



Confederation of Danish Industry



Social dialog



THE DANISH LABOUR MARKET

- *the framework for social dialogue*

Lawyer Thomas Hübertz

What is social dialogue?



International Labour Organization
"Promoting decent work for all"

Social dialogue is defined:
by ILO:

"as all types of negotiations, consultation, or simply exchange of information between representatives of government, employers and workers on issues of common interest"

The Danish Constitution of 1849



The Constitution of 1849 secured civil rights, such as private property rights and freedom of speech and in section 78:

The right to form associations and a free right to membership of associations

The Labour Market Constitution of 1899 – It all began with social dialogue



The Labour Market Constitution (September Compromise) settled the freedom of trade union association as well as the companies prerogative to manage and divide the work including the right to hire and dismiss the labour force

More than any other event in modern Danish history The September Compromise of 1899 has contributed to developing Danish society into a society of consensus and social dialogue

The peace obligation

The Labour Market Constitution in 1899 establishes collective bargaining as the basics of employment law

The “peace obligation” implies that in the period between the collective bargaining it is prohibited to strikes and make lockouts



The peace obligation

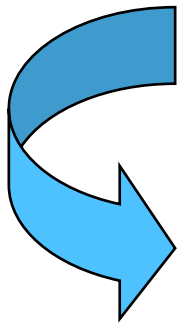


The Danish Labour Market Constitution section 2:

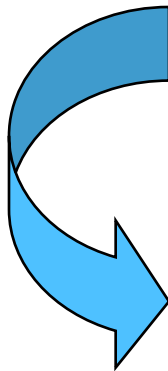
“Where a collective agreement has been concluded, no stoppage of work (i.e. strike, picket, lockout or boycott) can be initiated during the period of the collective agreement’s validity in the sector covered by the agreement, unless warranted by the Standard Rules for Handling Industrial Disputes”

The regulation of the labour market

= is the framework for social dialog



Main agreement
- Principle for collective agreements



Collective agreement:
- Wage, working hours, pensions

Local agreement
- Cooperation, bonus etc.



Social dialog

- Kasper Palm, National officer, Negotional Affairs
Danish Metalworkers' Union





How to organise locally

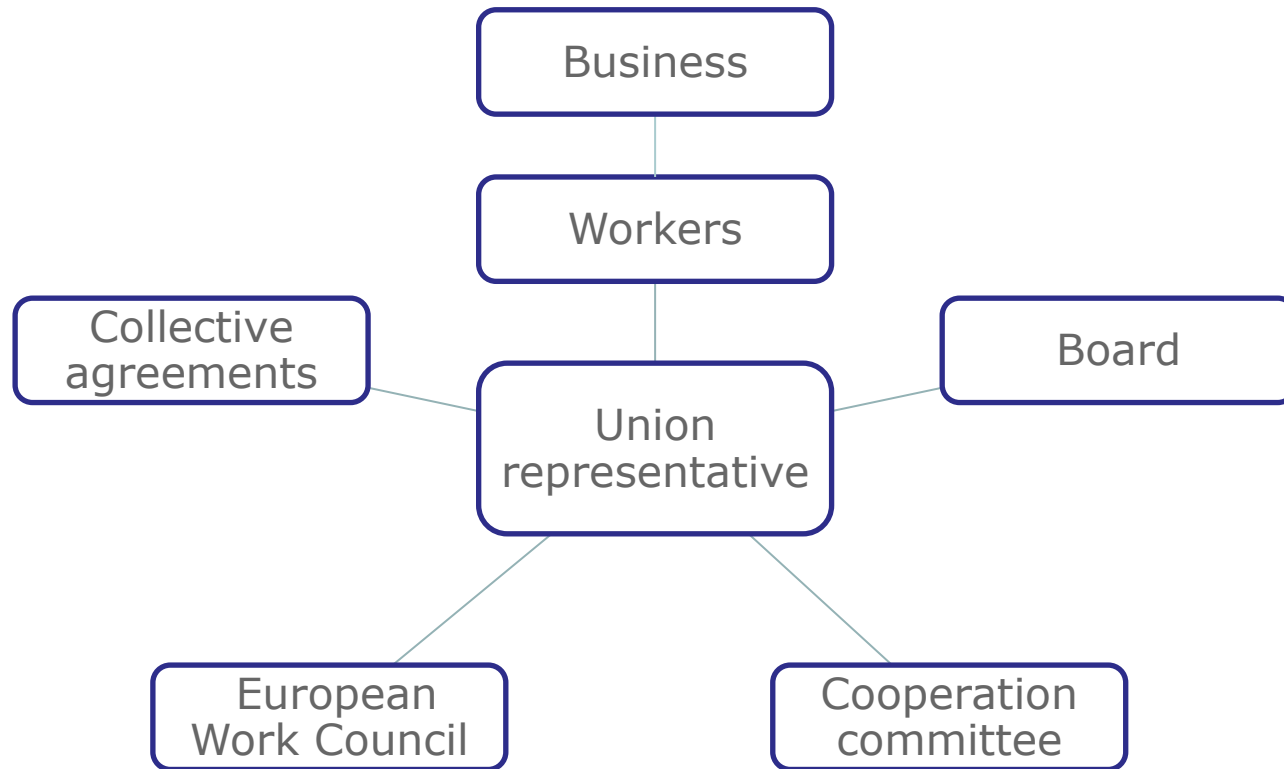
- Unity movement (The Danish Confederation of Trade Unions)
- Skills (metalworkers, unskilled workers, office workers)





How to organise locally

- Example: how a typical business is organised:





How to organise locally

What a collective agreement can contain

- Wages
- Working hours
- Cooperation
- Working methods
- etc.





How to organise locally

Disagreements between worker and employer:

Timeline

1. Local negotiations
2. Mediation meeting
3. Organisation meeting
4. Industrial arbitration





How to organise locally

Breach of agreement

Timeline

1. Joint meeting
2. Labour Court





Organisation for erhvervslivet

Marianne Korsby
Clasen



Dispute settlement in
Denmark



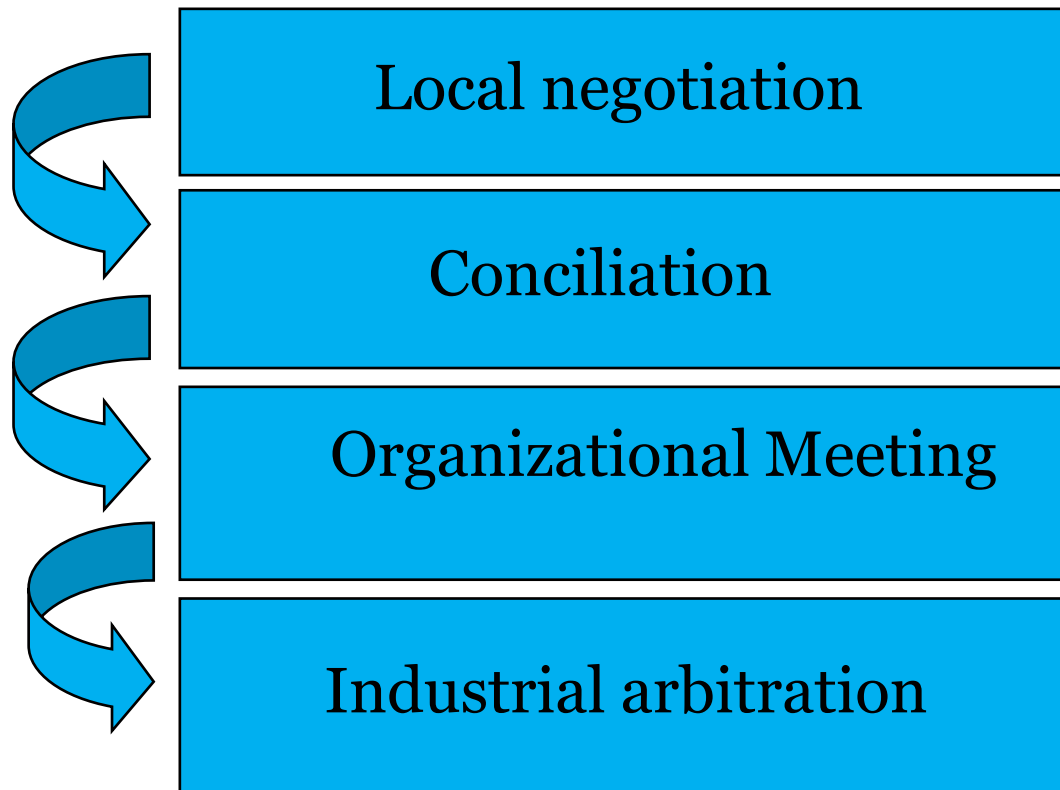
Dispute settlement in Denmark

Illegal to strike

Peace obligation and trust

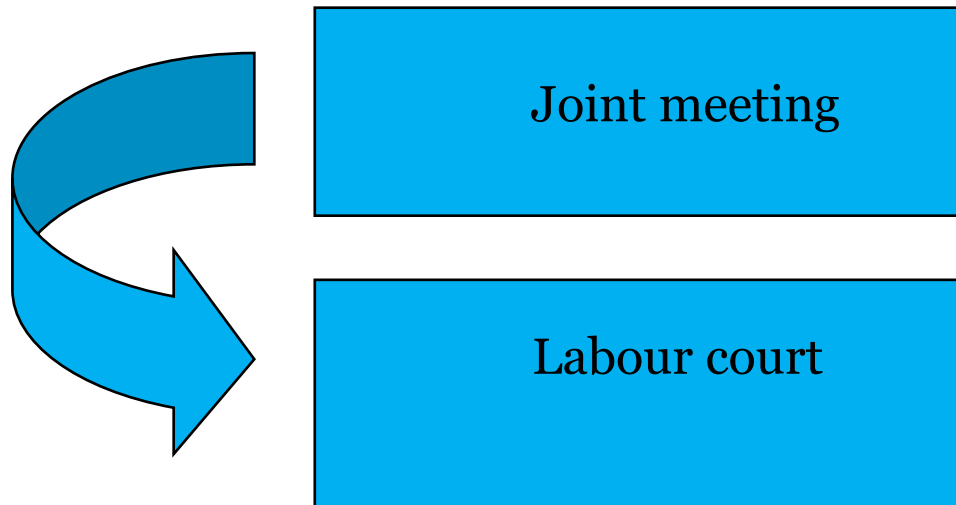


Interpretation of a breach



The regulation of the labour market

- Interpretation of a breach



The principles for handling of industrial disputes

Examples of a breach of the Industrial Agreement:

The employees:

- Strike
- Work slower
- Refusal to work

The employers:

- Non payment of the wages

The principles for handling of industrial disputes

Disputes of Interests

Examples of disputes of interests:

- Denouncement of piecework rates,
- Demand for a new collective agreement,
- Extension of an existing collective agreement

The principles for handling of industrial disputes

Solutions if parties cannot agree on a new collective agreement or on an extension of an existing collective agreement:

- Negotiations between the organizations, and if necessary
- The Official Conciliator

and if agreement is still not reached

- Strike or lockout

The system for settlement of disputes

