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Under which conditions do unions succeed in pushing back dualization? A configurational study of collective agreements in Portugal

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Abstract

This article explores the conditions under which unions achieve inclusive outcomes for nonstandard workers in their collective agreements. Using fsQCA, it compares 52 collective agreements signed in Portugal between 2003 and 2019. Additionally, it reports on three short case studies. Results show that the unions' potential to mobilize resources in favour of outsiders is crucial and is due to either high union density or unions' class-oriented ideology. However, although a high potential to mobilize resources is necessary, it is not sufficient for pro-outsider provisions in collective agreements. In a context of growing liberalization of industrial relations, unions only include these clauses in their collective agreements in one of the following circumstances: (i) the combination of high union density and sectoral growth, (ii) the combination of a class-oriented union signing the agreement and low employer density and (iii) the combination of high union density and a class-oriented union signing the agreement.

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1 | INTRODUCTION

Over the last 30 years, the deregulation and flexibilization of labour markets have been steadily progressing across all advanced political economies (Baccaro & Howell, 2017). As a result, so-called 'atypical' or 'nonstandard' contracts increased at the expense of the traditional permanent full-time employment relationship, a pillar of Western labour markets in the 1970s and 1980s (Kalleberg, 2009; Ross, 2009). The rise of 'nonstandard work' has contributed to increasing inequality in both labour markets and wider society as these contracts are typically associated with lower wages and limited benefits, exposing workers to higher poverty risks (Kalleberg, 2012). In addition, as nonstandard workers suffer from reduced 'voice' opportunities in the workplace and political sphere, their exclusion from representation and decision-making processes further limits their chances of improving their work and living standards (Gumbrell-McCormick & Hyman, 2019). For these reasons, in academic and political debates, the representation of nonstandard workers through unions is deemed to be crucial. In particular, their inclusion in unions' collective bargaining can significantly improve their wages and working conditions as well as their prospects of job security (Gomez & Lamb, 2019; Keune, 2013).

Existing literature in the field of industrial relations has documented the variety of strategies unions adopt to include nonstandard workers and also, though more rarely, the outcomes of those strategies in terms of wages and working conditions (Alberti et al., 2018; Carver & Doellgast, 2021; Doellgast et al., 2018b). Scholars have explored the conditions under which inclusive and/or successful strategies are implemented and have identified several factors, including the ideological orientations of unions (Dorigatti, 2017; Durazzi, 2017; Marques & Fonseca, 2022) and the role of active leadership and innovative strategies (Ibsen & Tapia, 2017). When examining the institutional context, scholars have highlighted the extent to which unions rely on their mobilization potential to bargain (Baccaro et al., 2003; Hassel, 2007), as well as the presence of democratic internal structures (Marino et al., 2019) and union divides (Benassi et al., 2018), among others.

While providing empirically rich illustrations of union strategies (Doellgast et al., 2018b; Keune, 2013), only a limited number of studies have analysed the outcomes of those strategies as a result of negotiation processes in which several factors are at play. Studies examining outcomes for nonstandard workers are mostly qualitative case studies at the national, sectoral and company levels, which do not allow for a systematic analysis or testing of existing conditions (inter alia, Doellgast et al., 2016; Dorigatti, 2017; Wagner & Refslund, 2016). However, there are exceptions. In their recent edited book, Doellgast et al. (2018a) built a theoretical framework explaining unions' inclusion or exclusion of marginal workers (measured mainly through pro-outsider collective agreements or legislative provisions), which takes into consideration unions' characteristics and strategies as well as the wider institutional context and employers' strategic use of it. Using fuzzy-set qualitative comparative analysis (fsQCA) to study the conditions under which unions manage to negotiate inclusive national-level agreements for agency workers, Benassi and Vlandas (2016) highlight the role of the institutional context, especially union power resources and employment protection legislation, along with union ideology.

The present article builds on this literature to deepen the analysis of the conditions under which unions are able to achieve inclusive outcomes for nonstandard workers in their collective agreements. To this end, we use fsQCA to explore how unions' strategies interact with other factors that are likely to play an important role in the collective bargaining process: the characteristics of employers' organizations, as they represent the unions' counterparts at the negotiating table; and the conditions of the labour market and the wider economy in which negotiations take place.

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Portugal represents an interesting case for our analysis for three reasons. First, as the share of temporary employment is one of the highest in the EU, 16.6 per cent in 2022 (Eurostat, 2023), the issue of nonstandard work has been on the bargaining table. Second, a major reform in the labour law allowed collective agreements to amend statutory standards within our study period 2003–2019, including those related to the regulation of temporary contracts. The expiry of collective agreements became possible in 2003, that is, they no longer have to stay in force until a new one is signed. Unions or employers can request the termination of the collective agreement. These legislative changes weakened the bargaining power of unions, which have come under more pressure to concede in order to keep collective agreements in place. As a result, the Portuguese case allows us to explore both unions' ability and willingness to negotiate pro-outsider measures in a particularly difficult context for them. Third, while a specific union ideology is often attributed to the entire national labour movement (see e.g. Benassi & Vlandas, 2016), the fragmentation of the union landscape along ideological lines allows us to test the role of ideology across unions within the same country.

Results from the fsQCA point to the presence of a complex necessary condition that refers to the unions' potential to mobilize resources to the benefit of 'outsiders'; more specifically, high union density *or* a class-oriented union signing the agreement is a necessary condition for pro-outsider clauses in collective agreements. They also show that there are three different sufficient paths leading to the outcome: (i) the combination of high union density and sectoral growth, (ii) the combination of a class-oriented union signing the agreement and low employer density and (iii) the combination of high union density and a class-oriented union signing the agreement.

The next section reviews the key literature on unions' inclusiveness of nonstandard workers and develops the overall argument that will guide our fsQCA. Section 3 sets out the methods and data. Section 4 presents the results of the analysis of necessary and sufficient conditions and three short case studies. The final section outlines the theoretical implications of the findings.

2 | WHAT DRIVES UNIONS' INCLUSIVENESS OF NONSTANDARD WORKERS? AN ASSESSMENT OF THE LITERATURE

2.1 | The broader academic debate on unions' inclusiveness

According to the economic insider–outsider framework (Lindbeck & Snower, 1986, 2002) and the dual labour market theory (Doeringer & Piore, 1971; Rubery, 1978), unions are responsible for the unequal distribution of labour market opportunities among the workforce. Unions use collective bargaining to negotiate 'ports of entry' to internal labour markets and raise wage costs for their members; by so doing, they benefit the so-called 'insiders' – traditionally permanent full-time White male workers – while excluding 'outsiders', who are relegated to the low-wage flexible low-skill market segments (ibid.). Due to deepening economic and social inequalities in the last 20 years, these arguments were revived in the political economy and political science literature to explain the rising dualization of the labour market and welfare state. Unions – and social democratic parties as their traditional political allies – were attributed a crucial role in the marginalization of peripheral workers (Rueda, 2005, 2007). Later works in this research strand added nuance to this argument and demonstrated that support for dualizing reforms and collective agreements depended on unions' preferences regarding outsiders, which were primarily determined by the membership composition in terms of, for example, sector, contract status and gender (e.g. Obinger et al., 2012; Thelen, 2014), and also influenced by unions' organizational interests (Davidsson & Emmenegger, 2013).

At the same time, mounting research evidence from the employment relations literature suggested that unions often sought to include a diverse group of 'outsiders', from migrants to young workers and nonstandard workers through various means (Adler et al., 2013; Doellgast et al., 2018b; Kornelakis & Voskeritsian, 2018; Pulignano et al., 2015; Vandaele & Leschke, 2010). Their lack of success and the resulting dualizing outcomes in the labour market were explained primarily through their weak power resources rather than to unions' pro-insider preferences (see review by Carver & Doellgast, 2021). Their preferences were also found to change over time as the interests and standards of permanent workers are undermined in the medium and long term by the increased presence of outsiders in the labour market (Benassi & Dorigatti, 2015; Marx & Starke, 2017; Picot & Menendez, 2019).

The employment relations literature on unions and outsiders, and especially nonstandard workers, has closely focused on the drivers of inclusive strategies as well as the conditions under which these were successful. Scholars have looked at a broad range of outcomes proxying the inclusiveness of unions. Some scholars investigated unions' organizing efforts and mobilization (Pannini, 2023; Tapia et al., 2017; Vandaele & Leschke, 2010) and the resulting union density among nonstandard workers (Jansen & Lehr, 2022); others looked more broadly at the 'content' of union policies in terms of internal representation, workplace representation and sectoral/company collective bargaining (Doellgast et al., 2018b; Heery, 2009; Pulignano et al., 2015). When data were available, research pointed towards the (positive) influence of collective bargaining on the wages of nonstandard workers (Gomez & Lamb, 2019). On the other hand, some scholars kept their analysis at a more 'abstract' level, examining changes in unions' discourse and their 'representative claims' (Meardi et al., 2021). At a more macro-level, scholars focused on unions' political strategies of lobbying for labour market and welfare reforms that benefitted nonstandard workers (Davidsson & Emmenegger, 2013; Marques & Fonseca, 2022; Rathgeb, 2018).

In this article, we speak directly to the literature that seeks to explain the outcomes for nonstandard workers rather than the union strategies. We conceptualize the former in terms of the inclusiveness of the provisions in collective agreements, and we are interested in the conditions under which collective bargaining has delivered positive outcomes for nonstandard workers. Our conceptualization therefore excludes dimensions such as the number of unionized nonstandard workers and their integration into unions' internal democratic structures (Marino et al., 2019), primarily because of limited data availability. However, although these dimensions are important, collective agreements are the primary instrument for improving the conditions of nonstandard workers (Benassi & Vlandas, 2022) in countries such as Portugal, where collective bargaining coverage is not associated with unionization, unlike the United States, for example. Thus, for the Portuguese case, we can rely on a conceptualization of union inclusiveness similar to that used by Benassi and Vlandas (2016) and Doellgast et al. (2018a).

The literature has so far highlighted a broad range of factors that influence collective bargaining outcomes for nonstandard workers that will be discussed in the next section. Doellgast et al. (2018b) tried to pull the threads of the debate together using the case studies in their edited book to uncover the mechanism for 'rebuilding solidarity' across workforce groups, focusing primarily on the broader institutional context and how this affects employers' strategies in terms of circumventing existing regulations and further fragmenting the workforce (see pp. 13 and 18). Benassi and Vlandas (2016) adopted a configurational approach and found two paths to inclusiveness: the 'Nordic Path' characterized by high union density, high bargaining coverage and strong union authority, and the 'Southern path', which combines strong union authority, high bargaining coverage, statutory regulations of agency work and working-class orientation. Their

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results are confirmed by Carver and Doellgast (2021), whose extensive review of the literature on unions and outsiders identified a social partnership path and a conflict-based path.

Interestingly, these studies do not consider the role played by the unions' counterpart at the negotiating table: the employers' associations. There is virtually no research on how the characteristics of employers' associations affect collective bargaining for nonstandard workers even though the role of the unions' bargaining counterparts (either political parties or employers' associations) is typically included in configurational studies on the reforms that are dualizing (or not) the welfare state or the labour market (e.g. Davidsson & Emmenegger, 2013; Marques & Fonseca, 2022). Furthermore, the contingent conditions of the labour market and the broader economy are not included in existing explanatory frameworks, even though they are likely to influence employers' and unions' preferences with regard to nonstandard workers and the balance of power between the parties. Thus, this article will contribute to the literature by investigating how union characteristics in conjunction with both the features of the employers' associations and the conditions of the labour market and wider economy affect the inclusiveness of the collective agreements of nonstandard workers.

2.2 | The conditions underlying unions' inclusiveness

As mentioned above, scholars identified a broad range of factors of importance to the negotiation of inclusive collective agreements. Most studies find that a certain level of power resources, rooted in the institutional context, is crucial to the success of unions' inclusive strategies (Benassi & Vlandas, 2016; Doellgast et al., 2018a; Gordon, 2015; O'Brady, 2021; Wagner & Refslund, 2016). For instance, Wagner and Refslund (2016) identified the unions' embeddedness in the sectoral industrial relations system as a key factor for their ability to bargain inclusive agreements for posted workers. More broadly, in their edited book, Doellgast et al. (2018a) argued that inclusive agreements require the presence of encompassing collective bargaining systems and legislation that give employers no exit options. In addition, scholars pointed to high union density as important to obtaining gains also for nonstandard workers in the negotiations because it can serve as a credible threat to employers; indeed, it is associated with better outcomes, such as lower wage inequality, for the whole workforce (Benassi & Vlandas, 2016; Rueda & Pontusson, 2000).

However, the literature does not have a deterministic understanding of the influence of the institutional context on the outcomes for nonstandard workers; instead, it argues that unions can also rebuild their power resources or use them creatively, even exploiting local contingencies, to negotiate inclusive collective agreements (Alberti, 2016; Pannini, 2023; Tapia et al., 2017). In other words, the unions' 'willingness to act' (Offe & Wiesenthal, 1985) on behalf of nonstandard workers is discussed as an equally important and even functionally equivalent condition to their power to act to achieve positive outcomes for nonstandard workers. This literature included empirically rich longitudinal case studies of the unions' campaigns and organizing efforts that culminated in collective agreements (Pannini, 2023; Tapia & Turner, 2013; Tapia et al., 2017). As these studies focused primarily on the strategies that unions can adopt to rebuild solidarities across different segments of their workforce, including mobilization strategies, leveraging intersectional identities or reframing the discourse around inequality, their findings are not immediately relevant to our study. Other studies looked at the union characteristics that increase the likelihood of unions acting to protect nonstandard workers. In this stream of literature, some scholars argued that nonstandard workers/or other outsiders' groups can influence unions' negotiation priorities to their advantage when union membership includes large segments of nonstandard workers, as in

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the case of Scandinavian unions (Lindvall & Rueda, 2014; Vlandas, 2018), and when their 'voice' is integrated in the unions through its internally democratic structures (Marino et al., 2019).

Most attention, however, has been dedicated to unions' ideologies and identities, which are reflected in their strategic orientation towards nonstandard workers and 'outsiders' more generally and can vary depending on the sectors, occupations or historical roots and political affiliations within a country (Benassi & Vlandas, 2016; Dorigatti, 2017; Durazzi, 2017; Papadopoulos, 2016). Some scholars found that class-oriented unions are more inclusive of outsiders because they understand their role as one of representing the whole working class rather than just specific groups of workers. Their class orientation would not only lead unions to prioritize outsiders' demands in the negotiation rounds and oppose concessions at their expenses (Benassi & Vlandas, 2016; Papadopoulos, 2016); those unions have also been argued to shape members' preferences through solidarity initiatives and participative meetings, adding to their mobilization potential (Arnholtz & Refslund, 2019; Tapia, 2019; Tapia et al., 2017). Furthermore, class-oriented unions tend to be more militant – both in terms of their leadership and members – and therefore might achieve more for the whole workforce (rather than only for their members) because they are less likely than moderate unions to agree on concessions (Abboushi, 1987; Marques & Salavisa, 2017). Thus, class-oriented unions could make up for their lack of institutional resources through more militant bargaining strategies that try to unify class interests. On the other hand, it was found that unions traditionally characterized by a more moderate approach, the so-called social partnership, such as the Scandinavian or the Belgian unions, were also able to defend nonstandard workers by leveraging their institutional power resources and their traditional cooperative relationship with employers during the negotiations (O'Brady, 2021; Pulignano et al., 2015).

Overall, this discussion suggests that unions' ability and willingness to act, namely, their potential to mobilize resources to the benefit of nonstandard workers, might be a necessary condition for collective agreements that include nonstandard workers. Furthermore, the studies by Benassi and Vlandas (2016) and Carver and Doellgast (2021) suggested that working-class orientation can serve as the functional equivalent of institutionalized bargaining power because unions' militancy to serve (also) outsiders and their readiness to call for industrial action represent a credible threat to employers. They might therefore also be part of different paths leading to union inclusiveness, which encompass the characteristics of the employers' association and the economic/labour market conditions that shape unions' and employers' preferences, which are discussed below.

As collective agreements are the outcome of negotiations, the labour counterpart, namely, the employers and their associations, should also be considered. Employers' associations play a key role in explaining coverage rates of collective bargaining and/or the resilience of collective bargaining structures. While some scholars identified employers as being largely responsible for dismantling collective bargaining (Baccaro & Howell, 2017), others argued that they might also take advantage of encompassing, coordinated collective bargaining (Bulfone & Afonso, 2020; Hall & Soskice, 2001); indeed, unions in some countries are able to strike agreements that cover large segments of the workforce and reduce inequality primarily thanks to the density of the employers' associations (Cazes et al., 2019). A powerful argument is that employers' associations are incentivized to strike collective agreements to acquire and maintain legitimacy and power as organizations (Bulfone & Afonso, 2020). This incentive is particularly strong in countries like Portugal (excluding the period between 2012 and 2015), France and Spain (García Calavia & Rigby, 2020), where the extension of collective agreements to the entire sector takes place by law independently from the representativeness of the social partners. In such a system, small employers' associations might be willing to negotiate with the unions and make more compromises in the negotiations in order to acquire legitimacy in the sector and increase their institutional power; at the same time, organized labour might be able to take advantage of their weakness to negotiate

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better conditions for nonstandard workers. Thus, the presence of small employers' associations could benefit Portuguese unions trying to negotiate better conditions for nonstandard workers in a specific sector.

Lastly, we turn our attention to the contingent economic conditions that not only shape unions' and employers' associations' preferences regarding nonstandard work but also affect the balance of power between the two parties. First, the literature discusses the presence of nonstandard work in the sector as an important factor for unions' inclusiveness: while the dualization literature posited that the presence of outsiders serves as a buffer to insiders, preserving, if not improving, the privileged labour market status of the latter (Hassel, 2014), recent research has shown that a large presence of nonstandard workers in the labour market is detrimental to labour market insiders, putting pressure on their wages, working conditions and performance (Benassi & Dorigatti, 2015; Ciminelli et al., 2022; Marques & Fonseca, 2022; Marx & Starke, 2017). Unions were found to prioritize bargaining on behalf of nonstandard workers and even to agree on concessions on insiders' standards so they could set their wages and working conditions at a level that does not undermine the standards of their core members. For instance, research on Spanish trade unions showed that they accepted less regulation for permanent contracts in exchange for increased regulation of temporary contracts in the 1990s. At the time, unions were trying to tackle record-high levels of temporary contracts, which accounted for about 35 per cent of the workforce (Burgess, 1999; Marques & Fonseca, 2022; Molina & Rhodes, 2011). As far as employers are concerned, the continued deregulation of nonstandard work might be of interest if they use it extensively; however, if it is marginal to their staffing strategies, they might be willing to concede as (re)regulation would not entail major costs. Hence, although the prevalence of nonstandard work is unlikely to be a necessary condition for inclusive collective agreements, it could lead to these agreements if other conditions also prevail and depending on the balance of power.

Second, the overall economic conditions under which negotiations take place influence the goals of the parties and the resulting outcomes primarily because they influence the balance of power between unions and employers. If growth rates are slow and unemployment is high, workers' reservation wage decreases, and workers are more afraid of mobilizing (Silver, 2003); unions are also under pressure to moderate their demands in fear of losing their legitimacy within the wider society or their institutional bargaining position with the government and employers (Avdagic, 2010; Davidsson & Emmenegger, 2013). Similarly, unions in export-oriented sectors are more often threatened with outsourcing and plant closure, and de facto blamed for competitiveness losses if they do not engage in concession bargaining (Lehndorff, 2011). Under those conditions, unions might not be able to improve the standards for either their members or the nonstandard workers; or they might be able to preserve the standards of the former at the expense of the latter, therefore implicitly or explicitly colluding with the management to protect their members at the expense of outsiders (Doerflinger & Pulignano, 2018; Hassel, 2014; Lehndorff, 2011). The other way round, in expansionary phases unions have more mobilization power and are less concerned about protecting the jobs of labour market insiders and therefore more likely to include outsiders; at the same time, employers might also be more willing to bargain with unions when the 'pie' to share is bigger and negotiations aimed at mutual gains are more easily achievable.

Overall, we argue that conditions associated with unions' potential to bargain for outsiders – in terms of both their power and willingness to mobilize resources to benefit them – are necessary to inclusive agreements for nonstandard workers. We expect these conditions to be part of configurational paths (either together or separately), which also include the characteristics of employers' associations as well as contingent conditions that influence the preferences of both parties and the balance of power between them.

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TABLE 1 Qualitative anchor points for the calibration of fuzzy sets.

Outcome/condition	Qualitative anchor points		
	Fully out	Cross-over point	Fully in
Occurrence of pro-outsider clauses in collective agreements (OUT)	−3	−0.5	2
High percentage of temporary employment (PTE)	6	14	36.3
High union density (UD)	1	2.9	5
High employer association density (EAD)	1	3.9	5
Affiliation in a class-oriented confederation (C)	0	0.5	1
Number of strikes from 2013 to 2019 (S)	0	40	80
Degree of regulation of permanent contracts is higher than stipulated in the labour code (PER)	−1	−0.5	1
Sector experiences a positive economic performance (GVA)	−14	0	17
High exposure to international trade (XI)	3	50	200

3 | METHODS AND DATA

We use fsQCA because it allows us to examine the combination of factors leading to the inclusion of pro-outsider clauses in collective agreements (Dusa, 2019; Ragin, 2008; Schneider & Wagemann, 2012). The configurational nature of fsQCA is particularly useful to study this outcome because, as explained in the previous section, the inclusion of these clauses often depends on a *combination* of different factors that do not work in isolation. Furthermore, fsQCA allows us to deal with a relatively high number of cases for a qualitative study (52), which would be difficult using a traditional case study methodology. The analysis employs seven conditions and one outcome chosen to cover the dimensions mentioned in the previous section.

The direct method of calibration is used to calibrate the fuzzy-set scores for the outcome and seven conditions (Ragin, 2008). Fuzzy-set scores and the raw data are available in the online appendix. In addition to theoretical knowledge, we used obvious value breaks between the cases to set three qualitative anchors and ensured that no cases were classified on the cross-over point. Table 1 summarizes the qualitative anchor points for both the outcome and the conditions.

All collective agreements included in our database refer to the period between 2003 and 2019. This is because the Portuguese labour code introduced two crucial changes to collective bargaining in 2003. First, the favourability principle in collective bargaining was dropped. Thus, collective agreements could, for instance, contain clauses regulating temporary and open-ended contracts that were less favourable to workers than regulations in force in the labour code (this ceased to be possible for temporary employment from 2019). Second, the expiry of collective agreements became possible in 2003, that is, they do not necessarily stay in force until a new one is signed. One of the parties (unions or employers) can request the termination of the collective agreement. As many collective agreements were due to expire at the time because they had been in force since the Portuguese revolution, unions willing to maintain collective agreements were forced to make concessions. Thus, many collective agreements were signed in that period. Finally, as the period covers not only two economic crises (2008–2010 and 2011–2014) but also economic growth (2015–2019), it is characterized by varied economic conditions.

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Our sample includes collective agreements from five economic sectors: hospitality; banking; construction; metal; and textiles and clothing. These sectors were selected because they introduce enough variation in our conditions, for example, union density and the share of atypical employment. Furthermore, their collective agreements contain clauses offsetting standards for outsiders, demonstrating the relevance of this matter for employers and unions acting in these sectors.[1] Some agreements contain pro-outsider clauses, while others contain clauses downplaying the labour market position of these workers.

Initially, we collected and analysed 155 collective agreements. Any agreements that only revise pay rankings (i.e., all other contents remain equal) were excluded from the analysis to avoid counting the same agreement several times.[2] We ended up with a dataset of 52 collective agreements, with the following distribution: hospitality (10) – sectoral-level agreements; banking (20) – firm-level agreements; construction (10) – sectoral-level agreements; metal (8) – sectoral-level agreements; and, finally, textiles and clothing (4) – sectoral-level agreements.

In addition to the fsQCA, we conducted three short case studies to show whether the configurations identified in the analysis of sufficient conditions actually represent causal relationships, a procedure that is often recommended by the fsQCA literature (Emmenegger et al., 2013).

Before proceeding to the analysis of sufficient and necessary conditions, we briefly explain the outcome and conditions. Due to space restrictions, further details on how they were calculated are provided in the online appendix.

The outcome under study is the occurrence of pro-outsider clauses in collective agreements (OUT). To calculate this, we adopt the following procedure. For each clause in a collective agreement that is more favourable to outsider workers than as stipulated in the labour code (in the year the agreement is signed), one point is added to the score. Inversely, for each item that is less favourable to workers than as defined in the labour code (in the year the agreement is signed), one point is subtracted from the score. Only items relative to the regulation of temporary contracts, fixed-term contracts (FTCs) and temporary agency work were considered to calculate the score. All items have the same weight when calculating the score. As for the conditions, we include the following seven: high percentage of temporary employment (PTE); high union density (UD); high employer association density (EAD); a class-oriented union signs the agreement (CO); the degree of regulation of permanent contracts is higher than stipulated in the labour code (PER); sector experiences positive economic performance (GVA); and, finally, high exposure to international trade (XI). Regarding condition CO, two indicators are used: affiliation (or not) to a class-oriented confederation and the number of strike notices that each union emitted from 2013 to 2019.

4 | ANALYSIS OF NECESSARY AND SUFFICIENT CONDITIONS

Following Schneider and Wageman (2010), necessary and sufficient conditions are analysed in separate analytical steps, starting with the former. While a condition is considered necessary (albeit not sufficient) if the outcome cannot occur in its absence, it is sufficient if the outcome always occurs when the condition is present.

4.1 | Analysis of necessary conditions

Table 2 shows the results of the analysis of necessary conditions for the 'occurrence of pro-outsider clauses in collective agreements', namely, the consistency,[3] coverage and relevance of necessity parameters.[4]

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TABLE 2 Analysis of necessity.

	Consistency	Relevance of necessity	Coverage
~PTE	0.683	0.829	0.761
PTE	0.486	0.620	0.469
~UD	0.440	0.624	0.440
UD	0.745	0.842	0.799
~EAD	0.468	0.745	0.556
EAD	0.719	0.693	0.659
~CO	0.766	0.417	0.530
CO	0.388	0.936	0.797
~PER	0.205	0.940	0.664
PER[2]	**0.975**	**0.323**	**0.601**
~GVA	0.452	0.668	0.478
GVA	0.829	0.855	0.838
~XI	0.850	0.461	0.593
XI	0.237	0.846	0.476
~PTE+CO[1]	**0.900**	**0.726**	**0.761**
~PET+GVA[1]	**0.923**	**0.674**	**0.737**
UD+CO	**0.962**	**0.734**	**0.788**
UD+GVA[1]	**0.927**	**0.700**	**0.754**
EAD+CO[1]	**0.907**	**0.586**	**0.681**
~EAD+GVA[1]	**0.908**	**0.584**	**0.680**
EAD+GVA[1]	**0.921**	**0.570**	**0.679**
CO+GVA+XI[1]	**0.908**	**0.573**	**0.674**

Note: The condition shown in bold passes the consistency threshold of 0.9.

We tested for all possible supersets of INC. Only complex necessary conditions meeting the consistency and triviality criteria are listed in the table.

The online appendix also provides a glossary of each fsQCA measure.

[1]No necessary condition: at least one deviant case in kind. The online appendix contains information on this, namely, XY plots, which show the existence of deviant cases in kind.

[2]No necessary condition: relevance of necessity lower than 0.5.

Table 2 shows that high UD or a class-oriented union signing the agreement (CO) is a necessary condition for the outcome 'occurrence of pro-outsider clauses in collective agreements' (0.962). It makes sense to combine these two conditions via logical OR because there are substantive arguments to support the claim that they operate as functional equivalents of some higher-order concept (Schneider & Wagemann, 2012, p. 74). Indeed, as argued in the previous section, the two conditions represent the unions' potential to mobilize resources to bargain for nonstandard workers. On the one hand, unions that organize large segments of the workforce have a high level of potential not only because they are more likely to include nonstandard workers within their membership who then influence their preferences but, above all, because the mobilization of their broad membership represents a credible threat to employers. On the other hand, the working-class orientation leads to a more unified bargaining agenda between insiders and outsiders, and unions' militancy to serve outsiders' interests also represents a credible threat to employers (Benassi

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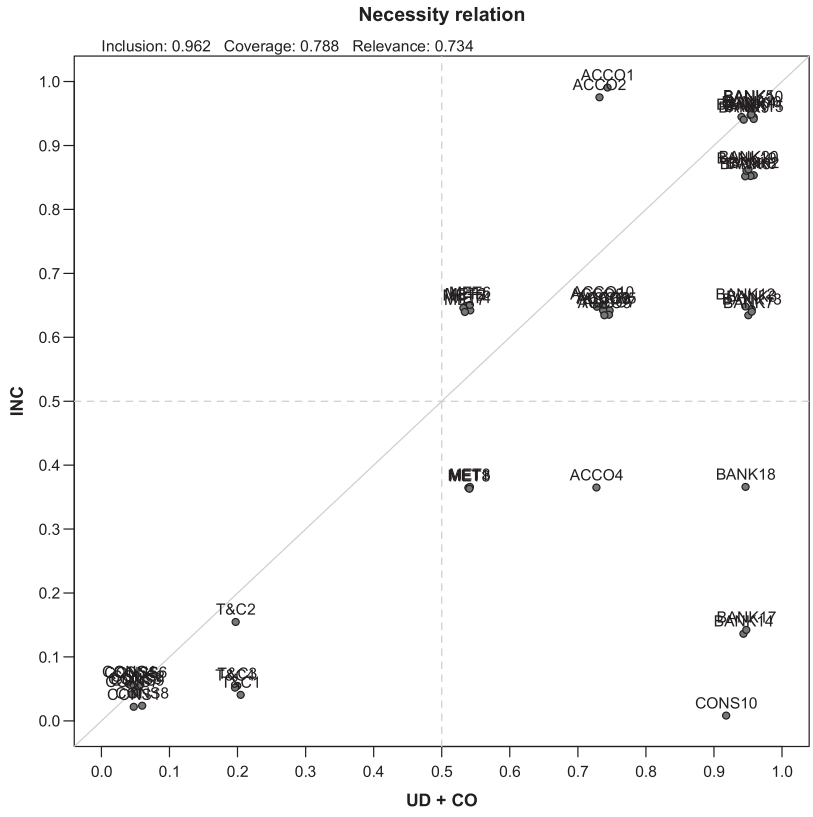

FIGURE 1 Necessary conditions for the outcome 'occurrence of pro-outsider clauses in collective agreements'.

& Vlandas, 2016; Dorigatti, 2017). Thus, both conditions, either in combination or separately, should lead unions to include pro-outsider clauses in their collective agreements.

The analysis of necessary conditions is graphically presented through XY plots, where the *x*-axis depicts the necessary condition, and the *y*-axis depicts the outcome. These plots show whether a specific condition is necessary and if there are any deviant cases. They also offer graphical insights on whether a necessary condition might be empirically trivial. For a condition to be necessary, all cases should be located around or below the bisecting line (Ragin, 2000, p. 15; Schneider & Wagemann, 2012, p. 7). Figure 1 shows that only a few cases are located above the diagonal for this condition. However, other cases are clearly below the diagonal. This means that while UD+CO is a necessary condition for the outcome OUT, its presence is not a sufficient condition. This shows the configurational nature of this process; to understand the occurrence of pro-outsider clauses in collective agreements, it is important to study how this complex necessary condition interacts with other conditions. This is done in the next section.

Figure 1 also shows that there are no deviant cases in kind as all cases with the 'occurrence of pro-outsider clauses in collective agreements' rank high on this complex necessary condition (a deviant case would be on the top left-hand side of this graph). In short, the analysis of necessary conditions shows that UD+CO is an important (coverage: 0.788 and RoN: 0.734) and consistently (0.962) necessary (but not sufficient) condition for the outcome.

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TABLE 3 Sufficient conditions for the 'occurrence of pro-outsider clauses in collective agreements'.

	Path 1	Path 2	Path 3
High percentage of temporary employment (PTE)			
High union density (UD)	●		●
High employer association density (EAD)		○	
A class-oriented union signs the agreement (CO)		●	●
Degree of regulation of permanent contracts is higher than stipulated in the labour code (PER)			
Sector experiences a positive economic performance (GVA)	●		
High exposure to international trade (XI)			
Consistency	0.934	0.843	0.860
PRI	0.897	0.689	0.673
Raw coverage	0.647	0.310	0.171
Unique coverage	0.487	0.217	0.010
Solution consistency	0.888		
Solution coverage	0.876		
Solution PRI	0.828		
Typical cases			
Path 1: BANK1, BANK3, BANK4, BANK5, BANK6, BANK7, BANK8, BANK10, BANK11, BANK15, BANK16, *BANK18*, BANK19; BANK9, BANK13; MET2, MET4, MET5, MET6, MET7, *MET8*			
Path 2: ACCO10; ACCO1, ACCO3, *ACCO4*, ACCO5, ACCO8, ACCO9; ACCO2, ACCO6, ACCO7.			
Path 3: BANK12; BANK9, BANK13			

●, core condition (present); ○, core condition (negated).

Notes: Cases separated by semicolons belong to different truth table rows. Items in italic indicate deviant case consistency in kind. We display the *parsimonious solution*. The complex solution is available in the online appendix. The online appendix also provides a glossary of each fsQCA measure.

4.2 | Analysis of sufficient conditions

Table 3 presents the paths leading to the 'occurrence of pro-outsider clauses in collective agreements'.[5] It lists the cases explained by these solutions, the consistency, coverage and proportional reduction in inconsistency (PRI) indicators for the single paths and the overall solution. Cases can be covered by several paths.

The solution term for the outcome includes three paths, shows very high consistency (0.888) and coverage (0.876) and explains 29 out of 31 cases in which the outcome occurs. Below we discuss typical cases for each path.

4.3 | Banking: High unionization in a sector with a good economic performance

Our most encompassing path – covering 19 cases in which the outcome occurs – combines high UD and sectoral growth (GVA). All but six of these cases refer to agreements signed in the banking sector, which we discuss in detail in this sub-section.

Regarding UD, banking is an outlier in the Portuguese context. Relying on data from *Relatório Único* (GEP, 2010), Portugal and Vilares (2013) document that UD in the sector was about

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63 per cent in 2010, the highest rate in Portugal. However, we may assume that density is even higher as *Relatório Único* only contains data provided by employers, a limitation mentioned in the online appendix. Despite these high figures, the sector has been exhibiting a decline in union membership, from 63 per cent in 2010, to 57 per cent in 2015, and 52 per cent in 2020 (Campos Lima et al., 2023). The presence of strong unions in the Portuguese banking sector goes back to the Portuguese democratic revolution of 1974, after which the whole banking sector was nationalized. Although banking and financial activities were progressively liberalized from 1986, when Portugal joined the EU, unions remained strong. Banks like *Caixa Geral de Depósitos* and *Banco de Portugal*, which signed some of these agreements, still belong to the public sector, but others were privatized. Unionization rates are higher in public banks (Portugal & Vilares, 2013). High unionization rates in the banking sector can be explained by the fact that union members are entitled to special benefits, such as industry-specific health provisions based on employers' contributions. This system is run by unions and acts as an incentive to join unions (Campos Lima et al., 2023).

Our results show that the economic context is key in this process. Indeed, most of these cases pertain to the 2003–2010 period, during which the economic performance of the banking sector was always good. From 2011 onwards (when the Troika intervention in Portugal started), the sector experienced a steady decline in terms of employment and activity, with a continuous downward trajectory of gross value added until 2017. This led to a restructuring process in line with the banking sector in other European countries (Kirov & Thill, 2018). Furthermore, the Troika intervention (2011–2014) blocked bargaining dynamics.[6] In light of this new context, it was not by chance that the pro-outsider clauses included in the agreements signed before 2011 almost disappeared from the collective agreements signed subsequently (only one agreement retained these clauses). This shows the importance of the GVA condition for the outcome to occur.

Pro-outsider clauses included in the pre-2011 collective agreements relate to the number of possible successive FTCs and their maximum duration. They determine that FTCs last for shorter periods of time and cannot be extended as often as the labour law permits. While not part of the sufficient conditions, the small share of FTCs in the sector may have been of relevance to employers, as these concessions seem more feasible than substantial concessions to the standards of the core workforce. The small share of FTCs might be explained by the fact that the banking sector is not subject to great seasonal fluctuations or to the widespread use of flexible working time arrangements. Notwithstanding, the concessions disappeared from the collective agreements after 2011, showing that employers prioritized and valued savings in difficult economic times, albeit relative to a small share of their workforce. Thus, their presence is not part of the path. Finally, it is worth mentioning that these pro-outsider clauses came in conjunction with other clauses that were favourable to insiders. Indeed, all these 14 collective agreements signed in the banking sector contained some clauses that regulated permanent contracts more than the Portuguese labour code required.

In sum, the causal mechanism in this path can be explained as follows: high UD, which is a proxy for union power, means that unions are in a better position to negotiate gains for workers despite a difficult context of liberalization. Higher-than-average UD also means that outsiders are more likely to be union members, which makes unions more concerned about their labour market conditions. On the other hand, the favourable pre-crisis economic context also meant that unions were less focused on protecting insiders' jobs because the sector was not shrinking. In this favourable context, employers were also more willing to concede due to the possibility of mutual gains and less in need of nonstandard work arrangements to cut costs. Additionally, as referred to above, temporary contracts only affected a small percentage of employees in the banking sector.

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With the drastic transformation of the economic context and the following steady decline in terms of employment, workers' bargaining power was eroded. As a result of this and the obstruction of collective bargaining during the Troika intervention, pro-outsider clauses were wiped out of the agreements.

4.4 | Hospitality: A class-oriented union negotiating with weak employer associations

The second path leading to the outcome (covering nine cases in which the outcome occurs) combines a class-oriented union signing the agreement (CO) and low employer density (~EAD). All these cases refer to agreements signed in the hospitality sector, which are discussed in detail in this sub-section.

Employer density in the sector is medium–low (two on a scale of one to five). AHRESP, the largest employer association in the sector, represents firms that employ about 100,000 of the 292,522 workers in the sector (Eurofound, 2018). This is because the sector is very segmented and encompasses different realities ranging from small service food and beverage establishments to restaurants and catering businesses, and from hotels to other types of accommodation. In line with this segmentation, collective bargaining is very fragmented. For instance, in 2017, 17 agreements were signed by 5 different employer associations (AHRESP, APHORT, AIHSA, AHETA and AHP) and 3 different unions (FESAHT, affiliated to *Confederação Geral dos Trabalhadores Portugueses* – CGTP; FETESE and SITESE affiliated to *União Geral de Trabalhadores* – UGT) (Campos Lima et al., 2021). Furthermore, not all these agreements covered the different segments in this industry, nor did they have national scope. Interestingly, it must be noted that the two employer associations that signed agreements with pro-outsider clauses (AIHSA and APHORT) are small and have a regional reach (AIHSA, in the Algarve, and APHORT, in the North of Portugal). The issue of legitimizing their role in the collective bargaining arena was particularly important for them. By signing collective agreements, they can potentially boost filiation because they are seen as representatives of employers developing their activities in these regions due to the fact that the agreements are extended to the whole workforce irrespective of the representativeness of the social partners. When these agreements were signed, extension mechanisms were being used.

Pro-outsider clauses in collective agreements were signed by FESAHT, affiliated to the more hardline and class-oriented union confederation (CGTP). In our sample, this was one of the unions that issued the most strike notices (54). The capacity to call for industrial action represented a credible threat to employers. From our perspective, the strategy followed by this union illustrates quite well what we mean by a high potential to mobilize resources in favour of outsiders.

Pro-outsider clauses included in these collective agreements refer to the following contents: (i) maximum number of successive FTCs (only two renewals were allowed in two agreements, although the labour code allowed three at the time); (ii) the conditions to sign successive FTCs (contrary to what was stipulated in the labour law, four agreements did not allow firms to sign successive FTCs if a layoff period was observed)[7]; (iii) severance pay for FTCs (which was higher in two agreements than in the labour code); and (iv) the maximum cumulated duration for FTCs (which was three years for one agreement vis-á-vis six in the labour code). These pro-outsider clauses were signed before the Troika intervention. Bargaining dynamics only recovered in 2017.

However, favourable clauses in some areas of all these agreements were offset by unfavourable ones in others. In other words, the unions made some concessions. One agreement included unlimited renewals for FTCs. In another, the maximum cumulated duration for FTCs was higher

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than stipulated in the labour code. For the other two cases, FTCs were allowed in more situations than in the labour law. These two cases also revoked preference in hiring for workers that were previously hired through FTCs when firms were hiring on a permanent basis, although this is mentioned in the labour code. Nevertheless, the result was positive because there were more favourable conditions for outsiders than unfavourable ones.

In a sector that uses atypical contracts very extensively, the percentage of temporary contracts in hospitality in the period when most of these agreements were signed (2004–2007) varied between 32 and 36.5 per cent (GEP, 2021) – these clauses meant significant gains for unions and workers in the sector. The share of temporary work in the sector rose steadily, reaching 47.1 per cent in 2019 (GEP, 2021), showing the importance and relevance of these clauses.

To sum up, unions' identities can play a key role in the way nonstandard workers' interests are incorporated into union strategies. As the FESAHT cases shows, a class-oriented union signed agreements containing clauses that sought to limit and restrict atypical employment. This is particularly relevant because it takes place in a sector in which this type of employment is widespread, often involving individuals from vulnerable groups, such as migrants, women and young people. Nevertheless, the presence of a class-oriented union is not in itself sufficient for the outcome to occur. There must also be low employer density. In these circumstances, employers sign collective agreements to legitimize their role and thus attract new members to the association. This is exemplified by the AIHSA and APHORT cases. Furthermore, these associations included pro-outsider clauses in their collective agreements but managed to include some clauses that were detrimental to outsiders so that they could justify the agreement to their members. This shows that even when a "radical" trade union faces a weak employer association, it must make concessions in order to have pro-outsider clauses written into its agreements, and it illustrates the fragility of union and labour bargaining power in a context of liberalization.

4.5 | Banking: A class-oriented union representing a high share of the labour force

The third path is the most limited, covering only three cases. It combines a class-oriented union signing the agreement (CO) and high UD. This path covers firm-level collective agreements signed by *Sindicato dos Trabalhadores das Empresas do Grupo CGD* (STEC) and *Caixa Geral de Depósitos* (CGD).

CGD is a Portuguese public bank with a total workforce of about 6,000 employees and a relevant market share (e.g. it had 23.1 per cent of total customer deposits in 2023). STEC represents CGD workers; it is the only union in the Portuguese banking sector that represents workers from a single employer. The other unions represent workers from different banks. STEC is also unique because it is linked to CGTP and is known for taking strike action; it called more strikes (85) than any other union in our sample. Most unions in the sector are affiliated to UGT and adopt a moderate approach. For example, in sharp contrast to STEC, the unions affiliated to UGT called a maximum of three strikes in the entire period under analysis (see Table A6, available in the online appendix). Finally, STEC is the largest union in CGD, representing about 80 per cent of the unionized labour force. According to this union, more than 50 per cent of CGD workers are members of STEC.

In addition to the factors mentioned for the first path (UD*GVA), which are important because it encompasses two out of three cases covered by the third path, outsiders' interests can be safeguarded in the third path even in a bad economic situation. This happens when the union follows a class-struggle approach and represents a large proportion of the workforce; in these

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circumstances, employers are affected by mobilization and are therefore put under pressure. BANK12 is a key case in this path as it is the only one in which the economic performance of the sector is negative. This agreement was signed in 2010, during the global financial crisis, and it brought the regulation of atypical contracts in line with labour code requirements (BANK12). Although this does not appear to be very daring at first sight, in fact, it avoided penalizing outsiders in the context of a massive crisis in the financial sector. Furthermore, it was important because the regulation of atypical employment had been increased in a revision to the labour code in 2009 (Marques & Fonseca, 2022, pp. 72–73). This labour law reform meant reducing the maximum duration of FTCs from six to three years. It was therefore important to safeguard this.

Notwithstanding, the first and second paths are more important to explain the outcome than the third path for two reasons. On the one hand, the first and second paths cover far more cases. Consequently, raw coverage in these paths is much higher (0.647 and 0.310, respectively) than in the third path (0.171). Second, the level of regulation of temporary employment in the only case covered just by this path (BANK12) is equal to the labour code requirements. Third, CGD is a public bank, being therefore a special case. Consequently, unique coverage is very low in this path (0.010).

4.6 | Analysis of deviant cases

Figure 2 presents the results graphically and shows whether the solution terms are sufficient and the presence of any deviant cases. A condition is sufficient if all cases are located around or above the bisecting line (Ragin, 2000, p. 236; Schneider & Wagemann, 2012, p. 69). As can be seen in the figure, ACCO4, MET8 and BANK18 are the only three deviant cases consistency in kind. In the next paragraph, we discuss each of these cases because it is important to clarify why the outcome is not present although CO*∼EAD (for ACCO4) and UD*GVA (for MET8 and BANK18) are. This procedure is often done in fsQCA papers (e.g. Hinterleitner et al., 2016, p. 563).

The ACCO4 is a collective agreement in the hospitality sector that was signed one year after the start of the global financial crisis, in 2009, which may help explain why the outcome is not present although the combination ∼EAD*CO is. In this agreement, the maximum duration for FTCs increased to six years (vis-á-vis three years in the labour code at the time). This extension was used because unemployment was rising rapidly and it was thought that atypical jobs might be safeguarded if FTCs were allowed to last longer in this difficult period. Indeed, the condition GVA for "positive economic outlook" is absent. The MET8 agreement covers only administrative staff, which might explain the differences with other agreements signed in the sector covering production workers. The agreement allows employers to use FTCs in more situations. BANK18 is a company agreement signed by the largest private bank. Not only is UD in the private sector lower than in the public, but this specific bank had made extensive changes to its human resource management policies. For instance, it revoked progression based on seniority well before other banks. The agreement also includes an additional justification for the use of FTCs, namely, when the bank is contracting workers for call centres. The fact that the UD*GVA combination is present but the outcome is not is explained by the fact that union density is lower than in other banks (albeit high for the Portuguese context) and the bank's human resource policies are more liberalized.

Finally, two outliers (BANK2 and BANK20) are not covered by any path. Notwithstanding, we contend that our model explains reforms in most of the cases in which the outcome occurs and is therefore empirically relevant.

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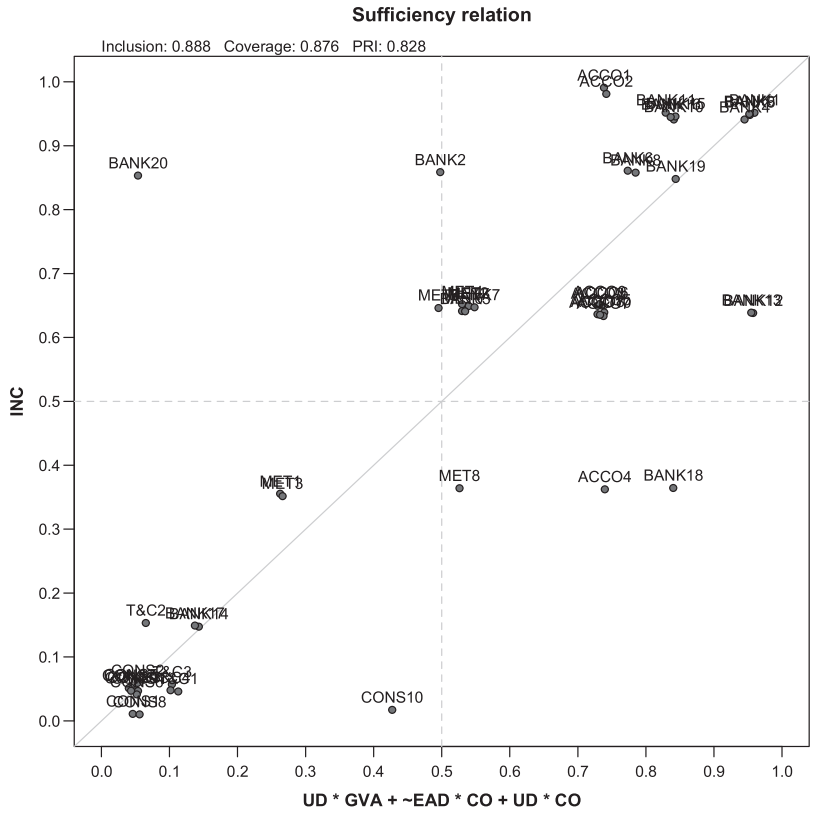

FIGURE 2 Sufficient conditions for the outcome 'occurrence of pro-outsider clauses in collective agreements'.

5 | DISCUSSION AND CONCLUSION

This article strives to identify the conditions under which unions sign collective agreements that contain pro-outsider clauses. To this end, it compares 52 collective agreements signed in Portugal between 2003 and 2019. The analysis is conducted using fsQCA to identify the necessary and sufficient conditions leading to the occurrence of pro-outsider clauses in collective agreements.

Our results reveal one complex necessary condition for the occurrence of pro-outsider clauses in collective agreements, namely, high UD *or* the agreement is signed by a class-oriented union. The results of our analysis of sufficient conditions show that three different paths lead to the outcome, namely, (i) the combination of high UD and sectoral growth; (ii) the combination of a class-oriented union signing the agreement and low employer density; and, finally, (iii) the combination of high UD and a class-oriented union signing the agreement.

Overall, our results show that there are four key conditions associated with the occurrence of pro-outsider clauses in collective agreements. Either class-oriented union identity or high UD is a necessary condition; the degree of employer density and the sector's economic performance are conditions related to different paths leading to the outcome. The other conditions included in our analysis seem to play a less relevant role.

These results demonstrate the importance of union characteristics associated with unions' potential to mobilize resources to the benefit of outsiders; however, the two conditions are only

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sufficient when they occur simultaneously or when combined with other conditions. For example, they are both present in the case of the agreements between CGD and STEC. The other two paths, which cover most of our cases and are thus the most important, suggest that unions' ability to strike inclusive agreements also depends on external factors, especially in the context of the liberalization of industrial relations as in the case of Portugal since 2003. Thus, class-oriented unions are able to include pro-outsider clauses in their collective agreements if they are facing fragmented employers' associations; in Portugal, small employers' associations have an interest in signing agreements so that they gain legitimacy because these are then extended across the sector. On the other hand, even high-density unions can come up against problems when trying to include these clauses. It is hard to include pro-outsider clauses in a difficult economic environment like that of the Portuguese banking sector after the onset of the global financial crisis. Union action was only successful when the sector showed a good economic performance.

The online appendix contains information on the analysis of the negative outcome, that is, the sufficient and necessary conditions for the occurrence of clauses that are detrimental to outsiders. The analysis of sufficiency shows interesting results. First, regarding high UD, class-oriented union identity (CO) and a low employer density (~EAD), which were part of different combinations of conditions leading to the occurrence of the outcome, their opposite (~UD, ~CO and EAD) is part of different paths leading to the negative outcome. Second, while a positive economic performance in the sector (GVA) is important to explain the occurrence of pro-outsider clauses in collective agreements, its absence (~GVA) is not part of any path leading to a negative outcome. Third, a high PTE is part of one path leading to the occurrence of the negative outcome (this condition was irrelevant to explain the occurrence of pro-outsider clauses). Finally, two conditions are irrelevant to study both the occurrence and non-occurrence of the outcome – high exposure to international trade (XI); and degree of regulation of permanent contracts is higher than stipulated in the labour code (PER). Taken as a whole, besides the fact that UD, CO and ~EAD work in opposite ways, the main differences between the two analyses is the fact that PTE is part of the combination of conditions leading to the occurrence of the negative outcome and that GVA (or its absence) is not.

Our findings contribute to further developing the rich literature on unions and outsiders, notably nonstandard workers. In particular, we advance research that considered the provisions included in collective agreements as their outcome (e.g. Benassi & Vlandas, 2016; Doellgast et al., 2018b; Wagner & Refslund, 2016). Our overarching argument is that these provisions are the outcome of negotiation processes in which several factors are at play. While scholars have already highlighted the combined role of either union strategy and the institutional context (e.g. Doellgast et al., 2018a) or the different characteristics of the industrial relations contexts (e.g. Benassi & Vlandas, 2016), our findings suggest that, in most cases, the unions' ability and willingness to act on behalf of nonstandard workers only delivers outcomes for the latter when combined with other factors that influence the context of negotiations. Thus, unions can achieve their goals if they exploit the available windows of opportunity. From a methodological perspective, our article adds to existing studies in industrial relations already using fsQCA (Avdagic et al., 2011; Benassi & Vlandas, 2016; Ibsen, 2021; Marques & Salavisa, 2017) and demonstrates the value of using configurational methods like fsQCA to study the conditions under which labour–management negotiations deliver certain outcomes.

Our deviant cases discussed above suggest that some other conditions might warrant further study. For example, future research could examine the importance of some employers' characteristics that influence their willingness to agree to pro-outsider clauses, notably the human resource

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management model adopted by the company and the occupational composition of the firm. Furthermore, it would be interesting to use the dataset from this research to analyse more in-depth the occurrence of clauses that are detrimental to outsiders.

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CONFLICT OF INTEREST STATEMENT

None of the authors have a conflict of interest to disclose.

DATA AVAILABILITY STATEMENT

All data are available in the online appendix.

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ENDNOTES

[1] Initially, other sectors were included in the analysis, but no contents related with atypical employment were identified, demonstrating that this matter was not relevant in some sectors. An interesting example is telecoms, for which we were expecting to find some clauses on this matter. Notwithstanding, the content analysis showed there was not a single clause on this subject. The issue of temporary and agency work is less relevant because telecommunications use outsourcing very extensively. The bulk of outsiders belong to external firms.

[2] In the case of collective agreements that only revise pay rankings, only the original agreement is counted. This is so because in order to update pay rankings, it is usual for the same collective agreement to be revised every year (or every two years). The Ministry of Labour calls this type of collective agreement a 'revision of pay rankings' and only one sheet with the new pay ranking is published in the Ministry of Labour website. This is because all other contents remain unchanged. From our perspective, it does not make sense to include these agreements because the same agreement would be counted several times. It is only when there are revisions to other contents (related to atypical employment or not) that we consider this a new collective agreement.

[3] Due to space restrictions in the article, we do not provide a definition for each fsQCA parameter. The online appendix contains a glossary with that information.

[4] In this analysis, we use the *R* Package 'QCA' (Dusa, 2019).

[5] Due to space restrictions, the truth table is not inserted in the main document. It is, however, available in the online appendix. We used a consistency threshold for sufficient condition rows of 0.88 for the outcome OUT. There are two reasons for this. First, following Schneider and Wagemann (2012, p. 127), values below 0.75 are considered problematic as they have consequences for the subsequent analysis; secondly, there are only three true logically contradictory cases (BANK18, MET8 and ACCO4).

[6] Coverage of collective agreements is high in the banking sector, about 81.9 per cent in 2020 (Campos Lima et al., 2023).

[7] A 'lay-off period' is a specific procedure mentioned in the Portuguese labour law. Further information on this is available at: https://www.portugalglobal.pt/EN/InvestInPortugal/laboursystem/Paginas/LayoffReductionofactivityorsuspensionofthelabourcontracts.aspx.

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