

SOWELL

Social dialogue in welfare services



Employment relations, labour market and social actors
in the care services

Main issues and local case studies

Italy

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Main issues and case studies' selection

Main issues (to target)

- Pressure to **increase service coverage** (especially in ECEC), under austerity conditions = marketisation and outsourcing
- Overall **fragmentation of collective bargaining** and **proliferation of NCAs**, including pirate NCAs
- **Multi-tier workforce**: deterioration and segmentation in working conditions as a consequence of outsourcing and privatisation
- Increasing attention to **service quality** (especially in ECEC)
- Emerging issue (but not addressed yet): **staff shortage**

Rationale

- Selection of cases based on the following criteria:
 - Capacity to address one of the main issues emerging at the national level
 - Internal heterogeneity: differentiation of the solutions adopted

Case studies' selection

Case 1 and 2: Negotiations on criteria for services acquisition

- Key actors: trade unions + local/regional administrations
- Cases in which **public procurement becomes an arena of industrial relations** → cases of successful negotiation of permanent bodies in which **trade unions are involved in the definition of criteria for public procurement** and, thereby, are able to influence working conditions of outsourced staff/staff employed by private providers.

Case 3 and 4: Definition of new/different organisational forms of service provision

- Key actors: Local municipalities + trade unions (less central position)
- Cases in which **different forms of service provision are set up to address problematic aspects of dominant (mainly private) forms of service provision**

Negotiations around criteria for services acquisition

❑ Case 1: Tuscany (and local cases in Florence)

- Regional protocol/memorandum “Memorandum of understanding for the quality of work and for the enhancement of good business in contracts for works, supplies and services” (2019)
- Used by trade unions at local level (Florence) both in ECEC (crèches) and LTC (domiciliary services) **to intervene on staff’s job grading** and therefore on wage levels through negotiations on procurement contracts
 - **Sub-sectors:** ECEC and LTC
 - **Issue addressed:** wage levels
 - **Parties involved:** trade unions and local municipalities
 - **Outcome:** *redefinition of procurement bid to ensure that procurement tariffs are high enough to allow for a correct job grading of staff*

Negotiations around criteria for services acquisition

□ Case 2: Emilia Romagna (and local cases)

- Regional protocol/memorandum “Memorandum of understanding between the Emilia-Romagna region and CGIL-CISL-UIL on legality and public procurement” (2021)
- It sets mandatory rules to ensuring decent working conditions in public tendering by including social criteria and developing a permanent dialogue between public administrations and the social partners on labour regulation and job standards
- Used by trade unions at regional level in LTC **to intervene on staff’s wage levels by excluding the application of specific private sector NCAs**
 - **Sub-sector:** ECEC
 - **Issue addressed:** wage levels
 - **Parties involved:** trade unions and regional government
 - **Outcome:** *redefinition of accreditation criteria to ensure that private providers apply one of the main NCAs signed in the sector, hence limiting the regime shopping among NCAs*

Definition of new/different organisational forms of service provision

□ Case 3: Insourcing of a previously outsourced LTC residential facility (municipality of Marradi, Tuscany)

- **Issue addressed:** insufficiency of public funds allocated for LTC (low procurement tariffs) and refusal of private provider (a social cooperative) to continue to carry out the service
- **Parties involved:** local municipality, trade unions, private provider
- **Outcome:** *workers moved from collective agreement of the private sector (social cooperatives) to the collective agreement of local municipalities, with connected improvement in working conditions*

Definition of new/different organisational forms of service provision

□ Case 4: Hybrid (public-private) organisation in ECEC, created by transferring municipal service (Modena, Emilia-Romagna)

- **Issue addressed:**

- a) **worsening in pay and working conditions** in outsourced public services
- b) **staff shortage** in municipal ECEC services

- **Parties involved:** municipality, unions, users (parents) and local community

- **Sub-sector:** ECEC

- **Outcome:**

- 1) ***outsourcing of municipal ECEC services to a municipally controlled organisation provided with a private status***, instead of an independent (non-profit) organisation.
- 2) ***definition of a company-level collective agreement*** setting pay rates and working conditions **at an intermediate level** among those of public and private NCAs, with improvements in **service quality** (also compared to publicly managed services)

Conclusions

1) Too early for evaluation, but quite **effective solutions** in

- Improving pay and working conditions in outsourced services
- Preventing the application of «worse» or «pirate» NCAs (although these solutions do not reduce fragmentation)
- Increasing attention to service quality

2) **Actors**

- TUs very important in three cases; in two cases they work in close cooperation with employers' organisations
- Significant role of local or regional government

3) **Decentralisation and link to the national level**

- Solutions promoted by the presence of relevant competences at regional and local level (both in the social partners and in the public authorities)
- Connection to national level is important in the first two cases
- Importance of local political conditions, not always easily replicable