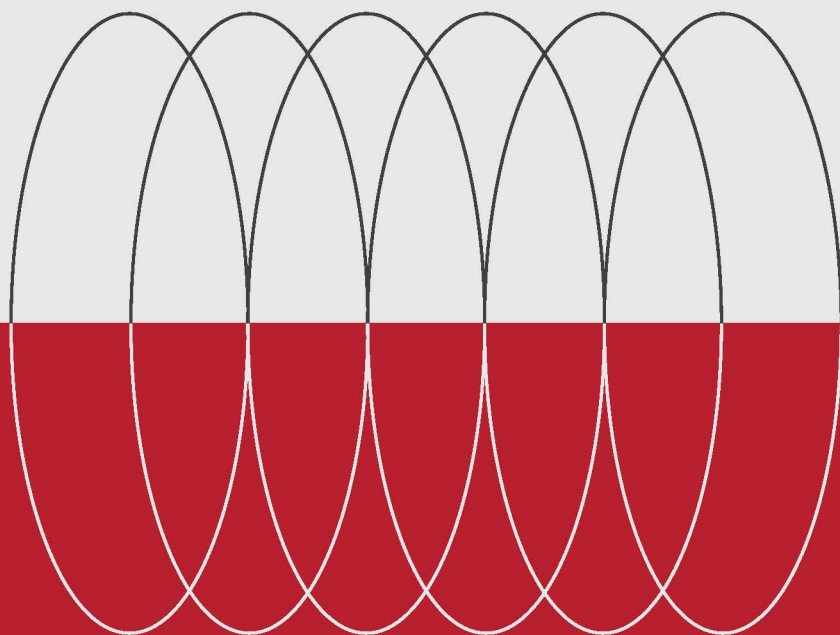


Trade unions in Central and Eastern Europe within thirty years of systemic transformation

edited by Marta Zbucka-Gargas



Gdańsk University Press

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and Eastern Europe
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Introduction

In 2020, 40 years since the establishment of the Independent Self-Governing Trade Union “Solidarność.” After the strikes of the summer of 1980, it gained enormous public support and nearly ten million members, which was one of the Polish thirds of society. From the side, it gained strength on the road by becoming a strong movement and at the same time for power. Solidarity to the greatest we are in favour of Polish social movement and peaceful protest against dictatorship. His two enormous influences on the perception of human rights, including nat on the expansion of freedom and civil rights in communist countries. This movement from many different groups who aim to expand civil liberties, including dignity and human rights to association. Trade union “Solidarność” to the collapse of the communist system in Poland and is a symbol of the peaceful revolution of 1989. Her activities created social capital, for which she became an important part of modern political life in Poland. Events of the early 1980s and the Solidarity Movement for events in other central and eastern European countries. August 1980 changed the perception of Polish in the world and helped freedom in the countries of the Soviet bloc.

Despite the decrease in the number of trade union members in central and eastern European countries, they have now remained one of the main forms of social activity. Trade unions bring together a still important part of the communities of each of the countries analysed. It is important to see whether trade union activity is effective and to what extent it influences the decisions of national authorities. The economic development

of recent years and the free movement of workers allow trade unions to demand higher wages, and the long-term goal is to achieve the Western European average. It is also a period of radical socio-political change and a great challenge facing trade unions.

This justified the attempt to join scientists of labour law faculty in order to illustrate the situation of trade unions in post-communist countries. The book presents the situation of the union movement in Central and Eastern Europe in the thirty years since the systemic transformation. In an era of unprecedented socio-economic turmoil and change that has naturally influenced legal regulation, the authors present the role, history, importance and different perspectives on the perception of trade unions. They indicate the achievements and nature of this institution over time in the context of challenges emerging in the labour market. The aim is to show their emergence, changes, rules and impact on the current role in society. Each country has its own realities, has taken a different path, and the intention is to show the results achieved.

The process of strengthening trade unions is important because of the challenges we face. Decent pay is not the only element of a well-laid relationship between an employee and an employer. It is of paramount importance to ensure safe working conditions, stability but also to take into account the challenges facing the labour market such as globalisation, automation and robotics. There is a need for new formulas and ideas and organizational for the functioning of trade unions. As it stands, trade unions are not workers' organisations, but represent workers in individual work places. It is therefore necessary to reflect on the idea represented and the employees and challenges in an increasingly dynamic and flexible market. Tripartite cooperation dialogue between the parties to social dialogue in this field can benefit all social partners in solving labour market problems. Dialogue and respect for the interests of different social groups can be the cornerstone of the sustainable development of states.

This publication is collective work, but not joint work. The views expressed in it by the authors are an expression of their individual views and

their freedom to present them. In this way, I offer my heartfelt thanks to all authors for their contribution to the preparation of the publication.

This work is intended to be directed to representatives of science, but also to practice, believing that the issues presented will be useful.

Editor
Marta Zbucka-Gargas

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Trade unionism under the system of real socialism or what did the communists need trade unions for?

The pace is slow – he [the chairman of the district trade union council, comrade Pashkin] said to the workmen – Why are you so sparing about increasing productivity? Socialism can get along without you, but without socialism you will live to no end and die [transl. J.S.].

Andrej Platonow, *Dół*¹

1. Labour law in the modern meaning of the term did not emerge to provide factory owners with a formal framework for employing workers (as legal instruments to do so had existed before), but to base the employment on certain principles and values, of importance also for the general interests of the society. With wage labour becoming a mass phenomenon due to the industrial revolution, the contract for hire of work, modelled – in the monumental civil codifications of the 19th century – after Roman *locatio conductio operarum*, proved useless. Human labour, as the object of the contract, was made subject to the general rules of free market in which the price of the commodity was mostly determined by the relationship between demand and supply. In fact, the hire of labour did not differ much from hiring a thing; the worker was worth as much as his labour

¹ Transl. A. Pomorski, Wydawnictwo Czarne, Wołowiec 2017.

was worth, or – more precisely – what price he could get for it from the factory owner. The formal equality of the parties, which was the guiding principle of liberalism with its idea of free contract, was therefore mere fiction, actually sanctioning the inequality existing between those offering employment and those ready to take it up. This clearly led to exploitation and generation of conflicts over working conditions. As long as the scale of the phenomenon of contract work was not large, the conflicts were easy to solve, if only by force. The famous Polish director Andrzej Wajda presented it very suggestively in *The Promised Land* (*Ziemia obiecana*) film based on the novel by Władysław Reymont of the same title, in which the realities of the nascent capitalism were portrayed. In one of the last scenes of the film, a factory owner from Łódź, Karol Borowiecki, surrounded by his family, partners, bankers and other industrialists, declares “Yes, I agree,” thereby allowing the police to use firearms against striking workers. After a while, shots are heard, and accidental protesters die.²

Of course, such actions could only temporarily blunt the edge of workers’ protests, and in fact they led to an escalation of social conflicts, especially when workers began to associate in various kinds of organisations aimed at supporting their demands regarding working conditions. Initially, these organisations (syndicates) were fought not only by factory owners, but also by public authorities. It was believed that workers’ unions would disturb the formal balance between employers and employees, thus infringing the principle of economic freedom. In fact, however, the even greater danger of an uncontrolled and informal development of the trade union movement was quickly noticed. The movement became a natural subsidiary for political parties, often those with radical social programmes. Consequently, from the mid-nineteenth century, restrictions on the freedom of association of workers were gradually lifted (in Germany briefly in 1848, and then in 1869, in England in 1871, in France in the years 1864–1884, in Austria in 1870). This led to the strengthening of the collective

² It should be stressed to note that there is no such a scene in W. Reymont’s novel.

protection of workers, as from then on their terms of employment could be negotiated by trade unions attempting to end each industrial action with a (collective) agreement. In this way, the living standards of workers and their families improved, as decent working conditions were easier to achieve through the efforts of the unions. At the same time, the approach of political circles to the workers' issue would change, which resulted in the adoption of laws aimed at protecting the life and health of workers in individual countries.³ At the end of the 19th century, the Catholic Church also joined the debate on the matters, providing axiological arguments for the need to change the paradigms in the approach to human work. Pope Leo XIII, in his encyclical *Rerum Novarum*,⁴ issued on 15 May 1891, wrote: "The elements of the conflict now raging are unmistakable, in the vast expansion of industrial pursuits and the marvellous discoveries of science; in the changed relations between masters and workmen; in the enormous fortunes of some few individuals, and the utter poverty of the masses; the increased self reliance and closer mutual combination of the working classes; as also, finally, in the prevailing moral degeneracy. The momentous gravity of the state of things now obtaining fills every mind with painful apprehension; wise men are discussing it; practical men are proposing schemes; popular meetings, legislatures, and rulers of nations

³ The first protective piece of legislation was enacted in England as early as in 1802 (An Act for Preservation of Health and Morals of Apprentices and Others, Employed in Cotton and Other Mills, and Cotton and Other Factories), however, the development of legislation in this area took place only after several decades (restrictions on child labour were introduced successively in Prussia in 1839, in France in 1841, in Austria in 1859, in Switzerland in 1877, in Italy in 1886, protective legislation for women was adopted, for the first time, in England, in 1844, and then in France in 1848, in Germany in 1878 and in Austria in 1884, the use of poisons, esp. white phosphorus, in the process of work was banned in England in 1846, in Bavaria in 1849 and in Denmark in 1875).

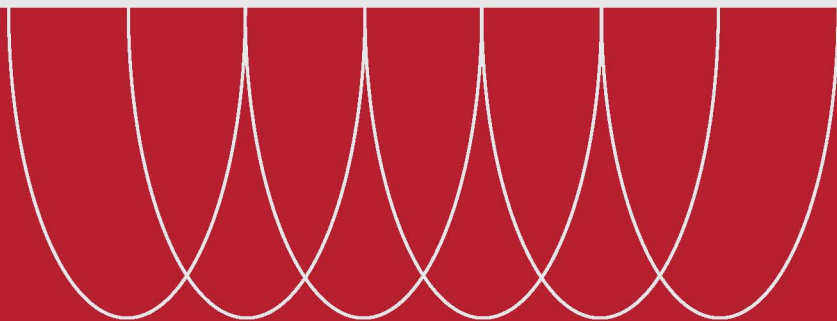
⁴ A. Musiała, *Polskie prawo pracy a społeczna nauka Kościoła. Studium prawnospołeczne*, Wydawnictwo Naukowe UAM, Poznań 2019, p. 28.



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