the projects was very diverse ranging from a project on decent work and occupational stress in Bulgaria to a project to strengthen regional tripartite councils in Lithuania. Projects range in value from € 16.000 to € 395.000, with an average size of € 153.500. The programme is seen as complementary to measures strengthening social dialogue, implemented by the European Social Fund (ESF).

Some 56% of the projects (29) had Norwegian organisations (trade unions, employers' organisations and government bodies) as partners. Several Norwegian partners participated in more than one project.

The Review examined the relevance, efficiency, effectiveness and sustainability of the programme, as well as bilateral relations between Norway and the 13 beneficiary countries. In addition the potential policy influence was analysed.

The consultants undertook a comprehensive review of relevant literature before interviewing the Norwegian Ministry of Foreign Affairs (NMFA) in Oslo and the Financial Mechanism (FMO) in Brussels. Interviews with the principal Norwegian partner organisations were held in Oslo. Fieldwork was carried out in the form of detailed interviewing of project promoters in Bulgaria, Estonia, Lithuania, Poland, Romania and Slovakia. The National Focal Points in each country were also interviewed. The International Labour Organisation (ILO) was also consulted. The consultants undertook a comprehensive online survey of all 52 project promoters with a response rate of 82%. A Workshop on the Programme's Results Framework was held in Oslo on 14 September 2015, providing inputs into the proposed design of a potential phase II.

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### 1.2 Main Findings

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#### 1.2.1 Relevance

Overall, the objectives of the programme are quite ambitious and would be better described as long-term intended effects. The programme was regarded as being highly relevant by the project promoters and their Norwegian partner organisations. The difficult socio-economic situations in the beneficiary states did have an influence on how the stakeholders and

beneficiaries considered its relevance. The national authorities in the beneficiary countries did not all consider it very relevant, partly due to its small size and their varying degree of involvement.

It has been difficult to measure relevance since it was assumed that the baseline value for Tripartite Dialogue and Social Dialogue was “zero”, in other words that it was not known.

The limited size of the Fund (especially in comparison to the European Social Fund (ESF) which is more than 200 times larger) also affects its comparative relevance. It would naturally be difficult to transfer the Nordic model of Social Dialogue as such. However most project promoters considered that sub-elements of the model were relevant to their situation. This could inspire partners to new ways of working and cooperating. However the very diverse, and often difficult situations for Tripartite and Social Dialogue in the 13 beneficiary countries meant that relevance was viewed differently in different countries.

### **1.2.2 Efficiency**

The DWTD programme has done remarkably well and achieved as much as one could expect of such a fragmented and ambitious programme with a limited budget. This is largely due to a) effective management of a diverse and fragmented programme by Innovation Norway b) Commitment and zest of the project promoters. These have received funds and decisions from Innovation Norway when they needed them most and much more efficiently than they had ever expected.

The Review found that the use of a Norwegian Programme Operator, Innovation Norway, was acceptable to the beneficiary countries. However the degree of involvement by the National Focal Points varied from country to country, and there is a need to involve them more. IN's management costs for the programme were budgeted at NOK 6.48 million (equivalent to 10% of the total programme cost) with an additional 1.5% of the grant as fixed allocations for bilateral relations and programme preparation. It has also to be borne in mind that the Global Fund is the only one of its kind operating in all 13 beneficiary countries and so has been complicated to administer. Because insufficient applications were received on the first open call, a total of one open and two closed calls had to be held, but IN encountered no problems in this.

A major bottleneck in operating the programme has been the weak links between the overall reporting against the general programme framework, and the activity-based reporting by the project promoters to IN. Important achievements have been left out of the reporting, which has again made it difficult to document results. There have also been problems with alignment to FMO's database. Nonetheless the programme is judged to have been managed efficiently. Almost all respondents i.e. beneficiaries, embassies and Norwegian partners expressed a high degree of satisfaction with IN's performance as programme operator. In short, IN has done an excellent job in terms of administration and this review has found nothing indicating this was not the case.

### **1.2.3 Effectiveness**

The programme has two intended Outcomes by which its effectiveness can be assessed as follows:

- Improved social dialogue and tripartite dialogue structures and practices
- Enhanced understanding of the importance of decent work

In addition, “To strengthen bilateral relations between Norway and the beneficiary states” is a third and cross-cutting outcome, contributing to the two above.

The design of the programme is considered loose with rather general, undefined indicators. It is therefore rather difficult to measure whether the DWTD interventions have contributed to the very ambitious outcomes and the overall objectives. Taking into account also the difficult and complex situations in the beneficiary states, and the generally weak reporting by project promoters, it is difficult to document concrete results.

The programme is spread over 13 countries and has modest size of interventions, and at the same time there has been substantial European Social Fund support to the same type of organisations. Nevertheless, the programme has done very well and achieved good results at project level. In some cases (e.g. in Poland, Slovakia and Bulgaria) some indirect positive effects on overall policies could be observed.

The Review found that the DWTD programme has improved practices and social dialogue structures. Project promoters have succeeded in using elements of the Nordic Model of Tripartite Dialogue (TPD) and applying these in their own context. Overall, a higher level of trust, inspired by the Nordic Model, has been created between bipartite partners. In addition, concrete practices of improved SD especially at branch and enterprise level have been demonstrated, and the project promoters have reported that even the quality of certain Collective Bargaining Agreements has improved. This is attributed to the DWTD programme.

Several respondents reported that, due to the DWTD programme, they had been able to address issues central to ILO's Decent Work agenda like occupational health and safety (OHS), local working place benefits and working times. Pension and social protection issues had been raised to national levels in several countries. Gender equality has been addressed successfully in a few cases, but otherwise, this subject was treated in a superficial manner or not at all.

97 % of the promoters considered that their projects had concrete effects on their own organisations, and 84% on improving relations to other social partners. Another 30% believed the DWTD had wider effects, such as better membership services.

The Review also found considerable satisfaction regarding the partnerships between project promoters and the Norwegian organisations, contributing to strengthening bilateral relations. This included transfer of experience, and specific inputs to training, procedures, methods, models and strategies for negotiation strategies. Partnerships between Norwegian and beneficiary country institutions were important in executing projects successfully. A majority of beneficiaries considered that there was considerable potential for introducing elements of the Nordic Model of social dialogue in their own countries.

#### *Bilateral Relations*

The Review found that the programme has strengthened bilateral relations between Norway and the 13 beneficiary countries. However, because the nature of the interventions is small and geographically spread (52 projects in 13 countries) the degree of strengthening has been accordingly small and scattered. The Review concluded that strengthening bilateral relations is a large and ambitious task requiring large and more focussed contributions. It is perhaps too much to expect to achieve this in a small, fragmented DWTD programme. It should also be noted that few of the project promoters envisaged that strengthening bilateral relations was a major objective of the programme. However Innovation Norway is a major Norwegian institution charged with promoting bilateral relations. Its efficient management of the programme and the goodwill this generated throughout the beneficiary countries certainly strengthened bilateral relations, where that was possible.



#### **1.2.4 Sustainability**

Provided that the beneficiary organisations are strong enough some of the DWTD interventions would be sustainable. Some of the more costly activities such as surveys, specific training, consultants for surveys or studies, publications, and design of websites, would not in themselves be sustainable.

Overall the DWTD can be said to be partly sustainable, but on a limited scale, in line with its small size and dispersed interventions.

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### **1.3 Conclusions**

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The DWTD is the first “global” programme executed under the Norway Grants in that it has been implemented in all 13 beneficiary countries. The programme consists of numerous, relatively small projects. As such there is no precedent for this type of programme.

The DWTD programme will be completed on time and within budget. This is no mean achievement given the complex nature of a programme that is being implemented by 52 project promoters and 29 Norwegian partners in 13 different countries in a period of two and a half years.

Much of the credit for the completion of the programme is due to the Norwegian programme operator Innovation Norway. The 52 project promoters have received funds and decisions from Innovation Norway when they were needed, and much more efficiently than they had been accustomed to. The project promoters have been highly appreciative of the programme operator’s efforts.

It has not been possible for the Review (or FMO) to fully judge the results and achievements of the programme against its three original outcomes. This is because, at the start of the programme, there was no defined baseline or a set of concrete indicators, which could be used to measure the programme’s results, which is a clear weakness in the programme. The review nevertheless finds that the DWTD programme has improved practices and social dialogue structures.

It is difficult to replicate the Nordic Model of social dialogue in Central and Eastern Europe because of very different political and historical traditions. While the Nordic Model is not directly transferable, more than 90% of project promoters considered that sub-elements of it could be applied.

The programme certainly increased understanding of Decent Work principles amongst most of the project promoters. Many have actively pursued elements of the Decent Work agenda in their projects.

Considering the modest size and small interventions of the programme, it has strengthened bilateral relations through partnerships, but on a smaller scale and at institutional level. Most project promoters did not see strengthening bilateral relations as being a major purpose of their project. However, Innovation Norway’s efficient management of the programme certainly strengthened bilateral relations.

#### **1.3.1 Lessons Learned**

The review considers the most important lessons to be:

- The projects reviewed under DWTD have in general achieved much more than what the project promoters have reported. Some of the best cases and good results are not picked up by the reporting system

- At least parts of the Nordic model on social dialogue can be adapted to specific local conditions, despite the very different socio-economic and political situation in the 13 beneficiary countries. Support and advice from Norwegian partners have been instrumental in this
- Experiencing the Nordic Model in practice during study visits to Norway has been an important lesson for many project promoters
- It is difficult to match the broad objectives and outcomes in a programme with dispersed implementation mainly at local level (€ 80-100.000 should be a minimum threshold for future projects).
- Norwegian trade unions and employers' organisations have extensive international cooperation experience and are an asset in promoting bilateral relations
- A weak and unsystematic activity-based reporting against an ambitious overall framework with unspecific indicators at outcome and output level can make it difficult to document achievements
- Employing a Norwegian programme operator can create considerable goodwill and interest with project promoters in beneficiary countries, and has during the course of the programme been accepted by the recipient governments

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#### 1.4 Recommendations

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It is recommended that:

1. Ambitions be scaled down and the programme have fewer and more focused projects. This would avoid spreading the resources too thinly, reduce administrative costs and increase and concentrate the effects of the programme as a whole
2. The number of thematic areas be reduced from seven to three, where they are likely to have the largest consolidated effects. The minimum grant size be raised to € 80-100.000. This would help focus the programme and increase its effects
3. The Calls for Proposals be adapted better to the situation in each country through a closer dialogue with social partners. Consideration should also be given to limited, closed calls to social partners to avoid too many calls
4. National authorities e.g. National Focal Points be more involved in the preparatory process so as to achieve greater policy coherence and complementarity with European Social Fund programmes
5. In a possible second phase of the programme, the selected programme operator should undertake a baseline study in key beneficiary countries during the first two months of the programme
6. Joint applications for projects (including Norwegian partners) be encouraged as this gives better transfer of experience, higher efficiency and better results
7. More effort be made to engage Norwegian partner organisations, although there may be resource constraints on the Norwegian side. This is likely to lead to improved project and programme results, and strengthen bilateral relations further
8. The proposed draft Results Framework for a second phase be further developed by FMO and the selected Programme Operator

## 2 Introduction

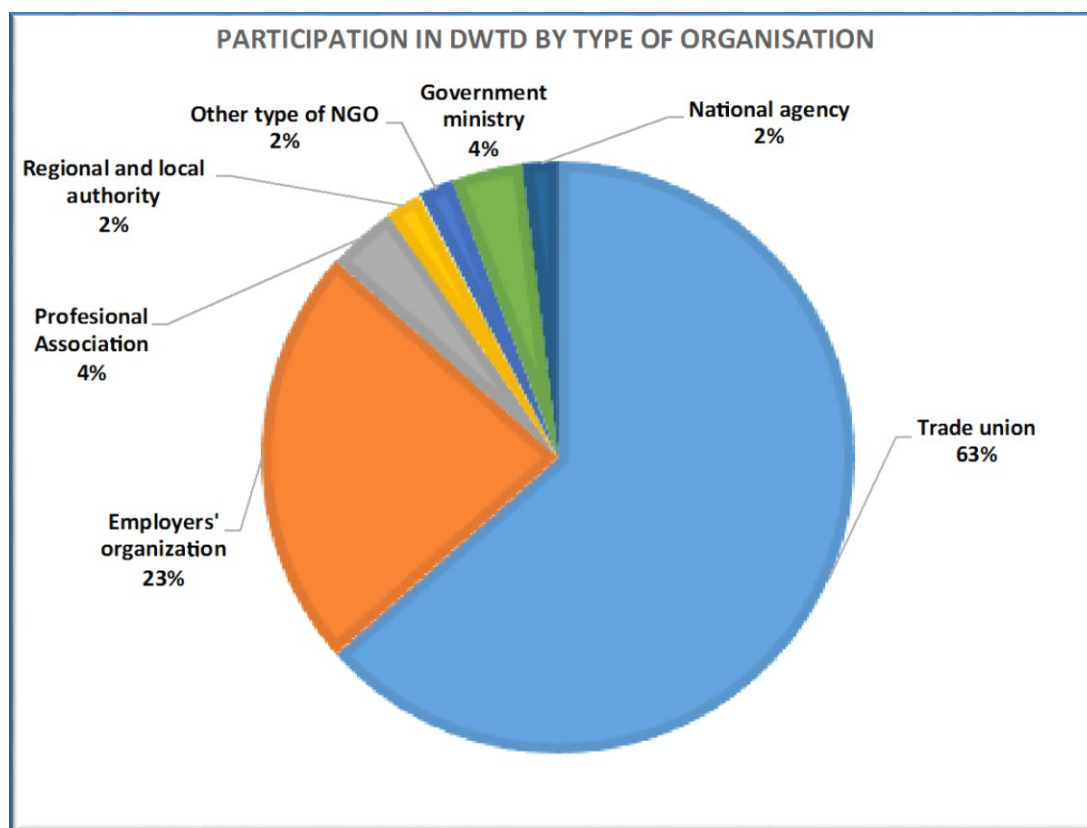
The Financial Mechanism Office (FMO), which is the Brussels based secretariat for the EEA and Norway Grants commissioned the present Review of *the Decent work and Tripartite Dialogue Programme* (DWTD) in order to assess to what extent this programme has contributed to:

- Improved social dialogue and tripartite dialogue structures and practices; and
- Enhanced understanding of the importance of decent work, and finally
- Strengthened bilateral relations through the 29 partnerships established at project level.

The overall objective of the DWTD is to promote decent work and tripartite cooperation between employers' organisations, trade unions and public authorities in supporting equitable and sustainable economic and social development. The Decent Work and Tripartite Dialogue is one of the 13 programme areas financed under the Norway Grants in the period 2009-2014, and covers all of its 13 beneficiary states. In fact, with an allocation of € 8.1 million, the DWTD (Programme Area 22) is the smallest of the programme areas.

The distribution of the 52 projects by type of beneficiary organisations in the 13 countries reveal that two thirds were trade unions, one quarter employers, and the rest a mix of public authorities and professional associations.

Figure 1: Participation in DWTD by type of organisation



The DWTD was launched on 20 October 2011. Individual projects were to be completed by 31 December 2014. However this deadline was extended to September 2015 to allow for the inclusion of a pre-defined project in Croatia. It is expected that the final programme report

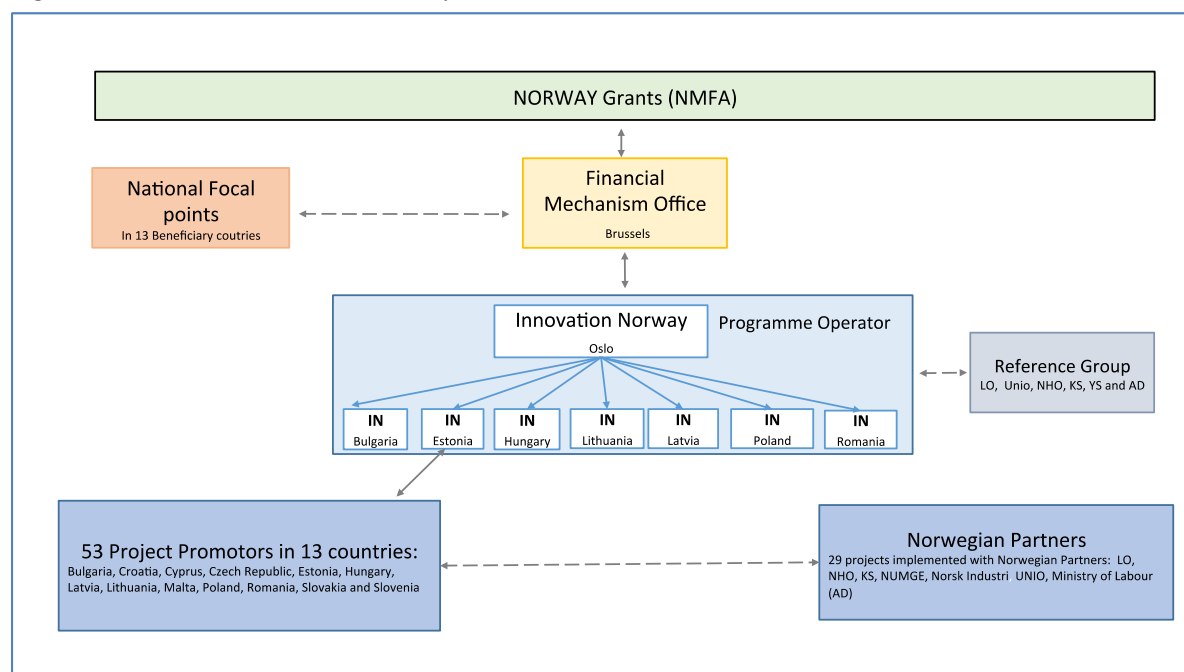
will be submitted by the Programme Operator to FMO in the spring of 2016. An important Closing Conference for the Fund was held in Oslo on 25 November 2014 attended by project promoters<sup>1</sup> and partners, and material from this conference was used in this Review. A total of 120 applications were received and 52 were successful (one was cancelled) and 51 were implemented. A predefined project in Croatia was added in 2014. Of these 52 projects in total, 29 had a Norwegian partner and 23 did not.

The specific objective of the DWTD is to promote social dialogue (SD) on decent work issues and improve tripartite cooperation between employers' organisations, trade unions and public authorities in supporting equitable and sustainable economic and social development. By improving this dialogue the social partners in each country will better contribute to a more sustainable economic and social development. Of equal importance is the objective to strengthen bilateral relations with the social partners in each country.

## 2.1 Administrative set-up

The DWTD programme is implemented by a Programme Operator (PO), Innovation Norway (IN), under an agreement between the Norwegian Ministry of Foreign Affairs, administered through the Financial Mechanism Office (FMO) in Brussels. The PO reports to FMO and manages the DWTD on behalf of the FMO, based on a 10% grant management fee. The National Focal Points (NFPs) are public authorities in all the beneficiary states, which in this particular case are not responsible for managing the grants, but advising on the selection of project promoters, and monitoring and following their implementation. IN makes the final decision on selection of projects. The grants to the individual projects are disbursed by IN to the project promoters.

Figure 2: DWTD administrative set-up



One general open call for proposals (CfP) was made in 2012 in all 13 countries, and two limited calls were made late 2013 and early 2014. The last two CfPs were related to

<sup>1</sup> Project Promoters in EEA terms are the beneficiary organisations, responsible for implementing the approved projects

allocation of remaining funds and directed only to grant beneficiaries<sup>2</sup>. Thus, a total of 52 projects in the 13 countries were selected through CfPs, one of which was later cancelled. To this should be added the pre-defined project in Croatia.

IN operates national offices in six of the 13 DWTD target countries. IN's main office in Oslo is responsible for administering, monitoring, and reporting on the DWTD project grants, supported by its Romania and Bulgaria offices in a monitoring and supervisory role. The project promoters have contracts directly with IN, and those who have Norwegian partners are advised and supported by these. The project promoters are responsible for the funds and for reporting to IN. IN reports annually to FMO on the entire programme.

IN is advised by a reference group of Norwegian Social partners, which are also Norwegian Partners to the project promoters (in some, not all cases).

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<sup>2</sup> 2nd Call: Bulgaria, Hungary, Latvia, Poland, Romania (2013). 3rd Call: Czech Republic, Romania and Slovakia (2014). Activities eligible under the 2nd and 3rd call were related to promoting TPD and complementing already approved project activities

### 3 Research framework

The Terms of Reference (ToRs) for this review establish the purpose and outline the scope of work, organisation of the review and suggested methodologies. These elements laid the groundwork for the research framework and chosen methodological approach. The Review Team (RT) analysed reports and interviewed 25 out of 52 project promoters, under the DWTD programme and its organisational structure.

The RT applied a Chain of Results perspective, focussing on the Sphere of Control (interventions of project promoters) and Sphere of Influence (measurable outcome at sector and national levels). This was incorporated into the overall analysis of the relevance, effectiveness, efficiency, sustainability and participation criteria. The Sphere of Interest was used to apply a broader perspective and analyse the political and socio-economic context in which projects were being implemented, as well as overall programmatic issues – e.g. conceptual framework, results based indicators, programme assumptions.

The review was a formative, forward looking exercise that took stock of the achievements, lessons learned and the challenges of the DWTD programme. It also looks beyond the project interventions to analyse which factors, actors and bottlenecks may exist in the context of the programme. The ambition was also to see what have been conducive conditions for Social Dialogue (SD) and what possible changes in practice or even new policies may have emerged.

While the review was and will remain a review, and not a full impact study or an evaluation, the RT was also looking beyond project interventions in order to further analyse the socio-economic and political context. It sought to answer the question whether the DWTD can be said in any way to have contributed towards changes in practice at higher level. It was important throughout the entire research process to assess how influential the beneficiary organisations could be within their national context in contributing to social dialogue at a national level.

In order to underpin and enhance overall findings and conclusions at programme and country level, a number of relevant cases and best practices were identified. These are inserted in sections 4 and 6, and some are highlighted again in section 10.

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#### 3.1 Scope of the review and data collection

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The review covered all 13 beneficiary countries of the DWTD programme and was implemented in the period April-October 2015 by a Review Team (RT) from Nordic Consulting Group. Field visits to Bulgaria, Estonia, Lithuania, Poland, Romania, and Slovakia were facilitated by six national consultants with specific expertise in local labour markets.

The key review questions were refined during the inception phase to address relevance, effectiveness, efficiency, sustainability and participation criteria. For data collection the RT used both primary and secondary data collection methods.

*Secondary data* was obtained through:

- a) Desk review and research. During the Inception Phase the RT conducted a desk review of key contextual factors, as well as the main actors in Social Dialogue in the beneficiary countries (the European Union and the International Labour Organisation's (ILO) and their support to social dialogue interventions. The RT has also interviewed a number of key stakeholders in Brussels and in Oslo, comprising both EU social partners and Norwegian partners to the programme. The client

(Financial Mechanism Office, FMO) and the donor (Norwegian Ministry of Foreign Affairs, NMFA) have been interviewed

- b) Contextual analysis of other countries covered by DWTD programmes but not included in the in field visits: Croatia, Latvia, Hungary, Slovenia, Cyprus and Malta
- c) Analysis of the Nordic Model. The team has analysed the relevance and applicability of the Nordic Model of social and tripartite dialogue to the DTWD programme. This showed that important contextual factors determine how and to what extent social dialogue and decent work unfolds across the 13 review countries. This also goes for the relevance of the specific Nordic Model

*Primary data* was obtained through:

#### Field visits

- d) Interviews with the client and European social partner representatives in Brussels: FMO, ETUC, BusinessEurope
- e) In Oslo: The DWTD Reference group (6 members) and the programme operator Innovation Norway, the NMFA and a selection of Norwegian social partners: LO, NHO, UNIO, KS, Fagforbundet, Fellesforbundet, NTL, and Ministry of Labour
- f) Interview with ILO's office in Budapest (telephone)
- g) In depth interviews in the six countries visited: Bulgaria, Estonia, Lithuania, Poland, Slovakia and Romania. Meetings with Innovation Norway offices, Norwegian Embassies (where appropriate), the National Focal Points, Ministries of Labour and a selection of the 25 project promoters in these countries. This included focus group sessions with project promoters in four of the countries where this was possible.
- h) Follow-up telephone interviews with key informants
- i) In the other review countries i.e. Latvia, Slovenia, Croatia, Hungary, the RT used secondary data (country context analysis), complemented by the online survey. Malta and Cyprus were not reviewed and no country reports produced, given the very small size of projects there

#### Online survey

- j) The online survey was designed and carried out to provide quantitative data focused on the questions of relevance, effectiveness, sustainability and participation. The questionnaire was structured into seven sections: Application process, Cooperation with Innovation Norway, reporting, limiting or facilitating factors, overall relevance and effectiveness, bilateral cooperation, sustainability and the future. (The questions are set out in Annex 7). The 45 questions used various surveying techniques: multiple choice questions, open questions, matrix or scale questions. The survey sought to measure respondents' perception of relevance and effectiveness of the programmes as well as the extent of strengthening bilateral relations. The survey was sent out to 52 project promoters in the 13 beneficiary countries. 43 useable responses were received, giving a very satisfactory 82 % response rate. Annex 7 contains the full set of aggregated responses

In total 146 respondents participated in this review. Out of these, 103 were different key stakeholders and project promoters from the six in-depth study countries, stakeholders in Norway and Belgium as well as donor (NMFA) and client (FMO). 43 project promoters from 11 countries participated in the online survey. Some were both survey respondents and interviewees.

As regards the selection of the projects for the review, the sample has been agreed with the FMO based on following selection criteria: 1) size of grant 2) Norway partner or not 3)

coverage/sector and distance from capital. The RT has interviewed stakeholders from the following 25 projects during the field visit phase (47% of the total portfolio). All the projects in Bulgaria, Estonia and Slovakia were selected and interviewed.

**Table 1: Selection of projects visited**

Project # /Country	Project title	Norwegian partner(s)	Total Budget in €
104589 Bulgaria	TRUST - Transparency for Sustainable Social Policy	Confederation of Norwegian Enterprise (NHO)	96.330
104601 Bulgaria	Capacity for partnerships with stakeholders		79.975
104620 Bulgaria	Decent work and dialogue – good practices exchange	Norwegian Confederation of Trade Unions (LO); Confederation of Norwegian Enterprise (NHO)	220.920
104632 Bulgaria	Decent work greatest challenge: occupational stress		78.175
104563 Estonia	Towards the Nordic Model of social dialogue	Norsk Transportarbeiderforbund	43.800
113364 Estonia	Social dialogue to prevent 3rd party violence	NUMGE	153.606
113363 Estonia	Valuing social and tripartite dialogue in Estonia		69.815
104509 Lithuania	Grass-root municipality social dialogue 2	Norwegian Union of Municipal and General Employees (NUMGE - Fagforbundet)	88.887
104527 Lithuania	Strengthening of Regional Tripartite Councils in Lithuania		79.500
104606 Lithuania	Decent work for social workers at municipal level	Norwegian Association of Local and Regional Authorities (KS)	85.723
104526 Lithuania	Raising fire safety to higher level in Lithuania		112.130
102511 Poland	Improved Social Dialogue in municipal office- units and enterprises	Norwegian Association of Local and Regional Authorities (KS)	439.956
104520 Poland *)	Superwomen on the labour market		410.180
104609 Poland	AGORA. Strengthening the social dialogue	UNIO	320.930
104497 Poland	CONCENSIO - tripartite platform cooperation		254.882
104528 Poland	Collective bargaining in multinational firms	Norwegian Confederation of Trade Unions (LO)	371.794
104522 Romania	Developing dialogue structures in education	LO and Norwegian Union of School Employees (Skolenes Landsforbund)	250.916
104610 Romania	New resources for tripartite dialogues in Romania		120.030
104611 Romania	Enhancing social dialogue for civil servants	KS	351.778
104551 Slovakia	Improving social dialogue through SK-NO partnership	The Norwegian Civil Service Union (Norsk Tjenestemannslag)	58.780
104579 Slovakia	Meaningful Social Dialogue - Road to the Change		72.000
104583 Slovakia	Capacity building to improve social dialogue		70.000
104587 Slovakia	Training and capacity building for workers reps		25.000



Project # /Country	Project title	Norwegian partner(s)	Total Budget in €
104595 Slovakia	Promotion of the social partnership building		55.253
104597 Slovakia	Social Dialogue as a Basis of Creating Decent Work		157.638

\*) In the selected project sample there is only one project (104520 Poland) in the Gender policy sector, the rest are categorised as covering Employment and Administration Management sector

### 3.2 Synthesis and reporting

The review team submitted the Final Inception report to FMO in June 2015, following a series of consultations with donor, client, Norwegian partners, stakeholders in Brussels, the ILO, and field visits to Slovakia, Romania and Bulgaria. Elements of the Inception Report have, as relevant, been integrated into this present final draft report with a view to providing a comprehensive presentation of the review and without having to refer readers back to a previous report.

Following the second part of the field work in Estonia, Lithuania and Poland in July and August, 2015, and having completed the on-line survey, the RT has worked on integrating findings, survey and analysis into the final draft report.

As agreed with FMO and IN, the RT also facilitated a half-day workshop in Oslo in September, where the preliminary findings and recommendations were presented and discussed with the reference group of Norwegian partner organisations, the programme operator IN, the NMFA and the FMO. This meeting also commented on and provided input to a draft version "0" of a potential second phase of the DWTD, as agreed with the FMO.

The RT presented the final conclusions and recommendations at a debriefing meeting at the FMO in Brussels in December 2015.

### 3.3 Limitations

One of the limitations of the review related to its timing during summer vacation. It was sometimes difficult to organize data collection and meetings in the six field visit countries. Some interviews could not be taken on location and had to be done by telephone or by the national consultants after fieldwork, others were cancelled or could not be organised.

It has appeared to the RT that in some countries the coordination between the ministries and departments in charge of social dialogue was inadequate. There were different ministries involved as stakeholders in the programme. For instance, in some cases the Ministry of Development or Infrastructure was responsible. In other countries the Ministry of Finance or EU Funds were appointed as NFPs. However, the Ministries of Labour or Social Affairs were in most of the field visit countries responsible for implementation of social dialogue initiatives at the national level. In addition, internal communication between the different departments within the same ministry was not always optimal. It was not always possible to meet the correct and informed representatives. In some countries the NFPs suffered from a problem of continuity due to high staff turnover. This made it difficult to get specific information on who was responsible for social dialogue and policy coherence and not least complementarity with EU support to social partners.

As pointed out in section 6.2 the DWTD has considerable limitations related to reporting and monitoring. This is at programme as well as at project level. This has posed challenges to IN as Programme Operator, and has also been a limitation to the RT in trying to document and establish linkages between projects and the overall indicators and outcomes of the DWTD programme framework.

As per the proposal by the consultants and the Inception Report, the RT has deemed it necessary to establish an overview of EU's support to Social Dialogue through the European Social fund. This has been done so as to be able to view the support through DWTD in the context of the wider and much more comprehensive support of EU to SD and the social partners in beneficiary states. It has proven more challenging and time consuming than envisaged to establish an overview of the ESF support, given its scope, size and key importance to the functioning of the EU. While the participation of national social partners in EU SD is a key and important aspect, it has not been possible to establish a clear overview, since the partners themselves, and the European Social partners (ETUC, UEPME and BusinessEurope) are responsible for managing this complex set of capacity building support and negotiations. The RT and the national experts in particular have spent considerable time and effort to identify and document specific support to social partners from the ESF. This type of information resides with the responsible management authorities and has not always been accessible. It has thus not been possible to document financial support to the social partners from the ESF in all six countries.

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### 3.4 Review process and acknowledgements

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The present review was undertaken in Belgium, Norway, Bulgaria, Estonia, Lithuania, Poland, Romania and Slovakia from April to October 2015 by a core team of three consultants from Nordic Consulting Group: Frank Runchel, Team Leader, and Sabina Dziadecka Gråbæk, junior consultant and project manager (based in Copenhagen), and Mike Fergus, senior resource consultant, supervisor (based in Oslo). A team of six national consultants in the field visit countries has been instrumental in providing background information and researching specific issues, organizing field visits and feeding into the review process and its products: Dimitar Matev in Bulgaria; Kerly Espenberg in Estonia; Inga Blaziene in Lithuania; Rafał Stawiarz in Poland; Liliana Voicu in Romania; and Marta Kahancová in Slovakia.

The review team (RT) has carried out a large number of direct interviews with beneficiaries, national stakeholders and managing authorities, Norwegian embassies and IN offices, with international and European stakeholders, as well as with partner organisations and stakeholders in Norway. The programme operator IN and the donor (Ministry of Foreign Affairs) in Oslo as well as the client (FMO) in Brussels were interviewed.

The review process has been an iterative one, with a series of interviews and follow-up questions and request for more documentation, especially from IN in Oslo, but also from FMO in Brussels.

The RT has been very well received everywhere and wishes to express its gratitude towards all the stakeholders, social partners, authorities, the team from IN, as well as others we have met. A special thanks goes to the project promoters who shared their hopes, fears, experiences and good stories with us. Without this positive cooperation from everyone this review would not have been possible.

## 4 Relevance

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### 4.1 Conceptual understanding

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OECD defines relevance as: “The extent to which the aid activity is suited to the priorities and policies of the target group, recipient and donor”<sup>3</sup>.

The relevance of the “Global Fund for Decent Work and Tripartite Dialogue” (DWTD) has to be seen from two perspectives. Firstly, were the objectives of the DWTD realistic and suitable as they were defined by the donor (Norway Grants) and in the programme framework developed by IN?. The very different contexts in the thirteen beneficiary countries also had to be taken into consideration.

Secondly, were the interventions as seen by the beneficiary organisations in tune with and suitable to their own policies and organisational capacities? How useful was the DWTD programme and the main results of the individual projects to the partner organisations and their members and affiliates? And were the interventions seen as suitable to national contexts?

In line with the above, and given the fact that the programme as a policy element includes promotion of Nordic Model of Social Dialogue, the question of relevance requires that the overall suitability and relevance of the Nordic Model to the beneficiaries in their particular contexts be explored.

The Terms of Reference of this review indicate that the Nordic Model of social dialogue will form a basis for the interventions of the Fund. It follows that the transfer or adaptation of parts of the Nordic Model from the donor country (Norway) to the 13 beneficiary countries will be part of the DWTD. The usefulness, relevance and applicability of the Nordic Model has therefore been a key point of investigation of this review, both with direct beneficiaries (during fieldwork) and with governments and national stakeholders. This question also formed part of the on-line survey. The Nordic Model is obviously not the only aspect under relevance, however.

A third area of interest to this review is: Given the ambitious programme framework of DWTD, did the interventions have any visible or perceived effects on the main problem areas, i.e. weak SD and TPD structures or a poor understanding of the benefits of decent work? This is further investigated under effectiveness (section 6), but is also discussed under relevance below.

#### 4.1.1 Programme objectives and logic

The specific objectives of the Global Fund for Decent Work and Tripartite Dialogue are: “To promote social dialogue (SD) on decent work issues and improve tripartite cooperation between employers’ organisations, trade unions and public authorities in supporting equitable and sustainable economic and social development. By improving this dialogue the social partners in each country will better contribute to a more sustainable economic and social development. In addition, and of equal importance, is the objective to strengthen bilateral relations with the social partners in each country”.<sup>4</sup>

The NMFA considers that ambitions have to be adjusted when applying the Nordic Model across the 13 countries. It has however been noted that the project promoters have highly

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<sup>3</sup> <http://www.oecd.org/development/evaluation/dcdndep/41612905.pdf>

<sup>4</sup> As defined in the ToRs of this review. See also <http://eeagrants.org/What-we-do/Programme-areas/Decent-work-and-tripartite-dialogue/Global-fund-for-decent-work-and-tripartite-dialogue/Overview>

appreciated the Model and found it relevant to have informal and regular meetings. The NMFA also considers the 2012-2014 DWTD as a pilot that should be continued<sup>5</sup>. The deputy Minister of Foreign Affairs on 13.05.15 posted an article arguing that tripartite cooperation had been successfully promoted by Norway Grants funds (DWTD, in case), and that the Norwegian government had the objective to continue the programme in the next financial mechanism<sup>6</sup>.

IN and several Norwegian partner organisations have also indicated that the DWTD is quite a small programme that might have limited influence. This is also echoed in IN's 2014 programme report to FMO:

*"How a stand-alone programme during a period of two years can change /have a lasting impact on policies is questionable, but ideas have been identified, interest verified and there is a strong will to continue the work among all entities [promoters, partners and stakeholders, RT's note]"*.

The DWTD Programme Proposal from IN is based on a Results Based Management (RBM) approach. IN has informed the Review Team that the organisation has had difficulties with applying and quantifying indicators and in identifying concrete results achieved. The programme proposal and the 2014 Annual Programme report by IN set the baseline values at "zero". IN's proposal on p 2 recognises that:

*"There is an on-going Tripartite Dialogue (TPD) in the beneficiary states, but only a more hesitating TPD involving public authorities. In many of the countries, there is a lack of "demand-side pull", either from social partners or from the government. Where one or both sides are unable to represent the worker or employer constituency in a satisfactory way, effective bipartite or tripartite dialogue will not take place."*

The Programme Proposal defines three overarching outcomes:

1. Improved Social Dialogue and Tripartite Dialogue structures and practices
2. Enhanced understanding of the benefits of Decent Work
3. Transfer of Norwegian experiences of relevance for the beneficiary states

In addition, five more specific indicators are outlined in the proposal (employment, participation in the labour market, the social dimension of mobility of the workforce, gender equality and non-discrimination, improvement of work, family and private balance, worker adaptability and lifelong learning, transfer of Norwegian experiences of relevance for beneficiary states (Programme proposal p. 7).

The RT notes a difference between the DWTD Programme Proposal from IN, and the official, approved programme with the NMFA<sup>7</sup>. The two first outcomes are identical, while the approved programme implementation agreement defines the third, cross cutting outcome as: "To strengthen bilateral relations between Norway and the Beneficiary States". In the further analysis under this review, this definition will be used (and not "Transfer of Norwegian experience" as in IN's programme proposal). IN's reporting on the third outcome

<sup>5</sup> IN as operator started DWTD in last quarter of 2011, with first calls for proposals in 2012 – thus two years for actual implementation

<sup>6</sup> [http://debatt.kommunal-rapport.no/debatt/vellykket\\_eksport\\_av\\_trepartssamarbeid](http://debatt.kommunal-rapport.no/debatt/vellykket_eksport_av_trepartssamarbeid)

<sup>7</sup> The approved Programme Implementation Agreement (PIA) between IN and NMFA (19.10.2011) replaces the proposal by the programme operator, and defines the first two outcomes 1 and 2 only (in chapter 3.1). The third outcome is cross-cutting for all Norway and EEA programmes. This is defined in section 4.1 as a "Fund to strengthen bilateral relations between Norway and the beneficiary states". The PIA in section 2.1 states that the programme operator has the responsibility to facilitate and encourage bilateral exchange at programme and project level, which will be mutually beneficial and contribute to the objective of the Programme.

will also be taken to mean “strengthening bilateral relations”, which is further analysed in section 6.2 and Annex 1 and 8.

The programme logic in the proposal between outcomes and outputs is assessed to be coherent in an overall manner, while the indicators are generic and were to be further developed for each country during the Calls for Proposals. IN has informed the RT that these indicators were not adjusted and that the content and focus of the CfPs were more or less similar in all countries. The programme report by IN to FMO in 2014 was at an aggregated level, using activity based indicators, making it difficult to verify whether the outputs or indicators had been achieved. The indicators applied in IN’s annual programme report were modified compared to the programme proposal, but they remain quantitative

The aggregated 2014 annual report by IN to FMO for the DWTD contains an Annex 1 that attempts to enumerate the outputs and provide an overall picture of the status of the programme at the end of 2013. (Please refer to Annex 1: DWTD Programme Results Framework, and section 6.2.1, where this is analysed in detail).

The RT notes:

- i. The chosen set of “indicators” for reporting on each of the outputs under Outcomes 1 and 2 are activity based and exactly similar (Number of people interviewed, workshops held, persons participating, round tables held etc.). The only variation is the numbers reached.
- ii. The reported indicators (or data on activities) are not linked to the indicators for the different outputs

Therefore, the RT does not consider these indicators to be relevant for measuring the outputs. A set of proposed outcomes and indicators for a potential next phase of the DWTD is presented in section 9, based on inputs from the Norwegian partner organisations, IN and FMO.

The applied programme framework by the Programme Operator IN is not very relevant for actually measuring outputs and outcomes. Since the subject field is one of social change, new perceptions, attitudes, trust and dialogue, it is of course not easy to measure. But counting activities like roundtable meetings does not tell much about effects or actual changes, as perceived by the promoters. The indicators also include “signed agreements”, and this is relevant, whereas it is not explained what and at which level these are. The required format and aggregated level of reporting by IN to FMO is not conducive to measuring such changes either. This issue is further examined in section 6.2 (Programme logic and reporting).

#### **4.1.2 Baseline “0”**

The 2014 Annual Programme Report to FMO by IN states that “The baseline of the programme during the programme launch is zero. This is due to limited knowledge about the status in the beneficiary states.” The report continues: “Building up capacity and knowledge base from a baseline characterized by “zero” before programme launch to an on-going bipartite dialogue with a highly active and solid foundation for change has been a significant achievement.”

Section 4 of the Annual 2014 report states that for both Outcomes 1 and 2 “have been rated as “zero” for the baseline. The reason is lack of knowledge about what this is before the initiation of the programme in the beneficiary states.”(p. 7)

A very thorough 2010 FAFO study on Labour Market and Social Dialogue in East And Central Europe<sup>8</sup>, points out that there are substantial differences between CEEC. The study argues that national tripartite dialogue is relatively strong due to the absence or weakness of relevant sector social dialogue. In many cases, social dialogue is unfolding at enterprise level, and there may be no Collective Bargaining Agreement (CBA) at all, or negotiations may happen without links to the national system.

The desk review and analyses of the six in-depth target countries, as well as interviews with some of the Norwegian stakeholders by the RT indicate that the baseline for on-going SD and overall understanding of Decent Work and Tripartite dialogue (both processes and structures) was certainly not “zero” in 2010. This is also the case for the capacity of social partners to engage in SD. Attributing a value of “zero” to the baseline is also contrary to the 2010 reference study by FAFO<sup>9</sup>, even at country level (Annex 2.3 in that study). It is of course true that the SD is not functioning well everywhere, working conditions are not ideal and that major challenges exist relating to structures, to trust between social partners, and to the general weakness of trade unions (Annex 2.4 in the study). The point here is that, given the complexity of SD and understanding of Decent Work by social partners in 13 very diverse EU countries, the baseline could not reasonably have been set to “zero” at the start of the DWTD. The RT’s consultations with both FMO and the programme operator indicate that the baseline “zero” position had the following rationale:

- a. There was lack of sufficiently detailed knowledge about the status and level of both TPD and SD in the beneficiary countries
- b. The application was a combination of the available analysis (FAFO 2010 study) and on-going discussions with Norwegian partner organisations (in the course of developing the application document)
- c. In fact, a majority of EEA and Norway programmes uses 0 as baselines at the outcome level, both because the situations at national level are often not known and also because the small amount of Grants would not really affect the baselines in many cases<sup>10</sup>

The baseline “zero” position by IN is thus taken as an indication of the recognised challenges in SD and Decent Work in the new EU countries.

One aspect that has been investigated by the RT is whether the social partners (project promoters) in the beneficiary countries have or have not been exposed to the Nordic Model or have had bilateral relations to Norway partners, and what they believed to be its relevance and applicability. In all the field visit countries, social partners already had relationships with Norwegian partners before the DWTD. Many project promoters are quite enthusiastic about their exposure to the Nordic Model, and some say that the bilateral exchange of views and experiences have created higher levels of trust.

The conclusion by the RT is that the baseline “zero” was an assumption that was not entirely correct at the time of drafting the proposal, given the already existing SD structures and established processes in the target countries since 2004 and 2007<sup>11</sup>. In addition, that baseline has not been updated or adjusted during the DWTD, as it was supposed to be in adapting the national Calls for Proposals. The final report by IN for the entire programme is due in Spring 2016.

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<sup>8</sup> FAFO: Odd Bjørn Ure and Inger Marie Hagen: ” På vei mot et arbeidslivfond innenfor den nye avtalen om EØS-midlene” , FAFO Note 2010:2

<sup>9</sup> Op cit

<sup>10</sup> Communication with FMO, June 2015

<sup>11</sup> Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovakia and Slovenia became members of the EU in 2004, Romania and Bulgaria in 2007. Croatia joined in 2013.

#### 4.1.3 Analysis of the Nordic Model applied

While the Nordic Model is certainly not a fixed entity and is undergoing rapid social and economic changes in Scandinavia (integration of unemployed in the labour force, integration of immigrants in same, reductions in employment benefits, higher pension age, more mobility for example), it is still considered an attractive model by social partners in other countries<sup>12</sup>. It is clear, however, that, given the very different socio-economic conditions and history, the model is unlikely to be simply transferrable.

It is very important to recognise that the level and history of social dialogue in Norway is very different from that in the beneficiary countries. In a lengthy study of the Nordic Model<sup>13</sup> FAFO points out:

*"The Nordic Model was shaped by societal upheavals in the wake of industrialization, the rise of the labour movement and nation-building efforts in the early 1900s"*

In other words the Nordic Model has developed in Scandinavia and Norway over a period of more than 100 years. Norway has since the Second World War been a small, homogeneous and stable democracy where there is a high degree of consensus. Labour and social unrest are generally uncommon, and strikes and conflicts between employers are relatively infrequent.

If we look at the 13 beneficiary countries the situation is very different. Cyprus and Malta became independent of the United Kingdom in 1960 and 1964 respectively. Otherwise the other 11 beneficiary countries were either republics or closely aligned satellites of the Soviet Union, or constituent republics of Yugoslavia until 1991, and only gained true self-determination from 1991 onwards. In other words almost all of the beneficiary countries have had less than 25 years to develop social dialogue. Thus, the Nordic Model cannot be regarded as particularly relevant, or a priori be considered as suited to the policies and

##### *Definition of the "Nordic Model" (of tripartite social dialogue):*

The Terms of Reference (ToR) makes reference to a "Nordic Model" (presumably of tripartite dialogue) as follows:

"The Nordic Model is characterised by a high level of social dialogue built on strong cooperation between employers, employees and government. Norway has a strong tradition of tripartite consultation, bringing together workers, employers and governments in formulating and negotiating labour standards and policies. Bilateral cooperation plays a very strong role in the Fund with the close involvement of Norwegian social partners sharing expertise and experience."

Wikipedia.org's entry on Nordic Model (sub-category on labour market) defines the system as follows:

"A partnership between employers, trade unions and the government, whereby these social partners negotiate the terms to regulating the workplace among themselves, rather than the terms being imposed by law. Sweden has decentralised wage co-ordination, while Finland is ranked the least flexible. The changing economic conditions have given rise to fear among workers as well as resistance by trade unions in regards to reforms. At the same time, reforms and favourable economic development seem to have reduced unemployment, which has traditionally been higher. Denmark's Social Democrats managed to push through reforms in 1994 and 1996" ([http://en.wikipedia.org/wiki/Nordic\\_model](http://en.wikipedia.org/wiki/Nordic_model))

One of its key features is the absence of specific conditions such as salary and working conditions being defined in national legislation. It is the social partners that, respecting the existing labour legislation frameworks, define the content and the negotiation process, with the option of calling upon the national arbitrator in case of serious disagreements (Forligsmand)



priorities of the target countries. However, this argument can also be turned on its head. Precisely because of the difficulties with dialogue confronting the beneficiary countries, the Nordic Model, or relevant parts of it, is highly suited to the beneficiary countries.

Trade union density and collective bargaining agreement coverage are also ways of assessing how easy it will be to introduce social dialogue. The table below shows comparative figures:

**Table 2: Trade Union Density and Collective Bargaining Agreement Coverage in the Beneficiary countries<sup>14</sup>**

Country	Trade Union Density	CBA coverage
Bulgaria	20%	30%
Croatia	35%	61%
Cyprus	55%	52%
Czech Republic	17%	38%
Estonia	10%	33%
Hungary	12%	33%
Latvia	13%	34%
Lithuania	10%	15%
Malta	51%	61%
Poland	15%	30%
Romania	33%	36%
Slovakia	17%	35%
Slovenia	27%	90%
Norway	52%	70%
Definitions: Trade Union Density: % of total employees that are members of a trade union; CBA coverage: % employees covered by collective bargaining agreements		

Only Cyprus and Malta, strongly influenced by UK trade union traditions, have a higher trade union density whilst most beneficiaries have only half or less the trade union density that Norway enjoys. Norway also has much higher collective bargaining coverage than all the beneficiary countries (except Slovenia which has special historical reasons for its high rate). The status of and penetration by trade unions is particularly low in the Baltic countries and Hungary. This indicates that a direct transfer of the Norwegian model could be difficult and complicated.

To the Norwegian partners, application of the Nordic Model in the context of the DWTD programme has a variety of interpretations, depending on the perspective of each organisation. A common position is that it would be naïve to expect that the model could simply be exported or transferred to the 13 new EU countries. Several have pointed out that the model is based on specific conditions and development in the Nordic welfare societies, and that its current form is based on more than 100 years of social and political development. This cannot simply be exported. Several informants in Norway stated that a pre-condition for the application of the Nordic Model was a highly homogeneous and egalitarian society that Norway represents. But this is rare elsewhere in today's Europe.

Both employers and union representatives in Norway emphasise that the model is based on having equally strong unions and employers' organisations, regardless of this being in the private or the public sector. Strong organisations, within a legal framework and with clear

<sup>14</sup> Source: "Worker-participation.eu" – the European Trade Union Institute (ETUI): see: <http://www.worker-participation.eu/National-Industrial-Relations/Compare-Countries>



rules of communication, are considered preconditions for continuous SD. Also, mutual trust between social partners is stated as absolutely crucial.

It is interesting that all partners interviewed during field visits and 92 % of respondents in the on-line survey considered that sub-elements of the model could be applied, thus inspiring the partners to introduce new ways of working and cooperating. Respondents in the survey paid special attention to the structured form of social dialogue and industry-wide framework collective agreement as well as collective agreements at the national level as the adaptable elements of the Nordic Model. At the same time, the beneficiaries expressed a high degree of pessimism, given the adverse contexts (mistrust, poor negotiation practice, general political and economic situation). This is most accentuated where there have been longer conflicts or serious disagreements at national TPD level, e.g. in Bulgaria or Poland, and even Estonia (although in both Poland and Estonia, there seems to have been recent breakthroughs).

Under the DWTD programme, in some cases the partners in the recipient country have for the first time had a forum where they could meet, where they could voice their opinions and communicate directly (BCCI in Bulgaria project # 2012/104589), or the case of the Hungarian social partners which for the first time met face to face during one of the exchange meetings organised by IN in the early days of the programme.<sup>15</sup> Another good case is from Romania:

*“A tripartite dialogue was organized for the first time ever in our history as a union. This was a therapeutic meeting and it was the first time we had met the minister himself. The issues were put on the table and dealt with directly”<sup>16</sup>*

Other Norwegian partners point out that Occupational Health and Safety has been an important aspect of applied social dialogue, such as in the project on third party violence against social workers in local authorities (ROTAL in Estonia with KS (project # 2012/113364).

Some examples of views of project promoters on the Nordic model are provided below:

<i>“In Estonia, social dialogue in [our] sector was non-existent. With the project, we have made some first steps to open the road for developing dialogue, organised to empower workers, encouraged more cooperative employers to accept workers rights to organise and negotiate collectively, and have fought back aggressive-abusive practices.”</i>
<i>“The Norwegian model seems to be more effective in the field of defending employees’ interest. In Norway all the important socio-economic decisions reflecting job market conditions are taken in the social dialogue – including government, unions, local governments, political parties. Each party has to accept the new regulations. In Poland the Government mostly takes such decisions. The Norwegian model, in contrast to the Polish one, provides union participation at the higher level.”</i>
<i>“The main difference is historical - the bargaining power of the dialogue partners is equal or similar. The situation in our country is different - the power of trade unions is limited. The dialogue in this context requires many efforts to make it a ‘real thing’. The main challenge is to develop skills of leaders that can be good partners in the dialogue.”</i>
<i>“The social dialogue in Poland has been suspended for the last three years, there is no sense of partnership”</i>
<i>“People think differently, they want to make change, they see the usefulness of social dialogue. However, in my country people are afraid of changes, they are not taught to think in long term and only ‘now’ is important for most Latvians sitting in government or working anywhere else”.</i>
<i>“In Hungary there is no real tripartite social dialogue .... since the National Reconciliation</i>

<sup>15</sup> Interviews w IN, Oslo, May 2015

<sup>16</sup> Project promoter (Trade Union) in Focus group meeting, June, 2015

*Council (OÉT) was dismantled in 2010.”*

*Source: On-line survey of this review, June 2015, Annex 7*

In many of the new EU countries, SD takes place at enterprise level, or as in the case of Poland, also at regional (Voivode) level, and national tripartite dialogue platforms are either weak or not representative. For example, public employers' organisations have not assumed their role, or the role is not clear (responsibility has not been delegated) or the social partners have not been taken seriously in the tripartite fora.

An important aspect of the variety of different forms under which SD (tripartite, bipartite) unfolds in the DWTD programme is that important bilateral relations have been established, and that these in some cases have been key to establishing and developing SD. One good example of this is the joint project with four partners: LO Norway, NHO Norway, the Confederation of Independent Trade Unions of Bulgaria and Bulgaria Industrial Association (project # 2012/104620), although in this case there was already a previous project collaboration (with LO). Several other partners have established a long-term relationship to the current beneficiary organisations (e.g. IndustriEnergi with LMPF in Lithuania (project # 2012/104627), or Fellesforbundet with LCA in Latvia (project # 2012/104636). In other cases the project promoters have basically received limited support, and have carried out most of the work on their own.

IN sees the Nordic Model as a consensus model with two elements

- Communication: rules, predictability, supported by established law based systems with regulations
- Mutual Trust is absolutely critical. In case of disagreement, there is a mechanism for conflict resolution<sup>17</sup>

The programme operator also underlines that there are substantial differences between the 13 countries, and that both start up conferences as well as workshops and seminars have been organised to promote the Nordic Model in all countries except in Malta and Cyprus. In some cases this has been a first occasion for any meeting between the social partners, e.g. in Hungary.

#### **4.1.4 Relevance and usefulness of interventions**

The Review Team asked project promoters whether the support provided through the DWTD was in line with their own policies and priorities. While this might seem self-evident, the intention was to verify if the DWTD objectives and criteria were seen as suitable and relevant, and whether the organisations felt that they had been able to design a project that suited their needs. The overwhelming response was that obviously, promoters had designed projects that were relevant seen from their policies and priorities. *“Of course, we designed this, this is in line with our own objectives, we own it and it suits our needs”* were typical answers. One project promoter did say that their members were not all in agreement with the idea and subject of the project (Polish employers' organisation).

Other typical answers were that the projects were priorities because the organisations (unions, employers' organisation or public authorities) needed to resolve or tackle a specific problem area (participation in parity (SD) commissions (Romania), or assuming responsibility as a social partner in establishing regional TPD councils (Lithuania). A trade union partner in Bulgaria considered that it was dealing with an emergency situation, and had to conduct a survey on stress at the workplace amongst its members to be able to communicate their difficult situation to their public employer and to try and change the public perception of the police corps. While it is not very surprising that project promoters consider their own

<sup>17</sup> Interviews w IN, Oslo, May 2015

projects to be relevant, the RT also investigated what promoters assessed to be concrete and visible end results of the DWTD projects on their own organisations, on other social partners and otherwise.

In the online survey, 97% answered that the project had concrete end results (effects) on their own organisation, 84% answered that it had effects on relationship to other social partners, and 30 % answered otherwise. Some typical examples of these responses were:

Results on own organisation (97%)	<ul style="list-style-type: none"> <li>Increased knowledge of [our agency] staff on the concept and practices of bipartite and tripartite social dialogue</li> <li>Increased knowledge of [our agency] staff on the Parity Commission and issues that could be brought to its attention</li> <li>Enhanced capacity for staff in [our agency] dealing with the monitoring of Parity Commission in all national public entities</li> <li>Possibility to provide training to all public administration on social dialogue and on Parity Commissions, as the training curricula developed in partnership with Norwegian experts was included in [our agency] training offer</li> <li>Gathering of relevant information from all project activities (studies, round tables, debate, trainings, study visit, exchanges of good practices) and forwarding it to relevant structures within [our agency] for analysing possible improving of the related legislation</li> </ul>
	Strengthening capacity to develop further sectoral social dialogue.
	Anti-mobbing policy, e-learning platform, documents founding tripartite dialogue in [our organisation]
	An appreciable mass of people (trade unionists) sensitised by the target of project and prepared to take part in the social dialogue
	Changes in practice - educated participants, better collective bargaining and collective agreements
	[employers' org] Members trained in TPD aspects
Relationship to other social partners (84%)	Identification of problems to be solved mutually. Strengthening collaboration with partners at sectoral level. Developing mutual vision on development of sectoral collective bargaining
	Deepened and widened cooperation with employers' side; sensitization of local government's side and their inclusion
	Strongly emphasized the need for changes to regulations of the TPD in Poland is in the legislative process and inter alia realized through participation of employers in the work on a new law
	For the first time in the history of prisons (in Romania) a meeting with all the prison directors and trade union leaders was organised
	During the project our organization had a lot of communication and cooperation with trade unions. That had a really good impact on relationships with social partners.
Other results (30%)	The citizens and NGOs understood that the problem of bad quality of civic security services, provided by the [ministry], is not because the workers do not want, but because the reforms are not made. The new concept for safety and security as basic need was developed and the actions on integrated policies about people's safety and security have been taken up by the NGOs
	Organisation of training for employers and managers during which they have broadened their knowledge and could introduce the idea of work-life balance skills not only in their own lives but also in the organisational culture of their

	company (18 companies)
	Life-long learning and rewarding cooperation with colleagues add work motivation to us all participation of employers in the work on a new law
	Better services for our members (local governments) with prevention tool against Third Party Violence; more satisfied members, more members, better international relations, better knowledge in project management

These responses were generally corroborated during field visits to some of the same organisations and focus group discussions with promoters, where further details were given. The statements on results and effects demonstrate that 84-97% of promoters not only consider that the projects had profound effects on their organisations, their relationships to authorities, social partners and their own members. The projects also demonstrate a high degree of ownership and conformity to the partners' own objectives and policies.

As discussed in section 4.1.2 above, the application of elements of the Nordic Model in the 13 countries and its meaning to partner organisations is an intrinsic part of the question of relevance of the DWTD. It is clear that partners have been very enthusiastic about the exposure to elements of the Nordic Model that they have been able to apply, not least with the intervention and support from their Norwegian partners (56% of promoters had a Norwegian partner). Testimonies from partners (as above) confirm that elements of the Nordic Model have indeed been of high relevance to the organisations at their level and in their specific contexts. The responses cover the two main outcomes of the DWTD: SD and TPD dialogue practices and structures, and enhanced understanding of DW, as well as the cross-cutting outcome on strengthened bilateral relations (feeding into the two first, essentially).

#### 4.1.5 Contextual Relevance

In the Central and Eastern European countries, the union density and CBA coverage are generally low, and working conditions and minimum salaries are determined in quite detailed national legislations. These countries have also been subjected to serious political crises (in Hungary, Bulgaria, Romania) or breakdowns in national TPD structures and platforms (Slovakia, Lithuania, Poland, Bulgaria). This forms the backdrop against which to assess the relevance of the DWTD interventions and the application of the Nordic Model. If the high unemployment rates, general mistrust and tensions between trade unions, employers and government are also taken into consideration, together with the reluctance to join trade unions or negotiate CBAs ("CBAs are not very popular in Poland")<sup>18</sup> is added, it is clear that the DWTD cannot be said to be generally very relevant to resolving these massive challenges.

In Romania, for instance, given the complexity of SD and TPD structures, the DWTD can be said to have created some very good examples of improved SD and TPD practices at local level or in specific subsectors, not least with relevant and much appreciated inputs by the Norwegian partners. Existing structures have been revitalised and quality SD has taken place, relevant research has been undertaken and new practice and experience has been gained. Some interventions have been quite advanced, even at TPD level (like in the prison sub-sector). It is also clear that the four DWTD supported projects cannot be said to have had an overall influence on the SD or TPD practices in Romania, but have provided illustrative and positive examples of how to apply elements of the Nordic Model. Project promoters as well as Norwegian partners were very enthusiastic about these achievements.

The Nordic Model of TPD has created a lot of interest amongst social partners in all of the six countries visited. The promoters also agree that while it is seen as very relevant, it would

<sup>18</sup> Interview with employers' organisation and project promoter in Poland, August 2015

require substantially more time and effort to adapt elements of the Nordic Model and introduce it at overall and specific enterprise level. The governments still have a major role to play. Social partners consider the governments and legislation as the most important targets of their actions. Giving up this resource in favour of individual bipartite relationship in light of the Nordic Model raises fears of losing power, especially on the union side.

Some EEA and Norway Grants National Focal Points (NFPs) interviewed by the RT do not all consider the DWTD to be that relevant (Poland, Estonia, and Romania for instance). This is presumably an assessment of its size, scope and not least the preparatory process and involvement of the NFP in screening the proposals.

*“We do not consider it wise to implement such a small programme – we also look to Poland where the level of financing is much higher. We also do not consider that the results are well presented. It is possible that the programme has contributed to the overall outcomes, but we cannot say very much about whether the results are replicable elsewhere – we simply are not aware of what has been going on. There was little visibility and no larger impact. The much larger funding from ESF available to social partners also meant that there was little interest in the DWTD”.*<sup>19</sup>

The above type of statements has been given by several NFPs. Some of the NFPs do not consider they have been involved or consulted sufficiently and they also consider the funding level as quite low. This is not the case everywhere – in Poland the NFP was very much consulted, as was the case in Lithuania. The size of funding is a consistent issue, though. NFPs do consider the DWTD as very or quite small, and it is difficult for them to say anything about its usefulness and even less about its possible effects. Some do consider it quite relevant, given that the measures are seen as very soft (capacity building, workshops, awareness raising etc.), and the promoters were very excited about not only the grants, but also its management. However, the NFPs are not well informed about the actual results and outcomes, since they do not get reports from the promoters and are not systematically following the programme.

IN insists that all NFPs have been extensively consulted and were all involved, including invitations and participation in initial conferences, Calls for Proposals and closing conferences as well as events (workshops, seminars etc.) by the promoters. There is an issue, however, of involvement and consultations in the DWTD. (The discussion on complementarity to ESF is taken up in section 4.2 below and on efficiency in section 5).

Responsible national authorities like Ministries of Labour and/or Social Policies or Social Dialogue have very different positions about the relevance of DWTD and the applicability and usefulness of the Nordic Model.<sup>20</sup>

Representatives of the Norwegian embassies were generally not much involved in the DWTD, apart from closing conferences and specific events. They consider the contexts in the different countries to be quite difficult, with many institutional risks in the national administrations, changes in staff and generally unclear areas of responsibilities, as well as non-functional established SD and TPD structures. Given the difficult national contexts, several embassies (e.g. Vilnius, Bratislava) considered that interventions like capacity building were definitely relevant, but that it would be premature or incorrect to attribute any potential effects at national level to the DWTD. But the concrete experience sharing with Norwegian partners (partnerships are seen as very important by the embassies) had shown that the promoters had become more active, had increased capacity and some of these would have a certain degree of influence at national level. The overall assessment by

<sup>19</sup> NFP representative,, interview, May 2015

<sup>20</sup> It has only been possible for the RT to meet these authorities in Bulgaria, Romania, Poland

embassies was that this was a meaningful, relevant programme (based on feedback from partners), even though the grants were quite small. (€ 10.000 is not seen as a small amount by a social partner in Slovakia, e.g.).<sup>21</sup>

Complementarity to the ESF is discussed below in section 4.2

## 4.2 Complementarity to EU Support to Social Dialogue

EU and the European Commission are obliged to consult social partners prior to legislative proposals on social matters as an integral part of the Treaty on Functioning of the EU<sup>22</sup>. This is of course one of the key pillars of the functioning of the EU.

Support by the EU is provided to direct participation in EU industrial relations at overall and sector level, through a number of European SD committees. Also, the European Social Fund provides direct support to the social partners in all EU countries. This can be quite substantial and take on several forms, covering both the cost of social partners in each country participating in SD committees at EU level in Brussels, but also a number of direct capacity building workshops, seminars and meetings in one or several countries, usually organised with the participation recognised EU cross-industry social partners: ETUC, Business Europe or CEEP<sup>23</sup>.

### 4.2.1 Complementarity between ESF support and DWTD

It was one of the key research areas of this review to analyse the complementarity between EU 's funded support and DWTD programme support. When assessing the synergy and complementarity between both funds, the scale of total allocations should be considered. In the framework of ESF for 2007-2013, funds were allocated to provide to sustainable development by increasing Growth, Competitiveness and Employment. During the seven-year programming period, € 75.95 billion was allocated in 117 Operational Programmes across the 27 Member States<sup>24</sup>. In terms of supporting social partner across the EU Member states, the ESF has three autonomous budget headings exclusively dedicated to support of European social dialogue: 1) 04.03.03.01 Industrial Relations and Social Dialogue; 2) 04.03.03.02 Information and Training Measures for Workers Organisations; 3) 04.03.03.03 Information, consultation and participation of representatives of undertakings. However, these measures focus only on the European, not the bilateral dimensions. The measures financed under these budget headings are carried out by social partners and are often linked to the joint work programmes in their European social dialogue.

The total overall ESF support to capacity building of social partners alone from 2007-2013 was estimated to be at € 1.7 billion compared to € 8.1 million to the DTWD.

This review requested the project promoters to respond to whether they had received support from other sources than DWTD to SD and TPD. It follows that the social partners have access to and have been actively seeking support from other sources, both centrally through EU Social Dialogue, but also nationally through the ESF.

<sup>21</sup> Interviews with Norwegian embassies in Vilnius, Bucharest, Bratislava, Sofia, May-July 2015

<sup>22</sup> TFEU. Article 152 states: The Union recognises and promotes the role of social partners at its level, taking into account the diversity of national systems. It shall facilitate dialogue between the social partners, respecting their autonomy. The Tripartite Social Summit for Growth and Employment shall contribute to social dialogue.

<sup>23</sup> European Centre of Employers and Enterprises providing Public Services

<sup>24</sup> The Final 2011 synthesis report on ESF Expert Evaluation Network is available at: [http://ec.europa.eu/social/main.jsp?catId=701&internal\\_pagesId=616&langId=en&moreDocuments=yes&tableName=INTERNAL\\_PAGES](http://ec.europa.eu/social/main.jsp?catId=701&internal_pagesId=616&langId=en&moreDocuments=yes&tableName=INTERNAL_PAGES)

<b>Table 3</b>		
<b>Has your organisation already been supported in other Social and Tripartite Dialogue programmes at international level either before or during the DWTD programme? Please specify:</b>		
<b>Answer Options</b>	<b>Response Percentage</b>	<b>Response Count</b>
EU's Social Fund	22.5%	9
Direct participation in European Social Dialogue Organisations (BusinessEurope, UEPME, ETUC)?	5.0%	2
EU Sector Social dialogue Committees, or Sector Employers' or Trade union Organisations?	17.5%	1
Through national centre or national confederation/organisation?	2.5%	1
ILO - the International Labour Organisation	7.5%	3
Don't know	12.5%	5
None	32.5%	13
<b>Response count</b>		<b>37</b>

#### **4.2.2 EU Social Dialogue in EEA beneficiary countries**

The integration process of new Member States (transition to market economy, industry restructuring and implementing EU «acquis communautaire») has been very challenging through the 2000s and into 2010s, not least after the financial crisis in 2008<sup>25</sup>.

The main area of support by European social partners has been capacity building activities. This gradually evolved from explicit awareness raising on what the ESD is and what the benefits are for national organisations to seminars on more specific issues related to implementation of Framework Agreements or restructuring.

In a joint capacity building report from 2010, three broad national groups among the CEEC were identified:<sup>26</sup>

- Countries where SD at the national level and the engagement of the social partners in European SD can be compared favourably with countries that have participated in the European SD for more than 20 years (Czech Republic, Hungary, Poland and Slovenia)
- Countries where there are still significant obstacles to effective national SD and where this is reflected in the difficulties they find in operating effectively at the European level (Estonia, Latvia, Lithuania and Slovakia)
- The newest member states and candidate countries where engagement in the European SD is at an early stage of development or where it has not yet taken place (Bulgaria, Croatia, Romania, as well as Turkey)

It has proven challenging to assess what was the exact budget allocated from the ESF for strengthening social dialogue in the review countries since social partners has been supported through many different Operational Programmes and budget lines.

The reasons were partly the inability of the responsible authorities e.g. Ministry of Social Affairs or Labour, or the responsible management authorities (Ministry of Finance, normally)

<sup>25</sup> See: European Social Dialogue: State of Play and Prospects (2010) and country reports on implementation of Framework and Autonomous Agreements revealed significant bottlenecks in the areas of delegates' from CEECs capacity to participate in the bipartite dialogue .

<sup>26</sup> Op cit

to provide reliable data, but partly also the fact that the precise data are not always readily available since social partners in the respective countries are involved in a variety of activities financed through different ESF budget lines. In some of the field visit countries the RT has however received information on the SD allocations from the responsible Ministries. This information was a baseline for assessing the complementarity of both funds and investigating if and how this complementarity was taken into account when the DWTD was programmed.

Below is a brief overview of the scope and size of the support to SD financed by the European Social Fund in each of the six field visit countries.

While it has not been possible to obtain data in all the six fieldwork countries, it has been attempted to compare the ESF allocations per country to the DWTD. The figures are not in all cases comparable, but the DWTD support constituted 1.7 % of ESF funding to social partners in Bulgaria, 10% in Lithuania, and 2.4% in Poland. The size of support varies considerably, according to the agreed size of DWTD grant to each country. Poland and Romania were the largest DWTD beneficiaries (€ 3.0 and € 1.1 million, respectively) and therefore also have more and larger projects.

### **Bulgaria**

Under the Operational programme “Human Resource Development” financed through the European Social Fund and managed by the Bulgarian Ministry of Labour and Social Policy, the nationally represented social partners – two trade union confederations and four employers’ associations, have been awarded six projects with the common priority *“Increasing the flexibility and the effectiveness of the labour market through activities of the social partners”*. The overall approved budget for all the 6 projects was € 28.283.133.

The scope of activity of these projects includes restriction and prevention of the informal economy, development and commissioning of an information system for assessment of the workforce competencies by branches and regions, development of a strategy and implementation of coordinated policy for human resource development in the context of the Lisbon’s objectives and the corporate social responsibility.

Compared with the ESF funds dedicated to social dialogue the financial resources under DWTD programme comprise some 1.69%.

### **Estonia**

The structural assistance by the EU (2009-2014) to social dialogue is given through the Ministry of Social Affairs (under the overall programme “Improving the quality of the work life 2009-2014”), and concern measures to support the central negotiating and policy making capacity of the confederations of trade unions (EAKL) and the Employers’ Confederation (with a small amount). The projects concern enhancing the strategic management of unions (€ 500.000) and € 200.000 for the policy making capacity of EAKL. Other minor support concerned understanding the new labour code (training and e-handbooks).

It is estimated that the social partners in Estonia also have received some direct funding from ESF for individual projects, but no specific information could be identified about such support. The above ESF funds dedicated to social dialogue are € 700.000, and the financial resources under DWTD programme comprise € 252.160. Since the size of the general support from ESF could not be ascertained, the figures are not comparable.



## **Lithuania**

There is a special measure for promoting social dialogue in Lithuania, “Promotion of social dialogue”, foreseen in the framework of European Social Funds under the Human Resource Development, programme 2007-2013.

The objective of this measure is: to develop capacities of employers, their organisations and associations, TUs and their associations in the sphere of social partnership; to promote CA signing; to inform and educate TU members’ and society on the development of SD.

Within the framework of the programme implementation, funds were granted for 32 social dialogue development projects, of which 21 have been completed. Total allocations for the project implementation amounted to € 4.291.213.

The combined DWTD support is at € 449.000, against € 4.3 million from ESF. While the programme periods are not exactly similar, DWTD amounts to 10 % of ESF funds, a sizeable contribution.

## **Romania**

Within the overall framework of the Sector Operational Programme for Human Resource Development, with a total allocation of € 4 billion, mainly financed by the ESF from 2008 to 2015 (implemented through the Ministry of European Funds), only one of the Key Areas of Interventions (3.3.) has objectives related to capacities of Social Partners and SD: Development of Partnerships and encouraging initiatives for social partners and civil society (€ 90 million). The overall programme objectives are: promoting quality initial and continuous education and training, including higher education and research; promoting entrepreneurial culture and improving quality and productivity at work; facilitating the young people and long term unemployed insertion in the labour market; developing a modern, flexible, inclusive labour market; promoting (re) insertion in the labour market of inactive people, including in rural areas; improving public employment services; facilitating access to education and to the labour market of the vulnerable groups). The precise allocation for individual projects could not be traced.

The combined DWTD support is at € 1.1 million, against € 90 million from ESF. The figures and periods are in this case not comparable.

## **Poland**

Within the overall framework of the European Social Fund (Human Capital Programme for 2007-13) social dialogue has been supported under Priority V “ Good Governance” measure 5.5 Development of Social Dialogue. This measure was divided into:

- 1) Sub-measure 5.5.1: System support for social dialogue. Systemic projects covering studies, analyses, expert opinions on social dialogue, its condition, perspectives and barriers for its development and needs of dialogue participants. Monitoring and evaluation of cooperation between public administration and social dialogue institutions
- 2) Sub-measure 5.5.2: Strengthening of social dialogue participants. Call for proposals for projects covering: Studies, analyses, expert opinions on social dialogue, its condition, perspective and barriers for its development as well as needs of dialogue participants

As per official programme information the financial allocation for Measure 5.5 was € 100.238.968, whereas as per information received directly from the Ministry of

Infrastructure and Development, 101 projects were implemented at a total value of € 105.003.420. The main beneficiaries of this funding were trade unions and employers' organizations at sectoral and regional level.

The combined DWTD support is at € 2.6 million, against € 105 million from ESF. While the programme periods are not exactly similar, DWTD amounts to only 2.4% of ESF funds.

### Slovakia

The most important mechanism of support for SD from the institutions of the EU is the project 'National Centre of Social Dialogue'. The project is part of the Operation Program Employment and Social Inclusion for the period of 2010 – 2013, financed by the European Social fund (ESF). The project seeks to support the development and strengthening of social dialogue in Slovakia at all levels. It is coordinated by the Centre for Education of the Ministry of Labour, Social Affairs and Family. Social partners involved in this project include AZZZ, RUZ SR, KOZ SR<sup>27</sup>, and the Federation of Towns and Municipalities of Slovakia (all organizations take part in the tripartite committee).

In addition to the above project, EU support to social dialogue is decentralized and channelled to individual social partners, without the existence of a national coordinator or an overview of individual projects and their aims. No information could be collected about the size of ESF funding.

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## 4.3 ILO Decent Work agenda

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ILO's Decent Work Agenda is a balanced and integrated programmatic approach to pursuing the objectives of full and productive employment and decent work for all at the global, regional, national, sectoral and local levels. It comprises four pillars, viz:

- Employment creation and enterprise development
- Social protection
- Standards and rights at work
- Governance and SD

Since 2005, Decent Work (DW) has been included as targets in the first Millennium Development Goals and ILO does all reporting with regard to the achievement of this target (International Labour Organization, 2009<sup>28</sup>). The ILO considers SD in a wider perspective, as not only a tool to establish decent working conditions, but also as a mechanism contributing to socio-economic progress and poverty reduction.

*"Social Dialogue refers to all types of negotiation, consultation and exchange of information between or among representatives of employers, workers and governments on issues of common interest in the field of economic and social policy. It includes bi-partite and tri-partite consultation, collective bargaining and all forms of management-labour cooperation."*<sup>29</sup>

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<sup>27</sup> AZZ: Association of Slovak Employers' Federation, Confederation of Trade Unions of Slovakia KOZ-SR, RUZ SR : National Union of Employers

<sup>28</sup> Value Chain Development for Decent Work : A guide for development practitioners, government and private sector initiatives, ILO 2009

<sup>29</sup> Social dialogue: Promoting sound governance, inclusive growth and sustainable development, ILO Information note, January 2012. [http://www.ilo.org/ifpdial/areas-of-work/industrial-and-employment-relations/WCMS\\_172420/lang-en/index.htm](http://www.ilo.org/ifpdial/areas-of-work/industrial-and-employment-relations/WCMS_172420/lang-en/index.htm)

The ILO regional office for Central and Eastern Europe in Budapest is responsible for providing advisory services, capacity development and technical assistance to governments and to employers' and workers' organizations in the CEECs region related to the mandate of expertise of the ILO, including rights at work, employment creation, social protection, SD and gender equality.

In the interview with the representative of ILO, the RT was informed that ILO has reduced its activities and programmes in Central and Eastern Europe in recent years, and has phased out its Decent Work Country Programmes (DWCP). However, it continues to provide limited technical assistance in Bulgaria, Romania and Poland. ILO is of the opinion that the decent work agenda has greater relevance in developing countries. ILO further considers that there is a serious disconnect between growth and job creation in Central and Eastern Europe and more attention needs to be paid to unemployment. ILO considers that substantial advances have been made in promoting Social Dialogue in central and Eastern Europe. Support by EU has improved collective bargaining practices substantially<sup>30</sup>.

### Case A

In Bulgaria, project 2012/104620 *Decent work and dialogue – good practices exchange* implemented by Confederation of Independent trade Unions in Bulgaria with Norwegian Confederation of Trade Unions (LO) is an interesting example, especially due to synergies between the four organisations. It is less clear to what extent this has materialised into concrete changes in the actual TPD processes, but solid groundwork involving local structures and union and employers' representatives are documented, as well as research on experience and examples of good practices of the social and tripartite dialogue in the various dimensions of decent work (negotiation, payment, security, working conditions, etc.) in Norway and Bulgaria, parts of which are included in a "Decent Work and Dialogue" brochure. The survey covers three branches – food and beverage, forest and wood processing and mining. The team which included mainly researchers from CITUB but also from BIA, LO Norway and NHO Norway, has identified and studied good practices in corporate social responsibility, occupational safety and health, social insurance rights, value added by social dialogue and collective bargaining, establishment of conditions for decent, social dialogue and collective bargaining.

The RT notes that the Norwegian stakeholders (partner organisations) overall consider that the ILO DW Agenda is important in relation to the DWTD programme, but that it is also a global concept and that all countries have committed to it. Several have pointed out that they do not view the Decent Work Agenda as operational. While elements of ILO's DW agenda are considered very relevant (e.g. OHS, negotiation preparation), the specific conditions and capacity of social partners must be taken into account. Preferably there should be an already established cooperation before any meaningful capacity building can take place.

The Programme Operator in 2011 consulted the ILO Regional Office on the relevance and complementarity of the DWTD to on-going ILO programmes. Similarly, the ILO was consulted on screening of the successful proposals under the first Call for Proposals in 2012, also to ensure relevance and complementarity.

During field visits, the RT investigated to what extent the understanding of ILO's Decent Work agenda was enhanced through the DWTD. In general, most projects had integrated some elements of the DW agenda. These referred mostly to the issues related to the fourth pillar of ILO's DW agenda, governance and social dialogue. Nevertheless, in the six countries visited, most of the project promoters did consider the DW agenda as relevant. They stated that their organizations were already working to promote the four pillars, but the focus of

<sup>30</sup> Interview with and briefs from the ILO's regional office for Central and Eastern Europe, May, 2015

DWTD was more on reviving or establishing structures on SD, which was considered complementary. Social protection, occupational health and safety (especially occupational stress) and workers' rights were integrated in some of the projects mostly through training and seminars related to these issues.

In analysing project promoters' reporting to IN, the RT has found some projects that directly reported on promotion of the DW agenda, beyond general SD and TPD. One example was a project in Lithuania (# 104526 – Lietuva Statoil), which specifically addressed and reported on OHS and preventive fire and emergency response. Another interesting example was a Slovenian project (# 104590 – Decent Project for Decent Work), directly addressing and reporting on the Youth unemployment issue (see also section 6.2.2 on project level reporting, criterion 2). Both of these projects had "Enhanced understanding of the benefits of Decent Work" as outcomes, and their reports showed that the indicators were relevant and also being reported on directly. There were several other projects in the DWTD portfolio that included elements of the DW agenda and that the RT visited in the six countries. *For details, please refer to Country reports, Annex 4.*

ILO considers gender equality a critical element of the efforts to achieve its four strategic objectives and has a mandate to promote gender specific actions<sup>31</sup>. Therefore, issues related to gender equality are considered as integral part of the ILO's decent work agenda. Within the framework of the DWTD, only a few projects had adequately addressed gender equality. There were some examples of projects with the main objectives of "Increasing women's participation in the labour market". One good case was "Superwomen on the labour market" in Poland by the National Confederation of Employers, Lewiatan (# 104520). *(Please see section 6.2.2, Case B for a description).*

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#### 4.4 Summary on relevance

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The objectives of the DWTD are very general and quite ambitious and would better be described as the intended state (effects) of long term development interventions. The programme includes some assumptions about the possibilities of social partners to actually improve their cooperation. These assumptions are in all likelihood not realistic or would not hold true, given the quite adverse context for social partners in Central and Eastern European countries. The programme operator, given the recognised challenges in this field, assumed a baseline value of "zero" for the state of TPD and SD in the beneficiary countries. As there was existing knowledge about the SD and TPD structures and processes (and in some cases a quite rich and diverse SD, governed by detailed legislation), this cannot be said to be entirely correct. The limited size of the fund and what could realistically be achieved has also to be taken into consideration.

The Nordic Model of Social and Tripartite Dialogue is shaped by a more than 100 years of social and political developments. It would naturally be difficult to simply transfer this model, according to informed decision makers, social partners and project promoters interviewed during this review. Nevertheless, the Nordic Model is very attractive to the social partners supported under the DWTD. 92 % of respondents in the on-line survey and the majority of promoters interviewed considered that sub-elements of the model could be applied, thus inspiring the partners to introduce new ways of working and cooperating. Respondents in the survey paid special attention to the structured form of social dialogue, the industry-wide framework collective agreements, as well as collective agreements at the national level as the adaptable elements of the Nordic Model.

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<sup>31</sup> <http://www.ilo.org/gender/Aboutus/ILOandgenderequality/lang--en/index.htm>

The DWTD is considered to be very relevant by the target group, in particular in terms of the elements of the Nordic Model that could be applied, and the supported TPD and SD structures and practices (Outcome 1).

The National Authorities did not in all cases consider the DWTD relevant, which was partly explained by its size and the limited knowledge and involvement in the programme by the National Focal Points (with some variation).

DWTD has made some important inroads into enhancing TPD structures and promoting the Decent Work agenda, supporting social partners with soft measures that they otherwise would have difficulties in obtaining funding for. Where successful, the projects have been highly appreciated by the beneficiaries. Given its small size and spread, and not least the very substantial support given by the European Social Fund to social partners in all the CEEC, the programme has had good effects at the level of its specific interventions.

The diverse and difficult context in which the DWTD has unfolded in the 13 beneficiary countries is seen as very important to how relevant and useful the programme is considered by the stakeholders, beneficiaries and project promoters.

The on-line survey demonstrates that 84-97% of promoters not only consider that the projects had profound effects on their organisations, their relationships to authorities, social partners and their own members. They also demonstrate a high degree of ownership and conformity to the partners' own objectives and policies.

The European Social Fund has provided substantial support to overall, EU level participation in European SD (ESD), with specific measures to enhance industrial relations, training and capacity building, and participation in ESD. Substantial support directly to social partners in the EU member states has also been programmed, managed by the responsible national management authorities. The total overall ESF support to capacity building to social partners alone from 2007-2013 was estimated to be at € 1.7 billion, compared to € 8.1 million in total for the DTWD. While it has not been possible to obtain data in all the six fieldwork countries, it has been attempted to compare the ESF allocations per country to the DWTD. The figures are not in all cases comparable, but the DWTD support constituted 1.7 % of ESF funding to social partners in Bulgaria, 10% in Lithuania, and 2.4% in Poland.

## 5 Efficiency

The standard definition of efficiency in development assistance is how economically resources (funds, expertise, time, investments etc.) have been utilised to produce the results. This section looks at IN's applied administrative model for operating DWTD, the perception by promoters of the programme operator's performance and cost efficiency.

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### 5.1 Administrative Model

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When the political decision was made in Norway to allocate 1% of the Norway Grants 2009-2014 to a Global Fund for Decent Work and Tripartite Dialogue, the Ministry of Trade, Industry and Fisheries (IN's parent Ministry) nominated IN to be programme operator for the Fund, with acceptance by the NMFA.

The arrangement whereby a Norwegian institution is programme operator is not usual. Indications from some National Focal Points were that the arrangement with a programme operator from a donor country was accepted; conversely, the decision on the pre-allocation of 1% of the grant was noted as a *fait accompli*. The degree of involvement of the NFPs in consultations on project selection seem to vary from country to country, whereas the NFPs have all had the opportunity to be heard<sup>32</sup>. In fact, both project promoters and the IN national representative offices are encouraging the participation of NFPs in project events. Thus, while noting that the programme operator is in charge of managerial set up and the day to day management of the DWTD funds, the NFPs appear to have quite different levels of involvement. The NFPs point out that this is also a matter of prioritising and their capacity to monitor and handle the quite substantial portfolio of both EEA and Norway Grants as well as EU projects and programmes.

Evidence from some project partners in Norway suggest that the idea of a programme operator from the donor country is popular as it promises reduced bureaucracy. IN has about 35 overseas offices including offices in Bulgaria, Estonia, Latvia, Lithuania, Poland and Romania<sup>33</sup>. It is noted that IN is also Programme Operator of the Norway Grants funded Green industry Innovation programme in Poland, Romania and Bulgaria.

IN's Programme Proposal for the DWTD<sup>34</sup> describes the programme's proposed objectives, indicators, outcomes etc. This is based on a very thorough and comprehensive report by the Norwegian research institute FAFO in 2010<sup>35</sup>, providing an overview of the status of tripartite dialogue in 10 beneficiary countries (not Croatia, Cyprus or Malta).

FAFO's report sets out a series of somewhat general principles for making priorities. However it also points out that the study has not considered the question as to whether the Global Fund for DWTD can be overshadowed by the much larger EU social funds which started in 2007 to promote capacity-building of the social partners in each of the member countries. The sum allocated to this purpose was € 1.700 million (compared to € 8.1 million for the DWTD).

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<sup>32</sup> Interviews with IN and NFPs, May-June 2015

<sup>33</sup> Innovation Norway is a Norwegian government institution owned 51% by the Ministry of Trade, Industry and Fisheries (MTIF) and 49% by the Norwegian county governments. A major purpose of IN is to promote the interests of Norwegian business in both Norway and overseas. It has a staff of about 750 of which 550 work in Norway and 200 work overseas. "Annual Report Innovation Norway 2014", Oslo 2015

<sup>34</sup> Innovation Norway, "Programme Proposal: Norwegian Financial Mechanisms 2009-2014 – Global Fund for Decent Work and Tripartite Dialogue", Oslo 29 July 2011

<sup>35</sup> FAFO: Odd Bjørn Ure and Inger Marie Hagen: "På vei mot et arbeidslivsfond innenfor den nye avtalen om EØS-midlene", FAFO Note 2010:2

On the basis of the Programme Proposal, an agreement was signed between NMFA and IN on 19 October 2011, valid until 31 December 2015 and listing some 21 responsibilities to be undertaken by IN. Annex 1 to this agreement makes provision for a management fee for IN of NOK 6.480.000 (= € 810.000<sup>36</sup>), or 10 % of the total Fund value of € 8.1 million. The Agreement lays down recommended procedures for Open Calls, the applicant selection process, contracting of projects, partnerships, and procurement and monitoring of projects and reporting to NMFA. The agreed management fee was without costs for programme preparation and bilateral relations at € 120.000, which are calculated as a fixed percentage (1.5 %) of total programme costs<sup>37</sup>. In agreement with NMFA, these funds could be used by the programme operator for programme preparation and bilateral consultations. € 80.000 was to be used for dedicated workshops with beneficiary states, in particular seeking partnerships with Norwegian organisations, and € 40.000 for costs incurred by IN for developing the programme proposal. The final addendum to the agreement was signed in March 2015 only.<sup>38</sup>

During the period 2011-2014 the DWTD programme had three rounds of Calls for Proposals in order to select the best projects and disburse the available grant.

In January 2012 grants were awarded to 52 projects, committing about 90% of available funding. During the last quarter of 2013, a second call for PA22 was initiated. The on-going (already approved) project promoters were invited to apply for supporting activities related to the Tripartite Dialogue component. Finally, a Third Call was initiated in April 2014 for the remaining grant of € 235.508, with a total 20 of applications received. Additionally in August 2014, Croatia entered the DWTD programme and was granted a pre-defined project on tripartite dialogue of € 100.000.

This review notes that the scope of initiatives supported under the general CfPs under DWTD was quite broad, and that a wide number of initiatives/proposals would fit the criteria, even on issues like housing and schooling by social partners.

**“The Fund welcomes initiatives such as:**

- Training and capacity building to encourage the establishment and functioning of social dialogue structures;
- Initiatives to promote tripartite dialogue and decent work as well as bipartite dialogue initiatives across industries and sectors;
- Initiatives to foster work life balance and non-discrimination in the workplace
- Health, safety and environment at the workplace
- Initiatives to foster gender equality at the workplace and in company board rooms;
- Information and awareness-raising activities and partnership building among social partners and with public and private sector organizations, including NGOs;
- Social partner actions to promote employment, education, schooling, housing, anti - discrimination, poverty, health and safety and social protection;
- The beneficiary states may provide country specific focus areas<sup>39</sup>

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<sup>36</sup> Using a fixed exchange rate of NOK 8.0 to € 1.0 (FMO)

<sup>37</sup> Annex 1 to programme implementation agreement: Total programme budget for PA22 IN 22 (from NMFA): Funds for bilateral relations were 0.96% and preparation of programme proposal were 0.54% of the total € 8.1 million.

<sup>38</sup> E-mail communication between IN and NMFA, July 2012, and final Addendum to the programme implementation agreement to IN from FMO, 02 March 2015. Several telephone interviews by the RT with IN (Knut Ringstad)

<sup>39</sup> From: Call for Proposals within the Norwegian Financial Mechanism 2009-2014 – The fund for Decent Work and Tripartite Dialogue. (General call, with deadline 31-01-2012). PA 22 Call for Proposals – version 1.0 18.10.11

After the subsequent calls and integrating Croatia in the programme, 99 % of the available grant has been committed to projects in the 13 beneficiary states, according to IN<sup>40</sup>. Table 3 below summarizes available information on Calls for Proposals (CfP):

<b>Table 4</b>	<b>Deadline for submission</b>	<b>Applications received</b>	<b>Applications eligible</b>	<b>No. of Partnerships</b>	<b>Contract awarded</b>	<b>€ Committed</b>
1 <sup>st</sup> General Call #)	January 2012	120	80	28	52	7.096.509
2 <sup>nd</sup> Call §)	December 2013	14	14	14	14	510.088
3 <sup>rd</sup> Call §)	April 2014	20	N.A.	5	7	235.508
Croatia enters	August 2014	1	1	1	1	100.000
<b>TOTAL</b>		<b>165</b>	<b>95</b>	-	-	<b>7.942.105</b>

Notes: One project was cancelled in January 2014 – € 299.000 (“AGROSTAR” in Romania)

#) 1<sup>st</sup> CfP In all 13 countries. §) 2<sup>nd</sup> CfP: In Bulgaria, Hungary, Latvia, Poland, Romania (2013). 3<sup>rd</sup> CfP: Czech Republic, Romania and Slovakia (2014).

It is understood that in some countries there were too many application for the funds available, while in others there were too few. Initially only one open call was foreseen, but an additional open call in 2013 was held in countries where all funding had not been committed. A third call was also held in 2014, but open only for already approved projects to introduce additional activities. The observation by the RT is that launching limited CfPs for € 510.000 and € 235.500, respectively, in order to award 21 additional contracts (average size being then € 35.500) may not be regarded as cost efficient. IN informs that CfPs have been an efficient and fast way of ensuring that more applications were received, and it does not consider the CfPs as cumbersome and time consuming.

The agreement between the EU and Norway for the EEA and Norway grants states that 1% of the allocation to all beneficiary states receiving grants from Norway should be set aside for the Global fund for DWTD. The allocation per country was thus not something that the PO could decide, but was determined by the agreement’s Protocol 8. The allocation per country varies considerably as a result of this, and this is also the reason why the minimum and maximum grant amounts differ from country to country in the open call text.

The relationship between IN and the project promoters is governed by an internal document: “Rules and Procedures for the project applicants”. This also sets out the criteria used by IN for selecting successful applicants. Reference is also made in this document to monitoring arrangements by IN. Monitoring of the projects is undertaken by IN’s country offices in consultation with IN’s Programme Manager.

IN upholds that it has been a challenging task to report against a Zero baseline (in fact, a moving target, as IN puts it). Adapting the DWTD portfolio to the FMO’s Documentation, Reporting and Information System (DoRIS) has had several teething problems:

- DoRIS was developed for the mainstream EEA portfolio of one programme in one country, not for a global programme (DWTD) in 13 countries (FMO)
- IN has experienced a number of challenges and problems with DoRIS during the start-up and testing phase. Also, reporting on grant disbursement and administrative

<sup>40</sup> Email /telephone communication with Innovation Norway, August 2015



costs has been difficult. IN reports that a substantial amount of time has been spent on re-entering or adapting project data in DoRIS

- A challenge has been that IN was unable to propose quality indicators from the beginning, as FMO would normally expect a PO to do. IN considered it important to await the selection of individual projects before developing such indicators. There has thus been a long delay in proposing these to the FMO

The difficulties with adapting the programme indicators by IN could thus not only be caused by technical problems with DoRIS, but also has to do with the position taken by the PO on these indicators. FMO informs that the updated indicators for entering into DoRIS were only received in 2014.<sup>41</sup>

### 5.1.2 Assessment of Innovation Norway as Programme Operator

Norwegian partners and stakeholders as well as project promoters<sup>42</sup> and Norwegian embassies interviewed indicate a high degree of overall satisfaction with IN as programme operator. The resulting pattern of response is very consistent.

The cooperation with IN has been rated as satisfactory or very satisfactory by the majority of project promoters in the survey. Some of the respondents contrasted this to a rather negative image of National Focal Points, referring to the NFPs as “non flexible and non responsive”. 87 % of respondents stated that IN was managing the programme “extremely well” and “very well”, 10 % agreed that IN managed the programme moderately well, and only 2.5 % replied “slightly well”. In their additional comments, respondents described their cooperation with IN as easy, efficient, constructive and non-bureaucratic. Some examples below:

*“The cooperation with Innovation was easy and operative from the project planning till the final reporting period”.*

*“Cooperation with the IN was very fruitful. They were very open to communication and replied extremely fast to our questions. Overall this cooperation was very positive. And we are looking forward for the next call of proposals, to participate in future projects.”*

*“Our cooperation with IN was perfect, they were extremely helpful and explained every question very clearly.”*

*“We had a very good, constructive collaboration with IN, we appreciated the accent IN put in creating quality relationships with the beneficiaries and the solution oriented, prompt support provided, especially the non-bureaucratic orientation”.*

One of the project promoters provides this example of their experience with the NFP:

*“While applying we encountered some difficulties in contact with the National Focal Point, the information flow wasn’t clear enough. Then, similar difficulties appeared at the implementation stage, when we found it hard to contact the representatives of the NFP”.*

Only when it comes to IN’s assistance in identifying Norwegian partners are some 60% of answers neutral (neither agree nor disagree). This indicates that there were indeed many promoters who sought Norwegian partners but could not have one due to the limited number of these partners and whether they were willing to enter into partnerships. While IN

<sup>41</sup> FMO informs that the Programme implementation agreement 1.6.1 contains an annex with information on objectives, outcomes, outputs, baseline targets as well as indicators to be completed and annexed to the agreement one week after 90% of project contracts were signed or before 30 June 2012 (whichever date is earlier). This is equivalent to the outcome/output/indicators that have now been entered in DoRis.

<sup>42</sup> Based on interviews with stakeholders, project promoters and Norwegian embassies in the six field visit countries as well as the online survey results

has informed the RT that it has done its very best to facilitate partnerships, many promoters were disappointed. IN cannot be taken to task on being unable to produce suitable Norwegian partners, as these organisations have own resource limitations and priorities. See also section 6.3 on bilateral relations.

During the field visits of this review, the overwhelming response from virtually all promoters confirms that IN has, in short, done an excellent job in administering the programme. The RT has found the same and experienced a timely, correct and efficient programme management throughout. The administrative model applied by IN and governed by a very detailed set of regulations by the FMO has worked well, particularly due to IN's extensive experience and presence in most of the 13 beneficiary states. The problems related to using FMO's DoRIS database are reported to have been resolved by FMO and IN, but they were both time consuming and a cause of frustration.

It has not been the intention, and also not possible for the RT, to test an alternative hypothesis to the administrative model – i.e. what could have been achieved if the resources were spent differently? Could the same or better results have been achieved with fewer resources? The answers remain speculative. IN has been nominated by the NMFA to be the PO and from the feedback gathered during this review the satisfaction with IN from all promoters and Norway partners has been remarkably high. The FMO has noted that many technical and conceptual problems were related to reporting and monitoring, database interface, and not least the activity-based reporting that has been a challenge since the beginning.

The reporting and monitoring by IN against the overall results framework and the linkages to reports from promoters has continued to pose challenges, resulting in a rather weak overall programme reporting to FMO, and similarly by the project promoters towards IN. This issue is explored in section 6.1.1 and 6.1.2 under Effectiveness.

An alternative model could be developed, considering the following options:

- Restricted invitations to tenders for eligible social partners in specific countries, as opposed to open CfPs
- NMFA could consider an international tender for the programme operator for a next phase of DWTD, rather than nominating IN to operate it. This poses an obvious challenge in terms of identifying an organisation with sufficient experience and representation, that would also understand FMO's institutional set-up and the EEA and Norway Grants programme framework
- Raising the ceiling for size of applications to avoid too small projects (below € 80-100.000) and encouraging joint partnerships between at least two national promoters and preferably Norwegian partner(s)

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## 5.2 Cost efficiency

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The start up for this new programme<sup>43</sup> has no doubt been both time consuming and also, according to both IN and some of the national authorities met during this review, not without problems. The CfPs had to be negotiated, the decision to pre-allocate 1% of Norway grants was not popular with the NFPs, and FMO's database did not cater for a multi-country programme in an entirely new social area. In short, substantial transaction costs were

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<sup>43</sup> Developing the Programme Proposal, initial meetings with NFPs, start-up seminars and meetings with applicants, and launching the CfPs in 12 countries)

incurred and the problems had to be tackled as they emerged. IN has, in the opinion of the RT, done very well in handling these challenges.

The RT has no observations to the operational budget of IN. It should be observed that in a normal programme a PO would have a 10% threshold, but only operate in one country. In this global fund the management costs are linked to the grant allocations in 13 different countries, and a lot of activities have had to be undertaken 13 different times, as the PO had to organise launching conferences in 11 different countries (not in Cyprus and Malta), and had to be in contact with 13 NFPs etc. These costs have been covered by the funds for bilateral relations and preparation costs (1.5% of grants), as well as from the administrative budget.

Another programme operator might have obtained the same results and outcomes from the DWTD with lower standard costs than a Norwegian one. Overheads and operational costs are high in Norway, and hence an operator from another country with lower standard costs would have been able to allocate more time and resources. But such an operator (from an EU country, for example) would not have had the network, the representative offices, access to Norwegian organisations and the advantages of IN being a Norwegian parastatal organisation. But it might have been closer to the project promoters and the NFP, whereas a non-Norwegian operator would have had serious challenges strengthening bilateral relations.

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### 5.3 Conclusions on Efficiency

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The national authorities have accepted the use of a Norwegian programme operator, while the decision to pre-allocate 1% of the Norway Grants to DWTD was seen as a *fait accompli*. The degree of involvement by the NFPs varies considerably between the countries and could be improved.

The administrative model used by Innovation Norway is regulated by a detailed implementation agreement between FMO and IN (signed in October 2011), specifying fixed amount for management of the DWTD at 6.48 million NOK, in addition to fixed allocations for bilateral relations and programme preparation (1.5% of the total grant). It is noted that the DWTD is a more complex programme operating across 13 countries. Three calls for proposals had to be organised to disburse almost all grants, and this may not be regarded as efficient. The size of additional projects or contracts was quite small (average size € 35.000).

The programme start-up has been challenging, both in terms of aligning and feeding into FMO's database and reporting requirements, but not least due to the fact that the programme proposal is rather general with generic indicators. IN has not been able to qualify these further to FMO's satisfaction during the course of the programme. The reporting and monitoring by IN against the overall results framework and the linkages to reports from promoters has continued to pose challenges, resulting in a rather weak overall programme reporting to FMO, and similarly by the project promoters towards IN.

The beneficiaries, embassies and Norwegian partners express a very high degree of satisfaction with the management and performance of IN. In short, IN has done an excellent job in terms of administration, and the review has found nothing indicating this was not the case.

This review thus confirms that from a technical point of view, the DWTD has been managed efficiently, and as will be seen, has also achieved results that are in all probability beyond what could have been expected from a financially rather modest programme, spread over 13 countries and 52 organisations. With the caveat that three CfPs were necessary and that the size of grants is too small, the DWTD programme has done remarkably well. The

achievements have to be seen in light of the adverse contexts in the individual countries, where promoters often have limited potential influence or little recognition, and where in some cases SD has simply broken down. There is no doubt that the effects of the interventions were highly relevant to the promoters, but not necessarily from an overall point of view, also taking the complementarity with the ESF support into consideration.

## 6 Effectiveness

Effectiveness is a measure of whether the planned intervention (in case, DWTD) achieved its objectives and outcomes as it set out to do. Other relevant questions include whether the development can be said to be a result of the interventions rather than external factors – i.e. what has happened in the contexts that might have influenced SD and TPD in the 13 countries? What were the reasons for non-achievement of objectives and outcomes?

This chapter aims to answer the overall questions on effectiveness, to see if the DWTD has achieved what was planned and presents some of the overall achievements against the designed programme framework under the three main outcomes. In 6.1.1, some examples are presented of projects that have succeeded in contributing concretely to the outcomes in their setting. In 6.2, the programme logic and reporting is analysed, as well as the challenge of underreporting from promoters. The bilateral relations are analysed in 6.3, before the wider and unintended effects are looked at in 6.4 and conclusions made in section 6.5.

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### 6.1 Overall achievements

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As demonstrated in section 4 and 5, a number of mostly adverse contextual factors and bottlenecks have influenced negatively the political and economic environment in which the programme has unfolded, and not least the framework conditions for TPD and SD in the 13 countries since the start of the programme. As argued in section 4.1.1 (Programme Objectives and Logic), there are conceptual weaknesses in the design of DWTD. The programme logic in the proposal between outcomes and outputs is assessed to be coherent in an overall manner, while the indicators are generic. The indicators applied in IN's annual programme report have been modified compared to the programme proposal, but they remain quantitative and generic.

Against its loose programme framework, it is rather difficult to measure whether the DWTD interventions have contributed to the broad outcomes and the ambitious overall objectives, not least taking into consideration quite difficult national contexts and in particular often poorly functioning SD and national TPD. Last, but not least, the modest size of the DWTD has to be compared to the substantial level of ESF support at country level (DWTD support was found to be at 1.7 % of ESF in Bulgaria, 10% in Lithuania, and 2.4% in Poland. For details, please see section 4.2.2).

The programme objective states: *Promotion* of decent work and improvement of bipartite/ tripartite cooperation between employers' organisations, trade unions and public authorities.

Considering this broad objective and the three outcomes as stated below, it is not possible to say much about the degree to which and what precisely has been achieved, not least when considering the indicators in the programme framework. It also has to be kept in mind that a "zero baseline" was assumed in the design phase of DWTD for specific conditions for social dialogue in the 13 countries. There was therefore no defined baseline and a set of indicators that were difficult to measure in the programme framework.

The online survey of this review concludes that a vast majority (97%) of respondents considered that their project had concrete effects on their own organisation. Another 84% said that it had effects on relationships to other social partners and authorities and 30% answered that it had had other, more wide effects, such as improved services, work-life balance.

Below follows the general assessment of this review of the main achievements under each outcome. Some further examples from the field visits are then provided in section 6.1.1. These cases do not do full justice to the rich examples of projects that have achieved good results in the six visited countries. Annex 5 contains six country reports with further relevant cases.

#### Outcome 1 - Improved social dialogue and tripartite dialogue structures and practices

This review confirms that in most cases, the DWTD projects have in fact established improved practices and/or SD structures. These take on a variety of forms and are mostly at institution or enterprise level, in some cases local, regional or sectoral. Some are informal, in the absence of a functioning national TPD or SD framework, others are aiming at improving or establishing such structures or platforms.

Project promoters have succeeded in using elements of the Nordic Model of TPD and applying these in their own context. Overall, a higher level of trust has been created between bipartite partners, inspired by the Nordic Model. In addition, concrete practices of improved SD especially at branch and enterprise level have been demonstrated, and the project promoters have reported that even the quality of certain CBAs have improved. This is attributed to the DWTD programme.

#### Outcome 2 - Enhanced understanding of the importance of decent work

It is noted from the onset that a number of social partners during this review have clearly stated that they in general do consider the DW agenda relevant. These organisations are working to promote the four pillars, including reviving or establishing structures on SD. This is considered as an integral part of the mainstream tasks of both trade unions and employers' organisations. The organisations also report that, as a result of the DWTD projects, they have to some extent been able to address issues like general working conditions, in particular Occupational Health and Safety (OHS), including occupational stress, local workplace benefits in direct bipartite negotiations with employers, and sometimes in TPD also involving national authorities.

Over and above Social Dialogue (bipartite and tripartite), being covered by Outcome 1, there are some good cases of project promoters that have been able to go beyond the "enhanced understanding" of ILO's Decent Work Agenda and actually address some of its elements. Unemployment, job creation, migrating workers, social protection are some of the more difficult and far reaching issues that could be addressed only in a few cases under DWTD.

For example, pension and social protection having been taken up and elevated to national levels in Bulgaria, in Slovakia and in the Czech Republic, also linking this to national minimum thresholds for social contributions from employers. Some promoters have been able to integrate social protection and OHS in various studies and surveys, which again (according to the promoters) have enabled them to negotiate improved agreements with their employers. This has been the case in some of public sector trade unions in Slovakia, in Lithuania and in Bulgaria.

OHS has been addressed and worked on in several cases that have led to concrete improvements of working conditions, while mostly at local and institutional level. The issues have been promoted also through cooperation with Norwegian KS in Estonia and in Lithuania, through introduction of third-party violence as a serious problem to public employees<sup>44</sup>.

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<sup>44</sup> See case F below. In Lithuania, 30% of Social workers have been found to be subject to Third-Party Violence (TPV), in a national survey undertaken by the Lithuanian Trade Union of State, Budget and Public Service Employees, in cooperation

In a case from Bulgaria, a joint project between four organisations<sup>45</sup> developed an on-line open access economic and social research database that enables trade unions and even employers to use online the facts and findings from the studies in preparation for negotiations.

An important element of the DW agenda (job creation) cannot be traced explicitly from the results of the projects, but it is probable that job preservation and retention of staff were valid results of the project interventions.<sup>46</sup>

Gender equality has been addressed successfully in a few cases, where the promoters have actively pursued it, but is otherwise treated in a superficial manner or not at all.

### Outcome 3 – Strengthening bilateral relations between Norway and the Beneficiary States <sup>47</sup>

Reports from promoters and field visits indicate a very high degree of satisfaction with the partnerships entered between promoters and Norwegian organisations. The bilateral cooperation has included beneficial transfer of experience, including specific inputs to training, procedures, methods, models and strategies for negotiation strategies. Most of the respondents said that the partnership had been an important element in executing their projects. Neither promoters in the six field visit countries, nor respondents in the on-line survey, nor the Norwegian partners believed that strengthening bilateral relations was an important consideration in itself.

Several respondents pointed out, hardly surprisingly, that the DWTD programme strengthened relations between Norway and the beneficiary countries. Another factor that may have strengthened bilateral relations through this programme is the fact that there was considerable acceptance of the Nordic Model of SD. Most recipients considered that there was considerable potential for introducing elements of the Nordic Model in their own countries. The programme has certainly strengthened bilateral relations, but on a limited scale.

#### **6.1.1 Examples of achieved outcomes**

It has been the ambition of this review to aim at identifying if any possible changes in social dialogue practice or even policy influence could be identified and related to the DWTD. In a few cases, the DWTD interventions have had some perceived policy influence, and in many cases improved SD and TPD practice have been documented, more directly related to outcomes at sector and enterprise level, some even at national level. This review thus notes that some policy influence at national level has been achieved according to project promoters, who also recognise that this cannot be directly attributed to the DWTD.

Below are some examples –more cases and details can be found in the Country Specific Reports, Annex 5.

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with KS, Norway. Comparable levels of TPV were described in Estonia (by ROTAL, the project promoter), but no evidence was available.

<sup>45</sup> Project # 104620 – "Decent Work and Dialogue – good practices exchange. A joint project between CITUB (Confederations of Free trade Unions of Bulgaria), BIA (Bulgarian Industrial Association), LO Norway and NHO Norway

<sup>46</sup> This was the case in two projects from Slovakia

<sup>47</sup> In IN's programme proposal this is defined as: "Transfer of Norwegian Experience of relevance for beneficiary states"

Outcome 1 - Improved social dialogue and tripartite dialogue structures and practices**Case B**

In Poland, where some of the promoters (National trade union confederations: OPZZ, Solidanorsc and the National Confederation of Industries – “Lewiatan”) have actively drafted proposals for amendment of the labour code – this included increased flexibility, parental leave, and reconstituting the national TPD council. These policy proposals were not a direct result of the DWTD projects, but elements of them have actually fed into the legislative process.

*“During the crisis of Social Dialogue in Poland in the beginning of 2013*

*[Breakdown in the participation in the National tripartite Council, RT’s note], the unions and employers started to draft alternative proposals for a new social dialogue legislation. We are now in a situation where the situation is much better, there is a stronger social dialogue, and in August 2015, the President of the Republic actually signed the act (passed by the Parliament) on a re-constituted tripartite council. We do not think that this decision [the improved act on a Tripartite Council, RT’s note] is a direct result of the projects. But we know that our leaders took a lot from the Norwegian model of SD in developing the implemented proposal.”*  
(Statement by a national trade union confederation in Focus group meeting, Warsaw, August, 20015)

**Case C**

In Slovakia, both of the employers’ organisations supported by the DWTD (EAS and AZZZ SR) have undertaken research on the business environment and regulation (e.g. “Business Environment and Competitiveness of Slovakia”, AZZZ SR, 2014), and EAS has focussed on the quality of the TPD processes in Slovakia, with a view to improving the regulatory framework through Social Dialogue and making decisions based on research and findings. An important outcome of this is that the Government has now accepted impact assessments of new legislation, based on consultation with social partners. Both organisations through the DWTD have been able to mobilise their members and create interest and increased participation in a better quality SD. Still, they both acknowledge that there is a long way to go before there is an overall improvement in the quality of TPD. Despite the well-developed SD system in Slovakia, the general impression is that the TPD (both national policy and consultations) as well as the sector TPD still have major weaknesses. Issues can be raised and debated, while creating consensus and making decisions are very difficult.



**Outcome 2 - Enhanced understanding of the importance of decent work**

In practice, it has proven difficult to distinguish between the often overlapping interventions under Outcome 1 and Outcome 2, also because the DW agenda includes SD and governance.

**Case D**

One promoter in Bulgaria, TUFEMI, has been able to apply several elements of DW agenda through its research on occupational stress amongst its members (police officers and fire fighters and rescuers) in the Ministry of Interior (Mol), working on workers' rights, social protection and social dialogue.

According to the union, stress has now been accepted as a work-related condition, and is no longer "taboo" and being openly discussed amongst its members. This union has also been able to engage the management of Mol in a policy dialogue and has reportedly managed to influence elements of the legislation governing the Mol.

*(see footnote 48 below)*

**Case E**

(Lewiatan, Employers' organisation in Poland, through the "Superwoman in the labour market" project), has aimed at increasing the participation of women on the labour market and producing a set of recommendations to facilitate a better work-life balance, discussing the role of women in working life and breaking of stereotypes, with the view to encourage women to run for boards of companies and managing positions. A number of practical recommendations were produced and widely discussed, and presented to key decision makers. "Lewiatan" considers it has been able to influence the new act on Maternity Leave (passed and approved in 2014, introducing 1 year maternity leave). This act included elements that were developed as part of the DWTD project.

On the part of the companies and members, however, there were substantial reservations on introducing more flexibility and promoting women executives.

**Case F**

An interesting project is "Decent Work for Social Workers at Municipal Level" in Lithuania (# 104606). Key interventions were a national study on third party violence against social workers (30% have been subject to abuse in some form), training of social workers, and elaboration of guidelines for how to manage and cope with the issue. This project, although small in size, has provided attention to a largely ignored problem, and also created opportunities and space for SD at municipal level and even attracted national attention. According to KS and the project promoter, the ground has been prepared for reaching an actual improved sector agreement. In some cases, locally, working conditions and marginal wage increases have been achieved. The undefined role of the municipalities as public employers is still an unresolved challenge – there is yet no devolution of powers from central to local level, and this weakens possibilities for SD.

*(This project involved four partners: a Lithuanian project promoter (Trade Union for State, Budget and Public Service Employees), the national association of local authorities, KS Norway and Fagforbundet (NUMGE) in Norway)*

<sup>48</sup> Project no. 104632: TUFEMI is the Trade Union for Employees in the Ministry of Interior (Police and Fire Brigades). Due to the security restrictions, the union is not officially registered and acknowledged as a trade union by the Government.

A research study published by TUFEMI: "Analysis of stressful factors among the employees of the Mol – members of TUFEMI and basic methods to cope with these factors", 2013. TUFEMI also carried out a citizen and member survey in 2014 related to the perception of citizens' security and the role of the police

### Outcome 3 – Strengthening Bilateral relations between Norway and the Beneficiary States

The cases here are by country, as the individual cases tend to be very contextual and quite specific.

#### Case G

In Romania there was a high degree of satisfaction and appreciation of the timeliness, the quality and the relevance of the Norwegian partners' experience. This is both in terms of directly technical input to e.g. training programmes, in tailoring interventions or even providing direct feedback to internal discussions (ANFP #). On the relevance and quality of technical support and advice, not least during study tours or visits to Norway and Romania, the promoters have also been extremely satisfied with the input. This goes from relevant Norwegian cases on OHS (CSDR/FSLI #), to providing didactic and technical inputs to training courses. Seeing and experiencing the Nordic Model being used in practice by the partners in Norway has been a key learning point, according to one project promoter. It is also clear that the level of knowledge about Norway in Romania and vice versa is limited, so the direct partnerships have been very beneficial in creating and deepening cultural and institutional linkages.

# ANFP: National Agency of Public Servants, a semi-public association of public servants representing both public employers and civil servants

# CSDR /FSLI: Democratic Trade Union Confederation of Romania CSDR, Free Trade Union Federation in Education, FSLI

#### Case H

In Lithuania, an almost unison assessment of the cooperation and relationship with Norwegian partners by the project promoters is one of very high satisfaction. This goes for content of experience, quality of technical exchange and advice, exposure to Norwegian social partners, public institutions during visits to Norway, but also in terms of the cultural exchange and the linkages created. In one case (NATULT and Fagforbundet), the partners have subsequently on their own initiative and expense organised another study visit to Norway \*. As in other countries, a disappointment has been that not all that sought Norwegian partners could have one. (\* See footnote 49 below)

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## 6.2 Programme logic and reporting against framework

The aggregated 2014 annual report by IN to FMO for the DWTD programme contains an Annex 2 that attempts to enumerate the outputs and provide an overall picture of the status of the programme at end 2013.

IN has not been able to establish a direct connection between achievements of the 52 projects and the outcomes and indicators in the programme proposal (2011) in its 2014 annual programme report on DWTD to FMO. The chosen set of indicators for reporting on

One of the proposed amendment by TUFEMI to the Ministry of Interior Act has been retained (important from a social protection): The employer cannot request an employee to retire if the latter does not want to.

<sup>49</sup> <http://www.sb.no/nyheter/fagforeninger-samarbeider-over-grensene/s/5-73-66379>

each of the outputs under Outcomes 1 and 2 are activity based and exactly similar (number of people interviewed, workshops held, persons participating, round tables held etc.). The only variation is the numbers reached.

The reported indicators (or data on activities) are either not linked to the indicators for the different outputs, or their attainment is not further explained.

For instance, IN's 2014 report states that under Outcome 2 (Enhanced understanding of the benefits of Decent Work), there is a number of identified best practices (54). "This outcome indicator is including number of round table performed as well as number of signed agreements. Indicator is based on implemented new legislation and potential for influencing new/changing national laws in the future".<sup>50</sup>

This example shows one of the dilemmas under the DWTD: documenting how the project promoters, based on their Interim Reports, have achieved improved practices and participated in structures promoting the Decent Work agenda. As demonstrated above, there are some good cases of DWTD interventions that have established improved SD and TPD practices. While the RT does not discount that the promoters have established or supported 54 good practices (round table meetings or signed agreements), this is not substantiated (except counting the number of practices) and is not further qualified. What does it actually mean that good practices have been established? In which countries, under which structures? Have these practices had any influence at either the national or sector level or are they all at enterprise level? IN reports that local TPD (through round tables, regular meetings) was easier to establish at local/regional level<sup>51</sup>, but does not further explain what "50 round table meetings and 27 agreements" may have achieved.

IN further reports that "Thus, the willingness for change/dialogue has become stronger at local and regional level, the process for change cannot be verified by any promoters at national level. While they report a stronger understanding/competence on how to work for a change, there are no concrete results to report on at this level"<sup>52</sup>.

It could well be that there is now an "improved understanding of the benefits of Decent Work", and a new situation with implemented new legislation and potential for influencing new/changing national laws in the future among the 52 project promoters<sup>53</sup>. IN's 2014 report goes on to say that the operator has made adjustment to the indicators (compared to the 2011 programme proposal), and that there has been an intensive dialogue about this with FMO.

Without repeating here what is being reported by IN to FMO on the DTWD programme, the three main outcomes of the programme and the progress on indicators are important to note.

Outcomes	Indicator (programme proposal)	IN's annual 2014 report
<b>Outcome 1</b> Improved social dialogue and tripartite dialogue structures and practices	Social partners initiate new ways of communicating on these issues	This indicator implies workshops/meetings/forums to be undertaken which represent an innovation in the way questions related to the dialogue is done. The reporting from promoters fully documents that in almost all projects such innovative communication channels have been established. If this will be a sustainable achievement is not possible to state at this time.

<sup>50</sup> p 7 in IN's Annual Programme Report on PA22 to EEA and FMO.

<sup>51</sup> Op cit, p 5

<sup>52</sup> Op cit, p 5

<sup>53</sup> Op cit, p 7

Outcomes	Indicator (programme proposal)	IN's annual 2014 report
		A major challenge will be to reach the national level dialogue. The baseline of zero is considered by Innovation Norway to be a realistic assessment. After the initiation of project activities a better foundation has been established in the beneficiary states.
<b>Outcome 2</b> Enhanced understanding of the importance of decent work	Broader understanding of DW agenda	Indicator is rated as "zero" for the baseline. The reason is lack of knowledge about what this is before the initiation of the programme in the beneficiary states. The situation after the programme implementation is an improved understanding towards the benefits of the programme objectives. Outcome 2 results are a number of identified best practices. This outcome indicator includes a number of round table performed as well as number of signed agreements. Indicator is based on implemented new legislation and potential for influencing new/changing national laws in the future
<b>Outcome 3</b> Strengthening bilateral relations between Norway and beneficiary states ( <i>IN's report: Transfer of Norwegian experience of relevance for beneficiary states</i> )	Mutual interest in beneficiary and donor states for collaborating in certain areas that form part of social and tripartite dialogue	The Partnership Projects have increased knowledge and experience exchange between Project Promoters and Norwegian Partners, helping in building a valuable network aiming common goals in their respective countries. In this way the programme has improved initiatives/activities between employer's organizations, trade unions and public authorities. Several projects had bilateral activities without entering into any formal partnership agreement. The cooperation was in the form of study groups visiting social partners in Norway learning more about the Norwegian/Nordic Model and also having resource people from Norway taking part in workshops etc. in the beneficiary states.

When reporting at outcome level, IN considers that overall, the DWTD programme has had a good start, given the challenges in each country, and that it has contributed towards the outcomes and indicators.

The RT considers, having analysed a large number of project reports and interviewed 25 promoters, that the 2014 report by IN above is underestimating the programme's achievements.

- DWTD has had some influence on TPD and SD structures and practices, mainly at institutional and enterprise level, but in a number of cases also at higher level. A case in point is the Polish national TPD council. Policy influence has been achieved in some cases, but given the size and scope, these changes cannot directly be attributed to the projects and their interventions.
- There is no doubt that the DWTD has delivered on enhanced understanding of the DW agenda. Interviews with project promoters and the on-line survey demonstrate that a majority of the 52 projects have in fact actively pursued some of the elements of the DW agenda, beyond an enhanced understanding
- The achievements on bilateral relations demonstrate that projects with Norwegian partners have benefitted from transfer of valuable, documented and relevant technical knowledge, models and practices – not having these imposed on them, but in a fruitful and reciprocal dialogue and exchange of views, ideas and practices.

These conclusions are expanded upon in section 6.2.2.

### **6.2.1 Programme level reporting**

The RT has in some detail analysed the linkages between outcome and output reporting against the programme proposal. This analysis shows that there are disconnects between the indicators, outputs and the established outcomes, and that the reporting is at an aggregated and quite general level.

Annex 1 of the present report contains a detailed analysis of the programme proposal's results framework against IN's 2014 annual programme report (Section 4 on Outcome reporting and appendix 2). IN's report aims at enumerating the outputs and providing an overall picture of the status of the programme at the end of 2014.

The RT notes that:

- i. The chosen set of indicators for reporting on each of the outputs under Outcomes 1 and 2 are exactly similar and with variation only in the numbers reached
- ii. The reported indicators (or data on activities) are not linked to the indicators for the different outputs

The RT does not consider these indicators relevant for measuring the outputs. They are too activity based and too quantitative, and do not aim at capturing change in behaviour, perception and influence on e.g. policies.

The reported set of activities for each output is on one hand quite detailed (number of workshops, people trained, agreements signed). On the other, this level of activities does not say much about quality and is in fact not relevant against the indicators and outputs. The analysis of the proposal framework and the reporting confirms the challenge that the complex field of SD in 13 countries has posed to the programme operator. Both IN and the FMO confirm that reporting has been more against activities and that it has been difficult for the project promoters to understand indicators and outputs. The result is that the reporting against the outcomes and outputs is indicative, based on activities, and not qualitative. On the other hand, concrete results have been documented for certain projects, although perhaps not formally reported upon. As examples, the EEA Grants Annual Report 2013-2014 reports that the DWTD programme contributed to Lithuania's first ever Collective Bargaining Agreement in the forest industry and to assuring that provisions for older workers incorporated into the Codex of Law in the Czech Republic. The Norwegian partners interviewed have also pointed to positive results and success stories that go far beyond what is reported on.

It also has to be noted that several of the Norwegian stakeholders have commented that there seems to be a tendency of "under-reporting" under the DWTD. Project promoters were seen as being far too modest and underestimating own achievements. The reporting by IN itself to the FMO was seen as general and also not showing the good results. Both FMO and NMFA consider that there is a challenge with reporting on the DWTD against the overall Results Framework. The Norwegian embassies, closer to the promoters and sometimes participating in their events, also confirm that the projects have often achieved more than is being reported on<sup>54</sup>. IN itself is aware of this, recognizing that reporting has not been perfect, but also that it has been a major challenge to start up and operate the DWTD, and that project promoters have had problems understanding the concepts (indicators, outcomes, outputs) and reporting requirements. FMO, as responsible agency, also acknowledges that there have been challenges with the DWTD programme not only in terms of reporting against the framework, but also in terms of establishing a baseline and defining

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<sup>54</sup> Interviews with Norwegian embassies during field visits May-August, 2015.

relevant indicators and targets. The resulting activity level reporting is considered to be at a too low level in the results chain.

It can be confirmed by this review that most of the projects reviewed have achieved tangible and relevant results that are not always captured by their activity based reports. These were not captured either at higher levels in the reporting by IN to FMO.

The project promoters were required to submit two Interim Project Reports annually to IN (and a completion report within three months of the completion of the project). It is interesting to note that it is the project promoter's responsibility to report to IN, while Norwegian social partners are often unaware of the detailed implementation of the project and do not see the reports (as a rule).

### 6.2.2 Project level reporting

The RT has further carried out an analysis of the links between the objectives and outcome indicators in applications from promoters in 14 projects across the 13 beneficiary countries, and compared these indicators and outcomes to the reported progress. The RT has selected projects that were not part of the fieldwork (where possible), and based its analysis on the available latest interim reports (IR) as provided by IN. The analysis is complicated by the fact that a) none of the project reports are final, since IN has not requested final reports yet from the promoters (the programme completion report from IN to FMO is only due in 2016) b) the available IRs are not always cumulative, and in some cases concern only one year or one half-year of the project period. In other cases they are cumulative. The RT has discussed the reporting by promoters with IN on several occasions, and there is agreement that the reporting has been a challenge to project promoters, and it is recognised that it has been quite difficult for IN as an operator to draw conclusions and achievements against the defined outcomes from the often activity based reports by promoters.

This analysis reveals the following findings. The RT has applied a set of criteria to assess the quality and coherence of the reports, and compared these horizontally to the stated objectives and outcomes for each project. The reports have then been compared vertically to see how the projects might address or report on the issue against each criteria. Two criteria concern specifically gender and bilateral relations, while the three others take root in the programme proposal. These criteria are inspired by a Human Rights Based Approach (PANT principles<sup>55</sup>), and adapted to the context to the extent possible.

Criterion 1	Is participation in TPD (national, local) or policy dialogue measured and reported?
Criterion 2	Are elements of ILO DW agenda addressed (1 Standards and rights at work (OHS, CBAs, SD committees), 2 Social Dialogue & Governance; 3 Social Protection; and 4 Employment
Criterion 3	How is recognition /inclusion of members/workers/ staff by other social partners in SD or TPD processes/fora measured and reported?
Criterion 4	Are indicators /results gender specific? Is gender equality specifically measured/reported? If yes, are key challenges and opportunities for gender equality identified?
Criterion 5	Are knowledge and mutual understanding of improved TPD or SD through partnerships with Norway reported/addressed?

Horizontally, it can be concluded that there is often poor or only partly coherence between the outcomes or indicators, and what the 14 projects actually report on. The outcomes are quite ambitious, so it is difficult for promoters to show any real achievements.

A good example of such lack of coherence is project # 104577 LDDK (Employers confederation) in Latvia. It is reported that direct involvement of sector SD has taken place

<sup>55</sup> PANT: Participation, Accountability, Non-Discrimination, Transparency.

in two sectors, and four associations have participated at national TPD level. The rest of the reporting (using criteria 2-3-4-5) is either very unspecific or not relevant.

Conversely, a good example of the opposite is project # 104568 MSZOSZ (Trade union confederation) in Hungary. The outputs are specific, and they are all addressing participation, inclusion, DW agenda and good bilateral cooperation. Gender is addressed through % of women in training only.

Vertically, the analysis of the 14 projects reveals the following.

#### Criterion 1 (participation in TPD (national, local) or policy dialogue)

Of the 9 projects having this as an outcome, 3 only report that this is addressed directly through sector or national TPD, where the project has actively established new or supported existing platforms, or reached agreements locally or by sector. The 6 other projects have conducted studies on TPD or SD practice, have held workshops or seminars, published reports or it is reported that participants or structures have discussed improved SD. It is not possible to track what the actual concrete achievements or results were. One project (110505 in Croatia) has no report, just an application with little information.

#### Criterion 2 (addressing elements of ILO DW agenda)

5 of the 14 projects have this as their outcome, and three of these report on it specifically. Of the five projects, two have demonstrated that elements of DW have been directly worked on through changed OHS practices, improved SD structures at work place. The third project has studied and worked on youth employment in Slovenia (#104590), and has conducted a number of seminars with the findings. It is not possible to see what the achievements actually were. This is one of the very few examples of a project promoter actually addressing the serious Youth employment problem. The remaining three projects that included the DW outcome report on it indirectly, as a possible element of studies, workshops, seminars or discussions, but its not clear what has been achieved and how. Some of the remaining 10 projects, having Improved SD and TPD as an outcome, mention elements of the DW agenda, mainly in the area of SD and governance, in one case OHS, but in rather general terms. Thus, in two-three cases only do the promoters demonstrate how they have actively incorporated DW elements and enhanced its understanding. The remainder often mentions elements of it, but the reports are not clear on how this has been addressed.

It is noted that in a few cases, the projects screened include both outcomes 1 and 2. The two first criteria are not mutually exclusive, as sometimes the project report (or mention) SD or national TPD issues, while their outcomes were on enhancing understanding of DW, or vice versa.

#### Criterion 3. Recognition /inclusion of members/workers/ staff from other social partners

3 out of 6 projects do mention that representatives of other social partners have participated in conferences, workshops, seminars, or even in joint established committees (e.g. in Statoil Lithuania (#104526). In most cases it is just mentioned that the other parties did participate, but not how they were involved and what might have been the effects.

#### Criterion 4. Gender equality

One project only (#104618 - Pomeranian Employers) includes a gender equality indicator, and also reports on it (no of participants in a Work-Life Balance workshop, where 50% were women). One project (#113363 – Estonian Road Workers) has addressed gender equality directly through CBAs as an effective gender equality tool, and it is reported that the promoter uses this in negotiations. Four of the remaining projects mention that they have invited an equal number of men and women to activities. In conclusion, one project out of

14 only have directly addressed and worked on gender equality. The issue seems to have had marginal interest, and is often treated as counting the number of women and men attending events and activities.

Criterion 5. Knowledge and mutual understanding of improved TPD or SD through partnerships

8 of the projects have partnered with Norwegian organisations (LO, NHO, KS and Ministry of Labour). In 6 of these cases, the reports indicate that the bilateral cooperation has included beneficial transfer of experience, including specific inputs to training, procedures, methods etc. and a number of study visits to Norway. The project in Bulgaria (#104589 BCCI) does not report on the issue, but NHO was present during seminars and presentations in Bulgaria.

*In summary of what precedes, a great variation in quality and accuracy across the 14 cases is noted, which could be attributed to the capacity and experience of the promoters. The narrative and activity based reporting by promoters is as a rule not clearly linked to the outcomes and indicators set and sometimes outputs and outcomes are also de-linked in the application. Some of the projects are quite small, and project promoters being social partners are as a rule not used to operating such projects and particularly not to working with RBM terms like outcomes and indicators. It has to be kept in mind that social partners are not professional NGOs and do often not have the resources or the experience required to produce evidence-based technical reports.*

Almost all applications have the same two main outcomes of the DWTD: 1) Improved SD and TPD structures and practices 2) Enhanced understanding of the benefits of decent work. Some projects only work towards one, others include both. Most have sub-indicators or sub-outputs with further details. In some cases these are very activity-oriented. The causal linkages are generally found to be weak, in some cases non-existent. There is often little or weak coherence between the stated outcomes and the chosen outputs or indicators.

**6.2.3 Under-reporting in DWTD**

The overall assessment by the RT is that given the rather weak and non-systematic reporting by project promoters to IN reviewed in the 27 % project sample (section 6.2.2 above), it is quite difficult to conclude that the projects have actually contributed to the two overall outcomes of DWTD. This is also confirmed by the RT's analysis of interim reports and applications by 25 project promoters before and during field visits. Only in some cases do the Interim Reports and applications of promoters actually demonstrate concrete achievements towards improved TPD or SD structures, or include concrete achievements and enhanced understanding of elements of DW. In brief, a number of good stories and achievements are lost in the formal reporting and monitoring system.

This conclusion is corroborated by the findings of the RT during fieldwork. It is only when the DWTD projects are analysed further (a closer study of research studies, presentations, training materials) and obviously by interviewing the project promoters and national stakeholders that it becomes clear that the projects have in many cases actually produced or achieved much more than is reported to the programme operator.

The DWTD programme thus suffers from general under-reporting (low quality, inconsistency or not stating actual achievements) by the project promoters through the established reporting and monitoring systems. This seriously weakens the evidence and documentation available to IN, but it also impacts on what can be reasonably asserted and reported on as achievements towards the FMO.

The 2014 Annual report by IN states:



*“At the end of 2014, Innovation Norway sent out an output, outcome and indicator table to all the Project Promoters for measuring the hard facts for 2012-2014. The results provided by the Project Promoters made it possible to report on the quantitative results of the PA22 programme, thus also giving a foundation to support other observations such as final reports from the Project Promoters”.*<sup>56</sup>

The report goes on to say that the programme has contributed in achieving the outcomes and outputs, measured by the developing respective indicators. The disconnect here is that the outcome/output/indicators are almost only quantitative and it is difficult from this documentation to draw any conclusions towards attainment of outcomes and objectives.

IN also confirms that its reporting on achievements of the individual projects is in fact a combination of regular dialogue and monitoring visits, attending seminars and meetings with the project promoters, assessing the submitted reports and finally a joint team assessment of whether the projects are considered successful and have achieved what they set out to do<sup>57</sup>. Having had access to the programme results and all reports, the RT's assessment remains that the PO has not made sufficient use of the available combined information and knowledge about the 52 projects to produce a coherent and consistent set of reports.

In combination, a rather weak monitoring and reporting system seems to have been applied by IN and the general under-reporting by project promoters, makes it hard to argue and document that the overall outcomes of the DWTD have been attained or contributed to. As the overall DWTD programme framework is at the same time quite ambitious and the chosen indicators are essentially quantitative, it then follows that the aggregate annual report by IN has not only been difficult to produce, but also has also had a quite weak documentation basis.

Overall, the chosen reporting system, combined with a language barrier for many project promoters and a weak understanding of the project logic, in combination produce project reports that are not helpful in monitoring, as they are mostly activity based and weak in documenting results. The body of knowledge of what is actually going on resides with IN, and is not clearly documented. The annual report by IN to FMO is considered by several respondents of the national authorities as weak and superficial. The RT agrees to this and also finds that the annual report does not systematically bring out the achievements (qualitatively, and in terms of the set indicators).

The 2014 annual report by IN contains an overall assessment of the qualitative aspects of SD in the 13 countries (appendix 4 of IN's annual report), and does attempt to explain the difficult context in e.g. Hungary or Bulgaria. While there might be good cases selected, the fact that 11 SD bodies have been established or 11 best practices are identified does not explain very much. Which structures or platforms of SD (at which level) might have been established, and what policy changes or dialogue may have taken place? Important narratives seem to be lost in the reporting process.

There is a dilemma in DWTD of an ambitious programme framework with a relatively weak documentation base, with partners feeding into this that are not (as a rule) professional project organisations and have perhaps not all understood the process or logic. Such a dilemma is not unique, but well-known in complex, regional set-ups like the DWTD. IN could have taken a more proactive role as a PO in providing both an improved reporting format and some strategic guidance on how to use it, linking it to the overall framework. (Please also refer to the proposed draft results framework for DWTD phase II in Annex 6).

<sup>56</sup> Annual Programme Report EEA and Norwegian Financial Mechanisms 2009-2014- PA22 DWTD (p 6)

<sup>57</sup> Interviews by the RT with IN in Oslo, Sofia and several telephone conversations May-August, 2015

### 6.3 Bilateral Relations

A primary objective of the EEA and Norway Grants is to reduce economic and social disparities in the EEA. Of equal importance is the objective to strengthen bilateral relations with social partners in each country. The latter is cross-cutting in all programmes, and is also the third outcome of DWTD.

A Baseline Study on Bilateral Relations with the EEA and Norway Grants carried out in 2013<sup>58</sup> showed that 67% of programme partners interviewed considered that the bilateral aspect of the programmes they were involved in was “very important”, and 63% of those interviewed thought that their programmes would strengthen bilateral relations to a large extent.

It is interesting to note that the Norwegian Auditor General’s report on the EEA and Norway Grants of 2013<sup>59</sup> says that: “ ..... *that bilateral relations are better safeguarded when Norwegian actors have been chosen as programme partners*”

During the course of the Review, the RT drew on four principal sources of information on the bilateral cooperation. These were:

- The online survey
- Field visits in six countries
- Interviews with Norwegian partners in Norway
- Interim reports by the project promoters

Of the 52 projects supported under the programme, 29 had a Norwegian partner. Of the 13 countries where the Fund is being implemented in only two countries i.e. Cyprus and Malta there was no Norwegian partner. This is probably because the grants available for these two small countries were very limited.

*Table 5: Countries and projects covered by Norwegian partners*

Norwegian Partner	Number of Projects	Partner countries
LO – Norwegian Confederation of Trade Unions	9	Bulgaria, Czech Republic, Hungary, Latvia, Poland, Romania, Slovenia
NHO – Confederation of Norwegian Enterprises	4	Bulgaria, Hungary, Poland
KS – Norwegian Association of Local and Regional Authorities	5	Czech Republic, Hungary, Lithuania, Poland, Romania
UNIO – Academic Trade Unions	2	Hungary, Poland
Norwegian Prison and Probation Officers Trade Union	1	Romania
Norwegian Civil Service Union (NTL)	1	Slovakia
National Union of Norwegian Locomotivemen	1	Slovenia
Norsk Industri	1	Czech Republic
Fagforbundet	2	Estonia, Lithuania
Fellesforbundet	1	Latvia
Industri Energi	1	Lithuania
Ministry of Labour and Social Affairs	1	Croatia

<sup>58</sup> “A Baseline Study of EEA and Norway Grants”, Nordic Consulting Group AS, Oslo, February 2013

<sup>59</sup> The Office of the Auditor General’s investigation of the EEA and Norway Grants Document 3:15 (2012-2013), Oslo 17 September 2013

In each of the Country Reports for in-depth review countries (Annex 4) an overview of the individual projects and their Norwegian partners is provided.

13 Norwegian institutions have been involved in the DWTD as partners. Of these 10 were trade unions, two were employers' associations and one a Government Ministry. The Review Team interviewed 10 of these 13 institutions in Oslo in May 2015. 25 project promoters were interviewed in the field visit countries. The RT has, of course, collected many opinions on how bilateral relations have been affected from its fieldwork.

Virtually all of the 29 partners in the beneficiary countries that had been able to find a Norwegian partner were positive towards the partnership as it had developed. Most of them said that the partnership had been an important element in executing their projects. Most indicated that the project (or the partnership) should contribute to improved bilateral relations, although some of the projects were very small with a relatively limited impact. It is not clear why all 51 (excluding Cyprus and Malta which were very small) had not found a Norwegian partner. IN and the Norwegian Embassies have put in considerable effort in locating a Norwegian partner but in about 20 of the 52 cases they did not succeed. This may have been due to a lack of suitable partners or because some project promoters simply decided to "go it alone". It has been pointed out in the Norwegian Auditor's General's Report referred to above that, because project costs for a Norwegian partner have to come from the project budget, some organisations think that the expense of having a Norwegian partner is too much. It seems unlikely that those 20 or so projects where no Norwegian partner was involved could contribute much to strengthening bilateral relations. Slovakia had six projects under the programme but only one of these had a Norwegian partner and this was regarded as disappointing. However even the contact with IN as Programme Operator might have contributed to strengthening relations.

The online survey carried out by the Review directed questions on bilateral cooperation to the 29 project promoters who had a Norwegian promoter. Not surprisingly the responses were fairly positive. Study visits to Norway, round tables and meetings organised between partners were seen as the most tangible, concrete means of promoting bilateral relations.

More or less all the Norwegian partner institutions involved in the programme have had considerable previous international experience and experience with bilateral cooperation overseas. The "Industri Energi" Union (representing most of the oil and gas workers in Norway) pointed out they had extensive international experience from all over the world. LO found it very easy to fit into the programme as it already had established partners in many of the beneficiary countries. Many Norwegian partners seem to have found it easy to fit into proposed projects with existing partners in the beneficiary countries. It seems that several organisations in the beneficiary countries contacted established Norwegian partners as soon

#### **Case I**

The four partner project in Bulgaria between BCCI, CITUB, LO Norway and NHO "Decent Work and Dialogue" (# 104620) is an interesting example of enhanced bilateral relations, especially due to synergies between the four organisations. There is also a longer history of cooperation between CITUB and LO Norway, and they have implemented several joint projects, also financed by EEA and Norway. It is less clear to what extent the project has contributed to any concrete changes in actual TPD processes, but solid groundwork involving local structures and union and employers' representatives is documented. The project has also made available research on experience and examples of good practices of the social and tripartite dialogue in the various dimensions of decent work (negotiation, payment, security, working conditions, etc.) in Norway and Bulgaria, parts of which are included in a well researched publication "Decent Work and Dialogue".

as Open Calls were made, and many received considerable assistance in preparing applications to IN. In fact several project promoters pointed to this as an advantage of having a Norwegian partner that could provide very relevant inputs to drafting the application (in one case, the partner had in fact drafted it almost entirely).

Generally speaking, the Review finds that the Norwegian partners and the national partners cooperating on the 29 projects where partnerships existed were very positive to the programme's impact on bilateral relations. Nonetheless it has to be borne in mind that some of these projects were very small, and that their potential overall influence on TPD structures or SD in each country must have been equally limited.

The online survey questions on bilateral cooperation were directed to the 56% of respondents who had had a Norwegian partner. 65% of these indicated that the partnership contributed to strengthening bilateral relations between the two partners at institutional level and generally strengthened their own organisational capacity. For example the programme has strengthened relations between individual trade unions in Norway and Romania, but no more than this. A few respondents pointed out that the DWTD programme strengthened relations between Norway and their countries, also at a higher level. Another factor that may have strengthened bilateral relations through this programme is the fact that there was considerable acceptance of the Nordic Model of social dialogue. Most recipients considered that there was considerable potential for introducing elements of this Model in their own countries. This would undoubtedly strengthen bilateral relations with Norway.

The interviews with project promoters during field visits showed that strengthening bilateral relations was not necessarily an important consideration for individual project promoters. These promoters were concerned with implementing their projects. Strengthening bilateral relations thus seems to have been a "spin-off" of cooperation with a Norwegian partner, with IN or with a Norwegian Embassy. However IN's excellent performance (as seen by project promoters) would certainly have improved bilateral relations between the countries.

### Case J

The four partner cooperation project in Romania between Free Trade Union Federation In Education (FSLI), Democratic Trade Union Confederation of Romania (CSDR), Skolenes Landsforbund (National Teachers' Union, Norway) and LO Norway (project # 104522) is a good example of concrete, hands on transfer of both models, and mutual exchange experience, knowledge and culture.

CSDR notes it as very important that there was already a cooperation before DWTD and there is a wish continue after the project. There were very detailed contacts and input on content with SL (they were very focused and participated as experts, supporting FSLI/CSDR, but also LO as partner). FSLI and CSDR state: *"We wanted to prove that we were professional, in the beginning this was challenging. The Romanian mentality is not flexible, it was very interesting that our partners were so open, direct and we had a very positive dialogue. Norway also learned to trust us, built up step by step, and we wish to continue. We have had both personal and professional development. We are used to talk and write a lot, while our Norwegian partner gave very useful feedback on the length and content of our application, this was very concrete and useful. During the study visit to Norway, SL and LO co-developed a very good programme. Also FSLI invited Norwegian partner to the EU Sector Social Dialogue Committee for Education: ETUCE. "*

The added value to FSLI's members was the training set up, based on Norway best practices. 1000 teachers received study cases from Norway (through SL). 30 members participated in exchange visit to Norway, and they held 24 dissemination sessions on their return (Interview with CSDR, FSLI, Bucharest, 29 May 2015)

In Norway the RT interviewed 9 of the 13 Norwegian partner organisations. They were not interviewed specifically about the strengthening of bilateral aspects, although these were raised in the course of interviews. None of these institutions saw the strengthening of bilateral relations as a primary objective of their projects. However several saw the establishment of new partnerships or renewal of existing ones as important means of strengthening bilateral relations. Perhaps only LO (the Norwegian Confederation of Trade Unions) or NHO (the Confederation of Norwegian Enterprise) were large enough to have any measurable impact on strengthening of bilateral relations. But even then some of their counterparts in the beneficiary countries were relatively small.

Interim and project reports from the project promoters to IN have been received from all 13 beneficiary countries. These vary very widely in content and scope. As it is demonstrated in 6.2.2, most promoters consider the partnerships crucial to strengthening bilateral relations.

IN's role in the programme may also have played a role in strengthening bilateral relations. About 87% of recipients were of the opinion that IN managed the programme very well or extremely well.

### **6.3.1 Common knowledge sharing and transfer**

An aspect that goes beyond bilateral exchange of experience is the sharing of common knowledge and transfer of this between several partners (involving one or more beneficiary countries, Norwegian partners, embassies and even the NFPs).

Several events have been organised by IN both in preparing and concluding the programme.

Initial conferences with social partners were organised in all beneficiary countries in 2012, except Malta and Cyprus (and Croatia, which joined in 2014)

*"During 2014, 5 national closing conferences took place in Warsaw, Vilnius, Budapest, Bucharest and in Sofia. The Project Promoters presented their projects/results and challenges met. Respective National Focal Point and Norwegian embassy participated in the closing conferences. Such conferences have provided with a valuable opportunity for the organisations to meet and exchange experiences on the projects related to the challenges of Decent Work and Tripartite Dialogue issues. They all showed an impressive commitment to meet programme objectives and provide tangible results.*

*In addition to the 5 national closing conferences, Innovation Norway organised a final Closing Conference in Oslo on 25th of November 2014. More than 100 participants attended the conference, including all 29 Project Promoters with a Norwegian partner, representatives from ILO, NFP's, Norwegian ministries and other relevant guests".<sup>60</sup>*

Some of the promoters have during interviews also pointed to the fact that they have utilised networking opportunities, not only to Norwegian partners, but also nationally and in some cases across borders. Several promoters have stated that they have invited other national programme partners to their events, and in one case a Lithuanian partner did visit a Polish sister organisation.

Beyond these informal contacts, and the initial and closing conferences (only in five countries), the question is if a framework has been provided by the programme operator to facilitate common knowledge sharing and experience. While this question has not been explored in detail, indications from project promoters are that much has been done in terms of the linkages and partnerships in Norway, and participation in the closing conference by some, but not in a systematic way. The RT considers that opportunities could have been

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<sup>60</sup> Annual Programme Report EEA and Norwegian Financial Mechanisms 2009-2014- PA22 DWTD (p 2-3)

explored for setting up networks of promoters or ensuring that cross-border or regional seminars were held to enhance more systematic learning and experience sharing.

The Review's impression is that programme will certainly strengthen relations, but in relatively small, isolated areas. The reasons for this is the relatively fragmented nature of the support, spread over 52 projects in 13 different countries. For example granting € 15.750 to the Government of Malta to produce research papers on social dialogue and to invite a Norwegian expert to inform on best practices will have a very limited impact on strengthening bilateral relations.<sup>61</sup>

It is not difficult to confuse the wide concept of strengthening bilateral relation, with establishing fruitful, productive and friendly relations between small, individual institutions.

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#### 6.4 Wider and unintended effects

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It is unlikely that a relatively small programme like this i.e. € 8.1 million over two years in 13 countries will have wider effects. This review is not designed to measure impacts, but has found that the promoters have reported some overall effects at policy and national practice level. In a few cases, the national authorities have also noted that the promoters were more capable and better prepared than expected in TPD and SD settings. It was not possible to say whether these effects were a result of the DWTD or the larger ESF support, but it is likely that the DWTD programme could have contributed.

Generally speaking the interventions by the programme are isolated interventions in a much wider context. These range from the organisation of five workshops on Decent Work for young people in Slovenia to developing occupational health and safety agreements at county level in Hungary. Such limited interventions can only have limited overall effects.

Nonetheless, in some cases, indirect positive effects could have had a limited influence on overall policies. This was the case in Poland, in Slovakia and also in Bulgaria, according to promoters. Direct attribution is obviously not possible, but the programme seems to have reached beyond its intended outcomes and into the area of some policy influence.

One unintended effect of the programme seems to have been to strengthen the potential roles of Norwegian programme operators in managing programmes of this nature. Well over 90% of EEA and Norway Grant programmes are managed by national programme operators appointed by the beneficiary countries. The practice of appointing a programme manager from a donor country was initiated in 2008 with the appointment of Innovation Norway to manage Norway Grant programmes in Bulgaria and Romania when these two countries became beneficiaries. It was considered that neither country had adequate management capacity. However this is very much the exception rather than the rule.

In the online survey (see Annex 7 for a Synthesis), two of the questions dealt with Innovation Norway's role as programme operator and the project promoter's responsibilities for reporting. This was intended to find out how effective the programme operator had been in managing the programme. The response was overwhelmingly positive towards Innovation Norway as programme operator. Only one respondent was less than positive about cooperation with Innovation Norway or about its reporting requirements. Many respondents considered that Innovation Norway had handled the programme "extremely well". Several respondents compared Innovation Norway's performance favourably with their own national management systems. An institution like Innovation Norway is able to act

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<sup>61</sup> It has to be considered that the Norway Grant contribution to Malta under DWTD was quite small, since the available funds for that country were also limited.

swifter and more flexible than a national government in eastern and central Europe. Nonetheless the positive attitude towards a programme operator from a donor country (Norway) is striking.

Appointing programme operators from the donor countries gives the added value that they are in a good position to strengthen bilateral relations and facilitate networking and sharing of experience, thus performing some of the functions of being a Donor Programme Partner (DPP).<sup>62</sup>

In the online survey, 38% of respondents said that their projects had unintended effects, and 92% of them considered these to be positive only. However, no further comments were added to elucidate what these might have been. In direct interviews, some of the promoters have elaborated on what they considered unintended effects. Below are some examples.

*The positive unintended effects were:*

A few organisations said that they regarded the extension of the project (additional funding) as a positive, unintended effect. This was the case for projects in Lithuania, as well as in Bulgaria.

In *Slovakia* the initial focus of one project was on the hospital sector, but the project created a lot of interest within other parts of the social sector – so that others wished to join the project being financed under the DWTD.

In another project in *Slovakia*, one Minister of Education gave the project very positive feedback. This was very important in a country where Ministers of Education are changed frequently.

On a trade union project in *Estonia* an unexpected and unintended impact was that the project promoters had been surprised how they had been able to cooperate with public agencies, and that these were very cooperative and interested (labour inspection, road department).

On a project in *Poland*, the project promoters found that the additional involvement of their Norwegian partners in an interesting project on competition on SD practice in various towns and districts was an unexpected benefit. It had been of great benefit and interest to the project promoter.

On one project in *Romania* the promoter was able to develop concrete proposals for modifications to improve the legal framework for professionalization of public servants. This was more than had been expected of the project in the beginning.

One promoter in *Bulgaria* said that they had established good cooperation with NGOs who were able to see that the organization was playing a new and different role. The project promoter had also had an opportunity to work with an international NGO to provide training on care taking and reference of persons with mental illnesses (this was in great demand by the promoter's members who experience difficulties with this client group). This organization had further been invited to present its case and issues on security to the Committee of Internal Affairs in the EU parliament, based on project results. The Committee was impressed, declared that it would take up case and inquire in the EU parliament on possibilities for minimum standards in service to be accepted, using the project as a case.

*The RT also found some negative effects as follows:*

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<sup>62</sup> DPPs are mostly public bodies with national mandates within their respective fields and with extensive international experience. They advise national programme operators, and act as resources in facilitating networks, professional exchange, sharing and transfer of knowledge, technology, experience and good practice between Donor and Beneficiary States. <http://eeagrants.org/Partnerships/Donor-programme-partners>



In *Lithuania* one project promoter was unsuccessful in establishing a regional council in one of the districts. Not enough private sector employers were involved. They were good at national level, but at local level there was very little involvement.

In *Estonia* it had been hoped that more CBAs could have been signed, but this took much longer than planned. The promoter was disappointed not to have a Norwegian partner, and had hoped more young people (members) would be involved – this has not been the case.

In *Slovakia*, a promoter had expected more spontaneous interest from members. There is a great competition of various training programmes for teachers, and perhaps these opted for other course offers than participating in this training programme.

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## 6.5 Conclusions on effectiveness

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It is rather difficult to measure and conclude whether the programme, against its loose results framework, has contributed to the broad outcomes and the ambitious overall objectives. Considering the context, the modest size of interventions, and the substantial ESF support to the same type of organisations, the programme has nevertheless done very well and achieved good results at the level of its specific interventions. This review has analysed and assessed in more detail achievements and results of 25 projects during field visits and has found that the promoters have in many cases actually produced and achieved much more than is actually being reported and what was also planned for. This being said, a relatively small programme like this i.e. € 8.1 million over two years in 13 countries is unlikely to have wider effects, but some policy influence has been achieved.

The online survey of this review concludes that a vast majority (97%) of respondents considered that their project had concrete effects on their own organisation. Another 84% said that it had effects on relationships to other social partners and authorities and 30% answered that it had had other, more wide effects, such as improved services, work-life balance.

Under Outcome 1, the DWTD projects have in most cases established improved practices and/or SD structures. Project promoters have succeeded in using elements of the Nordic Model of TPD and applying these in their own context. In some cases, overall and indirect policy influence has been achieved (Poland, Slovakia and Bulgaria), but given the size and scope, these changes cannot directly be attributed to the projects and their interventions.

Under Outcome 2, there are some good cases of project promoters that have been able to go beyond the "enhanced understanding" of ILO's Decent Work Agenda and actually address some of its elements. An important element of the DW agenda (job creation) cannot be traced explicitly from the results of the projects, but it is probable that job preservation and retention of staff were valid results of the project interventions. Gender equality has been addressed successfully in a few cases, but is otherwise treated superficially or not at all.

Under Outcome 3, reports from project promoters and field visits indicate a very high degree of satisfaction with the partnerships entered between promoters and Norwegian organisations. Projects with Norwegian partners have benefitted from transfer of valuable, documented and relevant technical knowledge, models and practices. The programme has certainly strengthened bilateral relations, but on a limited scale and mainly at institutional and not any higher level. The acceptance of elements of the Nordic model is also linked to direct bilateral relations.



### *Monitoring and reporting*

This Review considers that the 2014 report by IN underestimates the programme's achievements. This is due both to the ambitious overall DWTD programme framework, use of generic indicators in aggregated reporting and the recognised challenges (by the programme operator and the FMO) to meaningfully extract results achieved and higher-level effects from the generally activity-based reporting by most project promoters. Most projects reviewed have in fact achieved tangible and relevant results that are not always captured by their activity based reports or at higher levels in the reporting by IN to FMO.

The under-reporting (low quality, inconsistency or not stating actual achievements) by the project promoters through the established reporting and monitoring system considerably weakens the evidence and documentation available to IN. Since DWTD programme framework is also ambitious and the chosen indicators are essentially quantitative, the aggregate annual report by IN has not only been difficult to produce, but has also had a quite weak documentation basis.

### *Bilateral relations*

There is no doubt that creating bilateral partnerships between trade unions, employers and governments in Norway and the 13 beneficiary countries will in itself strengthen bilateral relations. However in many cases the extent of this strengthening will be small. The Review's impression is that strengthening bilateral relations between Norway and the 13 beneficiary countries is a large and ambitious task requiring relatively large, focused contributions. It would perhaps be too much to expect to achieve from a relatively small, fragmented programme.

None of the Norwegian institutions saw the strengthening of bilateral relations as a primary objective of their projects. However several saw the establishment of new partnerships or renewal of existing ones as important means of strengthening bilateral relations.

Common knowledge sharing and transfer has been achieved at closing events and sporadically in the course of the programme. More could possibly have been achieved, like facilitating networks, but it also has to be recognised that this was not part of the programme design.

## 7 Sustainability

The standard definition of sustainability is the continuation of benefits from a development intervention (in this case DWTD) after development assistance has been completed. In other words, would the projects promoters be able to continue with all or some of the interventions without external funding? Another important aspect is the probability of any long-term benefits.

There is no doubt that the DWTD projects have developed and delivered both relevant and effective results, enabling partners to utilise these achievements in their further work. The promoters visited have demonstrated this, also confirming that they would definitely apply the methods and knowledge gained and that the established structures and practices were generally considered as sustainable. Some typical answers and examples are given below.

- A majority of project promoters stated that the SD structures that were strengthened or established would generally continue to function. Many promoters also considered that some of these could be replicated elsewhere. Since most projects under DWTD actually have worked towards Outcome 1 (Improved SD and TPD structures and practices), the finding is corroborated by the survey response, where 87% of promoters said that the results could be repeated in the future in their own organization, and 73% that they could be replicated in other organisations
- Some of the organisations that have carried out major research studies said that the research would remain available and active and were still being used, whereas the printed publications could not continue. This was also the case in Bulgaria cited above<sup>63</sup>, where the project promoters established an on-line social and economic data base platform. Similar statements were made in Slovakia by the employers' organisations
- One promoter (in Poland, public institution) said that the training courses developed were now integrated in their current catalogue, and they intended to continue the activities.
- The Norwegian embassy in Bucharest considered one of the trade union projects as very successful. This project had worked extensively within the Ministry of Education, training a large number of civil servants. The change in attitude was believed to be an element of sustainability and it was seen as complementary to another project financed by Norway Grants supporting the same agency
- One of the promoters in Bulgaria stated that they had noted a stream of requests from members to organize local level training in SD and work-related stress, and had even invited the trained trainers to come and organize the events, based on materials developed by the project. The promoter had also started discussions with its employer (Ministry) about working conditions and occupational health of its employees
- Some promoters said that they would not be able to implement follow-up or continuation of activities without additional funding. This was found to be the case for activities that would incur additional expenses that were not part of their regular business. At the same time, some of the structures created or supported in the course of the projects would remain
- Others said they definitely would like to continue and would seek funding to do so (hopefully from DWTD), but that it would not be possible to sustain the activities without external funding

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<sup>63</sup> The BCCI-BIA-LO-NHO joint project, Case I, section 6.3

- The joint project in Romania between two project promoters and two Norwegian partners on social dialogue structures in education (2012-4522) had in fact achieved official accreditation of a project developed OHS training course for teachers as a professional vocational education course by the Ministry of Education. This was by the promoters seen as a major achievement in itself

The on-line survey clearly demonstrated that two thirds of the project promoters considered that results achieved by their projects could be replicated in their own or in other organisations. 70 % considered that they would be able to continue with some of the activities without external funding. The other side of this image is of course that some 30% of promoters did not consider that they would be able to continue activities without funding, or that only some activities could be carried on. They might have answered negatively to the question.

The majority of promoters are social partners (unions and employers). As membership-based organisations they have a functional institutional set-up. The RT notes a great variety where some are national level large confederations and others are fairly small sector or regional organisations with limited resources and membership. These membership organisations have modest but regular income (dues and membership fees), and would thus be able to sustain and continue with some activities that are part of the organisations' regular and on-going business. This would typically be training of members, regular meetings conducted on SD or decent work issues, representing members, participating in the relevant TPD and SD structures, organising or recruiting members. Policy inputs, development of alternative proposals, active participation in TPD and SD structures and lobbying would normally also be considered as part of employers' and unions' ordinary line of business.

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## 7.1 Conclusion on sustainability

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This Review found that a number of projects supported by the programme were sustainable, meaning that the projects promoters would be able to continue with all or some of the interventions without external funding. Several examples were found where training courses developed under the programme would be continued afterwards without external funding. Others said that research carried out would be continued, thus making the project sustainable in the long run.

Provided that the beneficiary organisations are strong enough some of the DWTD interventions are sustainable. This is particularly the case for support to Tripartite and Social Dialogue structures. In view of the level of funding for more costly interventions such as surveys, specific training, consultants for surveys or studies, publications, and design of websites, most of these activities would not in themselves be sustainable. Activities such as exchange visits, Norwegian partner inputs and travel on the projects also do not come cheaply. All of these additional services and costs would not be sustained.

Overall, corroborated by the on-line survey, the DWTD can be said to be partly sustainable, but on a limited scale, in line with its small size and dispersed interventions.

## 8 Country specific findings

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### 8.1 In-depth review countries

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This section presents a brief overview of the main challenges related to Social and Tripartite Dialogue for each of the in-depth review countries, and some overall conclusions of the achievements of the DWTD. Reference is made to Annexes 7 and 8 with detailed specific reports per country.

#### **Bulgaria**

In Bulgaria a backdrop of generally negative attitude towards national level TD is noticeable. All respondents in question reported the trust between the government and social partners as being very low. The Ministry of Labour and Social Policy (MLSP), authority in charge of SD, is seen both as facilitator and social partner (employer), as well as the regulatory authority. The MoL is obliged to consult the partners, but not to follow their advice and claims. The frequent changes in government make the political climate very difficult to work in. Recently there were also cases when social partners have left demonstratively the national tripartite council in protest that their opinion was not regarded at all.

In this challenging context the DWTD was unfolding. Nevertheless, the Social Partners involved in the DWTD projects, declared to be able to adapt elements of the Nordic Model of TPD and apply in their own context. Overall, a higher level of trust has been created between the bipartite partners, inspired by the Nordic Model. In addition, concrete practices of improved SD especially at branch and enterprise level have been demonstrated, and the project promoters report that even the quality of certain CBAs have improved. This is attributed to the DWTD programme. A good and successful case in Bulgaria is the CITUB/LO/BIA/NHO joint project on “Decent Work and Dialogue” (See case I in section 6.3).

#### **Romania**

Many respondents seem critical of the Romanian bureaucracy, its response time and its complexity. It appears difficult to introduce DWTD principles and not all Government Institutions seem to be willing social partners. The Ministry of Labour and Social Affairs would have liked to see greater participation by authorities and public employers. Unemployment is not a major issue in Romania, but emigration is a major challenge. Additionally, trade union membership is not especially popular amongst ordinary employees.

On the other hand, it seems that a fresh and active approach by Norwegian partners has been very welcome. It should be noted that 3 of the 4 projects in Romania had Norwegian partners. The Embassy has generally been very helpful in finding Norwegian partners. Institutions seem to welcome partnership with Norwegian unions and employers, and IN is singled out as being very fast and active in responding to implementation barriers and needs, in contrast to the Romanian government and EU funds management. The problems are explained by the Romanian bureaucratic/Government culture. DWTD budgets were limited or insufficient, and time was very short. One of the promoters was offered an extension by IN (in 2014), and was able to increase quite substantially its outreach and the number of courses held.

#### **Slovakia**

There seems to have been considerable enthusiasm for the Nordic Model in Slovakia. However it was felt that it was not easily applied because of frequent changes in policies and upheavals in the Slovak political system, as well as the dominance of state-centrism and

legislation as the key resource for the operation of social partners. The general impression is that DWTD budgets were rather limited and the promoters would need more time to get tangible results. Projects should be more complementary to EU measures on social dialogue. Partnership with Norwegian institutions was highly desirable but disappointing (only 1 in 6 projects had a Norwegian partner). IN's performance as programme manager was rated very highly. So was the Norwegian Embassy's.

IN reacted quickly and effectively. The National Focal Point does not seem to have been heavily involved or interested. The reason is that DWTD projects were directly implemented by IN and not channelled through the NFP, unlike other project areas from Norway grants where the NFP takes an active role in project implementation.

Decent Work agenda issues seem to have been largely covered under existing legislation, and is also well integrated in the mainstream work of the beneficiaries, especially unions. However, assistance on Collective Bargaining has been very useful.

Unemployment was raised as an important issue in some cases, especially in view of the serious downscaling of industries (job losses) and the aftermath of the financial crisis.

### **Estonia**

In Estonia, the NFP (Ministry of Finance) is not entirely in agreement with the focus or content of the DWTD. The NFP declared that they would accept DWTD in the future, only on a precondition that it would be a part of larger package of EEA and Norway Grant programmes.

The NFP was unable to say whether the three selected projects contributed to the overall outcome, since the results are not known and not communicated. The NFP does not know whether the projects are replicable or sustainable, since there is no information on what has been done. In the opinion of the NFP, visibility has been low.

In addition, the assessment by the NFP is that the DWTD attracted little interest, since social partners could obtain funding elsewhere, including from the EU. This includes a large EU project for employers and trade union confederations.

However, from the project promoters' perspective some results have been achieved as far as enhancing understanding for Nordic Model is concerned.

Generally, tripartite dialogue in the public sector is yet to materialize, although there is a growing understanding and better recognition of the role and value of the trade union in improving working and safety conditions to the benefit of improved services, according to one of the project promoters (ROTAL). This project promoter has been able to negotiate a CBA with a local public employer for the first time, and recognising the role of the union. This is still to be brought onto the national level. Adapting the Norwegian prevention system against third party violence and reducing tensions between social workers and clients has led to improvements in working conditions and the public employers have begun to see the value of this. Using these gains as a leverage tool to organize more members has not yet materialised.

#### **Case K**

One of project promoters (Road Workers Trade Union) has managed to produce and apply a practical handbook on how to negotiate and prepare for CBAs in their sector. This has led to a much improved understanding among members (new and existing), even employers, on the value and role of having a representative union. Notably, the road workers' union have been able to establish a sector CBA, which is widely recognized and countersigned by the minister of transport. The union considers that they have achieved recognition, better working conditions and policy influence due to the project. In Estonia, such public recognition of a trade union is uncommon.

The conclusion is perhaps that the TPD and SD practices are yet in a development phase, but with some positive signs that will need further support to take root. The employers' disinterest is a major concern, however.

### Lithuania

The six social partners supported through the DWTD in Lithuania have certainly contributed to improved SD processes, but mainly at local level where tripartite structures have been revitalised in areas where the organisations were active. The project results have been reached, but without continuity it is difficult to sustain the achievements, especially since the capacity and representation at local level is quite weak. The activity level has been high and networks, SD councils as well as concrete improvements in working conditions have been achieved.

A common position from the social partners and stakeholders is that the Nordic Model, as experienced through study tours and by working with Norwegian partners, is not immediately applicable given the national and specific context. A new TPD and SD model has to be constructed based on the existing framework. A rather firm national regulation of the labour market and minimum salaries implies that elements of the Nordic Model are relevant in some cases, and that the established structures and labour legislation can be used to achieve improved policy dialogue. The concrete improvements in working conditions have been achieved at enterprise level.

#### Case L

An interesting project is the “Decent Work for Social Workers at Municipal Level” (PA 2012/104606), involving four partners: a Lithuanian project promoter (Trade Union for State, Budget and Public Service Employees), the national association of local authorities, KS and Fagforbundet in Norway. Key interventions were a national study on third party violence against social workers (30% have been subject to abuse in some form), training of social workers, and elaboration of guidelines for how to manage and cope with the issue. This project, although small in size, has first of all provided attention to a largely ignored problem, and has also created opportunities and space for SD at municipal level and even attracted national attention. According to KS and the project promoter, the ground has been prepared for reaching an actual improved sector agreement. In some cases, locally, working conditions and marginal wage increases have been achieved. The undefined role of the municipalities as public employers is still an unresolved challenge – there is yet no devolution of powers from central to local level, and this weakens possibilities for SD. The Norwegian partner experience, cooperation and expertise have been very important for the partners in Lithuania.

### Poland

The DWTD's implementation coincided with a major breakdown of social dialogue in Poland. Since June 2013, when three main trade union confederations decide to suspend the National Tripartite Commission, and the social dialogue collapsed. It was only in August 2015 that the President signed the new bill, constituting a new tripartite body – the Social Dialogue Council. The new “opening” was the result of extensive consultation process and collaboration between trade unions and employers' organization on drafting of new legislative framework. The opinions on both sides – trade unions and employers - still differ significantly as to how the consensus was reached and who was the main engine of change. It is commonly agreed that both employees and employers' organizations cooperated on the development of the new revised labour act. Two of three main TUs confederations (Solidarnosc and OPZZ) were actively involved in the crisis in the national Tripartite Commission and also beneficiaries of DWTD. These promoters highlighted that support from their Norwegian Partners and an increased capacity in collective bargaining have to some extent contributed to the consultation process.

As a result of DWTD programme in Poland, capacity to conduct at least bilateral SD amongst unions have definitely improved. This was confirmed by both the government and several of the respondents, including one national confederation. The MoLSP also considers that there is a general improvement in capacities of unions, as compared to before the DWTD and the last ESF Programme in support of social dialogue (2007-13). Unions are better prepared, better educated, have better strategies for negotiations and in general appear less disorganized. Whether this can be attributed to the DWTD alone is doubtful, but in combination with the ESF programme on Social Dialogue support, there is a marked improvement.

### **8.1.1 Summary of in-depth review countries**

Most beneficiaries interviewed were very positive in their attitude to DWTD, especially as regards their results achieved in the areas of enhancing understanding of Nordic Model and strengthening bilateral relations with Norwegian Partners

The beneficiaries were generally appreciative of the programme and their partners because the contrast between Norway and Norwegian conditions and their own situations is quite striking. *“People seem to think things [living and working conditions and SD, RT’s note] in Norway are better and that the Nordic Model is the one to follow”* has been a typical remark. They explain the differences as being cultural and historical and political. Several of the countries do not have the “consensus-oriented”, homogeneous cultures that Norway has. Many countries have had very unstable political situations: Bulgaria has changed governments five times in as many years. Some governments e.g. Estonia appear to be fairly right-wing and anti-trade union. Some respondents in Bulgaria refer to a “lack of trust” between tripartite partners, saying this was a major hindrance in developing tripartite dialogue. There was an impression (in Lithuania for example) that social dialogue was deeply embedded in Norwegian culture and society, rather than simply being laid down by the law or by the EU. That was why it worked in Norway.

IN came out extremely well in virtually all interviews. They were repeatedly praised for being very fast in responding and effective. Many of the beneficiaries compared their own government’s bureaucracies unfavourably with Norway’s and IN’s. A few beneficiaries complained that they were not equipped to prepare complicated applications and needed a lot of help from Norwegian partners. Some complained about demanding reporting requirements and difficulties in auditing projects.

The appointment of IN as Norwegian operator for the DWTD was not always appreciated by the beneficiary countries and certainly not by the National Focal Points (NFP). It seems some NFPs felt they had been ignored or over-ridden by the donor. In some countries they said they had not been consulted at the programming stage. It was considered controversial that NFPs and relevant ministries were not consulted on the fact that 1% of the Norway Grants was to be allocated to the DWTD programme. Until recently it had been the practice for the beneficiary country and the donor in consultation to determine the size and nature of the programme.

It was rather surprising to see in several countries, especially Estonia, that trade unions are still struggling to gain acceptance from employers and governments. In fact some beneficiaries were surprised to see what a high level of acceptance trade unions had achieved in Norway. One would have assumed that in post-communist states trade unions would be recognised, but in fact they are not. It was said that people only joined unions if they had problems, which would explain the low trade union density. There was some animosity towards trade unions in Estonia, partly because Estonian labour was regarded as low-cost competition to other countries in Europe.



The European Social Fund (ESF) remains active in all countries in promoting social dialogue, with contributions substantially higher than DWTD. Therefore it would be very important that the programme complements the ESF where it can. DWTD seemed to be good on small, specialised elements of Decent Work e.g. fire safety at work, the problem of third party violence. The trade union for Police and Fire Fighters in Bulgaria needed help with stress at work, something that had not been recognised before.

The question of migrant labour was raised in Poland, Estonia, Romania, Bulgaria and Lithuania. About one quarter of the Lithuanian labour force had moved elsewhere in Europe to work. Bulgaria and Romania have lost a significant proportion of their labour force. Some 3.4 million Romanians (out of a population of 23-24 million) were working abroad in mid-2007, approximately 1.2 million of them legally<sup>64</sup>. Labourers from the Baltic countries and Poland are very common in Scandinavia and the UK. The DWTD should also take account of their interests.

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## 8.2 Other countries

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The RT, as agreed with FMO, did not visit seven of the 13 beneficiary countries. Information on the status of the projects in the 7 countries i.e. Croatia, Cyprus, Czech Republic, Hungary, Latvia, Malta and Slovenia was drawn from the online-survey, interim and final reports received by IN, from interviews with Norwegian partners in Oslo and from the Final Programme Conference held in Oslo in November 2014. It should be said that much of this information was limited and fragmentary. The following briefs are complemented by the country reports in Annex 5.

### **Croatia**

One project i.e. “Strengthening the Tripartite Dialogue in Croatia” (IN2-0053) has been implemented under the DWTD programme in Croatia. As Croatia did not become a member of the European Union until 2013, this project did not commence until September 2014. The project promoter in Croatia is the Ministry of Labour and Pension System and the Norwegian partner is the Ministry of Labour and Social Affairs. A grant of € 99.998 was made from the Norway Grants to the project. The purpose of the project is extremely broad and is described as: “This project will be developing and strengthening mechanisms for social dialogue at all levels and sectors.....” . The project promoter responded to the Review’s on-line survey on 29 June 2015. However there is some confusion here. The project promoter mentions LO and NHO as its Norwegian partners whereas IN states that the Norwegian Ministry of Labour and Social Affairs is the Norwegian partner. What seems to have happened is that the Ministry in Norway is the “formal” partner while LO and NHO have provided technical advice. The Review Team interviewed the Norwegian partner, the Ministry of Labour and Social Affairs in Oslo on 7 May 2015. The Ministry said there was also some confusion on who was the Norwegian partner. There were considerable problems with the project starting so late.

### **Cyprus**

One project i.e. “Bipartite dialogue for workers” (IN22-0045) has been implemented under the programme in Cyprus. The project promoter in Cyprus is the Democratic Labour Federation of Cyprus. There is no Norwegian partner for the project. A grant of € 34.830 was made to the project from the Norway Grants. The objective of the project is “To establish and support a proactive social dialogue and effective communication channel between

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<sup>64</sup> Focus Migration website: <http://focus-migration.hwwi.de/Romania.2515.0.html?&L=1>



employers' and workers' organizations in Cyprus". There is particular mention of foreign migrant workers. The project promoter submitted an Interim Report on 18 December 2014 (on the completion of the project). This is relatively informative, describing outputs, indicators, baseline and targets and activities undertaken under the project. The project promoter does not appear to have responded to the Review Team's online survey of June 2015.

### **Czech Republic**

Four projects were implemented under the programme in the Czech Republic as follows:

Title	Project Promoter	Norwegian partner	Grant in €
Social Dialogue for all employees	Czech-Moravian Confederation of Trade Unions (CMKOS)	Norwegian Confederation of Trade unions (LO)	162.297
Prevention of third party violence in Prague	Union of employers' associations – Centre for development	Norwegian Association of Local and Regional Authorities (KS)	187.522
Bipartite dialogue on Czech pension reforms	Association of textile-leather industry	The Federation of Norwegian Industries (Norsk industri)	110.988
Union of employers' associations – Centre for development	Union of employers' associations – Centre for development	None	197.975
<b>Total grant</b>			<b>658.782</b>

Only one Interim/Final Report has been received by the Review Team from the four project promoters (this is not to say they do not exist). CMKOS submitted a comprehensive final report to the IN on 28 February 2015. The report describes a successful project and successful partnership with LO in Norway. This could well serve as a model for final reports. Only one of the four project promoters in the Czech Republic responded to the Review team's online survey conducted in June 2015. This was by ATOK (The Union of Employers' Associations - Centre for development activities), which was implementing a project on preventing third party violence in Prague. The project promoter was very satisfied with the procedures developed by IN and by IN's performance in general.

### **Hungary**

Five projects were implemented under the programme in Hungary as follows:

Title	Project Promoter	Norwegian partner	Grant in €
Improving dialogue in health and safety	National Confederation of Hungarian Trade Unions	Norwegian Confederation of Trade unions (LO)	180.000
DECENT	Forum for the cooperation of trade unions	UNIO	187.522
Enhancing social dialogue at various levels	Democratic League of independent trade unions	Norwegian Confederation of Trade unions (LO)	110.988
Prevention of third party violence at local level	Hungarian National Association of Local Authorities	Norwegian Association of Local and Regional Authorities	197.975
The world of labour in	Confederation of	Confederation of	169.520

bilateral agreements	Hungarian employers and industrialists	Norwegian Enterprises (NHO)	
<b>Total grant</b>			<b>846.005</b>

Two Interim/Final Reports have been received by the Review Team from the four project promoters. The National Confederation of Hungarian Trade Union (MSZOSZ) submitted a comprehensive final report on 23 February 2015 together with LO. This is in the prescribed format and describes in detail the implementation of the project on social dialogue, health and safety. MSZOSZ also responded to the online survey. They were very positive about their project and about cooperation with the Norwegian partner (LO) and with the programme operator (IN). The Hungarian National Association for Local Authorities (TOOSZ) together with KS submitted a Final Report to IN on 18 December 2014. This describes the major activities of the project and provides considerable financial detail. TOOSZ also responded to the online survey and were very positive towards their partners and IN. The Forum for the cooperation of trade unions (SZEZ) also responded to the online survey.

### Latvia

Four projects were implemented under the programme in Latvia. Two of them had Norwegian partners. The table below gives details:

Title	Project Promoter	Norwegian partner	Grant in €
To strengthen TU capacity in tripartite dialogue	Free Trade Union Confederation of Latvia (LBAS)	Norwegian Confederation of Trade unions (LO)	100.000
Enhanced under-standing of decent work for teachers	Latvian Trade Union of Education and Science Employees	None	118.015
Improvement of sectoral social dialogue in Latvia	Employers' Confederation of Latvia	None	110.000
Social dialogue and decent work in Latvia	Latvian Builders' Trade Union	Fellesforbundet	46.744
<b>Total grant</b>			<b>374.759</b>

Only one Interim/Final Report from the 4 projects in Latvia has been made available to the Review Team from the Employers' Confederation of Latvia regarding the project: "Improvement of sectoral social dialogue in Latvia". It appears from the report that the project was concluded successfully and the major outcomes were met.

All four of the project promoters in Latvia responded to the online survey sent out by the Review Team. The Employers' Confederation of Latvia was generally very positive about IN and the potentials for introducing the Nordic Model of social dialogue. They thought the project very beneficial to improving social dialogue. The Latvian Builders' Trade Union was also very positive about IN and the management of the programme. They had had some difficulties in engaging government. They also thought the Nordic Model had some relevance in Latvia. The Free Trade Union Confederation of Latvia (LBAS) was very positive regarding IN's management of the programme and the reporting requirements. LBAS thought social dialogue might not work in Latvia as people were afraid of change. There was also some doubt about the relevance of the Nordic Model.

### Malta

Malta is by far the smallest beneficiary of the 13 countries supported by the Norway Grants. Malta has a population of 420.000 compared with 39 million in Poland. In the DWTD programme it received a mere € 15.760 in Norway grants for a project entitled "Enhancing

Social Dialogue and Labour Institutions” implemented by a government department, the Department of Industrial and Employment Relations. The project was to carry out research into the changing labour market and to have a conference to discuss the results of the research. A Norwegian employment expert visited to share best practices. Outputs were reports and a seminar. The Review Team has received an Interim Report from Malta but this is fairly limited and was criticized by IN for being incomplete.

### **Slovenia**

There were two projects implemented under the programme in Slovenia. These were:

<b>Title</b>	<b>Project Promoter</b>	<b>Norwegian partner</b>	<b>Grant in €</b>
Decent project for decent work	Association of Free trade unions of Slovenia (ZSSS)	Norwegian Confederation of Trade unions (LO)	84.840
Decent retirement	Slovenian Association of trade unions (ALTERNATIVA)	Norwegian Locomotive Operatives’ Trade Union	57.000
<b>Total grant</b>			<b>141.840</b>

Both projects thus had Norwegian partners. One interim report has been received by the RT from IN (by ZSSS above). The project concerned raising awareness of decent work amongst youth. It is interesting to note that the gender issue is taken seriously in this report. One of the two Slovenian project promoters responded to the online survey. They were very pleased with their cooperation with IN and considered the reporting requirements as very easy to comply with. They thought the Nordic Model was not applicable in Slovenia because the political culture was very different from Norway.

## 9 Proposed design of Phase II of DWTD

The ToRs of the review include an objective on making recommendation for improving the DWTD programme in the next financial mechanism of the Norway Grants.

In agreement with the FMO, the RT conducted a session in Oslo with the reference group for the DWTD, IN, NMFA and FMO in September 2015, to discuss possible suggested elements of a draft Results Framework for a second phase of the programme. While this brief session could not produce a full design or even agree on all the elements of such a framework, the participants did provide very valuable comments and suggestions for improving the “dummy” proposal. The RT has updated the draft framework, based on these inputs. This draft proposal aims at following the principles in FMO’s Programme Operators’ Manual concerning Results Based Management.

Below are the main elements. Please refer to Annex 6 for full details, including suggested assumptions.

It is suggested to retain the existing Overall Programme Objective [*Long Term impact to which the programme contributes*]:

“Decent Work promoted and tripartite cooperation improved between employers’ organisations, trade unions and public authorities in supporting equitable and sustainable economic and social development”<sup>65</sup>

### *Suggested immediate objectives*

1. To enhance and improve tripartite and bipartite social dialogue practices and structures between employers’ organisations, trade unions and public authorities
2. Support integration by social partners of elements of ILO’s Decent work agenda into social and tripartite dialogue, including social and economic policies, as well improvements in collective agreements
3. To strengthen bilateral relations through establishment of partnerships between Norwegian and beneficiary state social partners

Outcomes	Indicators
<b>Outcome 1</b> Enhanced capacity of social partners to participate in and negotiate agreements in social and tripartite dialogue	- Improved decent working conditions are included in CBAs, in particular of significance to female members - A number of issues, central for workers and employers, are regularly discussed and/or negotiated directly in TPD and SD structures - Public authorities at national, local and sector level are increasingly fulfilling and assuming their role as employers and social partners
<b>Outcome 2</b> An improved policy dialogue at local and national level, based on inputs from social partners	An increase in submission of positions and contributions of unions and employers’ representatives to recognised social or tripartite dialogue platforms
<b>Outcome 3</b> An increased number of partnerships within social and tripartite dialogue between social partners in Norway and beneficiary states	Mutual interest in beneficiary and donor states for collaborating on social and tripartite dialogue

<sup>65</sup> From EEA and Norwegian Financial Mechanisms 2009-2014: Programme Operators’ Manual

## 10 Conclusions, main lessons learned and recommendations

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### 10.1 Main conclusions

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#### 10.1.1 Relevance

The objectives of the DWTD are very general and quite ambitious and would better be described as the intended state (effects) of long term development interventions. The assumptions made in the programme proposal about existing Tripartite and Social Dialogue and influence by social partners were probably not correct. The difficult context in the beneficiary countries is seen as very important to how relevant and useful the programme is considered by the stakeholders, beneficiaries and project promoters.

The target group considered the DWTD as highly relevant, in particular in terms of elements of the Nordic Model that could be applied, and the supported TPD and SD structures and practices. Almost all respondents in the review survey considered that their projects had direct, positive effects on their own organisation and relationships to other social partners and authorities, whereas 30% said the projects also had wider effects, such as work-life balance or improved member service. The projects also showed that ownership as well as alignment to the promoters' own policies were generally high.

The National Authorities did not in all cases consider the DWTD relevant, which was partly explained by its size and the limited knowledge and involvement in the programme by the National Focal Points (with some variation).

DWTD has been able to influence and enhance TPD structures and promoting the Decent Work agenda, supporting social partners with soft measures that they otherwise would have difficulties in obtaining funding for. The programme has achieved good effects at project and institutional level, despite its small size and the very substantial support to Social Dialogue from the European Social Fund (ESF). This support was levelled at European Social Dialogue (sector and overall), as well as direct capacity building support in the countries and support to participation in EU social dialogue structures. The combined support from ESF was at approximately € 1.7 billion (2007-2013), compared to € 8.1 from the DWTD.

It is difficult to replicate the Nordic Model of social dialogue in Central and Eastern Europe because of the very different political and historical traditions. While the Nordic Model is not directly transferable, more than 90% of project promoters considered that sub-elements of it could be applied. The reviewed projects also demonstrated that substantially more time and efforts would be necessary for a wider application of the Nordic Model. The governments still have a major role to play. Social partners consider the governments and legislation as the most important targets of their action. Giving up this resource in favour of individual bipartite relationship in light of the Nordic Model raises fears of losing power, particularly by trade unions.

#### 10.1.2 Efficiency

The DWTD programme has done remarkably well and achieved as much as one could expect of such a fragmented and ambitious programme with a limited budget. This is largely due to a) effective management of a diverse and fragmented programme by Innovation Norway b) Commitment and zest of the project promoters. These have received funds and decisions from Innovation Norway when they needed them most and much more efficiently than they had ever expected. From the available reporting information, Innovation Norway has not been able to monitor or report on the programme so that FMO and IN itself are able to sufficiently judge its results. Thus, Innovation Norway has efficiently administered and

managed the DWTD, but the overall effects and achievements are difficult to document, based on what is being reported.

From a technical point of view the DWTD has been managed efficiently, and this Review confirms that it has achieved results that are in all probability beyond what could have been expected from a financially rather modest and dissipated programme. The achievements have to be seen in the context of the often difficult political and socio-economic situations in the beneficiary states, with quite limited influence by the promoters on social and tripartite dialogue.

The beneficiaries, embassies and Norwegian partners express a high degree of satisfaction with the management and performance of IN. In short, IN has done an excellent job in terms of administration and this review has found nothing indicating this was not the case.

The conceptual understanding by both the programme operator and the FMO about the complexities and nature of the DWTD, in particular the design of the programme proposal and the overall Results Framework, have been challenges from the on-set. This includes the assumptions about existing Social and Tripartite Dialogue in the beneficiary countries. The reference group of Norwegian Social Partners has been instrumental in guiding and advising IN towards starting up the programme.

The teething problems related to operating and feeding into FMO's DoRIS database are reported to have been resolved by FMO and IN, but they were both time consuming and a cause of frustration.

One of the main bottlenecks in managing and operating the programme has been the weak links between the overall programme reporting by IN (against some not very relevant indicators and the overall, loose outcomes and objectives) and the reports from the project promoters. This has been a challenge that is not yet resolved. A weak documentation and monitoring system has exacerbated this problem, making it difficult for the programme operator to document achievements against outcomes. This review also concludes there was underreporting by project promoters on important achievements and results, with the positive effect that the programme has achieved much more than what is actually reported on.

### **10.1.3 Effectiveness**

It has to be kept in mind that a "zero baseline" was assumed in the design phase of DWTD for specific conditions for social dialogue in the 13 countries. There was therefore no defined baseline and a set of indicators that were difficult to measure in the programme framework.

Given the loose programme framework and not least its indicators, it is rather difficult to measure whether the DWTD interventions have contributed to the very ambitious outcomes and the overall objectives. The rather difficult national contexts and in particular often poorly functioning SD and national TPD, and the relatively small size of the DWTD (compared to the ESF support) also have to be considered.

The interventions by the programme have to be seen in a much wider context. These range from the organisation of five workshops on Decent Work for young people in Slovenia to developing occupational health and safety agreements at county level in Hungary. Such limited and scattered interventions can only have limited overall effects.

While the backdrop might be difficult, this review confirms that at project level, the DWTD programme has achieved much more than what was planned for and certainly more than what is reported by the promoters and IN – even in some cases policy influence.

Some tangible, relevant results and good cases seem not to have been captured by the reporting system. This has also made it difficult to document achievements.

This review further concludes that a vast majority (97%) of respondents in the online survey considered that their project had concrete effects on their own organisation. Another 84% said that it had effects on relationships to other social partners and authorities and 30% answered that it had had other, more wide effects, such as improved services and work-life balance.

There are good cases of promoting decent work and enhancing TPD and SD through the DWTD in most of the 52 implemented projects. Considering the context and small size of interventions, this in itself is a good achievement.

DWTD has had some influence on TPD and SD structures and practices, mainly at institutional and enterprise level, but in a number of cases also at higher level. A case in point is the Polish national TPD council. Policy influence has been achieved in some cases, but given the size and scope, these changes cannot directly be attributed to the projects and their interventions.

DWTD has, in a number of good cases, been able to go beyond an “enhanced understanding of the Decent Work agenda. The number of round tables and signed agreements (in the 2014 programme report by IN) is a problematic indicator, however. Interviews with project promoters and the on-line survey demonstrate that a majority of the 52 projects have in fact actively pursued some of the elements in the DW agenda.

Creating partnerships between social partners in Norway and the 13 beneficiary countries have in themselves strengthened bilateral relations, but on a rather small scale and at institutional level. Scaling up bilateral relations between Norway and these countries is a larger and more ambitious task requiring relatively large and more focussed contributions.

The relatively limited number of Norwegian partners that were able to enter into partnerships with many project promoters in 13 countries that would all have liked to have one was a limiting factor. Some projects promoters were disappointed, while others actually preferred to write and submit their applications on their own. The main reasons for this bottleneck are that Norway is a relatively small country and therefore has a limited number of experienced and able social partners (many of whom have vast experience in international cooperation programmes), and these Norwegian organisations are also very conscious about their resource limitations. The RT notes that a number of them actually deemed that they did not have the resources since they were already engaged in other international programmes or projects.

The achievements under bilateral relations demonstrate that the projects with partners have been able to transfer valuable, documented and relevant technical knowledge, models and practices from their Norwegian partners. These have not been imposed on them, but developed through a fruitful and reciprocal dialogue and exchange of views, ideas and practices.

#### **10.1.4 Sustainability**

Provided that the beneficiary organisations are strong enough some of the DWTD interventions would be sustainable. Given the level of funding for activities such as surveys, training, Norwegian partner input and exchange visits, these more costly services would not in themselves be sustainable.

Overall the DWTD can be said to be partly sustainable, but on a limited scale, in line with its relatively small size and dispersed interventions.

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## 10.2 Good cases and best practices

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### 10.2.1 Good Cases

The review team has selected a series of good cases from the fieldwork below. These are complementary to the good cases presented in section 6.

#### ***Improved Social and Tripartite Dialogue Structures and Practices***

**NATULT**, (National Association of Service and Emergency Officers' Trade Unions) in Lithuania (project # 104509), "Grassroots Municipal Social Dialogue", has managed to create broadly composed SD groups in three municipalities. These fora have enabled the participating institutions and organisations in piloting and testing SD as a method to resolve conflicts, overcome challenges and define better services. NATULT considers that the project has laid the foundations for better quality public services, where the Norwegian experience of indexing and assessing performance of services has been both inspiring and applicable, although on a small scale. The project has faced some of the same challenges as the above on Social Workers (poorly defined SD, weak employers, lack of participation by some partners), and the subjects treated by the SD groups were very broad and very diverse, making it difficult to manage and engage in meaningful debate at times. Valuable cooperation with sister unions and even with the national (SME) Confederation of Lithuanian Employers ([www.lvdk.eu](http://www.lvdk.eu)) was also established.

**CITUB/LO/BIA/NHO**<sup>66</sup> in Bulgaria (project # 104620) is an interesting example of *synergies* between the four organisations. It is less clear to what extent this has materialised into concrete changes in actual TPD processes, but solid groundwork involving local structures and union and employers' representatives is documented, as well as research on experience and examples of good practices of the social and tripartite dialogue in the various dimensions of decent work (negotiation, payment, security, working conditions, etc.) in Norway and Bulgaria, parts of which are included in a "Decent Work and Dialogue" brochure. The survey covers three branches: food and beverage, forest and wood processing, and mining. The team included mainly researchers from CITUB but also from BIA, LO Norway and NHO Norway, identified and studied good practices in corporate social responsibility, occupational safety and health, social insurance rights, value added by social dialogue and collective bargaining, establishment of conditions for decent work (coverage of the collective bargaining agreement) in the food and beverage sector branch.

In Poland, the **Association of Polish Cities (ACP)** in project # 102511 has developed a national contest among local governments for best practices on SD (Local government as an employer), and have organised a number of regional seminars. The interpretation of SD is very broad, however, and concerns a variety of improved communication and relationships between employers and employees, various welfare and staff benefit schemes. A number of good cases were submitted, and the winners selected to participate in a study visit in Norway. Several regional seminars held with participation from the Norwegian partners (KS and NUMGE) on modern methods of conducting SD were also held. The approach is innovative with good support from KS in Norway, and a lot of interest from social partners, excluding the central government. Given the fact the TPD has been suspended in Poland during the time of implementing the DWTD, there could be no advances in formal agreements (CBAs). While introduction of SD and promoting of best practices was definitely achieved, it is not possible to say if any practices or changes of structures have taken place.

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<sup>66</sup> CITUB: Confederation of Independent Trade Unions of Bulgaria, BIA: Bulgarian Industrial Association.



### **Enhanced understanding of Decent Work**

The joint project (# 2012/104522) in Romania between CSDR (National Confederation of Unions) and FSLI (Trade Union Federation in Education), with LO Norway and SL (Skolenes Landsforbund) is based on previous contacts and cooperation. Its focus is on OHS Structures at school level, combined with a quite intensive general awareness raising and a well developed and run training programme involving both union members and employers, has resulted in functioning OHS structures in the 200+ schools covered. Training materials have been developed during study visits to Norway and by SL/FSLI in Romania and a national study on work related stress in schools has been done. The Ministry of Education has accredited the OHS training course as a professional vocational education course for public teachers. According to FSLI, this itself is a major achievement and key to the interest and possibility of teachers to attend the course. The high quality input and relevant experience of SL in Norway were seen as instrumental in creating a platform for dialogue and become recognised as a professional organisation, both amongst employers and the affiliate members. FSLI/CSDR has continued, with own funds, to offer the training courses in 2015 and interest is quite high.

The **Estonian Transport and Road Workers Union** project # 113363 has managed to produce and apply a practical handbook on how to negotiate and prepare for CBAs in their sector. This has led to a much improved understanding amongst members (new and existing), even amongst employers of the value and role of having a representative union. Notably, the road workers' union has been able to establish a sector CBA, which is widely recognized and countersigned by the Minister of transport. This carries a lot of weight. The union considers that it has achieved recognition, better working conditions and policy influence due to the project. This is clearly not the general picture in Estonia, however.

### **Gender equality**

The **Trade Union of Food Workers of the Slovak Republic /OZP SR** (Project # 104587) has an informal rule that the majority of trainees should be women due to the high share of women workers in the industry. In fact, two thirds were women on this project. This was one of very rare opportunities for female workers to meet their colleagues from other regions. In a number of the union's CBAs there are now specific provisions for women workers: (no heavy lifts, day off for children on their first day of school etc.) Some of the training interventions also included gender equality, e.g. equal pay for equal work.

**Lewiatan, the Employers' Federation in Poland**, through the "Superwoman in the labour market" project #104520, without a Norwegian partner, has aimed at increasing the participation of women on the labour market and producing a set of recommendations to facilitate a better work-life balance, discussing the role of women in working life and breaking of stereotypes, with the view to encourage women to run for boards of companies and managing positions. A number of practical recommendations were produced and widely discussed, and presented to key decision makers. Some were in fact integrated in the legislation. On the part of the companies and members, however, there were substantial reservations on introducing more flexibility and promoting women executives.

### **10.2.2 Best Practices**

A few overall best practices are presented here.

1. Innovation Norway's administrative management and support to project promoters in implementing their projects, including fast response, easy access and speedy approval of requests for budget re-allocations should be highlighted as exemplary.

2. The professional preparation and execution of study visits to Norway by the Norwegian Partner organisations and Innovation Norway, during which project partners and social partners generally have been able to experience the Nordic Model “live”. This has been underlined as “excellent” by almost every single project promoter that had a Norwegian partner, including a few that did not have one, but where social partners and IN in Norway stepped in to organise the visits.

Some of the cases selected by the RT in this report could be considered as best practices. The following three merit specific mention as they have achieved more than was planned and could have been hoped for.

- **Case G “Decent Work for Social Workers at Municipal Level” in Lithuania** (# 104606)<sup>67</sup>. This joint project, although small in size, has attracted attention to a largely ignored problem of third-party violence against public employees, also creating opportunities and space for SD at municipal level and even attracted national attention.
- **Case F: Lewiatan, the Employers’ Federation in Poland**, “Superwoman in the labour market” project #104520. This project has elevated gender equality to national level and has been able to influence national legislation on maternity leave. The promoter had no Norwegian partner.
- **Case J: Joint project** (# 2012/104522) **“Developing Dialogue Structures in Education”** in Romania between CSDR (National Confederation of Unions) and FSLI (Trade Union Federation in Education), with LO Norway and SL (Skolenes Landsforbund). This project has influenced practices on TPD and achieved a sustainable and accredited training programme for teachers on OHS.

### 10.2.3 Project promoters’ best experience and challenges

The Review team conducted focus group meetings in four countries where this was possible in order to hear from the project promoters what their best experiences from the DWTD were, what capacities they gained, what challenges they were facing and what would be their best suggestions for the future. Some examples and feedback is provided below.

#### *Poland*

Two of the national trade union federations have cooperated as a result of the DWTD.

*“We believe that both our projects were strongly focused on cooperation we learned with each other ... We couldn’t have developed the project without the cooperation from our Norwegian Partners. We were surprised that it went so well. Not only did we learn from them but also they learned from us - surprisingly ! We were considering selecting a metaphor (picture) of “mother- child” but that was not the case. We selected picture of a marriage instead. We have not been protected, we were partners”.*

*“We have seen a shift in perceptions towards a strong belief that we are able to build something similar ...our members were able to identify the obstacles, which was a more constructive approach ...there has been a change to an active and positive attitude. “The Norwegians were not pressuring us to implement their Nordic model - they were just presenting it “.*

#### *Romania*

<sup>67</sup> The project involved four partners: a Lithuanian project promoter (Trade Union for State, Budget and Public Service Employees), the national association of local authorities, KS Norway and Fagforbundet (NUMGE) in Norway

*“We realized that we had a common goal as national institutions – and that we had common interests with the National Association of Municipalities. We were also brought closer to the union through bipartite meetings, and we conducted round table discussions”*

*“The shared experiences with our Norwegian partners were very useful, they helped develop training materials and curriculum. It has been challenging to develop capacity in a context of weak practice and understanding. The training of trainers course was on how to negotiate and communicate, knowing role in parity committees, expressing and convincing employers etc. We now have an online communication portal established”*

*“A Tripartite dialogue meeting was held for the first time ever with our leaders, the employers and the Minister. This was a therapeutic meeting – and the first time we met the minister himself. The issues were put on the table and dealt with directly”*

Our best experience with DWTD projects, using photo cards with metaphors <sup>68</sup>

- *(Smiling faces)*: After our project, we see diversity; all has taken something and won something. Both individual response and also common experience
- *(Lighthouse)*: We were reaching out, there was a beam of light and it created positive reactions. And we provided increased knowledge and information.
- *(Wall of Graffiti)*: We created an image, a multi-coloured puzzle of SD and various experiences were shared. We want to continue filling the blank spaces.

#### *Lithuania*

- The employers’ organisation and our Norwegian partners were also part of the project, contacts were established and for the first time we could discuss openly with employers in Lithuania.
- This was not the purpose of the project, but new leaders have emerged and we keep contacts to them, this is an added benefit.
- From the common activities with municipalities common some solutions were found, also for members and social workers
- The research we did on third party violence has had a major influence on social workers - how our members should cope with the issue
- We realized [Trade Union and Employers’ Federation] that we had quite similar projects, and this allowed both organisations to support regional TPD dialogue and showed that local problems can be resolved through SD
- We realized that SD can be successful if there are conflicts - this is in fact beneficial for social dialogue.
- We had many employers attending our seminar, it was a very good experience

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The RT used a pack of Dialogoole™ photo cards to facilitate creativity and communication in the focus group sessions. The participants chose one card that represented a common experience, challenge or best practice and presented this in the plenary focus group

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### 10.3 Main lessons learned

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1. The reviewed projects under DWTD have in general achieved much more towards the three defined outcomes than what has been reported on, even in some cases policy influence. On the other hand, the underreporting by promoters to IN means that some of the best narratives and good cases are omitted from the reporting system.
2. The DWTD has in some cases provided a first ever opportunity for social partners to meet directly and communicate on social dialogue and working conditions, even in some cases resolving directly common challenges.
3. Experiencing the Nordic Model applied in practice during study visits to Norway has been a very important learning element for many project promoters. In combination with Norwegian partners providing tailored technical input, advice and support to the partners' own processes, communication, training and services have been key elements of adapting the Nordic Model to the specific conditions of partners in their context.
4. Trade unions, employers and governments in the beneficiary countries are generally very receptive to assistance on decent work and social dialogue, and DWTD project promoters have been very enthusiastic about elements of the Nordic Model, especially the openness, trust and direct cooperation between Norwegian social partners.
5. The design of the DWTD programme framework is too ambitious and too undefined, with very general objectives that would better be described as the intended state (effects) of long term development interventions, making it difficult for the programme operator IN to measure progress and achievements.
6. A weak and unsystematic activity-based reporting against an ambitious overall framework with generic indicators at outcome and output level has made it difficult to document achievements.
7. It is difficult to match the broad objectives and outcomes in a programme with dispersed implementation mainly at local level (€ 80-100.000 should be a minimum threshold for future projects).
8. Norwegian trade unions and employers' organisations have extensive international cooperation experience and are an asset in promoting bilateral relations.
9. Managing multi-country complex programmes through a donor country operator (IN, in case) can create considerable goodwill and interest with project promoters in beneficiary countries, and has during the course of the programme been accepted by the recipient governments. However, it is noted that the start was difficult with resistance from national focal points.

## 10.4 Recommendations

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- 1 Even with a higher budget in the future Financial Mechanism than the current € 8.1 million, it would not be effective to continue with the current framework and scope of DWTD. The programme is too fragmented. Consideration should be given to have fewer and larger projects where effects would be more visible and outcomes could be more directly contributed to.

*It is therefore recommended that* the FMO and the NMFA scale down the ambitions and reduce DWTD to fewer, more focused projects to avoid spreading the resources that have little effect. This would reduce administrative costs and increase and concentrate the effects of the programme as a whole.

- 2 In view of the broad objectives and outcomes of DWTD, its overall effects are very dissipated and difficult to observe. In order to achieve complementary and related effects, the programme should reduce the scope to two-three thematic areas.

*It is recommended that* these thematic areas should be focused where they are likely to have the largest consolidated effects. Therefore, the DWTD should be more sharply focused by limiting the scope of projects and at the same time raising the minimum grant level to € 80-100.000. It is noted that there were seven general thematic areas in the 2012 Calls for Proposals, making the scope very broad, with the grant thresholds as low as € 5.000, which would render very limited effects.

*Focused thematic areas could for example be:*

- a.** Joint projects involving direct cooperation between unions and public or private employers' organisations
- b.** Projects integrating or improving elements of ILO's Decent Work agenda into social and tripartite dialogue.

Under b) the following areas could be favoured in particular

- Promoting and enhancing Occupational Health and Safety (OHS) or Health, Safety and Environment (HSE) in the workplace, as this is often a "neutral", non-conflictual area
- Similarly, promoting Gender equality at the workplace and in the management or boards of enterprises and/or authorities
- Promoting and enhancing measures to improve Youth Employment, General Employment and Social Protection
- c.** Development of policy proposals, legal proposals or other positions by social partners in seeking influence on tripartite social dialogue platforms (commissions or councils) or other policy making bodies

- 3 *It is recommended that* each CfP be adapted to the national contexts, rather than using one quite general Call for Proposals (CfP) with a long list of possible initiatives. A closer dialogue with key social partners and government in the preparation phase should ensure higher relevance. It should also be considered to have limited, closed invitations to social partners, to avoid too many CfPs.

- 4 To ensure greater complementarity with substantial support to social partners via ESF, *it is recommended that* the national authorities be better involved and consulted in the preparatory process, and screening of applications should take into account the specific measures supported under ESF. This was not possible during DWTD 2011-14.

The policy making and responsible national authorities have not ensured sufficient policy coherence in all countries.

- 5 In order to further qualify a future DWTD II Results Framework and its secondary and process indicators, *it is recommended that* the selected programme operator carry out a baseline study in the key beneficiary countries during the first two months of the programme. This would enable the programme operator to monitor the future programme framework. This baseline should look specifically at established SD and TPD structures and platforms in each country, at social partners' capacity to develop policy inputs and contributions to social and policy dialogue, and at the capacity building measures and support from the ESF to the social partners. The country reports in Annex 4 and 6 could provide a good starting point.
- 6 Joint applications by project promoters (including Norwegian partners) should be encouraged, as this gives better and deeper levels of concrete cooperation and transfer of experience, higher efficiency and potentially better results. The size of grants for such projects should also be increased, reflecting costs of involving several organisations and economies of scale.
- 7 More Norwegian partners should be encouraged to participate, to the extent possible and given their own assessment of available resources. This is likely to lead to improved project and programme results, and strengthen bilateral relations further. It has proven especially difficult for national promoters to find Norwegian partners where there is no IN office.
- 8 *It is recommended that* the proposed draft DWTD II Results Framework (in Annex 6) be further developed by the FMO and the chosen Programme Operator for phase II of the programme, in close consultation with the ILO regional office and a group of partners from beneficiary countries, to ensure a broader ownership and enhanced understanding of the programme logic and overall coherence.

*Annex 1: DWTD Programme Results Framework against reported results/activities**(Based on IN's Programme Proposal, July 2011) Note: Columns 1-2-3 are from IN's Programme Proposal<sup>69</sup>*

1. Description	2. Indicator	3. B: Baseline T: Target	4. Reported 2014 (IN's annual report)	5. Review Team's Notes
<b>Outcome 1:</b> Improved Social Dialogue and Tripartite Dialogue structures and practices	Social partners initiate new ways of communicating on these issues	B: Present communication patterns between social partners T: Improved communication engendering joint problem-solving at local, sectoral and national level	111 social dialogue bodies established "The reporting from promoters fully document that in almost all projects (...) innovative communication channels have been established. If this will be a sustainable achievement is not possible to state at this time"	The report does not document how "innovative communication channels" are established
Output 1.1 Mutual Understanding of the benefits of dialogue and how it affects communication patterns at a national, sectoral and enterprise level	SD at national level, sector level, enterprise level Workers' representation at enterprises level	B: State of the art at start of projects T: Improvements compared w Baseline	No. of researches and analysis conducted- 61 No. of people interviewed/involved in the research- 11 482 No. of workshops/trainings performed- 278 No. of persons participated in workshops/trainings- 7 672 No. of web portals developed- 25 No. of copies distributed (training material/guidebooks/leaflets)- 50 791 No. of news/items announced in media- 396 No. of round tables performed- 107 No. of signed agreements- 51 No. of study visits to Norway- 19 No. of study visits from Norway- 4	The reporting is against an area called "Improved Tripartite Relations" an is not linked to the output or indicator, but more likely to the overall outcome
Output 1.2 Political and media discussion in	Increased awareness in applicant organisations of the need to	B: State of the art at start of projects	No. of researches and analysis conducted- 59	The reporting is against an area called

<sup>69</sup> The Results Framework in IN's Programme Proposal is different from the official approved programme implementation agreement: Outcome 3 is defined as : Strengthening bilateral relations between Norway and Beneficiary States.

1. Description	2. Indicator	3. B: Baseline T: Target	4. Reported 2014 (IN's annual report)	5. Review Team's Notes
beneficiary states on main issues in PA 22	continually work on these issues	T: Improvements compared w Baseline	No. of people interviewed/involved in the research- 7 447 No. of workshops/trainings performed- 269 No. of persons participated in workshops/trainings- 10 571 No. of web portals developed- 21 No. of copies distributed (training material/guidebooks/leaflets)- 48 329 No. of news/items announced in media- 405 No. of round tables performed- 50 No. of signed agreements- 27 No. of study visits to Norway- 26 No. of study visits from Norway- 28	"Experience and best practices exchange in Social/Tripartite Dialogue" and is not linked to the output or indicator, but more likely to the overall outcome
<b>Outcome 2:</b> Improved practices and structures that benefit Decent Working conditions	Broader understanding of DW agenda	B: ILO DW Country Programmes T: National progress when implementing DWCPs and in realising similar EU targets	54 - number of identified best practices "Outcome 2 results are number of identified best practices. This outcome indicator including number of round table performed as well as number of signed agreements. Indicator is based on implemented new legislation and potential for influencing new/changing national laws in the future"	Indicators are not reported on Potential and very relevant policy influence on national legislation that needs to be verified during the review
Output 2.1 Improve(d) mutual understanding of factors contributing to a better work life	A broader understanding of issues related to ILO's DW agenda (workers rights, social dialogue and social protection)	B: State of the art at start of projects T: Improvements compared w Baseline	No. of researches and analysis conducted- 22 No. of people interviewed/involved in the research- 1 440 No. of workshops/trainings performed- 79 No. of persons participated in	The reporting is against an area called "Raised awareness and enhanced understanding on Decent Work issues" Activities are not linked to output or indicators



1. Description	2. Indicator	3. B: Baseline T: Target	4. Reported 2014 (IN's annual report)	5. Review Team's Notes
			workshops/trainings- 2 113 No. of web portals developed- 13 No. of copies distributed (training material/guidebooks/leaflets)- 8 820 No. of news/items announced in media- 651 No. of round tables performed- 15 No. of signed agreements- 13 No. of study visits to Norway- 10 No. of study visits from Norway- 10	
Output 2.2 To Increase the organisations' capacity to systematically work on such issues	(...) Changes in the organisations' work plans that contribute to an operationalized DW agenda	B: Non-compliance with health and safety regulations and the number of work place accidents in 2009 T: Improvements compared w 2009	No. of researches and analysis conducted- 14 No. of people interviewed/involved in the research- 1 277 No. of workshops/trainings performed- 82 No. of persons participated in workshops/trainings- 2 505 No. of web portals developed- 11 No. of copies distributed (training material/guidebooks/leaflets)- 14 358 No. of news/items announced in media- 174 No. of round tables performed- 16 No. of signed agreements- 6 No. of study visits to Norway- 5 No. of study visits from Norway- 0	The reporting is against an area called "Capacity building on Decent Work issues" Activities are not linked to output or indicators

1. Description	2. Indicator	3. B: Baseline T: Target	4. Reported 2014 (IN's annual report)	5. Review Team's Notes
<b>Outcome 3:</b> Strengthening bilateral relations between Norway and the Beneficiary States (in IN's proposal: Transfer of Norwegian Experience of relevance for beneficiary states)	Mutual interest in beneficiary and donor states for collaborating in certain areas that form part of social and tripartite dialogue	B: Existing social partner cooperation between donor and beneficiary states T: Increased formal and non-formal cooperation between donor and beneficiary states	32 - number of project partnership agreements in beneficiary civil society	Difficult too see the link between reporting and the indicator This outcome is not elaborated in the annual report
Output 3.1 Interest in both beneficiary and donor states for setting up partnership projects in areas in need of improved Social Dialogue	Partners in beneficiary states include Norwegian projects in joint partnership projects	B: Existing social partner cooperation between donor and beneficiary states T: Improvements compared w Baseline	Number of project partnership agreements in beneficiary civil society- 32 Number of women involved in exchange visits between beneficiary and donor states- 296 Number of men involved in exchange visits between beneficiary and donor states- 535	The reporting is against an area called "Improved Bilateral Relations" Activities are not linked to output or indicators
Output 3.2 Experiences of relevance for social partners in beneficiary states are identified through joint discussions	Partnership projects are set up with work programmes outlining contribution from social partners in donor states and the areas of intervention in the beneficiary states	B: State of the art at start of projects T: A steady increase in partnerships during the programme period		

## **Annex 2      Analysis of on-line survey**

### **1      Introduction and Methodology**

As a part of the Decent Work and Tripartite Dialogue (DWTD) programme review, the online survey has been designed and carried out to provide quantitative and qualitative data focused on the questions of relevance, effectiveness, sustainability and participation. The overall purpose of survey part of the review was to provide better understating of:

- 1) Achievements towards strengthening bilateral relations
- 2) Facilitating factors, bottlenecks and challenges in implementation of the programme
- 3) Any unintended effects in programme implementation
- 4) Lessons learned and project promoters' recommendations for improving the programme in the next financial mechanism,

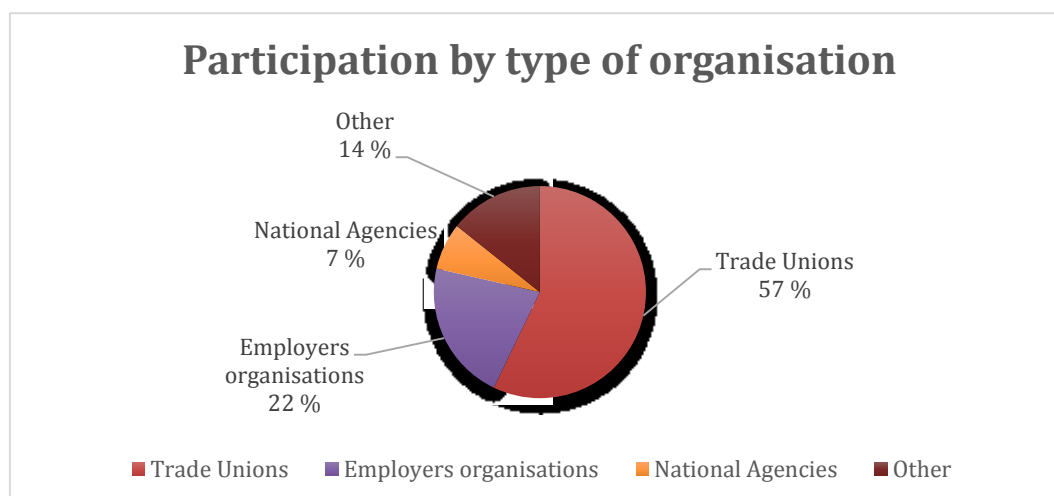
With these objectives in mind, the questionnaire was structured into 7 sections: Application Process, Cooperation with Innovation Norway, Reporting, Limiting or facilitating factors, Overall relevance and effectiveness, Bilateral cooperation, Sustainability and the future. (The questions are included in Annex 7). The survey sought to focus on measuring respondents' perception of programmes relevance and effectiveness as well as the extent of bilateral relations strengthening. Overall, 45 questions were asked with the use of various surveying techniques: multiple choice questions, open questions, matrix/matrix scale questions.

### **2      Profile of respondents**

The online survey was sent out on the June 15<sup>th</sup> 2015 to all 52 DWTD project promoters in 13 beneficiary countries. The questionnaire was closed on the July 6<sup>th</sup> 2015. During this time, 45 responses has been received, which accounts for the response rate of 86 %,being considered as high. Out of 45 responses, 1 respondent has not given any valid responses and one organization - provided two questionnaires with two varying responses. Only the first response provided from this organisation was taken into consideration in this analysis.

The survey collected background information on all respondents: data on their nationality, type of organization, country of origin, contact details and partnership with the Norwegian Partners. Out of the 43 that responded, 25 represented Trade Unions (57%), 9 represented Employers organizations (22 %), there were 3 National Agencies (7%) and 9 respondents were from other types of organizations including: city councils and associations of cities. Additionally, the majority (66 %) of projects has been implemented with Norwegian Partners and the questions related to aspects of bilateral relations have been answered directly to this group of respondents.

Most of the responses came from Poland (29 %), which reflects the fact that Poland is the largest beneficiary of the DWTD programme with 11 projects implemented and € 3.112.000 of grant approved (38 % of a total DWTD programme allocation). The second biggest group of respondents came from Slovakia (11 %) followed by Lithuania and Romania (10 % each).



It is noted that, there was no feedback received from Cyprus and Malta. Both countries were implementing only one project each with relatively minor budgets: € 38.700 and € 15.760 respectively.

### 3 Summary of Key Findings

- The majority of respondents as well as the majority of DWTD grant recipients were trade unions and employees' associations, which also corresponds to the respondents' view expressed in the survey, that the support to social dialogue should be primarily channelled towards strengthening the position of trade unions in the beneficiary countries.
- The survey participation per country reflected grant distribution: with Poland as the largest recipient country and Malta and Cyprus as the smallest ones.
- The majority of respondents (86%) declared that they have changed their understanding of the Nordic Model of social dialogue through their participation in the DWTD programme. The elements of the Nordic Model that were interpreted as the most fundamental were: involvement of all parties in a social dialogue, values built on mutual trust and respect and good practice of collective bargaining.
- A vast majority of questioned project promoters (92%) considered the Nordic Model adaptable to their own country context, however almost all responders share the pessimism related to the process of implementation of "Norwegian solutions" in their countries and underscored the weak position of trade unions, political and economic situation as well as weak negotiation practice as the main limiting factors.
- Most of the project promoters perceived the Nordic Model of social dialogue in contrast to the social dialogue in their own country. The Nordic Model was described as "more developed", "dialogue based", "more effective as opposed to the "less developed", "ineffective due to weak position of social partners" and "vulnerable to political instabilities" social dialogue in the recipient countries.
- In terms of DWTD programme's complementarity with other Social and Tripartite Dialogue programmes at international level, most of the respondents (32 %) declared that their organization is not receiving any other form of support. providing support to social dialogue, European Social Fund was providing support to 22 % of respondents' organisations participating in the DWTD. The DWTD programme was however considered to be complementary to ESF support, as it focused on

strengthening bilateral relations with Norwegian social partners, which are not covered by the ESF.

- The most visible effects of DWTD programme at a general level were found to be: strengthened capacity to develop further sectoral social dialogue; know-how and exchange of best practices were considered as, more tangible outcomes have been achieved such as signed Memoranda of Understanding between the partners, new policies developed, training materials and training curricula developed, trade unions guides on collective bargaining and manuals for trade union leaders drafted.
- Unintended effects of the project's implementation were experienced by 36 % of respondents and they were considered positive in almost 100 % of cases.
- Apart from achieving bilateral results at micro level such as strengthening capacity of organisations through exchange of experience and know-how and improving the participants' awareness of social dialogue, more tangible bilateral results have been mentioned such as joint initiatives, e.g. development of a comparative study on social dialogue in Norway and Romania, development and translation of the guide on the Norwegian collective bargaining system in Poland.
- The cooperation with Innovation Norway (IN) has been rated as satisfactory or very satisfactory by the majority of project promoters. IN as a Programme Operator was described as efficient, flexible, easy to contact and non bureaucratic. Some of the respondents contrasted this to a rather negative image of National Focal Points, referring to the NFP as "non flexible and non responsive".
- The outcomes of the DWTD projects were highly dependent on the political situation in each country. Political instability, lack of interest of politicians and decision makers in the social dialogue, lack of involvement of social partners in SD; constantly changing political orientations, were most often described as the limiting external factors. By contrast, active participation of social partners (employers' organizations, trade unions confederations, etc.) were considered to be facilitating factors.
- In most of cases, the respondents considered that the results achieved could be replicated in the future and could be repeated in another organization.
- For future DWTD programme, responses suggested that the results could be sustained by continuing capacity building activities (training, online e-learning platforms), incorporating impact assessments in a tripartite dialogue process, enhancing programme visibility, extending budget to enable implementation of more complex interventions (procurement of equipment); broadening the geographical scope.

#### **4 Overall relevance and effectiveness**

The overall purpose of this section of the questionnaire was to assess the level of project promoters' understanding of the concept – the Nordic Model of social dialogue as well as provide a better comprehension of respondents' views on how relevant the projects objectives were and what results has been achieved. Additionally, the questionnaire examined respondents' opinions on DWTD's complementarity with other funds supporting social dialogue in their respective countries.

When asked whether their understanding of the Nordic Model has changed as a result of participation in the DWTP programme, a great majority of project promoters has confirmed this (88%) and only one respondent replied "no".

Has your team's understanding of the Nordic Model of social dialogue changed by your participation in the Decent Work and Tripartite Dialogue programme?		
Answer Options	Response Percent	Response Count
Yes	87.5%	35
No	2.5%	1
Don't know	10.0%	4
<b>answered question</b>		<b>40</b>

In their detailed comments on how their understanding of Nordic Model has changed throughout the project duration, most of the respondents focused on knowledge exchange, sharing of good practices and study visits to Norway as the elements that enhanced their understanding of Nordic social dialogue. Most typical answers highlighted particular elements of Nordic Model such as:

### Response examples

**Involvement of all parties :** *"We better understood the mechanism by which the Nordic Model functions, the advantages of such model for all parties involved, the cultural background which makes it possible, as well as practical transferable experiences."*

**Values built on mutual respect and trust:** *"We have managed to learn several important things. The model of social cooperation is based not only on the skills and knowledge but also on values that are shared in the society and in the group. The building of trust and real effective interaction requires time and very good group leadership skills. The orientation on result rather than process is limiting the possible outcome. Social dialogue is possible in many different environments and is not limited to labour relations. Norway is important example of good governance practices in public sector and innovative solutions to modern challenges of public sector."*

**Practice of collective bargaining:** *"We learned details of the model, system of bargaining, system of problem solving, relations between different levels: general, company and sector agreements, collective bargaining in private sector, in companies and local collective agreements"*

92 % of surveyed project promoters considered that elements of the Nordic Model could be applied in their own country. Respondents paid special attention to the structured form of social dialogue and industry-wide framework collective agreement as well as collective agreements at the national level as the adaptable elements of the Nordic Model. Nevertheless, there was also quite noticeable sentiment of pessimism emerging from the responds. A few indicated the *"there is long way to go"* and implementation of Nordic Model of social dialogue in their country context might be hindered by the weak negotiation practice, political and economic situation, that needs to be improved and weakening position of national trade unions:

*"In my opinion elements of the Nordic Model should be applied in Poland. Social dialogue in recent years has been broken because opinions of the trade unions on important social issues were ignored by the other participants in the dialogue."*

How the respondents understood the difference between the “Nordic Model” and already existing social dialogue in their countries, was quite well reflected in the survey. The respondents were referring to the Nordic Model as “more cooperation friendly”, “dialogue based”, “with long tradition”, “more effective in defending employees’ rights”. At the same time, they perceived the SD in their own country as “much less developed”, “non existing (for example in port sector in Estonia)”, “with weak position of trade unions and ineffective tripartite commissions”, “weak due to the lack of social capital”. The most interesting answers have been filtered and gathered below:

*“In Estonia, social dialogue in our sector was non-existent. With the project, we have made first steps to open the road for developing dialogue, organised to empower workers, encouraged more cooperative employers to accept workers rights to organise and negotiate collectively, and fought back aggressive-abusive practices.”*

*“The Norwegian model seems to be more effective in the field of defending employees’ interest. In Norway all the important socio-economic decisions reflecting job market conditions are taken in the social dialogue – including government, unions, local governments, political parties. Each party has to accept the new regulations. In Poland such decisions are mostly taken by the government. The Norwegian model, in contrast to the Polish one, provides union participation at the higher level.”*

*“The main difference is historical - the bargaining power of the dialogue partners is equal or similar. The situation in our country is different - the power of trade unions is limited. The dialogue in this context requires many efforts to make it a ‘real thing’. Main challenge is to develop skills of leaders that can be good partners in the dialogue.”*

*“The social dialogue in Poland has been suspended for the last three years, there is no sense of partnership”*

*“People think different, they want to make change, they see usefulness of the social dialogue, meanwhile in my country people are afraid of changes, they are not taught to think in long term and only ‘now’ is important for most of Latvians sitting in government or working anywhere else”.*

*“In Hungary there is no real tripartite social dialogue since ..... the National Reconciliation Council (OÉT) was dismantled in 2010.”*

Measuring the outcomes of DWTD programme, project promoters perceived the most visible effects on their own organization to be:

- strengthened capacity to develop further sectoral social dialogue (for example improved skills in practical aspects of collective bargaining among TU leaders
- increase in the awareness of social dialogue among affiliates and increase of knowledge on best practices,

Some mentioned also more tangible political effects such as:

*“Signed agreement with the Latvian Builders association, developed cooperation and social dialogue”.*

*“Anti-mobbing policy, e-learning platform, documents funding the tripartite dialogue in the Warsaw City Hall”*

*“Development of Polish Municipal Employment Monitor Report”*

#### 4.1 Unintended effects

Has the project had any unintended effects?		
Answer Options	Response Percentage	Response Count
Yes	37.84%	14
No	43.24%	16
Don't know	18.92%	7
<b>answered question</b>		<b>37</b>

Of the 38% of respondents answering that there were unintended effects, almost all (92%) found these were positive only. No further answers were given to elucidate this.

## 5 Alignment and complementarity

The survey aimed also to measure the DWTD programme's complementarity with the other social and tripartite Dialogue programmes at international level. Overall, the organizations in question were mostly supported by the EU Social Fund, while the majority of respondents (32.5 %) declared that their organisation did not receive any other support to development of social and tripartite dialogue.

Has your organisation already been supported in other Social and Tripartite Dialogue programmes at international level either before or during the DWTD programme? Please specify:		
Answer Options	Response Percent	Response Count
EU's Social Fund	22.5%	9
Direct participation in European Social Dialogue Organisations (BusinessEurope, UEPME, ETUC)?	5.0%	2
EU Sector Social dialogue Committees, or Sector Employers' or Trade union Organisations?	17.5%	1
Through national centre or national confederation/organisation?	2.5%	1
ILO - the International Labour Organisation	7.5%	3
Don't know	12.5%	5
None	32.5%	13

When asked about the links between DWTD programme and the other Social and Tripartite Dialogue support, the respondents mentioned that DWTD programme enhanced the bilateral cooperation between their own and Norwegian organizations, that would not be possible in the framework of European Social Dialogue projects.



## 6 Bilateral cooperation

The questions related to bilateral relations has been directed only to the 66 % of the respondents that implemented their projects in partnership with the Norwegian organisations. Several Norwegian Partners were participating in more than one project, which was considered beneficial by a vast majority of respondents. Project promoters valued the aspects of exchange of experience and networking between various organizations involved in DWTD programme. Besides, more general results achieved at macro level such as strengthening the organizations' capacity and improving understanding of social dialogue and Nordic Model, most respondents focused on more concrete outcomes at the micro level such as for example jointly developing a comparative study on the social dialogue in Norway and Romania, developing training curricula and training materials, working together on a translated guide on the collective bargaining system in Norway. However, study visits in Norway, round tables and organized meetings between project promoters and their Norwegian Partners, were most often perceived as a way of enhancing mutual bilateral relations.

The impression was that the majority of project partners have valued having a Norwegian Partner very highly. Some respondents found having Norwegian partner to be a main condition of project success. The typical responses highlighted:

*"We believe that without involvement of a Norwegian partner the results of the project could not be achieved"*

*"Having Norwegian partner is crucial"*

At the level of bilateral relations, increased cooperation with a Norwegian partner was considered to be the most visible result by the majority of respondents. One respondent noted that the strengthened bilateral cooperation resulted in signing of a Memorandum of Understanding with their Norwegian counterpart.

According to 36 % of respondents, their project had some unintended effects; however, all of these declared that the effects were positive. 95 % of the respondents considered the project budget to be adequate.

### 6.1 Cooperation with Innovation Norway

The survey included questions regarding the cooperation between the project promoters and the programme operator – Innovation Norway. The efficiency and accessibility of Innovation Norway's staff was rated very highly by a vast majority of respondents.

To what extent do you agree with the following statements? (strongly agree, agree, neither agree nor disagree, disagree, strongly disagree)

Answer Options	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Rating Average	Response Count
Innovation Norway was easy (accessible) to get in contact with	32	6	2	0	0	1.25	40
Innovation Norway was quick to respond to my questions and concerns. (e.g. for project modifications, changes in budget,	31	6	2	1	0	1.33	40

questions about the reporting and indicators etc.)							
To what extent do you agree with the following statements? (strongly agree, agree, neither agree nor disagree, disagree, strongly disagree)							
Answer Options	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Rating Average	Response Count
Innovation Norway provided clear guidelines and clarifications during preparation of the application /proposal	20	14	4	2	0	1.70	40
Innovation Norway provided assistance in identifying a Norwegian Partner	7	6	23	1	0	2.49	37
The templates provided by Innovation Norway were clear and appropriate	15	18	5	2	0	1.85	40
Innovation Norway provided sufficient information and guidance about administrative requirements	21	13	4	2	0	1.68	40
answered questions							40

87 % of respondents stated that IN was managing the programme “extremely well” and “very well,” 10 % agreed that IN managed the programme moderately well, and only 2,5 % replied “slightly well “.

The positive image of IN was widely spread out in the comments. The respondents who answered this optional question, described their cooperation with IN as easy, efficient, constructive and non bureaucratic. Some of the typical comments included:

*“The cooperation with Innovation was easy and operative from the project planning, till the final reporting period.”*

*“Cooperation with the Innovation Norway was very fruitful. They were very open to communication and replied extremely fast to our questions. Overall this cooperation was very positive. And we are looking forward for the next call of proposals, to participate in the future projects.”*

*“Our cooperation with Innovation Norway was perfect, they were extremely helpful and explained every question very clearly.”*

*“We had a very good, constructive collaboration with Innovation Norway, we appreciated*

*the accent IN put in creating quality relationships with the beneficiaries and the solution oriented, prompt support provided, especially the non-bureaucratic orientation”*

In some of the comments related to programme management this overall positive picture of the IN appears to be contrasted with their image of the National Focal Points. Few responded pointed out that NFPs were less responsive and less flexible.

*“While applying we encountered some difficulties in contact with the National Contact Point, the information flow wasn’t clear enough. Then, similar difficulties appeared at the implementation stage, when we found hard contact with the representatives of the NFP.”*

*“Comparing to the cooperation with the National and European Focal Points the work with IN was easier and more flexible”*

*“For me as project manager it was quicker and easier to contact with IN instead of contacting and communication with our NFP”.*

## 7 Reporting

The survey questions also covered the respondents’ opinion on reporting requirements. There was quite broad consensus among the respondents that the reporting requirements were: clear and well explained (90 % either strongly agree or agree); and adequate (82%), whereas 35 % of surveyed project promoters found the reporting requirements demanding. 87 % stated that IN provided feedback to the report and in the majority of cases the feedback was clear and received in timely manner. A Single project promoter declared *“Innovation Norway did not give us a feedback about the report. Although the reports and expenses usually got accepted, we just received the next tranche with no information on the report”.*

## 8 Limiting or facilitating factors

In order to get a better understanding of facilitating factors, bottlenecks and challenges in implementation of the programme, the survey included a question on the assessment of external factors and actors that may have influenced or contributed to its direct results or its wider effects.

**In implementing your project, how would you assess external factors and actors that may have influenced or contributed to its direct results or its wider effects (e.g. at national or sector level). Please indicate also if these factors have been limiting? Please select one or more options and give a brief explanation:**

Answer Options	Response Percent	Response Count
Economic performance of enterprises, available public budget:	5.7%	2
Political situation - e.g. support, resistance or interference from government, changes in policies or legislation	48.6%	17
Involvement or lack of involvement of other social partners	51.4%	18
Establishment of tripartite or bipartite social dialogue platforms/committees	37.1%	13
Interest by your members or affiliates in the project activities	60.0%	21
Please give brief explanation and indicate if these factors have been limiting?		23
<b>answered question</b>		<b>35</b>

Around half of the respondents mentioned a political situation and involvement or lack of involvement of social partners as the most influential factors.

The opinion that DWTD's programme implementation was highly dependent on the political context was very common among the respondents. The typical comments can be grouped as follows:

External factor	Limiting	Facilitating	Example of response
Socio economic situation			N/a
Political situation – e.g. support, resistance or interference from government, changes in policies or legislation	x		<i>The implementation of the project was delayed several months following the changes caused by institutional reorganization. Following the Government Decision no. 1/04.01.2013, the XXX ceased to be subordinated to Ministry of Administration and Interior and became subordinated to the Ministry of Regional Development and Public Administration.</i>
	x		<i>The Government had been changed 3 times during our project. Part of its successes / 18 amendments in Mol's Act had been rejected from the new Government/. We discussed those problems with IN's team and some actions have been taken – most of them related with involvement of the citizens and NGO. Thus allowed a part of negative effect to be avoided. The unstable political situation will be the greatest challenge in future as well, because it accumulate insecurity in police officers about their social rights and is the main reason causing occupational stress.</i>
	X		<i>Tripartite dialogue in Poland has been suspended by the political parties – for political reasons</i>
	x		<i>Political situation was not very stabile. This influenced attitudes to the Czech pension reform which was a topic of our project. Members of our project team participate in tripartite platforms where they transferred Norwegian experience with pension system and results from our 100. A lot of bipartite meetings taken place in members companies. Representatives of these companies informed social partners on their attitudes to prepare their employees for extending the age of retirement</i>
Involvement or lack of involvement of other social partners	x		<i>Port enterprises were not interested to participate in the project and they did not want to see trade union. They saw no benefit in enterprise social dialogue and were cautious of potential union interference, as they called it. The resistance and anti-union messaging made difficult to secure workers participation in planned activities. Union</i>

			<i>activists were under close monitoring and many of their co-workers were shied away.</i>
	X		<i>It wasn't easy to find a 101 suitable partnership to build a tripartite dialogue in the structure of the city of Warsaw</i>
	x	x	<i>The external factors that affected the project implementation were involvement of social partners. The employers' organization actively participated in project activities in sectoral level. But in national level – the government, was less active to participate in project activities and less active in cooperation in general. Since the implementation of the project was the "platform" for cooperation with the social partners, they had to cooperate and develop social dialogue. Which turned out to be very positive.</i>
		X	<i>Our project had a support from our Social affairs and Labour ministry, that made easier to facilitate project activities</i>
Establishment of tripartite or bipartite social dialogue platforms/committees			<i>In Poland only around 16% workers are member of trade unions. Among employers' associations are also not very popular – it is even difficult to find statistics in this area. In June 2013 institutionalized – macro level tripartite social dialogue in Poland has been suspended due to trade union's refusal to participate in the meetings. As a consequence, it has affected also regional dialogue committees (WKDS), whose meetings are held but without one party it has lost its meaning. This situation shows that the model of tripartite dialogue in Poland should evolve, be modified and updated to meet the demands of current socio-economic circumstances as well as expectations of all the three parties</i>
	x		<i>In Hungary there is no real tripartite social dialogue since the Orbán-government demolished the National Reconciliation Council (OÉT) in 2010.</i>
Other: social, cultural	x		<i>Language - union members and activists in ports are mainly Russian speaking, direct contacts with Norwegian colleagues were limited due activists' lack of English skills</i>

There was an overrepresentation of the comments related to the influence of political situation and lack of involvement of social dialogue partners. Most of the project promoters interviewed believed that unstable political climate, changing governments, and lack of interest in promotion of social dialogue at the politicians' side were most visible external limitations. One respondent mentioned lack of national TU activists' language capacity as a major hindrance in project implementation.

## 9 Sustainability and the future

To obtain a measure of DWTG programme's sustainability, the respondents were asked whether the results achieved could be replicated in the future in their own as well as in other organizations. More than two thirds agreed that the results could be replicated. Also, great majority (70 %) were positive about sustainability of projects results, stating that their organization would be able to continue with some of the activities that were part of the project on their own without EEA/ Norway Grants funding.

When asked about their ideas for a potential future DWTG programme, respondents came up with some interesting suggestions. Below we have selected and grouped most relevant ones:

<b>Capacity building seminars online training modules, e-learning courses</b>	<p><i>"Public institutions and authorities could replicate the trainings (we trained a trainer of trainers in the 5 pilot counties beneficiaries in the project which could be able to provide further training to institutions in the county using the training materials developed), they could also ask XXX for training in this area (XXX introduced this subject in its training offer), they could extend the networking created, or could create other networks, make exchanges of good practices, round tables, discuss with beneficiaries etc."</i></p> <p><i>"Other unions and employers' organisations as well could use the tools developed during the project and accessible in the website, like the e-learning course or handbook, newsletters with professional content."</i></p>
<b>Impact assessments</b>	<i>"National Union of Employers of ZZ intends to incorporate the impact assessment process into the tripartite dialogue"</i>
<b>Visibility, media campaigns , story telling</b>	<p><i>"The photos used to poster campaign about the workers of the different professions."</i></p> <p><i>"Decent work concept need to be introduced more widely, especially in vulnerable groups of workers/communities. Stories - both positive and negative examples need to be filmed (short clips) to encourage workers organizing, hold up legal protection"</i></p> <p><i>"The visibility of the Norwegian programme is necessary to effectively promote the concept of partnership between the municipal authorities and employees represented by labour union"</i></p>
<b>Extended financing</b>	<i>"Extended financing for the next period, to allow more complex projects. We would appreciate inclusion in the programme of a larger percentage of eligible expenses for procuring equipment. QQ had problems due to outworn equipment, which was partially resolved by procuring some equipment by project). The extension of this benefit to team implementing EEA and Norway Grants would increase the motivation of team members"</i>
<b>Broaden geographical scope</b>	<i>"In case of some projects it would be good to continue the same work, activities to broaden the geographical scope of the already finished project."</i>

To sum up the analysis of survey results, the below testimony from one of the respondents, gives a good general impression of the project promoters' overall assessment of the DWTD programme:

*"The DWTD programme can be considered as a success also from the point of view that a big mass of people got information on the Nordic countries and Nordic Model."*

### *Annex 3*      *List of persons interviewed*

#### **Brussels**

Trine Eriksen	Senior Evaluation and Reporting Officer	FMO EEA and Norway Grants
Alex Stimpson	Head of Results and Evaluation Unit	FMO EEA and Norway Grants
Herdis Bjørnevik Svendsen,	Senior Sector Officer for Decent Work and Tripartite Dialogue	FMO, EEA and Norway Grants.
Stefan Clauwaert	Senior Research Officer	ETUI/ ETUC
Guillaume Cravero	Senior Advisor Social Affairs Department	Business Europe
Magdalena Bober	Senior Advisor Social Affairs Department	Business Europe

#### **Oslo**

Knut Ringstad	Programme Manager, DWTD	Innovation Norway (IN)
Victor Sultanov	Communication and Information Coordinator, DWTD	Innovation Norway
Leif Erling Helland	National secretary	Norwegian Civil Service Union. (NTL)
Arild Eikeland	National Secretary	Norwegian United Federation of Trade Unions (Fellesforbundet)
Gunda Kvam	Programme Officer	Ministry of Labour and Social Affairs (ASD)
Hans-Øyvind Nilsen	Adviser, International Department	Norwegian Confederation of Trade Unions (LO)
Ole-Kristian Paulsen	Management Secretariat	Industri Energi Trade Union
Liss Schanke	Special Adviser	Norwegian Association of Local and Regional Authorities (KS)
Lars Holmer Hoven	Adviser, International Department	UNIO Trade Union
Henrik Munthe	Negotiator	Confederation of Norwegian Enterprises (NHO)
Anne Grimsrud	Programme Adviser	Norwegian Union of Municipal and General Employees (Fagforbundet)
Signe Engli	Programme Officer, East and Central Europe	Ministry of Foreign Affairs



**ILO Regional Office, Budapest (by telephone)**

Antonio Graziosi, Director

Agnes Fazekas

Anna Farkas

**Estonia**

Mr Jaan Hendrik Toomel, Secretary General	Estonian Transport Workers' Union
Mr Peep Peterson, President	EAKL, Trade Union Confederation (Skype interview)
Ms Ülle Lobjakas, NFP	Ministry of Finance
Kalle Liivamägi, Secretary General	ROTAL
Ms Evelin Tomlinson, Project Coordinator -	Estonian Seamen's Union, ESMA (in ITF, London – Skype Interview)
Mr Jüri Lember, Secretary General Mr. Hannes Roosar, Organizing Secretary Mr. Aleksandr NN, organizer	Estonian Seamen's Association (ESMA)

**Slovakia**

Ms Ľubica Emmerová	National Focal Point	Office of the Government of Slovak Republic, Department of EEA and Norway Grants
Ms Martina Širhállová	Project Manager	Federation of Employers' Associations of the Slovak Republic (Asociácia zamestnávateľských zväzov a združení SR, AZZZ SR)
Ms Rannveig Skofteland	Deputy Head of Mission	Royal Norwegian Embassy, Slovakia
Ms Eva Gašperanová	Adviser, EEA and Norway Grants	Royal Norwegian Embassy, Slovakia
Mr Pavel Ondek	President	Trade Union of Workers in Education and Science of Slovakia (Odborový zväz pracovníkov školstva a vedy na Slovensku, OZPŠaV)
Dr Eva Klikáčová	Adviser, education project	Trade Union of Workers in Education and Science of Slovakia (Odborový zväz pracovníkov školstva a vedy na Slovensku, OZPŠaV)
Mr Juraj Stodolovský	Head of the Trade Union Office	Trade Union of Workers in Education and Science of Slovakia (Odborový zväz pracovníkov školstva a vedy na Slovensku, OZPŠaV)
Mr Ivan Šóš	Head of regional union office for Bratislava/Nitra/Trnava region, coordinator of the previous project funded from Norway grants	Trade Union of Workers in Education and Science of Slovakia (Odborový zväz pracovníkov školstva a vedy na Slovensku, OZPŠaV)
Ms Tatiana Koperová	Finance/accounting	Trade Union of Workers in Education and Science of Slovakia (Odborový zväz pracovníkov školstva a vedy na

		Slovensku, OZPŠaV)
Mr Ján Oravec	President	Entrepreneurs' Association of Slovakia (Združenie podnikateľov Slovenska, ZPS)
Ms Ivona Holzerová	Adviser	Entrepreneurs' Association of Slovakia (Združenie podnikateľov Slovenska, ZPS)
Ms Magdaléna Mellenová	President	Slovak Union of Food Workers (Odborový zväz potravinárov na Slovensku, OZP)
Ms Erika Bršelová	Project Coordinator	Slovak Union of Food Workers (Odborový zväz potravinárov na Slovensku, OZP)
Mr Anton Szalay	President	Slovak Trade Union Federation of Healthcare and Social Work (SOZZaSS)
Ms Daniela Pochybová	Deputy president	Slovak Trade Union Federation of Healthcare and Social Work (SOZZaSS)
Ms. Margita Vitálošová	Coordinator for internal trade union activities and education	Slovak Trade Union Federation of Healthcare and Social Work (SOZZaSS)
Ms. Ľudmila Pazderová	Coordinator for international activities and projects	Slovak Trade Union Federation of Healthcare and Social Work (SOZZaSS)
Mr. Michal Serbín	Union officer, coordinator of evidence of base organizations	Slovak Trade Union Federation of Healthcare and Social Work (SOZZaSS)

## Romania

Ms. Alexandra Braica	Deputy Minister for Social Dialogue	Ministry of Labour, Family, Social Protection and Elderly – Department for Social Dialogue
Mr Sergei Mesaroş	Director	Ministry of Labour, Family, Social Protection and Elderly – Directorate Social Dialogue
Ms Alexandra Popovici	Counsellor of the Deputy Minister	Ministry of Labour, Family, Social Protection and Elderly – Department for Social Dialogue
Mr Eduard Floria	Member of Board of directors	CONCORDIA Employers' Confederation
Mr Radu Godeanu	Vice President	General Union of Romanian Industrialists (UGIR)
Mr Lucian Vasilescu	Head of Legal Department	National Confederation of Free Trade Unions (CNSLR – FRATIA)
Mr. Mircea Udateanu	Confederate Secretary	National Confederation of Free Trade Unions (CNSLR - FRATIA)
Mr Gheorghe Simion	Head of Department of Education	National Confederation of Free Trade Unions (CNSLR - FRATIA)
Ms Diana Sacarea	EEA and Norway Grants Officer	Royal Norwegian Embassy, Romania
Ms Mihaela Terchila	Director General	Ministry of European Funds - General directorate Donors funding

Ms Diana Duma	EEA Norway Grants Officer	Ministry of European Funds - General directorate Donors funding
Ms Daniela Tală	Bilateral Funds Officer	Ministry of European Funds - General directorate Donors funding
Ms Daniela Chifan	Sr. Advisor, EEA Finance	Innovation Norway
Mr Adrian Neagoe	Vice President	Trade Union of Penitentiary Workers (SNLP)
Ms Alexandra Cornea	PR Expert	Romanian Confederation of Democratic Trade Unions (CSDR) / Free Trade Union Federation in Education (FSLI)
Mr Levente Vadasz		Free Trade Union Federation in Education (FSLI)
Ms Laura Boricean	Expert	National Agency for Public Servants (ANFP)
Steluta Bogatu	Project coordinator	Romanian Municipalities Association
Ilie Brie	Technical expert	Liga Citadină (LC)
Marius Roman	Programme director	Employers' Organization of Public Services (PSP)

### Bulgaria

Ms. Miroslava Pigova	State Expert, National Focal Point	Council of Ministers – Directorate of Monitoring of EU Funds
Ms Anelia Grozdanova	Head of Department, National Focal Point	Council of Ministers – Other Instruments and Programmes Department, Directorate of Monitoring of EU Funds
Ms Temenuzhka Zlatanova	Head of Department	Ministry of Labour and Social Policy – Directorate Strategic Planning and Demographic Policy
Ms Rosica Koleva	State expert	Ministry of Labour and Social Policy (MLSP) – Directorate Strategic Planning and Demographic Policy
Ms Carina Ecornes	First Secretary/Deputy Head of Mission	Royal Norwegian Embassy in Sofia
Ms Mariana Tancheva	Director	Bulgarian Chamber of Commerce and Industry (BCCI), European Integration and Projects Directorate
Ms Natalia Dicheva	Project manager	Bulgarian Chamber of Commerce and Industry, European Integration and Projects Directorate
Ms Radostina Yakimova	Project manager	Trade Union Federation of the Employees of the Ministry of Interior (TUFEMI)
Mr. Ilia Kuzmanov	Deputy-Chairman of	TUFEMI

	the Management Board	
Mr. Ilia Hrisimov	Deputy-Chairman of the Management Board	TUFEMI
Ms Yulia Simeonova	Project manager	Confederation of the Independent Trade Unions in Bulgaria (CITUB)
Ms Monika Dimitrova	Technical assistant	CITUB
Mr. Martin Ivanov	Technical assistant	CITUB
Ms Venceslava Yanchovska	Programme manager	Innovation Norway
Ms Vania Tividosheva	Project manager	Confederation of Labour "Podkrepa", Human resource development center

**Poland**

Artur Sobiech –	Senior Market Advisor	Innovation Norway, Warsaw Office
Izabela Hallik	Director, Office of Support and Social Projects	City of Warsaw,
Malgorzata Ornoch Tabedzka	Social Dialogue Specialist	Associations of Polish Cities
Agnieszka Rybczynska	European Project Department	Solidarnosc
Barbara Surdykowska	Expert, Social Policy Department	Solidarnosc
Piotr Ostrowski	Director of International Cooperation Department	OPZZ
Aleksandra Gabriel	Project Manager	OPZZ
Lukasz Luka	Director, European Funds Department	Lewiatan
Grzegorz Baczewski	Director of Social dialogue Department	Lewiatan
Malgorzata Lelinska	Deputy Director, European Funds Department	Lewiatan
Malgorzata Zalewska	Deputy Director	Ministry of Infrastructure and Development
Urszula Demidziuk	Head of Programming	Ministry of Infrastructure and Development
Ewa Rybicka	Deputy Director Social Dialogue Department	Ministry of Labour and Social Affairs
Ms Oklinska,	Director of Social Dialogue Department	Ministry of Labour and Social Affairs

**Lithuania**

Ms. Audrone Niksaite (telephone)	National Focal Point, Lithuania
Ms. Inga Rudzinskaite,	Royal Norwegian Embassy in Vilnius
Mr. Aleksandras Posochovas, president	LSDPSD Lithuanian Service Workers (Lietuva Statoil)
Ms. Dovile Baskyte	Lithuanian Confederation of Industrialists LPK
Mr. Tomas Tomilinas, Ms. Iridina Judina (SAMPRO )	National Association of Officers NATULT
Ms. Irena Petraitiene,	State employees trade union
Mr. Artūras Černiauskas, president Ms. Goda Neverauskaitė, international secretary	Lithuanian Trade Union Confederation LPSK
Ms. Zita Ambrutyte Ms Rita Boguskaitė (Skype)	Innovation Norway

*Annex 4 Country reports, in-depth review countries*

## Country report – Bulgaria

### CONTEXT ANALYSIS

#### *Legislative Framework*

The national legislation that determines the conditions for carrying out social dialogue in Bulgaria includes:

- the Constitution of the Republic of Bulgaria
- the Labour Code,
- the Act for Settling Labour Disputes,
- the Act for Informing and Consulting the Workers and Employees in Multinational Enterprises, groups of Enterprises and European Associations,
- the Act for Guaranteed Claims of Employees in Case of Employer's Insolvency.

#### *Socio-economic context*

Since 1990 the Bulgarian labour market has been characterised by low employment rates and high unemployment. Between 1990 and 2000, the number of employed people was reduced by more than one-third (1.2 million). The employment rate (population over 15 years old) decreased and the unemployment rate sharply increased from 1.7% in 1990 to about 18-19% in 2000. At that time, youth unemployment reached more than 35%.

Since 2000 the Bulgarian labour market has improved significantly, however, it remains characterised by regional differences and skills mismatches. The crisis has seriously affected employment in Bulgaria: It fell by 2.9% in 2009. Employment decrease has been mainly observed in such labour-intensive sectors as construction, textile and clothing, tourism.

Bulgaria became a member of the European Union on 1 January 2007. Largely associated with accession, the country averaged more than 6% growth from 2004 to 2008 driven by significant amounts of foreign direct investment. Its GDP contribution is the following: services (approx. 64%), industry (approx. 30%) and agriculture (approx. 6%). Bulgaria is also one of the countries that have experienced a serious restructuring of the economy: Before 1998 it was based on heavy industry and large, state-owned enterprises, while currently it is mainly based on services and privately-owned SMEs. The 2008 crisis also had a negative effect on employment and seriously affected sectors such as construction or commerce. Although domestic demand remained weak throughout 2010, the Bulgarian economy recovered somewhat from 2011 driven by an increase in exports.

#### *Status of social dialogue*

One of the characteristics of social dialogue in Bulgaria is that the labour law provides for cooperation and consultation and not the direct participation of the representative organisations of trade unions and employers in decision-making. In other words, the state is obliged to listen to their opinions but does not have to take them into account. This is due to the fact that the state bodies – parliament, government, etc. take the final decision. The national dialogue is in some cases challenged by the government bodies not consulting the representative organisations of employers and trade unions, with regard to law or other regulations. Social partners may dispute the lawfulness of such law or decisions.

The tri-partite dialogue at national level is organized through the National Council for Tripartite Cooperation (NCTC). Members of NCTC are representatives of the government

(ministries, agencies, departments, experts, etc.) and the nationally represented trade union organisations (the Confederation of the Independent Trade Unions in Bulgaria (CITUB) and the Confederation of Labour "Podkrepa") and employers' associations (Bulgarian Chamber of Commerce and Industry (BCCI), Bulgarian Industrial Association (BIA), Confederation of Employers and Industrialists in Bulgaria (KRIB) and Bulgarian Industrial Capital Association (BICA)). The criteria for being a nationally represented social partner are defined in the Labour Code of Bulgaria

Bulgaria has deep and well developed SD structures, particularly at regional and branch level.

The results from the bi-partite dialogue in the form of collective bargaining between representatives of workers and employers are mainly the collective labour agreements. The National Institute for Conciliation and Arbitration publishes on its website a list of actual collective labour agreements. By the beginning of 2015 there were 7 sectoral collective labour agreements in the sectors: (i) metal industry, (ii) construction, (iii) exploration, mining and processing of mineral raw materials, (iv) health protection, (v) public education, (vi) trade, and (vii) military defence.

At branch level by the end of 2014 there were 15 functioning collective labour agreements: (i) forestry, (ii) libraries, (iii) theatre, (iv) wood-processing and furniture, (v) football, (vi) electrical and electronic industry, (vii) road construction, (viii) music and performing arts, (ix) pulp and paper industry, (x) tourism, (xi) water supply, (xii) energy, (xiii) sugar and sugar confectionery, (xiv) poultry, and (xv) beer and malt production. All of them are valid for 2015.

At enterprise level there are 5306 collective labour agreements.

#### *Participation in the ESD*

The main social partners in the country is CITUB Confederation of Independent Trade Unions of Bulgaria, PODKREPA Confederation of Labour at employee's side and Bulgarian Industrial Association - Union of the Bulgarian Business – BIA at employers side are active members of ETUC and BE respectively.

Bulgarian members of bodies such as European Works Councils are usually elected by a general meeting of the employees, or a meeting of employee delegates, where a general meeting is not possible. But the general meeting or meeting of delegates can choose to transfer the choice either to the union or to existing employee representatives. In the case of employee representatives on a European Company board, the legislation is less precise.

#### *ILO's support*

In Bulgaria there are the legislative and tradition pre-requisites to follow the concept of ILO for decent work but what remains is this pre-requisites to be implemented with more vigour and more profoundly.

Decent Work Country Agenda between Bulgaria and the International Labour Organisation 2008-2009

- "one priority" strategy focused on one goal of the strengthening of the capacity of the institutions and the social partners
- ILO's commitments:
  - The ILO will continue to assist the reform of the legal framework to be brought into conformity with the stipulations of the international and European labour standards.

- The ILO will also contribute to increasing the value of employers' and workers' organizations to provide new or better services to existing and potential members.
- In the port and transport sectors the ILO will strengthen the capacity of social partners to engage effectively in social dialogue at sector level.
- The ILO will facilitate testing of social finance mechanisms providing support to unemployed people having better access to enterprise creation thus enabling these mechanisms to be integrated into active labour market policies.
- The ILO will continue to provide support to the constituents in improving the social protection system, including social security, occupational safety and health (in particular risk assessment) and Labour Inspection.

The ILO will assist the country's efforts to curb human trafficking and to eliminate the Worst Forms of Child Labour

ILO implemented in Bulgaria (2004-2007) the Combating Poverty and Social Exclusion in Central and Eastern Europe (STEP) Project. The project aimed at contributing to the fight against exclusion from employment and from social protection of vulnerable groups, with a special focus on youth, Roma, persons with disabilities and low-income women. STEP included Bulgaria, Hungary, Poland and Slovenia.

**Context Analysis Bulgaria draws upon following sources:**

[www.ilo.org](http://www.ilo.org)

[www.mlsp.government.bg](http://www.mlsp.government.bg)

[www.nipa.bg](http://www.nipa.bg)

[www.saveti.government.bg](http://www.saveti.government.bg)

[www.knsb-bg.org](http://www.knsb-bg.org)

[www.podkrepa.org](http://www.podkrepa.org)

[www.bcci.bg](http://www.bcci.bg)

[www.bia-bg.com](http://www.bia-bg.com)

[www.bica-bg.org](http://www.bica-bg.org)

Business Europe, 2011, JOINT STUDY OF THE EUROPEAN SOCIAL PARTNERS "THE IMPLEMENTATION OF FLEXICURITY AND THE ROLE OF THE SOCIAL PARTNERS", Country fiche



## **SYNTHESIS OF FINDINGS BULGARIA**

### *EU funds related to Social Dialogue*

Support of the social partners in Bulgaria under the structural funds of the EU under the Operational programme “Human Resource Development” financed through the European Social Fund and managed by the Bulgarian Ministry of Labour and Social Policy, the nationally represented social partners – two trade union confederations and four employers’ associations, have been awarded six projects with the common priority “Increasing the flexibility and the effectiveness of the labour market through activities of the social partners”. Initially the approved projects were 8 but at a later stage two of the employers’ organizations have not been awarded with contracts.

According to the national Information System for Management and Monitoring the overall approved budgets of all the 6 projects was € 28.283.133. It should be taken into account that only one project out of the six is reported as completed. Compared with the ESF funds dedicated to social dialogue the financial resource under DWTD EEA programme comprises some 1.69%.

The scope of activity of the ESF projects includes restriction and prevention of the informal economy, development and commissioning of an information system for assessment of the workforce competencies by branches and regions, development of a strategy and implementation of coordinated policy for human resource development in the context of the Lisbon’s objectives and the corporate social responsibility. Three of the nationally represented social partners have also implemented projects under the DWTD programme.

CITUB (Confederation of the Independent Trade Unions in Bulgaria) was awarded a project titled „Security through the legislation, flexibility through the collective bargaining” – which has to be implemented in 6 years – since 2009 until 2015 with a budget of € 5.09 million. The partner under this project was the Bulgarian Industrial association, BIA.

The Confederation of Labour “Podkrepa” was awarded a project titled “Support for Decent Work” – which has to be implemented for six years - since 2009 until 2015 with a budget of € 5.06 million. Partners in the project were the Bulgarian Chamber of Commerce and Industry, the Bulgarian Industrial Association and the Union for Industrial Initiatives – all of them employers’ associations.

Bulgarian Chamber of Commerce and Industry (BCCI) was awarded a project titled “Increasing the public intolerance to the industrial and social security relations in the informal economy and preventive actions for bringing it under control”, jointly with the Confederation of Labour “Podkrepa”.

DWTD project portfolio

Two of four projects had Norwegian partners

Project No	Project Promoter	Name of Norwegian partner(s)	Project title	Total budget €
2012/104589	Bulgarian Chamber of Commerce and Industry	Confederation of Norwegian Enterprise (NHO)	TRUST - TRansparency for sUSTainable Social Policy	96.330
2012/104601	PODKREPA Labour Confederation		Capacity for partnerships with stakeholders	79.975
2012/104620	Confederation of Independent trade Unions in Bulgaria	Norwegian Confederation of Trade Unions (LO); Confederation of Norwegian Enterprise (NHO)	Decent work and dialogue – good practices exchange	220.920
2012/104632	Trade Union Federation of the employees of the Ministry of Interior		Decent work greatest challenge: occupational stress	78.175
<b>Total budget</b>				<b>475.400</b>

Overall relevance and main outcomes of EEA DWTD

In Bulgaria a backdrop of generally negative national level TPD exists, where the National Council for Tripartite Cooperation (NCTC) presided by Ministry of Labour and Social Policy (MLSP is not assuming a role as facilitator and social partner (employer), but rather one of a regulator. The MoL is obliged to consult the partners, but not to follow their advice and claims. The trust between the government and social partners is reported as being very low. The frequent changes in government make the political climate very difficult to work in. The role of NCTC is indeed a consultative one and not a decision-making one. The fact that there are decisions and ordinances by the government being challenged in court by the social partners as not even being consulted/discussed in the NCTC shows that the government does take into account this body. Recently there were also cases when social partners have left demonstratively the council as protest that their opinion was not regarded.

A Improved SD and TPD Structures and practices

Partners have clearly been able to adapt elements of the Nordic Model of TPD and apply in their own context. Overall, a higher level of trust has been created between the bipartite partners, inspired by the Nordic model. In addition, concrete practices of improved SD especially at branch and enterprise level have been demonstrated, and the promoters report that even the quality of certain CBAs have improved. This is attributed to the DWTD programme.

*Examples*

CITUB/LO/BIA/NHO project 104620 is an interesting example, especially due to synergies between the four organisations. It is less clear to what extent this has materialised into

concrete changes in the actual TPD processes, but solid groundwork involving local structures and union and employers' representatives are documented, as well as research on experience and examples of good practices of the social and tripartite dialogue in the various dimensions of decent work (negotiation, payment, security, working conditions, etc.) in Norway and Bulgaria, parts of which are included in a "Decent Work and Dialogue" brochure. The survey covers three branches – food and beverage, forest and wood processing and mining. The team which included mainly researchers from CITUB but also from BIA, LO Norway and NHO Norway, has identified and studied good practices in corporate social responsibility, occupational safety and health, social insurance rights, value added by social dialogue and collective bargaining, establishment of conditions for decent work in the branch (coverage of the collective bargaining agreement) and human resource management in the food and beverage branch, social dialogue and collective bargaining. Also, good practices in OSH in the forest and wood-processing branch, good practices in mines (coal mining), and strict compliance with collective bargaining agreements between trade unions and employers in Norway in the mining branch.

The Decent Work and Dialogue brochure also includes a research the situation of the collective bargaining in Bulgaria and the attractiveness of the Norwegian experience.

TUFEMI has been able to apply several elements of DW agenda through its research on occupational stress amongst its members (police officers and fire fighters and rescuers) in the Ministry of Interior, working on workers' rights, social protection and social dialogue. In addition, TUFEMI has embarked on engaging citizens in a survey and campaign on the public image of police force. According to the law trade unions of employees from the security sector are not allowed to be members of national confederations of trade unions – thus representatives of employees from the security sector including TUFEMI cannot participate in the NCTC because they cannot cover the requirements for a nationally represented social partner. But trade union organisations of employees from the security sector can be members of international organisations and TUFEMI is member of the European Police Union which actively supports its activity and demands (see a letter from EPU). The SD is carried out between the trade unions in the Ministry of Interior and the senior management of the Ministry. There are 6 trade unions in the – TUFEMI being the most recent one – established in 2009 and the biggest in Ministry of Interior (Mol) – with 6500 members. Since 2009 the Council for Social Partnership at the Mol began to function and in that way the trade union has managed to engage the management of Mol in a policy dialogue and has reportedly managed to change the current legislation on the Mol – 18 amendments have been introduced in the Ministry of Interior Act during the previous government, unfortunately most of the amendments have been deleted from the law by the current government with the exception of one very important from social protection point of view – the employer cannot request an employee to retire if the latter does not want to. This is considered by TUFEMI as a significant achievement

The Bulgarian Chamber of Commerce and Industry (BCCI) has carried out a number of researches on the tripartite cooperation in Bulgaria and has prepared a brochure with the reports which investigate the common problems of all economic activities e.g. the regulatory framework, the transparency and the visibility of TPD in Bulgaria, the scope, development and good practices of the collective bargaining, the effect on the labour market from the dynamics of the minimum social insurance contributions, the TPD in the transport, clothing and bakery branches. The research is accompanied by many facts, comparative tables, lessons learned and recommendations.

### B Promoting DW agenda

For the first time TUFEMI union members have realized that occupational stress is not taboo, they have understood the reasons and have started to discuss it openly. Also, that they have a right to get independent help, not from the employer itself. In the project 150 members of the TU have undergone training to help their colleagues to fight the consequences of occupational stress.

CITUB conducted economic and social research (established database ) that enables the trade unions and even employers to use online the facts and findings from the studies in preparation for negotiations.

Another important element of the ILO DW agenda - Job creation, cannot be followed explicitly from the results of the projects, but much more probable is the job preservation and according to the project promoters that is a substantial result.

The element Social protection is included when the national threshold setting and discussion is taking place because the outcomes of the discussions and the establishment of minimum thresholds for social contribution for the different occupations is an important part of the social protection providing for more decent pension.

TUFEMI has integrated Social protection and workers' rights in their research which has helped to come to a better solution of payment for overtime, night shifts, etc.

Social dialogue is present very strongly in all the cases.

### C Bilateral relations

The overall opinion about the bilateral relation was very positive, and a greater importance and weight to the discussion and joint work has been introduced when a partner in Norway was included.

Apart from the positive experience of study visits and technical support by partners in Norway, it is difficult to track any documented benefits in terms of shared results or reciprocal learning. This tends to stay in general terms which might mean that at least the atmosphere between the social partner has become better. For sure the exposure to the Nordic model of SD for those with partners have led to new insights and new ways of cooperating and engaging in SD processes, but direct links to relevant concrete partner experience and knowledge transfer are difficult to track.

A good case is the presence of four partners in CITUB. Possibly this helped to build trust between social partners in Bulgaria - having the example and position from outside facilitated the understanding among the partners. Bringing partners together contributes to trust

## Country Report – Estonia

### CONTEXT ANALYSIS

#### *Legislative Framework*

In Estonia, the most important act regulating industrial relations is the Employment Contracts Act (State Gazette I 2009, 5, 35), which entered into force at the time when the economic crisis was clearly deepening, on 1 July 2009. The Employment Contracts Act mainly regulates individual employment relations, including salaries and working conditions; but it does include some sections regarding industrial relations. The labour laws allow for dual representation by employees' representatives as well as trade unions in the same work place (public and private), which is a complication for the unions, making it more difficult to organise members and negotiate CBAs.

#### *Socio-economic context*

Estonia is a market-based economy, which until recently enjoyed one of highest per capita income levels in central and Eastern Europe. The Estonian economy consists of services generating around 71% of GDP, industry (approximately 26% of GDP) and agriculture (approximately 2.7% of GDP). Estonia has been hit very hard by the 2008 economic crisis and the economy contracted by more than 14% in 2009. This was one of the world's highest rates of economic decline. The most affected industries were manufacturing, construction and trade. Also, the Estonian labour market has been significantly affected by the crisis. The unemployment rate increased significantly as a result of both collective redundancies and returning migrants. Wage growth turned negative and, for the first time in recent years, a decrease of 3% was observed in 2009. Wages trends are expected to return to slightly positive values in 2011.

#### *Status of social dialogue*

In Estonia, collective agreements may be bilateral or trilateral. Trilateral agreements or those signed between the central federation of unions of employees, a central federation of employers and the Government of the Republic, and between local federations of unions of employees, a federation of employers and local governments. According to data on Estonian work-life survey (2009), about 65 of companies have signed collective bargaining agreements (CBA coverage about 30%). The trade union density was about 6.4% in 2012 and has been decreasing since 1999 (OECD data). While sector bargaining agreements do exist in some sectors, most collective bargaining agreements are at company level in Estonia (Espenberg, Vahaste 2013 ; Masso, Osila 2014 ).

#### *Participation in the ESD*

The largest Estonian organisation representing workers is the Estonian Trade Union Confederation (EAKL) that represent state and municipal government officials, intellectuals, health care workers, transport workers (including road, railway, sea and air transport), industrial workers (including energy, light industry, food industry, timber and metal industry) EAKL acts on behalf of the employees' interests in national minimum wage negotiations and holds bilateral and trilateral negotiations with employers and the Government.

The other central federation is the Estonian Employees Unions Confederation (TALO), which represents cultural workers, engineers, radiologists, national broadcasting employees, journalists, trainers, farmers and the customs officials working in the capital. Both EAKL and TALO are members of ETUC.

A single association represents private sector employers on the Estonian national level: the Estonian Employers Confederation (TKL). The Employers Confederation unites employers from all kinds of economic fields, both the industrial and tertiary sectors, incl. associations. TKL is the member of BUSINESSEUROPE, IOE, and also represents the interests of Estonian employers in European Economic and Social Committee, and in OECD's Business and Industry Advisory Committee.

Ministry of Social Affairs is the government representative of the industrial relations in Estonia. The delegates of the Ministry represent Estonia in working groups of European Commission.

There is not at this stage a national council for TPD, while the Ministry is quite interested in creating a common structure, since there is no common policy forum. There are two functioning structures only:

- National Unemployment fund (Tripartite)
- National Health Insurance fund (Tripartite)

### ***Ongoing support to Social Dialogue by the EU***

The structural assistance by the EU (2009-2014) to social dialogue is given through the Ministry of Social Affairs (under the overall programme "Improving the quality of the work life 2009-2014"), and concern measures to support the central negotiating and policy making capacity of the confederations of trade unions (EAKL) and the Employers' Confederation (with a small amount). The projects concern enhancing the strategic management of unions (€ 500.000) and € 200.000 for the policy making capacity of EAKL. Other minor support concerned understanding the new labour code (training and e-handbooks).

### ***ILO's support***

Estonia has been a member state of the ILO since 1992. The country has ratified 32 ILO conventions, including the eight fundamental Conventions. ILO has not permanent representation in Estonia. Estonia has formed the ILO council (State Gazette III, 22.07.2014, 5). The council meets when necessary, at least twice a year. In 2014 a new ILO council was formed.

## **SYNTHESIS OF MAIN FINDINGS**

### ***General background***

The protracted negotiations on amendment of the labour law, led to mistrust between TUs and government during the crisis, the employers were also disgruntled (see Espenberg, Vahaste 2013), but during the economic recovery the workers' and employers' representatives have been included in policy making by commenting changes in legislation, strategic policy documents, etc. According to the national confederation of unions, the new government is more active and more positive towards establishing a functioning TPD forum.

The most important issue negotiated in the field of industrial relations remains the minimum wages. This is confirmed by several respondents. The labour legislation has seen several revisions<sup>70</sup>. Unions have been able to influence policies, including averting that a revision of labour legislation would demand a 60% representation by unions in the sectors, which would have effectively prevented unions from operating.

Unemployment in Estonia is relatively low, about 4%, and with a substantial number of skilled migrant workers (especially in Scandinavian countries), the labour market is

<sup>70</sup>

New labour act entered into force 1.07.2009, Employees' Trustee Act in 1.02.2007, Trade Unions Act in 23.07.2000, Collective Labour Dispute Resolution Act 7.06.1993

experiencing some bottlenecks, while in some sectors there are companies closing, due to higher production costs or international competition. The national confederation of unions considers it very important to bring workers having been laid off back on to the labour market. The existing re-training/vocational education programmes are seen as sufficient and not qualifying people.

Estonian labour legislation's dual representation by both TUs and employees' representative complicates the work of unions (organising and CBAs). There is a general quite low awareness of the role of unions, but the provision in the industrial relations act allows for election by workers to employees' councils, even though a union may not exist in the workplace, both in private and public sector. Unions consider that there is a general prevailing conception that TUs are from soviet time and even dangerous, only in some cases are they accepted, and in others they are seen as not very relevant.

#### DWTD project portfolio

Two of three projects had Norwegian partners

Project No	Project Promoter	Name of Norwegian partner(s)	Project title	Total budget €
2012/104563	Eesti Meremeeste Sõltumatu Ametiühing	Norsk Transportarbeiderforbund	Towards the Nordic model of social dialogue	43.800
2012/113364	Trade Union of the State and Selfgovernment Institutions Workers	Norwegian Union of Municipal and General Employees	Social dialogue to prevent 3-rd party violence	153.606
2012/113363	Estonian Transport and Road Workers' Trade Union		Valuing social and tripartite dialogue in Estonia	69.815
<b>Total budget</b>				<b>267.221</b>

#### *Overall relevance and main outcomes of projects*

On a particular note, the NFP (Ministry of Finance) is not entirely in agreement with the focus or content of the DWTD. The NFP would be reluctant to accept DWTD in the future, only if there is a precondition as part of a larger package of EEA programmes.

The NFP is unable to say whether the three selected projects contributed to the overall outcome, since the results are not known and not communicated. The NFP does not know whether the projects are replicable or sustainable, since there is no information on what has been done. In the opinion of the NFP, visibility has been low.

In addition, the assessment by the NFP is that the DWTD attracted little interest, since social partners could obtain funding elsewhere, including from the EU. This includes a large EU project for employers and trade union confederations.

#### *A Improved SD and TPD Structures and practices*

The employers' side has not been represented in the projects selected. One employers' organisation did submit an application, but it was rejected by IN because it did not meet the criteria set.

There has been little interest from employers in the project interventions, most clearly in the ESMA project. The other two projects had a limited interest by employers.

Other promoters are seeing signs of a growing understanding of their value and role, although in the public sector the role and understanding of both unions of employers' are still not clear. There are some concrete examples of improvements (see below).

#### *Examples*

One of project promoters (Road Workers Trade Union) has managed to produce and apply a practical handbook on how to negotiate and prepare for CBAs in their sector. This has led to a much improved understanding among members (new and existing), even employers, on the value and role of having a representative union. Notably, the road workers' union have been able to establish a sector CBA, which is widely recognized and countersigned by the minister of transport. This carries a lot of weight. The union considers that they have achieved recognition, better working conditions and policy influence due to the project. This is clearly not the general picture, however.

In the port sector, the practice of joint negotiations has not yet taken root, according to seamen's union (ESMA), due to non-involvement and interest of employees, but has created a strong sense of solidarity amongst union members and hopes that will become possible in Estonia. As the stevedores in the ports of Estonian are for a large part Russian speaking, they have through the project intervention perhaps for the first time felt that they are respected and that their work is valuable. The Nordic model has been a strong instrument and eye opener for ESMA, although concrete results are yet to materialize.

A tripartite dialogue in the public sector is yet to materialize, although there is a growing understanding and better recognition of the role and value of the trade union in improving working and safety conditions to the benefit of improved services, according to one of the project promoters (ROTAL). This project promoter has been able to negotiate a CBA with a local public employer for the first time, and recognising the role of the union. This is still to be brought onto the national level. Adapting the Norwegian prevention system against third party violence and reducing tensions between social workers and clients has led to improvements in working conditions and the public employers have begun to see the value of this. Using these gains as a leverage tool to organize more members has not yet materialised.

The conclusion is perhaps that the TPD and SD practices are yet in a development phase, but with some positive signs that will need further support to take root. The employers' disinterest is a major concern, however.

#### *B Promoting DW agenda*

This is to a large extent already integrated in the daily work of two of the promoters (ESMA and RWTU) in terms of OHS, improved quality CBAs, organising and regular trade union training practices, along with development of solid training materials. RWTU has also managed to get ISO 9001 standards built into public procurement, which now include specification of working standards. In a sense, DW is integral to and already existing in the unions' regular business.

Unemployment has not been directly addressed, but in the transport/construction sector there is a relatively high degree of mobility and a regular need for new workers, so the unions in these sectors do not consider this a major issue.

The confederation of unions considers that there is a serious problem of losing skilled labour to especially Scandinavia, and that this issue needs to be addressed. Some employers



have started to recognise the challenge, while industries such as wood working and metal, IT are experiencing shortages of skilled labour. This has also not been addressed by the rather small DWTD interventions.

### *C Bilateral relations*

There has been very high satisfaction by the Estonian unions with the Norwegian partners, both in terms of relevance of services, quality of advice and especially the study visits to Norway. A strong partnership culture in Norway is highlighted as very valuable, as well as the high degree of cooperation between both private and public employers and unions. Elements of the Norwegian experience can be said to provide both a strong source of inspiration, but have also on a small scale been adapted to the national contexts.

The context analysis in Estonia draws upon following sources:

Nestor, E., Peterson, P., Taliga, H., Pärnits, K., Kruuser, A., Pehk, L., Laja, R., Toomsalu, K., Paavo, R., Aro-Raal, M., Proos, M., Toomel, J-H. *Praktiline kollektiivlääbirääkimiste käsiraamat*, 2011 (Practical handbook of collective bargaining, available in Estonian only).

Espenberg, K., Vahaste, S. (2013) "Effect of Economic Crisis on Estonian System of Industrial Relations."

Masso, M., Osila, L. *Kollektiivsete töösuhete reform*. (Reform of the industriaal relations). <http://mottehommik.praxis.ee/kollektiivsete-toosuhete-reform/> (available in Estonian only).

Espenberg, K., Vahaste, S. (2013) "Effect of Economic Crisis on Estonian System of Industrial Relations. <http://klak.sm.ee/>.

Business Europe, 2011, JOINT STUDY OF THE EUROPEAN SOCIAL PARTNERS "THE IMPLEMENTATION OF FLEXICURITY AND THE ROLE OF THE SOCIAL PARTNERS", Country fiche

## Country report– Lithuania

### CONTEXT ANALYSIS

#### *Legislative Framework*

The legal basis for social dialogue and industrial relations in Lithuania is established in the Labour Code of the Republic of Lithuania (LC). The system comprises the Tripartite Council of the Republic of Lithuania (TCRL) and other tripartite commissions and committees set up in accordance with procedures established by laws or collective agreements. The Labour Code adopted in Lithuania in 2002 (valid since January 2003) provides a more comprehensive and improved legislative framework for different levels of social partnership – national, sectoral/regional and company, a right to collective bargaining and its procedures. The TCRL is a consultative body, with strong powers vested in the Ministry of Social Security and Labour. Even if the social partners agree on policies and changes to existing practices, the issues are regulated by the relevant legislation. TCRL has a number of subcommittees on labour relations, social issues, youth policy, consumer rights and other. The Ministry of Social Security and Labour (MSSL) and the Ministry of Finance (MF) to some degree still retain the right to regulate minimum wage (MW), even if the social partners are to be heard on the matter and the government should follow the agreement reached in the TCRL. The Council also deals with broader issues related to social dialogue (right to information, to consultation and its application procedures, employees' participation in the enterprise management, as well as collective labour disputes resolution procedures) and social affairs (unemployment, social security, social insurance, etc.).

A key issue for the TCRL is the regulation of minimum wage, where the government adapt and implement the regulation after an agreement by social partners in the council. However, since increases in minimum wages have major impacts on the state budget, the government closely watches these. Even if TU and EO agree, the government has the right to decide. The council has also been the forum for heated debate on recent revisions of the labour acts. The social partners have challenged the amendments to the labour law, and do not all consider the council as representative, since eligibility criteria are not clear.

A new social model (not limited to social dialogue and labour market issues) is currently being discussed in the TCRL, as well as more broadly in society. A draft has been proposed to parliament, but the proposal has been sent back to the government for improvement and amendments. The new public sector agreements, supported through the ESF, are not considered by the Lithuanian social partners as more than intentional, since the legislation does not allow for any additional spending – social partners may agree on redistribution, but not on sector level increases of any costs. All of these changes in the legislative framework and structures have major ramifications on how SD and TPD may unfold in Lithuania.

The weakest link (with some exceptions) in the Lithuanian industrial relations system is sectoral social dialogue – up to 2013 there actually were no sectoral collective agreements signed in the country. Formally, this situation changed in 2013-2014 when 20 projects to promote social dialogue were launched in Lithuania, financed by the European Social Fund. Since then some 20 territorial and sectoral collective agreements in the (public sector mainly) were signed, however they do not play an important role in improving working and social conditions of the sector employees so far.

### *Socioeconomic context*

Lithuania was particularly hit by the financial and economic crisis of 2008. After almost a decade of very high economic growth (2007 nearly 10%), the Lithuanian economy slid into a deep economic recession, with GDP falling by 15% in 2009 – which was equally high as in Latvia and the most severe drop in the EU. In the light of the severe economic downturn, major adjustments of the Lithuanian economy took place, involving price and wage decreases in the private and public sectors and restructuring processes. Before the severe economic and financial crisis changed everything, the major labour market indicators of Lithuania have been developed quite positively against the background of solid and high economic growth rates: in 2007, the unemployment rate standing at 4.3% was historically low and the employment rate was above 64%. Also, the unemployment rates of young people and the elderly showed quite positive results with both indicators clearly below the EU average.

### *Status of social dialogue*

To date, three national trade union confederations and two national employers' organisations operate in Lithuania. Three main national trade union confederations are: Lithuanian Trade Union Confederation (LPSK), Lithuanian Labour Federation (LDF) and Lithuanian Trade Union 'Solidarumas'. The two national employers' organisations are Lithuanian Confederation of Industrialists (LPK) and Confederation of Lithuanian Employers ([LDK](#)).

It can be concluded that in practice social dialogue in Lithuania is operating at national and enterprise level – at national level the TCRL is a consultative policy body. The new EU supported sector dialogue agreements are a positive step, they do not regulate salaries and appear to be more of intentional nature. There are also regional or municipal tripartite councils, but these are not functioning everywhere and often are relatively weak and/or not representative. Collective bargaining is mainly taking place at enterprise level in enterprises with active trade unions. According to Lithuanian Statistics, trade union density in Lithuania is close to 10%. There is no official information on the collective bargaining coverage; according to different sources, up to 15-20% of the country's employees might be covered by collective agreements. Employers' density is higher – approximately 20% of Lithuanian enterprises are affiliated to employers'/business organisations/associations.

### *ESF support for SD in Lithuania*

There is a special measure for promoting social dialogue in Lithuania, "Promotion of social dialogue", under the Human Resources Development programme 2007-2013, where European Structural Funds have been allocated to Lithuania.

Objective of the measure: to develop capacities of employers, their organisations and associations, TUs and their associations in the sphere of social partnership; to improve IR; to promote CA signing; to inform and educate TU members' and society on the development of SD.

Within the framework of the programme implementation, funds were granted for 32 social dialogue development projects, of which 21 have been completed. The total allocations for the project implementation amounted to € 4.291.213.

Two tenders were called to implement projects under this measure and receive funding.  
Eligible applicants:

1. Employers' associations, federations, confederations, etc.
2. Trade Union organisations, associations, federations, centres, etc.

#### Tender 1:

Training of EO and TU leaders or their authorised representatives, chairs and deputy chairs of WCs in the area of CA preparation, negotiating tactics, conflict and crisis management, prevention of illegal work, implementation of flexible and innovative forms of work, ensuring gender equality at the workplace, and other issues related to improvement of SD competences.

Education and training of employees in the areas of rights and obligations of employees and employers, preparation of CAs, ensuring gender equality at work, other employees' education or awareness-raising activities related to OHS, improvement of working conditions and other issues dealing with industrial relations.

Activities designed for promoting OHS committees at the workplace.

Campaigns promoting implementation of partnership principles for the exchange of experience or taking it over from foreign partners.

Preparation and dissemination of methodological (e.g., methodology/recommendations for preparing sectoral CAs, setting up tripartite and bipartite councils (commissions, committees) in regional and municipal territories, development and implementation of strategies for social-economic dialogues between employers, employees and society, other issues relating to SD development) and information material.

#### Tender 2:

Supported activities included training of chief executive officers of enterprises, institutions and organisations or their structural units, TU leaders, WC chairs, employees and TU members in the area of CA preparation, negotiating tactics, conflict and crisis management, prevention of illegal work, implementation of flexible and innovative forms of work, ensuring gender equality at work, and other issues related to improvement of SD competences.

Eligible applicants: companies, institutions, organisations or their TUs.

Although the main supported activities indicated in the tender specifications were education and training of SD competences, applications in which signing of a collective agreement (whether company-level or sectoral) was foreseen as a part of the project activities were assigned additional points. As a result, the contracts signed with project developers provided for preparing and signing of a total of almost 300 company level CAs and 14 sectoral CAs.

#### *Participation in ESD*

After the reconstitution of Lithuania social partners started to affiliate to respective international and European organisations. All three main trade union organisations are members of ETUC, LPK is a member of Business Europe and LDK of UEAPME. Almost all national employers and trade unions organisations have sector affiliates; most of the sector-level affiliates are members of EU-level organizations that participate on their behalf in EU-level sectoral social dialogue committees. In Lithuania, both national-level and sector-level participation in European social dialogue structures is equally important.

#### *ILO's support*

Lithuania is a member of the ILO since 1991. The country has ratified 40 ILO International Labour Standards (Conventions), including the eight fundamental Conventions. No specific country support has been identified.

## SYNTHESIS OF MAIN FINDINGS

### DWTD project portfolio

Three of six projects had Norwegian partners

Project No	Project Promoter	Name of Norwegian partner(s)	Project title	Total budget €
2012/104509	The National association of officers' trade unions of the Republic of Lithuania (NATULT)	Norwegian Union of Municipal and General Employees (Fagforbundet)	Grass-root municipality social dialogue 2	88.887
2012/104526	UAB „Lietuva Statoil" Labour Union		Raising fire safety to higher level in Lithuania	112.130
2012/104527	Lietuvos pramonininku konfederacija (Lithuanian Industrialists confederation)		Strengthening of Regional Tripartite Councils in Lithuania	79.500
2012/104594	Achemos Darbuotoju Profesine Sajunga (Achema Employees Trade Union)		Promotion of tripartite social dialogue in Jonava	66.700
2012/104606	Lietuvos valstybes tarnautoju, biudzetiniu ir viesuju istaigu darbuotoju profesines sajungos	Norwegian Association of Local and Regional Authorities (KS)	Decent work for social workers at municipal level	85.723
2012/104627	Federation of Lithuanian Forest and Wood Worker Trade Unions	Industri Energi	DESWOOD	71.494
<b>Total budget</b>				<b>504.434</b>

### *Overall relevance and main outcomes of projects*

#### *Improved SD and TPD Structures and practices*

The six social partners supported through the DWTD in Lithuania have certainly contributed to improved SD processes, but mainly at local level where tripartite structures have been revitalised in areas where the organisations were active. The project results have been reached, but without continuation it is difficult to sustain the achievements, especially since the capacity and representation at local level is quite weak. The activity levels have been high and networks, SD councils as well as concrete improvements in working conditions have been achieved.

A joint project with the national confederations of employers (LPK) and trade unions (LPSK) have been able to establish tripartite regional councils that have dealt with a range of social and health issues, with quite active participation from politicians. These councils are not formally able to reach agreements on collective bargaining. Most of these include municipalities.

A common position from the social partners and stakeholders is that the Nordic Model, as experienced through study tours and by working with Norwegian partners, is not

immediately applicable given the national and specific context. A new TPD and SD model has to be constructed based on the existing framework. A rather firm national regulation of the labour market and minimum salaries implies that elements of the Nordic model are relevant in some cases, and that the established structures and labour legislation can be used to achieve improved policy dialogue. The concrete improvements in working conditions have been achieved at enterprise level.

Examples:

An interesting project is the “Decent Work for Social Workers at Municipal Level” (PA 2012/104606), involving four partners: a Lithuanian project promoter (Trade Union for State, Budget and Public Service Employees), the national association of local authorities, KS and Fagforbundet in Norway. Key interventions were a national study on third party violence against social workers (30% have been subject to abuse in some form), training of social workers, and elaboration of guidelines for how to manage and cope with the issue. This project, although small in size, has first of all provided attention to a largely ignored problem, and has also created opportunities and space for SD at municipal level and even attracted national attention. According to KS and the project promoter, the ground has been prepared for reaching an actual improved sector agreement. In some cases, locally, working conditions and marginal wage increases have been achieved. The undefined role of the municipalities as public employers is still an unresolved challenge – there is yet no devolution of powers from central to local level, and this weakens possibilities for SD. The Norwegian partner experience, cooperation and expertise have been very important for the partners in Lithuania.

In another case, NATULT, (National Association of Service and Emergency Officers’ Trade Unions) has managed to create broadly composed SD groups in three municipalities. These fora have enabled the participating institutions and organisation in piloting and testing SD as a method to resolve conflicts, overcome challenges and define better services. NATULT considers that the project has laid the foundations for better quality public services, where the Norwegian experience of indexing and assessing performance of services has been both inspiring and applicable, although on a small scale. The project has faced some of the same challenges as the above on Social Workers (poorly defined SD, weak employers, lack of participation by some partners), and the subjects treated by the SD groups were very broad and very diverse, so it was difficult to manage and engage in meaningful debate at times. Valuable cooperation with sister unions and even with the national (SME) Confederation of Lithuanian Employers ([www.lvdk.eu](http://www.lvdk.eu)) have also been established.

*B Promote DW agenda*

Social protection, social dialogue, occupational health and safety, engagement in policy dialogue by both employers and unions, sometimes jointly, have been integrated in the projects. Employment and job creation issues have not been addressed, and the difficult questions of labour migration and youth unemployment in Lithuania have not been addressed.

*C Bilateral relations*

An almost unison assessment of the cooperation and relationship with Norwegian partners by the project promoters is one of very high satisfaction. This goes for content of experience, quality of technical exchange and advice, exposure to Norwegian social partners, public institutions during visits to Norway, but also in terms of the cultural exchange and the linkages created. In one case (NATULT and Fagforbundet), the partners

have subsequently <sup>71</sup> on their own initiative and expense organised another study visit to Norway. As in other countries, a fly in the ointment has been that not all that sought Norwegian partners could have one.

**Context Analysis Lithuania draws upon following sources:**

<http://www.ilo.org/budapest/countries-covered/lithuania/lang--en/index.htm>

Business Europe, 2011, JOINT STUDY OF THE EUROPEAN SOCIAL PARTNERS "THE IMPLEMENTATION OF FLEXICURITY AND THE ROLE OF THE SOCIAL PARTNERS", Country fiche

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<http://www.sb.no/nyheter/fagforeninger-samarbeider-over-grensene/s/5-73-66379>

## Country Report – Poland

### CONTEXT ANALYSIS

#### *Legislative Framework*

The legal environment of labour relations in Poland is a mixture of laws inherited from the era of authoritarian socialism, the regulations adopted at an early stage of political transformation and law transposing EU regulations into the Polish legal system after Polish accession to the European Union in 2004. As a result, the environment in which the employment and labour relations operate in the country is inconsistent in many cases. The most important legislative acts defining the framework for the functioning of the labour relations include: Labour Code (1974) - the main normative act regulating labour relations, State-Owned Enterprises Act (1981) - legal basis for the separate organizational form of state enterprise, Law on Associations (1989) - the legal basis for the activities of associations, regulating the activities of non-typical participants in labour relations (e.g. NGOs), Act on the settlement of collective disputes (1991) - defining the rules governing the conduct and resolution of labour disputes and strikes, Act on the Tripartite Commission for Socio-Economic issues and regional social dialogue commissions (2001) - that provides the legal basis for the functioning of the institutions of social dialogue in Poland.

The Polish system of labour relations is based on three categories of participants: the State, trade unions and employers' organizations. In addition to these main actors there are still many organizations representing the collective interests, these are mainly: the works councils, workers councils, workers' representatives on the boards of companies controlled by the state, and European Works Councils (EWC) .

#### *Socio-economic context*

The development of the Polish economy in the last decade was impressive: after gaining independence in 1989 the economy boomed, experienced a slowdown in the period of 2001-2003 and picked up again in 2004. It is based on increasing private consumption, increasing corporate investment and the EU funds inflow after 2004. The real GDP growth reached the level of 5% in 2008. It was expected to continue growing at the level of some 3.7%-4%, but eventually decreased sharply to 1.7% in 2009 as a result of the international crisis.

In 2009, the Polish economy experienced a serious slowdown, but it has to be noted that Poland was the only country in the EU that managed to maintain positive GDP growth during the crisis, at 1.7% in 2009. According to the European Commission the exceptional performance during the crisis can be attributed to various factors: a very good economic situation before the crisis, a well-capitalized and sound financial sector, relatively low degree of economy openness, depreciation of the Polish currency at an early stage of the crisis. The labour market has smoothly adjusted to the crisis; the unemployment rate increased – it reached the level of 8.2% in 2009 and is predicted to rise further in 2010 and 2011, although at a moderate pace. Current developments on the labour market show that export-oriented sectors such as manufacturing, construction and transport were the ones the most hit by the crisis.

#### *Status of social dialogue*

Social dialogue in Poland has a long political traditional and is currently implemented at following levels:

- **National level** - Tripartite Commission for Socio-Economic issues



Tripartite Commission for Socio-Economic issues, brings together seven of the social partners and - from the government side – representatives of the Minister of Economy, Minister of Labour and Social Affairs, the Minister of the Treasury, the Minister of Finance, Minister of Development and Infrastructure, Minister of Health, Minister of National Education. On the union side its members are NSZZ Solidarity, the OPZZ and FZZ. On the part of employers: Lewiatan Confederation of Employers of Poland, Polish Craft Association and the Business Centre Club.

- **Branch level** - Tripartite Sector Teams

Tripartite Sector Teams operate outside of the Tripartite Commission for Socio-Economic issues. They have been set up in order to pursue tripartite sectoral dialogue to reconcile the interests of the parties during the implementation of government action programs and solving problems concerning the functioning of the sector.

- **Regional level** – Voivodeship Commissions for Social Dialogue

Voivodeship Commissions for Social Dialogue are appointed on the basis of Art. 16 of the Act of 6 July 2001 on the Tripartite Commission for Socio-Economic issues and regional social dialogue commissions. These regional SD commissions are now operating in all Voivodeships.

### **Collective Bargaining**

Collective bargaining in Poland can take place either at the level of single companies or workplaces or at a multi-workplace level, where they sometimes cover an industry. However in terms both of numbers covered and impact, it is collective bargaining at individual company level that is more important. Only a minority of employees in Poland are covered by collective bargaining, which takes place largely at company or workplace level. This means that where there are no unions to take up the issue, pay and conditions are set unilaterally by employers – subject to the national minimum wage.

### **Trade Unions**

Trade union density is relatively low at around 12% of employees and membership is divided between a large number of organisations. There are two large confederations, NSZZ Solidarność and OPZZ, and one somewhat smaller one, FZZ. However, a significant number of union members are in small local unions not affiliated to any of the main confederations.

The main union organisations do not publish regular membership figures and there is no official estimate. However, a survey by the polling company CBOS in April 2012 estimated union membership among employees at 12%. The ICTWSS database of union membership calculated union density to be 14.1% in 2010.

#### *History of trade unionism in Poland*

NSZZ Solidarność was founded in 1980 and it became the first independent labour union in a Soviet-bloc. Solidarity gave rise to a broad, non-violent, anti-communist social movement that, at its height, claimed some 9.4 million members. It grew initially from the strikes in the Gdansk shipyard in 1980 at the time of the communist government and it was registered as an independent self-governing trade union in September of the same year. After a period of illegality following the imposition of martial law in December 1981 it re-emerged as a legal organisation in 1989. Solidarność's leaders were a key component in Poland's first non-communist government in the same year and played a direct political role in the years that followed through Akcja Wyborcza Solidarność (Solidarity Election Action), which formed part of Poland's government from 1997 to 2000. It is now once again primarily a trade union rather a political movement but still has ties to politics (see below). In 2008 it was estimated to have 680,000 members, although the website of the Ministry of Labour and Social Policy

lists its membership at 900,000. The 2012 CBOS survey estimated that 5% of Polish employees were members of NSZZ Solidarność.

OPZZ was founded in 1984 after a period of martial law when all trade unions were banned and has remained in being throughout the political and economic transformation of Poland. It was estimated to have 535,000 members in 2009. The CBOS survey in August 2012 found that 3% of Polish employees stated that they were in unions which belong to OPZZ. However, as, unlike NSZZ Solidarność, OPZZ member unions are not immediately identified as such, this may be an underestimate.

### *Participation in the ESD*

Poland is a member of a number of bodies aimed at social dialogue at European level. These entities are: European Economic and Social Committee; Advisory Committee on Free Movement of Workers; Advisory Committee for the Coordination of Social Security Systems; Advisory Committee on Equal Opportunities for Women and Men; Advisory Committee on safety and health at work; Governing Board of the European Centre for the Development of Vocational Training; Governing Board of the European Foundation for the Improvement of Living and Working Conditions; Governing Board of the European Agency for Safety and Health at Work

The Polish government in consultation with the representative organizations of civil society at the national level proposes to the EU Council a number of candidates (21 members). The Council then appoints members to the European Economic and Social Committee by unanimous decision.

### *ILO's support*

Poland is a founding member state of the ILO. The country has ratified 81 ILO International Labour Standards (Conventions), including the eight fundamental Conventions. ILO implemented in Poland (2004-2007) the Combating Poverty and Social Exclusion in Central and Eastern Europe (STEP) Project. The project aimed at contributing to the fight against exclusion from employment and from social protection of vulnerable groups, with a special focus on youth, Roma, persons with disabilities and low-income women. STEP included Bulgaria, Hungary, Poland and Slovenia.

Poland is not covered by an ILO Decent Work Country Programme.

## SYNTHESIS OF MAIN FINDINGS

### *General background*

With the change of the labour code in 2013, the unions proposed to have regional or sector CBAs, but the government was not interested in such an opening, and the proposal rejected. As a result, three main Trade Unions confederations (OPZZ, Solidarnosc, FZZ) decided to walk out from the national National Tripartite Commission. TD Commission was suspended. Afterwards the process of drafting new legislation has started, which led to establishment of a new tripartite structure. On August 3rd, 2015, President Bronislaw Komorowski signed a new bill establishing a more independent tripartite body - Social Dialogue Council. Throughout the legislation drafting process, some examples and good practices from other countries, among others Norway, have been used. However, the process was focused on the national dimension mainly.

Several interviewed project promoters from the Trade Unions involved in the 2013 crisis noted that the experience received from the Norwegian Partners contributed to the consultation process. It not possible to establish to which extent the “Norwegian experience” contributed to the change.

### *EU funds related to Social Dialogue*

Within the overall framework of the European Social Fund (Human Capital Programme for 2007-13) social dialogue has been supported under Priority V “ Good Governance” , measure 5.5 - Development of Social Dialogue. This measure was divided into two sub-measures:

- 3) Sub-measure 5.5.1 System support for social dialogue – systemic projects covering: Studies, analyses, expert opinions on social dialogue, its condition, perspectives and barriers for its development and needs of dialogue participators - Monitoring and evaluation of cooperation between public administration and social dialogue institutions - Popularizing cooperation in terms of agreeing on public policies between public administration and social partners - Developing and popularising standards for cooperation between public administration and social partners - Support for social partners’ participation in works of the European structures of social dialogue
- 4) Sub-measure 5.5.2 Strengthening of social dialogue participants – call for proposals projects covering: Studies, analyses, expert opinions on social dialogue, its condition, perspective and barriers for its development as well as needs of dialogue participants - Support for social partners’ participation in works of the European structures of social dialogue, efficiency of management and communication processes, improvement of information systems functioning - Creation and implementation of programmes improving expert qualifications - Support for cooperation between social partners organisations on territorial and sectoral level.

As per official programme information the Financial allocation for Measure 5.5 was € 100.238.968, whereas as per information received directly from the Ministry of Infrastructure and Development, 101 projects were implemented at a total value of € 105.003.420. The main beneficiaries of this funding were trade unions and employers organizations at sectoral and regional level.

This ongoing ESF support to Social partners was communicated to IN, as part of the initial consultations.

### *Consultations with NFP on DWTD*

In Poland, there appears to be a challenge related to consultations with the responsible Department of Assistance Programmes and the DWTD. The NFP (in the Ministry of Infrastructure and Development) was involved in the initial discussions on the content and scope of the programme, before the decision to allocate 1% of the total EEA grants to DWTD was made. The NFP did provide a number of comments to the draft programme proposal, but was not consulted later in the process, including on the short list of applications by IN. In fact, the NFP has not been much involved in the DWTD. The NFP was part of the initial start up and closing conferences, but does not have much information about the progress and achievements of the individual projects. An overview of the DWTD and some strategic/annual reports have been sent to the NFP, as well as invitations to the closing event.

It is difficult for the NFP to assess or comment anything on the outcomes. The department consider the annual report from IN on the programme as quite weak and rather general.

The NFP considers it a problem that the language of the proposals and applications had to be English, which in their view limited the number of applications and was problematic. The NFP would have preferred a national PO, not least due to language, but also to a better understanding of the specific national context.

According to IN, the main office in Oslo did screen for EU support to social partners in Poland. IN confirms that the NFP was not part of the screening and selection process, but they were informed about the long list and the final selected projects.

There is also an internal challenge in the Government in terms of coordination and policy coherence between the authorities responsible for the various EU instruments in support of SD and labour market, as well as the DWTD. There has apparently been little or no policy coordination between the MoLSP as sector responsible ministry and the NFP in MFI concerning the DWTD. MoLSP considers the non-consultation to be quite problematic. Without a regular information flow between the two ministries, it has been difficult for MoLSP, being responsible for liaison with the social partners, to know how the capacity of social partners might have developed. The MoLSP could also not advise the social partners about funding requirements.

In Poland, the Ministry of Labour and Social Affairs (MOLSP) considers that while the grants were seen as quite small, the social partners were quite excited about the projects. The DWTD is overall considered as relevant, but the MOLSP was not at all involved in the consultations, preparation or policy coherence, there was no coordination between the responsible authorities. What the ministry has noted is that there has been a noticeable difference in the overall capacity of social partners, particularly the national trade unions, during the last 3-5 years. Unions were disorganised before, now they are seen as well educated and know what they want, and they know how to negotiate. This is thanks to both the Norway Grants DWTD, and also to the ESF support. The MOLSP cannot say which support was most important.<sup>72</sup>

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Interview with Ministry of Labour and Social Affairs (MOLSP), August 2015

### Complementarity between ESF and DWTD

In the opinion of Ministry of Labour and Social Policy (MoLSP) as well as NFP (MoI) the support provided to social dialogue in Poland through ESF and through DWTD was complementary, although the actions were similar. In both grants, the activities were also quite similar, mostly focusing in the area of soft measures i.e. strengthening the capacity of social partners through training, workshops, seminars and awareness building.

However, within the ESF the general capacity building is on conducting autonomous dialogue between TU and EOs, whereas the DWTD was more focused on tripartite dialogue strengthening, including dialogue with the government.

The support in both cases was targeted mostly towards the trade unions and employers' organizations. While considering the complementarity of ESF and DWTD support to social dialogue in Poland, the total scale of the funding cannot be ignored. According to our informants in the MoI, In the timespan 2007-2013, the total of € 103.000.000 was allocated for the support of social partners under the measure 5.5. The total allocation for Poland under DWTD for the period 2009-2013 was € 3.065.000 (corresponding to 2.9 % of the ESF support).

The review team has also investigated the consultation process at the programming phase, whether the ESF support has been thoroughly analysed and complementarity has been assessed. The NFP confirmed that several meetings have been organized between MOI (NFP) and Social Dialogue Department of MoL in order to set up cooperation framework. In one of these meetings the IN's representative was present. According to official information received from NFP, the social partners' representatives in particular trade unions and employers organisations delegates as well as representation from the ILO has been involved in the consultation process at earliest programming stage. The main objectives of these consultations were: firstly, assessment of DWTD programme proposal in the broader context, the value of total allocation, and the level of self financing, application procedures and potential beneficiaries. Secondly, the consultation aimed at assessing the complementarity and possible synergies between ESF and DWTD. As a result of this consultation process, NFP provided IN with comments to the programme proposal. However, the NFP does not consider its comments were addressed in the final programme proposal. At the call for proposals stage, the NFP was not involved in the projects screening, but the final list of selected project was sent to the NFP.

#### DWTD project portfolio

Four of ten projects had Norwegian partners

Project No	Project Promoter	Name of Norwegian partner(s)	Project title	Total budget €
2012/104497	City of Warsaw		CONCENSIO - tripartite platform cooperation	254.882
2012/104520	Polish Confederation of Private Employers Lewiatan		Superwomen on the labour market	410.180
2012/104528	Niezalezny Samorządny Związek Zawodowy	Norwegian Confederation of	Collective bargaining in	371.794

Project No	Project Promoter	Name of Norwegian partner(s)	Project title	Total budget €
	"Solidarność" (NSZZ Solidarnosc)	Trade Unions (LO)	multinational firms	
2012/104533	Sekretariat Metalowców NSZZ "Solidarność" (Metalworkers' Secretariat of NSZZ Solidarność)		Understand globalisation – work in dignified manner	61.800
2012/104536	Region Gdański NSZZ "Solidarność"		To be or not to be CSR	169.236
2012/104549	Rada OPZZ Województwa Dolnośląskiego (OPZZ Regional Council of Dolnośląskie Voivodship)	Norwegian Confederation of Trade Unions (LO)	Qualified participants of social dialogue	261.670
2012/104584	Region Podlaski NSZZ "Solidarnosc"		EWAC - Employers, Workers, Authorities Cooperating	276.801
2012/104604	Związek Prywatnych Pracodawców Lubelszczyzny "Lewiatan" (Union of Private Employers of Lublin Area "Lewiatan")	Confederation of Norwegian Enterprise (NHO)	Decent work as a key to company's success	184.845
2012/104609	Ogólnopolskie Porozumienie Związków Zawodowych (All-Poland Alliance of Trade Unions, OPZZ)	UNIO	AGORA. Strengthening the social dialogue	320.930
2012/104618	Pracodawcy Pomorza" - Pomerania employers organizations		Work - Respect - Appreciation. 7 steps to WLB	196.194
<b>Total budget</b>				<b>2.508.332</b>

### Overall relevance and main outcomes of projects

#### A. Improved SD and TPD Structures and practices

##### Examples

Increased capacities to conduct at least bilateral SD amongst unions have definitely improved, confirmed by both the government and several of the respondents, including one national confederation. The MoLSP also considers that there is a general improvement in capacities of unions, as compared to before the DWTD and the last ESF Programme in support of social dialogue (2007-13). Unions are better prepared, better educated, have better strategies for negotiations and in general appear less disorganized. Whether this can be attributed to the DWTD alone is doubtful, but in combination with the ESF Programme on Social Dialogue support, there is a marked improvement.

Several of the promoters (OPZZ, Solidarnosc and Lewiatan) have actively drafted proposals for amendment of the labour code – this included increased flexibility, parental leave, and

reconstituting the national TPD council. These policy proposals were not a direct result of the DWTD projects, but elements of them have actually fed into the legislative process. Lewiathan has been able to influence the new act on Maternity Leave, which was passed and approved in 2014 (introducing 1 year maternity leave). This act included elements that were developed as part of the DWTD project.

Two of the promoters (APC, OPZZ) have pointed out that there were obstacles in beginning – union members or employees of public authorities considered SD as civic dialogue – there were wrong perceptions and misunderstandings. Many union members also considered that the Nordic model of SD could never work in Poland. Norwegian partners have been very active in explaining and promoting the concept: “Don’t move to Norway, stay in Poland and change your system from within”. One project promoter also observed that “Norwegians were not pressuring us to implement their model - they were just presenting it”.

The City of Warsaw has concentrated on internal SD, mainly bilateral, and established SD platforms in the city council, but only one of the four unions represented in the administration has actually signed the MoU with the city council. A number of e-learning courses (OHS, legislative and regulation updates in technical areas – not SD) have been developed and staff participated. The reports and the interview confirm that no CBAs have been signed, rather Memos of Understanding, rules and procedures for the SD platform and for dealing with grievances. Thus, an improved internal SD process has been initiated and platforms established, but no agreements signed.

APC has developed a national contest among local governments for best practices on SD (Local government as an employer), and have had several regional seminars. The interpretation of SD is very broad, however, and concern a variety of improved communication and relationships between employers and employees, various welfare and staff benefit schemes. A number of good cases were submitted, and the winners selected to participate in a study visit in Norway. Several regional seminars held with participation from the Norwegian partners (KS and NUMGE) on modern methods of conducting SD were also held. The issue has been widely communicated, but it is not possible to say if any practices or changes of structures have taken place. Very innovative approach, with good support from KS in Norway, and a lot of interest from social partners, excluding the central government. Given the fact the TPD has been suspended in Poland during the time of implementing the DWTD, there could be no advances in formal agreements (CBAs). While the concrete effects of the projects are not very clear, introduction of SD and promoting of best practices was definitely achieved.

The OPZZ AGORA project and Solidarnosc (104528 - CBA in MNCs) both consider that there were good inspiration and inputs from the DWTD Programme in terms of dealing with the national crisis in the TPD council, which paralyzed national TPD for about two years. Particularly the bilateral relationships and the direct access to partners in NO have been important in trying to resolve the situation.

Other national social partners (Solidarnosc national office, Lewiatan) do not see such a direct link to DWTD.

The project implemented by Solidarnosc (CBA in MNCs) achieved considerable awareness raising in the areas that has not been explored before in Poland i.e: collective bargaining in the transnational companies in Poland. The research has been carried out, where 80 leading multinational companies agreed to participate and share their collective agreements. The

study was disseminated broadly and was included into the curriculum of leading Polish universities.

The OPZZ project has worked mainly at regional level, creating a number of workshops, a group of trainers, and a general higher level of awareness on Nordic model and its benefits. Employers as well as OPZZ members also participated, and a group of trainers to conduct SD seminars in the future is now available. There was no interest from public authorities. Effects on the affiliates and rank and file members are more elusive, but discussions in the seminars were on elements of the Nordic model: transparency, long term thinking, involvement, social trust, taxes.

The employers' confederation (Lewiatan) considers that CBAs are not very popular in Poland, the TU density and employers' coverage being very low, so the Nordic model cannot just be introduced here. The labour laws set very high standards to protect employees, so there is little or no incentive for employers to change this.

Polish labour laws are quite detailed and partly seen as a protection for unions as well as employers that they might be reluctant to change and give up in favour of sector or even national CBAs.

### *B. Promoting DW agenda*

Social dialogue and governance was integrated in almost all projects in Poland.

#### Gender equality:

Superwoman project by Lewiatan (# 104520): This interesting project embodied gender equality, aiming to increase the participation of women on the labour market and produce a set of recommendations to facilitate a better work-life balance. A number of regional meetings and conferences discussed the role of women in working life and breaking of stereotypes, with the view to encourage women to run for boards of companies and managing positions. A number of practical recommendations were produced and widely discussed, and presented to key decision makers. Some were in fact integrated in the legislation. On the part of the companies and members, there were substantial reservations on introducing more flexibility and promoting women executives.

City of Warsaw (# 102511): There were no specific gender guidelines provided, and the project was more on general anti-discrimination and anti-mobbing. The majority of employees are women, and equal opportunities and equality was part of the training (e-learning).

### *C. Bilateral Relations*

5 of 11 projects in Poland have Norwegian partners. Some project promoters did not seek a partnership, as they considered this sometimes complicates the projects and they also did not see a specific need. Across the board, there is a high degree of satisfaction and appreciation of the timeliness, the quality and the relevance of the Norwegian partners' experience. This is both in terms of directly technical input to e.g. training and advice, as well as during and in preparation of study visits to Norway.



There has been very high satisfaction by the Polish promoters with the Norwegian partners, both in terms of relevance of services, quality of advice and especially the study visits to Norway. The strong social coherence and equality in Norway is highlighted as very valuable. Elements of the Norwegian experience can be said to provide both a strong source of inspiration, but there is still a long way to go before concrete experiences and practices might be adapted to a Polish context.

### *Synthesis of findings*

- The DWTD's implementation coincide with a major breakdown of social dialogue in Poland. Since June 2013, when three main trade union confederations decide to suspend the National Tripartite Commission, the social dialogue collapsed. Only in august 2015 the new bill was signed by the president constituting new tripartite body – the Social Dialogue Council. The new “opening” was the result of extensive consultation process and collaboration between trade unions and employers’ organization on drafting of new legislative framework. Although the opinions on both sides – trade unions and employers - still differ significantly as on how the consensus was reached and who was the main engine of change: it is commonly agreed that both employees and employers’ organization cooperated loosely on the development of new act of law. Two of three main TUs confederations (Solidarnosc and OPZZ) were actively involved in the crisis, and were also beneficiaries of DWTD. These promoters highlighted that support from their Norwegian Partners, and increased capacity in collective bargaining has to some extent contributed to the consultation process.
- The question of complementarity of ESF and DWTD has been discussed at the initial programming phase. According to the NFP consultation process was initiated between the NFP, Ministry of Labour, ILO, social partners’ representatives and IN. The objective was the discussion on the programme structure and potential synergies and complementarity with the ESF support. As a result of these consultation NFP issued comments to the programme proposal, which were not addressed in the final programme proposal
- The funds to the social dialogue development in Poland channelled through the ESF and DWTD are considered to be complementary by the majority of our informants. Although both grants support so called soft measures- capacity building activities, trainings, workshops, seminars. However, within the ESF the general capacity building is on conducting autonomous dialogue between TU and EOs, whereas the DWTD was more focused on tripartite dialogue strengthening, strengthening the dialogue with the government. It is noted that the ESF support constitute a very substantial around (€ 103 million), against DWTD at 2,6 million, although the ESF was over five years, and DWTD only two.
- As a result of DWTD programme in Poland, the capacities to conduct at least bilateral SD amongst unions have definitely improved, confirmed by both the government and several of the respondents, including one national confederation. The MoLSP also considers that there is a general improvement in capacities of unions, as compared to before the DWTD and the last ESF Programme in support of social dialogue (2007-13). Unions are better prepared, better educated, have better strategies for negotiations and in general appear less disorganized. Whether this can be attributed to the DWTD alone is doubtful, but in combination with the ESF Programme on Social Dialogue support, there is a marked improvement.
- As regards the bilateral relations strengthening there was high degree of satisfaction and appreciation of the timeliness, the quality and the relevance of the Norwegian partners’ experience. This is both in terms of directly technical input to e.g. training and advice, as well as during and in preparation of study visits to Norway.
- 5 of 11 projects in Poland have Norwegian partners. Some project promoters did not seek a partnership, as they considered this sometimes complicates the projects and they also did not see a specific need.

## Country report Romania

### CONTEXT ANALYSIS

#### *Legislative Framework*

Provisions in the collective agreements were often introduced in the basic Romanian labour legislation, especially in the Labour Code, issued in 2003, providing a solid basis for collective bargaining, expanding the role of trade unions. In 2011, a major revision of the Labour Code was realised, then later in 2011 a new law of social dialogue was adopted on the Government's responsibility, without agreement with social partners. The new regulation renounced at the collective bargaining at national level, at the same time giving much more power to employers. With the national collective agreement ending its validity, with almost no sectoral agreements, and with less clear conditions for the collective bargaining at company level, many collective agreements at company level were not renewed, leaving the individual contracts free to open negotiations. Currently, trade unions are trying to obtain the revision of the social dialogue law, reintroducing the collective bargaining at national level and defining better the conditions for the collective bargaining at sector and company level, but there is little hope that this would happen soon.

The national legislation contains elements related to salary and working conditions – minimal wages, working time, annual leave, special leaves (parental leave, education leave), regulation related to occupational health and safety, special working conditions, etc. Collective bargaining may introduce supplementary provisions, but it cannot worsen conditions defined in national legislation.

#### *Socio-economic context*

With an average annual real GDP growth of 6.8% between 2004 and 2008, Romania was one of the fastest growing EU Member States. However, according to the assessments of the EU Commission this strong growth went hand in hand with growing external and fiscal imbalances. As the effects of the global economic and 2008 financial crisis, a budget deficit of 5.4% of GDP was recorded, raising to an alarming 8.3% in 2009<sup>73</sup>, mirroring the downward trend of the economy. The contraction in economic activity led to an increase of the unemployment rate from 5.8% in 2008 to 6.9% in 2009.

Though Romania has made some progress in the economy in recent years, with budget deficit figures below 3% (and below the EU average) since 2012<sup>74</sup>, the country is still clearly lagging behind the European employment rates targets of the Lisbon 2010 strategy: with a total employment rate of below 59% (EU target 70%), a female employment rate of 52% (EU target 60%) and an older workers employment rate of 43% (EU target 50%), the employment rate still is significantly lower than at the beginning of the 1990s, when it stood at 70%.

The main reason for low employment rates is the substantial decrease in the number of employees – since 1990 some 3.5 million individuals (more than 40%) have emigrated. In 2008, the official unemployment rate was only 5.8%, below the EU27 average; it went up after the 2008 crisis, with a peak of 7.3% in 2010<sup>75</sup>, (still under the EU27 average), but dropped again below 6% since 2012.

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<sup>73</sup> Eurostat figure; official figure of the RO Ministry of Finances: 7.4%, but with a different calculation methodology.

<sup>74</sup> Eurostat figures for Romania: 2010: 6,58%; 2011: 4,35%; 2012: 2,9%; 2013: 2,2%; 2014: 1,5%. EU average: 2012: 3,9%; 2013: 3,2%; 2014: 2,9%;

<sup>75</sup> ILO unemployment figure, according to National Institute for Statistics.

### *Status of social dialogue*

In Romania, the framework of social dialogue is quite rich and complex and includes structures at different levels. According to the Ministry of Labour official website, there are now 5 national trade union confederations and 4 employers' organisations with national representativeness, all being involved in the different tripartite social dialogue structures. Social Dialogue is monitored at national level by the Ministry of Labour, Department of Social Dialogue, headed by a secretary of state.

#### Tripartite social dialogue in Romania includes:

- Social and Economic Council, established through the law no. 109/1997, was redefined in 2003 in the revision of the Constitution as a consultative body for the Parliament and the Government; in 2013 a new law was issued, being transformed in a civil and social dialogue autonomous body, with equal representatives from trade unions, employers' associations and NGOs; even if consultative, its opinion on the regulation related to social and economic aspects is compulsory in the process of development of the legal framework.
- Social Dialogue Commissions in all ministries
- Tripartite Administration Councils in public institutions relevant for specific social issues – health, pensions, employment
- Social Dialogue Commissions at county/regional level.

The tripartite social dialogue developed during the process of European integration, most of the tripartite structures being established in that period, usually by a top to bottom approach, on the model of social dialogue in old European Member States. Unfortunately, the activity of these structures lacks effectiveness and bears low social significance, being almost not acknowledged outside their inner circle.

#### Bipartite social dialogue

- Collective bargaining at sectoral levels, between unions' and employers' federations representatives at sectoral level – only a few collective agreements are signed at sectoral level, in sectors with major state involvement: education, health, public services etc;
- Sectoral committees, with important attributions with respect to qualifications and vocational education and training
- Parity commissions, formed by an even number of representatives of the employer and of the employees, that monitor the implementation of the collective agreement at company level
- Ad hoc structures for special problems and for collective bargaining at company level (compulsory for companies with over 20 employees).

Bipartite social dialogue developed on much more concrete bases, in a predominant bottom-top approach, sourced in the large labour communities of the inherited communist industrial colossi that favoured the trade union movement. At national level, the collective bargaining became more and more mature, maybe also due to the expanding international relationships of both employers and employees organisations.

### *Participation in the ESD*

Romanian social partners' organisations are actively involved in European supported social dialogue structures and activities, both directly, being represented in different structures like CESE, administration councils of different European agencies (ETF, CEDEFOP, Eurofound), and indirectly, via affiliation at a European organization – all national trade unions confederations are ETUC members, while (according to BusinessEurope) there is currently no affiliated Romanian employers' organisation.

### *ILO's support*

Romania was a member state of the ILO from 1919 to 1943, then since 1956 up to present. It has ratified 49 ILO International Labour Standards (Conventions), including the eight fundamental Conventions. Relationships are established at Government level, as well as at the level of the national trade unions and employers' organisations.

Romania was included in ILO's Decent work programme in two rounds: 2006-2007 and 2008-2009.

A new Memorandum of agreement was signed for 2008-2009, the new priorities within the programme for Romania being:

- to improve the labour and social dialogue legal and institutional framework;
- to request the ILO's technical assistance regarding the amendment of the following package of laws:

Other issues that were agreed to become a part of the agenda were:

- Improving the legal framework of occupational safety and health and labour inspection;
- increasing efficiency of OSH committees;
- ratification of the ILO Convention no. 155 on workers' occupational safety and health, 1981.

In the process, ILO assured technical assistance, organising tripartite consultations at national level and a training seminar.

## **SYNTHESIS OF MAIN FINDINGS**

### *General background*

The unemployment problem in Romania is a relative one – the general figures are around 5%, with underemployment being a specific challenge, and there are sectors with serious bottlenecks due to migration (Construction for example). Still there are jobs on offer that people are not willing to fill, preferring unemployment or migration.<sup>76</sup>

A very well developed and rich institutional SD framework exists in Romania. There are numerous SD committees and structures in place, at national, regional and local level, but many do not function. There is no commitment and little trust, and a general lack of a culture of dialogue. According to one employers' organisation, the SD structures and the Labour Code are seen as very cumbersome, with three levels: sectoral, cluster, and company. This makes it extremely difficult to run a business, as sometimes the SD negotiations run 9-12 months<sup>77</sup>. Romania appears not yet to have surpassed a confrontational culture and so SD is still very much based on adversity. The Nordic Model of TP and SD is seen as very interesting to the Romanian social partners and institutions, and it remains to be seen how elements of that could be further adapted to the existing SD system. There has been a serious discontinuity in the SD tradition and practice.<sup>78</sup>

Trade union respondents confirmed during this review that cancelling the national level CBA in the 2011 labour law amendment has created serious challenges, as nothing has been

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<sup>76</sup> Interview with Ministry of Labour, Family, Social Protection and Elderly, May, 2015

<sup>77</sup> Interview w Concordia Employers' Confederation, 28 May 2015

<sup>78</sup> Idem

proposed instead. The general lack of trust between social partners and the poor functioning of existing SD structures is also confirmed by all respondents.

The Romanian Ministry of Labour, Family, Social Protection and Elderly, Department for Social Dialogue, is in the process of acknowledging the Nordic Model in general<sup>79</sup>. The relevance of the DWTD has to be seen in the context of the very comprehensive SD structures and tradition in Romania. “We have the best institutionalised system in the world, covering all parts of the social and economic domains, TPD and SD structures at many levels. The problem is what fills this system – there is a lack of dialogue culture, even mistrust, social partners are still used to adversity and conflicts, not to promoting alternatives”. The Romanian authority does consider parts of the DWTD as relevant, while the details of all the DWTD projects are not known. One promoter (public employer) has become much more professional, with better materials and has definitely improved its relationship with the trade unions. In general if, the DWTD has been used to develop capacities of social partners, it is considered as relevant and useful – however, the department is not aware of all the projects and their objectives.

### *EU funds related to Social Dialogue*

Within the overall framework of the Sector Operational Programme for Human Resource Development, with a total allocation of € 4 billion, mainly financed by the ESF from 2008 to 2015 (implemented through the Ministry of European Funds), only one of the Key Areas of Interventions (3.3.) has objectives related to capacities of Social Partners and SD: Development of Partnerships and encouraging initiatives for social partners and civil society (€ 90 million). The overall programme has very large objectives (promoting quality initial and continuous education and training, including higher education and research; promoting entrepreneurial culture and improving quality and productivity at work; facilitating the young people and long term unemployed insertion in the labour market; developing a modern, flexible, inclusive labour market; promoting (re)insertion in the labour market of inactive people, including in rural areas; improving public employment services; facilitating access to education and to the labour market of the vulnerable groups).

The KAI 3.3 itself has broader objectives, overpassing Social Partners empowerment (promotion of partnerships, networking, employment and social inclusion, civic involvement, CSR, and development of Social Partners’ capacity to promote human resource development (with a focus on standards and certification). A number of CSOs and some social partners have responded to and also been selected under the four Calls for Proposals made, but there is no information available on the selection of projects, only total disbursements. While the selection is made on the basis of calls for proposals, coordination of projects related to SD and relevant for social partners through the ESF funds appears not very clear and complex.<sup>80</sup> The Ministry of Labour, Family, Social Protection and Elderly informs that it is aware of individual ESF funded projects, including the ones promoted by the ministry itself, and that the social partners are always consulted on them. The Ministry has no particular involvement in the policy coherence and project screening (related to social partners) of the ESF based programme on Human Resource Development<sup>81</sup>.

<sup>79</sup> The Department of Social Dialogue has obtained funding for a direct EEA and Norway grants project outside the DWTD, focusing on mediation and labour arbitration. Interview May, 2015

<sup>80</sup> A 2011 Interim evaluation of the Sectoral Operational Programme “Human Resources Development” does not provide details about the selection and interventions, only overall methodology. The evaluation is quite critical about the absence of or too detailed indicators and overlapping objectives (leading to confusion), and notes that the Management Authority is very control oriented. ([http://www.fonduri-ue.ro/posdru/images/downloaddocs/rezumato\\_eval\\_interim\\_en.pdf](http://www.fonduri-ue.ro/posdru/images/downloaddocs/rezumato_eval_interim_en.pdf))

<sup>81</sup> Interview with Ministry of Labour, Family, Social Protection and Elderly, Dept. of Social Dialogue, May 2015. “If we are not informed directly of projects implemented by social partners, we may not know anything”.

Recently, an EEA and Norway Grants project (not financed through DWTD) on labour courts and mediation, with the Ministry as project promoter, has been approved and is under implementation. This involves visits to Social Partners, the Labour Court and the National Arbitrator in Norway.

The NFP (in the Ministry of European Funds, Directorate General for Donor Funding) is responsible for screening and ensuring overall policy coherence between DWTD and ESF, but it is not clear how this is happening in practice. On an overall level, the NFP consults with the Ministry of Labour as the responsible policy developer, as well as with other donor financed programmes to avoid overlaps and duplication.

#### *Consultations with NFP on DWTD*

In Romania, there appears to be a challenge related to the continuity and consultation with the responsible Directorate General for Donor Funding and the DWTD. The NFP (in the Ministry of European Funds, Directorate General for Donor Funding) acknowledges that it is the designated focal point, and was initially involved in the initial discussions, before the decision to allocate 1% of the total EEA grants to DWTD was made. However, the current staff at the Ministry, including the designated NFP, have not been involved in the DWTD – neither in the negotiations, nor in the selection of projects. An overview of the DWTD and some strategic/annual reports have been sent to the NFP, as well as invitations to the closing event. Conversely, according to IN, the NFP has been directly consulted and involved in the final selection, and was also part of the closing conference, but there have been several changes in staff in the NFP.

#### DWTD project portfolio

Four of six projects had Norwegian partners

Project No	Project Promoter	Name of Norwegian partner(s)	Project title	Total budget €
2012/10452 2	Confederatia Sindicatelor Democratice din Romania (Democratic Trade Union Confederation of Romania)	Norwegian Confederation of Trade Unions (LO); Norwegian Union of School Employees (Skolenes Landsforbund)	Developing dialogue structures in education	250.916
2012/10453 7	(CANCELLED) Federația Națională a Sindicatelor din Agricultură, Alimentație, Tutun, Domenii și Servicii Conexe AGR (Federatia AGROSTAR)		Decent work for Romanian farmers	299.082
2012/10456 5	Sindicatul National al Lucratorilor din Penitenciare	Correctional Association of Professionals Norwegian Correctional Services	Itinerariul Dialog	196.647
2012/10461 0	Liga Citadina a Serviciilor Publice si Comunale din Romania		New resources for tripartite dialogues in Romania	120.030
2012/10461	National Agency for Civil	Norwegian Association	Enhancing	351.778



Project No	Project Promoter	Name of Norwegian partner(s)	Project title	Total budget €
1	servants (Agentia Nationala a Functionarilor Publici)	of Local and Regional Authorities (KS)	social dialogue for civil servants	
2012/10452 2	Confederatia Sindicatelor Democrate din Romania (Democratic Trade Union Confederation of Romania)	Norwegian Confederation of Trade Unions (LO); Norwegian Union of School Employees (Skolenes Landsforbund)	Developing dialogue structures in education	250.916
<b>Total budget</b>				<b>1.469.369</b>

### *Overall relevance and main outcomes of projects*

#### *A. Improved SD and TPD Structures and practices*

On a general note, given the complexity of SD and TPD structures in Romania, the DWTD can be said to have created some very good examples of improved SD and TPD practices at local level or in specific subsectors, not least with relevant and much appreciated inputs by the Norwegian partners. Existing structures have been revitalised and quality SD has taken place, relevant research has been undertaken and new practice and experience has been gained. Some interventions have been quite advanced, even at TPD level (like in the prison sub-sector). It is also clear that the four DWTD supported projects cannot be said to have had an overall influence on the SD /TPD practices in Romania, but have provided illustrative and positive examples of how to apply elements of the Nordic Model. Project promoters as well as Norwegian partners were very enthusiastic about the achievements.

The DWTD projects are all within the public sector (3 trade unions), one (National Agency Public Service - ANFP), and one public employers' organisation. This attuning to public sector is also noted by both the embassy and IN. (NB: one project in the private sector, AGROSTAR, was cancelled).

#### *Examples*

In case of the ANFP (project # 2012/104611), partnering with KS and Fagforbundet in Norway, a number of (regional) parity commissions have been consolidated and are now functioning. Also, a series of 16 round table discussions on TPD has meant that there is now a much better understanding of the role of the agency and clearer communication between central and territorial structures of the institution. A study on the activity of parity commissions in the public institutions has been realised and a specific training course, based on TPD, was developed with input from KS. The process has brought ANFP and the unions closer together, and the TPD training course is now being consolidated and integrated into ANFP's overall training programme, and a core group of county based trainers on TPD are available.

The joint project with CSDR (National Confederation of Unions) and FSLI (Trade Union Federation in Education), with LO Norway and SL (Skolenes Landsforbund), is an interesting example (project # 2012/104522). First of all, it involves four partners, and is based on some

previous contacts and cooperation. The project's focus on Occupational Health and Safety Structures at school level, combined with a quite intensive general awareness raising and a well developed and run training programme involving both union members and employers, has resulted in functioning OHS structures in the 200+ schools covered. Training materials have been developed during study visits to Norway and by SL/FSLI in Romania, (manual, training of trainers hand-book, a DVD with resource materials), a national study on work related stress in schools have been done, and the OHS training course has been accredited as a professional vocational education course for public teachers by the Ministry of Education. According to FSLI, this itself is a major achievement and key to the interest and possibility of teachers to attend the course. The high quality input and very relevant experience of SL in Norway were, according to the project promoter, instrumental in creating a platform for dialogue and become recognised as a professional organisation, both amongst employers and the affiliate members. FSLI/CSDR has continued, with own funds, to offer the training courses in 2015, and interest is quite high.

On the project (# 2012/104565) with the Penitentiary Trade Union (SNLP), the promoter reports that there has been an increased awareness of social dialogue among its affiliates, better knowledge of best practices, and a SD training course has been developed and repeated in various institutions for members. Interestingly, for the first time in the history of Romanian prisons, a [TPD] meeting with all the prison directors, the minister and trade union leaders was organised. This was a therapeutic meeting – urgent and key issues could be tabled and dealt with directly (SNLP).

#### *B. Promoting DW agenda*

The four DWTD projects all contain interventions on social dialogue, and the unions in general do consider that the DW agenda is relevant and that the organisations are working to promote the four pillars, including reviving or establishing structures on SD. It is clear that OHS is being addressed in the FSLI project most directly, as a rights at work issue. Also, the promoters have to some extent been able to address also issues like general working conditions (such as occupational stress), benefits, working time in the direct SD negotiations with employers and government.

According to the government, unemployment is not a serious issue in Romania, and social protection is not seen as weak. But these issues cannot be said to be addressed by the DWTD projects.

#### *C. Bilateral Relations*

Across the board, there is a high degree of satisfaction and appreciation of the timeliness, the quality and the relevance of the Norwegian partners' experience. This is both in terms of directly technical input to e.g. training programmes, in tailoring interventions or even providing direct feedback to internal discussions (ANFP). On the relevance and quality of technical support and advice, not least during study tours or visits to Norway and Romania, the promoters have also been extremely satisfied with the input. This goes from relevant Norwegian cases on OHS (CSDR/FSLI), to providing didactic and technical inputs to training courses. Seeing and experiencing the Nordic Model being used in practice by the partners in Norway has been a key learning point, according to one project promoter.



It is also clear that the level of knowledge about Norway in Romania and vice versa is limited, so the direct partnerships have been very beneficial in creating and deepening the cultural and institutional linkages.

### *Synthesis of findings*

Many respondents seem critical of the Romanian bureaucracy, its slowness and its complexity. It sounds difficult to introduce DWTB principles and Government Institutions do not seem to be willing partners. The Ministry of Labour and Social Affairs would have liked to see higher participation by authorities and public employers. Unemployment is not a major issue, but emigration is a challenge. Trade union membership was not especially popular amongst ordinary employees.

On the other hand it seems that a fresh and active approach by Norwegian institutions has been very welcome. It should be noted that 3 of the 4 projects in Romania had Norwegian partners. The Embassy has generally been very helpful in finding Norwegian partners. Institutions seem to welcome partnership with Norwegian unions and employers, and IN is singled out as being very fast and active in responding to implementation barriers and needs, in contrast to the Romanian government and EU funds management. Problems are explained by the Romanian bureaucratic/Government culture. DWTB budgets were limited or insufficient, and time was very short. One of the promoters was offered an extension by IN (in 2014), and was able to increase quite substantially its outreach and the number of courses held.

#### **Context Analysis Romania draws upon following sources:**

**Information on DTW programme for promoters** - <http://www.eeagrants.ro/ro/munca-decenta-si-dialog-tripartit>

**Individual project description:** <http://norwaygrants.inekstranett.no/en/Prosjekt/Project-Profiles/ROMANIA/>

**Analysis on the involvement/efficiency of social partners in tripartite and bipartite social dialogue in Romania** - <http://ascr.ro/dialog-social/wp-content/uploads/2012/11/Analiza-analiza-nivelului-de-implicare-si-eficienta-al-partenerilor-sociali.pdf>

**Promoting autonomous social dialogue in Romania. Country report** - <http://www.csnmeridian.ro/files/docs/Raport%20de%20tara%20-%20raport%20initial.pdf>

**Information on social dialogue at EU level** -

<http://ec.europa.eu/social/main.jsp?catId=329&langId=en>

<http://www.busineurope.eu/Content/Default.asp?pageid=600>

**Trade unions and employers' organisations with national representativity** -

[http://www.mmuncii.ro/j33/images/Documente/Dialog\\_Social/2015-apr\\_reprezentativitati\\_sindicate\\_patronate.pdf](http://www.mmuncii.ro/j33/images/Documente/Dialog_Social/2015-apr_reprezentativitati_sindicate_patronate.pdf)

**Information on Romania and ILO's Decent work programme** -

[http://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---sro-budapest/documents/policy/wcms\\_167880.pdf](http://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---sro-budapest/documents/policy/wcms_167880.pdf)

[http://www.ilo.org/budapest/what-we-do/decent-work-country-programmes/WCMS\\_167652/lang--en/index.htm](http://www.ilo.org/budapest/what-we-do/decent-work-country-programmes/WCMS_167652/lang--en/index.htm)

[http://www.ilo.org/dyn/normlex/en/f?p=1000:11300:0::NO:11300:P11300\\_INSTRUMENT\\_ID:312300](http://www.ilo.org/dyn/normlex/en/f?p=1000:11300:0::NO:11300:P11300_INSTRUMENT_ID:312300)

<https://bucuresti.cylex.ro/firma/biroul-international-al-muncii-568194.html>

<http://mae.ro/node/6381>

<http://www.successromania.ro/ro/parteneri/664/biroul-international-al-muncii.htm>

**Sectoral Operational Programme Human Resources Development** (main policy document, revised in 2011 – English version) - [http://www.fonduri-ue.ro/posdru/images/downdocs/sop\\_hrd11.pdf](http://www.fonduri-ue.ro/posdru/images/downdocs/sop_hrd11.pdf)

**Framework document for implementation of SOP HRD** (revised in 2014) - [http://www.fonduri-ue.ro/posdru/images/doc2015/dci\\_v10.pdf](http://www.fonduri-ue.ro/posdru/images/doc2015/dci_v10.pdf)

*Calls for proposals MAI 3.3 SOP HRD, Specific promoter' guidelines* - <http://www.fonduri-ue.ro/finantari/linii-de-finantare/resurse-umane>

*List of beneficiaries:* <http://www.fonduri-ue.ro/posdru/index.php/implementeaza/lista-beneficiari>

**Interim Evaluation of SOP HRD Executive Summary** (English version) - [http://www.fonduri-ue.ro/posdru/images/downdocs/rezumat\\_eval\\_interim\\_en.pdf](http://www.fonduri-ue.ro/posdru/images/downdocs/rezumat_eval_interim_en.pdf)

*Implementation reports 2009, 2010, 2011, 2012, 2013* – <http://www.fonduri-ue.ro/posdru/index.php/posdru/rapoarte-evaluare>

## Country Report – Slovakia

### CONTEXT ANALYSIS

#### *Legislative Framework*

The key legal acts governing social dialogue and collective bargaining include the Labour Code (Act no. 311/2001 Coll. and its amendments) and the Act on Collective Bargaining (Act. 2/1991 Coll. amended in 2009). Minimum wage and working conditions are legislatively stipulated. The labour code stipulates what can be agreed in the collective agreements. Derogations from the law through collective agreements were allowed in selected cases only during 2011-2012, but are no longer possible after the last labour code amendments. The reliance on legislation also reflects the weakening capacities of social partners to negotiate better working conditions through collective agreements than guaranteed by legislation.

#### *Socio-economic context*

Slovakia has made significant economic reforms since its separation from the Czech Republic in 1993. Reforms to the taxation, healthcare, pension, and social welfare systems helped Slovakia to consolidate its budget and get on track to join the EU in 2004 and to adopt the Euro in January 2009. The country's major privatisations are almost complete and the government has helped to facilitate a foreign inward investment boom with business friendly policies such as labour market liberalisation and a 19% flat tax.

The 2008 financial crisis interrupted Slovakia's positive economic developments. After the 10.5 per cent peak in GDP growth in 2007, real GDP growth declined to 5.8 per cent in 2008 and to -4.8 per cent in 2009. Growth recovered at 4.5 per cent in 2010 (Eurostat). Crisis effects were most visible in the production and labour markets, because of the economy's strong orientation on industry (automotive, electronics, steel). The crisis therefore initially seemed to strengthen the procedures of tripartite social dialogue. Tripartism continued within the established system without formal changes. However, the crisis saw the established bargaining system coming under pressure as a result of the diverging interests of employers (employment flexibility), trade unions (employment security) and the government (employment stability). The Council for Economic Crisis was abolished in late 2009; and in general, the role of tripartism lacked relevant major policy influence.

Recent developments in the post-crisis years see some decentralization of social dialogue and fragmentation of social partners (e.g. in the public sector – health and education), but also pressures for bargaining decentralization originating from changing working conditions and the growing share of precarious employment forms. For example, the spread of self-employment, part-time work, temporary agency work undermines the traditional perspective on the representative role of trade unions.

#### *Status of social dialogue*

The industrial relations system in Slovakia is organized hierarchically with established national-tripartite and sectoral (tripartite, multi-employer) and finally bilateral, company-level social dialogue structures. The role of national-level social dialogue is to review/comment/debate all relevant policy issues, mostly related to legislative proposals, and serve as an advisory body to the government, without the regular conclusion of national tripartite agreements (social pacts). Collective bargaining takes place at the sectoral and

company level. Sectoral bargaining takes place in relevant sectors, but is characterized by lack of regular pattern-setting and a weak involvement of peak-level social partners (members of the Slovak tripartite committee).

In fact, Social Dialogue in Slovakia exists at national level, but not Collective Bargaining. Many representatives at tripartite level come from the public sector and they do conclude CBAs for public sector, which gives a false impression that also general tripartite agreements for the whole economy exist, but they do not. The second issue is the reliance on legislation – this is a two way process, in which social partners themselves focus heavily on legislation and see this as the main target of their action. This overtly legalistic system of industrial relations derives from two trends: first, the weakening union membership and eroding role of coordinated bargaining motivates trade unions to try to maintain some influence at least through legislation. At the same time, social partners (both employers and trade unions) maintain compliance problems with any regulation that is not part of the legal system. Legal compliance is also an issue, but social partners believe that regulating employment terms and relations is most effective when implemented through legislation.

Wages, employment security and working conditions are the most important bargaining issues. Sector-level bargaining is widespread in the public sector and in certain crucial private sectors, including the automotive, steel, electronics, chemicals, construction and transport industries. Sector-level collective agreements normally include also wage stipulations. In other sectors, e.g., tourism, commerce, agriculture, sectoral collective agreements exist but remain generally formulated (often without wage stipulations) to meet the diverse interests of various stakeholders.

Trade union density (at 17 %) and collective bargaining coverage (35 %) have been declining in the past two decades. Employers' organization density (employees in companies organized in employers' organizations as a proportion of all wage- and salary-earners in employment) declined from 33 per cent (2002) to 29 per cent (2008). With company-level bargaining becoming stronger, the enforceability of sector/industry agreements weakened and bargaining coverage systematically declined from 51 per cent in 2000 to 40 per cent in 2009. The reasons include the declining trade union and employer density and the limited use of statutory extension mechanisms to increase bargaining coverage.

### *Participation in ESD*

Slovak social partners are members of various international and EU-level organizations that participate in EU supported social dialogue. Their involvement in European structures occurs at all levels, including membership in cross-industry associations and sector-specific associations. The National Union of Employers (Republiková únia zamestnávateľov) is member of Business Europe. The Association of Employers' Federations and Associations (Asociácia zamestnávateľských zväzov a združení) is member of the International Organization of Employers. The trade union confederation (KOZ SR) is member of ETUC and ITUC. Sector-level social partner organizations are members of EU-level organizations that participate on their behalf in EU-level sectoral social dialogue committees. Both national and sector-level participation in European social dialogue structures are equally important

### *ILO's support*

Slovakia has ratified all fundamental and governance conventions of the ILO. Regarding ILO activities in Slovakia, the evidence available through ILO sources is limited. Central European Labour Studies Institute has been commissioned by the ILO to review the effects of legislative changes on the labour market since 2011, and to contribute to updating the ILO's database on legal resources (2014) and statistics on union/employer density and collective bargaining coverage (2015). The Slovak government consulted the ILO in each relevant

amendment to the Labour Code in the past decade. The Confederation of Trade Unions of the Slovak Republic (Konfederácia odborových zväzov Slovenskej Republiky, KOZ SR) cooperates with ILO on the following activities: Employment support and support to men and women in finding decent work; Improving social protection levels and universal access to social protection; Support to strengthening social dialogue; technical assistance in increasing negotiation skills of Slovak trade union representatives; technical assistance and training in pension reforms; trade union consultations regarding amendments of the Labour Code ; regional and subregional training/education activities (e.g., on employability, trade union rights, information and communication technologies in the world of labour, corporate social responsibility of employers, etc.)

KOZ SR claims to use its participation in ILO events also for strengthening bilateral cooperation with representatives from other countries.

## **SYNTHESIS OF MAIN FINDINGS**

### *General background*

#### *EU Support to Social Dialogue in Slovakia*

The most important mechanism of support for SD from the institutions of the EU is the project 'National Centre of Social Dialogue'. The project is part of the Operation Program Employment and Social Inclusion for the period of 2010 – 2013, financed by the European Social fund (ESF). The project seeks to support the development and strengthening of social dialogue in Slovakia at all levels. It is coordinated by the Centre for Education of the Ministry of Labour, Social Affairs and Family. Social partners involved in this project include AZZZ, RUZ SR, KOZ SR, and the Federation of Towns and Municipalities of Slovakia (all organizations take part in the tripartite committee).

Besides direct support to social dialogue and collective bargaining through training and education measures, the project seeks to support the capacity of social partners to deliver expert input and cooperation in processes of legislation, strategies, government decrees and other normative documents focused on socio-economic development with particular attention to labour market issues. Over and above this general aim, the Centre of Social Dialogue as the coordinating organization is in the making. This organization unit shall serve as an umbrella organization coordinating all processes and data on social dialogue, including data collection, processing of information on social dialogue, delivering analyses on social dialogue, serve as an advisory body to social partners and offer them training to improve their bargaining skills. The Centre should also serve as a platform to solve tensions and challenges within social dialogue and organize conferences, seminars and workshops. This shall contribute to the next aim of the project – developing a framework for expert discussions and bargaining that influences the country's labour market policy, as well as supporting regional structures of social dialogue (current marginal in Slovakia).

In addition to the above project, EU support to social dialogue is decentralized and channelled to individual social partners, without the existence of a national coordinator or an overview of individual projects and their aims.

DWTD project portfolio

Only one of six projects had Norwegian partners

Project No	Project Promoter	Name of Norwegian partner(s)	Project title	Total budget €
2012/104 551	ZO SLOVES Úrad práce, sociálnych vecí a rodiny	The Norwegian Civil Service Union (Norsk Tjenestemannslag )	Improving social dialogue through SK-NO partnership	58.780
2012/104 579	The Entrepreneurs Association of Slovakia		Meaningful Social Dialogue - Road to the Change	72.000
2012/104 583	The Slovak Trade Union of Health and Social Services (SOZZASS)		Capacity building to improve social dialogue	70.000
2012/104 587	Trade Union of Food Workers of the Slovak Republic /OZP SR/		Training and capacity building for workers reps	25.000
2012/104 595	Federation of the Employers' Associations of the Slovak republic		Promotion of the social partnership building	55.253
2012/104 597	The Trade Union of Workers in Education and Science of Slovakia		Social Dialogue as a Basis of Creating Decent Work	157.638
<b>Total budget</b>				<b>438.671</b>

*Overall relevance and main outcomes of projects*

The two employers' organisation (AZZZ and EAS) have conducted studies and research on the business environment, regulations and on the quality of and preparation for CBAs. They have also held a number of conferences and meetings on SD. Both consider that the policy dialogue and the conferences held have created a lot of attention, and the employers' organisations also believe they have had some influence on the government's attitude and the labour legislation. The latter is a rather contentious issue in Slovakia, and the unions have been very vocal against the proposed amendments.

Despite the well developed SD system in Slovakia, the general impression is that the tripartite dialogue in (both national policy and consultations) as well as the sector TPD still have major weaknesses. Issues can be raised and debated, while creating consensus and making decisions are very difficult.

This is also confirmed by the unions, where e.g. in education and in the public health sector, where it has been impossible for a long time to reach sector or enterprise CBAs without involving a mediator, due to the tight financial situation of health structures. Sector CBAs in the private sector also exists, but they can take a long time to conclude as well. Private sector CBAs are negotiated without government involvement, under the general minimum

salary defined by the labour laws. In fact, the government does not interfere in sectoral bargaining (except in the public sector). Political ties are helpful in lobbying efforts and legislative proposals at the national level.

The feedback from respondent shows that it is important for trade unions to direct their actions towards the government rather than the employers – government support can be an important resource, but it will not interfere in private sector negotiations.

The Nordic model of TPD has created a lot of interest in Slovakia amongst social partners. The promoters also agree that while it is seen as very relevant, it would require substantial more time and effort to adapt elements of the Nordic model and introduce it at overall and specific enterprise level. The government still has a major role to play. Social partners consider the government and legislation as the most important resource for their action; giving this resource up in favour of individual bipartite relationship in light of the Nordic model raises fears of losing power – especially at the union side.

#### *A Improved SD and TPD Structures and practices*

Several respondents underline that they have been able to advance based on own research and findings (with project resources), and achieve some improvements in the qualitative content of CBAs (in public sector mainly working conditions and some benefits, not salary), in negotiation techniques and in general higher quality negotiators and representatives.

In one case (Food and beverage workers' union, OZP), they have been able to both increase the number of CBS in total, and achieve improvements in CBA. This union was also able to obtain a considerably better CBA at sector level and improved interaction with government officials at the national level. Seminars and training sessions for company-level union representatives also helped bridging their daily issues with macro-level policies. For many union representatives, this was the first time when they interacted with a "real" government representative).

In several cases the unions have achieved increased respect as real social partners by the employers, and are now taken more seriously. This is also due to the fact that the unions are better prepared, and have "streamlined" the negotiation process. This is the case for SOZZaSS (Health and Social Service Workers), which has used "dry-run techniques" (using scenarios) to prepare. The CBAs are focused both on working conditions and wage increases. In some cases, health structures with quite problematic negotiations were actually able to conclude CBAs.

The Education and Science Workers union (OZPSaV) has achieved improved collaboration at work place level through training of union representatives in negotiation techniques and quality of SD. The union has applied its existing education and training structures and systems, and has even launched a national competition for the best collective agreement, and then published the winning CBA online for other schools to apply. The ministry of education has also positively recognised the trade union education system as important for SD and quality in education.

Both of the employers' organisations supported (EAS and AZZZ SR) have undertaken research on the business environment and regulation (e.g. "Business Environment and Competitiveness of Slovakia", AZZZ SR, 2014), and EAS has focussed on the quality of the TPD processes in Slovakia, with a view to improving the regulatory framework through Social

Dialogue and making decisions based on research and findings. An important outcome of this is that the Government has now accepted impact assessments of new legislation, based on consultation with social partners. A strategy handbook has been produced for how to obtain policy Influence (“3PS – Tripartite Strategy, by EAS, Slovak/English, 2014). Both organisations through the DWTD has been able to mobilise their members and create interest and increased participation in a better quality SD. Still, they both acknowledge that there is a long way to go before there is an overall improvement in the quality of TPD.

### *B Promoting DW agenda*

Several of the union project beneficiaries in Slovakia consider that the ILO DW agenda is an integral part of their work, and that its application also as part of the DWTD project is both natural and logic. E.g. in SOZASS (Health and Social Service Workers), most of the four pillars are considered to be integral part of the unions’ continuous work, but that the improvement in quality of CBAs that was achieved through the DWTD support was more focussed on working condition and Occupational Health and Safety. It had been very difficult to increase salaries, and job creation was out of the question, given the serious budget limitations. However, SOZZaSS considers that it has been able to retain and safeguard some jobs.

Another project promoter OZPSaV (Education and Science Workers) also points out that the four areas of the DW are key to the union’s regular SD with employers on working conditions, school management, and social fund contributions by employers. The overall dialogue on social and education policies is equally important. As salaries are set nationally in the education sector, the room for manoeuvring is limited, however.

Employers do also consider that the DW agenda is extremely relevant, and that the regulatory framework for enterprises can best be improved through TPD dialogue. If unions and employers base their positions on facts, it would be more difficult for the government to change laws and conditions so frequently.

In the view of the Norwegian embassy, it is would be quite ambitious and not realistic to expect that the DWTD would be able to influence employment creation and social protection measures. However, it is acknowledged that union project promoters have been able to influence working conditions, benefits and other measures to improve their working life. This is also corroborated by the unions themselves.

### *C Bilateral relations*

It has to be taken into consideration that only one of the six projects in Slovakia has had a Norwegian partner, so there has been less direct exposure and bilateral cooperation (there is no IN office in Bratislava).

The only project with a Norwegian partner is a regional (Zvolen) branch of the country-wide public services’ union SLOVES, with NTL as a partner in Norway. SLOVES operates among other public employers within the Central Office of Labour, Social Affairs and Family Matters, which is the chief labour market authority coordinating the operation of Labour Offices throughout the country). One of the key responsibilities of the Labour Offices is the administration of the unemployed.

NTL has been very helpful in promoting and assisting SLOVES in getting the application structured, also involving the national SLOVES office. The project promoter is highly



impressed with the Norwegian partner and the experience exchange, which was seen as extremely valid and useful.

The project, however, is less successful, due to a change (in 2015) in the national legislation for state bodies in social affairs. The regional offices are no longer recognised as legal entities, and cannot negotiate CBAs – this has been centralised. This has changed the context so that the content of training and negotiation is not very relevant for the regional branch office.

In other cases, the Slovak partners have actively sought Norwegian organisations to partner with, but have either not been successful or have actually decided that they wanted to show that they stand on their own feet and apply without a partner (e.g. OZP, which has had a long cooperation with NNN in Norway before DWTD).

Those organisations that did not have a Norwegian partner would generally very much have liked to see one. The Norwegian Embassy in fact considers that the country has been neglected a bit by the Norwegian social partners, and would like to see more in the future, as bilateral cooperation has high priority.

### *Summary of findings*

There seems to have been considerable enthusiasm for the Nordic model in Slovakia. However it was felt that it was not easily applied because of frequent changes in policies and upheavals in the Slovak political system, as well as the dominance of state-centrism and legislation as the key resource for the operation of social partners. The general impression is that DWTD budgets were rather limited and they promoters would need more time to get tangible results. Projects should be more complementary to EU measures on social dialogue. Partnership with Norwegian institutions was highly desirable but disappointing (only 1 in 6 projects had a Norwegian partner). IN's performance as programme manager was rated very highly. So was the Norwegian Embassy's.

IN reacted quickly and effectively. The National Focal Point does not seem to have been heavily involved or interested. The reason is that DWTD projects were directly implemented by IN and not channelled through the NFP, unlike other project areas from Norway grants where the NFP takes an active role in project implementation.

Decent Work agenda issues seem to have been largely covered under existing legislation, and is also well integrated in the mainstream work of the beneficiaries, especially unions. However, assistance on Collective Bargaining has been very useful.

Unemployment was raised as an important issue in some cases, especially in view of the serious downscaling of industries (job losses) and the aftermath of the financial crises.

The Context Analysis draws upon following sources:

Drahokoupil, J. and Kahancová, M. (2015) Worker participation in Czechia and Slovakia, in Berger, S., Pries, L. and Wannöf, M. (eds.) *Companion to Workers' Participation at Plant Level: A Global and Comparative Perspective*. Palgrave Macmillan: Palgrave Handbooks (forthcoming).

ICTWSS database, version 4.0 (2013)

[http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200\\_COUNTRY\\_ID:102717](http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102717)

<http://www.employment.gov.sk/files/slovensky/ministerstvo/medzinarodna-spolupraca/medzinarodne-organizacie/medzinarodna-organizacia-prace-mop/zoznam-dohovorov-mop-ktorymi-je-sr-viazana.pdf>

*Annex 5      Country reports, other countries*

## **COUNTRY PROFILE – CROATIA**

### **1.      Introduction**

Croatia has been a member of the European Union since July 2013. It is therefore the newest of the 13 Norway Grants beneficiaries. Thus it has received relatively less support from Norway Grants than the other countries. Under the Norway Grants 2009 to 2014 it is allocated a total of € 4.6 million (as compared to € 311.2 million for Poland for the same period). Croatia is allocated € 100.000 from the Global Fund for Decent Work and Tripartite Dialogue for one project undertaken by the Ministry of Labour and Pension System. This is the smallest amount allocated under the Fund (apart from Malta and Cyprus)

It is important to bear in mind that Croatia is one of two (Slovenia is the other one) Norway Grants beneficiaries which were former constituent republics of the Yugoslav Federation. Croatia gained its national sovereignty in 1991. Until 24 years ago Croatia was thus part of a totally different country. The present social and tripartite dialogue mechanisms in Croatia have therefore had to develop from scratch in the past 24 years. Not surprisingly the present system of social dialogue in Croatia seems to have developed out of extensive conflicts and disagreements between the social partners. These conflicts are described in some detail by Friedrich Ebert Stiftung <sup>82</sup>.

### **2.      The Institutional and Legal Setting**

The Economic and Social Council of the Republic of Croatia (ESC) is the national body which has been established to promote and enable tripartite dialogue between Government, the employers and employees in Croatia. The ESC was first established in 1994 (three years after the country gained independence). Amongst the Council's functions are the protection of the interests of employers and employees and the negotiation and establishment of Collective Bargaining Agreements (CBAs). The ESC is composed of representatives of from Government, employers' associations (the Croatian Employers' Association) and the major five trade union confederations in the country. The Presidency and Vice Presidency of the Council are held by each of the three parties on a rotating basis.

The legal basis of the ESC is the country's Labour Code which has been amended several times since the establishment of the Council. A major disagreement took place in 2010 within the Council and the five major trade union partners withdrew. This, however, has subsequently been resolved and the trade unions have returned to the Council. However it is clear that the history of the Council has not been without conflict and tripartite dialogue has not always run smoothly.

ESC has established five committees: for wage policies and standards of living, for social policy, for employment, education and labour market harmonisation, for legislation and collective bargaining and for promoting the economy. These committees are regarded as tripartite bodies involved in formulating and proposing government policies within the

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<sup>82</sup> Darko Seperic, "2013 – Annual Review of Labour Relations and Social Dialogue in South East Europe: Croatia" , Friedrich Ebert Stiftung, January 2014

relevant areas of wages, employment, collective bargaining etc.

### 3. The Financial Crisis of 2008-2009 in Croatia

The financial crisis of 2008-2009 had a major negative impact on Croatian economic and social life, and the country has not recovered from it even now, 7 years later. Before the crisis GDP was growing at 4.5% annually whereas it fell by 0.5% in 2014. This has resulted in increasing unemployment and increasing poverty. General unemployment is now 17%, youth unemployment 40% and the poverty rate has risen from 10% to 18% since the recession. All these factors have had an impact on the conditions within which tripartite dialogue functions in Croatia. Increased unemployment and poverty is certain to impact on wage negotiations and collective bargaining agreements. Various commentators have blamed Croatia's poor performance since 2009 on lack of competitiveness and lack of foreign investment.

### 4. The Status of Tripartite Dialogue

Trade union density in Croatia is about 35% which is higher than several comparable adjacent countries e.g. Slovenia, the Czech Republic and Slovakia. This seems to be due to the fact that it has been relatively easy to establish a trade union. However this has led to a great fragmentation of unions. However recent legislation has tightened this up in order to make national tripartite dialogue more efficient by forming larger unions through consolidation. There is some evidence to show that union membership has declined in Croatia during recent years, although some of this may be due to amalgamation. Collective bargaining coverage is put at about 61% (44% private sector and 100% public sector). This is considerably higher than most comparable countries. This may be due to fact that collective bargaining can take place at industry and company level and that the Economic and Social Council has been operating for over 20 years and has developed well established bargaining routines.

### Conclusions

Tripartite dialogue seems relatively well entrenched in Croatia despite numerous historical conflicts between the social partners. This is perhaps due to the existence of the Economic and Social Council that is a relatively well-established and high-level institution responsible for promoting tripartite dialogue. However it is clear that the country's poor economic performance since 2008-2009 emphasises the need for pro-active tripartite dialogue. Both trade union density and collective bargaining coverage are higher in Croatia than in most East and Central European countries, and this is advantageous in stimulating tripartite dialogue.

## COUNTRY PROFILE -THE CZECH REPUBLIC

The Czech Republic has one of the most stable labour markets in Central and Eastern Europe. Since the split of Czechoslovakia in 1993, the country's unemployment rate generally at the level of about 7 % peaked at 8.8 % in 2000. Currently, the unemployment rate is 5.8 % (1Q 2015), which is the lowest in the region and one of the lowest in Europe. However, labour market suffer from the lower than the EU average participation rate of women, especially those aged 25 – 40, and also lower rates of participation of young people and people over 50.

### 1. Legislation and framework conditions for conducting Social Dialogue

The Czech Labour Code (Act No. 262/2006 Coll., as amended) is the fundamental act regulating Czech labour relations. In January 2012, the so-called “major amendment” to the Labour Code (Act No. 365/2011 Coll.) initiated by the Ministry of Labour in the right-wing government of Petr Nečas came into force. Changes were introduced with the aim to increase labour market flexibility and address challenges brought by the economic crisis. Two other basic acts regulating the Czech labour law are the Collective Bargaining Act and the Employment Act. Other important regulations include the act stipulating further requirements for health and safety at work, the labour inspection act, the sickness insurance act and the social security act.

*The Council of Economic and Social Agreement of the Czech Republic* (RHSD ČR) is an institutionalized platform for social dialogue among the government, trade unions and employers (tripartite body). The tripartite body is established as voluntary negotiating and initiative body and has only consultative function. With no legally binding agreements, government can ignore views expressed by social partners if it wishes so. Therefore, political cycles play an important role for conducting social dialogue in the Czech Republic, since the “colour” of the government often determines the relationship with social partners. This was the case during the period 2007-2012 when social dialogue was affected by the level of willingness of the governments to communicate with social partners (Veverkova 2012).

The largest peak trade union organisations are the *Czech-Moravian Confederation of Trade Unions* ([ČMKOS](#)) with almost 400, 000 members in 2011, and the *Association of Independent Trade Unions* ([ASO ČR](#)) with around 100, 000 members. Both are members of the tripartite body together with the two largest employers associations, the *Confederation of Industry of the Czech Republic* ([SP ČR](#)) and the *Confederation of Employer and Entrepreneur Associations of the Czech Republic* ([KZPS ČR](#)).

Company level negotiations are dominant in the Czech Republic and sectoral social dialogue remains underdeveloped. One of the reasons is that a membership of both employees and employers in social partner organizations is voluntary. Therefore in many companies and sectors where social partners organizations simply do not exist, no collective bargaining is held. This is especially the case of healthcare sector, education and local and central

government, where in addition to the lack of sectoral level organizations, government decrees directly regulate pay developments.

Around 40% of employees in the Czech Republic are covered by collective bargaining. Trade union membership is estimated at 17 % (Eurofound reports slightly lower number – 13.5 % for 2013) and employers' organizations cover 49% (see Table 1). Both trade union membership and collective bargaining coverage continue to decline since the independent state was form in 1993. The economic crisis did not affect these figures in any direction.

Table 1: Indicators of Czech industrial relations

Employer organisation density	Trade union density	Collective bargaining coverage	Dominant level of bargaining
49%*	17%	38%	company

Sources: ETUI Worker participation data, based on the ICTWSS database, Version 4.0 (2013); Eurofound 2014

## 2. Influence of socio-economic conditions and the 2008 crisis on the labour market and social dialogue

Before the economic crisis in 2008, unemployment level in Czech Republic was relatively low at the level of 4.4 %. However, two years later this number almost doubled to 7.3 %. During the crisis, government formed by the centre right-wing parties introduced austerity measures aimed at decreasing the budget deficit from 6 % of GDP in 2009 to fewer than 3 % of GDP. Public spending cuts together with reduction of public investments caused economic stagnation in 2012 and 2013, when GDP dropped by 0.7 %. Unemployment rate remained at approximately 7 % during the both years of stagnation.

The austerity measures introduced by the right-wing government caused not only dissatisfaction among workers, but also affected social dialogue in the Czech Republic. The relationship between the government and social partners worsened during the right-wing government of Petr Nečas formed in 2010 after he refused to respect the results of the previous social dialogue (Veverkova 2012). On the other hand, crisis strengthened relationship of social partners at the company and sectoral level, since it encouraged closer cooperation of social partners (ibid.).

### Sources:

Eurofound – European Foundation for the Improvement of Living and Working Conditions (2014) Czech Republic: Industrial relations profile, available at:

<http://www.eurofound.europa.eu/observatories/eurwork/comparative-information/national-contributions/czech-republic/czech-republic-industrial-relations-profile>

ETUI Worker Participation website <http://www.worker-participation.eu/>

ICTWSS database, Version 4.0 (2013), University of Amsterdam.

ILO website <http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0>

Veverkova, S. (2012) Czech Republic - Labour Relations and Social Dialogue. Annual Review 2012, Friedrich Ebert Stiftung:  
[http://fesprag.ecn.cz/img\\_upload/3403f47f1c75ee9d75621c7be5f8ebdd/sona\\_veverkova\\_czech\\_republic-labour\\_relations\\_and\\_social\\_dialogue.pdf](http://fesprag.ecn.cz/img_upload/3403f47f1c75ee9d75621c7be5f8ebdd/sona_veverkova_czech_republic-labour_relations_and_social_dialogue.pdf)

#### **ILO Conventions ratified by the Czech Republic**

<b>Ratifications of key ILO Conventions for the Czech Republic</b>		
<b>Fundamental</b>		
<b>Convention</b>	<b>Date</b>	<b>Status</b>
C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)	01-Jan-93	In Force
C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98)	01-Jan-93	In Force
C100 - Equal Remuneration Convention, 1951 (No. 100)	01-Jan-93	In Force
C105 - Abolition of Forced Labour Convention, 1957 (No. 105)	06-Aug-96	In Force
C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	01-Jan-93	In Force
C138 - Minimum Age Convention, 1973 (No. 138) Minimum age specified: 15 years	26-Apr-07	In Force
C182 - Worst Forms of Child Labour Convention, 1999 (No. 182)	19-Jun-01	In Force
<b>Governance (Priority)</b>		
<b>Convention</b>	<b>Date</b>	<b>Status</b>
C081 - Labour Inspection Convention, 1947 (No. 81)	16-Mar-11	In Force
C122 - Employment Policy Convention, 1964 (No. 122)	01-Jan-93	In Force
C129 - Labour Inspection (Agriculture) Convention, 1969 (No. 129) Has accepted Article 5, paragraph 1(a), (b) and (c)	16-Mar-11	In Force
C144 - Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)	09-Oct-00	In Force

Source: ILO.

## **COUNTRY PROFILE- HUNGARY**

The Hungarian labour market is characterized by stability in unemployment rates, generally low employment rates, low inflation and a high number of small and medium enterprises. The unemployment rate was 10.9% in 2012 and declined to around 9.1% at the end of 2013 (KSH, Hungarian Central Statistical Office). The small decrease in the unemployment rate is explained by the controversial state employment policy introducing compulsory public works programmes for the unemployed. Employment rate stood slightly below 60% in 2013; and youth unemployment, reaching 28.8% in 2013, remains among important challenges for economic policy.

Besides economic factors, political conditions play an important role in shaping Hungary's developments in social dialogue. The coalition government dominated by the Hungarian Civic Alliance (FIDESZ) fundamentally changed the legislative structure after 2010, which weakened the policy influence of societal actors (including social partners) in an attempt to stabilize FIDESZ's political and economic influence.

### **1. Legislation and framework conditions for conducting Social Dialogue**

The Labour Code (LC) is the most important piece of legislation influencing social dialogue and its participants. Through LC amendments, the government has interfered several times into trade union rights and the scope of collective bargaining. After a decade of exclusive union rights, the 2012 LC amendment reintroduced the rights of works councils (which otherwise cannot organize strikes and have highly limited influence on company-level working conditions) to negotiate agreements with employers. This applies to non-wage provisions, to employers without trade union presence and coverage by a sectoral collective agreement.

In 2011, the ruling FIDESZ government changed the system of tripartite social dialogue. The former National Interest Reconciliation Council (OÉT) was replaced by a larger consultative forum, the National Economic and Social Council (NGTT). Furthermore, in 2012, a new tripartite body, the Standing Consultative Forum between the Competitive Sector and the Government (VKF) was founded to discuss employment issues upon the initiative of the social partners. However, only three confederations on each side of the social partners have been invited into this new body (MSZSZ, LIGA and Munkástanácsok on the trade union side and ÁFÉOSZ-KESZ, MGYOSZ and VOSZ on the employers' side). The role of VKF is more limited than the former OÉT. There is no legal obligation for the government to consult the VKF, which significantly weakens the role of tripartism in Hungary. However, despite lack of formal decision-making powers, recommendation for average wage increase issued by OÉT and its successor VKF serves as a benchmark for social dialogue at sectoral and company levels.

The past 25 years saw a high fragmentation of national-level trade unions confederations, which however stabilized after 2013 when three national confederations (ASZSZ, MSZOSZ and SZEF) merged to found the Hungarian Confederation of Trade Unions (MSZSZ). The Democratic League of Independent Trade Unions (LIGA) is the most important competitor of MSZSZ. LIGA, partly in cooperation with large employers' associations, successfully applied for funds from the Hungarian government and the EU social fund to strengthen resources for social dialogue and to recruit new union members. National-level union confederations and employers' associations are integrated into European and international structures of interest representation and thus maintain connection to EU-level social dialogue developments.



Sectoral social dialogue is underdeveloped due to a high number of small businesses in the private sector and the lack of sector-level partners to social dialogue. Fragmented company-level bargaining structures dominate. Participation in national social dialogue and especially in minimum wage setting mechanism was particularly important for Hungarian unions, because it compensated union weakness at sectoral and company level bargaining. Social dialogue in the public sector is characterized by government dominance.

There are some inconsistencies in the data on Hungarian industrial relations. Table 1 shows the most important indicators using the international ICTWSS database; but other sources list lower density rates for unions (11% at company level and 2% at sectoral level, see Eurofound 2014), employers, as well as a lower bargaining coverage (23%, see Eurofound 2014).

*Table 1: Indicators of Hungarian industrial relations*

<b>Employer organisation density</b>	<b>Trade union density</b>	<b>Collective agreement coverage</b>	<b>Dominant level of bargaining</b>	<b>Coordination of wage setting</b>	<b>Government intervention in wage bargaining</b>
40*	16	33,5	Local or company	2**	3***

Source: Borbély, S. and Neumann, L. (2015) based on the ICTWSS database, Version 4.0 (2013). Data for 2011.

- \* Borbély, S. and Neumann, L. (2015) claim that a 40% employer density is not realistic and not endorsed through other surveys. Estimated employer density is significantly lower, but exact figures are not available.
- \*\* 2 = mixed industry and firm-level bargaining, with no or little pattern bargaining and relatively weak elements of government coordination through the setting of basic pay rates (statutory minimum wage) or wage indexation.
- \*\*\* 3 = the government influences wage bargaining outcomes indirectly through price-ceilings, indexation, tax measures, minimum wages, and/or pattern setting through public sector wages;

Figures on collective agreements registered at the Centre for Social Dialogue indicate that bargaining coverage fell by 14 percentage points between 2001 and 2012 – from 47% to 33%. There are only 19 sectoral/industry agreements while the vast majority of registered agreements were single employer agreements. Almost two-thirds of these agreements were for employers in the public sector, although, in terms of the numbers of employees covered, the proportions are reversed (Borbély, S. and Neumann, L. 2015).

The list of fundamental and governance ILO conventions ratified by Hungary are listed in the Annex.

## **2. Influence of socio-economic conditions and the 2008 crisis on the labour market and social dialogue**

After the economic crisis, economic growth stabilized in 2013. However, critics argue that growth was achieved without significant job growth and growth in economic production, which is not a sustainable solution to Hungary's economy and the labour market. While the

automotive sector became the most important industry in Hungary, most people work in the service sector.

The economic crisis, adopted austerity packages and macroeconomic stabilisation programmes resembled a great challenge for tripartite social dialogue. Consultations on governments' anti-crises measures occurred, but these did not facilitate a change in the consultative character of the tripartite body. In general, a coordinated response to the crisis was missing; and the lack of consensus between the government and social partners accelerated the fading role of social dialogue (Borbély and Neumann 2015).

#### Sources:

Eurofound – European Foundation for the Improvement of Living and Working Conditions (2014) Hungary: Industrial relations profile LINK

Borbély, S. and Neumann, L. (2015) Similarity and diversity in the development of wages and collective bargaining in Central and Eastern European countries - a comparison of Hungary, Slovakia and Czech Republic. CAWIE2 project final report, University of Amsterdam.

ICTWSS database, Version 4.0 (2013), University of Amsterdam.

ILO website <http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0>

#### ILO Conventions ratified by Hungary

Convention	Date ratified	Status
C029 - Forced Labour Convention, 1930 (No. 29)	08 Jun 1956	In Force
C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)	06 Jun 1957	In Force
C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98)	06 Jun 1957	In Force
C100 - Equal Remuneration Convention, 1951 (No. 100)	08 Jun 1956	In Force
C105 - Abolition of Forced Labour Convention, 1957 (No. 105)	04 Jan 1994	In Force
C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	20 Jun 1961	In Force
C138 - Minimum Age Convention, 1973 (No. 138) . Minimum age specified: 16 years	28 May 1998	In Force
C182 - Worst Forms of Child Labour Convention, 1999 (No. 182)	20 Apr 2000	In Force
C081 - Labour Inspection Convention, 1947 (No. 81)	04 Jan 1994	In Force
C122 - Employment Policy Convention, 1964 (No. 122)	18 Jun 1969	In Force
C129 - Labour Inspection (Agriculture) Convention, 1969 (No. 129)	04 Jan 1994	In Force
C144 - Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)	04 Jan 1994	In Force

Source: ILO.

## COUNTRY PROFILE- LATVIA

Latvia with about two million inhabitants out of which 49.4% are economically active has one of the smallest labour markets in the EU. The country was significantly hit by the economic crisis in 2008 and in 2009 Latvian GDP fell by 17.7 %. This was reflected in an increased unemployment rate which reached almost 18 % in 2010. Since then, Latvian economy slowly recovered and in 2014 the unemployment rate was at the level of 10.8 % (Eurostat; Eurofound).

### 1. Legislation and framework conditions for conducting Social Dialogue

The Latvian labour relations are regulated by the Latvian Labour Law enacted in 2002 and amended several times, lastly in January 2015. Latvian social dialogue system was established in 1994 and its legal background is stipulated in the Conception of social dialogue system (1993) and tripartite agreements signed in 1994 and 2004 (Eurofound 2014). *The National Tripartite Cooperation Council* (NTSP) is the Latvian tripartite body that brings together government, one trade union confederation and one employers' organisation. The principle of single-institution representation in national-level social dialogue was introduced in October, 2004 (Eurofound 2014).

Since then, there is only one trade union confederation that operates at the national level in Latvia – *the Free Trade Union Confederation of Latvia* ([LBAS](#)) and only one employers' organisation – *the Latvian Employers' Confederation* ([LDDK](#)). The cooperation between the two resulted in several national-level bipartite agreements. However, similarly to other CEE countries, the company level collective bargaining dominates Latvian labour market. Sectoral-level collective agreements as well as national one (if they exist) often set only general rules of cooperation between the parties rather than for example stipulating the wage increase levels and wage bargaining takes predominantly place at the company level.

Collective bargaining coverage is relatively high at the level of 34 %. Nevertheless, large parts of the private sector are not included in any negotiations. Employers' organisation density as reported by the Latvian Employers' Confederation was 41 % in 2013 and this number continues to rise. On the other hand, trade union density is one of the lowest in the EU – around 13 % and continues to decline (see Table 1). The Free Trade Union Confederation of Latvia reported more than 600,000 members in 1992 in contrast to approximately 98, 000 members in 2012 (Eurofound 2014). However, these numbers may be challenged in the future since at the beginning of 2015, the largest private employer in Latvia, the retail chain Maxima employing more than seven thousand people, signed an agreement with the Latvian Retail Workers Union (member of the LBAS).

Table 1: Indicators of Latvian industrial relations

	Trade union density	Collective bargaining coverage	Dominant level of bargaining
Latvia	13%	34%	company

Sources: ETUI Worker participation data, based on the ICTWSS database, Version 4.0 (2013); Eurofound 2014

\* LDDK data from 2013, Eurofound 2014b

Latvia has ratified 47 ILO International Labour Standards (Conventions), including the eight fundamental Conventions. For the complete list, see the Annex.

## 2. Influence of socio-economic conditions and the 2008 crisis on the labour market and social dialogue

The economic crisis and the downturn of Latvian economy negatively affected the number of trade union members. The number of trade unions in enterprises also declined, from 2,972 primary trade union organisations that were members of LBAS in 2001 to 2,430 in 2009 and even less, only 2,176 in 2012. During the crisis, the Latvian public sector experienced frozen collective agreements, which resulted in less strict observance of collective agreements in private companies too. In addition, social partners were often neglected during the national-level negotiations and violation of collective bargaining results were also observed (Eurofound 2014; Eurofound 2014b).

The biggest challenge of Latvian labour market in recent 10 years is migration. According to the data from the Ministry of Labour, the net migration rate remains negative in past 10 years and in 2010, the emigration was at its highest peak. It is estimated that almost 11 % of Latvian population emigrated abroad in the period 2002-2013 (The Ministry of Welfare of the Republic of Latvia, 2013).

### Sources:

Eurofound - European Foundation for the Improvement of Living and Working Conditions (2014) Latvia: Representativeness of the European social partner organisations in the cross-industry social dialogue, European Observatory of Working Life, available:

<http://www.eurofound.europa.eu/observatories/eurwork/comparative-information/national-contributions/latvia-representativeness-of-the-european-social-partner-organisations-in-the-cross-industry-social>

Eurofound - European Foundation for the Improvement of Living and Working Conditions (2014b) Latvia: Industrial relations profile, European Observatory of Working Life, available:

<http://www.eurofound.europa.eu/observatories/eurwork/comparative-information/national-contributions/latvia/latvia-industrial-relations-profile>

ETUI Worker Participation website <http://www.worker-participation.eu/>

ICTWSS database, Version 4.0 (2013), University of Amsterdam.

ILO website,

[http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200\\_COUNTRY\\_ID:102738](http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102738)

The Ministry of Welfare of the Republic of Latvia (2013), General description of the labour market situation in Latvia, available at:

[http://www.lm.gov.lv/upload/darba\\_tirgus/darba\\_tirgus/labourmarket080513.pdf](http://www.lm.gov.lv/upload/darba_tirgus/darba_tirgus/labourmarket080513.pdf)

### ILO Conventions ratified by Latvia

Ratifications of key ILO Conventions for Latvia		
Fundamental		
Convention	Date	Status
C029 - Forced Labour Convention, 1930 (No. 29)	02-Jun-06	In Force
C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)	27-Jan-92	In Force
C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98)	27-Jan-92	In Force
C100 - Equal Remuneration Convention, 1951 (No. 100)	27-Jan-92	In Force
C105 - Abolition of Forced Labour Convention, 1957 (No. 105)	27-Jan-92	In Force
C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	27-Jan-92	In Force
C138 - Minimum Age Convention, 1973 (No. 138) Minimum age specified: 15 years	02-Jun-06	In Force
C182 - Worst Forms of Child Labour Convention, 1999 (No. 182)	02-Jun-06	In Force
Governance (Priority)		
Convention	Date	Status
C081 - Labour Inspection Convention, 1947 (No. 81)	25-Jul-94	In Force
C122 - Employment Policy Convention, 1964 (No. 122)	27-Jan-92	In Force
C129 - Labour Inspection (Agriculture) Convention, 1969 (No. 129) Has accepted Article 5, paragraph 1(a), (b) and (c)	25-Jul-94	In Force
C144 - Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)	25-Jul-94	In Force

Source: ILO.

Annex 6 Proposed Draft Results Framework for DWTD Phase II<sup>83</sup>

**Existing Overall Programme Objective [Long Term impact to which the programme contributes]:**

Decent Work promoted and tripartite cooperation improved between employers' organisations, trade unions and public authorities in supporting equitable and sustainable economic and social development [from FMO's Operational Manual]

**Suggested immediate objectives**

- To enhance and improve tripartite and bipartite social dialogue practices and structures between employers' organisations, trade unions and public authorities
- Support integration by social partners of elements of ILO's Decent work agenda into social and tripartite dialogue, including social and economic policies, as well improvements in collective agreements
- To strengthen bilateral relations through establishment of partnerships between Norwegian and beneficiary state social partners

1. Description	2. Indicator	3. B: Baseline T: Target	Means of Verification	Assumptions
<b>Component 1: Capacity Building of Social partners (Unions, employers' org., public authorities)</b>				
<b>Outcome 1:</b> Enhanced capacity of social partners to participate in and negotiate collective bargaining agreements (CBAs) in social and tripartite dialogue	<ul style="list-style-type: none"> <li>• Improved decent working conditions are included in CBAs, in particular of significance to female members</li> <li>• A number of issues, central for workers and employers, are regularly discussed and/or negotiated directly in TPD and SD structures</li> <li>• Public authorities at national, local and sector level are increasingly fulfilling and assuming their role as employers and social partners</li> </ul>		Minutes (showing attendance) and reports/proposals from tripartite dialogue councils and meetings Policy proposals and tables suggestions for agenda points	Governments ensure that national/local inclusive TPD platforms/councils are functioning in all countries, based on mutual respect and recognition by social partners

<sup>83</sup> This draft framework is the consultants proposal after having received comments ,inputs and suggestions from the Norwegian Social Partners at a meeting with the DWTD Reference Group in September, 2015

1. Description	2. Indicator	3. B: Baseline T: Target	Means of Verification	Assumptions
Output 1.1 An increased number of trade unions and employers have established branches/ sections or recognised representation at enterprise/ institution level and are able to negotiate CBAs	<ul style="list-style-type: none"> <li>• Unions and employers are more representative (increased membership)</li> <li>• Increased workers' representation at enterprise /institution level</li> <li>• Increased employers' representation through branches or sections (membership of recognised national employers' org)</li> <li>• An increased number of CBAs and other social agreements are concluded sector or enterprise level</li> <li>• An increased recognition and representation of female workers' representatives and of employers representatives at institution/enterprise level and in SD fora</li> </ul>		Samples of CBAs and social agreements from participating promoters Official statistics and social partner reports and demonstrate increased representation in SD Minutes and reports from promoters demonstrate increased number of female representatives in SD fora	Trade unions and employers' organisation have minimum resources to be able to organise/recruit additional members The negative perception of trade unions (in some countries) by workers and employers does not prevent recruitment of new members
Output 1.2 The partners (unions, employers) have established (or strengthened) their training systems, carrying out training activities for local leaders and members	<ul style="list-style-type: none"> <li>• X number of specific national and sector training packages developed, integrating ILO's Decent Work Agenda</li> <li>• Training materials include introduction to SD, role of unions and employers, and OHS, gender ethnic and gender equality (equal access to employment and leadership, non-discrimination in the workplace)</li> <li>• Social partners have corps of trainers capable of using the</li> </ul>		Sample of training materials by promoters Training plans and sample of curricula and attendance lists	N.A.

1. Description	2. Indicator	3. B: Baseline T: Target	Means of Verification	Assumptions
	developed training materials. <ul style="list-style-type: none"> <li>• Trainers are actively training their peers (workers' &amp; employers' representatives)</li> <li>• XX number of joint training sessions on role of unions and employers in SD</li> </ul>			
Output 1.3 Public employers have an improved understanding and increased capacity to fulfil their role as employers	<ul style="list-style-type: none"> <li>• A number of training packages or materials developed per country for national and local authorities as relevant, on the role of public employers in SD, integrating elements of ILO's Decent Work Agenda</li> </ul>		Sample of training materials by promoters	The local and regional authorities are able to act as employers according to existing labour legislation in the countries
<b>Component 2: Improved Social Dialogue and Tripartite Dialogue structures and practices</b>				
<b>Outcome 2:</b> An improved policy dialogue at local and national level, based on inputs from social partners	An increase in submission of positions and contributions of unions and employers' representatives to recognised social or tripartite dialogue platforms		Policy proposals and tabled suggestions for agenda points	Governments ensure that national/local inclusive TPD platforms/councils are functioning in all countries, based on mutual respect and recognition by social partners
Output 2.1 Enhanced participation in local and national SD and TPD structures by recognised social partners	<ul style="list-style-type: none"> <li>• An increase in number of regular meetings of specific TPD and SD bodies in each country</li> <li>• An increased number of CBAs and other social agreements concluded in SD and TPD structures</li> </ul>		Official records and minutes of TPD and SD meetings	Social partners willing to engage and participate in established or new TPD and SD structures
Output 2.2 Relevant policy inputs by Social partners to draft social and labour market	<ul style="list-style-type: none"> <li>• Social and economic policy issues are debated with inputs from social</li> </ul>		Policy proposals, draft legislation by social	Social partners engage in policy issues relevant to



1. Description	2. Indicator	3. B: Baseline T: Target	Means of Verification	Assumptions
legislation, social protection measures and other issues of relevance to employers and workers' organisations	partners		partners	their members and organisations
<b>Component 3: Strengthening Bilateral Relations between Norway and the beneficiary states</b>				
<b>Outcome 3:</b> An increased number of partnerships within social and tripartite dialogue between social partners in Norway and beneficiary states	Mutual interest in beneficiary and donor states for collaborating on social and tripartite dialogue	B: Existing social partner cooperation between donor and beneficiary states T: Increased formal and non-formal cooperation between donor and beneficiary states	Partnership agreements Reports from promoters	A sufficient number of Norwegian partners are available and willing to enter partnerships
Output 3.1 Increased transfer and use of relevant mutual experiences, systems, models and techniques between partners	<ul style="list-style-type: none"> <li>Number of partners in beneficiary states that include Norwegian partners in joint applications for projects</li> <li>An increase in number of joint approved projects including two or more social partners (unions, employers) in both Norway and beneficiary states</li> </ul>	B: Existing social partner cooperation between donor and beneficiary states T: Improvements compared w Baseline	Applications showing more partnerships Joint applications received	N.A

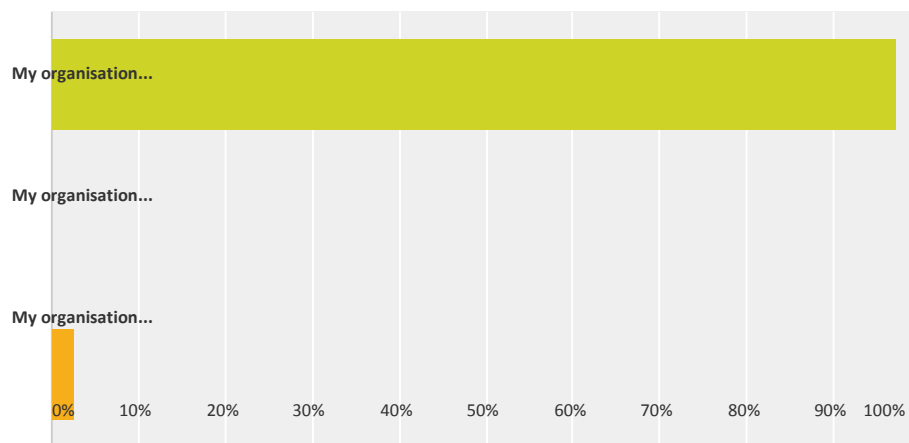
## Annex 7 Responses from on-line survey

## Q1 Contact Information

N.A.

## Q2 Which Call for Proposals under Decent Work Tripartite Dialogue Programme (DWTD) did your organisation apply under ?

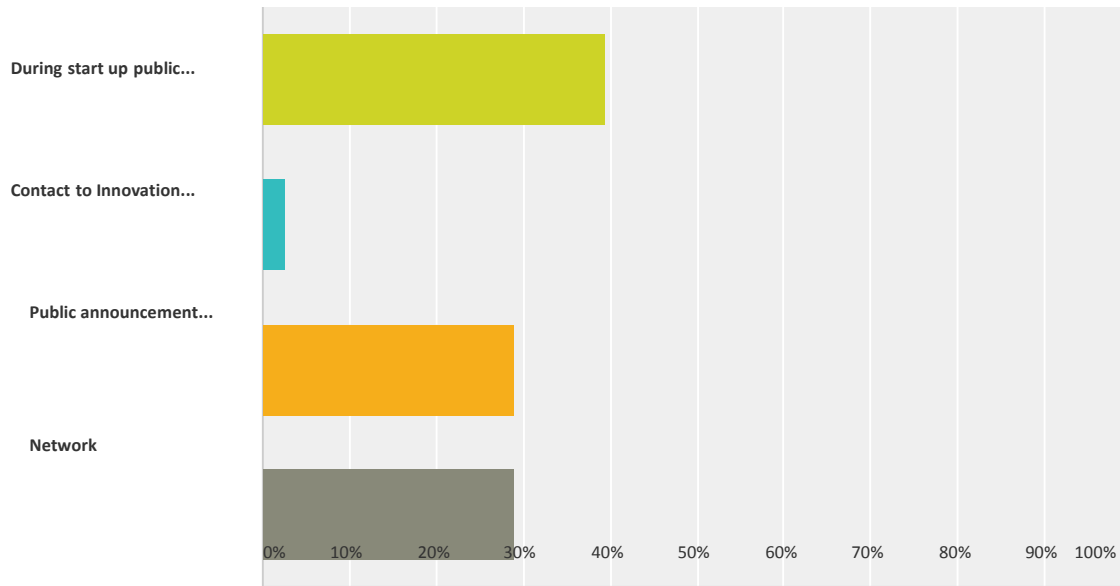
Answered: 36 Skipped: 9



Answer Choices	Responses	
My organisation responded to the Call for Proposals in January 2012	97.22%	35
My organisation responded to the Call for Proposals in December 2013	0.00%	0
My organisation responded to the Call for Proposals in April 2014	2.78%	1
<b>Total</b>		<b>36</b>

### Q3 How did your organization become informed about the Call for Proposals ?

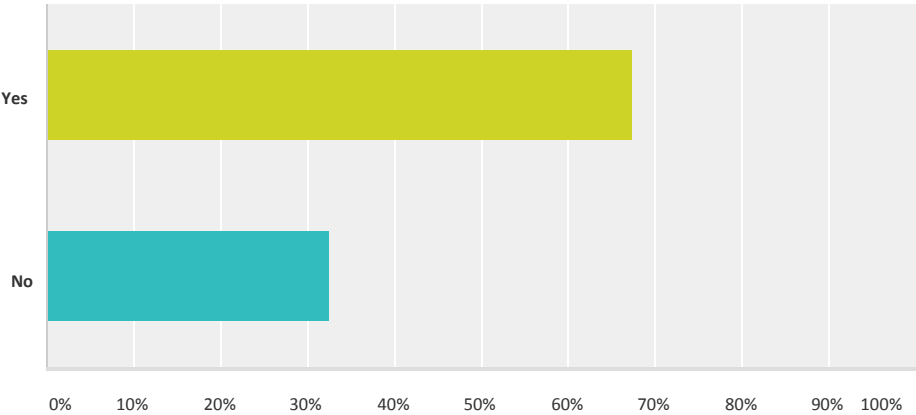
Answered: 38 Skipped: 7



Answer Choices	Responses	
During start up public meeting by EEA Grants	39.47%	15
Contact to Innovation Norway	2.63%	1
Public announcement (on website, newspaper)	28.95%	11
Network	28.95%	11
<b>Total</b>		<b>38</b>

Q4 Did you apply with a Norwegian Partner  
?

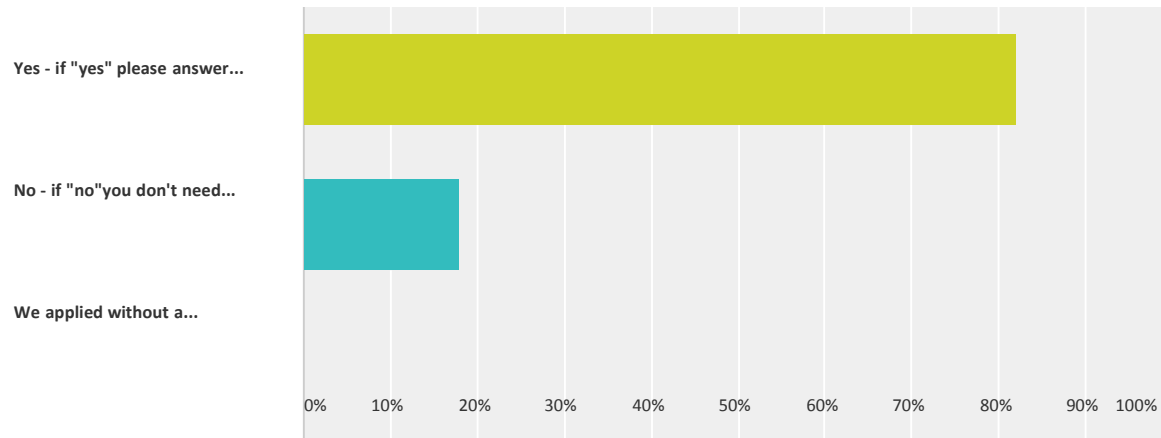
Answered: 40 Skipped: 5



Answer Choices	Responses	
Yes	67.50%	27
No	32.50%	13
Total		40

Q5 Did a Norwegian Partner assist you in preparing  
your application?

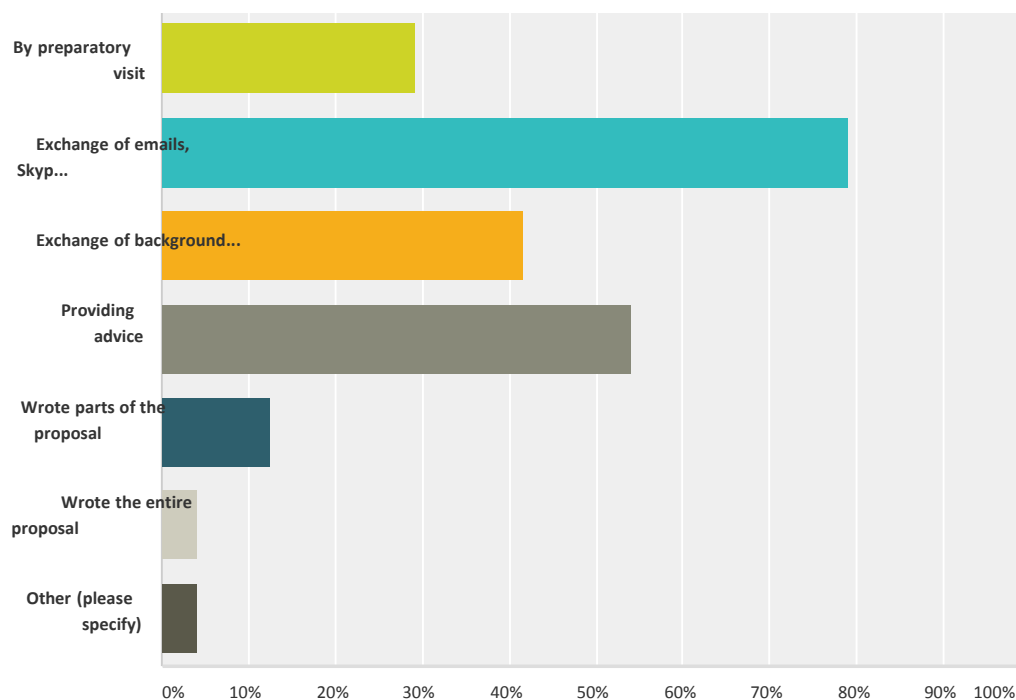
Answered: 28 Skipped: 17



Answer Choices	Responses	
Yes - if "yes" please answer question 6 below	82.14%	23
No - if "no" you don't need to answer question 6 below	17.86%	5
We applied without a Norwegian Partner	0.00%	0
Total		28

## Q6 How did your Norwegian Partners assist in the proposal preparation ?

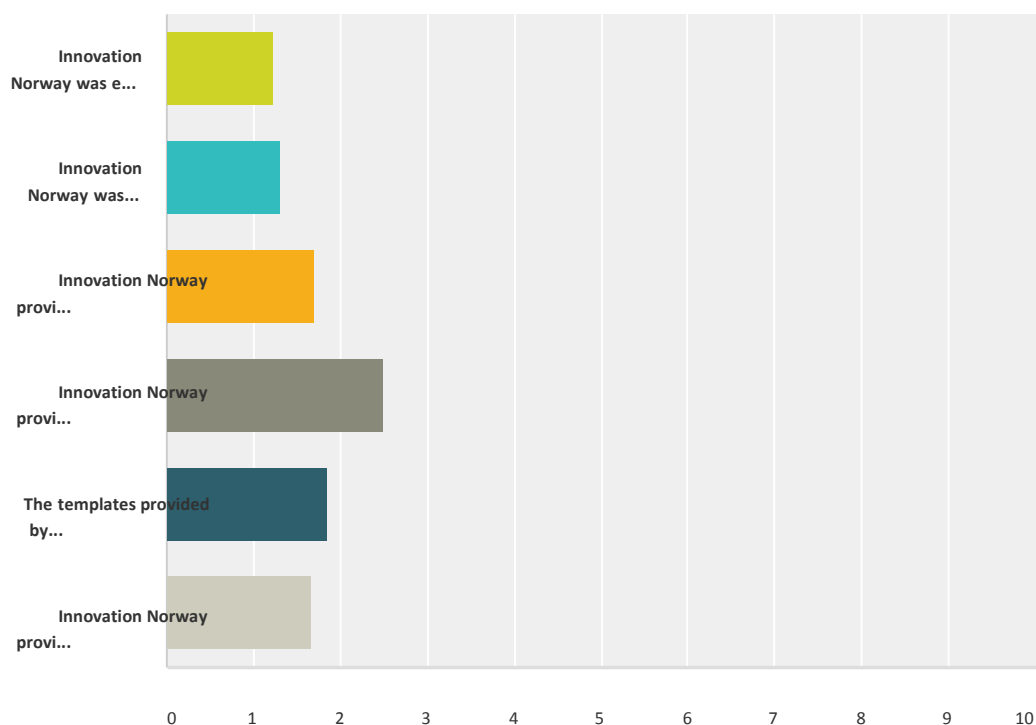
Answered: 24 Skipped: 21



Answer Choices	Responses
By preparatory visit	29.17% 7
Exchange of emails, Skype conferences	79.17% 19
Exchange of background documents	41.67% 10
Providing advice	54.17% 13
Wrote parts of the proposal	12.50% 3
Wrote the entire proposal	4.17% 1
Other (please specify)	4.17% 1
<b>Total Respondents: 24</b>	

**Q7 To what extent do you agree with the following statements? (strongly agree, agree, neither agree nor disagree, disagree, strongly disagree)**

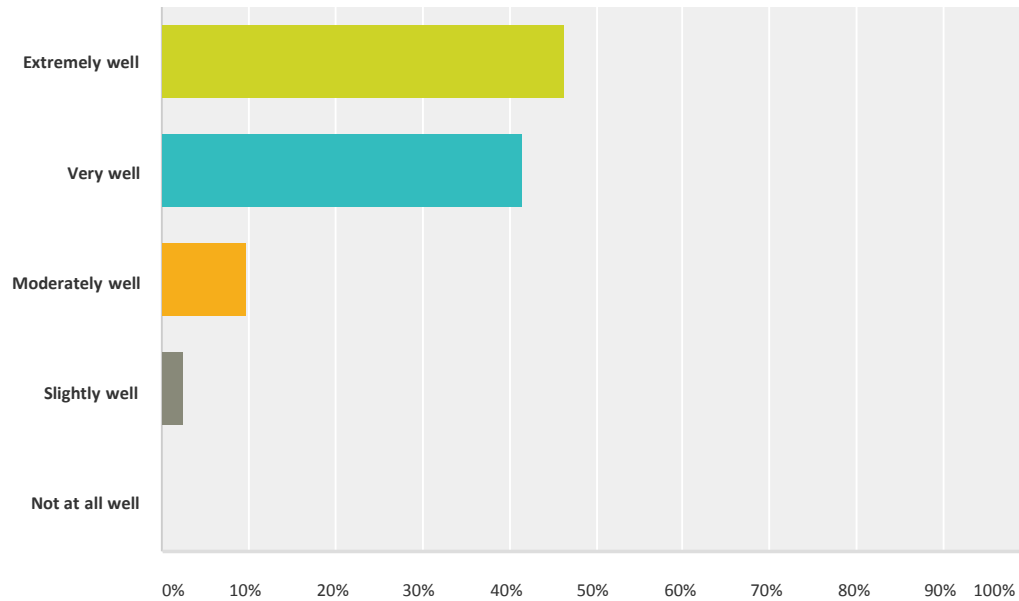
Answered: 41 Skipped: 4



	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Total	Weighted Average
Innovation Norway was easy (accessible) to get in contact with	80.49% 33	14.63% 6	4.88% 2	0.00% 0	0.00% 0	41	1.24
Innovation Norway was quick to respond to my questions and concerns. (e.g. for project modifications, changes in budget, questions about the reporting and indicators etc.)	78.05% 32	14.63% 6	4.88% 2	2.44% 1	0.00% 0	41	1.32
Innovation Norway provided clear guidelines and clarifications during preparation of the application /proposal	48.78% 20	36.59% 15	9.76% 4	4.88% 2	0.00% 0	41	1.71
Innovation Norway provided assistance in identifying a Norwegian Partner	18.42% 7	15.79% 6	63.16% 24	2.63% 1	0.00% 0	38	2.50
The templates provided by Innovation Norway were clear and appropriate	36.59% 15	46.34% 19	12.20% 5	4.88% 2	0.00% 0	41	1.85
Innovation Norway provided sufficient information and guidance about administrative requirements	51.22% 21	34.15% 14	9.76% 4	4.88% 2	0.00% 0	41	1.68

Q8 How well did Innovation Norway manage the Decent Work and Tripartite Dialogue (DWTB) programme?

Answered: 41 Skipped: 4

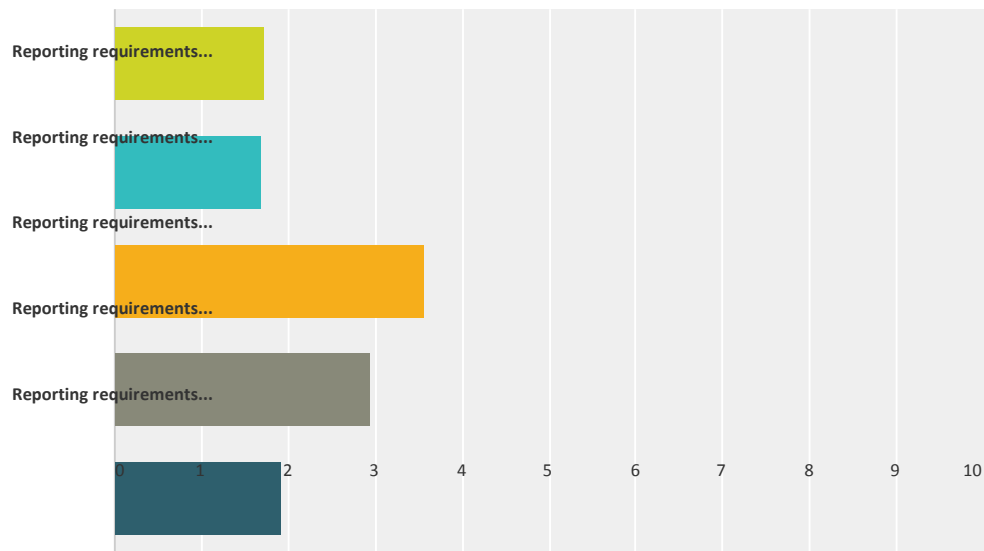


Answer Choices	Responses	
Extremely well	46.34%	19
Very well	41.46%	17
Moderately well	9.76%	4
Slightly well	2.44%	1
Not at all well	0.00%	0
Total		41



**Q10** To what extent do you agree with the following statements (strongly agree, agree, neither agree or disagree, disagree, strongly disagree)

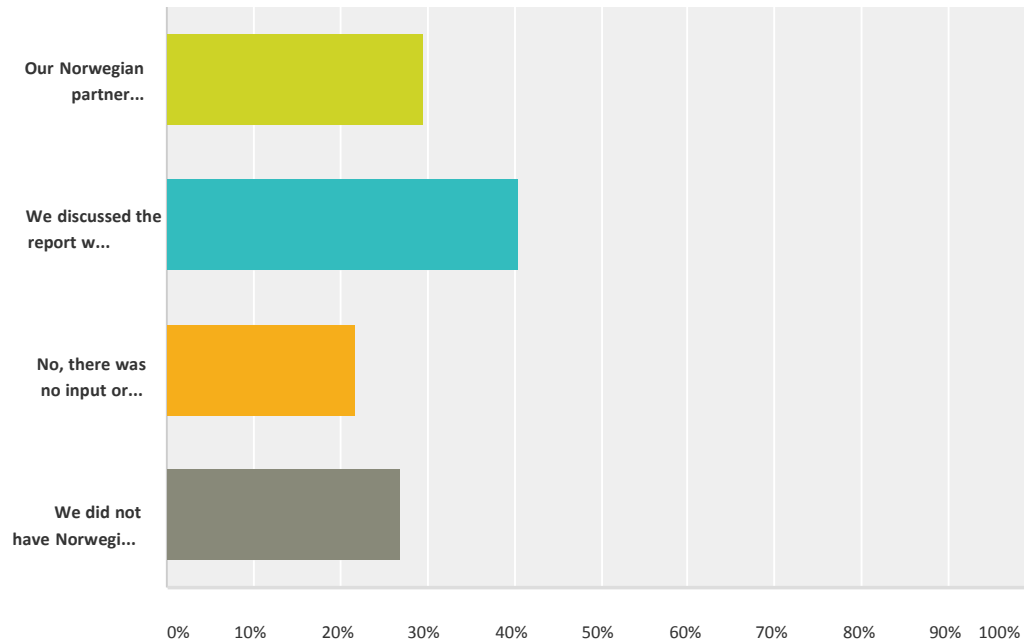
Answered: 41 Skipped: 4



	Strongly agree	Agree	Neither agree or disagree	Disagree	Strongly disagree	Total	Weighted Average
Reporting requirements to Innovation Norway were clear and well explained	41.46% 17	46.34% 19	9.76% 4	2.44% 1	0.00% 0	41	1.73
Reporting requirements were adequate	47.50% 19	37.50% 15	12.50% 5	2.50% 1	0.00% 0	40	1.70
Reporting requirements were difficult	2.44% 1	17.07% 7	17.07% 7	48.78% 20	14.63% 6	41	3.56
Reporting requirements were demanding	7.32% 3	26.83% 11	34.15% 14	26.83% 11	4.88% 2	41	2.95
Reporting requirements enabled us to give a clear picture of actual project progress and financial progress	39.02% 16	41.46% 17	9.76% 4	7.32% 3	2.44% 1	41	1.93

**Q11 Did your Norwegian partner (if you had one) provide input or did you discuss the report with the partner?**

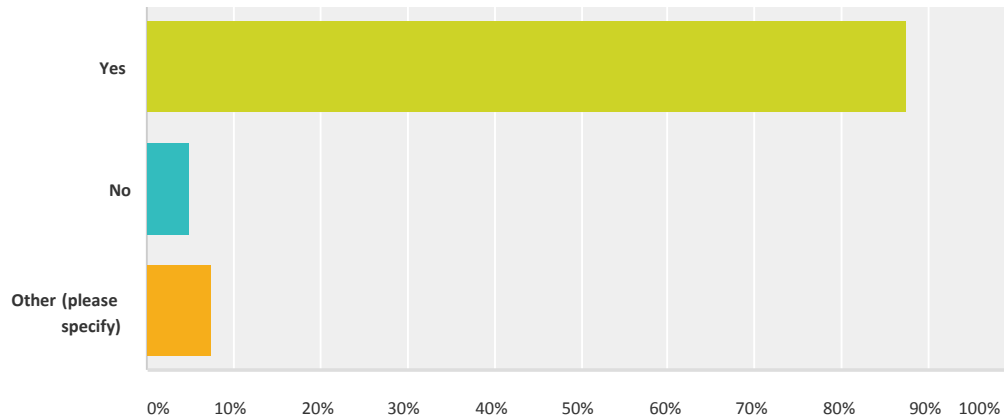
Answered: 37 Skipped: 8



Answer Choices	Responses	
Our Norwegian partner provided input or gave feedback	29.73%	11
We discussed the report with our Norwegian partner	40.54%	15
No, there was no input or discussion	21.62%	8
We did not have Norwegian partner	27.03%	10
Total Respondents: 37		

Q12 Did Innovation Norway provide feedback on your reports?

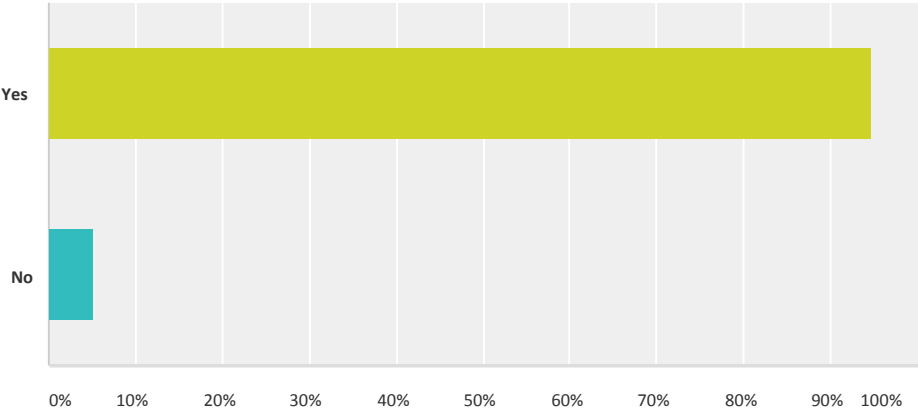
Answered: 40 Skipped: 5



Answer Choices	Responses	
Yes	87.50%	35
No	5.00%	2
Other (please specify)	7.50%	3
Total		40

Q13 Was the feedback provided in a timely manner ?

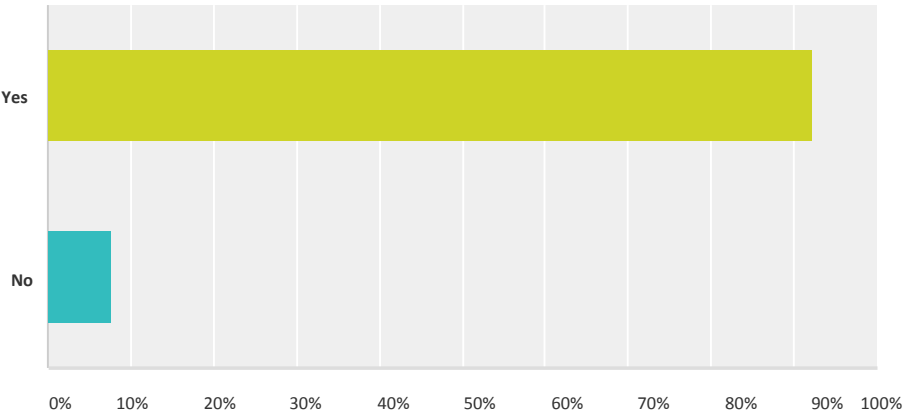
Answered: 39 Skipped: 6



Answer Choices	Responses	
Yes	94.87%	37
No	5.13%	2
Total		39

Q14 Was the provided feedback clear and adequate?

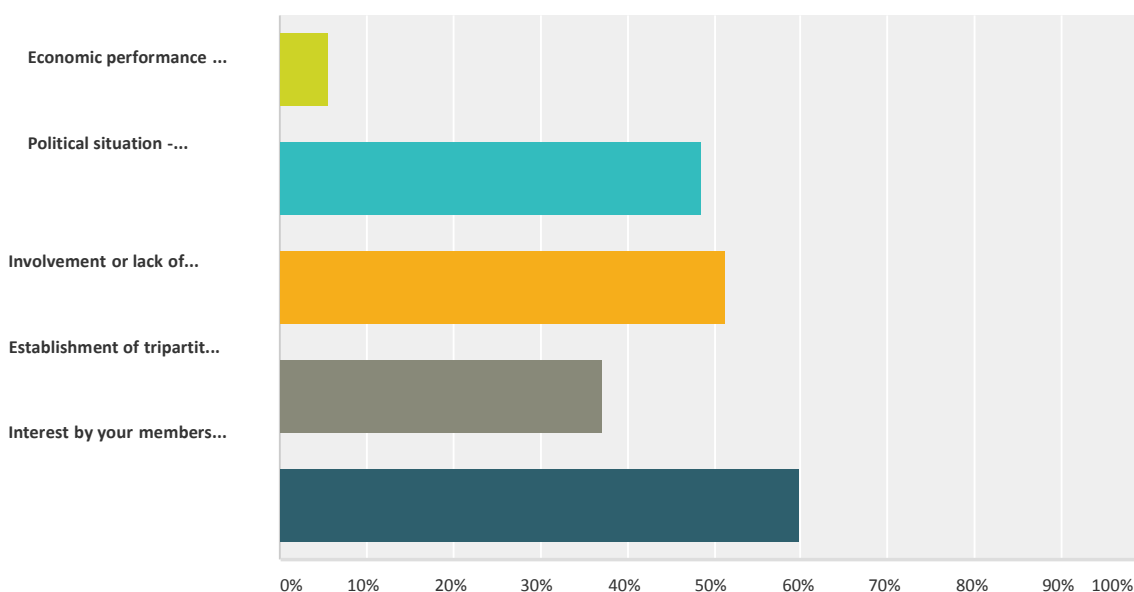
Answered: 39 Skipped: 6



Answer Choices	Responses	
Yes	92.31%	36
No	7.69%	3
Total		39

**Q15** In implementing your project, how would you assess external factors and actors that may have influenced or contributed to its direct results or its wider effects (e.g. at national or sector level). Please indicate also if these factors have been limiting? Please select one or more options and give a brief explanation:

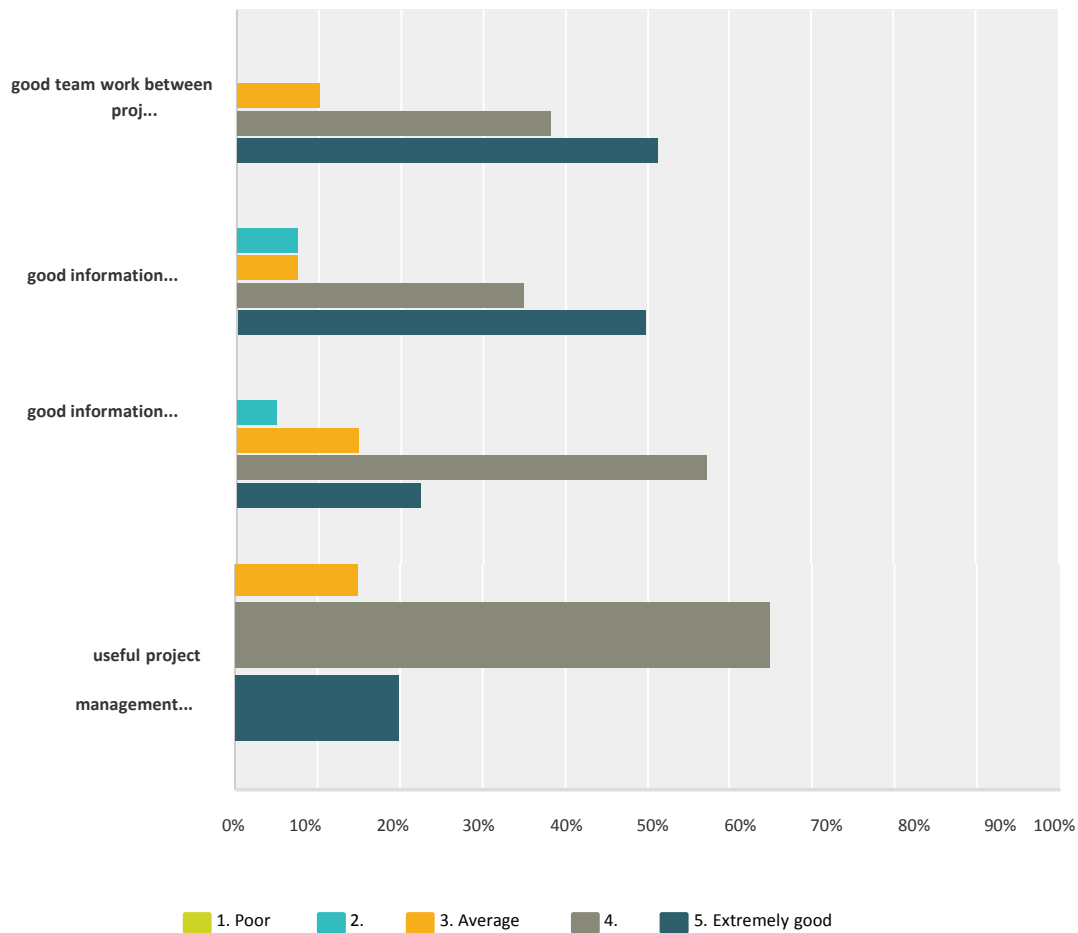
Answered: 35 Skipped: 10



Answer Choices	Responses	
Economic performance of enterprises, available public budget:	5.71%	2
Political situation - e.g. support, resistance or interference from government, changes in policies or legislation	48.57%	17
Involvement or lack of involvement of other social partners	51.43%	18
Establishment of tripartite or bipartite social dialogue platforms/committees	37.14%	13
Interest by your members or affiliates in the project activities	60.00%	21
Total Respondents: 35		

**Q18** Now kindly rate the facilitating factors directly related to project implementation: (1 is poor, 3 is average, 5 is extremely good):

Answered: 40 Skipped: 5

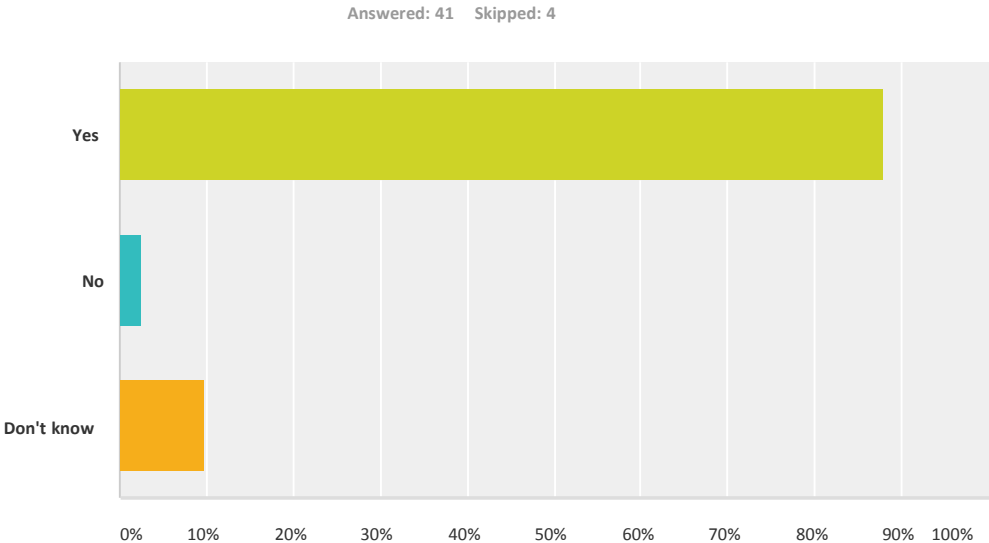


	1. Poor	2.	3. Average	4.	5. Extremely good	Total
good team work between project promoters and partners	0.00% 0	0.00% 0	10.26% 4	38.46% 15	51.28% 20	39
good information flow between Innovation Norway and project staff on the project's activities	0.00% 0	7.50% 3	7.50% 3	35.00% 14	50.00% 20	40
good information flow to the public on the project's results	0.00% 0	5.00% 2	15.00% 6	57.50% 23	22.50% 9	40
useful project management tools ( templates, guidelines, databases etc)	0.00% 0	0.00% 0	15.00% 6	65.00% 26	20.00% 8	40





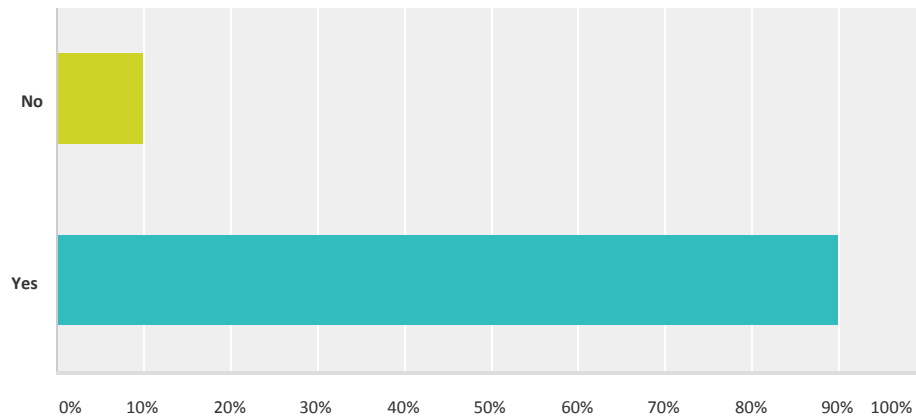
Q19 Has your team’s understanding of the Nordic Model of social dialogue changed by your participation in the Decent Work and Tripartite Dialogue programme?



Answer Choices	Responses	
Yes	87.80%	36
No	2.44%	1
Don't know	9.76%	4
Total		41

Q21 Would you consider that elements of the Nordic  
Model could be applied in your country?

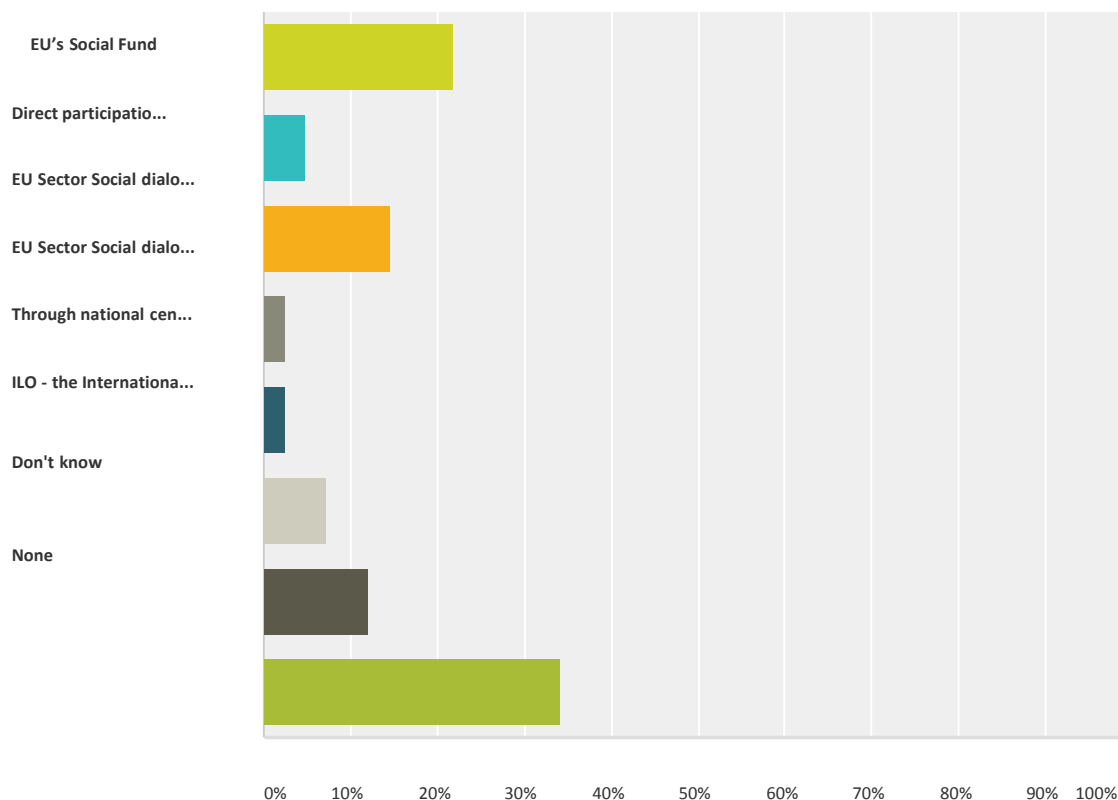
Answered: 39 Skipped: 6



Answer Choices	Responses	
No	10.26%	4
Yes	89.74%	35
Total		39

**Q23** Has your organisation already been supported in other Social and Tripartite Dialogue programmes at international level either before or during the DWTD programme? Please specify:

Answered: 41 Skipped: 4



Answer Choices	Responses	
EU's Social Fund	21.95%	9
Direct participation in European Social Dialogue Organisations (BusinessEurope, UEPME, ETUC)?	4.88%	2
EU Sector Social dialogue Committees, or Sector Employers' or Trade union Organisations?	14.63%	6
EU Sector Social dialogue Committees, or Sector Employers' or Trade Union Organisations?	2.44%	1
Through national centre or national confederation/organisation?	2.44%	1
ILO - the International Labour Organisation	7.32%	3
Don't know	12.20%	5
None	34.15%	14
<b>Total</b>		<b>41</b>

Q25 How would you say that the Decent Work and Tripartite Dialogue (DWTD) Programme's support has complemented or created links to the other Social and Tripartite Dialogue support, if any? Please specify:

Answered: 15 Skipped: 30

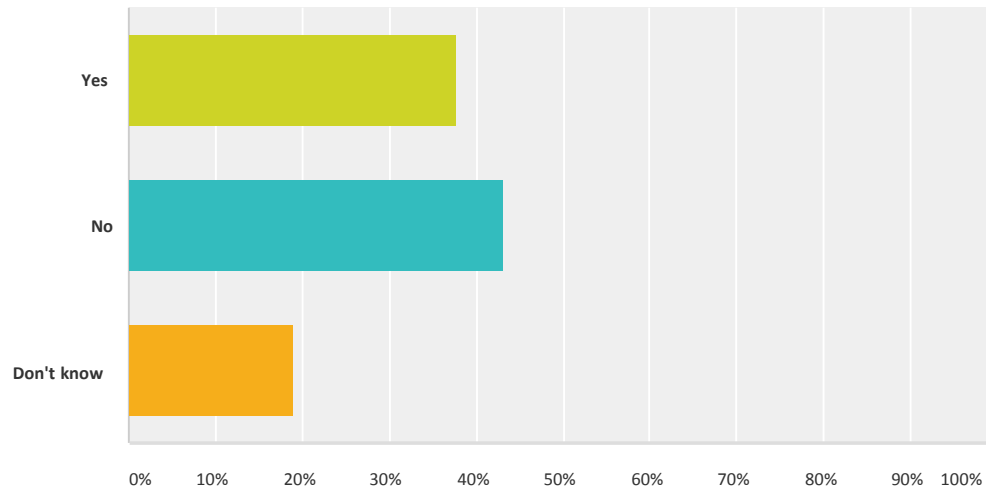
Q27 In your view what are the most concrete and visible end results of the DWTD project. (Please note: end results are NOT activities like seminars or meetings, but changes in practice, legislation, policies etc.)

Answered: 37 Skipped: 8

Answer Choices	Responses	
On your own organisation:	97.30%	36
On relationship to other social partners:	83.78%	31
Other: please specify:	29.73%	11

Q28 Has the project had any unintended effects?

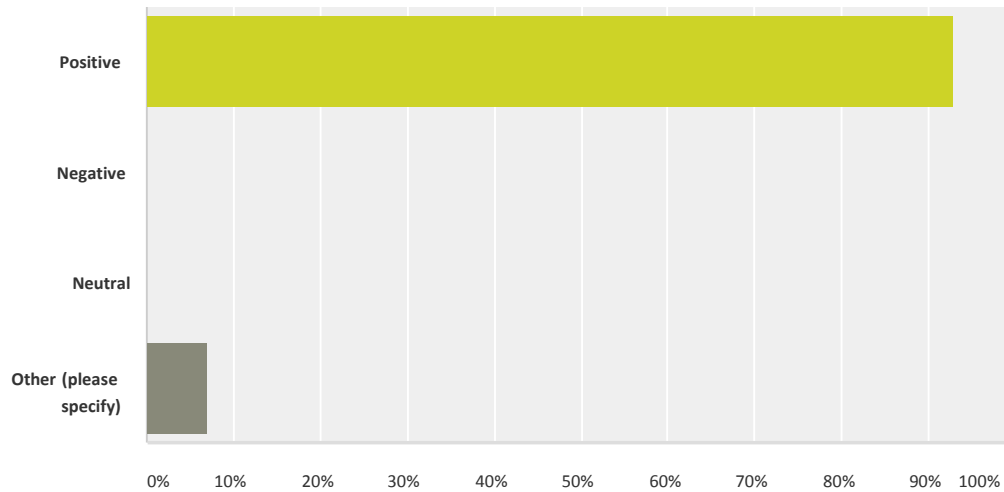
Answered: 37 Skipped: 8



Answer Choices	Responses	
Yes	37.84%	14
No	43.24%	16
Don't know	18.92%	7
Total		37

Q29 If your project has/had some unintended effects, were the effects:

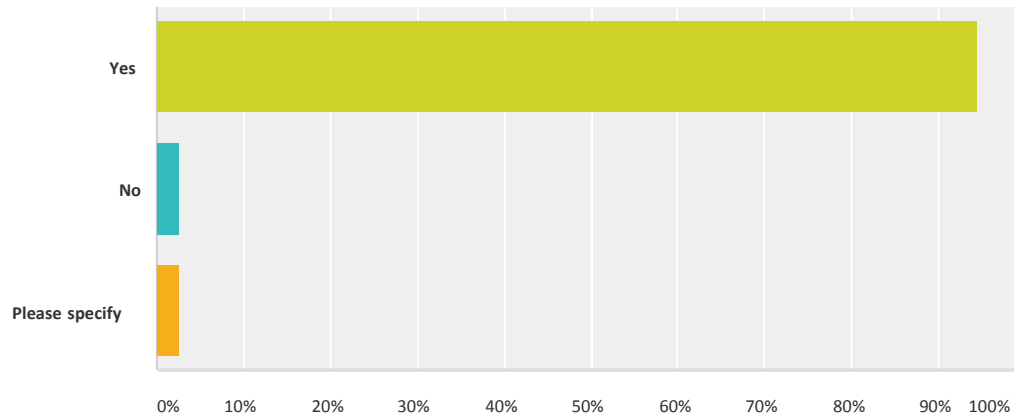
Answered: 14 Skipped: 31



Answer Choices	Responses	
Positive	92.86%	13
Negative	0.00%	0
Neutral	0.00%	0
Other (please specify)	7.14%	1
Total		14

Q30 Do you consider the project budget was  
adequate ?

Answered: 37 Skipped: 8

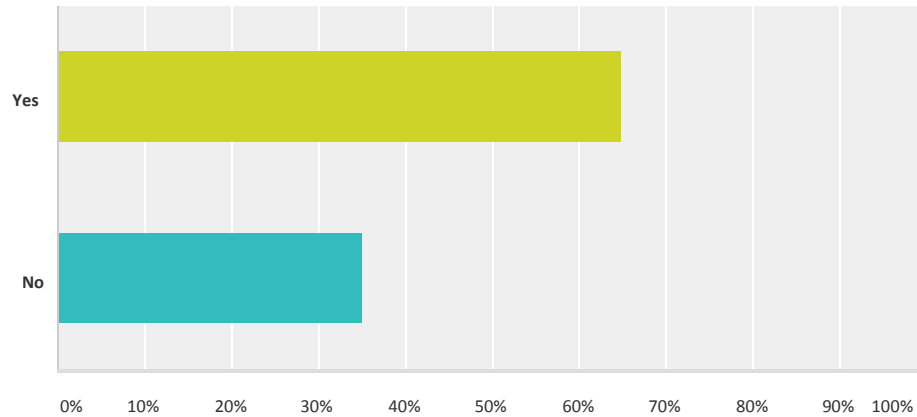


Answer Choices	Responses	
Yes	94.59%	35
No	2.70%	1
Please specify	2.70%	1
Total		37



### Q31 Did you have a Norwegian Partner?

Answered: 37 Skipped: 8

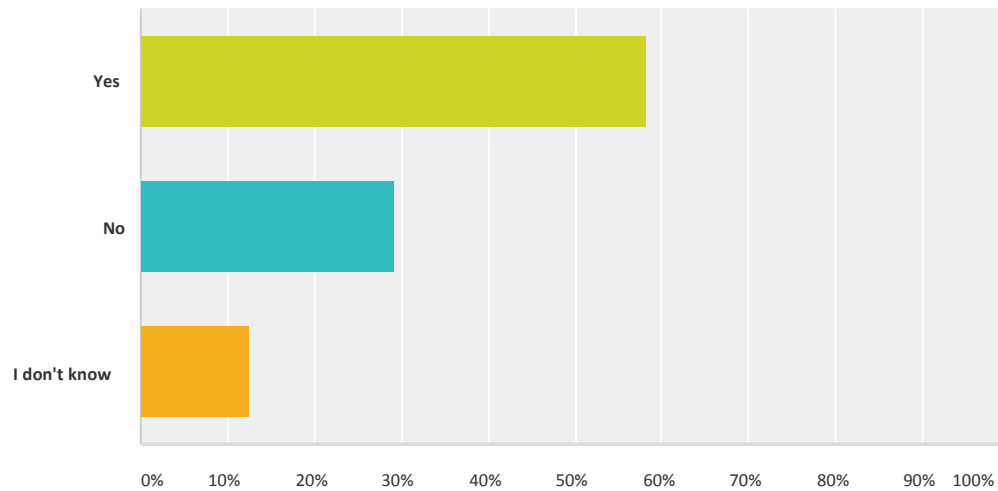


Answer Choices	Responses	
Yes	64.86%	24
No	35.14%	13
Total		37

Q32 Some of the donor partners (Norwegian partners)  
were partners in several projects.

Do you know if your Norwegian partner (donor  
partners) was involved in other projects ?

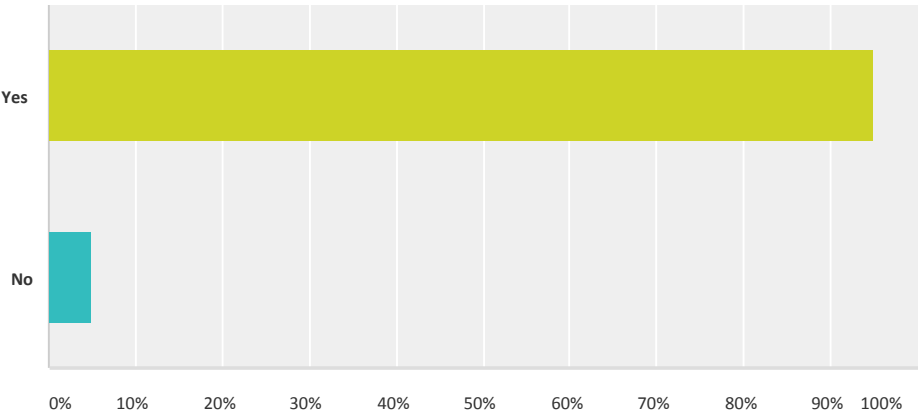
Answered: 24 Skipped: 21



Answer Choices	Responses	
Yes	58.33%	14
No	29.17%	7
I don't know	12.50%	3
Total		24

Q33 Do you consider it positive that the Norwegian partner had several other projects?

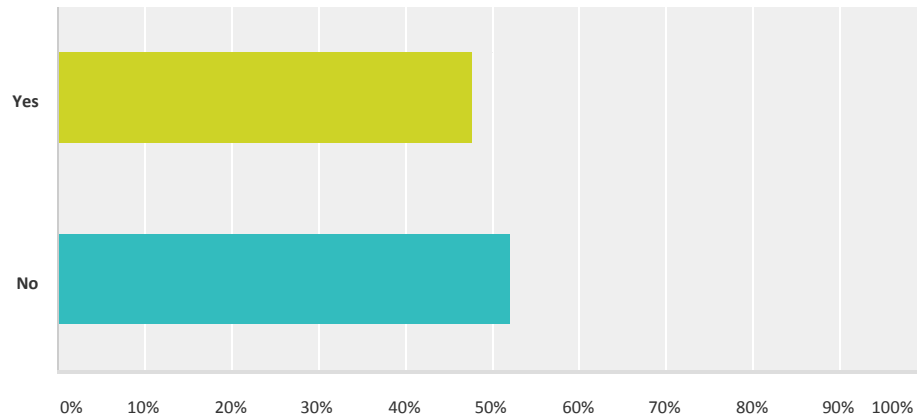
Answered: 20 Skipped: 25



Answer Choices	Responses	
Yes	95.00%	19
No	5.00%	1
Total		20

Q34 Did you discuss such experience directly with  
your Norwegian partner ?

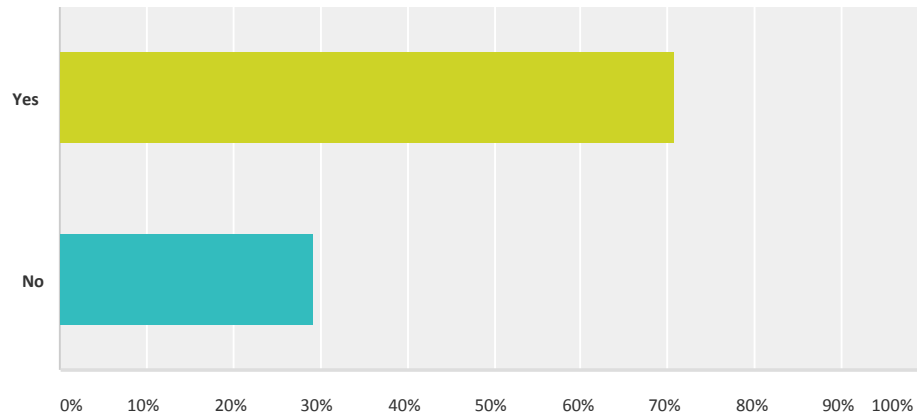
Answered: 23 Skipped: 22



Answer Choices	Responses	
Yes	47.83%	11
No	52.17%	12
Total		23

Q35 Was there any exchange of experience between  
your organisation and other project promoters?

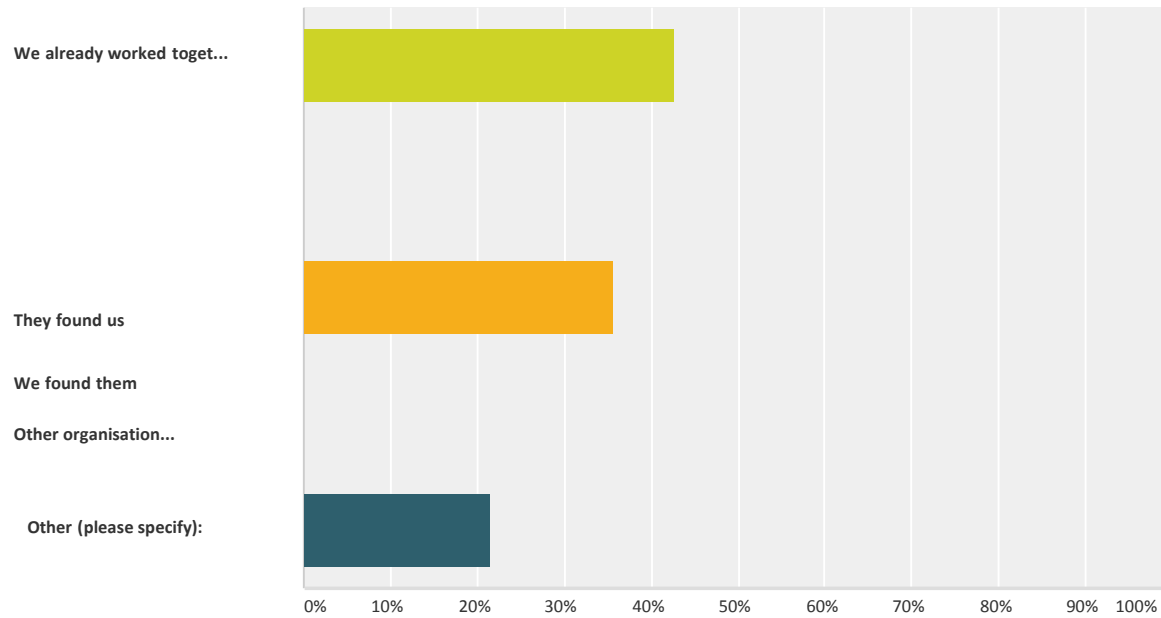
Answered: 24 Skipped: 21



Answer Choices	Responses	
Yes	70.83%	17
No	29.17%	7
Total		24

### Q36 How did you find your Norwegian partner?

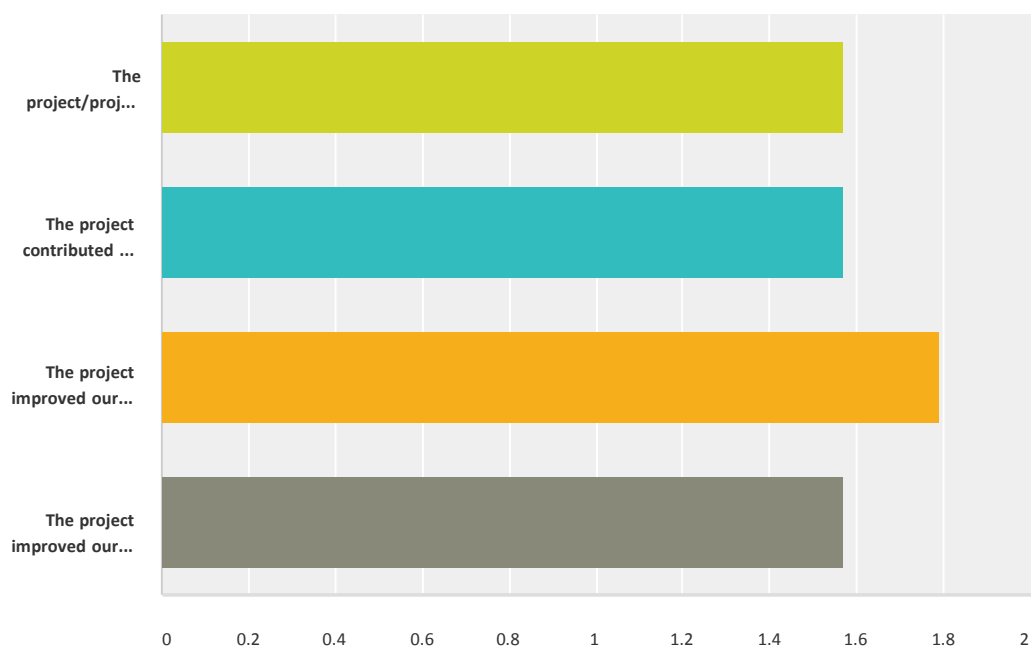
Answered: 14 Skipped: 31



Answer Choices	Responses	
We already worked together before	42.86%	6
They found us	0.00%	0
We found them	35.71%	5
Other organisations recommended the Norwegian partner to us	0.00%	0
Other (please specify):	21.43%	3
Total		14

**Q37** To what extent would you agree with following statements: (strongly agree, agree, neither agree nor disagree, disagree, strongly disagree)

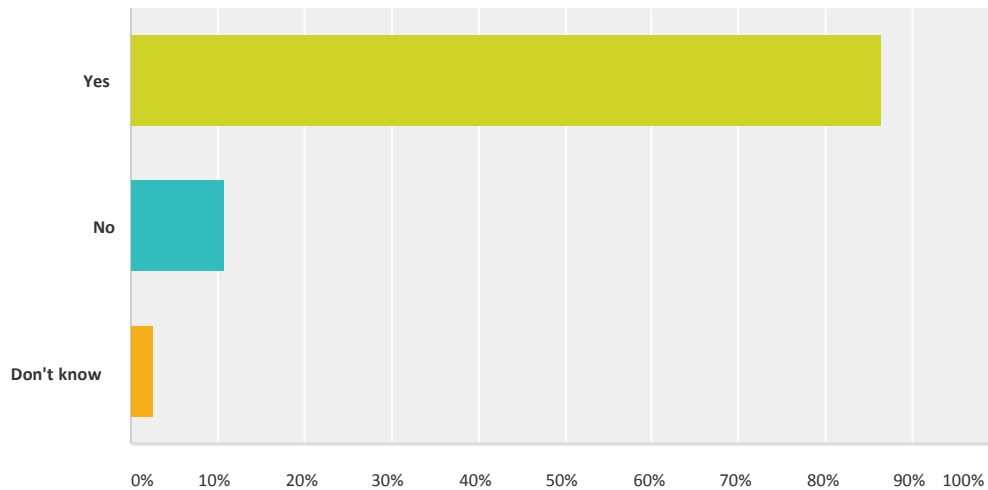
Answered: 14 Skipped: 31



	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Total	Weighted Average
The project/projects strengthened direct (bilateral) relations with the Norwegian partner?	64.29% 9	28.57% 4	0.00% 0	0.00% 0	7.14% 1	14	1.57
The project contributed to developing the capacity in our organisation through experience, knowledge, know-how with the Norwegian partner	64.29% 9	28.57% 4	0.00% 0	0.00% 0	7.14% 1	14	1.57
The project improved our understanding of social dialogue	42.86% 6	50.00% 7	0.00% 0	0.00% 0	7.14% 1	14	1.79
The project improved our understanding of the Nordic Model	64.29% 9	28.57% 4	0.00% 0	0.00% 0	7.14% 1	14	1.57

Q41 Do you consider that any of the results achieved under this project could be replicated (repeated) in the future in your own organisation?

Answered: 37 Skipped: 8

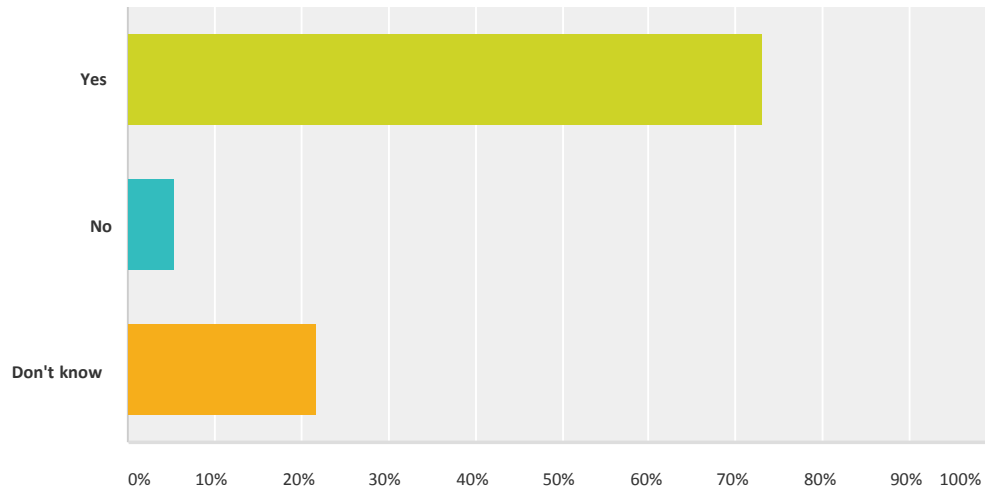


Answer Choices	Responses	
Yes	86.49%	32
No	10.81%	4
Don't know	2.70%	1
Total		37



Q42 Could any of the results achieved be replicated in other organisations?

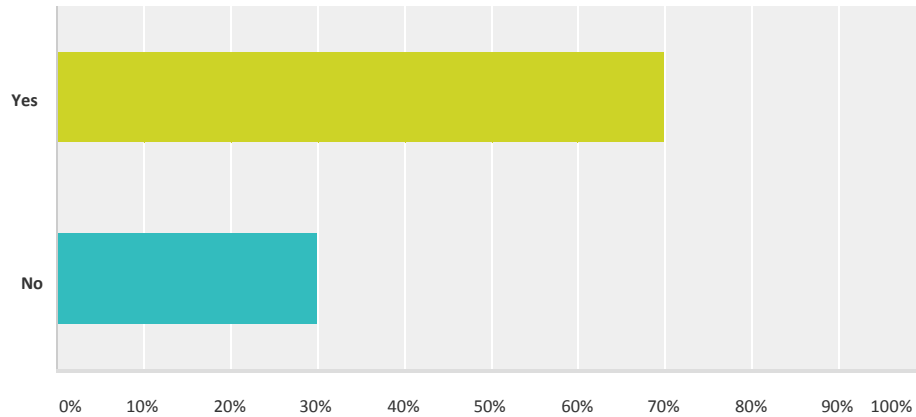
Answered: 37 Skipped: 8



Answer Choices	Responses
Yes	72.97% 27
No	5.41% 2
Don't know	21.62% 8
Total	37

**Q43** Will your organisation be able to continue with some of the activities that were part of the project on your own without funding?

Answered: 37 Skipped: 8



Answer Choices	Responses
Yes	70.27%26
No	29.73%11
Total	37