

Social partner participation in the management of the COVID-19 crisis: Tripartite social dialogue in Italy, Portugal and Spain

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Abstract. *This article analyses actual social dialogue experiences in Italy, Portugal and Spain in order to examine the social partners' participation in COVID-19 crisis management. It considers the economic and political variables that have helped revitalize tripartism in all three countries relative to the previous economic crisis. The lack of austerity policies and responsibility-sharing on the part of the social partners and governments paved the way for various agreements that, though differing in content and scope, attest to stronger peak-level tripartite dialogue.*

Keywords: *tripartism, social dialogue, social pact, Italy, Portugal, Spain, COVID-19.*

1. Introduction

The economic and social crisis generated by the COVID-19 pandemic has tested the resilience of the social and economic institutions on which the world's societies are built. The capacity of welfare states to act at the front line of an unforeseen and unprecedented emergency is being strained at a time of extraordinary upheaval that has also demonstrated how indispensable they are.

Labour markets have been almost paralysed by the suspension of economic activity. Jobs have been preserved thanks to mechanisms of internal flexibility, social protection measures and support for enterprises (ILO 2020a; IMF 2020). Discussion of the prospective foundations of economic and social reconstruction has included the reactivation of labour markets, and it is therefore relevant to ask what role the social partners should play in the post-pandemic period.

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Tripartism, through which the social partners have participated in decision-making on the policies to be implemented in response to the crisis, has not only proven to be an effective means of reaching agreement on state action; it has also reclaimed its role as a legitimate and desirable institution in many democratic systems in Europe.¹ The rapid response through tripartite agreements thus stands in contrast to the decline in social dialogue during the Great Recession. The shift in dynamics with respect to the previous economic crisis, which was less severe but required socio-economic action with the same degree of urgency, suggests that new circumstances have emerged that have facilitated the revitalization of tripartite social dialogue or that the conditions standing in the way of such dialogue have disappeared.

This article is based on the premise that the social agreements reached during the COVID-19 crisis are offshoots of what Urban (2015, 278) calls “crisis corporatism”, in other words, that they were concluded in a specific macroeconomic context that has changed the interests and power resources of the actors participating in processes of tripartite social dialogue. The analysis proposed here therefore considers the context of social and economic emergency to be a fundamental element facilitating the participation of the social partners and the signing of social pacts. In and of its own, of course, this would not suffice to explain why some countries have channelled their response to the emergency through tripartite social dialogue. This article is therefore also based on a second premise: the disappearance in the European context of the austerity policies that placed trade union organizations and governments in suddenly polarized positions.

The starting hypothesis is therefore that it was the fact that austerity policies were jettisoned in the European Union (EU), together with other political and institutional factors, that drove the re-emergence of tripartite social pacts. The second section of the article contains a brief conceptual review of tripartite social dialogue as an object of study and describes the appearance of crisis corporatism in the specific context of the Great Recession, with an analysis of how its development was impeded by austerity policies. The third section analyses the agreements signed during the COVID-19 crisis in Italy, Portugal and Spain and sets their characteristics in the context of the changing nature of tripartism since the mid-twentieth century. The fourth section analyses the factors that may have fostered the re-emergence of tripartism in the countries considered and, lastly, the conclusions consider the value of tripartite social dialogue in times of crisis.

2. Tripartism as an object of study and the emergence of crisis corporatism

2.1. The concepts of tripartism, social dialogue and social pact

Interaction between the social partners and governments with a view to reaching agreement on the latter’s political action or on collective labour relations has been examined from various academic perspectives. The terms “social dialogue”,

¹ According to Eurofound (2020a) data, tripartite agreements have been concluded during the present crisis in Austria, Bulgaria, Denmark, Germany, Ireland, Luxembourg, Malta, Portugal and Spain.

in its tripartite form, and “tripartism” appear frequently in sociological and legal literature on the subject (Fashoyin 2004 and 2005; Katz 2004; Ghellab 2009; Haipeter and Lehndorff 2009; Ghellab and Papadakis 2011; La Hovary 2015). In political science, however, the term “social pact” is more common (Rhodes 1998 and 2001; Avdagic, Rhodes and Visser 2005; Hancké and Rhodes 2005; González Begega and Luque Balbona 2015) and “social dialogue” is used in a more limited fashion, for example, to refer to institutionalized European social dialogue (Gorges 2001).

In this article, the terms “tripartite social dialogue” and “tripartism” are used interchangeably within the definitions used by the ILO (2018, 3) – in other words, to refer to “the interaction of government, employers and workers (through their representatives) as equal and independent partners to seek solutions to issues of common concern” – and the terms “social pact” and “social agreement” are used to refer to the outcome of that interaction. It is interesting to note that such interaction is predicated on equilibrium, which is why the analysis here emphasizes the process by which the parties reach a “shared understanding” (in the words of Natali and Pochet 2009, 149). González Begega and Luque Balbona (2015) also characterize this process as one of consensus-building around a common public agenda.

In addition, this article focuses on social dialogue at “peak level” (ILO 2018, 3) – said to constitute another shared characteristic of most studies – as opposed to any tripartite processes taking place at subnational level.² For example, Baccaro and Galindo (2017, 1) define “social pacts” as “peak-level agreements between governments, trade unions and employers’ organizations, and sometimes other civil society organizations”, and ask whether they are effective tools to reconcile the objectives of economic growth, social cohesion and equitable distribution.

Lastly, although the focus here is on processes culminating in tripartite agreements, tripartite social dialogue is taken to also include processes in which the participation of governments does not result in a signed agreement, their participation serving instead simply to promote the relevant negotiations. Natali and Pochet (2009, 148) consider that social agreements also include informal agreements between governments and the representatives of “organized interests”, while Hancké and Rhodes (2005, 201) distinguish between “headline social pacts” and “shadow [social] pacts”. The analysis in this article does not include tripartite agreements on the basis of their content, even though most authors describe such agreements as ones that encompass various areas of interconnected policy (Natali and Pochet 2009) or are multidimensional in nature (Freyssinet 2010, 4).

Having thus been defined as the object of study, tripartite social dialogue is now considered in the context of the first decade of the twenty-first century, specifically the Great Recession, as the immediate precedent to the current crisis, since it was then that crisis corporatism arose, even though it was also then that tripartism was generally abandoned.

² On subnational tripartite processes, see López López and Canalda Criado (2021).

2.2. Emergence and restriction of crisis corporatism during the Great Recession

The crisis that unfolded from 2008 posed a challenge to tripartism in that the economic context was so serious that it created, in and of itself, unprecedented conditions for the conclusion of tripartite agreements. However, when compared with the period immediately preceding it, the Great Recession is not considered to have initially constituted an obstacle, in general terms, to continued tripartite social dialogue in Europe.³ Once the public debt crisis hit in 2010, however, tripartism was weakened by the introduction of new mechanisms (see Degryse 2012) for determining reform programmes conditioned by austerity policies.⁴ According to Guillén and Pavolini (2015, 153), the need for financial aid and the situation of “permanent strain” led national governments to concentrate and centralize political power at the peak of the executive and to justify policies to reduce social spending on the grounds that there was no alternative – at the expense of dialogue, for example, with trade union organizations. What is more, government decisions to activate or reject social dialogue in a visible way formed part of the strategies through which they sought to send signals to external creditors and market actors to obtain credibility and legitimation (Tassinari 2020, 1).

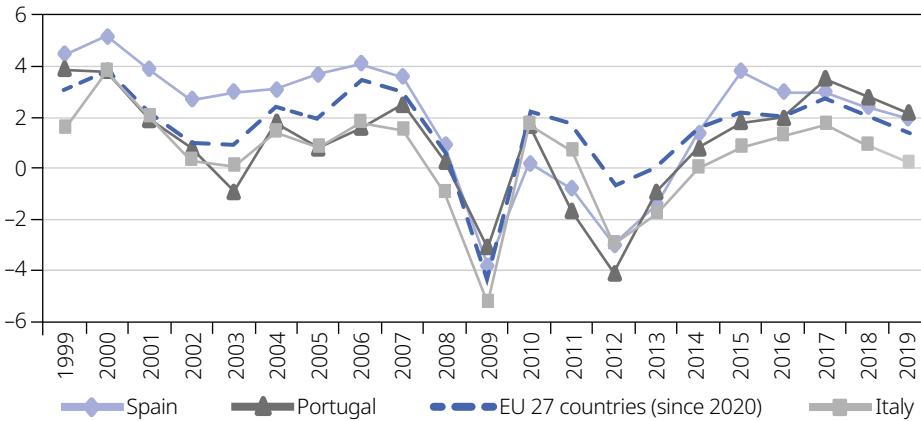
Again, the current crisis is characterized by the revitalization of tripartism, and yet the crisis is more serious than that experienced during the Great Recession. Gross domestic product (GDP) contracted sharply in 2020 compared with the previous year, both across the 27 EU Member States (–5.9 per cent) and in the three countries considered here (–10.8 per cent in Spain, –8.9 per cent in Italy and –8.4 per cent in Portugal).⁵ The economies of all three countries shrank to a lesser degree during the Great Recession, both in 2009 and in 2011,⁶ as can be seen in figure 1. In 2010, all three economies expanded, although Spain’s to a somewhat lesser extent (0.2 per cent, compared with 1.7 per cent in Italy and Portugal). All three countries then experienced two years of declining growth – although again to a lesser extent than during the COVID-19 crisis – resulting in three years of negative values in Spain (–0.8 per cent in 2011, –3 per cent in 2012 and –1.4 per cent in 2013) and Portugal (–1.7 per cent 2011, –4.1 per cent in 2012 and –0.9 per cent in 2013), but only two years in Italy (–3 per cent in 2012 and –1.8 per cent in 2013).

³ Nevertheless, for Hyman (2010, 7), evidence emerged as early as 2008 that it was becoming difficult to pursue peak-level dialogue in most of the countries with a tradition of national pacts (with the exception of Belgium).

⁴ Between 2010 and 2014, the role of (unilateral) state action in industrial relations increased considerably, with the result that social dialogue played a significantly less prominent part in the design of structural reforms and fiscal consolidation plans than it had during the initial phase of the crisis, in 2008 and 2009 (European Commission 2015, 13). Austerity policies, for their part, implied the reform of working conditions and social protection, among other things, on the basis of the specific recommendations made by countries in the framework of the European Semester; see Clauwaert (2014) and Clauwaert and Schömann (2012).

⁵ Eurostat, “GDP and Main Components (Output, Expenditure and Income) (nama_10_gdp)”, Annual National Accounts (Nama10), https://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=nama_10_gdp&lang=In. GDP at market prices, percentage variation compared with the previous period (data updated on 7 December 2021).

⁶ Italy had already recorded a negative value (–1.0 per cent) in the annual variation in GDP in 2008.

Figure 1. Year-on-year variation in GDP at market prices (percentages)

Source: Author's compilation based on Eurostat data.

Although the upheaval of the 2009 economic situation caused sharp declines in GDP, various experiences of tripartism emerged, as postulated here, in response to the new phenomenon known as “crisis corporatism”. According to Urban (2012), in Germany the Government and the trade unions saw their policymaking roles strengthened, contrary to what Rhodes (2001, 166) claims happens in the case of competitive corporatism, in which tripartite experiences are conditioned by the inequality of governments and trade union organizations vis-à-vis capital, and social pacts are geared to satisfying the market. In crisis corporatism, on the other hand, according to Urban (2012, 230–231), the trade unions act as “moderators” in the struggle of firms to survive, and social pacts are seen as “emergency coalitions” formed to tackle the crisis.

Crisis corporatism was nevertheless neither widespread nor lasting in nature during the Great Recession. Although it was experienced in the Nordic countries and Austria, as well as in Germany, in countries on the European periphery crisis corporatism was stymied because the impact of the crisis was so great that established mechanisms for institutional exchange were either weakened or broke down completely (Müller and Platzer 2018, 319). And not even the German experience lasted (Rathgeb and Tassinari 2020), any crisis corporatism being more informal and fragile than at other times (Brinkmann and Nachtwey 2013).

All in all, according to Glassner and Keune (2010, 6), the financial crisis stimulated tripartite discussions throughout Europe, at least initially. However, those experiences of tripartism disappeared once public spending was cut by the application of austerity policies that narrowed the room for exchange in tripartite processes of social dialogue. Even though the effects of fiscal consolidation measures on tripartism were uneven (Tassinari and Donaghey 2020), the European Commission indicated that the frequent absence of effective social dialogue between 2010 and 2014 was a shift away from the tradition of social pacts and tripartite cooperation between governments and their industrial partners. This tendency was also reflected in the memoranda of understanding

between the governments of Cyprus, Greece, Ireland and Portugal and the EU/International Monetary Fund (IMF), which – though they all refer to the explicit need for consultations with the social partners on the implementation of national programmes, and some even make explicit reference to tripartite agreements – resulted in an unfavourable setting for social dialogue that in turn led to mounting conflict between trade unions and public authorities (European Commission 2015, 12–13).

On balance, it could be said that, although in 2008 and 2009 the economic crisis and expansionary public spending policies presented a new terrain for the appearance of crisis corporatism and – where it did appear – for the conclusion of tripartite agreements, from 2010 onwards social dialogue was constrained by austerity policies. The cases of Italy, Portugal and Spain considered in this article represent three distinct situations in which the logic of austerity was applied. Portugal reached a financial rescue agreement with the EU – through the European Financial Stability Facility – and the IMF in 2011. Spain was bailed out in 2012 when the European Stability Mechanism helped rescue and recapitalize its banks (even though it had started to implement austerity policies as early as 2010; see Banyuls and Recio 2015, 46–47). Lastly, although it never asked for financial aid, Italy was subject to an implicit condition of structural reform at the risk of having to make a formal request for IMF help (Sacchi 2015). Despite the differences between the three countries, the measures taken in the context of austerity had similar effects on tripartism, as will be seen below.

3. Tripartite agreements during the COVID-19 crisis in Italy, Portugal and Spain

3.1. Background: Tripartism hobbled by the Great Recession

Social pacts were agreed in all three countries during the 1990s, despite the earlier political context (European Commission 2015, 28). In her classification of countries by type of pact reached during that decade, Avdagic (2011, 26) placed Italy and Portugal in a first group with broad tripartite pacts, whereas Spain figured as the sole member of a group with more limited pacts focused on the labour market and on welfare policies. She also pointed to a coincidence: the social pacts in all three countries were influenced by a context characterized by a high inflation rate or large deficit, weak governments and an intermediate level of centralization (Avdagic 2011, 36). Luque Balbona and González Begega (2015, 277) group the three countries in a model of medium or moderate pluralism, indicating that the social pacts concluded there in the two decades preceding their study acted as the main coordinating mechanism for fiscal and spending policies, labour market policy and social protection policy. For Freyssinet (2010, 16), the pacts presented a flexible combination of bipartite and tripartite relations, while Eurofound (2015, 17) placed Italy, Portugal and Spain in the group of countries in which the influence of tripartism on wage-setting had waned since the late 1990s, although not to the same extent as on other areas.

Considering the period following the creation of the European Economic and Monetary Union, Natali and Pochet (2009, 161–163) assert that, although in Spain

social dialogue was stabilized thanks to the existence of a shared understanding of the problems and their solutions and to greater trust in peak-level negotiations, in Italy and Portugal any shared understanding of the macroeconomy had, on the contrary, “evaporated”, resulting in an irregular stream of dialogue, unilateral action and narrower agreements.⁷ In the Great Recession, according to Hyman (2010, 7), attempts in Spain to renew the existing social pact collapsed as early as 2009,⁸ and in Italy and Portugal tripartism was characterized by divisions between the trade unions.

A close look at how tripartism evolved during the Great Recession reveals major differences between the three countries. In the case of Portugal, tripartite consultations appear to have been uneven and incomplete. A tripartite agreement reached in June 2008 was signed by the União Geral de Trabalhadores (UGT), but not by the Confederação Geral dos Trabalhadores Portugueses–Intersindical Nacional (CGTP-IN), the other majority trade union. By contrast, the 2009 and 2010 anti-crisis plans were not the subject of official tripartite consultation (Freyssinet 2010, 24). After the crisis worsened in 2010, the tripartite agreements that were signed – the first in 2011 with the Sócrates Government and the second in 2012 with the Passos Coelho Government – laid the groundwork for the main changes made to labour legislation and the model of industrial relations set out in the original version of the memorandum of understanding of 3 May 2011 (Palma Ramalho 2014, 149). It can thus be considered, in agreement with the European Commission (2015), that Portugal was an exception when it came to the weakening of existing institutions for tripartite consultation in the context of the crisis, at least with regard to labour market reform. Once again, however, only the UGT signed on to those agreements.

In Spain, as indicated by Molina and Miguélez (2014, 99), from 2010, the Rodríguez Zapatero Government adopted a more unilateral approach, except for one tripartite agreement concluded in 2011 between the Government and the most representative employers’ and trade union organizations, namely the Comisiones Obreras (CCOO) and the Unión General de Trabajadores (UGT). The Rajoy Government definitively fractured the climate of social dialogue; the most important reform measures after 2012 did not have the support of the social partners, a fact that strongly impacted on the collective bargaining model (Chacartegui Jávega 2016) and sparked explicit trade union opposition (Eurofound 2016a).

Lastly, in Italy, developments in tripartite social dialogue after the onset of the 2008 financial crisis were shaped *inter alia* by divisions between trade unions (Freyssinet 2010; Hyman 2010; Pedersini and Regini 2014). Thus, neither the 2008 protocol nor the 2009 framework agreement on collective bargaining reform were signed by the main trade union, the Confederazione Generale Italiana del Lavoro (CGIL); they were signed only by the Confederazione Italiana

⁷ This “shared understanding” of the economic situation was clear primarily in the agreements that emerged from bipartite social dialogue between trade union and employers’ organizations (see Canalda Criado 2016).

⁸ It would collapse again in 2010 when, as observed by Molina and Miguélez (2014, 99), negotiations on labour market reform conducted without waiting for the outcome of the social dialogue broke down.

Sindacati Lavoratori (CISL) and the Unione Italiana del Lavoro (UIL).⁹ That said, Pedersini and Regini (2014, 110) make an interesting observation: that neither the Berlusconi Government – up to 2011 – nor the technocratic Monti Government – from 2011 to 2013 – agreed to the possibility of vetoes during tripartite consultations. These authors conclude that the fact that social dialogue did not play an important part in Italy’s response to the recession owed in part to the attitude of successive governments that did not attach great importance to inclusive negotiations and far-reaching agreements (Pedersini and Regini 2014, 124). What is more, the Monti Government explicitly rejected the usefulness of social pacts with trade union organizations to the implementation of reform (Culpepper and Regan 2014, 741).

Tripartism continued to evolve along the same lines after 2014 (Molina and Guardiancich 2017, 11), since social dialogue was not relaunched to its pre-crisis level in any of the three countries, not even in Spain, despite relatively high growth rates. However, according to the ILO (2018, 16), although social dialogue was discontinued in Spain and Italy, in Portugal it was reactivated in the years following the crisis, albeit in a weaker form. An analysis of the numbers of agreements reached in all three countries shows that four were signed in Portugal – in 2014, 2016, 2017 and 2018 – in the Economic and Social Council’s Standing Committee for Social Dialogue, between the Portuguese Government, the main employers’ organizations and the UGT, but without the CGTP-IN. In Spain, two agreements were concluded in 2014, one in 2017 and another in 2018, and all were signed by the trade union organizations CCOO and UGT. In addition, when the Socialist Party came to power in 2018, as many as five social dialogue forums were established. Lastly, in Italy, no tripartite agreements were signed between 2014 and the onset of the COVID-19 crisis, given that, as Regalia and Regini (2018, 67) indicate, the belief that times of crisis are incompatible with the “rites” of social dialogue was to a large extent shared by the subsequent centre-left governments of Letta, Renzi and Gentiloni.¹⁰

3.2. Tripartite pacts to tackle the COVID-19 crisis

Although, as seen above, their respective situations differ, the emergence of the crisis brought about by the COVID-19 pandemic prompted the revitalization of tripartism in the three countries studied. As is shown in table 1, in 2020 two agreements were signed in Spain, one of which has been renewed five times, and an ad hoc social dialogue forum has been set up. In Italy, a protocol signed with the participation of all trade union organizations has formed the basis for other agreements in various fields. And in Portugal a tripartite agreement was concluded, albeit in the absence of the CGTP-IN, in a climate of renewed demand for dialogue between the social partners and the Government. The principal characteristics of each of these agreements are described below.

⁹ According to Simonazzi (2015, 82), the tripartite agreement was an attempt to weaken the trade unions by isolating the CGIL.

¹⁰ However, in 2018 an agreement was reached, albeit on a bipartite basis, between three trade union organizations (CGIL, CISL and UIL) and the Government on social support measures in the context of company restructuring following the collapse of Genoa’s Morandi Bridge (see Eurofound 2019, 24).

Table 1. Tripartite agreements reached at the start of the COVID-19 crisis in Italy, Portugal and Spain

Country	Agreement	Date
Italy	Protocollo condiviso di regolamentazione delle misure per il contrasto e il contenimento della diffusione del virus COVID-19 negli ambienti di lavoro	March 2020
Portugal	Declaração de Compromisso	March 2020
Spain	Acuerdo Social en Defensa del Empleo	May 2020
	Acuerdo por la Reactivación Económica y el Empleo	July 2020

The case of Spain has been the most fruitful, in that two agreements were signed, one to promote jobs (Acuerdo Social en Defensa del Empleo) and another to promote economic recovery and employment (Acuerdo por la Reactivación Económica y el Empleo). The first was signed in May 2020 and aimed to extend, with some modifications, the legal measures taken at the beginning of the pandemic, many of which had been proposed by the social partners in an earlier bilateral agreement concluded in March and were intended chiefly to facilitate furloughs by providing unemployment benefits to the workers concerned and reducing employer contributions to social security. The agreement was renewed in June and September 2020 and in January, May and September 2021 – albeit with further modifications – with the consent of the main social partners. The second agreement – to boost economic recovery and employment – was signed in July 2020 and included the resumption of existing social dialogue forums to discuss *inter alia* the entry into force of an industry pact. Furthermore, the Social Dialogue Forum for Recovery, Transformation and Resilience was established in November 2020.

In Italy, tripartite social dialogue has concentrated on the security and health measures set out in a protocol to curb the spread of COVID-19 in workplaces (Protocollo condiviso di regolamentazione delle misure per il contrasto e il contenimento della diffusione del virus COVID-19 negli ambienti di lavoro). The protocol has paved the way for a series of subsequent agreements in other areas (ILO 2020b). Signed in March 2020, it contains directives relating to the information to be provided to workers, the organization of work, guidelines on what to do if company employees develop COVID-19 symptoms, and health surveillance. It was renegotiated, modified and incorporated into the Prime Minister's Decree of 26 April 2020 (Eurofound 2020b). The country's main trade union organizations took part on both occasions.

Lastly, in Portugal, the Declaração de Compromisso (Declaration of Commitment) signed in May 2020 in the Standing Committee for Social Dialogue reflects the signatories' shared understanding of a series of steps relating to the return of workers to their jobs and expresses the signatories' determination to continue developing social dialogue. The declaration was signed only by the UGT, as well as the employers' organizations sitting on the Standing Committee, since the CGTP-IN refused to take part. It was preceded in March 2020 by a bilateral agreement (Declaração dos Parceiros Sociais) between the employers' associations and the UGT, in which the signatories expressed support for the Government's action in response to the pandemic.

Although with notable differences, certain characteristics can be observed in the development of tripartism in all three countries in response to the social and economic crisis following the appearance of COVID-19. In the case of Italy, the participation of all trade union organizations and their signing of the protocol broke with the tendency in this country to abandon tripartism. In Spain, although tripartite agreements of lesser or greater scope had been concluded earlier, not only has tripartism moved into the limelight with the onset of the COVID-19 crisis, but it has achieved a degree of stability and served to conclude agreements on other fronts (for example, with regard to telework). Finally, in Portugal the Declaração de Compromisso has bolstered trust in tripartite social dialogue during economic crises – a trust that the social partners had come to doubt when they accused the Government of disregarding the commitments made in 2012 and 2013 under the 2011 tripartite agreement (Távora and González 2016, 335).

The next section considers the circumstances that contributed to the revitalization of tripartism at the start of the COVID-19 crisis, distinguishing economic from other socio-political factors that other studies have indicated have facilitated the emergence of tripartite social dialogue.

4. Tripartism as part of the solution to the COVID-19 crisis

4.1. Abandoning austerity as a means of promoting understanding

As stated earlier, other studies have shown that, although the economic situation can contribute to the conclusion of social agreements, the latter are not always signed as a direct consequence of the former but can also result from other variables. According to Avdagic, Rhodes and Visser (2011, 7), a serious economic “problem load” is causally relevant only when combined with particular political and institutional conditions, namely weak governments¹¹ and/or an intermediate level of trade union centralization. Natali and Pochet (2009, 150) also take issue with the hypothesis that socio-economic constraints relating to the Economic and Monetary Union played a decisive part in the emergence of social pacts.

If the economic context is of relative weight, the question now is whether the economic crisis caused by the spread of COVID-19 has had a greater or lesser effect on tripartite social dialogue than have other crises. Given that the COVID-19 crisis is more severe than that experienced in 2010, tripartism might be expected to fall by the wayside, as it generally did during the Great Recession, when the priority was less to seek consensus with the social partners than to stabilize the financial markets (European Commission 2015, 13). However, as the cases of Spain and, to a lesser extent, Portugal show, confidence in tripartite social dialogue was rapidly restored in 2020.

It would appear that the Great Recession restricted action on the part of the social partners (Eurofound 2016a). One determinant of weaker tripartism

¹¹ See Regan (2017) for a rethinking of this variable.

at that time was public spending curbs and the implementation of austerity policies, which sparked opposition from trade union organizations in the form of calls for strikes at the national level and for European “days of action” as in 2010.¹² In Portugal, where positions on the signing of social pacts were divided, a common front was presented against austerity (Costa 2012, 406). In Spain, interestingly, other avenues of action were explored, such as litigation of the conflict (López López 2015). The imposition of an austerity mindset and the consequent limits on state power to implement expansionary spending policies not only discouraged the search for a consensual solution with the social partners; they also rendered such efforts unviable, given the limited scope of any resulting pact.

There are two further considerations. In the first place, the labour reforms that were introduced focused on a strategy of “flexicurity” in the face of the crisis (Freyssinet 2010, 3). In this respect, Heyes (2013, 74) asserts that, although the degree of flexicurity applied differed in each EU Member State as a function of other variables, from 2010 onwards common patterns started to emerge, such as less social protection for the unemployed and the widespread implementation of active labour market policies with a “workfare complexion”. Secondly, the decline in collective bargaining was a factor that weakened the trade union organizations,¹³ since the new system of European economic governance enabled European institutions to intervene directly in national collective bargaining arrangements by pushing for wage cuts and freezes and the decentralization of wage-setting arrangements (Schulten and Müller 2015, 331).

As a result of the COVID-19 crisis, not only have austerity policies been jettisoned, but public spending has been increased under the Multiannual Financial Framework 2021–27 and by means of the NextGenerationEU recovery fund. As recorded in the Conclusions of the European Council at its special meeting in July 2020, “The COVID-19 crisis presents Europe with a challenge of historic proportions. ... This requires an unprecedented effort and an innovative approach, fostering convergence, resilience and transformation in the European Union”.¹⁴ With regard to the Recovery Fund, the Conclusions state that the “plan for European recovery will need massive public and private investment at European level”; for the first time, the Fund will be financed by borrowing on behalf of the EU. Thus, the new situation serves to eliminate the barriers determining the initial positions on a possible consensus that fomented serious tension between governments and the trade union movement during the Great Recession.

¹² Between 2007 and 2011, the trade union organizations in Spain and Portugal combined the signing of social agreements with calls for strikes (see Campos Lima and Martín Artiles 2011).

¹³ See Clauwaert and Schömann (2012). According to the European Commission (2015, 34), most of the trends identified in the Member States between 2008 and 2014 showed a general withdrawal of the State from social policy in terms of legislation, provision of services, and financing.

¹⁴ European Council, “Special Meeting of the European Council (17, 18, 19, 20 and 21 July 2020) – Conclusions”, EUCO 10/20, 1–2, www.consilium.europa.eu/media/45109/210720-euco-final-conclusions-en.pdf.

4.2. Mutual commitment and the convergence of interests and measures as catalysing factors

Although the ditching of austerity policies and the emergence of expansionary fiscal policies marked a turning point in relation to the 2010 crisis, in and of themselves they do not explain the revitalization of tripartism in the three countries studied. The following paragraphs therefore analyse the socio-political context in which tripartite agreements were reached, with a view to discerning the factors that prompted the social partners and governments to seek a consensus on how to resolve the crisis. These factors can be divided into two groups: those relating to the strength of the governments concerned and those linked to the system of industrial relations.

With regard to the latter, there appears to be no common trend in the three countries considered here. On the one hand, an intermediate level of centralization may have been a determinant in the signing of social pacts (Avdagic 2011, 30). However, Visser's data on the centralization of wage negotiations demonstrate that there have been virtually no variations since 1990,¹⁵ so it does not appear that the revitalization of tripartism can be attributed to an increase in the level of that index. Nor does unified trade union action appear to be a determinant; the main trade unions participated in the tripartite agreements concluded in Spain and Italy, in the latter country reversing the trend towards trade union division that led to a breakdown in social dialogue during the Great Recession (Pedersini and Regini, 2014), and in Portugal the trade unions have remained as divided as ever.

The political context, for its part, was characterized in all three countries by the fact that the signatory governments were made up of various political parties working as a coalition (Italy and Spain) or by one single political party (Portugal) governing in the minority. This agrees with what Avdagic (2011) has said about the impact of weakness in government on the conclusion of social pacts. In the same way, Natali and Pochet (2009, 155) have confirmed that variable as a factor favouring the conclusion of agreements in Spain and Portugal during the formation of the Economic and Monetary Union, while in Italy the first agreements were promoted by technocratic governments. Nonetheless, in the immediate aftermath of the Great Recession, according to Molina and Guardiancich (2017, 11), none of those countries experienced a resumption of tripartite social dialogue, owing in part to political instability.

Another factor in the conclusion of tripartite agreements is the need to lend legitimacy to policy decisions that are unpopular or taken by minority governments in consensus with the social partners. However, when social benefits were cut during the Great Recession, governments on the periphery of the eurozone did not explore that option, according to some authors (González Begega, Luque

¹⁵ J. Visser, ICTWSS Database, version 6.1 (Amsterdam: Amsterdam Institute for Advanced Labour Studies (AIAS), University of Amsterdam, November 2019), <https://www.ictwss.org/downloads>. The index of centralization of wage negotiations varies from 0 to 1 and weighs the degree of authority (vertical coordination) against the degree of concentration (horizontal coordination) of the trade union movement. It takes account of the various levels at which negotiations can be conducted and is based on the assumption of non-zero division of trade union authority at the different levels.

Balbona and Guillén 2015, 109). Moreover, when some of those policies were subsequently reversed, it was not predominantly thanks to dialogue with the social partners but because governments had changed and even pursuant to court decisions (Branco et al. 2019). At present, in the midst of the COVID-19 crisis, the need for legitimacy again does not appear to be a clear trigger for the conclusion of tripartite agreements: on the one hand, the measures applied are expansionary and afford social protection to the workers and enterprises affected by the crisis that it would be hard to consider unpopular; on the other, although such measures have been approved in Italy (Gaglione, Purificato and Rymkevich 2020) and Portugal (Carvalho Martins 2020), only in Spain have they been explicitly agreed with the social partners.

That being said, analysis of the agreements concluded during the current crisis reveals that there are three other variables that may have promoted the re-emergence of tripartism: a climate of shared responsibility, the convergence of interests between the social partners and governments, and, lastly, concordance of the measures to be implemented.

The first, the climate of shared responsibility, is one of the characteristics of the model of “crisis corporatism”, which represents “an alliance of the weak” who consider social pacts to be “emergency alliances” in response to the crisis (Urban 2015, 278). Thus, the participation of the social partners, and specifically the trade union organizations, during the COVID-19 crisis stands in contrast to what happened during the Great Recession. According to Freyssinet (2010), in Italy and Portugal there were no genuine tripartite consultations at that time, and instead it was the governments that took responsibility for adopting measures and the social partners simply conveyed their demands. A change can be seen in this respect in the recent social agreements. In Spain, the creation of a tripartite commission to monitor the undertakings made in the first of the agreements and the more recent establishment of a reconstruction forum point to more stable participation by the social partners. In Italy, the social partners’ participation was preceded by the government’s intention to promote such participation by virtue of the decree of 11 March 2020, which recommended that agreements be concluded between employers’ and trade union organizations on labour and productive activities. In Portugal, although the agreement reached may appear to be a one-off, the COVID-19 response was discussed at ten meetings of the Economic and Social Council’s Standing Committee for Social Dialogue at the outset of the pandemic (Mamede, Pereira and Simões 2020, 14).

Regarding the convergence of interests, Urban (2015, 278) also indicates that, in the model of crisis corporatism experienced in Germany during the Great Recession, trade unions and companies in the real economy came together to defend themselves against the financial markets and the lobbying power of the latter’s key actors. Tripartism thus has a not inconsiderable capacity to incorporate diverse interests. Croucher and Wood (2015, 351) make an interesting point here: that tripartite structures are remoulded through the actors’ strategic choices, so that even in bleak times the possibility and type of social compromise achieved, at least in part, reflect decisions by unions (and other social actors). The best example in the current context is Portugal, where, even though the constitutional right to participate in the formulation of new labour legislation

was suspended on 3 April 2020, through the renewal of the emergency decree, social dialogue continued functioning (ETUC 2020, 10–11). In the case of Spain, it is interesting to note the bilateral agreement that paved the way for the tripartite agreement, in which the social partners stated that, “as companies and workers, we are equally affected by the situation brought about by the coronavirus ... From that point of view, as employers’ organizations and trade unions, we consider that it is essential to focus on the matter from the standpoint of the shared objectives making our interests compatible” (CEPYME et al. 2020, 3). Those objectives were taken on board by the Government in the form of legislative measures. In Italy, tripartite social dialogue was not only revived, but shaped the Government’s response to the crisis (ILO 2020b).

Thirdly, in the processes of tripartite social dialogue analysed here, there appears to be a shared underlying understanding of the measures needed, although the details remain subject to disagreement. The Spanish agreement of May 2020 included measures similar to those taken in 2008, which were intended to reduce the number of dismissals by agreeing to a temporary increase in public debt (Freyssinet 2010, 31). The fact that measures of this type are once again being taken is closely related to the paradigm shift inherent in the abandoning of austerity policies. It thus implies a return to the path taken in other crises in which, according to Hyman (2010, 7), a key part was played by agreements on making work more flexible by reducing the working day, often thanks to public funding aimed to minimize or prevent the loss of salaries. A commitment was reached in Portugal – albeit outside the agreement – to develop innovative solutions that included a simplified furlough scheme (Mamede, Pereira and Simões 2020). It is important to remember that in Italy, as was stated above, the protocol adopted gave rise to agreements with similar protocols in the public sector as well.

5. Conclusions

The history of the interaction between the social partners and governments in tripartite social dialogue processes has evolved unevenly from the mid-twentieth century to the present, depending on various variables. Experiences of corporatism in the 1960s and 1970s tended to involve exchanges whereby tax and other government policies were traded for wage and price moderation (Katz 2004, 2). Not even the 1973 oil crisis stopped tripartite dialogue in its traditional form, which nevertheless adapted to the new economic situation (Rychly 2009, 2). This stands in contrast to the general tendency in Europe at the start of the twenty-first century to abandon tripartism, or at least to weaken it. However, the agreements concluded by the social partners and governments during the COVID-19 crisis indicate a revitalization of tripartite social dialogue in the three countries analysed (Italy, Portugal and Spain) relative to their recent history, that is, the period leading up to the formation of the Economic and Monetary Union and during the Great Recession.

As set out above, current experiences in all three countries embody characteristics of the model of crisis corporatism defined by Urban (2012 and 2015). What is more, those experiences coincide with the position upheld by the ILO,

which has included “relying on social dialogue for solutions” as one of the pillars of its policy framework, based on international labour standards, for tackling the economic and social impact of the COVID-19 crisis (ILO 2020a, 14). However, each country has practised a distinctly different type of tripartism: compared with the major role played by the social partners in Spain, where they participated in agreements on legislative measures and recovery plans, tripartism was more limited in scope in the other two countries. The protocol signed in Italy specifically applies to workplaces and has no direct impact on legislative action. The commitments made in Portugal govern only the process of social dialogue; although consultations have been held with the social partners about the measures to be taken in the face of the crisis, it is not possible to assess their impact.

In short, three important conclusions can be drawn from the analysis set out in this article. First, today’s tripartism has reclaimed a practice forgotten during the Great Recession, namely the search for consensus between the social partners and governments. It can thus be affirmed that, during the COVID-19 crisis, tripartism has returned to the path followed since the twentieth century in times of economic crisis, which may encourage renewed recourse to tripartite social dialogue during such periods in the future. Second, it is interesting to note the very existence of tripartite social dialogue in the development of the crisis management measures implemented. This indicates that the social partners can exert great influence in public decision-making, which in turn is part of industrial democracy (Eurofound 2016b, 22). Third, the fact that the social partners and governments are determined to manage the crisis together reinforces the importance of social dialogue itself as a process, in accordance with the ILO principle that it is “an end in itself” that gives people a voice and a stake in their society and workplace (ILO 2018, 3).

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