

European Social Dialogue in Transformation Process ^a

N. Nevra ESENTÜRK *

Abstract

European social dialogue has been on the agenda of European integration since 1985 when the Val Duchesse talks were launched by Jacques Delors, the then president of the Commission, in the context of the developments taking place with the development of the Single European Act (SEA). Social dialogue, that is, deliberations and negotiations of management and labor at the EU level, has become progressively more important since the SEA was ratified.

In this context, European social dialogue has undergone a transformation process since the SEA and has become institutionalized with the Maastricht and Amsterdam Treaties. With its institutionalization, the influence of European social dialogue has reached the stance from non-binding joint opinions to framework agreements implemented by the Council decision and monitored by the Commission. Thus, it is inferred that that European social dialogue has incrementally increased its powers in legal terms and in the institutional structure of the EU concerning social policy-making.

The process of European social dialogue has also become an important instrument in the general framework of European governance and the democratization of the EU, as conceptually ‘social dialogue’ is based on the principles of conciliation, compromise and cooperation. In that respect, European social dialogue has come to the fore as a crucial process and motivating the actors in the policy-making procedure for better governance in the EU. On this ground, the paper analyzes the European social dialogue in transformation process to figure out its influence in EU social policy-making procedure with reference to governance in the EU.

Key words: European social dialogue, EU social policy, governance

* An earlier version of this study was presented at *Social Policy Association (SPA) Annual Conference*, Lincoln, UK, July, 2011.

* Asst. Prof. Dr., Department of International Relations, Yalova University, nesenturk@yahoo.com.

Avrupa Sosyal Diyalogundaki Dönüşüm Süreci

Özet

Avrupa sosyal diyalogu, Tek Avrupa Senedi (TAS) ile ilgili gelişmeler meydana geldiği sırada, o dönemki Avrupa Komisyonu Başkanı Jacques Delors' un 1985'te başlattığı Val Duchesse görüşmelerinden beri, Avrupa bütünleşmesinin gündeminde yer almaktadır. Sosyal diyalog, yani AB seviyesinde işveren ve işçiler arasındaki görüşme ve müzakereler, TAS onaylandıktan sonra giderek daha önemli bir hale geldi.

Bu bağlamda, Avrupa sosyal diyalogu TAS'dan bu yana bir dönüşüm sürecine girerek Maastricht ve Amsterdam Antlaşmalarıyla kurumsallaşmıştır. Kurumsallaşmasıyla birlikte Avrupa sosyal diyalogunun karar alma sürecindeki etkisi de bağlayıcı olmayan ortak görüş bildirmekten, AB Konseyi kararıyla uygulanan, Komisyon tarafından kontrol edilen Avrupa sosyal diyalogunun yasal olarak ve sosyal politika yapım sürecinde AB'nin kurumsal yapısındaki gücünü aşamalı olarak artırdığı söylenebilir.

Avrupa sosyal diyalogu süreci, Avrupa yönetişiminin ve AB'deki demokratikleşmenin genel çerçevesi içinde önemli bir araç haline gelmiştir; çünkü kavramsal olarak "sosyal diyalog" uzlaştırma, uzlaşma ve işbirliği prensiplerine dayanır. Bu açıdan bakıldığında, Avrupa sosyal diyalogu çok önemli bir süreç olarak karşımıza çıkmakta ve AB'de daha iyi yönetim için politika yapım sürecindeki aktörleri teşvik etmektedir. Bu çalışma, Avrupa sosyal diyalogunun geçirdiği dönüşüm sürecinin AB sosyal politika yapım sürecine etkisini AB'de yönetişime değinerek analiz edecektir.

Anahtar kelimeler: Avrupa sosyal diyalogu, AB sosyal politikası, yönetim

Introduction

European social dialogue has been on the agenda of European integration since 1985 when the initiative was launched by Jacques Delors, the then president of the Commission, in the context of the developments taking place with the Single European Act (SEA). Social dialogue, that is, deliberations and negotiations of management and labor at the European Union (EU) level, has become progressively more important since the SEA was ratified.

European social dialogue has undergone a transformation process since the SEA and has become institutionalized with the Maastricht and Amsterdam treaties. Then, the influence of European social dialogue has reached the stance from non-binding joint opinions to framework agreements implemented by the Council decision and monitored by the Commission. Thus, it is inferred that European social dialogue has incrementally increased its powers in legal terms and in the institutional structure of the EU concerning social policy-making.

This process of European social dialogue has also become an important instrument in the general framework of European governance and the democratization of the EU, as conceptually “social dialogue” is based on the principles of conciliation, compromise and cooperation. In that respect, European social dialogue has come to the fore as a crucial process evoking and motivating the actors in the policy-making procedure for better governance in the EU.

On this ground, the article examines the evolution of European social dialogue to figure out its influence on EU social policy-making procedure with reference to governance in the EU. The article finds out that there has been a transformation of European social dialogue towards a governance approach which has made it an integral part of European social policy-making. In that regard, the article is designed according to the context in which European social dialogue was initiated, the historical evolution it has undergone, the legal basis it is based on, the forms and levels at which it operates, the outcomes it produces and the actors involved in the

process. Finally, European social dialogue is analyzed with reference to governance in the EU.

1. European-level Social Dialogue

European social dialogue practices play an important role in the EU, not only because they are seen as integral parts of the European social model but also because, from a purely legal point of view, the social partners can intervene in the social policy-making procedure. Their involvement in this regard has undergone a transformation from the very limited stance of advisory status, to formal representation at EU level in parallel to the transformation of governance in the EU concerning social affairs.

The historical evolution of European social dialogue can be considered in three steps. The first step was taken in 1985 with the initiative of the European Commission President Jacques Delors, embarking on a sectoral bipartite dialogue between the Union of Industrial and Employers' Confederation of Europe (UNICE)¹ and the European Trade Union Confederation (ETUC), the first step towards creating a European bargaining area. The Social Policy Protocol and Agreement attached to the Maastricht Treaty and subsequently incorporated into the Amsterdam Treaty gave rise to the second step, in which agreements were implemented by means of Council directives. In December 2001, the Laeken European Council was a crucial step for the social dialogue, taking a third step of independent European-level dialogue with the initiatives of "EU level developments in 2002" concerning Industrial Relations Developments in Europe 2002 (European Foundation for the Improvement of Living and Working Conditions, 2003a).

1.1. The Single European Act (SEA): The Starting Point for European Social Dialogue

Considering the evolution of European social dialogue, the initial

1 UNICE stands for abbreviation of the former name of BUSINESSEUROPE (The Confederation of European Business).

phase took place between the period 1985 and 1991. In this initial step, the SEA marks the insertion of “social dialogue” in the Treaty, thus creating a specific Treaty basis for the process and making possible the existence of collective agreements at Community level. Article 118b of the SEA enshrined the importance of the social dialogue into the Treaty via the phrase “which could, if the two sides consider it desirable, lead to relations based on agreements”. Nevertheless, no procedures were prescribed and Article 118b seemed to be more about the political legitimation of the Val Duchesse process than a clear description of social dialogue mechanisms. With the SEA, the Commission was given the task to support and enhance the social dialogue. Moreover, as mentioned in the section about the context of European social dialogue, the process of institutional reforms of the EU, which commenced with the SEA and continued with the Maastricht Treaty, produced not only the deepening of the market but also new policy-making and decision-making process through the participation of supranational, national and sub-national actors. In that regard, this idea of multi-level governance opened the way forward for social policy at European level. In this context, the importance of European social dialogue began to be perceived, as this process provides the participation of various actors into the social-policy making of the EU, based on the idea of negotiation, consensus and conciliation. However, the results of the social dialogue after the SEA were not much more than a series of joint opinions on general issues such as the economic situation of the Community, informing and consulting employees, etc. Thus, the first period of European social dialogue was characterized by limited social dialogue among the social partners producing outcomes without any binding effect.

1.2. The Maastricht and Amsterdam Treaties: Towards “Euro-Collective Agreement” in European Social Dialogue

Following the initiative of the SEA, the Commission made an attempt to revive the process in 1989 through extending the dialogue to all areas covered in the Social Charter (Bache and George, 2006: 365). Although the attempt led to no real achievements, it was incorporated in the Social

Policy Protocol which the European social partners had concluded on 31 October 1991. The Maastricht Treaty, from the period of the Delors Presidency, defines the new role of the social partners and the introduction of social dialogue in Articles 3 and 4. With the introduction of Qualified Majority Voting (QMV) in several new areas mentioned in the previous part, an unprecedented role as co-legislators in areas related to the world of work was conferred on the European social partners (Friso, 2005: 10). As the Maastricht Treaty extended the competences of the Union, the need for social dialogue at European level increased.

The second phase of European social dialogue which began with an agreement signed between the social partners in 1991 was marked as the real impetus for further developments of European social dialogue. This agreement -an annex to the Maastricht Treaty- was added to the Agreement on Social Protocol, and later on inserted into the Amsterdam Treaty. According to this Protocol, the agreements negotiated and concluded by the social partners gained a legal status with the decision adopted by the Council. In this way, the new legal provision was to be transposed to the national legislation of the member states. The innovations brought with the Social Policy Agreement (SPA) concerning the participation of social partners and social dialogue were that the Commission legally has to consult the social partners and that the way of adopting collective agreements and contracts at European level was opened. With this development, social dialogue became one of the central conditions for the European integration process (Koray and Çelik, 2006: 365). The more the European integration process progressed, the more the social dialogue was needed. Moreover, it is considered that social dialogue facilitates social dialogue at European level and increases the legitimacy of the decisions taken.

Provisions regarding the European social partners were incorporated into the Social Chapter of the Treaty after the British Labor government signed up to the Protocol at Amsterdam in 1997. The principles stated in the SPA became part of the Treaty through the Amsterdam Treaty. In particular, the role of social partners in the European social dialogue process is clearly described in Articles 137-139 of the Amsterdam Treaty. Their prerogatives can be summarized as follows:

- Implementation of Community directives (Article 137)
- Consultation (Article 138)
- Self-regulation (Article 139)

It can easily be inferred from these three categories what a huge impact the European social partners can, theoretically, have on the development of EU social policy. They enjoy a unique position in the institutional system of the EU Treaty, not granted to any other interest groups. With the above mentioned Articles, the place for social dialogue at European level was determined through a strong institutional recognition. Thus, stated that both at the sectoral and intersectoral levels, the social partners can engage in European-level collective bargaining and see the outcome of their negotiations turned into compulsory EU law.

The social partners negotiated certain issues through the use of the above stated mechanism and some of the negotiated issues turned into agreements. In order to comprehend the mechanism fully, it is worth analyzing the Articles in details. Article 137 specifies the areas in which the Community has competence. This Article included the representation of the interests of workers and employees within its remit. However, it is essential to mention that while the issues of partnership and involvement in governance is included in the competence of the Community, the issues of wages, unionization, strike and lock-out were excluded from the competence of the Community.

In the following Article of the Treaty, it was stated that the Commission has a responsibility to encourage consultation of the social partners at Community level and to take every useful measure to facilitate their dialogue, taking care to ensure a balanced support of the social partners. In particular, Article 138 of the European Community Treaty provides for a compulsory two-stage consultation procedure. According to this Article, the Commission is required to consult the social partners on the possible direction of Community action before presenting proposals in the social policy field. If the Commission considers that the Community action is desirable, it must consult the social partners on the actual content of the

envisaged proposal. Moreover, social partners are also consulted within advisory committees in the context of procedures aimed at gathering the views of interested parties, such as Green Papers, and systematically on the reports on the transposal of Community legislation. In this framework, the Commission consults social partners to open the way for them to engage in dialogue. According to Article 139 of the Treaty, the Community level dialogue between the social partners can lead, if they wish it, to contractual relations, including agreements concerning issues specified in Article 137, which will be valid at Community level. The implementation can be made either by a legal instrument or through national channels. The social dialogue at this level resembles to some extent “partnership governance” at the national level.

Every step in the integration process aims to improve the inclusion of European social partners into the social policy-making process through social dialogue at European level. In the 2000 Lisbon European Summit, the Heads of State and Government set out a ten-year strategy for the economic and social development of the EU. The common vision requires an integrated approach across a range of economic, social and environmental policy areas in order to achieve sustainable economic growth, more and better jobs, with greater social cohesion enterprise (Lisbon European Council, Presidency Conclusions, 2000). The successful implementation of the Lisbon Agenda requires active involvement of social partners.

The EU Charter of Fundamental Rights is an important milestone in the development of European social dialogue in that the Charter’s fundamental rights of association, information and consultation, collective bargaining and action anchors the role of social partners in EU social policy and ascribes legitimacy to collective bargaining and collective action, and information and consultation at the level of enterprise (Lisbon European Council, Presidency Conclusions, 2000). It sustains a model based on the distinctive role of social partners at all levels of economy and society, from the level of macro-economic policymaking to day to day experience of the workplace.

Developed by the Commission in response to the call at Lisbon for the

modernization of the European Social model, the Social Policy Agenda endorsed at the Nice European Council in December 2000 underlines the importance of social dialogue in promoting competitiveness, solidarity and an appropriate balance between flexibility and security in employment (COM (2000) 379 Final). At Nice European Council in December 2000, among the common objectives established, it was stressed that social partners, working with other actors, have an essential part to play in achieving social cohesion through their contribution to the development of employment and to the modernization and organization of work at national, sectoral, intersectoral and European level. Moreover, one of the developments that took place in the first progress report after the agenda's endorsement in Nice is about social dialogue in that the Commission decided under Article 138 to continue dialogue between the social partners to modernize and improve employment relations in teleworking, while social partners completed sectoral agreements in telecommunications and commerce (Kassim, 2002). The social partners are also invited to play a full part in the implementation and monitoring of the social agenda, starting at its meeting in Stockholm in March 2001 (Kassim, 2001).

1.3. Laeken European Council and Onwards: “Joint Contribution” of the Social Partners in European Social Dialogue and “Autonomous Agreements”

The last phase in the evolution of European social dialogue commenced in 2001 when we witnessed the “joint contribution” of social partners to the Laeken European Council at the social summit in which they expressed their willingness to develop social dialogue by jointly drawing up a multi-annual work program before the European Council at the end of 2002. In this way, in the light of the challenges posed by the debate on Europe's future and governance, the future enlargement of the EU, completion of economic and monetary union and the associated development of coordination of economic, employment and social policies, they affirmed their intention to develop a work program for a more autonomous social dialogue in the joint declaration to the Laeken European Council in December 2001.

Upon this development, the European social partners that are fully aware of the strong involvement of national employer and trade union leaders for the progress of European social dialogue presented their work program on the occasion of the social dialogue summit, in Brussels on 28 November 2002. This initiative is significant in that due to the limits of European social dialogue, this phase paved the way towards the social partners' and the member states' selecting their implementation means and methods rather than creating legally binding instruments (Ersöz, 2008). In other words, the final phase of European social dialogue has been a period in which the 'open coordination method' has come to the fore. This backs up the broad participation in the social policy field, the coordination of administration at different levels, the importance attached to gathering information, coordination, comparisons, and the need for diversity in terms of using different means to achieve the common determined goals (Koray and Çelik, 2007: 167). In a way, this method reveals the transformation from hard law to soft law in the social policy field, and the deliberate participation of various actors in the social policy-making process through dialogue and conciliation, which are the basic characteristics of the governance approach in the EU.

In 2003, the first Tripartite Social Summit for Growth and Employment was held with the Council Presidency, the President of the Commission and the highest-level representativeness of the social partners. The Tripartite Social Summit is established to ensure that there is continuous consultation between the Council, the Commission and the social partners. In this way, it will enable them at European level to contribute, in the context of their social dialogue, to the various components of the integrated economic and social strategy, including the sustainable development dimension as launched at the Lisbon European Council in March 2000 (Lisbon European Council, Presidency Conclusions, 2000).

The recent developments in the evolution of European social dialogue can be stated as 2005 mid-term Lisbon strategy which was decided at the European Council held on 22-23 March. It reiterates the importance of the social partners' active involvement in order to achieve the Strategy's objectives on growth and employment (Brussels European Council,

Presidency Conclusions, 2005). On 29 September of the same year, 20 years of European social dialogue was celebrated at the Social dialogue Summit in Palais d'Egmont in Brussels. In the following year, the first European sectoral social dialogue conference was held. The European social partners presented their second multi-annual work program (2006-2008) at the Tripartite Social Summit.

On examining the historical evolution and the Treaty revisions, it is inferred that in legal terms, the concept of social dialogue can be regarded as “bargaining in the shadow of the law” (Adnett and Hardy, 2005: 36). The legitimacy of the social partners’ action is based on their representativeness and their legitimacy empowers them to negotiate agreements. The legislative procedure in EU social policy works as follows (Falkner, 2007): when the Commission consults on any planned social policy measure, European level employer and labor groups may inform the Commission of their wish to initiate negotiations on the matter under discussion in order to reach a collective agreement. This process brings standard EC decision-making to a standstill for nine months. If a collective agreement is signed, it can, at the joint request of the signatories, be incorporated in a ‘Council decision on the basis of a prior Commission proposal’. In this framework, then, upon the EU’s launching an initiative, the social partners had the power to postpone the legal process and instead to negotiate a European collective agreement which may subsequently be incorporated into European legislation following a decision by the Council (Dolvik, 1997).

Falkner (2007) states that in recent years, bargaining on social policy issues has been pursued in two quite distinctive but interdependent arenas; one of them is the traditional pattern of social policy-making which is dominated by the Council and its working groups, and the other one is a different arena surrounding negotiations between management and labor, the procedures of which are not prescribed in the Treaties. While in the former “intergovernmental arena” for EU social policy, negotiations proceed according to the detailed rules about decision-taking that are specified in the EC Treaty, involving the interests represented by politicians that are predominantly territorial -in the Council- and partly political -in

the European Parliament (EP)-, the latter arena surrounds negotiations between management and labor. Here, procedures are not prescribed in the Treaties. The Maastricht Social Agreement only contains provision about “interface situations” where the intergovernmental procedure and collective bargaining meet, specify the rules on bringing standard decision processes to a standstill, or initiate Council negotiations on implementation (Dolvik, 1997).

2. Forms and Levels of European Social Dialogue

Taking into account all the developments discussed above that took place in the evolution of European social dialogue, it is found out that the viewpoint and stance of the EU towards social problems has displayed a significant change. In respect to this change, the increased participation of social partners in EU social policy-making is significant in terms of getting public support regarding the legitimacy deficit of European integration (Falkner, 1999: 96-97).

In this framework, it is clear that EU social policy is focused on solving social problems through the coordination of the member states and establishing minimum standards and the use of social dialogue between workers and employees. In this framework, the social dialogue at European level is defined as both discussions and negotiations among the European social partners and those between European social partner organizations and EU institutions (EC COM (2004) 557 Final). A kind of tripartite cooperation between EU institutions and European social partners takes place. It is also essential to consider the procedure of European social dialogue, the transformation it has undergone and the forms, levels and outcomes of the procedure.

European social dialogue takes place in various forms ranging from consultation to tripartite social dialogue and at various levels ranging from cross-industry to sectoral and inter-sectoral levels. Among the basic forms of “social dialogue” discussed previously, the forms of *tripartite* and *bipartite social dialogue* are crucially important for European social dialogue. In the case of European social dialogue, the European

Commission is represented as the governmental authority, so that at European level there would be three parties around the table, namely the EU Commission, the national authorities and the social partners. In addition to different forms of social dialogue, social dialogue can take place at various levels, namely at sectoral level, cross-industry level and company level. The dialogue can cover the private as well as the public sectors. In this framework, collective agreements can be concluded at enterprise level, as well as at sectoral level and at cross-industry level. At European level, there are three levels of social dialogue, which are namely cross-industry, sectoral level and company level. In that respect, the bipartite autonomous European social dialogue takes place at cross-industry level, through gathering together the cross-industry European social partners, at sectoral level through sectoral social dialogue committees, and at company level through European Work Councils (EWCs) for transnational agreements (Blainpain, et. al., 2006). In addition to the cross-sectoral and sectoral level social dialogue at European level discussed above, there are also some European social dialogue developments at company level.

3. Outcomes of European Social Dialogue

Following the publication of the Commission's document on *Partnership for Change in an Enlarged Europe – Enhancing the Contribution of European Social Dialogue*, the outcomes of European social dialogue were categorized, and then named according to the differences resulting from the social partners and the European social dialogue process (COM (2004) 557 Final). In that respect, the outcomes of European social dialogue can be placed in four categories. They are consultations, framework agreements implemented according to Article 139 (2)², joint opinions, declarations and tools and process-oriented texts.

In this categorization of the outcomes of European social dialogue, the *consultation* of management and labor by the European Commission goes on continuously, producing several outcomes. The collective agreements

2 The framework agreements implemented according to Article 139 (2) are also known as 'collective agreements.'

which are implemented for minimum standards are either implemented according to the Council decision monitored by the Commission, or through autonomous agreements implemented by the procedures and practices specific to management and labor and the member states.

Collective agreements establish minimum standards and entail the implementation of certain commitments by a given deadline. Two main types of agreement fall within this category, the main difference between them relates to the method of implementation foreseen. In this framework, three cross-sectoral agreements that were transformed in EU directives under Article 139 were adopted. The first European social dialogue agreement on parental leave was accorded in 1996 and incorporated into a directive binding on all the member states (except UK). Others were on part-time work (1997) and fixed-term contracts (1999). These agreements are implemented by the Council decision. In addition, other agreements implemented by the Council decision are the European agreement on the organization of working time of seafarers (1998), the European agreement on the organization of working time of mobile workers in civil aviation (2000), and the European agreement on certain aspects of the working conditions of mobile workers assigned to interoperable cross border services (2004). The autonomous agreements are the framework agreements on telework (2002), work related stress (2004), the European license for drivers carrying out a cross-border interoperability service (2004), framework of actions on gender equality (2005) and the recent framework agreements on harassment and violence at work (2007) and inclusive labor markets (2010).

Process oriented texts consist of a variety of joint texts which are implemented in a more incremental and process-oriented way than agreements (COM (2004) 557 Final). In these texts, the European social partners make recommendations of various kinds to their members for follow up. This process should involve regular evaluation of the progress made towards achieving their objectives in order to ensure they have real impact. In that framework, these texts are useful and helpful in terms of reaching common objectives, especially if the issue in concern requires complex arrangements and contains wide national diversity, and the

social partners have the intention to cooperate on this issue. Frameworks of action, guidelines and codes of conduct, and policy orientations are varieties of process-oriented texts. Frameworks of action are texts framing the definition of policy priorities that the social partners have undertaken. There have been two frameworks of actions adopted up to now through the European social dialogue procedure- namely the framework of action on lifelong development of competences and qualifications which was adopted in 2002 and the framework of action on gender equality which was adopted in 2005. Guidelines and codes of conduct are texts that involve the basic principles and standards for the members at national level in order to reach a goal in a certain issue.

Joint opinions, declarations and tools are texts produced by the European social partner which contribute to exchanging information, either upwards or downwards through explaining the implications of EU policies to national members (Blainpain, et. al., 2006). Although the outcomes in this category do not entail any implementation, monitoring or follow-up provisions, they are important in that joint opinions include the majority of social partner texts adopted over the years such as their joint opinions and joint statements which are generally intended to provide input to the European institutions and/or national public authorities (Blainpain, et. al., 2006). Among this category of outcomes, there are also declarations which are usually directed at social partners themselves, outlining future work and activities which social partners intend to undertake (Blainpain, et. al., 2006). There are also tools that are developed by the social partners such as guides and manuals providing practical advice to employees and companies on subjects such as vocational training, health and safety and public procurement, often with the assistance of Community grants (Blainpain, et. al., 2006). These can make a very practical contribution at the grassroots level.

4. Actors Involved in European Social Dialogue

The actors involved in the complicated process of European social dialogue play an important role in the operation and follow-up of the

process. Mainly, the European social partners, and EU institutions and committees are involved in the European social dialogue process.

There are various European social partners. The structure of social partners at European level is composed of several dozen organizations representing workers and employers but the most important ones are the umbrella organizations- namely *BUSINESSEUROPE* (UNICE) for private industry, the European Center of Enterprises with Public Participation and of Enterprises of General Economic Interest (CEEP) for public enterprises and the European Association of Craft, Small and Medium-Sized Enterprises (UEAPME) for SMEs on the employers' side, and the ETUC on the employees' side. These organizations are the social partners at cross-sectoral level so far recognized by the Commission.

On the EU side, one of the basic actors involved in European social dialogue is the Economic and the Social Committee (ESC) in which European social partners are formally represented since the establishment of the European Economic Community (EEC). Since the beginning of the 1990s, with the institutionalization of European social dialogue, the European Commission, which is the initiator and supporter of the European social dialogue process, has had an important place in European social dialogue in relation to its crucial roles in the operation and follow-up of the process, especially regarding the tripartite and bipartite social dialogue process. Moreover, the contribution of the Employment, Social Policy, Health and Consumer Affairs Council (EPSCO) of the Council of the EU and Employment Committee (EMCO) of the EP has key roles in European social dialogue.

The ESC, which is composed of employers' representatives, workers' representatives and other interest groups, is the oldest and most institutional provider of the opinions of the social partners to the decision-making bodies (Moussis, 2006: 244). It has a key role in the consultation process of European social dialogue, as it is a consultative body at European level. Basically, the consultation process takes place by means of the ESC which is composed of the representatives of the social partners since the very beginning of the establishment of the EEC. In that respect, the ESC is the

main actor in the operation of the consultation process in European social dialogue. Although it is not possible to consider the ESC as an influential actor in the social policy-making procedure of the EU, it is still significant as the only institution in which European social partners are formally represented.

During the European integration process, it has also undergone an evolution in its definition in the founding texts from the expression in the Rome Treaty as “the representatives of different categories of economic and social activities” (Commission of the European Communities, 1978) to the description in the 2001 Nice Treaty as “an institution composed of different economic and social components of the civil society” (EESC, 2008). Thus, it inferred that the ESC has become a consultative organ of the European Commission, the European Parliament and the Council of the EU. In that respect, the Economic and Social Committee, which is composed of employers’ representatives, workers’ representatives and other interest groups, is the oldest and most institutional provider of the opinions of the social partners to the decision-making bodies (Moussis, 2006: 244). The members of the ESC are proposed by the member state governments and are appointed by the Council of Ministers through QMV after the Treaty of Nice.

Within the framework of tripartite concertation among the European social partners and EU institutions, the European Commission, the European Parliament by means of EMCO and, the Council of the EU by means of EPSCO take part in the institutional European social dialogue. In this framework, the EU has a role in promoting social dialogue. As mentioned in the legal basis of European social dialogue, the primary role of the EU is established with the Amsterdam Treaty, especially Article 138 which is based on the Commission promoting the consultation of management and labor at Union level.

At this point, within the institutional framework, it is wise to discuss the stance of the Commission towards the European social partners. The European Commission aims to facilitate and assist the development of social partners’ role towards greater independence. It invites them to develop the

fields of, and instruments for social dialogue. As the Commission puts it, the “development of social dialogue at European level, as a specific component of the Treaty, is a key tool for the modernization and further development of the European social model, as well as the macro-economic strategy” (Kassim and Hine, 1998: 216). The social partners are thus called upon, at least at European level, to involve themselves in both traditional employment matters and macro-economic issues, with their specific nature conditioned by the autonomy of social partners in the sphere of industrial relations. This implies that European collective agreements can develop independently from regulatory initiatives by the Community institutions (European Model of Employment and Industrial Relations, 2007).

Based on the responsibility given to the Commission by the Treaty for promoting and supporting European social dialogue, the Commission, starting as early as the entry into force of the Maastricht Treaty, published certain communications such as the Commission Communication “concerning the implementation of the Protocol on social policy” (COM (1993) 600 Final) in 1993, “concerning the development of the social dialogue at Community level” (COM (1998) 322 Final) in 1996 and on “adopting and promoting the social dialogue at Community level” (COM (1998) 322 Final) in 1998. All of these communications reveal the Commission’s intention to support and promote the development and implementation of European social dialogue. For instance, the last Communication stated above defines the criteria for the establishment, composition and operation of sectoral dialogue committees and constitutes a new departure for the development of social dialogue within sectors at European level (COM (1998) 322 Final). The Commission here points out that there is a lot to be done to strengthen the capacities of social partners in the member states and to the system of social partnership and independent social dialogue in the candidate countries. Thus, this Communication emphasizes the significance attached to European social dialogue, its objectives and concrete means to reach these objectives.

There is no doubt that the ESC as the only institution gathering together the two sides of the social partners at European level is an established institution in the EU. However, due to the mere advisory status of the

body, the ESC cannot go beyond its limited influence in EU social policy-making. Moreover, trade unions, in particular, are not content with the operation of the ESC. In that respect, the ESC is found disappointing due to the sensitivity of the member states to delegating their power in the social policy field, the neo-liberal approaches and some workers' and the member states' stance towards European social dialogue (Ateş, 2005: 45-46).

The EU has also a role in collective bargaining, in the conclusion of European collective agreements which have binding effect. In that respect, the EU not only indicates that collective agreements between the social partners are a possibility but it expressly reminds them of this. As is mentioned in the Maastricht Treaty, in Article 118b it is enshrined that "should management and labor so desire, the dialogue between them at Union level may lead to contractual relations, including agreements" (Maastricht Treaty, OJ C 191). In other words, the Treaty goes further and invites the social partners to conclude agreements by offering the possibility to negotiate agreements on the issues the Commission would consult them on.

At this point, within the institutional framework, it is wise to discuss the stance of the Commission towards the European social partners. The European Commission aims to facilitate and assist the development of social partners' role towards greater independence. It invites them to develop the fields of, and instruments for, social dialogue. The social partners are thus called upon, at least at European level, to involve themselves in both traditional employment matters and macro-economic issues, with their specific nature conditioned by the autonomy of social partners in the sphere of industrial relations. This implies that European collective agreements can develop independently from regulatory initiatives by the Community institutions (European Model of Employment and Industrial Relations, 2007).

Concerning the framework agreements implemented by Council decision, the Commission has the role of implementing reports. Regarding autonomous agreements, the Commission has the role of monitoring and

providing financial support. Concerning frameworks of action, guidelines, codes of conduct and policy orientations, the Commission has the role of follow-up and financial support (European Model of Employment and Industrial Relations, 2007).

The Commission has recently published Communications related to European social dialogue. The increased significance to European social dialogue and the crucial role given to the European social partners for the attainment of the strategic goals set out in Lisbon European Council come to the fore in these recent Communications. For instance, in the Commission Communication on the *European social dialogue, a force for innovation and change*, “the Commission fleshes out its views on the future of social dialogue both as a key to better governance of the enlarged Union and as a driving force for economic and social reform” (COM (2012) 341 Final). The Commission also wishes to promote and improve the contribution of European social dialogue to better European governance; that is greater involvement of all actors in decision-making and also in the implementation process (COM (2012) 341 Final).

According to the same Communication, since social dialogue is regarded as a force for economic and social modernization, the attainment of the strategic goals of the Lisbon Council, that is, full employment and reinforced social cohesion, depends largely on the active participation of the social partners (COM (2012) 341 Final). In addition, it is stressed in the Communication that in order to improve consultation between the social partners, tripartite consultation processes are organized and certain means such as macroeconomic dialogue and European Employment Strategy (EES) are set up. Moreover, the Commission points out that there is a lot to be done to strengthen the capacities of social partners in the member states and to the system of social partnership and independent social dialogue in the candidate countries. The Commission also asks whether European social dialogue can be implemented against the challenges of globalization in a democratic and equal way (Report of High Level Group on Industrial Relations and Change in the European Union, 2002). In short, this Communication emphasizes the significance attached to European social dialogue, its objectives and the concrete means to reach these objectives.

Considering this incremental evolution of European social dialogue, it is seen that at European level social partners occupy a unique position and one which has changed considerably in recent years, not only because they are “best placed to address issues related to work and can negotiate binding agreement”, but also because they have now become “genuine partners in establishing European social standards” in addition to their role of reacting the Commission’s initiatives (Third European Survey on Working Conditions, 2003b). The EC Treaty contains the institutional framework for the EU social dialogue in the Social Chapter. However, there is still an apparent lack of influence of the EU institutional framework on the dialogue in that the only European institution in which various representatives of social partners are formally involved in social dialogue is the ESC which is a largely a consultative body with relatively little impact on the decision-making process in the EU (Wallace and Wallace, 2006: 346).

In this context, it has been generally agreed that the concrete results of the social dialogue process do not match its strong legal basis and potential important impact. The results of the negotiations have been modest. There seems to be no serious commitment from the employers’ organizations to engage in collective bargaining at the EU level and trade unions have no real power to force them to do so. Without pressure from other political actors, there is little chance of agreement between management and labor. Thus, governments’ own willingness to make progress in the “social dimension” of the EU has come to the foreground (Falkner, 1999: 97). On the other hand, even when the social partners do engage in negotiations under their self-regulations prerogative (Article 139), there appears another serious lack of commitment from the employers’ organizations to engage in debate about the democratic legitimacy of the process, as the EP is completely left out of this process that ultimately culminates in an EU directive. This has opened a wide debate in this issue.

5. Analysis of European Social Dialogue with Reference to Governance in the EU

European social dialogue has emerged as an important part of European social governance which developed in line with the onset of the governance in the EU in the 1990s. Upon the discussion of European social dialogue in historical, legal and institutional terms, the analysis of European social dialogue is carried out based on the extent of the influence of European social dialogue on EU social policy-making process with the governance in the EU and evaluation of the outcomes of the process.

The extent of the influence of European social dialogue in EU policy making can best be analyzed taking into account the evolution of European social dialogue, which reveals the transformation it has undergone since it was initiated with the SEA towards the Laeken European Council and onwards. In this process, the status of European social dialogue was strengthened in that, while social partners had a very limited role with the initiation of European social dialogue through the SEA, producing merely non-binding joint texts, after it was institutionalized with the Maastricht and Amsterdam Treaties, it was given the competence to conclude framework agreements implemented by the Council decision and monitored by the Commission. Recently, with the Laeken European Council it has reached the stage where the conclusion of “autonomous agreements” paved the way towards the social partners’ and the member states’ selecting their implementation means and methods rather than creating legally binding instruments. Thus, it is inferred that European social dialogue has incrementally increased its powers in legal terms and in the institutional structure of the EU concerning social policy-making.

The final phase of the evolution of European social dialogue, which commenced with the Laeken European Council, is to be emphasized in the analysis of this process with reference to governance in the EU. The final phase of European social dialogue is significant in that it was a period in which the Open Method of Coordination (OMC) came to the fore. It facilitated the broad participation of social partners in the social policy field and the coordination of administration at different levels, focusing

on the importance attached to gathering information and comparisons, and the need for diversity (Koray and Çelik, 2007: 167). In a way, this method reveals the evolution from hard law to soft law in the social policy field, in line with the governance in the EU. In that sense, it might be wise to refer to the importance of mutual compatibility between the governance approach and development of European social dialogue. This compatibility emerges in such a way that European social dialogue functions within hybrid mechanisms of European governance that is legitimized, sustained and maintained by European social dialogue.

European social partners, that gained greater autonomy to implement and monitor agreements themselves and to conclude “autonomous agreements” with the Laeken European Council, ruled out the possibility of concluding framework agreements to be submitted to the Council for implementation as a Directive (De Boer, et. al. 2005: 55). Thus, the Laeken European Council set out the vision of the European social partners in the future of European social dialogue, which reveals the direction in which the European social dialogue is developing, away from the path of legally binding agreements to the conclusion of voluntary, non-legally binding agreements via an autonomous, bipartite dialogue of European social partners. This recent path of the European social dialogue has been backed up both by the Commission and the social partners (COM (2002) 341 Final). Nevertheless, in relation to economic developments and changes in employment policies, the diversion of European social dialogue is assumed to enclose a different direction, especially after the third stage. Currently, in the post-Lisbon strategy period, we are on the verge of entering a new stage in which there would be need to achieve various adjustments on the way to solving ‘controversial issues’.

With regards to the institutional relations in European social dialogue, it can be noted that, in line with the strengthening of the status of European social dialogue in the EU social policy-making process through the revised Treaty provisions, the European social partners are privileged in relation to both the Commission and the Council. As a result of the incremental progress of European social dialogue, social partners are furnished with a mixture of the tasks of the Commission, the Council and the Parliament in

that the European social partners have gained the right of initiative and the right of policy formulation (De Boer, et. al. 2005: 57). The important point derived from this picture is that small changes in governance procedures at European level had a considerable impact throughout the system. The position of the European social partners as the core actors under this new “negotiated legislation” procedure best illustrates that European social dialogue is a multi-level and multi actor process (Falkner, 2000: 719). However, despite the fact that the role of the Commission is crucial in terms of overcoming disputes among the European social partners, there are various views about the part it plays in European social dialogue. On the one hand, the institution is criticized because it is said that the Commission “does not always work”. On the other hand, the Commission is seen as neither a mediator nor a conciliator; instead, its role should be to facilitate and support actions that governments and social partners can take. ESC is criticized in relation to its role of coordination and cooperation as the organizational capacities of the institutions are inadequate and too weak to have an influence on the social policy making procedure.

Although the multi-level and multi-actor institutional set up of the EU provides the relevant environment for the European social dialogue process to operate in, it should be mentioned that the influence of the EU institutional framework on the social dialogue has been limited (Barnes and Barnes, 1995). In that sense, although the institutional mechanisms are constructed in terms of social dialogue, the implications and significance of them are perceived as limited and inadequate.

In that sense, it is necessary to explain the areas in which social dialogue is influential. Social dialogue is perceived as more influential in areas outside individual rights for wage earners. Indeed, the scope of social dialogue regarding individual rights is limited. Similarly, the related issues where social dialogue is implemented are employment, labor and other areas more relevant to substantial employment related issues.

The outcomes of EU social dialogue from 1986 to 2014 include nine framework agreements on parental leave, part-time work, fixed-term contracts implemented by Council Directives and autonomous agreements

on telework, work-related stress, harassment and violence and inclusive labor markets implemented by the social partners as well as over 70 joint initiatives such as recommendations, opinions, declarations etc. Moreover, it includes three joint work programs. The work programs focus on issues such as employment, reinforcement of social partners' autonomy, development of a common understanding of social dialogue instruments, as well as on Europe's major economic and social challenges, contribution to and promotion of growth, jobs and the modernization of the EU social model. Recently, the emphasis is more on themes of competitiveness, productivity, job quality, employment, labor market, sustainable growth to address the challenges resulted from globalization and current financial and economic crisis that the EU is struggling with.

Once the outcomes of European social dialogue are taken into account, it can be concluded that the outcomes falling under all of the four categories seems satisfactory in terms of their number. However, this is a false satisfaction in that the outcomes which have a legal impact are fewer than those that do not. Thus, the outcomes are unsatisfactory in quantitative terms. However, given the availability of necessary institutional infrastructure, it might be possible to adjust the deficiencies. In that respect, setting quantitative priorities and partnership at all levels, and implementation and monitoring of progress should be given utmost importance.

Another important issue to put forward in the analysis of European social dialogue is "diversity". It is important to discuss whether it appears as a challenge or obstacle in the development of European social dialogue. It is a clear fact that there is wide diversity across the member states with respect to national sectoral boundaries, the representative structures of interest organizations, and the institutional structure and traditions of industrial relations. In brief, cross-national differences inhibit the establishment of representative structures at EU level capable of concluding framework agreements. In that regard, diversity may be regarded as an obstacle for the development of European social dialogue. However, this "new style" of European social dialogue based on the concept of "same targets, different paths" relies on national governments for the implementation of

its targets. Thus, the implementation of agreements in European social dialogue relies on the institutions of industrial relations in various member states. The national implementation reports prepared by the member states on various framework agreements can be illustrative in terms of indicating the various implementation methods and pace of framework agreements in different member states.

In addition, it is necessary to analyze the European social dialogue according to the national context. Since there is a considerable diversity among member states in terms of national interest based on national competences, national context is important for the transposition of the directives. For example, while the negotiation is conflictual in some member states, it is easier for the parties in others. Also, they can sometimes see that the directive cannot be transposed into their national law and adopted. Therefore, the national context in relation to the governance approach has become important.

Accordingly, in the Commission's White Paper on growth, competitiveness and employment and social policy, the importance of the creation of an effective framework for industrial relations was emphasized (European Commission, 1993). The idea of dialogue between the representatives of the workers, the employers, the national governments and the EU as a means of developing effective EU social policy is not new. It was a primary concern of the founder states of the EU. The rationale for such a dialogue about working conditions and wages at EU level was that, as positive relations were established, there would be a resulting improvement in working conditions and social security benefits throughout the EU. However, it has proved to be a contentious issue for the EU for a variety of reasons. The barriers to the participation of workers and employers (the so-called 'Social Partners' in the 'social dialogue') in the decision-making process are difficult to overcome because of the national context of the dialogue, the apparent lack of an institutional framework for the dialogue to take place, and influences that have ensured that the question of industrial relations remains at the company sectoral level (Barnes and Barnes, 1995: 345).

Concluding Remarks

Upon the analysis of European social dialogue with reference to EU governance, it is argued that the power, status and effectiveness of European social dialogue and the social partners in EU social policy-making should not be underestimated but rather be debated for further . European social dialogue is a decision-making process at the crossroads between “regulatory and new governance approaches” in transformation. It has appeared as the best alternative route to arrive at EC social standards, which was stressed by the Commission in its latest Communication from 8 August 2004, in which the European Commission characterized European social dialogue as playing a pivotal role in society and in improving European governance (COM (2004) 557 Final). Since social dialogue is considered to be an example of good practice for improved consultation and the application of the principle of horizontal subsidiarity, it is widely recognized as making an essential contribution to better governance, and one of the best opportunities for cooperative public-private governance as well as multi-level governance as stipulated within the framework of the governance in the EU.

In addition, the European social dialogue between the two key partners at the European level has played a significant role in the legislative process, for instance in legislation regulating working conditions (temporary work, fixed term work, part time work), workers’ protection (e.g. in the event of the insolvency of the employer), work safety, conditions of collective bargaining and the right to information and the activities of European Works Councils.

In relation to barriers at company level, it has been ensured that the question of industrial relations remains at the company sectoral level. There has been a movement away from direct government involvement in the pay-bargaining and conditions-setting process. This has come as much from the ideological stance adopted by the member states as from the most recent economic crisis in Western Europe. The increasing number of unemployed has resulted in a fall in the influence of the trade unions, especially in Denmark, the UK, France and the Netherlands and to some extent in Germany (Baker, 2000).

Within industry itself, a major restructuring has been taking place since the 1970s. The introduction of new technology has altered working practices in many industries. The massive swing into the service sector, where trade unions have traditionally not been well represented, has further undermined the possibility of dialogue. The role of multinational and multi-locational companies has also grown. Industry in Europe does not operate just in a European context, but also in an international context. There has been an increasing tendency of the workforce to change jobs during their working life. These job changes carry an increased need for training, which in some instances is met within the industry or the particular company. With the growth in the number of small businesses across the Union, SMEs now make a significant contribution to the European economy. They account for over 99% of all enterprises in Europe, creating over 100 million jobs and representing 67.1% of private sector jobs (European Commission, 2008). In that regard, the EU has in recent years committed itself to the SME sector both through political and economic commitments. The former commitment was made with a number of high level initiatives such as the *European Charter for Small Enterprises* adopted in 2000 and the *Entrepreneurship Action Plan* in 2004, as well as the *Small Business Act* which was adopted in 2008 to improve market conditions for small and medium-sized enterprises and boost the economy (COM (2008) 394 Final). These political commitments have been backed financially in that a great part of the €200 billion was allocated to SMEs for the period 2007-13 with the purpose of promoting business, jobs and growth.

In relation to the outcomes of European social dialogue, one might say that market liberalization creates common goals in terms of the ongoing liberalization of the European market for various public services such as telecommunications, postal services, gas and electricity, and transport. The vast majority of the results were achieved between 1992 and 2000, with a strong peak in 1996. It seems that the liberalization of previously shielded markets gives employers and employees a common goal: employers fear a loss of competitiveness for their own companies, while the unions fear loss of employment as a result of strong competition from new entrants.

Considering the discussion of European social dialogue in historical, legal, institutional terms, it is essential to analyze European social dialogue as an alternative lobbying channel in relation to European governance. As an exemplification, BUSINESSSEUROPE has two missions: being a lobby organization and a social partner with the competence to conclude social dialogue agreements. In that sense, one might argue that lobbying becomes an easy way of doing business, because it gives one less obligations in the end.

With respect to the distribution of the results by status, it is clear that voicing common opinions is greatly preferred to negotiating binding agreements: there have been 243 joint statements but only 21 framework agreements. The framework agreements in the intersectoral dialogue cannot be equated to collective agreements. This leaves 17 framework agreements concluded at sectoral level. The other framework agreements at the sectoral level appear to be mutual commitments to the establishment of a sectoral dialogue committee or the continuation of social dialogue, ‘formal’ recommendations on employment issues in the sector, or guidelines on teleworking. The content of these agreements displays that the impact on employees in the member states will most likely to be small or non-existent. Three quarters of all joint statements are targeted at EU politics, purely at influencing European policy in some way. The joint statements usually contain quite general statements on such issues as child labour, fundamental labour rights, training, lifelong learning, technology, violence and crime, racism and xenophobia, and health and safety. In no way do these results commit the signatories to anything beyond the endorsement or denunciation of certain practices.

In conclusion, European social dialogue has emerged as a vital “means of added value” in EU social policy-making despite the institutional and contextual deficiencies. There has been a drastic transformation process ongoing considering the steps taken after 30 years of Val Duchesse talks. However, in the light of wide cross-national differences and the Commission’s limited “shadow of hierarchy”, it is clear that the success of European social dialogue mostly depends on the voluntary cooperation of at least two parties, that is, employers’ organizations and trade unions. If

either is unwilling, there will be no favourable prospect for the development of a fruitful dialogue. In other words, European employers, like employers generally, prefer markets to institutions, and free markets to regulated markets. However, agreements on social issues will be concluded only if both employers and employees see a distinct “added value” for themselves. In the end, the decision of the European social partners to engage in social dialogue hinges predominantly on their perception of potential benefits. If there seems to be lack of such benefits at European level, it appears very unlikely that the abovementioned problems of diversity will be overcome.

References

- Adnett, N. and Hardy, S. (2005), *The European Social Model: Modernization or Evolution?*, the United Kingdom: Edward Elgar Publishing Ltd.
- Ateş, M. (2005), “Avrupa’da Sosyal Diyalogun Kurumsal Yapısı: Ekonomik ve Sosyal Komite”, *Ankara Avrupa Çalışmaları Dergisi*, 1 (5), Güz, p. 45-66.
- Bache, I. and George, S. (2006), *Politics in the European Union*, Oxford: Oxford University Press.
- Baker, J. (2000), “Trade Unions and Social Dialogue: the Global Dimension”, in Ozaki, M. and Rueda-Catry, M. (eds.), *Trade Unions and Current Situation and Outlook*, Labour Education 2000/3 No. 120, Geneva: International Labour Office.
- Bames, I. and Barnes, P. M. (1995), *The Enlarged European Union*, The United Kingdom: Pearson Education Ltd.
- Blanpain, R., Colucci, M. and Sica, S. (eds.) (2006), *The European Social Model*, Antwerpen and Oxford: Intersentia.
- De Boer R., Benedictus, H. and Van der Meer, M. (2005), “Broadening without Intensification: The Added Value of the European Social and Sectoral Dialogue”, *European Journal of Industrial Relations*, 11 (1), p. 51-70.
- Dolvik, J. (1997), “The ETUC and Development of Social Dialogue and European Negotiations after Maastricht”, *ARENA Working Paper*, 2, Oslo: ARENA - Advanced Research on the Europeanization of the Nation-State.

- Ersöz, H. Y. (2008), *AB ve Türkiye’de Sosyal Diyalogun Gelişimi*, İstanbul: İstanbul Ticaret Odası (İTO) Yayınları.
- Falkner, G. (1999), “European Social Policy: Towards Multi-level and Multi-actor Governance”, in Kohler-Koch B. and Eising R., *The Transformation of Governance in the European Union*, London and New-York: Routledge/ ECPR Studies in European Political Science, p. 83-97.
- Falkner, G. (2000), “The Council or the Social Partners?, EC Social Policy between Diplomacy and Collective Bargaining”, *Journal of European Public Policy*, 7, p. 705-24.
- Falkner, G. (2007), “The EU’s Social Dimension”, in Cini, M. (ed.), *European Union Politics*, Oxford: Oxford University Press, p. 272-285.
- Friso, M. (2005), “From a European Social Model to a Globalised Social Model: Issues and Challenges”, *European Trade Union Institute (ETUI)*, Report 90, Brussels: Hans Böckler Foundation, p. 1-87.
- Kassim, H. and Hine, D. (1998), “The European Union, Member States and Social Policy”, in Hine, D. and Kassim, H. (eds.), *Beyond the Market: the EU and National Social Policy*, London: Routledge Publishing Limited, p. 212-223.
- Kassim, H. (2001), “Internal Policy Developments”, in Edwards G. and Wiessala G. (eds.), *The European Union: Annual Review in the EU 2000/2001*, *Journal of Common Market Studies*, 39, the United Kingdom: Blackwell Publishing Ltd.
- Kassim, H. (2002), “Internal Policy Developments”, in Edwards G. and Wiessala G. (eds.), *The European Union: Annual Review in the EU 2001/2002*, *Journal of Common Market Studies*, 40, the United Kingdom: Blackwell Publishing Ltd.
- Koray, M. and Celik A. (2007), *Avrupa Birliği ve Türkiye’de Sosyal Diyalog*, AB’ye Sosyal Uyum Dizisi, Ankara: Belediye-İş Sendikası Yayınları.
- Moussis, N. (2006), *Access to European Union: Law, Economics, Policies*, Brussels: European Study Service, p. 227- 257.
- Schmögnerova, B. (2005), *The European Social Model: Reconstruction or Destruction? A View from a Newcomer*, International Policy Analysis Unit, Bonn: Friedrich Ebert Foundation.
- Wallace H. and W. (2006), “Overview: The European Union Politics and Policy-Making”, in Jorgensen, K. E., Pollack, M. A. and Rosemand, B. (eds.), *Handbook of European Union Politics*, London: Sage Publications Limited, p. 339-482.

Commission of the European Communities (1978), *Treaty of Rome, Treaties Establishing the European Communities*, Luxembourg: Office for Official Publications of the European Communities.

European Commission (1993), *White Paper on Growth, Competitiveness and Employment: The Challenges and Way Forward into the 21st Century*, Luxembourg: Official Publications of the European Communities.

European Commission (1998), *Communication from the Commission to the Council on Adapting and Promoting the Social Dialogue at Community Level*, 10.05.1998, COM (98) 322 final, Brussels, January 8, 2009, http://aei.pitt.edu/6813/01/003690_1.pdf

European Union (2000), *Lisbon European Council*, Presidency Conclusions, retrieved: May 4, 2007, http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/ec/00100-r1_en0.htm

European Commission (2000), Communication from the European Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions, *the Social Policy Agenda 2000-2005*, COM (2000) 379 Final, retrieved: June 2, 2007, http://ec.europa.eu/employment_social/social_policy_agenda/com379_en.pdf

European Union (2001), *Laeken European Council*, Presidency Conclusions, retrieved: June 2, 2007, http://ec.europa.eu/governance/impact/docs/key_docs/laeken_concl_en.pdf

European Commission (2002), *Communication from the Commission, the European Social Dialogue, A Force for Innovation and Change*, COM (2002) 341 Final, Luxembourg: Office for Official Publications of the European Communities.

European Commission (2002), *Report of the High Level Group on Industrial Relations and Change in the European Union*, Luxembourg: Office for Official Publications of the European Communities.

European Foundation for the Improvement of Living and Working Conditions (2003a), "EU-level developments in 2002", in *Industrial Relations Developments in Europe 2002*, Luxembourg: Office for Official Publications of the European Communities.

European Foundation for the Improvement of Living and Working Conditions (2003b), *Third European Survey on Working Conditions*, Luxembourg: Office for Official Publications of the European Communities.

- European Economic and Social Committee (2004), *The EESC: a Bridge between Europe and Organized Civil Society*, retrieved: June 5, 2009.
- European Commission (2004), Communication from the Commission, *Partnership for Change in an Enlarged Europe - Enhancing the Contribution of European Social Dialogue*, COM (2004) 557 Final, 12.08.2004, retrieved: June 2, 2008, http://eur-lex.europa.eu/LexUriServ/site/en/com/2004/com2004_0557en01.pdf
- European Union (2005), *Brussels European Council of 22-23 March 2005*, Presidency Conclusions, retrieved: June 10, 2009, http://ue.eu.int/ueDocs/cms_Data/docs/pressdata/en/ec/84335.pdf
- European Commission (2008), Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions – “Think Small First” – A “Small Business Act” for Europe, COM (2008) 394 Final, retrieved: June 2, 2009, http://ec.europa.eu/enterprise/entrepreneurship/docs/sba/com_2008_394_sba.pdf
- European Commission (2008), *Putting Small Businesses First: Europe is Good for SMEs, and SMEs are Good for Europe*, DG Enterprise and Industry, retrieved on June 11, 2009, http://ec.europa.eu/enterprise/entrepreneurship/docs/sme_pack_en_2008_full.pdf