
Equal opportunities and collective bargaining in the European Union

A case study on the National General Collective (NGCA)
Agreement from Greece

Phase III

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**EUROPEAN FOUNDATION
for the Improvement of Living and Working Conditions**

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by

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FOREWORD

"All these things that we are talking about - redistribution of power, redistribution of time, redistribution of wealth, the emancipation and liberation of women - getting them dealt with in small demands, that is the most difficult thing of all at the end of the day. I see them as the ultimate achievement of work on feminism as a perception and ideology."

F. SIANOU

Head of the Women's Secretariat, GSEE

The 1993 National General Collective Agreement (NGCA). This was the first time that the term 'equal opportunities' had appeared in a Greek collective agreement, albeit as a declared objective. However, the historical significance of that agreement resides not so much in that but in something much more fundamental: in the fact that it marked the first conscious effort to promote gender equality through collective bargaining.

In a country in which trade unionism and feminism were late in making acquaintance and still have very little to do with each other, and in which the future of the relationship between the two remains uncertain, it is understandable that the fostering of equality as such, and likewise of equality of opportunities, through collective bargaining should still be in its infancy. Not only equality-aware bargaining does not exist, but even bargaining on equality issues is a rarity.

Like the two earlier reports of the first and second phases of the research, our report seeks to equip the labour side and the employers with the knowledge and sensitivity that the promotion of equal opportunities through collective bargaining requires.

In this final phase, our task, through the study of an exemplary case of collective bargaining, namely the 1993 National General Collective Agreement, has been to shed light on the determining factors of a good outcome on equality and to show how such factors influenced the shaping of that outcome through the bargaining process.

We wish to thank, first and foremost, the women who negotiated the equality issues for the 1993 NGCA:

- Ms F. Sianou, the former deputy secretary-general of the Greek General Confederation of Labour (GSEE) and present Head of its Women's Secretariat, and
- Ms E. Tsoumani, an official of the Federation of Greek Industries (SEV) and a negotiator for that body.

In addition, we wish to thank the following persons for the valuable information they provided:

- Mr N. Analytis, the vice-president of the SEV,
- Mr L. Kanellopoulos, the former president of the GSEE who is now a member of Parliament,
- Ms A. Karamanou, a former member of the Women's Secretariat of the GSEE and now member of the European Parliament,
- Ms Z. Sokou, a member of the executive committee of the GSEE and of its Women's Secretariat, and
- Ms K. Arvanitaki, a member of the Women's Secretariat of the GSEE,

This study would not have been carried out without their valuable cooperation.

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Summary

The 1993 national general collective agreement (NGCA) was the first collective agreement in Greece to include the term of equal opportunities. However, the true historical significance of that agreement resides in the fact that it was the outcome of the biggest conscious endeavour to promote gender equality through collective bargaining that women trade unionists in Greece had ever engaged in.

The vigour and calibre of that endeavour were a direct product of the development of female collectivity and gender awareness within the Greek General Confederation of Labour (GSEE) and of female participation - for the first time in the history of the Greek trades union movement - in the leadership of the confederation and in the NGCA negotiations. Even so, the good outcome of the agreement was also due to the presence of a woman negotiator in the negotiating team of the employers' side and would not have been achieved without her presence.

A decisive role in the preparation for the negotiations was played by the Women's Secretariat of the GSEE which, for the first time since its formation in 1989, had a systematic involvement in the processing of the list of claims and in the explication of the demands. The following factors came into play in the formulation of the equality agenda: (a) differences of view within the Secretariat itself concerning the character and priorities of the policy on issues related to women; (b) the assessment of the degree to which female workers were supportive of the demands; (c) the prospects of opposition from bodies within the confederation, in which men were the overwhelming majority, and from the employers' organizations which had never displayed the slightest sensitivity or concern about the fostering of gender equality.

Equally decisive for the good outcome of the agreement was the development of gender awareness among a significant number of high-ranking female trades unionists which led to the formation of the Women's Secretariat of the GSEE and to a change in the orientation of claims from demands 'for women' to demands 'for equality'. Moreover, and above all, the successful bargaining of the equality agenda is due to the feminist perceptions of the labour side negotiator.

The equality agenda prepared by the Women's Secretariat was approved without problems by the

GSEE executive, but in the final drafting by the president and the secretary-general of the confederation the claims underwent much amendment and were substantially toned down. However, when the negotiations began the deputy secretary-general of the GSEE and head of the Women's Secretariat, who conducted the negotiations on equality issues, reversed the changes with the consent of the woman negotiator of the employers' side.

The employers reasoning during the negotiations was that the equality issues were strongly social in character and would confer the agreement a social dimension. Their acceptance or refusal of the particular claims was founded on maximization of the improvement of their social image and minimization of the financial cost stemming from the implementation of the agreement. It has yet to be said that the employers' side would have been unlikely to meet so many demands in the absence of the the female official of the Confederation of Greek Industries who recommended acceptance of them to her executive and was the negotiator for the employers' organizations.

It should not be left unnoticed that the meeting of the equality demands, as well as of other demands of an institutional nature, compensated the retreat of the labour side on its financial claims and, as such, was decisive in the accomplishment of the agreement. Nevertheless, the role of the equality issues in the overall give and take of the 1993 bargaining does not detract from the importance of the good outcome on those issues.

Other factors of a more general nature contributed indirectly to the good outcome by generating a favourable climate. These are (a) the quest by the leadership of the GSEE - at a time when unionising was clearly going into crisis - for a new and wider social role for the unions; this new role was sought into the special needs of sections of labour which had been hitherto neglected, such as women and youth; (b) the desire of the SEV, for the first time in its post-war history, to develop a social profile for the Greek entrepreneur; (c) the turn in industrial relations from confrontation to social partnership and social dialogue; (d) the initiatives at the community level supporting the role of social dialogue in the promotion of social policy issues.

Not all of the equality provisions of the 1993 NGCA have encountered implementation problems. Even so, there have been very serious problems with regard to the implementation of many of the articles. Generally speaking, we can say that implementation of the provisions depends on the

willingness of employers to carry the cost of the social policy measures that their representatives sign up for, on the method of functioning of the bodies charged with monitoring the implementation of labour and social law, on alteration of the perceptions of the social roles of the two sexes and on the establishment of the Equality Agency, a very important institutional innovation of a later NGCA which carries forward the thinking behind the Equality Committee agreed on in the 1993 NGCA.

The 1993 NGCA paves the way for the promotion of equality through collective bargaining. The degree to which this potential will be accomplished depends on two factors: *firstly*, on the development of women's collectivity and awareness within the trades union movement, and, *secondly*, on the willingness and ability of the employers' organizations and Greek management to undertake at least a portion of the cost of equality.

I. INTRODUCTION

The 1993 National General Collective Agreement (NGCA) serves as a *landmark* for the promotion of equality between the sexes and equal opportunities in Greece through collective bargaining. The great significance of the agreement lies not so much in the fact that it contains so many articles relating to equality - for the first time ever in a Greek collective agreement - or in the innovative character of certain of its articles. Most of all, this agreement is the product of the biggest effort so far in Greece to take advantage of collective bargaining in order to promote gender equality.

The conscious incorporation of gender equality in the 1993 NGCA can be linked directly to the formation, *for the first time*, of a Women's Secretariat within the Greek General Confederation of Labour (GSEE) and to the presence of a woman in the leadership of the GSEE for *the first time* in the history of the Greek trades union movement; of a woman who, furthermore, was a feminist and who participated in the bargaining process and negotiated the equality issues with another woman - the negotiator for the employers' side - who was also sensitive to gender issues.

In this report we endeavour to trace out as accurately as possible *the process* via which the innovative content as regards gender equality took shape, to identify the *determining factors* which led to the good outcome of the negotiations and to examine the extent to which the equality provisions of the agreement *are actually being implemented*. Given that neither side kept minutes of the negotiations, our research is based on the few official and unofficial documents that we have been able to obtain and on in-depth interviews with the two female negotiators on the equality issues, with two of the most important protagonists in the negotiations overall (the vice-president of the SEV and the person who was the president of the GSEE at that time) and with three members of the GSEE's Women's Secretariat which did the preparatory work on the equality agenda.

In the next section we look at the 1993 NGCA and discuss the content of its equality provisions in order to show exactly why it is innovative in comparison with earlier collective agreements (CA).

In the third section we provide essential information about the nature and structure of collective bargaining at the tertiary level with a view to demonstrating the value of bargaining on equality issues at that level and to familiarizing the reader with the main aspects and components of the bargaining process. At the end of the section we provide a summary of the chronicle of the 1993 negotiations.

In the fourth section we give a step by step account of the process via which the equality issues were raised and negotiated, from the initial preparation of the equality agenda to the final drafting of the articles of the agreement, with the objective of identifying the contributions of the collective and

individual actors to the formulation of the claims and the shaping of the content of the agreement and of revealing the factors that they took into account in their deliberations.

In the fifth section we focus on factors which exerted a positive influence on the outcome of the negotiations on equality issues. Most attention is paid, of course, to those factors which were directly determinative of the outcome, but several other factors which helped to create a favourable context for the negotiation of the equality issues are also discussed.

The implementation of the equality provisions of the 1993 NGCA, which is the subject of the fifth section, is an interesting aspect of the research, not simply because of the assessments made by the contracted parties during the negotiations concerning the possible problems of implementation, but because it is the criterion by which the genuineness of the change in gender relations wrought by the NGCA in question has to be judged.

In the final section we look at whether the 1993 NGCA was an opportunistic occurrence or whether it really did generate a dynamic for the promotion of equality through collective bargaining. In addition, we identify the obstacles which remain to be surmounted if the promotion of equal opportunities through collective bargaining is to have a future.

II. THE CONTENT OF THE 1993 NGCA ON EQUALITY

As with other such agreements, the 1993 NGCA was signed by representatives of the employers' organizations - the Federation of Greek Industries (SEV), the General Confederation of Professions, Crafts and Commerce of Greece (GSEVEE) and the Greek Union of Tradesmen Associations (EESE) - and by representatives of the General Confederation of Greek Workers (GSEE).

The articles dealing with equality between the sexes - together with those which provide for equal treatment of part-time workers and for the payment by employees and employers of a levy for the combating of unemployment - constitute the core of the institutional adjustments brought about by the 1993 NGCA¹.

One of the most notable things about the 1993 NGCA is that it was the *first* collective agreement to have so many positive articles relating to gender equality.² The post-1974 period³ produced three

¹ The full text of the 1993 NGCA is provided in the annex.

² See also the phase II report of the research project [14].

³ The period commencing from the fall of the colonels' dictatorship and the replacement of the constitutional monarchy by a presidential republic via the 1975 constitution.

other NGCA with such articles - one in each agreement. The 1975 agreement, which made mandatory the equalisation of pay between female and male blue-collar employees within three years and thus heralded implementation of the principle of 'equal pay for work of equal value' which was to be incorporated into the new Constitution of the State a few months later (Article 22). The agreement of 1988, which made mandatory the payment, without conditions⁴, of a marital allowance to all married working women and its gradual equalisation with that for married men⁵ and, lastly, the 1989 agreement which increased the maternity leave from 14 to 15 weeks.

The 1993 NGCA surpasses those other agreements quantitatively and also qualitatively. On the one hand, it pays adequate attention to the special needs of working women which stem from objective - biological - differences between the sexes (pregnancy, giving birth, confinement, lactation) and makes provision for those needs via facilitative measures (extension of maternity and breast feeding leave) and protection measures (night work for pregnant). On the other hand, it furthers the reconciliation of family and work obligations by providing new forms of leave (marriage leave, care leave, birth leave) and improving the pre-existing leaves (child rearing leave) and links it, at the same time, to more active/equal participation of men in the work of caring for and rearing children (birth leave, care leave, child rearing leave). Lastly, it paves the way for the promotion of equal treatment and of equal opportunities at work and for the combating of sexual harassment, through a common declaration of the parties and the provision for the creation of an innovative institution, namely a joint Equality Committee.

Although they are often difficult to separate, it must be emphasized that the measures to facilitate and protect motherhood as a biological fact (biological motherhood) should not be identified with measures intended to facilitate motherhood as a social role (social motherhood). Differing treatment of the sexes based on differing needs stemming from biological differences does not of itself run counter to the concept of equality⁶.

⁴ In fact, it reinstated the principle of equality of pay, which had been violated with the provisions of the NGCA of 1984. However, it did not go into effect retroactively as it should [11].

⁵ The marital allowance rises to 10% of minimum wages. The married women were granted an allowance of 5% from 1.1.1988, while the remaining 5% was paid to them on 1.1.1989.

⁶ We refer here to the concept of 'equality in difference' residing in the logic of 'equal but not the same treatment', and in which 'equal treatment' means 'equally good because more appropriate treatment'[2]. Of course, the concepts cited above have been claimed by cultural feminists not only on the basis of objective biological differences but also, above all, in the name of special 'female values' and 'female culture' [10]. We personally disagree with this strand of feminism, considering that the critics of male norms do not have to be grounded on essentialist and homogeneising arguments about the female nature.

Table 1

THE GENDER EQUALITY PROVISIONS OF THE 1993 NGCA

1. Provision, for the first time, of a five working days paid **marriage leave** and of a paid **leave for fathers for the birth of a child** at the rate of one day per child.
2. **Maternity leave** extended to 16 weeks (from 15 weeks).
3. Unpaid **child rearing leave**, totalling 3.5 months (up from 3 months) between the expiry of maternity leave and the date on which the child reaches the age of 3 (previously 2.5 years of age) for working parents employed at any undertaking with 50 employees or more (previously 100 employees).
4. Paid **breast feeding** and **childcare leave**. Reduction of working time by 1 hour per day for 2 years following the birth of a child (previously 1 year) or - if agreed with the employer - reduction of working time by 2 hours per day for 1 year. To be granted to the father if the mother does not use it.
5. **Pregnant's night work**. Employers undertake the obligation to avoid placing pregnant women on night shifts. A pregnant may at any time demand to be transferred to daytime work on health grounds.
6. **Equality of sexes**. The contracting parties concur with the principle of gender equality at work. They agree to jointly promote equal treatment of men and women and equal opportunities at work (specifically in the areas of employment, payment, education and vocational training) and to endeavour to ensure that employees are treated with dignity in matters related to their sex.
7. **Establishment of an Equality Committee**, composed of three members from each side, with the tasks of:
 - monitoring the implementation of legislation pertaining to the equal treatment of working men and women and of workers with family responsibilities;
 - advancing common views on matters pertaining to equal treatment, equal opportunities and dignified treatment in matters of gender;
 - announcing the findings of its deliberations to the executive boards of the contracting parties and recommending specific measures.

It is, rather, the implementation of special measures for women stemming from the paternalistic perception that they are by nature frailer beings in need of protection and with a specific family role by virtue of which they - and they alone - stand in need of facilitative measures⁷, which truly runs counter to the concept of equality[15].

The article nine of the agreement which couples breast feeding leave with care leave creates a tension between objective needs connected with the reproductive function (lactation) and the attribution to women of the role of looking after the baby (care). This is because the article hovers between the reasoning which demands a strengthening of the responsibility of fathers, via the entitlement given to men to take up the care leave provision, and that which actually prevails and stipulates that the mother has first right to the leave because of her greater involvement in the rearing tasks in the two years after the birth and allows the man to take up the leave only when the woman does not want to take it up.

⁷ There do also exist special measures for women meant to counterbalance inequality in the rate and patterns of women's participation in paid work (e.g. lower pension requirements). The perpetuation of inequality resides in the perception that women are mainly or exclusively responsible for the exercise of parental care and, consequently, to their withdrawal from the labour market for long periods of time. These measures contribute to the reproduction and not to the overthrow of gender stereotypes and power relations.

III. COLLECTIVE BARGAINING AT THE TERTIARY LEVEL

The NGCA has particular significance and value not so much because the number of workers who are paid the national minimum salary and wage rates is large⁸ but because:

- it provides *a safety net* for workers not covered by other CAs;
its stipulations on institutional matters apply automatically to *all employees* in the economy
- it serves *as a pilot* in lower level bargaining.

The pay increases of the NGCA serve as a point of reference for sectoral and occupational bargaining and as a guide to the mediators and arbitrators of the Mediation and Arbitration Organization. In addition, its provisions on other matters serve as a point of reference for the achievement of better conditions in lower-level bargaining.

The central position of national tertiary level negotiations in the Greek system of collective bargaining confers great economic and political importance on the bargaining and conclusion of the NGCA.⁹ Analysis of the bargaining process with regard to equality issues requires a knowledge of the role, character and structure of negotiation at the tertiary level.

⁸ The exact number is unknown.

⁹ The only national tertiary level negotiation is that which leads to the NGCA. Informal consultations do take place at tertiary level in the public sector between the confederation of civil servants, ADEDY, and the government. However, given that civil servants have yet to win the right to bargain collectively and to conclude collective agreements, such consultations do not lead to binding agreements.

1. The nature and structure of collective bargaining at the tertiary level

The central position occupied by the negotiation of the NGCA in the Greek collective bargaining system confers great *economic importance* on the agreement. And because of the existence and functioning within the trades union movement of factions which are close to political parties the negotiation of the NGCA is also an event of major *political importance* and, as such, a seat of political and factional confrontation and an arena for manoeuvring and posture-taking¹⁰. By contrast, the employers, notwithstanding the existence of separate bodies for industrialists, traders and crafts, are able to negotiate from a more united position, with the only real internal differentiations being those which centre on the special interests of the various capital sections.

In their negotiations the employers are represented by the presidents of the SEV, the EESE and the GSEVEE and one or two board members and officials or legal advisers of each of those organizations. Labour is represented by the president, the deputy president, the secretary-general and the deputy secretary-general of the GSEE. The agreement is signed by the presidents of the employers organizations and by the president and the secretary-general of the GSEE or their deputies.

The bargaining process takes the following form. The labour side issues a denunciation of the existing agreement and invites the employers' side to negotiate, forwarding to it a list of demands divided into two main parts: financial claims and institutional demands¹¹. Of the latter, some have financial implications, others are social in character. In fact, many of the claims of a social character do themselves impose a financial burden. During the preparations for the negotiations, the employers calculate the cost of those institutional demands which are capable of quantification and add this cost to the cost of the financial claims.

The *financial claims* of the labour side make up the *main* issue in the negotiations. In the bargaining the protagonists adduce arguments about factors such as inflation, loss of income, business profit levels, productivity and competitiveness.

¹⁰ The major factions which are active in the Greek trades union movement are:

PASKE - affiliated to PASOK (socialists);

ESAK - affiliated to KKE (communists);

DAKE - affiliated to New Democracy (conservatives);

Autonomous Intervention - affiliated to the Left Coalition for Progress (party of the New Left).

However, despite its party political factionalism, the movement is united; unlike the labour movements of other countries in Southern Europe, it is not split.

¹¹ The financial claims consist of increases in the rates of the different components of pay, whereas the institutional demands include any change in the institutional framework relative to the conditions of pay, employment and work or other social issues.

The *institutional demands*, including *gender equality claims*, are dealt with *on a second tier*. Sometimes, when the labour side is forced to retreat on its financial claims, the institutional demands provide a counterbalance; sometimes they reinforce the content of the agreement. Until a few years ago, the only institutional demands which featured in the NGCA negotiations were ones which translated directly into financial benefits. Claims of a more pronounced social character began to be appear during the middle of the eighties. From the end of that decade onwards such claims multiplied and were reflected in the NGCA texts.

There are usually four or five bargaining rounds. Their number depends on the stances of the employers and workers, the relative strength of capital and labour, the political situation and judgments by the parties as to whether stepping-up the pressure will bring some desired result. At the first meeting the parties have a general discussion: the labour side gives an analysis of its claims - explains its reasons for making them - and the employers set out their general position. The claims are then examined one by one. However, no claim is ever resolved in isolation. The parties may reach conclusions on a number of issues, but final resolution of them is left in abeyance until all issues have been examined. That is to say, even when agreement is reached on an issue, no final bargain is struck until the level of determination of the other side on the remaining issues has become clear. Each side makes its calculations on the overall body of demands on the basis of a *comprehensive approach*.

In recent years the parties have taken to setting up committees/working parties to carry out further examination of specific issues and to draft and sign annexes to the agreements.

2. The chronicle of the 1993 negotiations

On 30.11.1992 the GSEE sent an invitation to commence negotiations to the three leading employers' organizations, the SEV, the GSEVEE and the EESE. The first meeting took place at the beginning of December.

At first the negotiators concentrated on the financial claim. The labour side objected to the fact that the employers' proposals were below its estimate of anticipated inflation and pointed out that the purchasing power of the minimum wage rates had fallen by 10% overall during the previous two years (1991-1992).

The concentration on the financial aspect delayed the commencement of discussion on the institutional demands, which included the equality issues. These arrived on the table in the second or third rounds. They were not dealt with in full in the plenary, because the various organizations agreed immediately to authorize discussion of them by the deputy secretary-general of the GSEE, who was a member of the GSEE's negotiating team and a woman, and a female member of the SEV's negotiating team.

At the beginning of February the General Council of the GSEE decided to conduct a referendum among the employees, in order to acquaint them with the situation and to put pressure on the employers to back down on the financial claims.

In the middle of April the GSEE adjusted its proposal on the financial claims, but the employers refused to budge from their position. This led to the calling of a 24-hour nationwide strike by all workers on 13 May. However, the strike was not successful.

At the sixth meeting of the two sides the employers tabled a final joint proposal on the financial claims and final discussions were held, in plenary session, on the institutional demands. A few days later, at a meeting of the full executive of the GSEE, the ESAK faction announced that its secretary-general - and negotiating member - would not sign the agreement.

On 9.6.1993 the NGCA was signed by the presidents of the SEV, the GSEVEE and the EESE and by the president and deputy secretary-general of the GSEE.

IV. THE 1993 BARGAINING ON EQUALITY ISSUES: THE RELATIONSHIP BETWEEN PROCESS AND CONTENT

In this section we shall describe and examine the bargaining process of the equality issues in the 1993 NGCA, encompassing the preparatory stage and the actual bargaining. Our objective is to reveal the reasoning, specific positions and interests of the parties involved and study their impact on the transformation of the content of the claims until the final shaping of the provisions in the agreement.

The preparatory stage included the processing of the equality agenda by the Women's Secretariat of the GSEE, its approval and final drafting by the executive of the GSEE, in particular by the president and secretary-general of the Confederation, its integration to the overall agenda submitted to the employers' organisations and the formulation by the latter of their positions on the equality agenda. The actual bargaining stage encompassed discussions at the negotiating table as well as informal consultations, conversations, soundings and contacts of the two sides outside the formal bargaining process.

We shall endeavour to shed light on and to discuss as many aspects of the process as possible, in the knowledge, however, that much will remain unknown. A main deficiency in our research has been the absence of minutes of the meetings, notwithstanding the fact that Law 1876/1990, which governs collective bargaining, stipulates that "the representatives of the parties shall keep and sign minutes of the negotiations" (Articles 4 & 7).

1. The elaboration of the equality agenda by the Women's Secretariat of the GSEE

The equality agenda was processed by the Women's Secretariat of the GSEE. Work commenced at the beginning of November 1992 with the discussion on an introductory note¹² drafted by the head of the Secretariat who was the deputy secretary-general of the GSEE. The outcome was a resolution¹³ which was submitted for discussion and approval to the plenary of the GSEE's executive. The resolution was the product of argument and dispute, convergence of views and compromise within the Secretariat. It was approved by a majority, with the ESAK dissenting on the question of part-time employment.¹⁴

¹² The text is included in the annex.

¹³ The resolution is entitled 'On the promotion of equality' and is included in the annex. It is presented in summarized form in Table 2.

¹⁴ In fact, the Secretariat's decisions are taken by consensus and not by voting; the factions express disagreement if they so wish.

The main sources of disagreement in the Secretariat were night work by women and part-time employment. The disagreement was stimulated by the knowledge that, following the denunciation by the Greek Government of international labour convention 89/51, the ban on night work by women in industrial undertakings would cease to apply from the end of February 1993. The consequences of the ratification of part-time employment via Law 1892/90 were another source of great concern to the unions.

As regards night work, the female unionists of the ESAK faction supported the retention of the ban and condemned the government and Community policy. This view conflicted with the majority view in the Secretariat that retention of the ban would ultimately be to the disadvantage of women because it would make it difficult for them to find work during a recession. The majority considered that night working should be banned only during pregnancy and for a period after the birth and demanded ratification of the new 171 International Labour Convention. This position was recorded in the Secretariat's equality agenda.

Table 2

THE EQUALITY AGENDA OF THE WOMEN'S SECRETARIAT

1. Acceptance by the contracting parties of the principle of equality and of equality of opportunities in all areas of labour relations:
 - support for equal opportunities and equal treatment;
 - study/implementation of positive actions to promote equality;
 - drawing-up by the parties of guidelines for the combating of undesirable conduct of a sexual nature and of other aspects of conduct rooted in gender difference which damage personal dignity.
2. Paid child care leave for one of the two parents in the form of:
 - reduced working time by 2 hours for the first 2 years of the child's life (from one hour for the first year which was applied at that time);
 - reduced working time by 1 hour for the following 2 years;
 - possibility of lumping-up on a weekly basis;
 - exclusively for the mother at the breast feeding stage.
3. One additional (16th) week's leave for pregnancy and birth.
4. The unpaid parental leave for sickness of children and other dependent family member to become paid.
5. Women working night shifts to be given day work during pregnancy and for a period after the birth.
6. Pregnant women on fixed-term contracts to have their contract extended to the time of birth (in undertakings with more than 30 employees).
7. A joint committee of employers and employees to study the problems surrounding gender equality and to draw up proposals for surmounting them.
8. Unpaid parental leave totalling 3.5 months between the date of expiry of maternity leave and the child's third birthday (in undertakings with 50 or more employees).
9. Paid marriage leave of 5 days.
10. Three days of paid leave to male employees for the birth of a child.
11. The unpaid parental leave for monitoring a child's school progress to become paid.

Table 3

THE EQUALITY AGENDA OF THE GSEE

1. Adoption of the principle of equality and of equal opportunities in all areas of labour relations.
2. Paid child care leave for one of the two parents in the form of:
 - reduced working time by 2 hours for the first 2 years of the child's life;
 - reduced working time by 1 hour for the following 2 years;
 - possibility of lumping-up on a weekly basis;
 - exclusively for the mother at the breast feeding stage.
3. One additional week's leave (16th) for pregnancy and birth.
4. Paid parental leave for sickness of children.
5. Prohibition of night work for women in part-time employment at least during pregnancy and for a period after birth.
6. Pregnant women on fixed-term contracts to have their contract extended to the time of the birth.
7. Unpaid parental leave totalling 3 months between the date of expiry of maternity leave and the child's third birthday.
8. Marriage leave of 5 days.
9. Three days of paid leave for an employee for the birth of a child.
10. Paid leave for the purpose of monitoring a child's school progress.
11. Formation of a gender equality committee in each undertaking with over 100 employees.
12. Obligatory provision for creche facilities at the employer's expense in undertakings above a certain size.
13. Provision for the right of decent treatment and respect of the personality at work.

As regards part-time employment, which caused the Secretariat a heated discussion, given the dominant position of women in such employment, the conflicting views reflected the following dilemma: restriction of part-time employment or protection of part-time workers? The ESAK women held to the view that part-time employment should be banned altogether, while some of the others insisted that the proper way forward would be to propose measures for the protection of part-time workers. A third group held that part-time employment was insufficiently widespread in Greece¹⁵ for the rights of workers in such employment to be accorded priority by the trades union

¹⁵ This assessment is confirmed by official statistics. In Greece the percentage of the workforce in part-time employment was the lowest in Europe in 1990 (4.1%); between 1983 and 1990 the number of part-time workers actually fell [17].

movement. In such circumstances, this claim would simply assist the spread of this employment forms. The unions should propose restrictions with a view to preventing the phenomenon spreading out of control.

The conflicting views within the Women's Secretariat did not end up into a compromise. Consequently, part-time employment was excluded from the equality agenda of the Secretariat. The package of claims relative to part-time employment which was incorporated in the overall agenda of the GSEE was formulated by the union factions at the central level¹⁶ and was negotiated with the employers' organisations. It led to an article of the 1993 NGCA which provides for the equality of treatment of part-timers and is very important for women, since they form the majority of the latter.

A comparison of the introductory note of the deputy secretary-general against the Secretariat's final list of claims brings out the following points. Firstly, the segment of the types of leave which contribute to 'reconciliation'¹⁷ was strengthened. Secondly, the segment relating to the protection of motherhood (night work and pregnant women, extension of the fixed-term contract to the time of the birth) was added in. Thirdly, the segment covering equality of opportunities at work was deleted (equality offices at undertakings with over 100 employees, explicit reference to sexual harassment in the internal rules of undertakings). Fourthly, the term 'sexual harassment' was discarded and the terminology was brought into line with that of the resolution of the European Council on 'protection of the dignity of women and men at work' [25].

In our opinion these developments had to do with:

- (a) the considerations and differences of view in the Secretariat with regard to the character and priorities of policy relating to women's problems;
- (b) the evaluation of the degree of support for the demands among working women;
- (c) the assessment, during the processing of the demands, of the external balance of forces; that is to say, the anticipated opposition from the bodies of the confederation, in which men were the overwhelming majority, and from the employers who had not until then shown any sensitivity or concern about the fostering of gender equality.

Judging from the outcome, we can say that the demands for the protection of motherhood and for 'reconciliation', whose numbers increased, appear, on the one hand, to conform with the traditional perception in the trades union movement that women should be assisted in their basic role as

¹⁶ This package reflected a fusion of the views on restriction of part-time employment and establishment of rights for part-timers (see the GSEE's bargaining agenda in the annex).

¹⁷ This word in inverted commas is used henceforth instead of the long expression 'reconciliation of family and work obligations'.

mothers¹⁸ and, on the other, to be a response to the real needs of working mothers in a country in which social welfare and infrastructures are lacking and where men still take up a small part of child care responsibilities. By contrast, the demands on equal opportunities and positive action seem immature.¹⁹ This is why the requirement at this stage is first and foremost for the stimulation of awareness about the subject through joint declarations in order to prepare the ground for pilot initiatives through the joint equality committee.

¹⁸ The reference to the right of men to take up parental leave has an educative function, but in practice it is having very little effect on the traditional perception.

¹⁹ They are waiting for the people who will shape and put them forward according to their needs and priorities. For example, the equality committees at undertakings with more than 100 employees can only function if the women on the spot are socially aware and prepared to participate actively in the committees.

2. The final formulation of the equality agenda

The GSEE's equality agenda was approved by the executive at the meeting at which the decision was taken on the confederation's overall agenda. The text prepared by the Women's Secretariat was given an easy passage by the plenary of the executive which, at that time, was giving more of its attention to the financial claims. Nevertheless, the claims for equality were substantially amended by the president and secretary-general during the final drafting.²⁰

The amendments, which can be noted by comparing Tables 1 and 2, brought about the following changes.

- (a) The demand for the setting-up of a joint employer/employee committee to examine problems concerning equality issues and to draw up proposals for surmounting them was struck out. This detached the demand for adoption by the parties of the principle of equality and equal opportunities in labour relations from the making of any commitment to take measures putting it into practice.
- (b) The demand for a joint committee was replaced by one for the formation of equality committees at undertakings with more than 100 employees, which stood little chance of being accepted by the employers, and which, even if accepted, would have had limited prospects of implementation.
- (c) The ban on night work was confined to the case of pregnant part-time workers and the amended demand was incorporated into the package of proposals on part-time employment.
- (d) A demand that creche facilities should be provided at the employer's expense in undertakings over a certain size was introduced. There was absolutely no chance of this demand being accepted by the employers.²¹
- (e) The demand for recognition of the need for measures to combat the problem of sexual harassment was toned down. The reformulation removed all references to gender and rendered the original demand unrecognizable.
- (f) The claim for paid leave for sickness in the family was restricted to children who are minors, while other dependent family members were excluded. In addition, the claim relating to the duration of parental leave was cut to that provided for in law²² (3 months); only the demand for the leave to be granted up until the child's third birthday (from the stipulation in law of 2.5 years) was retained. It is clear that there was an attempt to reduce the cost to the employer of the demands for the purpose of facilitating their acceptance.

²⁰ See the GSEE's agenda in the annex.

²¹ This was a restatement of the demand for implementation of Law 1483 of 1984 which provides for the obligatory provision of creche facilities in undertakings with more than 300 employees (Article 12). The trades union leadership was aware that the employers had firmly rejected the implementation of the law from the moment it was passed.

²² Law 1483/84 (Article 7).

The union leadership seems to have been keen to accept the claims on all the various types of leave and to confine itself to vague declarations about equality and equal opportunities in labour relations and treatment with dignity at work. This position was clearly in compliance with the paternalistic perception concerning working women ²³ that had been prevailing in the trades union movement until then and took little account of the new balance of forces engendered by the formation of the Women's Secretariat and the presence of its head in the presidency of the confederation.

In addition to revealing the perception and stance of the union leadership of that time on gender equality, the amendment of the demands pinpointed a contentious issue of procedure. The scope for arbitrary decisions by the president and secretary-general in the final drafting of the claims allowed for the balance of forces established through the open process of controversy and convergence of views in the plenary of the executive to be distorted, thus hampering the struggle of women to promote their own claims.

²³ Given that - in practice - parental leave is taken up overwhelmingly by women, the 'reconciliation' demands are not indicative of a weakening of the paternalistic perception of trade unionists concerning the 'special needs' of working mothers.

3. The negotiation and formulation of the articles of the agreement

It is not an exaggeration to say that the toning down of the claims of the Women's Secretariat was reversed by the determination of the deputy secretary-general of the GSEE and the sensitivity and good faith of the employers' representative at the negotiating table.

It should be pointed out immediately that the stance of the SEV with regard to the meeting of the claims relating to women and gender equality was positive from the outset. This gave the employers' negotiator room for manoeuvre and made it possible for the labour side negotiator to bring back into bargaining elements from the Women's Secretariat equality agenda which had been omitted in the overall agenda of the GSEE.

We will set out the basic reasoning which prompted the employers to accept or reject the demands of the labour side and present the opposing views of the parties on contentious issues which arose during the bargaining.

The employers' reasoning²⁴ was that, since equality issues were of considerable social importance and would confer a social dimension on the NGCA, the social image of employers would be enhanced as a result. The second element which helped to engender the positive stance of the employers' side was the calculation that the equality issues would not be very costly. Some of the claims did involve a financial cost, others did not. The aim was to win the kudos without incurring a big financial burden. Another deliberate objective was the avoidance of inclusion in the articles of the NGCA of 'extreme terms and expressions; the texts should not reflect extreme feminist positions and demands, but, rather, should focus on the social character of the provisions'.

²⁴ Our information comes exclusively from the SEV and relates only to its stance. Unfortunately, time constraints have prevented us making contact with the GSEVEE and the EESE for the purposes of this research. However, the authorisation given by those organizations to the female member of the SEV's negotiating team to negotiate on their behalf is, in our opinion, an indication that in principle they concurred with the SEV's negotiating position, while retaining the right not to give their approval at the final stage of negotiations. Consequently, our reference to the reasoning of the employers *en bloc*, which may at first sight appear too all-embracing, does accurately reflect the acceptance by the two other employers' organizations of the leadership of the SEV's thinking on the equality issues.

The following demands were rejected by the employers' side: (a) the extension of a fixed-term contract up to the time of the birth of a child; (b) the formation of gender equality committees in undertakings with more than 100 employees; (c) the employers' obligation for creche facilities at their expense in large undertakings; (d) the conversion of the unpaid parental leave, sick leave and leave for the monitoring of school progress provided under Law 1483/84 into paid leaves; (e) the prohibition of night work by pregnant women.²⁵

What were the employers' side arguments for the rejection of these claims? Employers use fixed-term contracts to accomplish specific tasks of specific duration. This precise function of such contracts could not be disregarded by prolonging them for female employees who become pregnant. The formation of equality committees was considered a peripheral matter, the argument being that there were other problems at the workplace more important than equality and that a plethora of committees would be disturbing for the functioning of firms. The creation and operation of creche facilities were rejected, firstly on the grounds that they are extremely costly for employers and, secondly, because they do not comply with the role of firms.

Paid parental leaves were rejected on the grounds that they would be very costly and that the granting of pay would simply encourage employees to take them up. The employers considered that the current leave arrangements were satisfactory and warned that any extension of the arrangements would damage competitiveness. In other words, the employers' side was totally unwilling to shoulder the cost of reconciling family and work obligations.

The employers also believed that arrangements which were more favourable to women than to men, such as the proposed provision on night work, would be burdensome for firms and would ultimately operate to the detriment of female employment. The prohibition of night work by pregnant women was therefore firmly opposed by the employers' negotiator from the outset.

Indeed, she invoked the Directive of the European Council [27] via which a woman is released from the obligation to do night work during pregnancy and for one year after giving birth on production of a medical certificate stating that her health or safety would be jeopardized by such work. Article 10 of the NGCA was drafted on the basis of that directive. The labour side negotiator objected to that line of thinking on the grounds that directives make minimum provision and that scope for improvement in the situation did exist. However, the only concession that she was able to extract was insertion in the article of an appeal to undertakings "to refrain from placing pregnant

²⁵ The claim of the Women's Secretariat demanding the prohibition of night work by pregnant women differed from the final formulation of the GSEE, which confined the demand to the case of part-time workers, and was resuscitated independently by the deputy secretary-general during the negotiations.

women on night shifts".²⁶

We have left to the end our account of the positive results of the negotiations and of the considerations which motivated the employers' acceptance of the specific elements.

(a) The extension of maternity leave to 16 weeks. Acceptance of this demand was assisted by the fact that the cost of the additional week *would be borne by the social insurance organizations* (the IKA and the OAED).²⁷

(b) The extension of parental child rearing leave and the provision of paid leaves for marriage and the birth of a child. These claims were easily accepted because, in the first case, *no cost would be involved* (as before, the parental leave would be unpaid) and, in the second case *the cost would be minimal*.

(c) Breast feeding and child care leave with pay. Despite the cost for employers from the meeting of this demand, the latter was achieved without difficulty through bargaining, because the executive of the SEV had already decided to accept it in advance. The pronounced *social character* of the demand the *low birth rate*, an argument used among others by the labour side, helped its acceptance.

The employers' side consider the conversion of the pre-existing breast feeding leave into a breast feeding and child care leave as well as the granting to men of the right to take it up to be "revolutionary". The labour side views the measures as major gains in the cause of equality.²⁸

(d) The joint declaration, *firstly* on the promotion of equal treatment and equal opportunities, which involved determining for the first time what gender equality meant to both sides, and, *secondly*, on sexual harassment. The reference to the latter was more muted than in the demand formulated by the Women's Secretariat but, nevertheless, clearly more satisfactory than that which had appeared in the overall agenda submitted by the GSEE.

²⁶ The labour side also raised objections to the way the article was drafted at the meeting at which the agreement was signed.

²⁷ The EESE representatives raised objections during the negotiations because of the high percentage of female employees in commerce.

²⁸ We recall that the GSEE had demanded the change of the pre-existing maternal breast feeding leave into a parental child care leave; the new leave should be available exclusively to women only during the period of breast feeding. It is noteworthy that until then, according to jurisprudence on the maternal breast feeding leave, all women with a child under one year were entitled to it, no matter if they performed breast feeding or not. This means that the maternal breast feeding leave had already been functioning as a maternal child care leave.

The difficulty in getting the employers' side at the negotiations to accept the subsumption of the existing breast feeding leave in a new and more widely applicable parental child care one led to a compromise. Both leaves were combined in one for "breast feeding and care" and mothers were granted a priority in taking it up. This concession from the labour side made it easier to achieve the extension of the existing breastfeeding leave in order to cover the general care needs of the child, but with the cost of retreating from the perception that parents are equally responsible in regard to the provision of care to the child to the perception that mothers are mainly responsible.

(e) The setting-up of a joint equality committee charged with the formulation of common proposals for specific measures.

The two last points were gains of enormous importance for all female wage-earners because of the prospects that they opened up for the promotion of equality. Both sides saw them in that light. Acceptance by the employers' side was founded on the reasoning that meeting the demands would give employers a *modern profile* in keeping with altering social perceptions and attitudes to gender equality.

From the previous analysis it has become clear that only the extension of the breast feeding leave had some worthmentioning cost for the employers, while the anticipated cost of the two last institutional innovations remained uncertain, depending on the balance of forces during the subsequent years.

V. FACTORS WHICH EXERTED A POSITIVE INFLUENCE ON THE OUTCOME OF THE 1993 EQUALITY NEGOTIATIONS

In the previous section we provided a detailed step by step account of the bargaining process in relation to the development of the content of the agreement. We stated which factors were influential at each stage of the process in the shaping and reshaping of the content until the final text was agreed.

In this section we examine the main factors which led to the good outcome of the 1993 NGCA as regards gender equality. We distinguish between those factors which were of determining importance to the outcome and those which created a good climate for bargaining.

In our opinion, the determining factors of the good outcome of the NGCA were those relating to female subjectivity, collective and individual. Specifically, the good work of the Women's Secretariat in the preparation of the demands, the development of a feminist argumentation and voice within the Secretariat, the presence of a feminist in the union leadership and her participation in the bargaining and the presence in the employers' negotiating team of a woman who was sensitive to gender issues.

Among the factors which engendered a good climate and helped to place the negotiations on a favourable footing we include the quest by the leadership of the GSEE for a new and wider social role for the unions, the desire of the SEV to give the Greek entrepreneur a different social image and the initiatives of the European Union which have brought social policy issues to the fore in the social dialogue.

1. The decisive role of the Women's Secretariat of the GSEE in the preparation and argumentation of the demands

The first factor of determining importance to the final outcome of the negotiations was the careful preparation of the demands by the Women's Secretariat of the GSEE.

The Women's Secretariat was established as the result of an initiative by three feminist trades unionists²⁹ who had happened to be elected at the same time to bodies of the GSEE at the 1989 conference - two of them to the Executive and the other to the General Council - which gained the approval of the then leadership of the GSEE.³⁰ At the beginning the Secretariat was composed of 12 women from the various factions - not all of them feminists - who had been elected to positions in trades union bodies.

The Secretariat spent its first years processing positions and demands, but not with any intention of becoming involved in NGCA negotiations.³¹ That was to come after the GSEE conference of 1992 and after the Secretariat had renewed its membership, expanded its numbers and made possible the participation of feminist trades unionists who had not been elected to bodies. Hence the first occasion on which the Women's Secretariat undertook the preparation of equality claims for bargaining purposes was for the NGCA of 1993.

This had the following consequences. Firstly, for the *first time* in the history of the GSEE the interests of female employees, as translated into the specific demands, had been formulated by members of their own sex rather than by men. Secondly, the condition that demands be properly explicated, which is one of the prerequisites for successful negotiation, was fulfilled. That is to say, one should be clear about what is being sought, what for and how to put it forward.

²⁹ For the record the women were F. Sianou and E. Hioni, members of the Executive and officials of the ESAK, and A. Karamanou, a member of the PASKE at the General Council. F. Sianou was the deputy secretary-general of the GSEE who signed the 1993 NGCA. She has headed the Women's Secretariat since it was formed in 1989.

³⁰ It was officially registered at the constitutional conference of the GSEE in the following year (December 1990) [6].

³¹ See the action programme of the Secretariat at that time [4].

2. Gender awareness and the qualitative turn of the demands concerning women

If good preparation and explication of the demands was the first determining factor in the achievement of the good outcome, the second factor was undoubtedly their quality. This latter was dependent on the gender awareness of women trades unionists and on the integration of the struggle for equality and women's liberation into their priorities.

In this regard we have to say that in Greece feminism³² and trades unionism have met each other rather late and on very few occasions. From the fall of the dictatorial regime in 1974 until the formation of the Women's Secretariat at the GSEE in 1989, only sporadic initiatives of women's collective action had taken place and some informal women's committees within public sector undertakings, organizations and banks had operated. However few, these initiatives challenged the dominant view of trade unions, including their women officials, on the problems of working women.

This dominant view can be summed up as follows:

- (a) women should advance their *special claims* in tandem with men;
- (b) special claims are those connected with *motherhood* i.e. *protection* and *assistance* of the working mothers so that they can cope with both roles of worker and mother and *more advantageous provisions* for women as compensation for their social contribution as mothers.

An important ideological turning-point, in connection with the formation of the Women's Secretariat and the orientation of the content of demands towards the precept of equality, was the espousal of feminism by the two female trade union officials who were 'founder' members of the Secretariat and belonged to the ESAK.³³ This development had to do with the ideological and political ferment and realignments of that time³⁴ which brought about an osmosis between the female trades unionists of the traditional left and the feminists of the new left.³⁵

³² There is no commonly accepted definition of feminism. Our view is that this concept is wide and includes an ideology and a movement for social change aiming at the overthrow of male social privileges and of male domination over women. About the different uses of the term feminism in history and the theoretical, methodological and political controversy over its definition, see the article of A. Psara [21]. In the Greek context, feminists unionists differ from the other women unionists who are also concerned by women's problems in that they attribute women's subordination first and foremost to men, whereas the others to 'social attitudes' or 'capital'.

³³ ESAK is the trades union faction which is affiliated to the Communist Party of Greece (KKE).

³⁴ We refer to the repercussions within the Greek Communist Party of the changes which took place in the former USSR after perestroika and glasnost and led to the formation in Greece of the Left Coalition for Progress - chiefly from among members of the KKE and the EAR.

³⁵ The political ground occupied by the new left has as its common point of reference the ground formerly occupied by the party of KKE - Internal which split in 1987.

Their encounter with feminism led those female trade unionists, together with the third 'founder' member of the Women's Secretariat, the member of the PASKE, to embark - for the first time on such a scale in the trades union movement - on raising the issue of inequality, of power relations and of the conflicting interests of the two sexes within the working class and the trades union movement itself.³⁶

However, the fact of the ideological ascendancy of the feminist viewpoint within the Secretariat did not prevent conflict breaking out, chiefly after 1990,³⁷ with female trades unionists from the ESAK who believed that feminist demands would shatter the united front of the two sexes against the main enemy, namely the employers.

In addition, therefore, to the conflicting views on the issues of part-time employment and night working for women, one notes a polarization as regards the types of demand being urged by the two sides. The ESAK faction had as its preferred ground the issues relating to motherhood and creches, while issues such as equal opportunities at work and sexual harassment were the exclusive preserve of the feminist side.

It was therefore not by chance that the most innovative demands in the list of the GSEE's equality claims for 1993 originated from the feminist side of the Secretariat. This is proof of the influence of gender awareness on the content of the demands, in spite of the compromise which affected the final equality agenda.

However, the preparation of the 1993 bargaining position is a landmark not just because of the existence of innovative demands in the bargaining agenda, but also, and above all, because it engendered a change in the perception which had previously pervaded the demands of the trades union movement on behalf of women. From demands **'for women'** we had passed to demands **'for equality'**. As a consequence, even the traditional demands for the protection of motherhood and for the assistance of women were subordinated to the new perception of gender equality.

³⁶ The first battle given by the three women was on the issue of quotas, which they put to the vote at the constitutional conference of the GSEE in December 1990.

³⁷ In 1990 the KKE split and the party withdrew from the Coalition. A minority faction remained within the Coalition.

3. Women with gender awareness/sensitivity in positions of responsibility; female negotiators

The third determining factor of the good outcome of the 1993 NGCA was the presence of women with *gender awareness* or *gender sensitivity*³⁸ in positions of responsibility and in the negotiating teams of both the labour side and the employers.

As far as the labour side is concerned, it should be pointed out that at the 27th conference of the GSEE (March 1992), for the *first time* in the history of the Greek trades union movement, a woman was elected to the presidency of the GSEE's Executive Committee, and moreover to the position of the deputy secretary-general, which ranks fourth in the hierarchy. In that capacity she participated by right in the bargaining team for the drafting and concluding of the NGCA and was appointed head of the Women's Secretariat.³⁹

Immediately after her election the Women's Secretariat embarked on the processing of the equality agenda, which within the GSEE itself and during the NGCA negotiations were supported by the head of the Secretariat in person.

Today, the then deputy secretary-general attributes the ease with which she was able to get the claims of the Women's Secretariat approved by the executive of the GSEE to her senior position at that time.⁴⁰

In addition, she attributes the successful outcome of the equality negotiations to the priority that she herself accorded to the issues.⁴¹

On the employers' side, the female official of the SEV who negotiated the equality issues had been a negotiator at the secondary level for the SEV for about fifteen years, and in the immediately

³⁸ We explain hereafter the use of these terms. In our view, gender awareness means awareness of the social nature of gender power relations and the willingness to eradicate them, whereas gender sensitivity means perception of women's inferior position in society and willingness to improve it.

³⁹ The deputy secretary-general was none other than F. Sianou who had headed the secretariat since 1989.

⁴⁰ 'Because of the seniority of my position I had many responsibilities. That was important, because my message was not one-sided, not just about women's issues... If you were to go and put forward only women's issues you would get nowhere. They would either be rejected or minimised. It was very important. Just as in a political party: if you are involved with foreign policy and are a feminist as well you can say a bit more' (extract from an interview with F. Sianou).

⁴¹ 'I had nothing else on my mind; no other worry. From the beginning of the negotiations I waited like a hawk for the right moment to get in and put forward the issues in a way that would make it easier to get them through. My heart was beating fast...The social dialogue is so crucial. It can only be conducted by persons of sensitivity who attach priority to these issues and can find and deploy arguments' (extract from the interview with F. Sianou).

previous years had had full responsibility in all negotiations involving the SEV as a contracting party. She had participated in the bargaining of the NGCA since the end of the eighties.

This woman had the task of processing the GSEE's demands, and after doing so she made a positive recommendation to the executive of the SEV on the equality issues. During the negotiations she displayed a determination to find solutions. If she had not participated in bargaining it is doubtful whether the employers' side would have had the desire or inclination to meet so many of the equality demands.⁴²

⁴² 'Of course, if someone puts the issues on the table - I am speaking about our side -, whether the executive decides that it is all right to accept some things, or that we should work for a better image and deal with a wider range of issues, depends on its position and general policy at the particular time - in 1993, 1995 or now. I could have put the issues on the table and the executive could have said it wasn't interested, that it wanted nothing to do with them. But if there had not been a woman in the negotiations I doubt whether our side would have had the desire or inclination to find solutions to those issues. A few things may have got through, but not all of them' (extract from an interview with E. Tsoumani, official of the SEV and the employers' negotiator on equality issues for the 1993 NGCA).

4. Factors that created a favourable context

The development of women's collectivity and the existence of female representation and gender awareness/sensitivity were unquestionably catalysts in the achievement of the good outcome of the 1993 bargaining on equality.

However, the good outcome was facilitated also by the fact that 1993 was the conjunctural 'instant' of a more general movement towards the reshaping of labour relations and of the conduct of employers and labour, which had been looming into view since the end of the eighties.

The traditionally conflictual character of industrial relations had begun to wane and the logic of social dialogue and social partnership was gradually coming to the fore. As provisions of the NGCA on social issues (unemployment, health and safety, vocational training etc.) grew in number, new bilateral institutions were being created and new initiatives were being developed. The developments at that time within the EEC (the Social Charter, the role of the social partners in the bargaining of rights stemming from the charter, the European Commission's recommendation for agreements on social policy issues) were also helping to lead matters in the same direction.

The change in industrial relations was accompanied and augmented by developments within the two major organizations - the SEV and the GSEE. The SEV, for the first time since the war, was endeavouring to cultivate and present a new image in which the Greek entrepreneur would have a social profile and employers would have autonomy vis-a-vis the state. On the other side, the new leadership which emerged at the 25th conference of the GSEE in 1989 was seeking a widened social role for the unions, beyond narrow financial claims, as a means to combating the membership crisis facing the trades unions and to improving their image in society. Given the very big increase in the participation of women in the labour force in the seventies and eighties, which had not however been accompanied by a corresponding rise in female participation in the trades unions, the move towards issues of interest for women was part of the trades union leadership's attempt to change the general profile.⁴³

To sum up we can say that the 1993 bargaining on equality issues was positively influenced by the trend of the previous years towards the achievement of more gains of a social nature through the NGCA and by the climate of social dialogue which existed between the parties.

As regards the economic background to the 1993 negotiations, the recession which had begun in

43 At almost the same time that it set up the Women's Secretariat, it established a number of other new secretariats (youth, environment, sports).

1990 was still present and the purchasing power of the minimum wage rates had fallen for the third year running. It is clear that in the negotiation for increases in nominal wages the labour side was not only unable to win restitution of income losses but could not even safeguard the purchasing power of the national minimum daily and monthly wages. On the other hand, the employers took a hard position on the financial claims but wanted 'social peace' and did not wish to break off the social dialogue.

In the give and take which is the essence of every negotiation, the equality issues clearly functioned in 1993 as an important aid to the final achievement of the agreement by offsetting the labour side's retreats on the financial claims.

This does not in any way mean that the respective endeavours to improve the social image of the employers and bolster the legitimacy of the trades union leadership were decisive in the achievement of the good outcome of the NGCA as regards the equality issues. If the latter had not been advanced by the Women's Secretariat, at a time when the conditions for their promotion were opportune from the standpoint of female subjectivity, no trades union leadership would have tabled them and no employers' body would have bothered to find them. The fact that they eased the way to an agreement which was 'bad' for employees in the financial sense in no way detracts from the great importance of that agreement for working women with regard to the dynamic that it created for the promotion of equality through collective bargaining.

VI. IMPLEMENTATION OF THE EQUALITY PROVISIONS OF THE 1993 NGCA

With the exception of marriage leave and leave for the birth of a child, big problems have been encountered, and still are being encountered, in the implementation of the equality provisions of the 1993 NGCA. The problems vary from provision to provision, as do the factors involved.

In the case of maternity leave there was a delay in sorting out the payments⁴⁴ because the payment by the IKA and the OAED of the benefit for the additional week required legislation. The legislation took nearly a year to arrive (Law 2224/94, Article 9). The implementation of the maternal leave provision is now free of problems.

The implementation of parental child rearing leave has not met any additional problems arising from the improvement in the 1993 NGCA of the requirements and conditions under which it is granted. But the leave is still not being widely taken up because it is unpaid. The take-up rate by men is extremely low, and in most cases when they do take it up they do so for financial or professional reasons rather than in order to look after the child. Likewise, it is implausible that men will take up the new parental child feeding and care leave provided for by the NGCA.

The objective of equality will not be achieved solely via legal regulations or contractual provisions relating to 'reconciliation'. It requires a change in values and a change of mentality. That is the conclusion we can draw from the take-up rate of the various parental leave possibilities available to the Greek employees: child feeding and care, child rearing, care for a sick family member and the monitoring of school progress.

Concerning the breast feeding leave, its extension by one year provoked a wave of dismissals of women in the textiles and clothing branches⁴⁵ and unrest. An implementing article was thus inserted in the NGCA for 1994-1995 committing the contracting parties to urge their members to consult about the granting of the leave and stating that the parties considered that the advances brought

⁴⁴ See, for example, in the annex, the protest by the Clothing Workers' Union of the Messinia prefecture to the administration of the IKA, the Ministry of Health, Welfare and Social Insurance and the Minister of Labour.

⁴⁵ The negative reaction of employers to this measure was general in these sectors. The presidents of the Panhellenic Association of Knitwear Crafts and Industries and the Association of Clothing Manufacturers addressed a protest to the president of the GSEE calling for the implementation of the measure in their branches to be delayed for two years to assist their "survival in the intensely competitive European environment" (see the full text in the annex).

about by the 1993 NGCA "ought not to create less favourable conditions in employment and industrial relations."

We should point out that actual implementation of the various forms of leave in the private sector depends to a large extent on the situation in the labour market and the strength of the unions. Women who take up leaves put a burden on their employers and are therefore more likely to be made redundant. When the possibilities of finding a job elsewhere are slim and there is no trade union to support them, women either refrain from asking for a leave or withdraw their application after the employer's first refusal to grant it. The same applies to the non-performance of night work by pregnant women for health reasons.

Of course, most of the implementation problems occur in small firms, where the cost is more difficult to absorb and replacing staff is more of a problem, and in industries with a high percentage of female workers. The under-functioning of the Labour Inspection ⁴⁶ and the time-consuming and expensive procedure involved in the seeking of justice through the courts⁴⁷ are additional impediments to the implementation of measures determined through agreements and of labour and social law in general.

As regards the Equality Committee, this functioned for a while at the beginning but has since languished. One basic reason is the lack of *officials* and *support personnel* to be appointed from both the SEV and the GSEE. This shortcoming, in tandem with ideas regarding the creation of a body to carry out research into equality issues, with access to undertakings, led to agreement, in Article 11 of the 1996-1997 NGCA, on the establishment of an agency, with equal employer and employee representation, to deal with issues relating to equal opportunities between the sexes.

In conclusion, we can say that the implementation of the equality provisions of the 1993 NGCA depends on the willingness of employers to carry the cost of the social policy measures that their representatives sign up for, on the method of functioning of the bodies charged with monitoring the implementation of labour and social law, on alteration of the perceptions of the social roles of the two sexes and on the establishment of the Equality Agency and the ability of the bodies concerned to provide the resources and personnel that it will need.

⁴⁶ A survey by a GSEE committee has shown that the number of controls carried out by the Labour Inspection Offices fell by 48% between 1985 and 1994. Staffing levels at the Labour Inspection Offices are exceptionally low in relation to the number of undertakings that have to be covered.

⁴⁷ In 1994 only 15% of the cases brought to the courts by the Labour Inspection Offices were actually heard and dealt with.

VII. EPILOGUE

If the negotiation of the 1993 NGCA was a point of reference and landmark for the promotion of equality through collective bargaining and if the tertiary level serves as a pilot for lower level collective bargaining, the following question needs to be asked. Did the 1993 NGCA really open up a **perspective** for the promotion of equality through collective bargaining or was it **incidental**?

The presence of articles relating to equality in later NGCAs (1994-1995, 1996-1997), which either implement provisions of the 1993 NGCA or further promote certain demands, is a positive indication of the dynamic engendered by the 1993 NGCA and of the continued activity of the Women's Secretariat of the GSEE, notwithstanding the fact that since 1995 the confederation has not had a woman in its presidency and negotiating team.

On the other hand the 1993 NGCA has not served as a pilot for lower level bargaining. The Federation of Banking Unions, the Federation of Insurance Companies Unions and the Federation of Employees in the Greek Telecommunications Company have used the collective bargaining process to promote equality, but in parallel with the GSEE. They have not used the 1993 NGCA or any later NGCA as a point of reference. As for positive actions to promote equal opportunities in Greek undertakings, these remain nonexistent.

The current situation is proof of the inability of NGCAs to stimulate an equality dynamic by themselves when local conditions for the promotion of equality are missing. The determining factors which helped to bring the 1993 NGCA about are absent, first among them the fostering of women's awareness and collectivity within the trades unions.

Awareness of the situation described above has impelled the Women's Secretariat to focus on two priorities:

- (a) the creation of a female trade unionist network within the GSEE's labour centres and federations for the purposes of mobilizing working women, stimulating awareness in and action through the trades union movement on the issue of equal opportunities and developing equal opportunity claims aimed at employers and the state;⁴⁸
- (b) the bringing into being of the employer/employee Equality Agency and the vesting of it with the tasks of preparing proposals and promoting initiatives at the national and local levels.

The bringing into being of this agency and future success in getting acceptance of equal opportunity

⁴⁸ See the decision of the 2nd GSEE's National Conference on Women (30/11-1/12 1995) in the annex.

demands will depend, of course, on the stance of the employers' organizations and of Greek firms. Equality has a financial and organizational cost. To what extent are Greek firms prepared and able to cover (fully or partly) the cost of reconciling family and work obligations and of positive actions, which are the main instruments for the promotion of equal opportunities? Are competitiveness and equality incompatible, or can they co-exist?

The prospects for the promotion of equal opportunities through collective bargaining depend on realization of the priorities referred to above and on the answers to the two aforementioned questions. Yet, stimulation of awareness among working women and their mobilization are still its main determinants.

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ANNEX

CONTENTS

1. The 1993 National General Collective Agreement.
2. Circular No 14/8.7.93 to the labour centres and affiliated federations of the GSEE.
3. Invitation from the GSEE to the SEV, the GSEVEE and the EESE 'to commence negotiations aiming at the drafting and signing of a new national general collective agreement', Athens, 30.11.1992.
4. 'On the promotion of equality', Decision of the Women's Secretariat of the GSEE in relation to the claims to be tabled in the negotiation of the 1993 NGCA, signed by F. Sianou.
5. 'Thoughts on the NGCA - A proposal for discussion', introductory note submitted by F. Sianou to the Women's Secretariat of the GSEE, Athens 29.10.1992.
6. Decision of the GSEE's National Conference on Women, 30 November - 1 December 1995.
7. Appeal by the Clothing Workers' Union of the Messinia prefecture to the administration of the IKA, the Ministry of Health, Welfare and Social Insurance and the Minister of Labour.
8. Protest of the presidents of the Panhellenic Association of Knitwear Crafts and Industries and the Association of Clothing Manufacturers to the president of the GSEE.