

## Arnd Küppers: The end of the free collective bargaining?

The future validity of the traditional German social market economy, which seeks to reconcile the principles of the free market and social balance, has been questioned over the last years. At the core of criticism there were various social and legal regulations, among others the issues of free collective bargaining, with which this paper will deal. It shows that in view of the employers' economic power the system of collective bargaining and its protective function for the employee is still indispensable. A flaw of the existing system, however, is the fact that so-called corporate agreements for work have no legal framework so far. In this context an limited amendment in labour law will be necessary.

## Elke Mack: Work as right of participation

Structural unemployment is an avoidable ethical problem. An institutional duty for political actors to include the unemployed can be ethically justified, because working is existential for human beings in order to stay healthy and lead a good life. Persons are not yet entitled to a right to work by financial compensations or by public financing of working places. Rather political ramifications have to include the persons concerned in labour markets and give them a chance to earn property assets. "Work as a right to inclusion" is discussed in this article as well as justified means of implementation of the right to work.

## Elmar Nass: The German example at the crossroads

Cultural-ethical and empirical data outline the German splits between the preservation of the basic ideas of social market economy and the adjustment to the allegedly and universally valid recipe of a free market economy according to Anglo-American patterns. The trend

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on the German labour market back from big enterprises down to medium-sized companies is, however; no indication for a promising about-turn. This has to be supplemented by educational and social policies which must be geared towards an obligatory set of social values. With such a profile the German labour market can retrieve and expand its comparative advantages in international competition.

## Matthias Möhring Hesse: Free collective bargaining for white collars

Last year hospital doctors have shown solidarity and fighting spirit – and have succeeded in industrial action against councils and state authorities. In this they have proved the advantage of solidarity – and this in the area of collective bargaining, whose advantage is often being disputed these days. The fact that solidarity was only obtainable for the physicians by segregating themselves from other groups, cannot be justified towards those who have excluded them from their solidarity. The doctors' strike was probably not the beginning of a collective bargaining policy that is differentiated by occupational groups. Unions will, however, have to take into account groups with higher income; the German system of collective bargaining will therefore be less than in the past be in a position to take care of an even balance of income.

## Norbert Feldhoff: No wage-dumping

For more than 480.000 staff in the various institutions of the German charity organization Caritas there is a unified wage under the collective agreement. Wages and working conditions are decided on by an equal representation committee. In view of the pressure

of growing competition among all sectors of public health and social services this system is being often called into question today. Will the collective wage system of the Caritas-association have to be differentiated by regions and branches in order not to demand too much of the performance of individual companies and associations? Will the wages still be – which is today's practice – linked to collective wages in other areas in the public sector? How obligatory is the Caritas collective wage system for the individual employers? What does the Church do against departures from this system, particularly in the low-pay sectors? Are the criteria of Catholic social teaching for fair pay still internally valid? Will there be – in the near future – a competitive wage system in charitable institutions? Norbert Feldhoff pointedly and competently gives answers to these and others questions.

In his commentary **Karl-Josef Lauermann** reminds us of the publication of the papal encyclical „On human labour" (Laborem exercens) of 1981. This circular of the former Polish pope is still surprisingly valid today: His warning against a primitive capitalism, which subjects man to the material production processes and profit objectives, the admonition, not to take mass unemployment for granted, the concern for young people who refrain from raising a family, because work and sustenance are lacking or seem uncertain. In contrast to this there is the Christian conception of man: Not as an object but as a subject man fulfils his dignity in the world of work.

## Ottmar Schreiner: Politics does have an influence

Do significant wage rises put the economic growth at risk by additional



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costs for companies or do they boost the economy by strengthening domestic demand? Do we need an expansion of the low-wages sector or are there already too many „pauper-wages“? What is the influence of politics on the development of wages? What are we to think of initiatives for the introduction of low wages or of supplementary wage systems? Is it realistic and sensible to stick to the goal of full employment? Ottmar Schreiner argues for a stronger involvement of

politics in favour of a rise in employees's incomes. It is not acceptable that many full-time employees cannot live on their income. Appropriate measures for the improvement of the situation are the introduction of legal minimum wages, the creation of a framework, under which as many collective wages as possible are to be declared binding, the expansion of public spending and a massive initiative for the improvement of qualification and learning.

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