

UNIVERSITE CATHOLIQUE DE LOUVAIN

Institut des Sciences du Travail

**MONOGRAPHS ON THE SITUATION OF SOCIAL PARTNERS  
IN THE NEW MEMBER STATES AND CANDIDATE COUNTRIES: SUMMARY  
(ROAD TRANSPORT SECTOR)**

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

The aim of the report has been to produce monographs that set out both brief descriptions of the way that social dialogue functions in the new member states and candidate countries, and descriptions of the various workers' and employers' organisations involved in social dialogue at road transport sectoral level.

## Background

This research is located against a backdrop of the European Commission's promotion of social dialogue at Community level, and in the setting of enlargement of the European Union.

The issue of the representativeness of European organisations came to the fore in the context of the promotion of social dialogue. In a Communication<sup>1</sup> in 1993, the European Commission set out three criteria determining the access of employers' associations and trade unions to the consultation process established under Article 3 of the Social Policy Agreement, and in 1996, it adopted a consultation document<sup>2</sup> that sought to bring together the widest range of views on the measures to be employed in fostering and strengthening European social dialogue. At that point, given that the social partners at European level were, and still are, in the process of structuring themselves and accepting new applications for membership, the European Commission conducted a study on the representativeness of interprofessional and sectoral organisations in the European Union, and in a new Communication<sup>3</sup> in 1998, announced the measures that it proposed taking in order to adapt and promote social dialogue at EU level. In it, the Commission reaffirmed the three criteria established by the 1993 Communication permitting European organisations to be recognised as representative for consultation purposes under Article 3 of the Social Policy Agreement. They were that the social partners should (1) *be related to specific sectors or categories and organised at European level*, (2) *consist of organisations which are themselves an integral and recognised part of the Member States' social partner structures, and with the capacity to negotiate agreements, and which are representative of several Member States*; (3) *and have adequate structures to ensure their effective participation in the consultation process*. Finally, in 2002, the Commission reaffirmed its support for a strengthening of social dialogue in its Communication *The European social dialogue, a force for innovation and change*<sup>4</sup>.

Against this background, it is clear that one of the main issues in the coming months, both for the Commission and for the European social partners, will be to prepare for the enlargement of the European Union and its impact on the process of social dialogue at Community level: *The Communication underlines the vital role and the weaknesses of social dialogue in the candidate countries. Much has been achieved over the past decade with the support of Community programmes and initiatives. However, a lot remains to be done to strengthen the capacities of social partners and involve them in the accession process*<sup>5</sup>. As far as the European Commission is concerned, *[o]nly with sufficiently robust national structures will the social partners be able to participate effectively in negotiations and other European social dialogue activities and also implement agreements at national level*<sup>6</sup>.

The development of social dialogue therefore forms part of the *acquis communautaire*: *The Treaty requires that social dialogue be promoted and gives additional powers to the social partners. The candidate countries are, therefore, invited to confirm that social dialogue is accorded the importance required and that the social partners are sufficiently developed in order to discharge their responsibilities at EU and national level, and to indicate whether they are consulted on legislative drafts relating to the taking over of the employment and social policy acquis... Therefore, the development not only of tripartite structures but also of autonomous, representative bipartite social dialogue is an important aspect for the future*

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<sup>1</sup> COM(93) 600 final of 14 December 1993, Communication from the Commission concerning *the application of the Protocol on Social Policy*.

<sup>2</sup> COM(96) 448 final of 18 September 1996 concerning the development of the social dialogue at Community level.

<sup>3</sup> COM(98) 322 final of 20 May 1998, Communication from the Commission, *Adapting and promoting the Social Dialogue at Community level*.

<sup>4</sup> COM(2002) 341 final of 26 June 2002, Communication from the Commission, *The European social dialogue, a force for innovation and change*.

<sup>5</sup> *Op cit.*

<sup>6</sup> *Op cit.*

*involvement of the candidate countries' social partners in the social dialogue activities developed at European and national level<sup>7</sup>.*

Enlargement of the European Union is a major issue from a quantitative and qualitative point of view: *The quantitative leap is quite clear as soon as the number of partners rises. The delegations taking part in social dialogue will be enlarged, and that, as we know, does not facilitate dialogue. However, the leap is also qualitative in that the new entrants present the industrial relations systems they have inherited from their national histories. The role played by collective bargaining is vastly inferior to the traditions of which we are aware, for example, in Germany, Sweden or Italy. In particular, social dialogue does not exist in all countries at a sectoral level<sup>8</sup>.* By and large, most of the country studies are notable for strongly developed tripartism, but weakness at central bipartite level, in social dialogue at sectoral level, and at the level of organisations, particularly employers' associations.

This study may be seen as a tool to help understand these quantitative and qualitative factors. It will also make it possible to understand the various systems of industrial relations in different countries, and to introduce the actors involved in social dialogue.

## The research process and methodological remarks

For the purposes of conducting this research, a network of university researchers was established for the 13 new members states and candidate countries. These researchers are independent both of the European Commission and of employers' and workers' organisations. Each researcher was tasked with producing a report on the basis of a common canvas, and a questionnaire dealing specifically with the realities of the new members states and candidate countries was drawn up for this purpose. The IST was responsible for coordinating and writing the summaries, and reaffirms its independence in respect of the political consequences and decisions that may flow from this study.

The research process that was developed involved not only the gathering of quantitative and qualitative information on the actors and the social dialogue in which they took part, but also *an active approach to constructing a consensus that forms an integral part of social dialogue itself*. For example, although the data collected do not in many cases make it possible to be wholly objective about the role played by organisations, the contacts that were made in the course of collecting the data and discussions with the various actors concerned will *form an integral part of a process of mutual recognition<sup>9</sup>*. It follows that the main sources used in the course of this study have been the social partners themselves.

From the point of view of delimiting the scope of the research, three criteria were defined *a priori* with a view to identifying the organisations to be included:

- organisations that negotiate at sectoral level;
- organisations that are members of recognised European organisations;
- emerging organisations that are not recognised, but which play roles at sectoral level.

The aim of incorporating these three criteria was both to target the organisations *that play a role in social dialogue at sectoral level* in each country, and to take account of the *evolving nature* of the various national situations.

The present study focuses on the sectoral level, but it should be noted that in some of the countries covered in the study, collective bargaining and signature of collective labour agreements take place only at the company level – despite the existence of trade union and employers' organisations at sectoral level. (The role of the latter is limited to providing support to the local players.) Collective agreements at the company level are in any case the majority. Other countries are characterised by the absence of sectoral organisations specific to the road transport industry. As regards tripartite concertation at sectoral level, this form of negotiation is generally not anchored in the traditional practice of the social

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<sup>7</sup> *Enlargement of the European Union. Guide to the negotiations. Chapter by chapter*, European Commission, DG Enlargement, June 2003.

<sup>8</sup> Léonard E., Spineux A., *Les relations industrielles en Europe aujourd'hui*, Institut des Sciences du Travail, UCL, 2003 (unpublished).

<sup>9</sup> Reply to Call for tenders VT/2002/83. Studies on the representativeness of the social partners at sectoral level in the European Union and monographs on the situation of the social partners in the candidate countries, Institut des Sciences du Travail, UCL, 2002.

partners and governments. Where it exists, it is often practised indirectly, through the respective federations (intersectoral organisations).

At the level of statistical data, great differences appear between countries. In some countries, owing to the shortfall of numerical data, a sufficiently precise image of the socio-economic situation and/or of the situation of the social partners cannot be provided, whereas other countries are able to produce comprehensive statistical data. In some cases, several statistical sources are available for the same country, but the data do not match. These different factors explain the difficulties that were at times encountered in elaborating the monographs.

The sectoral monographs examine the situations in the 13 new members states and candidate countries, that is to say Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia and Turkey.

Each monograph starts out with a delimitation and description of the scope of activities covered by the road transport sector in the country concerned (wherever possible, based on the NACE classification). Next, after a brief description for each country of the macroeconomic situation (macroeconomic indicators) and of the labour market (principal indicators characterising the labour market), each national monograph outlines the principal characteristics of the mechanisms of the social dialogue. As regards tripartite concertation at the level of the road transport sector in these countries, the following points are examined:

- The organisers and players involved in tripartite concertation.
- The links between this concertation and the bipartite social dialogue.
- The consultation / decision-making processes, such as they can be observed within these structures.
- The characteristics of the results obtained through these processes.
- The topics covered within the tripartite structures.
- The existence of informal procedures.

The autonomous (bipartite) social dialogue is described under the following headings:

- The players in the social dialogue.
- The different levels of the social dialogue and the links between them.
- The characteristics of the agreements concluded by the organisations (duration, procedures for extending validity, etc.)
- The topics covered within the framework of collective bargaining.
- The coverage rate of collective agreements.
- The obstacles that may hamper development of the social dialogue.

Next, all trade union and employers' organisations participating in the social dialogue at the level of the road transport sector are described under the following headings:

- Institutional and organisational characteristics (juridical status, structure, decision-making process, historical overview, financing, services).
- Elements of representativeness (number of represented affiliates, types of members).
- Elements of recognition of the organisation (participation in tripartite structures, entitlement to sign a collective agreement, participation in the social dialogue).

## Contents

### Definition of the sector

The road transport sector, in the new member countries states and candidates countries, can be defined according to classification NACE section 160.2. (other land transport). This sector covers the activities of scheduled passenger land transport (160 sub-section.21), taxis operations (160 sub-section.22), other land passenger transport (160 sub-section.23) and finally freight transport by road (160 sub-section.24). It should be noted however, that in Romania, the production of tools, equipment, devices and accessories needed by road transport operators, as well as the production and the sale of means of ground transport are regarded as activities that also form part of the road transport sector.

From a point of view of the sector's social dialogue, one observes that, in certain countries (Bulgaria, Romania), the activities of road transport are not a single unified sector but rather a sub-sector of the transport sector (road, air, rail or maritime transport). Indeed, in these countries, the majority of the industry's social industrial partners (labour and management) cover a broad range of activities including all means transport. In these countries, the sector's social dialogue consequently concerns mainly negotiations covering the overall transport sector (road, air, rail and maritime) and not road transport as such.

### Socio-economic characteristics sector

In a general way, the road transport sector is regarded as a small sector within the national economy of new member states and candidates countries. Its share in the GDP of each country seldom exceeds 3%. The great majority of the workers are men. In the majority of countries studied, the wages of these workers are lower than the national average.

In all of the new member states and candidates countries, the road transport sector is characterised by the prevalence of small businesses. On average, nearly 85% of the companies in the sector have less than ten workers. Moreover, the majority of the workers are self-employed. It should also be noted that in the majority of the countries, the road transport sector is largely private as on average, nearly 90% are private companies. In these cases, only a few large public companies exist.

With regard to informal or undeclared work, this is present in the road transport sector of all the countries studied. However, it is difficult to evaluate its level. In Bulgaria, Hungary, Slovenia and Turkey, the informal economy in the sector is regarded as relatively important, as opposed to the situation in Cyprus, Estonia and Latvia, where the phenomenon seems to be marginal (in the Czech Republic, Poland and Slovakia no quantitative data is available).

As for the economic evolution of the road transport sector, this varies widely from country to country. In Bulgaria, Cyprus, Malta, Romania, Slovakia and the Czech Republic, the sector is in decline. Stagnation or reductions in the activities are observed in these countries, particularly following the increase in sales of private automobiles. Moreover, in Slovakia, the Czech Republic and Malta, a saturation of the market is observed due to increased privatization of the sector. However, in Lithuania, the sector is in full expansion, a growth rate of 50% has been observed over the 5 last years. This is explained by the particular situation of Lithuanian companies. They have competitive advantages for road transport between Western and Eastern Europe (knowledge of languages and culture). In Turkey (due to its geopolitical position as a link between the East and the West), in Estonia, Poland, Latvia and Slovenia, the sector is also regarded as being in relative expansion.

### Tripartite

Among all the new Member States and candidates countries, only three of them (Bulgaria, Cyprus and Slovakia) present mechanisms of tripartite social dialogue specific to the road transport sector. In Slovakia, the decisions arising from these discussions take the form of simple recommendations. In all the other countries, no mechanism of tripartite sectoral social dialogue has been established. In four of these countries (Estonia, Lithuania, Romania and the Czech Republic), the tripartite level is limited to simple meetings within councils or commissions organized by the appropriate Ministry. However, it should be noted that, in Hungary, questions relative to a particular sector are discussed, in an informal way, within the National Tripartite Council. It can be seen that in general the tripartite level of the road transport sector is only organised to a limited extent in the new Member States and candidates.

In **Bulgaria**, the Ministry for Transport and Communication organizes a tripartite dialogue covering the whole area of transport (air, road, maritime and rail). As well as a tripartite discussions specific to the road transport sector, there are tripartite discussions that cover exclusively the transport companies that receive public financial support. These mechanisms of concertation are active regularly and several collective agreements are signed each year at this level.

In **Cyprus**, two types of mechanisms of tripartite dialogue are set up in the road transport sector. One covers professional conflicts; the second takes care of administrative and regulatory conflicts. In each of these cases, the discussions lead to signed agreements.

There is no mechanism of tripartite social dialogue organized at the sectoral level in **Estonia**. Nevertheless, meetings between the principal actors of the sector take place within tripartite institutions at the national level such as the Vocational Council of Transport and Logistics, the Estonian Unemployment Insurance Fund or the Economic and Social Council. Moreover, the social actors take part in the tripartite discussions through their membership in cross sector national confederations.

Nor does **Hungary** have a mechanism for sectoral tripartite social dialogue. Nevertheless, it does happen that questions concerning a particular sector of activity are discussed, within the Tripartite National Council, but only in an informal way.

In **Latvia**, the tripartite social dialogue is organized only at a high level, in the National Council of Tripartite Co-operation. At present, this institution has adopted no decision specific to the road transport sector.

As in the majority of the new Member States and candidates countries, there are no mechanisms of sectoral tripartite dialogue in **Lithuania**. Nevertheless, the members of LINAFA (an organization of employers in the sector) are permanent members in the various councils and commissions organized by the Ministry for Transport and Communication.

In **Malta**, in spite of the existence of a clause authorizing the establishment of a committee of tripartite dialogue for the public transport sector, in the "Malta Transport Act ", no mechanism of any kind has been set up.

In **Poland**, a tripartite committee organized in various permanent working groups has been created. Though, in fact, not one of these working groups relates in any specific way to road transport. The committee can consider any important subject. To date, no collective agreement has been concluded covering the road transport sector at this level. This lack of organisation for tripartite dialogue can be explained by the increasing privatization of the sector which leads to the disengagement by the State, by the dispersal of workers representative organisations in the sector, and finally by the weak representation of employer's organisations in certain sub-sectors of road transport.

As in the majority of the countries studied, there is no concertation of tripartite dialogue specific to the road transport sector in **Romania**. Nevertheless, certain representatives of the employer's organisations and of the trade unions take part in the social dialogue commission organized by Ministry for Transport, Construction and Tourism. This kind of discussion has developed mainly at the local level (meetings with the local or regional authorities...) and in certain cases, this leads to agreements, though these have no legal standing.

In **Slovakia**, road transport is covered by a double mechanism of tripartite dialogue. Firstly, a general negotiation is organized between the government, the confederations of employer's organisations and the trade unions (the Council for Economic and Social Concertation). The agreements signed on this level do not have the force of law. These agreements aim to establish the general framework of negotiations for a year or more. Secondly, since 1995, a tripartite framework of negotiation by sector (the Sectoral Council for Economic and Social Concertation) brings together the representatives of the Slovak Ministry of Transport, Posts and Telecommunications and representatives of the principal employer's and worker's organisations. The negotiations at this level are consultative and the outcomes lead only to recommendations.

There is no concertation, nor tripartite consultation in **Slovenia**.

There is no tripartite mechanism of organized dialogue at the sector level in the **Czech Republic**. Informal meetings are nevertheless organized between the principal social actors and the Ministry for Transport of the Czech Republic, and this, with the aim of solving some problems specific to the sector. Moreover, some of the actors of the social sector take part in the cross sector tripartite discussions at the national level, and this, through their membership in representative national confederations.

Lastly, in **Turkey**, tripartite dialogue for the road transport sector has not been established.

## The bipartite social dialogue and the social partners

In the majority of the new Member States and candidates, forms of bipartite social dialogue covering the activities of road transport have been created. Nevertheless, the procedures of these negotiations, as well as the levels of negotiation vary considerably from one country to another. Thus, in Hungary, the collective agreements relating to the road transport sector are signed at sub-sector level as well as at enterprise level. In Cyprus, Lithuania, Poland, the Czech Republic, and in Turkey, bipartite collective bargaining is articulated mainly within the level of the company (without however excluding the sectoral level completely with regard to Cyprus, Poland and the Czech Republic). In other countries bipartite social negotiation mechanisms are functioning effectively at the sector level and at the company level, in particular, in the cases of Bulgaria, Estonia, Romania, Slovakia and Slovenia (bear in mind that in Bulgaria and Romania, the sector's social dialogue covers the whole sector of transport and not only road transport). In all of these countries, the negotiations lead to collective agreements. Latvia and Malta are unique, since no true bipartite social dialogue has been able to be established. Indeed, the absence of sectoral Latvian trade unions makes it impossible to set up any bipartite dialogue in the sector. For Malta, specific socio-economic conditions of the sector make the establishment of an employer-employee dialogue irrelevant.

With regard to the contents of the collective agreements, these are centred mainly on wages, health and safety issues, work relations, working time, training, and holidays... The decisions adopted at the higher levels are, in general, minimal and obligatory for the lower levels. The range of cover provided by collective agreements varies widely from one country to another. As for the representativeness' criterion of trade unions and employer's organisations, these also vary according to the country. In Bulgaria and in Poland, membership with representative national organisations at a higher level which permits the representation of the organisations. In others countries (the Czech Republic and Lithuania), no legal criteria has been established on this subject.

Mechanisms for the extension of collective agreements exist in many countries (Bulgaria, Cyprus, Estonia, Lithuania, Poland, Romania, Slovakia, and Slovenia). Nevertheless, their effectiveness varies considerably from one country to another. Thus, in Bulgaria, Poland, Romania and Slovakia, these procedures are seldom if ever implemented by the proper authorities or employers.

Obstacles to the development of sectoral social dialogue can be many. In Bulgaria and Hungary, employer's organisations try to decrease the impact of the collective negotiations at the sectoral level, and push the development of negotiations at the company level. In the Czech Republic, employer's organisations can engage in collective bargaining only if their members give them the authorization to do so. For their part, in order to avoid constraints, employers often refuse to give to the employer's organization the authorisation to negotiate. Others obstacles are sometimes observed: the weakness of the employer's organisations (Poland), division in the trade unions and consequently inability of developing an overall strategy (Poland, Hungary), the absence of representative trade union organisations (Latvia), the predominance of the self-employed workers (Turkey), the financial difficulties encountered by the unions (Hungary) and finally, the appearance of conflicts between organisations as regards their representativeness (Lithuania). These various elements constitute blocks to the development of an effective social dialogue in the road transport sector.

Lastly, the structure itself of the industrial parties working in road transport is also variable according to the country. Indeed, in some countries, one observes a great number of active organisations in the sector (for example, in Malta, Hungary, Poland, Romania and Slovakia). In the majority of these countries, this phenomenon is explained by the existence of organisations specific to each sub-sector of road transport. Moreover, as mentioned previously, no trade union represents the interests of road transport workers in Latvia. The rates of participation in the employer's organisations also vary according to the country. For example, in Slovenia, the membership in the employer's organization is obligatory, which entails a cover rate of 100%. On the other hand, in Turkey and in Bulgaria, the membership rate does not exceed 10%.

Below are presented some of the specific elements important in the national bipartite social dialogue.

In **Bulgaria**, the road transport sector is covered by mechanisms of bipartite social dialogue intervening to three levels: the sectoral level (covering the whole of the area of transport; air, maritime, rail and road), the branch level and the level of the company. These mechanisms function well and have been supported actively by the Bulgarian State, since 1993. In addition, the actors in these discussions recognise their respective competences: at the sectoral level, the single condition of representativeness for both sides of industry is their adhesion to either a trade union or an employers' organisation which is representative across the sector at a national level; for the companies, all the trade unions have the right to negotiate with the employer. The Minister of Labour and Social Policy can extend collective agreements concluded within sectoral level (contrary to those concluded on the level of the company), to apply to non-signatories of the agreement. Until now, no

agreement has been extended in such a way. With regard to the social actors, none covers specifically the road transport sector. In general, the social actors cover a broader range of the whole transport sector.

In **Cyprus**, the sectoral social dialogue for road transport is based mainly at company level. Sectoral level negotiation is used only in the event of failure of negotiations at the company level. No legal procedure exists with regard to the extension of the agreement provisions, but in general, the employers tend to extend conditions of the collective agreements to the non-union workers of their company. Overall, the two sides of industry consider that the social dialogue is satisfactory in the road transport sector. An important problem must, however, be resolved in the years to come; collective agreements are not, for the moment, legally binding.

In **Estonia**, the social dialogue in the sector of road transport is as well developed at sectoral level as at company level. Actually, the social dialogue in the road transport sector in Estonia functions better than in any other sector. There are no conflicts between the two sides of industry as regards their mutual recognition. Moreover, this sector constitutes one of the rare sectors in Estonia where the collective agreements are extended to all the workers in the whole of the sector. In the same way, company agreements cover all the workers in a company and not simply union workers.

In **Hungary**, the social dialogue relating to road transport is conducted at sub-sector level, as well as at enterprise level. According to the Hungarian Labour Code, the conditions negotiated at enterprise level cannot diverge from those negotiated at sub-sector level, unless these changes are in favour of the workers. Nevertheless, in general, one observes that the employers rarely apply this provision and negotiate less favourable conditions at enterprise level than those agreed at sub-sector level.

The case of **Latvia** is rather special as no worker in the sector is affiliated with a trade union. One organization (Public Latvian Services Employees Trade Union (LARKS)) is nevertheless prepared to represent their interests, though the organization has no members from the road transport sector. Consequently, the social dialogue is limited to meetings between the employees and the employer within each company.

In **Lithuania**, the collective bargaining for road transport sector takes place only on the level of the company. There is no system of formal or informal recognition of the two sides of the industry, which creates certain conflicts between the organisations. With regard to collective agreements, the law imposes that all workers of a company are covered by the agreements concluded by the company.

The social dialogue in **Malta** consists mainly of consultations between the Malta Transport Authority (a council established by Ministry for Transport and Communication, representing the government) and the organisations representing the interests of the various operators of road transport sector. These meetings are organised separately for each organisation. This situation exists because all the sector workers are self-employed and that as a consequence there is no possibility of employer-employee dialogue. In certain cases, collective agreements have nevertheless been signed between some operators and the council.

In **Poland**, collective agreements for the road transport sector can be established at all levels. Nevertheless, the effectiveness of the sectoral social dialogue depends largely on the sub-sector concerned. In certain sub-sectors, the weak employer's organisations or their absence entirely in the sub-sector prevents the development of an effective social dialogue. This has for consequence that collective agreements are principally concluded at the level of the company. With regard to the extension of the agreements, legal procedures exist but these are seldom used. It is also appropriate to note that the representativeness of the trade unions in companies is particularly weak here.

In **Romania**, the road transport sector is covered by collective bargaining at three levels: the branch, groups of companies and the company level. With regard to representativeness of the two sides of industry, the law establishes the criteria and no conflict regarding mutual recognition of the organisations is observed in the sector. As regards collective agreements, any decision adopted on a higher level is minimal and obligatory for the lower levels and in general, conditions negotiated in the collective agreements apply to all workers in the sector. However, in certain cases, companies do not apply the measures established in collective agreements. On this point, there is a lack of any structure to verify the implementation of the conditions negotiated at the higher levels.

In **Slovakia**, collective agreements covering road transport are signed at the level of the sector and the company. These agreements have the force of law. Procedures exist to extend conditions negotiated in the sectoral agreements to the employers that are not members of the organisations signatory to the agreement, but the Ministry of Labour, Family and Social Affairs of the Slovak Republic seldom apply these measures.

The sectoral social dialogue in **Slovenia**, takes place at the sectoral and company level. Collective agreements concluded are directly extended to all the companies or all the employees of the sector according to the level concerned.

In the **Czech Republic**, the most developed level of negotiation for the road transport sector is that of the company. However, sectoral agreements are also concluded, these define the basic negotiation framework for companies. There is no legal criterion of representativeness for the two sides of industry and no conflict of mutual recognition is observed between the partners. The sectoral negotiation in road transport is divided into two sections: one for the private sector, the other for the public sector. Following legislative modifications in 2004, procedures for the extension of collective agreements are no longer used. At company level, Czech law does not envisage a mechanism to allow the extension of collective bargaining.

Lastly, in **Turkey**, the bipartite social dialogue takes place only at company level. Collective agreements concluded by unions can apply to non-union workers if these workers pay a "solidarity due" to the union. On the sector level, no negotiation between the trade unions and the employer's organisations is anticipated.

## Comparative overview

Levels of negotiation:

	TRIPARTITE	BIPARTITE		
		<i>Sectoral</i>	<i>"Higher than enterprise"</i>	<i>Enterprise</i>
Bulgaria	X	X	X	X
Cyprus	X	X		XX
Czech Republic		X		XX
Estonia		X		X
Hungary			X	X
Latvia				
Lithuania				X
Malta				
Poland		X	X	XX
Romania		X	X	X
Slovak Republic	X	X		X
Slovenia		X		X
Turkey				X

The situation as regards collective bargaining varies considerably from one country to another:

- in Hungary, collective agreements relating to the road transport sector are signed at both sub-sectoral level and enterprise level;
- by contrast, in Cyprus, the Czech Republic, Lithuania, Poland and Turkey, bipartite collective bargaining is mainly conducted at enterprise level. It should be borne in mind that although sectoral bargaining does take place in Cyprus, Poland and the Czech Republic, it is considerably less developed than bargaining at enterprise level. It is for this reason that a double-X (XX) appears next to these countries in the table dealing with collective bargaining at the Enterprise level;
- in Bulgaria, Estonia, Romania, Slovakia and Slovenia, social negotiation functions effectively at both sectoral level and company level (please note that sectoral social dialogue in Bulgaria and Romania covers the whole of the transport sector (i.e. including air, road, sea and rail) and not just road transport);
- in Latvia and Malta, there is no social dialogue at either sectoral level, higher-than-enterprise level or enterprise level: in Latvia, as there is no public organisation to represent the interests of road transport workers, social dialogue only takes place between employees and employer in individual companies; in Malta, as there are no registered enterprises in the sector (this is due to the fact that almost every owner of a vehicle is self-employed,

and is a member of an organisation or association that looks after his/her vested interests), social dialogue mainly takes the form of consultation between the Malta Transport Authority, representing the government, and representatives of road transport operators. These meetings take place very frequently.