**Unions and precarious work: how power resources shape diverse strategies and outcomes**

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**Abstract**

This paper investigates the ability of unions to tackle precarious work by analysing three illustrative case-studies from Denmark, Germany and the UK. It draws on the power resource theory to analyse how different dimensions of power interact with union strategies towards workers in precarious employment, shaping outcomes in both collective representation and labour market conditions. The analysis stresses how unions need multiple forms of power, with important interactions among and

across different levels of power resources and important differences between countries, sectors and workplaces. The paper discusses these interactions with a specific focus on the need to develop new resources, in particular ideational resources that are inclusive to those in precarious work, and the interaction between power resources and union strategies as the availability or absence of resources

affects the strategies that unions can develop.

**Introduction**

The willingness and ability of trade unions to tackle precarious work has come to the fore of academic debates. Insider-outsider perspectives argue that unions contribute to labour market dualism by protecting the position of core workers in standard employment relationships over peripheral workers in non-standard jobs (e.g., Palier and Thelen, 2010). However, unions have increasingly engaged with workers across a range of employment types and remain the most important actor for tackling precarious working conditions (Arnholtz and Refslund, 2019; Doellgast et al., 2018; Gumbrell-McCormick and Hyman, 2013; Keune and Pedaci, 2019). Questions arise as to why and how unions have been successful, or not, in organizing these workers and improving their conditions across different institutional contexts (see Carver and Doellgast, 2021 for an overview). For example, unions may neglect precarious forms of work as an unintended outcome of a defensive survival strategy against the disruptive forces of contemporary capitalism rather than *a priori* insider-outsider strategizing. As Pulignano et al. (2015: 821) argue, segmentation is likely ‘not a first choice but, at most, a second-best option for unions that do not have the strength … to protect all workers.’ Just as intentions and strategies do not necessarily translate into outcomes, outcomes do not necessarily reflect unions’ preferences.

This article aims to contribute to these debates by applying power resource theory (Arnholtz and Refslund, forthcoming; Kjellberg, 2021; Korpi, 1978; Müller and Platzer, 2017) to a cross-national and cross-sectoral analysis of trade union strategies towards workers in precarious forms of employment. Our multidimensional framework follows Refslund and Arnholtz (2022) by considering a full range of union power resources, comprising *structural*, *associational*, *institutional*, *ideational* and *coalitional* elements, which may be leveraged in isolation, in combination, or not at all depending on the specific labour market and regulatory context. We do not focus on specific resources but apply power resource theory (PRT) to a multi-level and cross-national (Denmark, Germany and the UK) analysis of precarious work across different manufacturing operations (fabricated steel and metal production, meat processing, food production). We accordingly underline the interaction between different dimensions of power resources and unions’ strategies and choices, and analyse our situated case studies along two key dimensions: i) the trade union strategies towards workers in precarious employment; and ii) the ability of unions to improve working conditions within specific institutional and sectoral contexts. Our key contribution is to better understand *when* and *under* *what conditions* unions can and do use their power resources to improve the relative and absolute position of precarious workers, and in what situations their power resources are under-utilised or ineffective (in the face of significant countervailing employer or state power). Hence, power resource theory serves as a dynamic rather than static framework for understanding the various trade-offs that emerge as unions seek to organise increasingly fragmented and precarious groups of workers while also attempting to narrow gaps in standards between employment types.

The article is structured as follows. The next section critically reviews the literature on power resources with a particular focus on precarious work, before presenting the research design and the three case studies. The subsequent discussion locates the case-study findings in a wider perspective and discusses the implications.

**Precarious work and unions: The contribution of power resource theory**

The rise of precarious work has become associated with the liberalisation of markets, institutional disorganisation and the declining power of trade unions (Gumbrell-McCormick and Hyman 2013). Such structural changes have provided employers with increased possibilities to bypass labour market rules via ‘exit strategies’ (Jaehrling and Mehaut, 2013) and have encouraged employer opportunism in the knowledge that the sanctions for non-compliance are often limited (Benassi and Kornelakis, 2021). In response, trade unions have increasingly reached out to those in precarious employment to raise standards at the margins while also defending their overall bargaining position across the labour market (e.g., Arnholtz and Refslund, 2019; Gumbrell-McCormick and Hyman, 2013; Larsen and Mailand, 2018; Meardi et al., 2019; Però, 2020).

The ability of unions to protect workers in precarious employment hinges on the power resources that they can develop and deploy in specific institutional and market contexts. Korpi’s (1978) original power resources approach started with an analysis of the distributive struggles between capital and labour and showed how the balance of power in the labour market and society shifts over time and across different contexts. Several studies have since applied the power resources framework – or included reference to specific resources – in empirical analyses of union efforts to organise and represent workers in precarious employment (e.g., Benassi and Vlandas, 2016; Kjellberg, 2021; Keune and Pedaci, 2019; Wagner and Refslund, 2016).

Refslund and Arnholtz (2022) present a refined typology of structural, associational, institutional, ideational, and coalitional power resources. *Associational power resources* are ‘the various forms of power that result from the formation of collective organizations of workers’ (Wright, 2000: 962). This is typically low among workers in precarious employment because unions may face considerable obstacles associated with the short duration of job placements, workers’ fears that union membership might disadvantage future employment opportunities, and a weak capacity for mobilisation in low wage industries (Arnholtz and Refslund, 2019; Grimshaw et al., 2016; Keune and Pedaci, 2019). In the specific case of temporary agency work (TAW), there is often ambiguity whether to engage in collective bargaining through (sectoral) agreements with TAW firms or through client organisations. In some cases, workers in precarious jobs may organise independently to improve working conditions, for instance through ‘grassroots unions’ (Però, 2020), but most often this occurs as a complement, rather than an alternative, to mainstream union organising (Jiang and Korczynski, 2016).

*Structural power resources* result ‘from the location of workers within the economic system’ (Wright, 2000: 962; see also Perrone, 1983), and include the ability to disrupt production (workplace power) or to use their scarce skills and labour mobility to secure concessions from management (marketplace power). The relative ‘disposability’ of precarious workers typically gives management the upper hand, and firms in low-margin sectors may tolerate high levels of turnover in preference to offering better pay and conditions. In the case of subcontracted workers (employed in a firm delivering outsourced goods or services or as freelance worker), structural power resources are typically diminished because of continuous ‘market exposure’, which mean that any success in improving working conditions may negatively affect the firm’s competitive position regarding contract renewal, thus impacting workers’ job security (Grimshaw et al., 2019).

*Institutional power resources* support union participation, representation and enforcement of claims without the ‘duty to mobilise’ (O’Brady, 2021). They encompass statutory rules designed to improve compliance with labour law, mechanisms for arbitration and conciliation, and arrangements for employee participation and collective bargaining. Institutional power resources may be augmented by social protection systems that provide universal coverage for all workers irrespective of employment contract and protect all workers, who move between jobs in search of better conditions (especially unemployment benefit systems), as well as statutory national minimum wage rules with universal coverage (Grimshaw et al., 2016). With high coverage and compliance, institutional power resources can therefore limit employer use of precarious employment.

*Ideational power resources* refer to ‘the capacity of actors (whether individual or collective) to influence actors’ normative and cognitive beliefs through the use of ideational elements’ (Carstensen and Schmidt, 2016: 320). This includes the ability of unions to define collective interests, (that may or may not be inclusive), as well as the ability to create ‘a credible story of success’ to promote engagement among (potential and incumbent) union members. Both these aspects are highly relevant but may be much harder to achieve for workers in precarious jobs (Arnholtz and Refslund, 2019; Jiang and Korczynski, 2016). Ideational resources also concern the broader social legitimacy of unions and the ability to shape public opinion through campaigning and the media.

*Coalitional power* is the ability to develop coalitions with other actors such as political parties and grassroots social movements. The hollowing out of standard employment and the concomitant decline in structural and associational power resources has given rise to new coalitions and strategies to tackle social exclusion that extend beyond the workplace (Doellgast et al, 2018). For unions, this may mean stepping outside of established ‘collective bargaining frames’, for example by building political coalitions to highlight exploitation (Müller and Platzer, 2017). At the same time, existing cross-class coalitions with employers may constrain the ability of unions to become more inclusive (Palier and Thelen, 2010).

While these power resources are important on their own right, they also interact and overlap in important ways. For example, building associational power across various workforce segments cannot be achieved without developing an inclusive ideational narrative that appeals to both secure and precarious workers alike. Similarly, institutional power resources are often the product of strong associational and coalitional power resources, and the leverage of structural power resources to push through substantive reforms. In a context of institutional change and fragility, trade unions may look to broader social campaigns and coalition building to strengthen their social legitimacy. The interaction of different power resources can produce virtuous or vicious circles. For example, O’Brady (2021) finds that multi-level institutional power enables unions to strengthen inclusion and articulate collective action frames at workplace level. Rigby and García Calavia (2018) argue that the resilience of institutional power resources in Spain via multi-employer bargaining has provided an important platform for unions to develop and sustain associational power resources. Conversely, institutional power may negatively impact on associational power as it can reduce the incentives for union leaders to engage with the priorities of a diverse membership base (Marino, 2012). Power resources thus interact in dynamic ways, underlining the limits of positing a simple dichotomy between dualist or inclusive union strategies. These examples also illustrate how power resources can be both ‘external’ (e.g., strong institutions of industrial relations and labour law) and internal (e.g., the proactivity of union leaders and the strength of internal democratic systems) (Kjellberg, 2021).

Refslund and Arnholtz (2022) highlight two further issues. First, it is necessary to distinguish power resources at multiple levels, especially the traditionally important sectoral and national levels in most European industrial relations systems. A second issue concerns the dynamic reconstitution of power resources, such that unions may acquire new power resources, mobilise their resources in novel ways, or extend existing power resources into new areas of the labour market. These complex dynamics affect unions’ success in reducing precarious work.

**Research design**

This paper draws on a subset of qualitative data collected as part of a study of precarious work in six EU countries. The three countries selected for this paper offer important contrasts in terms of industrial relations systems (Visser, 2009): organised corporatism in Denmark, social partnership in Germany and liberal pluralism in the UK. However, while these classifications provide a useful starting point, they should be considered stylised differences rather than enduring and rigid national models. The case studies were not intended to be representative of the wider population but were selected via ‘purposive sampling’ as best-case examples to analyse the potential for inclusive union strategies and actions towards precarious work. All three selected cases are in the manufacturing sector but vary in terms of types of precarious work and union characteristics (Table 1). In each case, the investigation focused on the specific power resources that unions possess, the interactions of resources across multiple levels (national, sectoral, organisational, workplace), and the extent to which these power resources shaped outcomes for precarious work.

Table 1 about here

We analysed each case study against the five forms of power resources. The data draws on 40 semi-structured interviews (Denmark: 15, Germany 13, UK: 12), triangulated with document analysis of relevant collective agreements, industry specific data on business and workforce conditions, and media reports. The interviews involved representatives from unions, employers’ associations, companies, temporary work agencies, and subcontractors. Supplementary interviews were conducted with the main union and employers’ confederations in each country as well as other agencies and organisations where relevant. Some repeat interviews in 2021 were included to capture ongoing developments.

**The British, Danish and German industrial relations and manufacturing context**

Manufacturing has historically been considered one of the strongholds of the Danish and German system of multi-employer bargaining. In the UK, this was the case until the 1990s but sector agreements have only sporadically existed since. The British manufacturing sector therefore appears more fragmented, even if increased decentralisation in all three countries has shifted the locus of collective bargaining combined with shrinking union densities and collective bargaining coverage. The share of non-standard work has increased in all three countries since the early 2000s as temporary agency, posted and subcontracted work have gained prominence (Müller et al., 2018; Grimshaw et al., 2016).

The organized corporatism in Denmark is characterized by a high degree of voluntarism between social partners who play an active role in governing wages and working conditions through collective bargaining, albeit with cross-sectoral variations. Statutory social rights exists for workers not covered by collective agreements but they are less generous than the terms in most collective agreements. The exception is for TAWs, where legislation tends to be more generous than most collective agreements due to the principle of non-discrimination. Manufacturing is one of the sectors where the decentralisation of employment relations allows for deviations from sectoral agreements through local bargaining (Larsen and Ilsøe, 2022).

Germany’s social partnership regime is also characterized by voluntary collective agreements. However, as union membership has declined (even in core industries such as manufacturing), these agreements are increasingly underpinned by statutory protections such as the national minimum wage from 2015. Works councils, with union members often taking a majority of seats, provide a highly institutionalized form of employee representation at the local level and have important information, consultation and co-determination rights but are predominantly present in larger manufacturing companies.[[1]](#endnote-2) Decentralization has weakened the ‘*Günstigkeitsprinzip’* (primacy of industry over company agreements) and opening clauses to allow for lower conditions at local level have become common in all important sectoral agreements. In 2014 nearly 28 percent of manufacturing companies utilized opening clauses or concluded a supplementary company agreement (Schulten and Bispinck, 2018).

The UK’s liberal pluralist model is characterized by weak collective bargaining institutions, low union density and patchy workplace representation. Despite the emergence of an individual rights-based regime, legal protection is limited (the statutory minimum wage aside), and the decentralisation of employment relations gives management significant scope to unilaterally vary terms and conditions. This means that trade unions in many parts of the private sector face significant challenges in building solidarity across a fragmented and often vulnerable workforce.

**Denmark: Strategies towards TAW in fabricated steel and metal production**

Danish manufacturing companies increasingly rely on TAW to achieve flexibility, notably since the 2008 financial crisis. Many firms started to operate with a buffer of 10-20 per cent of their staff being TAWs, and some workplaces deploy almost half of their production workforce on temporary contracts. It has fuelled debates on TAW, which continues to be a highly controversial issue in an otherwise consensual and trust-based bargaining system, mainly because of disagreements on the usage of TAW and the unequal working conditions. The relevant Danish labour law states that TAW must have the same terms as the client company employees and the sectoral agreement secures (in principle) similar wage and working conditions irrespective of individual workers’ contractual status. Except if there is a separate TAW collective agreement but this does not apply to manufacturing. However, different eligibility criteria to bargained social rights (often requiring between two and nine months employment with the company) and representative gaps (TAWs are without legal rights to workplace representation at the client company) have combined with union and workplace representatives’ ambivalence approach towards TAWs to create the unqueal conditions (Barton et al., 2021).

 Danish unions and their workplace representatives have utilized their bargaining position and jointly with employers developed various sectoral and local responses to address the inequalities often associated with TAW, but with varying success (Barton et al., 2021). This has led to greater diversity at the company level as illustrated by our case study, which covers three local workplace-level union strategies: organising TAWs; pushing for a ban or threshold for TAW; and legal support to enforce existing rights. The case concerns two companies manufacturing fabricated steel and metal products with respectively two and three regional workplaces. Each workplace was covered by the sectoral agreement for Danish manufacturing, had high union density (between 70-90%) and a strong tradition of workplace representation and company based bargaining.

 Local unions at all five workplaces have organized TAWs to strengthen their associational power but with varied success. At two of the five workplaces, one at each firm, the local representatives systematically included them into various activities organized by the union-led workers’ collective and made them feel welcome and integrated in the workplace on equal terms with their peers in full-time permanent positions. Local management in these workplaces agreed that shop stewards welcome the TAWs on their first work day to introduce them to the union and even co-financed union-led organsing activitities. In the other workplaces, however, unions excluded TAWs and treated them differently to permanent staff: ‘TAWs are not allowed to be wage dumpers. TAWs are an emergency measure and they will never be one of the team. We are not that crazy about it [TAWs]’ (Local shop Steward).

 A second and related strategy concerned attempts to negotiate local thresholds for the number of TAWs. One workplace representative even managed to informally ban their use and persuaded management to use either open-ended or fixed-term contracts. In the two workplaces where the permanent staff and their representatives adopted a relatively inclusive approach, the unions were not only more succesful in organising TAWs but also in limiting their use. However, the other three workplaces examined continued to rely extensively on TAWs. As mentioned, these differences existed in both companies and the interviewees argued that the intra-company workplace variations in part reflected the type of production and sensitivity to fluctuations in demands. The greater use of TAWs subsequently contrtributed to weaker structural powersand may explain why the unions in these workplaces why were less active and inclusive as the fluctuating product markets caused frequent turnovers of TAWs. However, the differences also confirm the need to develop ideational resources and the different perspectives on TAW by both managers and workplace representatives. In three of the five workplaces, local managers preferred to rely on TAWs to adjust the workforce rather than having to dismiss directly employed workers. In two of these workplaces, the workplace representatives and employees accepted that TAWs acted as a necessary buffer to protect the core workforce, while others successfully pushed for a reduction in use, even if this heightened the dismissal risk faced by permanent staff.

The third strategy related to different legal cases initiated by the union towards the TWAs for failing to comply with the bargained labour standards concerning overtime, holiday pay, and pension contributions. Across all five workplaces, unions, together with workplace representatives, monitored and examined the payslips of TAWs and noted significant discrepancies in some instances. Consequently, they initiated several infringement cases against the agencies and won favourable judgements. The local unions interviewed had also utilized this window of opportunity created by their insitutional power to negotiate an exeption for TAWs from various tenure requirements in collective agreements, resulting in more generous local rights to further training or sick pay. A few local unions reached an agreement with the agencies to elect educational ambassadors and thus strengthten TAW’s institutional representation at the agency, which is fairly novel as they are without institutional representation.

The findings indicate that the initiatives have had a mixed impact and vary between workplaces as Danish unions and their workplace representatives utilize their bargaining position in different ways. Success seems closely tied to the approach by not only the unions and their workplace representatives but also management and the character of production, in particular fluctuations in demand. This illustrates the situational contingencies and the actors’ agency relating to institutional, ideational and associational power resources in shaping and delivering local responses that lift or jeopardize the sector-level bargained wage and working conditions in a highly decentralized bargaining system. The Danish findings underpin the importance of strong institutional and associational power resources as unions could draw on high levels of membership, high collective bargaining coverage, and the extensive scope of agreements. Strong workplace presence means that ideational power resources can be both inclusive and exclusive to workers in precarious jobs, for instance by creating support for the systematic inclusion of TAWs on equal terms or by perceiving TAWs as buffer for the core workforce despite the similar protection guarenteed to workers in the sectoral agreement.

**Germany: Subcontracted workers in the meat processing industry**

The German meat processing industry has become an archetypal low-wage industry which had become increasingly dependent on subcontracted work with posted workers from Eastern Europe. Survey data from 2012 indicated that posted workers accounted for up to 90 per cent of the workforce in the large meat processing companies (NGG, 2012). Poor conditions such as excessively long working hours, extremely low hourly pay and poor-quality accommodation have been widely criticized and drawn international criticism as unfair competition (Wagner and Refslund, 2016). Industrial relations in the sector are highly fragmented with four employers’ associations at the federal level and nine employers’ associations at the regional level. In practice, coverage is low with collective agreements mostly negotiated – if at all – at the company level, resulting in a very differentiated collective bargaining landscape (Erol and Schulten, 2021).

This case study focuses on three initiatives since 2013 to improve the industry’s image and to address poor conditions among the subcontracted workforces. It concerns the introduction of an industry minimum wage and two voluntary agreements to respectively enforce and improve workers’ rights. The industry minimum wage developed in a context of political pressure and media criticism of poor working conditions with support from the trade union NGG, the employers’ organisation ANG and (reluctantly) the four largest meat processing companies. Important and arguably decisive momentum was provided by the expected introduction of a statutory national minimum wage in 2015 and the possibility of a transitional period if industries agreed on a generally binding minimum wage. An agreement, which also applied to posted workers, was concluded and a minimum hourly wage of €7.75 was implemented in August 2014. The wage was significantly lower than the planned statutory minimum wage of €8.50 but would be raised in three stages and pass the planned statutory wage in the second half of 2015.

The second initiative, a voluntary code of conduct to better enforce existing standards, was adopted in 2014 by the four large meat processing companies already involved in developing the minimum wage. It defined a joint responsibility for working conditions in their supply chain and included provisions on suitable accommodation, compliance with minimum social standards such as travel allowances, and the rights and responsibilities of client firms for monitoring suppliers. This initiative needs to be considered in the context of the new statutory minimum wage which considers end-users liable for non-payment.[[2]](#endnote-3) The code had been signed by 66 companies in October 2015[[3]](#endnote-4) but the list of signatories has not been updated since and the Federal Ministry of Health acknowledged in 2018 that the code ‘is not implemented equally by all businesses’.[[4]](#endnote-5)

The third initiative concerned another voluntary agreement in 2015 to improve working conditions with the involvement of the ANG, the NGG union (Nahrung-Genuss-Gaststätten – Food, Beverages and Catering Union) which covers the whole hospitality, food and beverages sector, and the six largest meat producers. Employers not only committed to improve working and living conditions but also to end posted work, with foreign workers directly employed in accordance with German (social insurance) law. They also committed to increase their core workforce and thus reduce their dependence on subcontracting although without fixed targets or sanctions.

Despite these initiatives, positive change for precarious workers has been modest. The industry minimum wage had an impact on pay but was reached in the ‘shadow of the law’ and media reports and public outcries of non-compliance continue (Erol and Schulten, 2021). The impact of the other two initiatives has been very limited, reflecting their voluntary character and lack of enforcement. Works council representatives at two of the large companies involved confirmed that all employees at the subcontracting firms worked with standard German terms and conditions, an important improvement compared to previous poor conditions for posted workers. At the same time, subcontracting still accounted for more than half of the workforce and the pay gap between subcontracted and core workers remained, and companies were unwilling to voluntarily increase the share of core workers for fear to lose competitiveness: ‘If there’s no industry-wide solution, nothing will change. If one company goes it alone, then it will suffer a direct competitive disadvantage’ (Works council representative).Subsequent developments have confirmed these dangers, illustrated by frequent critical assessments and media reports of poor working conditions. Erol and Schulten (2021: 2) concluded that ‘None [of these initiatives] … has brought about any meaningful improvement.’ In particular the Covid-19 pandemic brought the ongoing plight of the workers once more to the fore.[[5]](#endnote-6) It informed new legislation from January 2021 that prohibits subcontracting, although it allows for some temporary employment (Ban et al., 2022).[[6]](#endnote-7)

The lack of local representation and bargaining in the German meat-processing industry has limited initiatives to the single issue of a minimum wage and voluntary measures. The industry minimum wage had a significant impact on pay levels but its introduction pre-empted the introduction of the national minimum wage by less than two years, and later assessment points to poor compliance (Erol and Schulten, 2021). The impact of the other initiatives has been limited. New coalitions were created, partly by drawing on institutions in the wider economy, and this provided unions with ‘ideational power resources’. However, the dependence on external pressures (politics, media, retailers) in the absence of strong associational and institutional resources among workers in subcontracting firms meant that actions were driven by reputational concerns: industrial relations became corporate social responsibility, and the union was unable to enforce real change.

**UK: TAW in bread manufacturing**

This case-study concerns the shift towards increasingly precarious work in two regional production facilities of a bread manufacturing company in the North-West and Yorkshire regions. Nationally, the company recognized the Bakers, Food and Allied Workers Union (BFAWU) for the purposes of consultation. However, the decentralization of bargaining over pay, staffing levels and working practices during the 1990s (following a buyout by a US-owned multinational) exposed individual plants to management whipsawing. Decentralized bargaining was rationalized by management as necessary to reflect the specific product and labour market conditions at different plants, but according to one union official served as a mechanism for management to play plants off against each other: ‘we were always competing [with other plants] after we broke up into local bargaining … management did play with that because they actually moved production around’ (North-West union branch secretary).

 Management also sought to increase flexibility by using TAWs on an ‘as-and-when’ basis. However, the two union branches developed very different strategies in response. At the North-West plant, there was significant resistance from the incumbent permanent workforce to casualization and the lowering of pay and conditions. Although the permanent staff had already agreed to reduced hours to curb costs, management dismissed 30 permanent workers and TAWs were brought in ostensibly to cover peaks in demand (on a zero-hours basis) but were cover for the dismissed permanent workers. The union branch used its associational power to call industrial action – supported by 99 per cent of members – to demand the conversion of agency jobs to permanent contracts and the same rates of pay for all workers. Management responded by bringing in strike breakers from other plants that were accommodated in local hotels and allegedly offered £1,800 per week to cross the picket line (average wages were close to £500 per week). The second week saw striking workers lock the gates to the plant and managers had to drive lorries because regular drivers refused to cross the picket line. Management then averted a third week of strike action by reaching a compromise with the union to pay TAWs at the same rate as permanent employees although with no ongoing commitment to regular hours. The union saw this as an important concession to prevent the undercutting of wages.

The response at the Yorkshire plant was very different. TAW had already been introduced alongside ‘second generation contracts’ in 2007 which saw the hourly wage paid to production workers drop from just over £11 to around £8 per hour and the incorporation of Saturday working (previously paid at double-time) into regular shift patterns. A similar attempt to introduce these changes to the North-West plan had failed. While wages were reduced for production staff, despatch workers retained wages of around £14 per hour. The friction between workforce segments undermined solidarity, and the union struggled to develop inclusive ideational resources to build an effective opposition to the increase of TAW. Instead, it fell back on its limited institutional powers by focusing on representing individual workers in grievance procedures and employment tribunals, and on securing favourable severance payments when job cuts were announced.

Success in resisting TAW was thus limited to the North-west plant, where the union improved the conditions of TAWs and reduced the cost advantages over permanent contracts. However, it proved to be a pyrrhic victory as a private equity takeover of the company led to further restructuring and job losses and the North-West plant was mothballed shortly afterwards. Management blamed falling demand and weak productivity growth, but a national union representative blamed an increasingly extractive model of financial ownership combined with a lack of investment in machinery and staff training and an unnecessarily confrontational local management.

The case study illustrates how union power can be limited through the ‘balkanization’ of industrial relations to plant level negotiations without meaningful higher-level coordination. This limits action to local initiatives that are subsequently vulnerable under inter-plant competition. Union activists at the Yorkshire plant struggled to develop ideational resources to mobilize distinct workforce segments for collective action. High associational and structural power resources at the North-West plant allowed workers to resist the expansion of precarious work in the short term. However, in the absence of encompassing institutional power resources such as sectoral or national collective agreements, management were able to counter-mobilise by closing the plant.

**Discussion and conclusion**

Our case study findings highlight the significant efforts of trade unions in diverse contexts to develop inclusive strategies towards workers with precarious employment. At the same time, reflective of their variable power resources, the unions were not always able to achieve material improvements. Table 2 provides an overview of the main power resources in the three case-studies and the material outcomes, with a positive (+) and negative (-) assessment of each factor. Important differences exist across each case-study in terms of existing power resources, and the specific resources mobilised to tackle the issue of precarious work. Comparison across the three cases illustrates how the greater availability of power resources, in particular of institutional and associational nature, strongly shapes outcomes as reflected by the better material outcomes in Denmark and limited outcomes in the UK irrespective the strategies developed at the plant level. This stylised comparison ignores the full complexity of the three cases but illustrates the complex interplay of power resources at different levels and the strong linkages between union strategy, power resources and outcomes. This awareness moves beyond simple cross-national comparisons of industrial relations regimes and informs at least four key findings.

Table 2 about here

Firstly, success is undoubtedly and unsurprisingly greater where unions have access to and combine multiple power resources. This holds particularly for associational power to mobilize and sustain action and institutional power that enables unions to formalize and extend local successes. Structural power can enforce success – as was achieved by the North-West union branch in the UK case – but such powers may be relatively short-lived when unions have weak institutional and associational power, making it difficult to build on specific achievements and being prone to “whipsawing” between plants or outsourcing. Given this importance of associational and institutional power, there appears a hierarchy of importance among resources. However, this should not diminish the role of the other resources as, for example, structural power can be understood as providing important underlying leverage (Arnholtz and Refslund, forthcoming). This also indicates that such a hierarchy will not be universal, but context dependent as available resources and their efficacy against employers will vary across countries, sectors and workplaces (see Brookes, 2019).

Secondly, unions need to continuously develop and mobilise their power resources. This is especially pertinent when existing resources are depleted, for instance by employers bypassing institutional rules or undermining associational power resources by increasing the share of non-unionised workers within the supply chain (Benassi and Kornelakis, 2021; Jaehrling and Méhaut, 2013). Fundamental to success has been the development of ideational resources by framing an inclusive union approach towards precarious work, a feature of all three cases by virtue of their selection for study, but this can be highly challenging when the workforce is strongly segmented. Both aspects are illustrated by the German case-study where unions sought to develop a new coalition against poor working conditions as a necessary condition to successful action. The cases also illustrate how this development of new resources may be strengthened by resources already available or, even more striking, how their absence or weakness may hinder the development and impact of new power resources. For instance, the lack of associational power resources and the fragmented institutional structures in the Germany meat processing industry limited the union’s possibility to reduce precarious work despite the newly created coalitional resources, while the existing associational and institutional strength in the Danish case-study enabled the inclusion of TAWs, and thus the maintenance and extension of these resources. However, this impact of existing resources is contingent on strategy as illustrated by situations where unions may fail to invest in the recruitment of new members because they depend on existing institutional power resources (Marino, 2012).

A third finding concerns the interplay between different levels of power resources. For example, in the UK case, plant level negotiations, anchored to structural and associational power resources, lacked higher level institutional coordination which meant that local collective action was unsuccessful in the long-term. The fragmentation of industrial relations in the German case was characterized by relatively powerful national unions and collective bargaining in lead firms, but weak union presence and limited collective bargaining among subcontracted firms. This limited the impact of the national initiatives as the different power resources were not ‘translated’ across levels, thereby impeding local-level enforcement. In the Danish case, the institutional power resources of sectoral collective bargaining, the associational power of high union density and effective shop stewards allowed the unions to reduce the share of precarious work as also illustrated in other Danish studies (e.g., Arnholtz and Refslund, 2019).

 Finally, all our case-studies reveal the complex interactions between power resources and union strategies (cf. Keune and Pedaci, 2019). The available power resources shape and sustain the observed progressive ambition for strong unions in Denmark to bring precarious workers within the system of collective bargaining, whereas the weaker unions in the UK adopted a more defensive strategy. The initiatives in the German case-study were clearly driven by the union’s inability to negotiate better conditions through direct action at the subcontracting firms. Moreover, and rather self-explanatory, where resources are widely available, intentions and strategies are more likely to translate into outcomes, although the quality of such outcomes can always be debated. Particularly important is the realistic expectation of success as an important resource to mobilize workers (Jiang and Korczynski, 2016; Korpi, 1978). At the same time, the available resources define the setting and not the outcomes. As we have seen, resources are combined in various ways and the representation of new workers always requires the development of inclusive ideational resources. This illustrates how a power resources perspective is not deterministic as different strategies are possible, particularly when the prevalence of resources allows for varied choices of action.

 Across these findings we recognize the possibility of positive and negative cycles in unions’ attempts to fight the cause of workers in precarious employment (Arnholtz and Refslund, 2019; Doellgast et al., 2018; Larsen and Mailand, 2018). Where unions have multiple resources to draw on, where they support the development of new resources, and where different levels reinforce each other, strategies and outcomes can be ambitious. In this case, it can become difficult to separate the contribution of specific resources as they tend to overlap and reinforce each other but strong associational and institutional resources in the form of high and active membership and encompassing collective bargaining are often crucial to perpetuate success. These in turn are often dependent on the effective ability or potential to disrupt production. On the other hand, a negative dynamic or vicious cycle may develop where crucial resources like local associational and/or institutional power are missing. This absence may hinder the ability to develop new resources and unions may focus on protecting core workers with different degrees of success.

 The availability of power resources and their interactions has huge implications for the inclusive policies that unions can develop and their ability to reduce precariousness (Doellgast et al., 2018). This is a dialectical relationship as the prevalence of precarious work often negatively affects the power resources that unions can draw upon in their efforts to represent all workers. For example, precarious work may reduce associational power (enhancing the organisational challenge faced by unions), institutional power (through reduced collectively agreed and statutory rights), structural power (since those in precarious work are less likely to exert ‘control’ over production processes), and ideational power (making it more challenging to develop collective action). Unions need to develop resources in this challenging context. The literature offers various examples where novel bottom-up movements have been built with limited pre-existing resources through the development of new solidarities that can inject momentum towards new virtuous circles of solidaristic and inclusive outcomes (e.g., Doellgast et al. 2018; Però, 2020). However, it is resource intensive to sustain positive outcomes over time, and where agreements are not strongly institutionalised and enforced, short-term gains may be quickly clawed back by management. Further research identifying trade union efforts to reduce precarious work, attentive to the varied power resources (and relative to the power enjoyed by employers), would improve our understanding of the range of pathways for union success.

**References**

Arnholtz J and Refslund B (2019) Active enactment and virtuous circles of employment relations: How Danish unions organised the transnationalised Copenhagen metro construction project. *Work, Employment and Society* 33(4): 682-699.

Arnholtz J and Refslund B (eds) (forthcoming) *Power Resource Theory in Contemporary Capitalism: How Workers, Unions, and Power Shape Societies.*

Ban C, Bohle D and Naczyk M (2022) A perfect storm: COVID-19 and the reorganisation of the German meat industry. *Transfer: European Review of Labour and Research* 28(1): 101-118.

Barton R, Béthoux É, Dupuy C, Ilsøe A, Jalette P, Navrbjerg SE and Larsen TP (2020) Understanding the dynamics of inequity in collective bargaining: Evidence from Australia, Canada, Denmark and France. *Transfer: European Review of Labour and Research* 27(1): 113-128.

Benassi C and Vlandas T (2016) Union inclusiveness and temporary agency workers: The role of power resources and union ideology. *European Journal of Industrial Relations* 22(1): 5-22.

Benassi C and Kornelakis A (2021) How do employers choose between types of contingent work? Costs, control, and institutional toying. *ILR Review* 74(3): 715-738.

Brookes M (2019) *The New Politics of Transnational Labor: Why Some Alliances Succeed*. Ithaka: Cornell University Press.

Carstensen MB and Schmidt VA (2016) Power through, over and in ideas: Conceptualizing ideational power in discursive institutionalism. *Journal of European Public Policy* 23(3): 318–337.

Carver L and Doellgast V (2021) Dualism or solidarity? Conditions for union success in regulating precarious work. *European Journal of Industrial Relations* 27(4): 367-385.

Doellgast V, Lillie N and Pulignano V (eds) (2018) *Reconstructing Solidarity: Labour Unions, Precarious Work, and the Politics of Institutional Change in Europe*. Oxford: Oxford University Press.

Erol S and Schulten T (2021) Renewing labour relations in the German meat industry: An end to 'organised irresponsibility'? *WSI Report 61*, Düsseldorf: Institute of Economic and Social Research.

Grimshaw D, Johnson M, Rubery J and Keizer A (2016) *Reducing Precarious Work: Protective Gaps and the Role of Social Dialogue in Europe*. Available at:

<http://www.research.mbs.ac.uk/ewerc/Portals/0/Documents/Comparative-Report-Reducing-Precarious-Work-v2.pdf>

Grimshaw D, Cartwright J, Keizer A and Rubery J (2019). Market exposure and the labour process: The contradictory dynamics in managing subcontracted services work. *Work, Employment and Society* 33(1): 76-95.

Gumbrell-McCormick R and Hyman R (2013) *Trade Unions in Western Europe: Hard Times, Hard Choices*. Oxford: Oxford University Press.

Jaehrling K and Méhaut P (2013) Varieties of institutional avoidance: Employers' strategies in low-waged service sector occupations in France and Germany. *Socio-Economic Review* 11(4): 687-710.

Jiang Z and Korczynski M (2016) When the ‘unorganizable’ organize: The collective mobilization of migrant domestic workers in London. *Human Relations* 69(3): 813–838.

Keune M and Pedaci M (2019) Trade union strategies against precarious work: Common trends and sectoral divergence in the EU. *European Journal of Industrial Relations* 26(2): 139-155.

Kjellberg A (2021) *Vad Är Facklig Styrka? Arbetsplatsfacket Centralt i Den Svenska Partsmodellen*. Futurion 2021(1).

Korpi W (1978) *The Working Class in Welfare Capitalism. Work, Unions and Politics in Sweden*. London: Routledge & Kegan Paul.

Larsen TP and Ilsøe A (2022) Varieties of organised decentralisation across sectors in Denmark: A company perspective, *Industrial Relations Journal* 53(4): 368-389.

Larsen TP and Mailand M (2018) Lifting wages and conditions of atypical employees in Denmark: The role of social partners and sectoral social dialogue. *Industrial Relations Journal* 49(2): 88-108.

Marino S (2012) Trade union inclusion of migrant and ethnic minority workers: Comparing Italy and the Netherlands. *European Journal of Industrial Relations* 18(1): 5-20.

Meardi G, Simms M and Adam D (2019) Trade unions and precariat in Europe: Representative claims. *European Journal of Industrial Relations* 27(1): 41-58.

Müller T and Platzer H-W (2017) The European trade union federations: Profiles and power resources – changes and challenges in times of crisis. In: Lehndorf S, Dribbusch H and Schulten T (eds) *Rough Waters: European Trade Unions in a Time of Crises.* Brussels: ETUI, pp. 289-314.

Müller T, Dølvik JE, Ibsen C and Schulten T (2018) The manufacturing sector: Still an anchor for pattern bargaining within and across countries? *European Journal of Industrial Relations* 24(4): 357-372.

NGG(2012) *Eine Umfrage der Gewerkschaft Nahrung-Genuss-Gaststätten (NGG) zur Verbreitung von Leiharbeit und Werkverträgen in der Ernährungsindustrie*. Hamburg: Pressemitteilung der Gewerkschaft NGG.

O’Brady S (2021) Fighting precarious work with institutional power: Union inclusion and its limits across spheres of action. *British Journal of Industrial Relations* 59(4): 1084-1107.

Palier B and Thelen K (2010) Institutionalizing dualism: Complementarities and change in France and Germany. *Politics & Society* 38(1): 119–148.

Però D (2020) Indie unions, organizing and labour renewal: Learning from precarious migrant workers. *Work, Employment and Society* 34(5): 900-918.

Perrone L (1983) Positional power and propensity to strike. *Politics & Society* 12(2): 231-61.

Pulignano V, Meardi G and Doerflinger N (2015) Trade unions and labour market dualisation: A comparison of policies and attitudes towards agency and migrant workers in Germany and Belgium. *Work, Employment and Society* 29(5): 808-825.Refslund B and Arnholtz J (2022) Power resource theory revisited: The perils and promises for understanding contemporary labour politics. *Economic and Industrial Democracy* 43(4): 1958-1979.

Rigby M and García Calavia MÁ (2018) Institutional resources as a source of trade union power in Southern Europe. *European Journal of Industrial Relations* 24(2): 129-143.

Schulten T and Bispinck R (2018) Chapter 4 Varieties of decentralisation in German collective bargaining. In: Leonardi S and Pedersini R (eds) *Multi-Employer Bargaining under Pressure: Decentralisation Trends in Five European Countries*. Brussels: ETUI, pp. 105-149.

Visser J (2009) *Industrial Relations in Europe 2008.* Brussels: European Commission.

Wagner I and Refslund B (2016) Understanding the diverging trajectories of slaughterhouse work in Denmark and Germany: A power resource approach. *European Journal of Industrial Relations* 22(4): 335-351.

Wright EO (2000) Working-class power, capitalist-class interests, and class compromise. *American Journal of Sociology* 105(4): 957-1002.

**Table 1. Summary characteristics of case studies**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **TAW in Danish steel and metal production** | **Subcontracted work in German meat processing** | **Precarious work in UK food manufacturing** |
| **Empirical focus** | 5 workplaces across two companies; varied products | Industry-level initiatives by social partners  | 2 workplaces of a single company; similar products |
| **Type of precarious work**  | Agency work with limited social and representation rights | (Foreign) workers in subcontracted work | Agency work, low pay, zero-hour contracts |
| **Union representation** | Multiple but coordinating unions | Single union  | Single union |
| **Level of union activities** | Sectoral agreements provide equal conditions but important role local action under decentralised bargaining | Low bargaining coverage with mostly company-level agreements  | Workplace actions with limited coordination |
| **Challenges to inclusive strategies** | * Different levels of inclusion because of variety in local union strategies and outcomes
 | * Fragmentation among employers’ associations
* Differences in collective bargaining between lead and supplier firms
 | * Workplace bargaining undermined solidarity
* Management whipsawing
 |

**Table 2. Positive (+) and negative (-) case study power resources and outcomes**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Existing power resources** | **Resources mobilised or developed** | **Outcomes** |
| **TAW in Danish steel and metal production** | + Institutional: sectoral agreements, workplace representation and bargaining + Associational: high union density+ Structural power: backed by the two other types of power* Structural power: weakened by a high share and turnover of TAWs
 | + Ideational: Inclusive policy towards TAWs | + Reduced share of TAWs+ Union organising TAWs+ Enforcement of rights TAWs |
| **Subcontracted work in German meat processing** | + Institutional: tradition of sectoral bargaining and works councils- Institutional: predominance company bargaining with ability to evade collective regulation through posted work and subcontractors+ Associational: high union density at lead firms- Associational: weak union presence in supply chain  | + Ideational: political, legal and media campaign | + Adoption of minimum wage + Reduction of posted work- Poor conditions persist among subcontracted workers |
| **Precarious work in UK food manufacturing** | + Associational: high union density at plant level- Institutional: decentralised bargaining allowed for whipsawing- Ideational: Lack of solidarity across workforce segments (Yorkshire plant) | + Associational: Use existing resources to initiate strike action (North-West plant))+ Ideational: Inclusive policy towards TAWs (North-West plant) | + Equal pay for TAWs (North-West plant)- Widened gaps between workforce segments (Yorkshire plant)- Plant closure (North-West plant) |

1. <https://www.worker-participation.eu/National-Industrial-Relations/Countries/Germany/Workplace-Representation> [↑](#endnote-ref-2)
2. <https://www.employmentlawworldview.com/the-10-most-important-facts-about-the-new-german-minimum-wage-act/> [↑](#endnote-ref-3)
3. <https://www.v-d-f.de/news/pm-20150910-0024> [↑](#endnote-ref-4)
4. <https://www.proplanta.de/agrar-nachrichten/tier/verhaltenskodex-der-fleischwirtschaft-wird-nicht-immer-eingehalten_article1539258037.html> [↑](#endnote-ref-5)
5. <https://www.dw.com/en/germany-meat-industry-statistics/a-53876016>; <https://www.ft.com/content/7b77ec15-7384-42d0-9da0-76c4b7f0872b>; [↑](#endnote-ref-6)
6. <https://www.dw.com/de/h%C3%A4rtere-regeln-f%C3%BCr-die-fleischindustrie/a-53511229>; <https://www.business-humanrights.org/en/latest-news/germany-new-law-ends-subcontracting-in-pandemic-stricken-meat-industry/> [↑](#endnote-ref-7)