EPSU to Governments and employers: Do not abuse the pandemic to undermine workers' rights



(6 April 2020) Over the last two weeks, we have seen multiple attempts by employers and governments to undermine workers' rights by forcing solutions to pandemic, at the expense of workers. Employers are seek to move longer working hours or are asking for more flexibility of workers without negotiations. At the same time, some governments are abusing emergency laws which are necessary to quickly respond to the evolving Corona virus Sars- COV-2 pandemic, to introduce restrictions of freedoms or force changes in labour codes.

These employers and governments do this at a moment when workers, often with considerable danger to themselves and their families due to the lack of personal protective equipment, health and safety protocols and appropriate training, try to keep our health and care, and our public services, transport, food industries and more going. EPSU and other unions have intervened in such actions in Croatia, Poland and Hungary.

- The Croatian government withdrew its proposals following an outcry, as did the Lithuanian government. It refrained from introducing proposals for more flexibility which would benefit employers.
- The Hungarian government has been in the news because it introduced emergency powers allowing the government to interfere with public debate and independent journalism. The government also seeks flexibility for employers to deviate from collective agreements. Employers get more power to set working times and dismiss workers. Wages can be lowered and holiday rights cancelled. Moreover, the emergency laws in Hungary are without time limits and risk becoming permanent.
- The Polish government wants the right to dismiss trade unions' or employers' representatives from its national Social Dialogue Body.
- In France the government has allowed employers to derogate from working time limits (from 10 to 12 h), to limit rest times between shifts (reduce from 11 to 9) and go to a longer working week (from 48 to 60). These derogations are set to last until the end of the year. Such excessive long hours and limited rest periods will impact on the wellbeing of workers. Unions are not involved in the discussions about what essential services are. Parliamentary control is limited and as works councils and trade union meetings are difficult control at the work place, they might be impacted as well.
- The crisis also reveals that the farright would choose to make workers pay for the effects of the pandemic. Italy's Salvini has proposed amendments to the Italian health crisis emergency law that would clear employers of any criminal and civil responsibilities for mistakes made, thus shifting the entire burden on workers. EPSU's affiliated unions organising workers in health and care say this would make workers pay three times: No personal protective equipment putting their health at risk; There are no resources, staff is lacking and salaries kept low; And now criminal and civil responsibilities are placed on workers in highly stressful situations.

EPSU fully supports the unions in all the above mentioned cases, and rejects the authoritarian way of some governments.

There is another way. Unions, employers and governments in many other countries have used negotiations and the social dialogue for agreements to deal with short-time work, to provide additional pay in case workers are temporary unemployed, to deal with leave and other similar issues. Such dialogue and negotiations will

become even more important now that several countries are considering relaxing the measures so more workers can go back to work. Workers in all sectors will want to know that their employers provide a safe working environment, and what their employer and the shareholders are doing to help them through this difficult period. EPSU and the ETUC have called on companies not to pay out dividends this year but to use the money to support workers and companies. The key lesson from the 2008 financial, economic and social crisis is that attacking collective bargaining and workers' rights as part of austerity policies is not the way forward. These policies had longer term consequences that we are now paying the price for especially in health and our care services. We have the option to come out of this crisis with better social protection, improved public services, with a strengthening of the role of collective bargaining and social dialogue and a focus on looking forward to a society in which wellbeing is central.

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