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The Future of the French Trade Unions**

This article investigates the transformations of the French unionism and of the French system of industrial relations over the last years and their probable future. It shows: an evolution from a militant unionism to a professionalized trade unionist system; the decline of collective actions; the increase of negotiation, especially at plant level; the dependence of unionists on their employers for their funding, their resources and their careers. This evolution marks a shift towards a new system which is very different from a "unionist Latin model" depicted in traditional literature on French unionism.

Key words: **France, trade unions, de-unionization, strikes, collective bargaining, union budgets** (JEL: J50, J51, J52)

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1. Introduction

In the late 1990s, H. Slomp classified French trade unionism as being an example of the "Latin model" (Slomp, 1998, pp. 35-36). According to him, similar to Italian unions, French unions valued the initiative and input of their members and activists. Organizations felt that their role was to support the spontaneous actions of their members and to develop this action within the context of larger protests against the State and not only against the employers. Finally, H. Slomp emphasized that French trade-unionism was deeply politicized, but did not have the functional division of powers between parties and unions typical of the social-democratic model predominant in northern Europe (see also: Jefferys, 2003).

It will be seen that, at the time when H. Slomp was writing his book, the "Latin model" of unionism was disappearing in France. In less than thirty years, activists and supporters have been replaced by professional representatives who control cartels of non grass-root unions. In fact, these professionals do not seek to drum up membership or encourage social mobilization. They spend most of their time negotiating with employers. This negotiation has devolved from the national level to that of the plants and the firms. Most of these professional unionists continue to be salaried by their employers with whom they negotiate on behalf of employees. Indeed, these 'institutionalized' unions are not funded by their decreasing membership but are heavily subsidized by the State, local authorities and employers.

This article will examine these new dynamics: how activists have been replaced by professionals; the decline of social mobilization and the advent of social bargaining on the plant level; the potential scope of this negotiation; the funding of unions by employers and the state. This new system is very similar to cartel parties (Katz & Mair, 1995), and has a future which is not fully assured.

2. From militant unionism to professionalized trade unionists

Between 1958 and 1978, more than a quarter of French workers were unionized. Between 1967 and 1977 there was even an increase where nearly three out of ten employees were unionized (Fig. 1). These figures do not come from data provided by these organizations, but were observed in trade union archives or were calculated from the results of work council elections (*comités d'entreprise*) (Labbé, 1996; Andolfatto & Labbé, 2007).

During these years of rapid economic growth, the French workforce increased from 13 to 18 million and was profoundly transformed and rejuvenated. The maintaining of the rate of unionization at the same level indicates that there was a significant increase in membership. In other words, during the *trente glorieuses*, the French trade unions adapted themselves to changes occurring in the labor market: the arrival of the baby boom generation, feminization of the workforce, the rise of the service sectors and of the white collars.

During this period, the rate of unionization in France was lower than in Germany, in Scandinavian countries and in Belgium, but it was comparable to that of North America and Italy, at least until the early 1970s. Consequently, contrary to what is usually said, the present low level of unionization is not a French inevitability.

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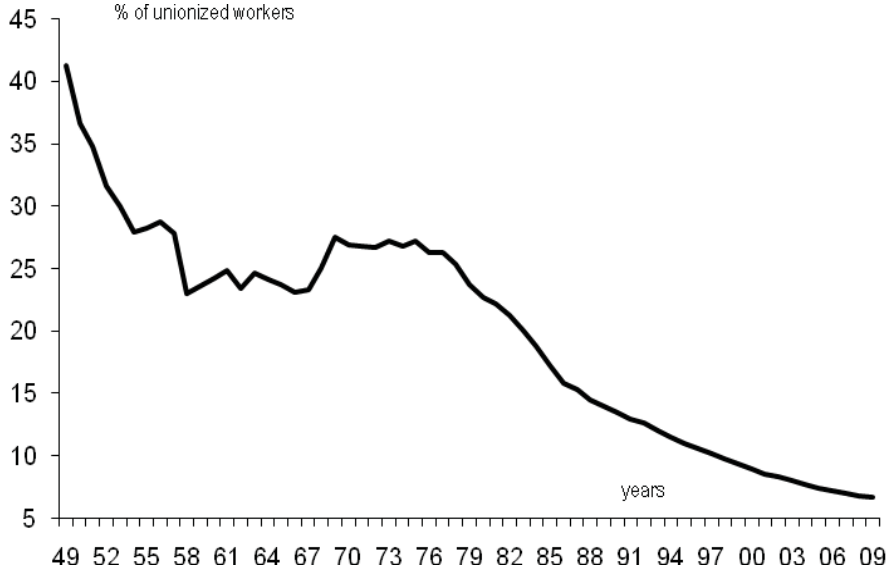
Figure 1: Evolution of unionization in France since 1949 (all organizations combined)



Source : Andolfatto & Labbé, 2007; Andolfatto & Labbé, 2011

Why so many members?

Until the late 1970s, the major activity of French trade union activists was to provide individual assistance to their members to protect them against dismissal, sanctions, arbitrary transfers, bullying. These activists had to resolve many problems of everyday life at work: poor working conditions, dangerous equipment, unsociable hours, refusal to give holidays, unpaid premiums, etc. This assistance could extend beyond the workplace to include help with housing problems, procedures with social security funds... This function of "legal defense and formulation of demands" has become unpopular among political activists because it was time consuming, but it was nevertheless accepted by the militants because it allowed to collect union dues and to gain members, sympathizers and voters. This activity was the source of a kind of informal law regulating daily life in the workplace in a much more flexible and efficient way than the labor code or the industrial agreements. Finally, it was associated with a working-class culture which facilitated the integration of young workers and uprooted rural migrants (Andolfatto & Labbé, 2010).

In 1975, the number of unionized workers was about 4.5 million, that is to say a union density (rate of unionization) of nearly 25 %. Not only were these members (in the flesh) a physical reality but they were loyal to their organization - their average seniority was over 10 years - and a significant minority were prepared to bring, in addition to its membership fees, a voluntary contribution to some of their unions' activities. At that time, much of the life of trade unions relied on volunteer activists who gave dynamism and efficiency to these teams.

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De-unionization

Between 1978 and 1988, the rate of unionization was halved, which means that very many members left their unions while recruitment dried up. Subsequently in the 1990s and 2000s, this decline continued without interruption, but at a slower pace. Despite repeated assertions, this decline has not yet been halted.

In 2003, membership was only 1.7 to 1.9 million, that is to say around 7 % of the total workforce of 23.5 million French workers (Amossé & Pignoni, 2006; Andolfatto & Labbé, 2011). This is the lowest rate of all the OECD countries (alongside with Turkey) (Visser, 2011). These members were shared among seven "main" organizations (Table 1).

Table 1: Number of members in French trade unions in the early twenty-first century

	Memberships
Confédération Générale du Travail (CGT)	540 000
Confédération Française Démocratique du Travail (CFDT)	450 000
Force Ouvrière (CGT-FO)	300 000
Union Nationale des Syndicats Autonomes (UNSA)	135 000
Fédération Syndicale Unitaire (FSU)	120 000
Confédération Française des Travailleurs Chrétiens (CFTC)	100 000
Confédération Générale des Cadres (CFE-CGC)	90 000
Union syndicale Solidaires (SUD)	80 000
Divers non confédérés	80 000

Source : Andolfatto & Labbé 2007

These aggregate statistics need to be qualified by a number of remarks.

- Approximately 13 % of union members are retirees.
- Some dues are not paid by the members but they come from funds provided by some companies (Andolfatto & Labbé, 2007, pp. 131-176, pp. 178-179). For the CGT, about one stamp out of five, sold by the confederal treasury, is paid with the help of this funding. The main unions involved are : Postal and Telecom services, Railways, Energy, Press and Broadcasting, Chemicals and Metal industries, Civil servants, Security and Cleaning companies... In the CFDT, almost one fee out of four comes from the following federations: Postal and Telecom services, Retailing, Health and care services, Railways, Agribusiness, Building, Local government, Energy, Metallurgy and Mechanics, Press and Broadcasting. In these sectors, the same large companies also fund other trade union confederations (FO, CFTC and CFE-CGC). The UNSA derives most of its resources from public services and from the main public companies.
- The two thirds of union members work in the public sector and in public companies. In the private sector, less than one employee out of 20 is unionized.

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- A large proportion of the remaining members devote a large part of their working time to unionism. In most firms where a union exists, the only members are elected representatives (*délégués*) or union officials (*mandatés*).

Since 1978, the decline continued more or less at the same pace and the curve seems to have been insensitive to changes occurred in the economic and social situation of the country and to those occurred in the political majorities. Therefore, the main reasons for this decline cannot lie in the French economic, social or political situations. They must be sought for in the French unionism itself, especially in the changes in its organization (and militancy) which are described in this paper.

The rise of professional unionists

The representatives have become union professionals through the accumulation of mandates and functions. But their wages are still paid by their employers. Many French sociologists refer to this as an "institutionalization" of the unions, suggesting that, through their legal recognition in the workplace, unions are no longer simple associations but institutions. However, as early as 1983, G. Adam (1983a, 1983b) predicted that laws, adopted since 1968 in order to support unions, would profoundly change the nature of these unions in three ways. Firstly, G. Adam announced that an elite of professionals would seize the control of unions; secondly he conjectured that the voters would replace the members as a source of legitimacy and, thirdly, that the disappearance of union dues would be offset by public subsidies and funding by firms. Several surveys have clearly ascertained the reality of these three changes (for example: Croisat & Labbé, 1992; Nezosi, 1999; Andolfatto & Labbé, 2007).

In fact, at the local level, unions are not operating as institutions. On the contrary, the general board and the statutory bodies no longer meet, even in large public companies (traditional union strongholds). The organizations are controlled by a few leaders who, through the accumulation of elected offices and responsibilities, have 'privatized' the collective benefits granted to the unions.

These union leaders are relatively old (average age between 45 and 55 years - according to the organizations). Many will retire in the near future. This raises the question of the very future of unionism (Andolfatto, Lénel, & Thobois, 2007). The firm managements appear to be very concerned about this future which is also threatened by the rise of abstention. But the unions' leaders continue to favor selective recruitment. More generally, despite some public declarations to the contrary, the recruitment of a large number of new members rarely appears as an objective.

In few firms, SUD – an extreme left federation – tries to keep some militant practices. But its teams are few and they are mainly present in the public sector.

The professionalization of unionism is also reflected in a weakening of the capacity for collective action.

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3. The decline in participation and collective action

The decline in participation in plant floor elections (*élections professionnelles*) and the decreasing number of strikes are the most obvious signs of this weakening.

The decline in participation

The continuous rise in abstention is particularly significant, given the fact that, without members, the legitimacy of unions is legally based on the votes they obtain, especially in work council elections (Bevort, 2012). This number justifies their participation in collective bargaining and in the management of the Welfare State. And this participation generates the greatest proportion of their resources (see discussion below).

The number of voters has collapsed in the *prud'homales* (election of judges for individual labor disputes): 25.6 % of voters in 2008, against 63.1% in 1979, despite the fact that these elections were organized to reestablish the legitimacy of unions... The next election - to be held in 2013 – has been postponed to 2015 to allow the government to change the system (and it may abandon these elections).

Unlike *prud'homales*, work council elections (*comités d'entreprise)* are held in the workplace and during working hours, thus allowing the employee to leave his post for a few minutes. Moreover, as the lists of voters are not secret, some employees fear being frowned upon if they do not exercise their vote... However, all the available statistics indicate a continuous growth in abstention. For the *comités d'entreprise*, the most recent results (2005-2006), before the removal of this statistic, indicate an average abstention level of 40 % as opposed to 20 % in the 1960s. For the joint committees of the Civil Service, abstention was only 12-13 % in 1950-1960 and it now exceeds 30 %, to which more than 5 % of blank and spoiled ballots needs to be added. The teachers - who were the most civically responsible during the 1970s - are now the most prone to abstention. In hospitals, the decline is even more pronounced: only 40 % of nurses employed by the *Hôpitaux de Paris* go to the polls today.

In other words, the declining level of participation suggests that trade unionists are less and less able to induce employees to vote, even if the number of voters in some plants remains consistent and sometimes important. Accordingly, there will soon be one half of employees - when it is not already the case - who no longer identify with 'their' union representatives.

The decline of the strikes

The decline in the number of strikes is another indication of the weakening of the union's ability to mobilize workers.

The image of France has always been one of a country that often goes on strike. In fact, conflicts in the private sector, have declined sharply since the 1970s. Eschtruth (2007) gives an overall view of this period.

In 2009, 2.2 % of companies - with 10 or more employees - experienced a strike, including stoppages of a few hours (*débrayages*). But this percentage increased in 2010 (3,3 %) due to pension reform (that caused two-thirds of the conflicts). Putting aside the protest against this reform, the number of companies experiencing a strike is a lower than in 2009 (Desage & Desankis, 2012). But the most interesting indicator is

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the number of workdays per 1,000 employees lost through strikes (Table 2). To make the data intelligible, they are converted to the probability, for an employee, of going on a one-day strike during his life at work (last column).

Table 2: Strikes in the French merchant sectors in 2008-2009

Sector	Working days lost in strikes (per 1 000 workers)	Probability for a worker to go on a one day strike
Industry	168	6 years
Building	17	61 years
Commerce	20	50 years
Transportation	492	2 years
Services	60	17 years
All sectors	117	9 years

Sources : Ministry of Labour & our calculus (last column).

On average during the years 2008-2009, an industrial French worker goes on a one-day strike once every six years; in the building sector, this average was 61 years, etc. The most frequent strikers are transportation workers (a day of strike every two years), especially in the railway and underground sectors; on the other side of the spectrum, the most infrequent strikers are in the building and the retail sectors.

Half of all French employees work in the retail and service sectors (excluding transportation). During 2008-2009, they went on a one-day strike an average of every 38 years, that is to say once in their working live. For all the merchant sectors (including industry and transportation, private and public firms), the average probability of a one-day strike occurs every nine years (unchanged from 2006 and 2007). In 2010, due to the protests in some firms against pension reform, the figures increased but this does not fundamentally change the trend.

In the three public services (government services, health care, and local services), the average is about a one-day strike every 5 years (this figure is more or less stable since 2005). The statistical series is too recent to allow long-term comparisons.

Despite these figures, France has a reputation of being a striker's paradise. This perception comes from the great waves of strikes in the past: 1920, 1936, 1947, 1968, 1995. It also stems from the memory of a protest decade (from the late 1960s to the 1970s) and from the continuation of large-scale conflicts in public transportation (though decreasing in the recent past).

The French social situation is paradoxical: the fewer the members, the more trade union representatives there seems to be; while the union apparatuses have significantly grown, the amount of collected fees has shrunk and collective mobilization declined while negotiating increased.

4. Increase in the negotiation

In most major industrial countries, collective bargaining has developed considerably in the late twentieth century and early twenty-first, even though unionism has been stagnating or declining (Hayter, Fashoyin, & Kochan, 2011). But in France, these two

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movements have experienced a considerable change (Cézard & Dayan, 1999; Andolfatto, 2007).

The growing scope of the French collective bargaining

Collective bargaining in the merchant sectors (involving 17.5 million employees) takes place at two different levels (Table 3). According to the annual report published by the Ministry of Labor, "The dynamism of negotiations, observed since 2008, has grown in 2011 with a new increase in the number of texts recorded" (Ministère du travail, 2012).

Table 3: Scope and themes of collective bargaining in France (between employers and unions)

Levels		1983	1990	1999	2011
National	All sectors	47	48	30	46
N. & regional	Branchs	901	905	765	1195
Firms	Total	1 955	6 479	30 965	33 869
	Working hours		38 %	80 %	25 %
	Wages		58 %	36 %	39 %
	Employment and redundancies		3 %	4 %	7 %
	Subsidies to unions		10 %	6 %	9 %
	Profit sharing - retirement savings		-	3 %	28 %

Source : Annual reports on Negotiation published by the Ministry of Labour

At the national level, the five historical trade union confederations (CGT, CFDT, FO, CFTC and CGC) participate in all sector negotiations (*interprofessionelles*) potentially affecting all employees of the merchant sectors. According to the latest annual report by the Ministry of Labor: "general negotiations are extremely dynamic, and are characterized by a continuing high number of meetings and many topics of discussion". In fact, over the past twenty years, Table 3 (first line) shows that the number of contracts all sectors, at the national level, has remained stable contrary to the branch contracts, at national and regional levels , the number of which has been growing during the last decade (Table 3, second line).

At the national and regional levels, branch bargaining concerns employees of some particular economic sectors (more than 700 branches exist excluding agriculture). At these levels, according to the same annual report, French workers apparently have the highest collective bargaining coverage in the world (with nearly 1,200 contracts in 2011: Table 3). It is estimated that 95 % of these employees would be covered by a national branch collective contract and /or by a regional one.

At the plant level, the overall figures of collective bargaining in the merchant sectors show a continuous increase in the number of firms and employees concerned. Over the past twenty years, the number of plant-level agreements has been multiplied by 17 (Table 3).

According to the last survey for the year 2009 (a representative sample of plants in the merchant sectors employing at least 10 employees: Bobbio, 2011), negotiations

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took place in 60 % of the plants with 50 or more employees and those negotiations involved 64 % of the 17,5 million workers employed in the merchant sectors. Because of a continuing extension of the contract terms, in all other developed countries, this rate appears to be unique in the world.

These surveys also show the growing nature and extent of the themes and scope of these texts : working hours, individualization of remunerations, career flexibility, employee savings, supplemental health insurances... (Table 3).

For a long time, these plant level agreements could obtain derogations from the law and from national conventions - especially about the working hours - that is to say applying less favorable rules.

It can be observed that the annual report pays little attention to the details of these agreements. The fact remains that the wages and the working hours of a large part of the employees in the merchant sectors now depend at least as much as on a collective agreement as on the laws and on jurisprudence. It is highly likely that this trend will continue in the coming years, giving more importance to the unionists who negotiate with the employers - although they are also salaried and funded by them.

This is a silent revolution that has occurred in recent years. France is moving quickly away from the continental model in which the main topics are decided in national negotiations - often tripartite (Unions, Employers and government) - enclosed within a more or less detailed legal framework. France is moving quickly toward the British system centered on firms and on plants. This flexible system allows employers to adjust the salaries and working conditions to the economic situation and to the needs of their businesses, subject to one condition: they must obtain at least one union endorsement.

In the coming years it is likely that collective bargaining at national and branch levels will become obsolete, although this evolution is very different from the centralist French traditions.

However, few are aware of this silent revolution because the exact content of these "derogatory" agreements is rarely examined as is the manner in which these plant negotiations proceed.

An unbalanced negotiation

Reports also indicate that in 90 % of the firms which open negotiations, an agreement is reached and union representatives sign between 91 % (CFDT) and 83 % (CGT) of these texts.

Although meetings are held behind closed doors, several eyewitnesses exist. For example, consider the description given of the discussions during 2008 - between the organizations of employers and the trade unions - that led to the agreement that changed the legal framework of trade union actions (Andolfatto & Labbé, 2009, pp. 177-179). The meetings were hosted by the organizations of employers who set the agenda and calendar, held the secretariat, drafted the preparatory texts and drew up the final version. The same situation occurs at any level - from the plant level to national global negotiations.

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At plant level, the number of agreements signed can be correlated with some elements mentioned above. These elements include: the low level of collective mobilizations, the professionalization of the unionists, and some special clauses in these agreements which are devoted to the funds and means granted to the unions by the employers (second to last line of Table 3 above). In the current economic crisis, one must also consider the use of blackmail in some companies.

In 2008, a study of the Ministry of Labor revealed a paradoxical situation: despite fewer and fewer members, French unions are present in an increasing number of plants and firms (Wolff, 2008). The asymmetry of the industrial relations may explain this apparent paradox of the French trade unionism with less and less members but which constantly expands. Indeed, at plant level, the employer provides the union office and all the necessary means for day-to-day functioning. Many companies add a large endowment.

5. Institutional funding

Trade unions have received a lot of financial resources and above all many supports in-kind (Adam, 2012; Andolfatto & Labbé, 2012; Perruchot, 2012).

Regarding the former, members' contributions cover a further 10 to 20 % of expenditure (depending on different organizations and levels). But, as noted above, a significant proportion of these contributions come from funding that companies pay to their unions. Some of this funding is surrendered to the federations and confederations as if it had been provided by members.

Some firms report the details of sums they pay to their unions. For example every year, the insurance company AXA gives its employees a cheque of fifty euros to be allotted to the union of their choice. Air France, Casino, EADS, France Telecom, Groupama, LCL, Renault, Safran, Thales... make direct payments to their unions. Several federations, including metallurgy, are directly funded by their employer interlocutors.

The funds levied from the work councils, from the social security agencies and the government grants make up the rest of the union financial resources. For example, for confederations, the levies from the lifelong learning organizations exceeded the total amount of member's contributions. However, this funding is not fully reflected in the official accounts, but in unpublished records of some subsidiaries such as union training organizations.

A government enquiry in 2010 gives an estimate of the level of support from the public purse (Desforges et al., 2010). In national and local public services, the annual cost of the release time (paying for releasing unionists from their professional duties) and of aids for trade unions represent about 250 euros per employee. The authors indicate that this is minimal given the lack of information found for some services (education, police, customs ...) and the very patchy information on others. If we accept these quantitative indications and extrapolate them for the entire public services, this would represent a total of 1.319 billion euros allocated to the various unions. This means that - for the Civil Service alone - it would be far more than any previous estimate (around one billion euros for all sectors, merchant and non-merchant).

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Secondly, resources in-kind consist primarily in facilities and staff made available to the unions. These people spend all or part of their time working for the union while continuing to be paid by their employers and pursuing their own careers. For the Civil Service as a whole, the report mentioned above makes it possible to estimate that the total number of people *mis à disposition* for the unions, is between 13,200 and 15,240 employees.

When one includes in these statistics engineering *grandes écoles*, public research institutions, the Bank of France, central government and the large national companies (public transportation, energy and the various social security organizations) the equivalence of at least 30,000 full time jobs are made available, free of charge, to French trade unions by employers.

6. Conclusions

Superficially, one might consider that de-unionization in France seems to be in line with a global trend (Visser, 2011; Hayter et al., 2011), but, apart from its exceptional magnitude, it presents many specific characteristics that are summarized in conclusion.

The main resources of the French unions come from private and public employers. This dependency of unionists on employers may be the principal cause of the impotence of unions and of the imbalance inherent in French industrial relations. Weakness of unions, as well as their institutionalization can also explain that French workers are increasingly likely to express their suspicion of unions, especially in public opinion surveys, and to abstain in elections held in the workplaces. This situation may also be related to the development of strikes or protest movements outside union initiatives or union control (Basilien et al., 2010, p. 18).

The situation of French trade unionism illustrates the side effects of some public policies. After 1968, all French governments and many directors of large companies attempted to strengthen trade unionism because they considered this force to be a key player in social dialogue and a major asset for the modernization of business and of government. The numerous rights, protection, subsidies of all kinds that have been granted to the unions were designed as a public good that would benefit all employees, within the scope of these measures. But these rights, these forms of protection, these funds have been privatized by a few tens of thousands union managers - who have few links - except during electoral campaigns - with the workers they represent.

French unions and parties have evolved in relatively parallel ways. The theory of a "cartel party" (Katz & Mair, 1995, 2009) explains many of their transformations: loss of membership, development of stand-alone apparatuses removed from their former social bases, strong interconnections within organizations and institutions of all types - that provide unions with increasing resources, and which give them independence, disconnection even, from the workers - sharing the resources, reducing the competition between unions and preventing the emergence of new competitors.

Will this spiral continue? For the moment, it seems inevitable. But the history of French unionism is punctuated with sudden periods of revolt that open the door to unforeseeable developments. For example, in 1968, who could have predicted that the biggest strike movement in modern history would lead to the current situation as summarized in this paper?

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