

Trade union responses to the COVID pandemic



COVID-19

The pandemic has prompted a range of trade unions across the world to take action on behalf of their members. But what has this consisted of and how effective has it been so far? Do the trade unions tend to combine specific COVID-related activities based on working conditions (e.g. furlough payments during lockdowns) with wider but connected issues, such as equality and diversity? And what of governments: how have they reacted to union initiatives? We take a look in this survey of 23 Ius Laboris countries.



Trade union responses to the COVID pandemic

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Executive Summary

Our survey has revealed a number of different approaches by unions across jurisdictions, with some taking many new initiatives and helping drive broader changes, whilst others have struggled to do the sorts of activities they would do in normal times.

In terms of those that have been more expansive in their aims than simply focusing on the COVID-basics (working conditions during lockdowns etc.), it hasn't all been plain sailing, as governments haven't always responded unequivocally. That said, union activism seems to be bearing fruit in certain legislatures, such as Canada, where various provincial governments have agreed to sick leave programmes and are sensing the pressure in terms of increasing tax on companies and high-earning individuals. And it seems that the focus of the unions on social justice is drawing the attention of potential new unions members and increasing their profile more generally.

In France, a heavily unionised country to start with, the initial response was surprisingly muted, but has picked up recently, particularly around the issue of teleworking. A 'telestrike' was even organised in which workers from home declared themselves on strike and deliberately did not connect their equipment.

In Germany, the unions have been particularly active, perhaps unsurprisingly, given their high profile in the country, making a range of demands including free COVID testing by employers, the inclusion of occupational doctors in the vaccination strategy and other health-related proposals. The unions are also tackling related issues, such as the burden placed on women as a result of the pandemic. They have also focused on the environmental and social measures all businesses will need to put in place to address climate change and, in an innovative move which unions elsewhere might be interested to note - are calling for funds that were set up to deal with COVID to be continued for environmental purposes into the future.

Elsewhere, too, our data shows that unions are using the opportunity to broaden out their activities beyond the immediate need for financial support for workers during COVID and so, for example, in Austria, the Austrian Federation of Trade Unions has combined its COVID efforts with gender, issues affecting older employees and impacts on those especially affected by the pandemic.

In the UK, the unions have been markedly active, for example, taking a number of issues to court and running high-profile media campaigns to ensure the pandemic is not used as a pretext to reduce employees' rights – though it has to be said that this has been met with a mixed response from government.

But not all unions have taken up the COVID challenge in an active way. In Belgium, for instance, the feeling is that the national unions have in some ways been less effective than in pre-pandemic times, in the main because of the ban on gatherings - despite there being some strikes. In Brazil, the unions seem to have failed to find an overall relevant role for themselves. In the Netherlands, although there has been moderate union activity, the issues that form part of the fall-out from COVID-19, such as gender and equal pay, are, if anything, getting less attention than usual.

Overall, our feeling is that even the unions that have struggled to find their feet during the pandemic will do so over the course of the next few months, as they play their part in ironing out how the working world should look in the longer term. It will not just be a matter of going back to the way it was before – the pandemic has gone on too long for that. There will be a plethora of issues to negotiate, for certain.

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Austria

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2. What kind of union actions have taken place in your country as a result of the COVID-19 pandemic?

There are/were several initiatives and proposals that have been raised in recent months by the Austrian Federation of Trade Unions (Österreichischer Gewerkschaftsbund, 'ÖGB') as the umbrella organisation of the Austrian unions). However, the procedure remains basically the same: The Austrian Government makes a proposal for amendments and the ÖGB immediately refuses or the other way round so that no concrete measures or compromises have been agreed on and no unilateral measures by the ÖGB have been pushed forward intensely.

Most recently the following topics have been part of the unions' public initiatives and/or communications:

Increase in governmental unemployment payments

In March 2020, in connection with the first lockdown, the ÖGB requested that unemployment payments be raised from approximately 55% of the employee's net income to 70% of net income during the Covid-19 crisis.

Subsequently, several other governmental measures, in particular the Covid-19 short-time work scheme with essential payments by the state, were implemented and helped greatly to avoid redundancies and unemployment, and as a result the unions did not further push this request. <https://www.oegb.at/themen/arbeitsmarkt/arbeitslosigkeit/hoeheres-arbeitslosengeld-verhindert-wirtschaftlichen-absturz->

Recently the Federal Economic Chamber proposed to reduce governmental unemployment payments (at least after a few months of unemployment), and the Ministry of Labour is currently working on a modification of the

unemployment payment model and looking for options to stimulate the labour market after the end of the Covid-19 short-time work phase. The ÖGB immediately criticised this proposal and referred to its (previous) idea to raise the unemployment payments, which would become even more crucial in the near future according to the ÖGB.

<https://www.oegb.at/themen/arbeitsmarkt/arbeitslosigkeit/was-ein-degressives-arbeitslosengeld-bedeutet>

Fight against unemployment

At the beginning of August 2020 the ÖGB presented its 'extensive program against the Covid-19 crisis', which again included a request for an increase in unemployment payments. Further labour-market-related measures in connection with Covid-19 concerning especially affected groups (e.g. older employees, youth) were included in the program, as well as pre-pandemic requests concerning the reduction of working time (without wage reduction).

Link concerning presentation of the programme:

<https://www.oegb.at/themen/arbeitsmarkt/arbeitslosigkeit/oegb-kaempft-gegen-arbeitslosigkeit?d=Tou>

Link to the proposed reduction of working time:

<https://www.oegb.at/themen/arbeitsrecht/arbeitszeit/arbeitszeitverkuerzung-wirkt-krise-70er>

On the other hand, the Government announced its 'project spring-board' in April 2021 (the concrete measures are still to be worked out) aimed at re-employing 50,000 long-term unemployed persons through monetary support of employers employing such persons. The ÖGB basically supports the idea but once again claimed that the measures are not broad enough and repeated its request to raise the unemployment payments.

https://www.ots.at/presseaussendung/OTS_20210503_OT_S0080/oegb-reischl-die-langzeitarbeitslosigkeit-ist-explodiert-wir-brauchen-konkrete-loesungen-statt-ankuendigungspolitikhttps://www.ots.at/presseaussendung/OTS_20210511_OT_S0093/langzeitarbeitslosigkeit-arbeitsklima-index-zeigt-versagen-von-bund-und-land-schonungslos-auf

Corona based extra payment

The ÖGB also requested an extra payment of EUR 1,000 for the 'heroes of the Covid-19 pandemic' and collected 140,000 votes for this measure.

As far as we can see this is the only measure initiated by the ÖGB that made it to the Parliament. Initially the Government opposed this proposal, referring to the several other measures already taken by the Government. However, recently a tax advantaged payment of EUR 500 to these 'heroes' (e.g. doctors, medical personnel) has been agreed to by the Government and immediately communicated by the ÖGB as its own (partial) success.

https://www.ots.at/presseaussendung/OTS_20210516_OT_S0020/oegb-katzian-500-euro-corona-bonus-fuer-aerzte-und-pflegekraefte-ist-teilerfolg-fuer-oegb

Better balance of family and work

The Chamber of Labour recently presented a study evaluating the situation of parents during the Covid-19 pandemic. The conclusion of this study is that parents are under considerable strain to be flexible and adapt. Hence, the Chamber of Labour has requested extension of childcare measures and options by the state to further relieve parents and a legal entitlement to childcare. As far as we can see the Government has not commented on this proposal so far.

<https://www.arbeiterkammer.at/kind-und-job>

3. Are the unions combining their COVID action with other issues, such as equal pay, women's rights and the protection of minorities?

The ÖGB has combined its actions and requests regarding Covid-19 with other issues like the protection of women/parents, older employees, specifically affected employees (i.e. the pandemic 'heroes') and others.

4. How has the government reacted to what the unions are doing?

The Government has partially agreed to the unions' request for payments for pandemic 'heroes' but has not yet acted on its other initiatives and proposals.

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Belgium

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1. What kind of union actions have taken place in your country as a result of the COVID-19 pandemic?

At the national/interprofessional level, no special actions were carried out with the COVID-19 pandemic as a direct cause. The trade unions did not undertake any special (national) campaigns as a result of the measures taken during the COVID-19 pandemic. These actions rather took place at the industry/company level.

Reference can, however, be made to the national collective actions of March 2021 concerning the wage standard. Every two years, the social partners must reach an agreement on the wage standard (the maximum margin for wage cost development). The social partners (i.e. the so-called 'Group of Ten' composed of employers and

employee representatives) did not reach an agreement. As with previous blocked negotiations regarding the wage standard, collective action was taken. This in itself was unsurprising.

However, it is striking that the trade unions clearly focused their actions on sectors that have not been impacted or have been less affected by the COVID-19 pandemic (whereas in the past the actions were more general). Food retailers, for example, were particularly targeted. Moreover, it can be generally said that the actions had less impact due to teleworking and the ban on gathering. The general feeling therefore is that the national collective actions have had less impact than pre-corona actions in this respect.

At industry/company level, there were actions that were a direct result of the COVID-19 pandemic. Indeed, several actions were organised specifically targeting companies'

corona management. For example, several companies went on strike because the company would not take sufficient corona measures for the employees.

While pre-pandemic a shift could already be noted in the focus of the trade unions towards the welfare and workload of workers, the COVID-19 pandemic has clearly accelerated this evolution.

Finally, the trade unions also put pressure on employers to make additional concessions to the employees in sectors that were not (financially) affected by the corona crisis. Thus, collective labour agreements were concluded in various companies granting additional benefits to the employees to compensate for the increased work pressure as a result of the corona pandemic.

An evolution can also be seen in the type of actions taken. Where in the past collective action was associated with blockades, strike pickets, and the like, the trade unions increasingly opt for punctuality actions or other alternatives, at least in those companies that rely heavily on telework. One example is actions where the unions asked their members who were working from home to put an out-of-office message on their email during certain periods.

2. Are the unions combining their COVID action with other issues, such as equal pay, women's rights and the protection of minorities?

The unions continue to raise these issues but have not specifically combined them with action on COVID-related issues.

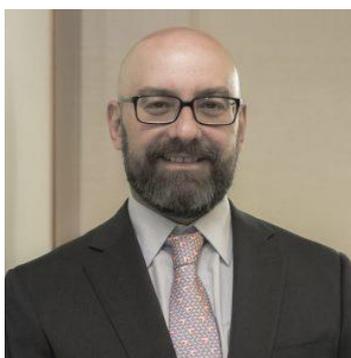
3. How has the government reacted to what the unions are doing?

Political interference in the field of trade union action has been very limited or non-existent throughout the pandemic period. The actions of the trade unions have therefore not led to additional measures imposed by the government or additional concessions from the government.

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Brazil

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1. What kind of union actions have taken place in your country as a result of the COVID-19 pandemic?

In Brazil, unions did not have a relevant role during the COVID-19 pandemic. Thus, we have not seen actions or a common strategy by them, except for some specific sectors that were more organised in topics related to the COVID crisis. By way of example, the Union of Teachers was active in fighting against the return to schools before vaccines being available to all, and the Union of Road Drivers called for the inclusion of transportation workers in the list of priorities to take the vaccine.

2. Are the unions combining their COVID action with other issues, such as equal pay, women's rights and the protection of minorities?

The unions have not combined their actions with other issues. The only issue that may be considered as a

common agenda item for all unions in Brazil during the COVID-19 pandemic were actions aiming to avoid layoffs and terminations in general (mainly through collective bargaining agreements with special conditions for this period).

3. How has the government reacted to what the unions are doing?

The government enacted some Provisional Measures ('PMs') to reduce the harm caused by the pandemic. With respect to labour and employment, the PMs are mainly aimed at reducing redundancies. This goal has been pursued through measures such as allowing the suspension of employment agreements, reduction of working hours proportionally to a reduction of salaries, and providing vacation in advance.

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Bulgaria

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1. What kind of union actions have taken place in your country as a result of the COVID-19 pandemic?

In Bulgaria unions have not taken any particular actions due to the COVID-19 pandemic. However, they have addressed the new Bulgarian Parliament to focus on several urgent solutions to ensure the necessary fiscal buffers and remove the country from its current financial and employment situation:

- Submission of the National Recovery and Resilience Plan to the European Commission so that it can be approved at the European Council, which will provide financial resources (between BGN 1.5 – BGN 2 billion) to Bulgaria as early as autumn 2021. This Plan has not yet been submitted.

- Borrowing of funds under the SURE support instrument to provide more financial buffers in the coming months in order to continue employment support measures.
- Update of the 2021 budget to increase spending items to support the households and businesses that have been most affected by the COVID crisis.
- Continuation of other measures against COVID-19 to protect households and workers, as well as to support the business community.

2. Are the unions combining their COVID action with other issues, such as equal pay, women's rights and the protection of minorities?

The unions have not yet combined their actions with other issues.

3. How has the government reacted to what the unions are doing?

The Bulgarian government have not yet reacted to the unions' most recent requests. However, following the parliamentary elections in Bulgaria in April 2021, the parliamentary represented parties could not form a government, so the President appointed a caretaker cabinet and scheduled new parliamentary elections for July 2021. The elections took place on 11 July 2021, however there is no new government formed yet.

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1. What kind of union actions have taken place in your country as a result of the COVID-19 pandemic?

At the onset of the pandemic, retail, health care and food production unions loudly advocated for ‘pandemic pay’ wage premiums for front line health care workers and essential service workers (e.g. food production, grocery stores). Some employers introduced these premiums for limited time periods during the ‘first wave’ of the pandemic. By the end of the first wave these premiums largely ended, with trade unions (generally unsuccessfully) trying to shame employers into converting the premiums into permanent wage increases. This included pressuring the government into holding a public hearing to scold grocery store chains for making profits during the pandemic while discontinuing pandemic pay.

2. Are the unions combining their COVID action with other issues, such as equal pay, women’s rights and the protection of minorities?

Unions have certainly coupled their campaign on COVID-19 concerns with what they say are related social issues: women’s rights, minority rights and wage disparities between these groups and traditional high earners. The loss of employment during the pandemic has likely fallen disproportionately on women and minorities.

3. How has the government reacted to what the unions are doing?

The Union activism and advocacy has borne fruit in Canada. Union organising activity is up, and some successes are evident. Canadian governments are now rushing to implement various paid sick leave programs, the

cost of which will likely ultimately fall on employers. Once introduced, it seems unlikely such programs will later disappear. Pressure is mounting to reverse some of the privatisation that has occurred in health care, and particularly in long-term care. We expect union advocacy for higher wages and permanent income supplements will continue, along with pressure to increase tax rates on corporations and high-income earners. Unions will continue to ‘amp up’ their social justice themes, and use their increased profile to garner new members.

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Chile

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1. What kind of union actions have taken place in your country as a result of the COVID-19 pandemic?

Unions have not yet carried out any actions related to Covid-19 pandemic.

2. Are the unions combining their COVID action with other issues, such as equal pay, women’s rights and the protection of minorities?

Unions have not yet carried out any actions related to the Covid-19 pandemic.

3. How has the government reacted to what the unions are doing?

Whilst the unions have not carried out any pandemic-related actions, the Ministry of Labour and Social Security has

launched a ‘Step by Step Return to Work’ plan, which consists of several recommendations for employers and employees to ensure care and protection at the workplace.

1. Be informed: Constantly review the existing recommendations and protocols in safety and health.
2. Organising and Agreeing: Integrate employees and union organisations in all stages of the process and the development of internal health and safety protocols.
3. Socialising and Training: Frequently communicate to employees the measures taken, and inform them about their rights and obligations.
4. Adapting and Implementing: Adapt the physical work space. This includes, for example, preparing entry and exit routes, posting signage, and demarcating physical distance.
5. Prioritising Mental Health: Establish spaces for permanent dialogue; promote health and well-being in the workplace.

6. Collaborate with Traceability: Provide information on traceability, such as early identification of suspicious cases; keep a record of third parties entering the organisation; identify workers who have been abroad.
7. Evaluating and Updating: Evaluate the provisions implemented with objective guidelines; monitor the measures implemented and update them as needed.

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Colombia

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1. What kind of union actions have taken place in your country as a result of the COVID-19 pandemic?

Actions taken by unions during the Covid-19 pandemic have been varied and differ according to the industry to which they belong. However, in general terms, the actions taken by unions since 2020 include the following:

1. Collective bargaining. During the Covid-19 pandemic, trade unions and employers have continued to negotiate collective bargaining agreements. In practice, collective bargaining has been conducted either face-to-face or virtually; the latter has been widely applied during the Covid-19 pandemic.
2. Strikes. During the last year, there have been strikes led by unions. Some sectors in which strikes have occurred during the Covid-19 pandemic include mining

and education.

3. Education activities. Unions have developed educational programs for their members during the Covid-19 pandemic. These have been conducted online and have focused mainly on issues related to labour rights.
 4. Protests. Union federations and confederations are among the leaders of the recent national protests that have been taking place in Colombia since 28 April 2021. These protests have involved diverse and wide-ranging population groups (e.g., youth, workers, unionists).
- 2. Are the unions combining their COVID action with other issues, such as equal pay, women’s rights and the protection of minorities?**

It depends on each union's interests and the characteristics of the companies and/or industries to which they belong.

However, the actions usually involve claims related to the following issues, among others:

- compensation and salary schemes;
- benefits (over and above those mandated by law);
- health and education assistance;
- rest periods and leaves.

3. How has the government reacted to what the unions are doing?

Generally, the Government is not involved in the collective bargaining processes or in the educational activities carried out by the unions. In relation to strikes, the Government may have a role through the Ministry of Labour, monitoring the development of some strikes.

With respect to the protests that have recently taken place in Colombia, the Government has opened spaces for dialogue and negotiation with the protest leaders (among whom are union leaders). It remains uncertain whether the Government will reach an agreement with the protesters, nor is it possible to determine exactly what issues the discussions will cover.

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1. What kind of union actions have taken place in your country as a result of the COVID-19 pandemic?

Unions have been active in talks and negotiations with the government regarding the enhancement of employment preservation subsidies paid by the government to employers in industries adversely affected by Covid-19, and the easing of conditions for application and approval of those subsidies. Unions have recently also raised issues related to remote and home working and protection of employees' rights related thereto, from the perspective of both employment law and occupational health & safety law.

2. Are the unions combining their COVID action with other issues, such as equal pay, women's rights and the protection of minorities?

At this stage, unions are combining Covid-19 actions with actions aimed at limiting work on Sundays. Unions have

also announced an initiative for clearly regulating the legal minimum amount of salary increments for work on Sundays, public holidays and other non-working days. Recently, unions have also raised complaints about the current manner of payment of union membership fees regulated by the law.

3. How has the government reacted to what the unions are doing?

The government has accepted some of proposals from the unions related to the employment preservation subsidies. Moreover, the government recently announced the adoption of amendments to the Croatian Labour Act in Q4 of 2021, or in Q1 of 2022. These amendments will introduce more flexible provisions regulating remote and home working and clarify the requirements related to such work from the perspective of both employment law and occupational

health & safety law. There is speculation that the amendments will also impose a limitation on working on Sundays (i.e. a cap on the number of Sundays the employee can work during one calendar year).

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Cyprus

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1. What kind of union actions have taken place in your country as a result of the COVID-19 pandemic?

Trade unions have been pushing for matters of their interest mainly resulting from either the imposition of restrictive measures by the Government in its effort to combat the COVID-19 pandemic or as a result of the pandemic itself. Examples of such actions include the teachers' union, which requested that teachers be given priority in vaccinations; the artists' union, which has protested the difficulties that artists are facing and pushed for more leniency in theatre closures; and actions by hourly-paid employees at the State Health Services Organisation, who claimed breach of their employment terms and unequal treatment.

2. Are the unions combining their COVID action with other issues, such as equal pay, women's rights and the protection of minorities?

Unions have combined their COVID-related actions with other issues. Two examples of this are:

- The initiation for the first time of a discussion of regulating the status of an 'artist' and the potential enactment of a law creating a new state Registry of artists so that they can, amongst other things, benefit from state support schemes like the ones issued during the pandemic.
- A strike announced by the two biggest trade unions in Cyprus regarding hourly-paid employees at the State Health Services Organisation. The unions accused the Organisation of not treating hourly-paid employees equally with other

employees and of breaching the provisions of their employment agreements. The unions and the affected employees pointed to the huge efforts made by these employees during last year as part of the fight against the pandemic.

Other issues addressed by the unions in conjunction with the pandemic included, amongst others:

- the need for a minimum wage;
- the need for collective bargaining to reach collective agreements in areas where they do not exist;
- the revision and modernisation of the Cypriot Social Insurances System;
- the sufficiency of the state pension;
- extension of the duration of unemployment benefits;
- combating bureaucracy in order to achieve the earlier payment of state benefits;
- regulating telework; and
- dealing with increased unemployment due to COVID-19.

3. How has the government reacted to what the unions are doing?

The Minister of Labour is going to address the issues of the minimum wage, teleworking, schemes to deal with increased unemployment due to the pandemic, and pension reform in the next Labour Advisory Board meeting.

In connection with problems surrounding the eligibility of 'artists' for state schemes supporting unemployment due to the pandemic, the Government reacted and formed a committee around June 2020 to proceed with consultation with stakeholders aiming to file a bill in Parliament that would regulate the profession. No formal legislative proposals have been filed yet.

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1. What kind of union actions have taken place in your country as a result of the COVID-19 pandemic?

At the higher level, the unions are taking actions that include the following:

- publishing open letters addressed to the government and the public about issues relating to the COVID pandemic;
- educating the public with regard to COVID (e.g. republishing explanatory statements by the Ministry of Labour and Social Affairs, telling the public about existing state unemployment benefits, cooperating with the ministry on leaflets on prevention against the virus);
- demanding the introduction of a proper short-time work scheme similar to the one in Germany;
- criticizing some government measures (e.g. loss carryback, which refunds a firm's previously paid taxes);
- publishing summaries of measures against coronavirus and related economic issues abroad;
- demanding greater prioritisation of vaccination of teachers so that children can come back to schools.

As for union activities at specific employers, some are very active in prevention measures. However, there are also instances in which trade unions are not very cooperative and insist on outdated collective agreements with negotiated salary increases that do not reflect the COVID-19 economic reality and may result in greater redundancies. In instances where no collective agreement has yet been negotiated, employers are using the argument of 'uncertainty due to COVID-19' in order to refuse salary increases.

2. Are the unions combining their COVID action with other issues, such as equal pay, women's rights and the protection of minorities?

The unions are also discussing prevention in general, which includes prevention of other occupational diseases and work injuries and health & safety in general. Working from home has also become an important subject of discussion, as it is not dealt with in detail by the law and some employers are not open to its use. In addition, they are raising the issue of underfunding of healthcare and the need for salary increases for doctors, nurses and other healthcare workers.

3. How has the government reacted to what the unions are doing?

The government or specific Ministry discusses the biggest issues with trade union associations and associations of employers, and consults them regarding government drafts of any new law.

As for legal consequences, short-time work is being discussed at length, but it has not yet been approved. Similarly, new more detailed rules on working from home have not yet been enacted. Employees in the healthcare sector did receive bonuses, but it is not clear whether the trade unions' recommendation contributed to the decision; in all likelihood it would have happened regardless of union pressure. Vaccination of teachers had been one of the trade unions' priorities, and they are presenting it as one of their successes in negotiations with the government.

On the other hand, other pre-pandemic trade union proposals (e.g. an increase of statutory annual leave from four weeks to five) are being more easily pushed aside by the government as a result of the pandemic.

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Estonia

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1. What kind of union actions have taken place in your country as a result of the COVID-19 pandemic?

There has been no considerable trade union action in connection with the COVID-19 pandemic in Estonia. Only a small percentage of all Estonian employees are unionised, so the voice of the trade unions tends to be modest in general.

2. Are the unions combining their COVID action with other issues, such as equal pay, women's rights and the protection of minorities?

The unions have been involved in some legislative developments, partnering with the government in the development of some measures which aim to boost the economy. One example is a measure allowing the

unemployed to engage in temporary work assignments while looking for a permanent job without losing their status and related benefits. The respective amendment of the law entered into effect on 1 September 2020.

In addition, the trade union has been involved in a new legislative initiative which would allow flexible-hour contracts in the retail sale sector. The respective regulation has not been adopted yet by the Parliament.

3. How has the government reacted to what the unions are doing?

There has been no notable union action, and therefore no government reaction.

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France

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1. What kind of union actions have taken place in your country as a result of the COVID-19 pandemic?

The first lockdown: March-June 2020

During the first strict lockdown (March-June 2020), trade union action was ‘stunned’. This was largely due to how quickly restrictions were implemented, but also to the fact that many employees were furloughed or teleworking. The unions were not prepared to act in such a situation.

For companies which continued with on-site work, the issue of health at work was at the heart of the discussions between management and staff representatives. Preventive measures for employees were put in place after consultation and dialogue. In the vast majority of cases, it was done constructively, without controversy.

A few legal actions were taken by trade unions to suspend the activity of their companies. They were taken on the grounds that the companies had not adequately assessed the occupational risks inherent to the COVID-19 pandemic, and that the measures taken to protect employees were not appropriate. One such case in April 2020 was highly publicised because it involved the e-commerce giant Amazon. The company was ordered by the judge to limit its activities to the reception of goods and the preparation and dispatch of orders of essential products only (i.e. food, hygiene and medical products), pending the finalisation of an assessment of occupational risks. The company also had to implement appropriate measures to alleviate any risk discovered and involve staff representatives when doing so.

Since the end of the first lockdown

Since June 2020 and the resumption of activity for many companies, the government has massively imposed

teleworking. The scattering of the workers has forced staff representatives to imagine new ways to interact with employees.

Virtual meetings between management and staff representatives have been facilitated, with the aim of ensuring the normal functioning of the staff representation bodies despite teleworking. In addition, some companies have set up a 'digital trade union room', digital notice boards, and other formats for social relations adapted to teleworking.

Trade unions are also gradually organising themselves. In practice, trade union activism around teleworking arrangements has been especially noteworthy. As many employees are working at home, trade unions are identifying means of action targeted at this issue:

- There is a strong demand for negotiations on telework arrangements (in particular in asking for a specific allowance of teleworked days).
- Several legal actions have been taken against companies to claim meal vouchers for employees placed in a teleworking situation when meal vouchers had been granted when working on-site, based on the principle of equal treatment. Conflicting court decisions have so far been issued.
- On 16 April 2021, the CGT trade union at IBM organised the first known 'tele-strike' to protest against a restructuring and redundancy plan. Striking employees were invited to declare themselves strikers from home, not connect to their teleworking tools, and go to online mobilisation meetings. The telestrikers even organised a digital interruption in a virtual meeting of the social and economic committee to which they were not invited. Management had to suspend the meeting.

2. Are the unions combining their COVID action with other issues, such as equal pay, women's rights and the protection of minorities?

The unions have not specifically linked other issues to their actions on COVID-related matters.

3. How has the government reacted to what the unions are doing?

Aside from court decisions, there have been no significant reactions by the government to the union actions.

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Germany

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1. What kind of union actions have taken place in your country as a result of the COVID-19 pandemic?

The German trade unions have been very active during the pandemic. They made their demands clear through demonstrations (especially on Labour Day), official announcements and the presentation of new proposals, especially with regard to combating the pandemic. Their demands are very far-reaching. For example, they demand greater availability of testing, mandatory free testing by employers, the inclusion of occupational physicians in the vaccination strategy, a transparent reopening strategy, a 'care citizen insurance' and an expansion of the federal subsidy to health funds.

In the more recent past, there have been demands for a minimum short-time wage, which would be equal to the

minimum wage calculated on the basis of a 40-hour week. In addition, the unions have worked out proposals for an economic stimulus package, for a new tax scheme to finance increased spending, and for stronger health protection for staff in childcare facilities.

2. Are the unions combining their COVID action with other issues, such as equal pay, women's rights and the protection of minorities?

The unions are combining their COVID-related actions with other issues. For example, they are calling for stronger support for gender equality, as the pandemic is placing a disproportionately heavier burden on women, especially with regard to the need for domestic childcare. In addition, in various sectors there is a very clear call for the establishment of 'transformation funds' for a social and ecological transformation. Here, the pandemic-related

economic stimulus and investment programs are seen as a good starting point, and the unions are demanding a transformation of the pandemic-related economic stabilization fund into a transformation fund.

Apart from that, the Metal Workers' Industrial Union ('IG Metall') called for the immediate establishment of a transformation fund for the steel industry, endowed with EUR 10 billion by 2030. The trade unions have also relied on climate protection targets as justification for these funds. Whether this is just a pretext remains to be seen.

3. How has the government reacted to what the unions are doing?

The government has partially complied with the unions' demands and, following pressure from the unions, has for example recently increased short-time benefits and the number of sick days for childcare.

The government also promised to create a 'Future Fund for the Automotive Industry' from subsidies and to make an additional EUR 1 billion available for this purpose. Complementing the measures of the economic stimulus package adopted in spring 2021, the Future Fund primarily addresses the medium and long-term challenges of the automotive industry in view of the upcoming changes in the energy transition. This fund implements one of the central proposals of IG Metall.

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Ireland

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1. What kind of union actions have taken place in your country as a result of the COVID-19 pandemic?

Trade unions have been moderately active in Ireland during the COVID-19 pandemic. Examples of their actions have included:

- The Irish Congress of Trade Unions (ICTU) worked with the Government in regard to the introduction and continuation of the Emergency Wage Subsidy Scheme, now the Temporary Wage Subsidy Scheme.
- ICTU also worked with the Labour Employer Economic Forum (LEEF), which is the forum for high level dialogue between Government, Trade Union and Employer representatives on matters of strategic national importance to produce the

Return to Work Safely Protocol, overseen by the Department of the Taoiseach and the Department of Enterprise Trade and Employment.

- Various other unions have lobbied the Government over the safety of their members at work (e.g. Unite for meat factory workers, and the teachers' unions (ASTI/TUI) have lobbied for acceleration of the vaccination programme for them).
- The government has also invited submissions from various stakeholders in regard to initiatives and legislative changes that have been implemented as a result of COVID, including the Right to Disconnect, the forthcoming Right to Request Remote Work, Statutory Sick Pay, and flexible work.

2. Are the unions combining their COVID action with

**other issues, such as equal pay, women's rights
and the protection of minorities?**

Trade unions have combined their actions with other issues. For example, the ICTU frequently uses its platform to address housing and social housing issues, gender equality, and family status issues.

3. How has the government reacted to what the unions are doing?

In general the Government works with ICTU in a structured way. However, it has reacted to calls for action on issues outside of the Congress, by individual unions like SIPTU, Unite and others where they consider that the public health risk has warranted it.

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Kazakhstan

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1. What kind of union actions have taken place in your country as a result of the COVID-19 pandemic?

Employers were forced to implement remote work, reduced shift regimes and unpaid leaves as a result of the crisis caused by the pandemic. The trade unions were forced to reduce the scope of their activities mainly to exercising public control over the implementation of the anti-pandemic measures and safeguarding the labour rights of employees during the quarantine, which were not dealt with in any legislative acts, industry agreements or collective bargaining agreements.

In order to exercise such public control over the pandemic measures, the industry and territorial trade unions established 'crisis centers' with the objective of preventing illegal dismissals of employees. For this purpose, the crisis

centers organised online meetings with citizens and set up a hotline (advertised on social networks and the website of Federation of Trade Unions) to report and discuss social and labour issues. The unions have also provided clarifications on labour issues 24/7 via social media. The Federation has many times addressed its social partners and trade union organisations concerning the need to unite the efforts to minimise risks, provide employees with individual protective equipment, and otherwise ensure safe conditions at work.

One of the most important directions in activities of the Federation and its member organisations, especially during the pandemic, is to ensure and strengthen the focus of employers and governmental authorities on the issues of occupational health and safety and protection of the rights of employees. The Federation has emphasized the importance of immediate transition from the compensatory

model to the management of occupational risks and the formation of an institute of professional workplace safety appraisers.

In addition, trade unions have prepared models of important additional clauses to include in collective bargaining agreements in order to strengthen the social protection of employees during the quarantine. They are also providing assistance with the filing of applications for a one-time allowance in connection with loss of income due to the pandemic. Trade unions have further acquired individual and collective protective equipment, organised the manufacture of masks, and provided meals and water for the employees of quarantine hospitals, security checkpoints and closed in-patient facilities. As much as possible, they have been providing financial assistance and food to labour veterans, single pensioners and other employees who have encountered difficult situations during the pandemic.

2. Are the unions combining their COVID action with other issues, such as equal pay, women's rights and the protection of minorities?

To ensure public control over occupational health and safety, the trade union bodies have successfully pushed for the election of public labour protection inspectors and strengthening their education. Trade unions continue to work on further development of the national policy on occupational health and safety through the improvement of legislation and regulation to prioritise the life and health of employees, make employers responsible for the creation of safe labour conditions, and develop economic incentives for employers to create an effective occupational health and safety system (with the ultimate goal of a zero accident rate).

The trade unions, together with the Federation, have worked on amendments to the Labour Code and the Law on Trade Unions to improve labour conditions and social protection of employees. Further, the number of industry and regional social partnership agreements and collective bargaining agreements in effect has increased as a direct outcome of the active work of the trade unions. The unions have also worked jointly with the social partners on the draft Master Agreement for 2021-2023, which will clearly set out the principles of work for the Government, employees and

workers.

The tactical tasks set by the unions for the upcoming period are to increase the minimum salary; secure salary indexation by statute; replace the base salaries of state-financed employees with the minimum salary; and revise the consumer goods basket.

3. How has the government reacted to what the unions are doing?

As a result of the joint work of trade unions and legislative authorities, significant amendments to the Labour Code were proposed in 2020. To date, there is ongoing discussion of draft amendments to the Kazakhstan legislation on the regulation of remote work, reflecting the specifics of current challenges in connection with the pandemic. The Federation's representatives are among the members of the working group on this draft law.

The legal reaction to the actions of trade unions in connection with strikes by teachers during the state of emergency and quarantine was the signing of a supplementary agreement on social partnership for 2019-2021, which provides teachers with full payment for idle time, including for reasons beyond the control of employers or employees. This provision also covers sideline employees.

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Luxembourg

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1. What kind of union actions have taken place in your country as a result of the COVID-19 pandemic?

Union actions due to the COVID-19 pandemic in Luxembourg have included:

- Action by the OGBL trade union, along with the competent ministers and the Board of Directors of the National Social Security Fund, to request an extension of the deadlines for the delivery to the employer of isolation or quarantine orders issued by the Director of Health, which allow the employee to benefit from protection against dismissal for absence from work due to incapacity.
- Action by the OGBL trade union concerning the suspension of eviction of tenants for the duration of the official state of crisis (18 March 2020 to 24

June 2020).

- Action by the trade union LCGB demanding 100% wage guarantees for employees of companies using the government's partial unemployment scheme ('chômage partiel').
- The demand to abolish the 78-week limit for sick leave.

2. Are the unions combining their COVID action with other issues, such as equal pay, women's rights and the protection of minorities?

The OGBL's action concerning eviction was combined with the broader issue of explosion of inequalities in access to housing, the rise in housing prices and the precariousness of employment in Luxembourg.

The demand to abolish the 78-week limit for sick leave is a

long-standing demand of the LCGB trade union, as it is, according to the trade union, the only solution to ensure that no seriously ill person is ever again faced with existential problems.

The trade union OGBL has also demanded that the government do more to promote gender equality, bearing in mind that the 'female' professions are among those most affected by the COVID crisis. The union contends that the government should commit itself to the implementation of the EU directive on salary transparency.

3. How has the government reacted to what the unions are doing?

The government has reacted to the union demands in several ways:

- A law entered into force which extends the deadline for issuing the official quarantine or isolation order, which serves as a certificate of incapacity for work. Thus, the official order can be issued no later than the eighth day of the employee's absence, whereas the Labour Code normally provides that the certificate of incapacity for work must be issued no later than the third day of the employee's absence.
- During the period of the state of crisis, evictions are suspended and rent increases are stopped until 31 December 2021.
- A compromise agreement has been signed between the LCGB and OGBL trade unions and the government that guarantees that anyone forced into partial unemployment will not fall below the minimum social wage. In other words: the State pays 80% of the salary but the difference to reach the minimum wage is paid by the Employment Fund.

- The government has temporarily suspended the mechanism for calculating the 78 weeks of incapacity for work due to illness during the crisis (from 18 March 2020 to 24 June 2020). As a general rule, the employment contract of an employee who has exceeded 78 weeks of incapacity for work due to illness in a reference period of 104 weeks is automatically terminated. Under the government's temporary suspension order, days of incapacity between 18 March 2020 and 24 June 2020 do not count towards the 78-week limit. Since then, the LCGB trade union has continued to push for the abolition of the 78-week limit. To date, the government has not responded favourably to this demand.

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Netherlands

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1. What kind of union actions have taken place in your country as a result of the COVID-19 pandemic?

Union actions due to COVID-19 have consisted primarily of litigation against (among others) salary reduction or other unilateral changes to employment conditions. In practice we observe that many cases are solved by the wage subsidy component of the governmental COVID-19 support package ('NOW'), which makes employers disinclined to cut wages because this wage subsidy will then be cut as well.

Due to the COVID-19 pandemic many ongoing negotiations about new collective agreements have been put on hold. In the sectors particularly affected by the covid-19 measures, the call arose to make collective agreements on wage sacrifices or other cuts in working conditions. For example, there was collective bargaining about wage reductions in

October 2020 between the pilots' union and other aviation unions on the one hand and KLM on the other hand. These wage sacrifices were a condition for receiving state emergency aid and therefore crucial to preserving 30,000 jobs.

Furthermore, there have been 'regular' strikes for improvement of employment conditions, including wage increases. Counterintuitively, this is especially the case in sectors that, despite or precisely because of the pandemic, are doing well or are growing again, such as supermarkets, metalworking, and transport of goods. According to the unions in these sectors, employers regularly use COVID-19 as an excuse to push through reductions in working conditions.

2. Are the unions combining their COVID action with other issues, such as equal pay, women's rights and the protection of minorities?

The unions have not specifically combined their actions with other issues such as equal payment, women's rights and protection of minorities. If anything, it seems that these subjects get less attention due to COVID-19.

3. How has the government reacted to what the unions are doing?

The government has generally either not reacted or minimally reacted to the actions of the unions. For example, in April 2021 the unions together with the employers' organizations asked the government in a joint letter for a COVID-19 recovery plan. The government has not yet taken up the matter. Note that in March 2021 there were parliamentary elections in the Netherlands. No new coalition has been formed yet, and it is expected that this will take some time. Meanwhile, the current government is a caretaker government, which means that only ongoing affairs are dealt with and controversial issues are not addressed.

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Poland

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1. What kind of union actions have taken place in your country as a result of the COVID-19 pandemic?

The National Trade Union ('NTU'), in association with individual trade unions, took part in a Regional OHS Forum that included a seminar on risk prevention in the workplace during the pandemic. There was also a discussion of whether COVID-19 should be recognised as occupational disease, and it was determined that in some cases it might be.

An NTU questionnaire addressed to individual trade unions showed that in about 60% of cases trade unions were participating in making key decisions related to counteracting the spread of the coronavirus. NTU issued an official recommendation that both unions and employers should more actively engage in activities aimed at reducing

COVID-19 spread, such as:

- support in providing or increasing access to protective equipment (e.g. disinfectants, gloves, masks, temperature measurement); and
- introduction or improvement of procedures for organisation of work (e.g. remote work, shortening of working time, stoppage).

2. Are the unions combining their COVID action with other issues, such as equal pay, women's rights and the protection of minorities?

Trade unions' actions during pandemic were not combined with other issues such as equal payment, women's rights or protection of minorities.

3. How has the government reacted to what the unions are doing?

The Anti-Covid Act (which was drafted in consultation with the trade unions) gives trade unions an additional right to conclude specific collective agreements with employers during the pandemic, for example introducing stoppage, reducing working time, reducing hours of uninterrupted daily or weekly rest, or applying less favourable terms of employment than what is set out in individual employment contracts. A number of these steps are prerequisites to obtaining state subsidies.

In addition, the Labour Code allows trade unions to conclude agreements with employers who are in a difficult financial situation, suspending the application of all or part of the labour law provisions determining the employee's rights and obligations including remuneration or applying less favourable terms of employment than what is set out in individual employment contracts. These agreements, however, may be concluded only if there is no collective bargaining agreement or if the employer employs less than 20 employees.

Although both of these types of agreements were possible before the pandemic, they have become popular only recently in response to the financial and employment consequences of the pandemic.

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Russia

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1. What kind of union actions have taken place in your country as a result of the COVID-19 pandemic?

Generally, union actions have usually taken place at the local company level. The COVID-19 restrictions prompted companies to take a number of restructuring measures which may be related to the trade union actions. If there is a primary trade union established in a company, the company must obtain and take into account the union's opinion before:

- adopting local normative acts (local policies);
- dismissing an employee who is a union member on certain grounds;
- implementing measures related to mass dismissals;
- implementation of a part-time work regime.

Therefore, if there is a trade union in a Russia-based company, possible restructuring measures related to COVID-19 would require prior union consultation if they

involve the above matters.

Otherwise, there have been no specific union actions due to COVID-19.

2. Are the unions combining their COVID action with other issues, such as equal pay, women's rights and the protection of minorities?

There has been no tendency by trade unions in Russia to combine COVID-related actions with other issues.

3. How has the government reacted to what the unions are doing?

In 2020 the Federation of Independent Trade Unions of Russia participated in the discussion of the remote work regime amendments to the law which came into force in January 2021. The trade unions stated that the new amendments are intended to protect employees'

rights in urgent cases (such as COVID-19) when governmental measures require employers to take prompt actions that involve changes in working conditions.

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Slovakia

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1. What kind of union actions have taken place in your country as a result of the COVID-19 pandemic?

In connection with the pandemic situation in Slovakia, we have noticed an increase in proposals by individual trade unions operating in various sectors.

In addition to local trade union proposals at the specific company/employer level, the only recognised representative trade union association in Slovakia that is authorised to represent the interests of employees in consultation with state authorities has issued suggestions for the post-pandemic recovery of the Slovak economy. The suggestions involve strengthening three basic pillars: (i) healthcare renewal and promotion of health, (ii) social affairs, and (iii) employment matters.

2. Are the unions combining their COVID action with other issues, such as equal pay, women's rights and the protection of minorities?

The unions have combined their actions with other issues, including for example wage increases and collective bargaining, shortening the working time, prevention of violence and harassment at the workplace, and ensuring equal opportunities (reflected in measures aimed at employing older people or reconciling work and family life by increasing the availability of pre-school for children).

Recently, there has been trade union action concerning the current state policy of providing child-related assistance only to families in need of material support, which has been criticised by trade unions as unfair to all other families. The unions' argument is that as a result of loss of employment and long-term use of nursing or sick leave caused by the

pandemic, the income of the population of Slovakia has decreased and the number of people living on the poverty line has increased. They criticise the government for deciding, despite the fact that the pandemic has affected all families, that almost another million children do not deserve help from the state even though their parents have suffered a demonstrable reduction in income.

3. How has the government reacted to what the unions are doing?

From the beginning of the pandemic situation in 2020, communication between the government and the trade unions concerning measures taken to fight the pandemic was not ideal. The government has reacted to the demands of the unions, but on several occasions it was only after the approval of measures or changes in legislation, which resulted in dissatisfaction on the part of the trade unions.

However, as these measures are still quite fresh, the communication remains active, and all parties are interested in improving the economic and social situation in Slovakia after the COVID-19 pandemic. Currently, we do not see a specific reaction from the government towards trade unions regarding the mentioned proposed measures; however, cooperation and consultation is expected and welcome.

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Turkey

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1. What kind of union actions have taken place in your country as a result of the COVID-19 pandemic?

Union actions have not been common in Turkey during the COVID-19 pandemic. There were a handful of strike attempts in respect of employment issues (e.g. requesting payment of wages, objecting to unlawful termination during the termination ban period). However, no complete strikes have taken place during the pandemic.

On the other hand, we have seen that certain unions are continuing with their usual activities such as negotiating collective agreements.

2. Are the unions combining their COVID action with

other issues, such as equal pay, women's rights and the protection of minorities?

The unions have combined their COVID-related actions with other issues such as the monetary rights of employees and providing equal payment to employees. However, unions in Turkey do not perform activities related to women's rights and protection of minorities.

3. How has the government reacted to what the unions are doing?

The government does not support strike actions due to the economic issues caused by the COVID-19 pandemic. However, the government also is not preventing any union activities at the moment.

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United Kingdom

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1. What kind of union actions have taken place in your country as a result of the COVID-19 pandemic?

Trade unions have been very active in the UK during the COVID-19 pandemic. Examples of their actions have included:

- The Trade Union Congress worked with the Confederation of British Industry and the Government on the development of the Coronavirus Job Retention Scheme, under which millions of employees have been put on temporary 'furlough' in order to protect their employment.
- The Trade Union Congress worked with the Confederation of British Industry and ACAS to develop guidance on how employers should handle the making of redundancies if these have become unavoidable.
- The Independent Workers of Great Britain trade union successfully secured a High Court declaration that the UK's health and safety legislation should protect not only 'employees' but also the UK's intermediate category of 'workers' from health and safety detriment. The Government has since legislated to extend this form of protection with a change of law coming into effect on 31 May 2021.
- Unite the Union took the Government to the High Court on the basis that its guidance to police forces on picketing during industrial action in light of coronavirus considerations amounted to an unlawful interference with its members rights under Article 11 of the European Convention on Human Rights. As a result of this challenge, the Government withdrew its guidance and has legislated to protect the right to picket so long as it is done in a safe manner with regard to coronavirus.

- Many unions have challenged businesses for (as they see it) using the coronavirus pandemic as an ‘excuse’ or ‘pretext’ to reduce employees’ rights at work. This has involved high profile media campaigns and industrial action against many companies.

4. Are the unions combining their COVID action with other issues, such as equal pay, women’s rights and the protection of minorities?

Trade unions have combined their actions with other issues. For example, the Trade Union Congress has undertaken a campaign calling for a temporary legal right to access the Government’s furlough scheme for parents and those with caring responsibilities who have had these significantly disrupted due to coronavirus restrictions, and people who cannot work because they are required to isolate for their own safety.

5. How has the government reacted to what the unions are doing?

The Government has reacted to these actions even if it hasn’t always responded in the way that the trade union movement would hope.

On the one hand, examples of the Government reacting positively to the trade union movement’s campaigns include legislative changes to extend health and safety detriment protections to ‘workers’ and to enshrine the right to picket during industrial action.

On the other hand, and despite significant high-profile campaigns to stop businesses engaging in ‘fire and rehire’ exercises to reduce employees’ rights, the Government has to date refrained from introducing such legislation.

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