

Crisis corporatism 2.0? The role of social dialogue in the pandemic crisis in Europe

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Guglielmo Meardi

Scuola Normale Superiore, Florence, Italy

Arianna Tassinari

Max-Planck Institut für Gesellschaftsforschung, Cologne, Germany

Summary

The literature on corporatism sees exogenous threats as opportunities for establishing interclass alliances. This article asks if this has been the case with the COVID-19 pandemic, looking at whether social dialogue practices and functions have changed in the three largest EU countries compared with the ‘crisis corporatism’ and ‘austerity corporatism’ that accompanied the Great Financial Crisis of 2008–2009 and the eurozone crisis of 2010–2012. It concludes that continuity prevails in terms of the forms and limitations of concerted solutions, which remain country-specific. However, a crisis focused on health issues has entailed a shift in the agenda from labour costs to production issues, providing trade unions with discursive resources opening up opportunities to move from the concession bargaining of previous decades to more assertive roles.

Résumé

La littérature sur le corporatisme considère que les menaces exogènes constituent autant d'opportunités pour établir des alliances interclasses. Cet article se demande si tel a été le cas avec la pandémie de la COVID-19, en examinant si, dans les trois plus grands pays de l'UE, les pratiques et les fonctions du dialogue social ont changé par rapport au " corporatisme de crise " et au " corporatisme d'austérité " qui avaient respectivement accompagné la grande crise financière de 2008-2009 et la crise de la zone euro de 2010-2012. L'article conclut que la continuité prévaut quant aux formes et aux limites des solutions concertées, qui restent spécifiques à chaque pays. Cependant, le fait que la crise soit axée sur des questions de santé a entraîné un déplacement des préoccupations : la question des coûts de main-d'œuvre a fait place aux problèmes de production, ce qui a offert aux syndicats des arguments pour sortir des négociations de concession que l'on a connues lors des décennies précédentes, au profit de rôles plus affirmés.

Corresponding author:

Guglielmo Meardi, Scuola Normale Superiore, Palazzo Strozzi, Piazza Strozzi, Florence, Toscana 50123, Italy.

Email: Guglielmo.meardi@sns.it

Zusammenfassung

Die Fachliteratur zum Korporatismus sieht in exogenen Bedrohungen eine Chance für die Bildung klassenübergreifender Bündnisse. Der vorliegende Artikel geht der Frage nach, ob dies auch vor dem Hintergrund der COVID-19-Pandemie der Fall war, und untersucht, ob sich die Praxis und die Funktionen des sozialen Dialoges in den drei größten EU-Ländern im Vergleich zu dem „Krisenkorporatismus“ und „Austeritätskorporatismus“ verändert haben, die die Finanzkrise 2008-2009 und die Krise der Eurozone 2010-2012 begleiteten. Das Autorenteam kommt zu dem Schluss, dass hinsichtlich der Ausgestaltung und der Begrenzungen konzertierter Lösungen, die weiterhin länderspezifisch bleiben, nach wie vor Kontinuität herrscht. Diese in erster Linie durch Gesundheitsthemen bestimmte Krise hat jedoch dafür gesorgt, dass nicht mehr die Arbeitskosten die Agenda bestimmen, sondern Produktionsprobleme. Dadurch haben die Gewerkschaften im Diskurs Ressourcen mobilisieren und die Gelegenheit nutzen können, von den Zugeständnissen vergangener Jahrzehnte zu einer durchsetzungsstärkeren Rolle überzugehen.

Keywords

Social dialogue, COVID-19 pandemic, concertation, corporatism, crisis

Introduction: crisis corporatism in times of pandemic

Moments of crisis and exogenous shocks threatening the foundations of societal stability have often been interpreted in classic corporatist theory as possible catalysts of cooperation between the state, labour and capital. Katzenstein (1985) highlighted how external threats such as wars and deep economic crises can impress on political and economic elites an awareness of the necessity for internal unity and cooperation. Being aware of societal vulnerability to the vagaries of external forces, Katzenstein (1985) argued, can indeed lead actors to a ‘broadening of narrow class interests’, facilitating the emergence of ‘ideologies of social partnership’ which integrate ‘differing conceptions of group interest with vaguely but firmly held notions of the public interest’ (p. 32). Crises, in short, can thus lead to an intensification of social dialogue and social concertation between the state and social partners to face up to emerging challenges.

The fast-burning phase of the COVID-19 pandemic presented, on the surface, various features of a crisis theoretically able to trigger such a forging of unity between labour, capital and the state in the name of a hypothetical ‘common interest’. First, the pandemic was a sudden exogenous shock whose *immediate* origins lay, strictly speaking, outside the workings of the capitalist system (although not of globalisation). The seemingly ‘symmetric’ nature of the shock, at least in the first months, did not lend itself to the logic of attributing blame for the crisis to a specific segment of society. In this respect, at its outbreak the COVID-19 crisis lent itself more easily to an ‘all in it together’ crisis narrative (Coulter, 2020) than was the case with the 2008 Great Financial Crisis or the eurozone sovereign debt crisis of 2010–2012, where competing narratives of blame attribution confronted one another. Second, the stakes involved in short-term crisis management – literally questions of life and death – could, in theory, have acted as a higher-order imperative incentivising stakeholders to put aside ‘particularistic’ interests in the name of societal unity of intents. Third, as an unusual shock hitting both supply and demand, the immediate economic dimension of the COVID-19 crisis required solutions going beyond the usual arsenal of tools available to the state and capital in response to downturns, such as mass mobilisation of the labour force, and therefore requiring some experimentation and possibly the forging of novel compromises between capital and labour (Coulter, 2020).

Hence, some elements of the COVID-19 crisis could have been expected to trigger a revival of ‘crisis corporatism’ (Ebbinghaus and Weishaupt, 2021), a term referring to processes of negotiation, coordination and cooperation between the state, labour and capital. Such ‘emergency coalitions formed in response to the crisis’ generally emerge in a defensive logic and under conditions of weakness (Urban, 2012: 230). This understanding of crisis corporatism therefore falls under Schmitter’s definition of ‘corporatism II’ (Schmitter, 1982: 262). It denotes not a *structure* of interest intermediation, but rather a *mode* and *process* of coordinated interaction between governments and organised producer groups with regard to matters of economic and social policy. As such, the concept encompasses both formal processes of social concertation initiated in response to crisis conjunctures, as well as more informal processes of consultation, coordination or negotiation going beyond normal bilateral wage bargaining (Visser, 2021: xv).

Yet, crisis situations – however severe – do not automatically lead to a flourishing of such experiments in social partnership. First, the very nature of the health crisis and its *tempo*, requiring high speed of action and accelerated policy-making, might not be easily compatible with consultation and deliberation (Truchlewski et al., 2021). Second, crisis corporatist experimentation in the face of exogenous threats can be ephemeral when not rooted in longstanding institutional arrangements. Although ‘unitary politics’ occasionally emerge for a time in crisis junctures, as Katzenstein (1985: 208) remarks, ‘all such appearances are temporary’. The experience of the crises preceding COVID-19, i.e., the 2008–2009 financial crisis and the successive eurozone crisis of 2010–2012, are instructive in this regard (Ebbinghaus and Weishaupt, 2021). The experiments in ‘crisis corporatism’ (Urban, 2012) initiated at the beginning of the downturn in 2008–2009 quickly fell apart under the pressures of economic restructuring, structural adjustment and fiscal consolidation, revealing how domestic political, social and institutional factors mediate in important ways the – never univocal – impact of exogenous pressures.

There are thus good reasons – both theoretical and empirical – for analysing the relationship between the COVID-19 pandemic and the activation of ‘crisis corporatist’ experiments as an open empirical question with theoretical relevance for debates on the nature and functions of corporatist practices. This article does so by analysing the role of social partners and ‘crisis corporatist’ tools (negotiation, consultation and coordination between governments and social partners) from March 2020 until April 2021. Building on the mixed assessment of a recent overview of social dialogue and COVID-19 policy-making across the EU (Eurofound, 2021), we focus on the three largest EU Member States – Germany, Italy and France. The three cases differ in various analytical dimensions of interest: the initial intensity of the pandemic and the policy approaches taken to manage it, as well as their institutional industrial relations set-ups, social partner power resources and their extant legacies of social dialogue. As such, they present useful reference points in comparison to the previous economic crisis of 2008–2012, when the three countries represented three alternative scenarios. Germany is the country for which the idea of ‘crisis corporatism’ was first proposed (Urban, 2012). By contrast, Italy is a country where social dialogue collapsed into mere concession bargaining, so-called ‘austerity corporatism’ (Tassinari and Sacchi, 2021), while in France the crisis was followed by an initial turn from unilateralism to social dialogue, but without institutionalisation and with a fall into open confrontation a few years later (‘political contingency’) (Freyssinet, 2017). This difference in their previous histories of social dialogue allows us to assess differences with the current experience gained during the pandemic.

The article investigates to what extent and in which capacity social partners – and unions in particular – have been involved in developing responses to the COVID-19 pandemic through what the EU defines as ‘social dialogue’, on which issues, through which channels and with which functions with regard to the responses implemented.

Insights from the literature: social dialogue functions, preconditions and outputs in times of crisis

To structure our analysis of developments in ‘crisis corporatism’ in the first, fast-burning phase of the COVID-19 pandemic, we adopt a simple interpretative framework comprising four dimensions: first, the *type* of ‘crisis corporatist’ tools activated in different fields (formal or informal, tripartite or bipartite); second, the *functions* that these fulfil (expressive or instrumental); third, the *facilitating conditions* associated with their activation, controlling for the nature of the exogenous threat; and fourth, the *balance of power enshrined within and the effectiveness* of their outputs.

What forms can crisis corporatism take?

As clarified above, our definition of crisis corporatism, following Ebbinghaus and Weishaupt’s (2021) usage, encompasses both formal and informal processes of consultation, coordination or negotiation between governments and representatives of labour and capital (see also Guardiancich and Molina, 2017: 5). We draw a distinction (Tassinari, 2019) between formal, structured interactions that happen in a formal public arena such as tripartite or bipartite bodies, often with some formalised output; and informal interactions that take place through unofficial, non-formalised and non-public channels (such as behind-closed-doors meetings, arms-length negotiations etc.). We also distinguish between processes that entail substantive negotiations and processes of ‘political exchange’ on concrete policy issues, and those that are purely consultative in nature and entail exchanges of views without tangible impacts on policy outputs.

What functions can crisis corporatism fulfil in a pandemic?

What is, or what could be, the purpose of crisis corporatist experiments in the context of the pandemic? These can perform both legitimisation and instrumental functions for governments (Traxler, 2010).

Legitimation functions are linked to the *expressive* features of social dialogue: making decisions to be perceived less as imposed by an external rule-maker, defusing protest, building consensus and a shared understanding between stakeholders, and acknowledging – if not always meeting – demands from constituencies. This function of social dialogue has been in decline in recent decades since its capacity to deliver is proportional to the authority that social partners enjoy. With the decline in membership and social prestige of many countries’ unions and employer associations, social concertation has had less to deliver in terms of legitimisation (Culpepper and Regan, 2014). Nonetheless, the legitimisation function is also a result of the demand for it, proportionate to the gravity of decisions and the weakness of political power (Hamann and Kelly, 2010). In the COVID-19 crisis, governments had to take unprecedented decisions on economic activity, civil liberties, and social security with an urgency allowing no time for extensive consultation with social partners. Yet for many governments it became important to have organised interests on their side, as a loss of legitimacy could have quickly led to non-compliance or social protest.

The *instrumental* function of crisis corporatist tools is linked to their potential problem-solving capacity, e.g. to deliver negotiated income policies, address concrete policy problems and achieve a good balance of interests by taking input from economic stakeholders into consideration. This function is linked to the capacity of centralised associations to negotiate and implement compromises, as well as to their competence and knowledge on specific economic and social matters. In a pandemic crisis, income policies are not immediately relevant. This is even more the case due to the symmetric nature of a pandemic affecting almost all advanced economies in a similar way,

unlike currency and trade shocks: regaining national competitiveness – the driver of ‘competitive corporatism’ in the last few decades – is largely irrelevant when the economy stalls globally. Important decisions were needed on public expenditure, but the allocation of costs was deferred through an increase in debt: therefore, also on fiscal policy there has not yet been much to negotiate. By contrast, the competence aspect of social dialogue’s instrumental functions could become very important in a sudden crisis when governments had to take unprecedented decisions affecting the functioning of the economy, work organisation and social security.

What facilitates crisis corporatism?

The rich literature on social concertation can be of help in identifying contextual factors facilitating the activation of social concertation in the first phase of the COVID-19 pandemic, and impacting both its durability and outputs. We distinguish between political-economic factors relating to the exogenous crisis context and domestic political and institutional factors.

As stated above, the literature on competitive corporatism identifies the presence of intense crisis pressures and high macroeconomic problem loads – especially high public deficits and debt – as conducive to the emergence of tripartite social pacts (Avdagic et al., 2011). Strong external constraints on domestic policy-makers’ choices – e.g. deriving from the EMU accession process in the 1990s – have also been interpreted as factors cajoling otherwise reluctant stakeholders to cooperate (Hassel, 2006). However, exogenous pressures from the EU economic governance established during the Eurocrisis did not engender similar effects, but instead limited the scope for national-level social dialogue (Ebbinghaus and Weishaupt, 2021; Hyman, 2010; Papadakis and Ghellab, 2014).

As regards domestic political factors, first, the political weakness of governments can create incentives for the inclusion of social partners in policy-making for legitimisation purposes, helping to broaden their supporting constituencies and sharing the responsibility and potential costs of difficult decisions (Hamann and Kelly, 2010). At the same time, the nature of the pandemic might lead to the opposite effect: weak governments might be tempted to centralise executive authority and decision-making prerogatives in their own hands for the express purpose of projecting an image of competence and responsiveness to the crisis for credit-claiming purposes, rather than sharing responsibility with a wider array of stakeholders.

Second, the legitimacy that social concertation enjoys in public opinion and in the eyes of policy-makers can influence government willingness to activate it more or less visibly. The experience of the previous recession underscores the finding that, in contexts where societal trust towards social partners is high (Culpepper and Regan, 2014) and where policy-makers hold positive views of the past legacies of social concertation as a facilitator of structural adjustment reforms (Tassinari, 2021), governments might be more inclined to initiate formal social dialogue than in contexts where these conditions are absent. However, also in this respect, the exceptionality of the health emergency might override prior legacies, inducing policy-makers to re-engage with previously discredited or sidelined practices of tripartite social dialogue (Coulter, 2020).

Third, extant institutional legacies and well-oiled infrastructures for social dialogue might favour its speedy activation in the face of a crisis by reducing transaction costs and organisational barriers and building on consolidated shared understandings of the crisis among the parties. However, insights from the previous recession show that the institutionalisation of social dialogue is not per se a strong predictor of either its occurrence or its success, insofar as political will is absent (Tassinari and Donaghey, 2020).

Fourth, the power resources of social partners can be an important pre-determinant of their inclusion in social dialogue. Governments might be more inclined to involve organisations with

high associational density and thus able to pose a credible threat of societal unrest if not listened to, or those with embedded organisational and institutional power resources (Culpepper, 2002). As the health emergency required devising sector-specific instruments of support and implementing massive adaptations to work organisation and working time at workplace level, this aspect might have been particularly important in shaping the likelihood of social dialogue being activated in specific policy fields. However, the composition and distribution of power resources are not fully determined *ex ante*, but likely to be altered by the crisis conjuncture itself and by the way stakeholders manage to mobilise the resources themselves.

Crisis corporatism depends not only on government willingness to activate it, but also on unions' and employer organisations' readiness to actively and genuinely take part in it. In the pandemic context, given the high stakes and severity of the emergency, all organised producer groups could be expected to have, in general terms, a heightened interest in having a say in the governance of the emergency. Yet, the ideological orientation and composition of the power resources of unions and employers might affect their relative investment in social dialogue, as opposed to other channels of voice. Besides ideology, power resources also matter. Unions with somewhat depleted power resources might be more likely to participate, as participation can provide an avenue for increased relevance. Employers might also be more likely to do so when they are not politically strong enough to directly assert their preferences through bilateral channels. In this regard, having left-wing or populist parties in power might increase employers' engagement in corporatist processes, a scenario seemingly constituting a lesser evil than unmediated and more unpredictable government decision-making.

Social dialogue outputs and effectiveness

Besides its mere occurrence and activation, the other crucial aspect to consider is the content of the *outputs* produced by social dialogue: Whose interests do they advance, and how effectively? As Baccaro (2014) points out, the outputs of corporatism depend on the field of forces in which its institutions are embedded. The experiences of the previous recession of 2008–2009 and of the eurozone crisis of 2010–2012 show that, in a context of growing labour weakness, social concertation agreements which are either 'symbolic' in nature or entail ultra-concessionary bargaining with very few pro-labour concessions have become more common (Geary, 2016; Rathgeb and Tassinari, 2020).

Output evaluation is not straightforward, as the very conceptualisation of 'interests' of labour vs capital in the context of the pandemic is contested. On the one hand, one could expect there to be a shared general interest on all sides in safeguarding the health of workers and the economy and preventing mass dismissals. At the same time, the balance between protecting health and safety and safeguarding economic activity is subject to different interests. Cleavages between labour and capital are likely to emerge regarding the closure and reopening of economic activities, the re-organisation of working time and workplaces (e.g. telework), the compensation accorded to workers and the distribution of costs between employers, workers and the state. A nuanced approach to the evaluation of outputs would consider the differential outcomes for labour and capital under these different dimensions, assessing whether the outputs are merely symbolic or entail genuine compromises and concessions.

A final important aspect when reviewing crisis corporatism's outcomes (which in the case of the COVID-19 pandemic cannot yet be fully assessed) pertains to their effectiveness. In a crisis context, instrumental problem-solving functions of social dialogue appeared in the form of income policies in the 1970s–1980s, and in the form of rapid implementation of short-time work schemes in the 2008 crisis. In both cases, a major issue emerged as to whether social dialogue contributed to the inclusiveness and equity of the decisions taken. In theory, social dialogue should, through the

involvement of egalitarian trade unions, improve outcomes in terms of equity. However, corporatist scholars have been aware since the 1980s of the risk of ‘institutional sclerosis’, i.e., of rigidly organised interest associations acting at the expense of emerging and less represented interests. In the context of the 2008 crisis, the limitations of ‘crisis corporatism’, where short-time work schemes protected those permanently employed but neglected agency workers, became very visible (Hassel, 2014).

These issues are of major relevance when considering the role of crisis corporatism during the pandemic. Can it contribute to elaborating solutions to new problems? Can it improve the legitimacy of the new measures? And does it contribute to more inclusive policies?

Case studies

A recent report (Eurofound, 2021) found that social partners recorded positive developments in social dialogue during the pandemic in 13 EU countries (mostly in northern Europe but also in Spain and Portugal), mixed in six, and negative (at least for the unions) in 12 (mostly in Central and Eastern Europe). However, the processes have not been studied in detail. In the remainder of the article, we assess the above-discussed aspects relating to the type, function and relevance of social dialogue in the COVID-19 pandemic, looking at three case study countries: Italy, France and Germany. Their comparison allows us to identify antecedent conditions possibly shaping both the occurrence of social dialogue and the relationships of power between the parties responsible for social dialogue outputs. The three cases vary along both the continuum of crisis urgency (from the panic of the first-hit European country) and that of social partnership institutionalisation (deep but informal and irregular in Italy, formal but superficial in France, informal and embedded corporatist in Germany). In particular, in all three countries the 2008–2012 crisis impacted social dialogue in ways representing the different interpretations found in the literature: ‘crisis corporatism’ in Germany, the conditional shift to tripartite agreements in France, and the decline of concertation with weakened unions in Italy. The cases thus represent the positive (Germany), negative (Italy) and mixed (France) scenarios linking crisis and social dialogue in the previous recession literature, allowing us to evaluate COVID-19 developments in reference to all three possibilities. This covariation in turn allows us to explore the nature and direction of change as well as to suggest possible causal linkages, while, given the still open trajectory of the pandemic, not yet allowing a test of causality. In particular, should a common reactivation of social dialogue be observed across all three cases, this would provide strong *prima facie* evidence in support of a causal effect of the pandemic as an exogenous threat on crisis corporatist dynamics – which could then be further examined through in-depth process tracing in further research.

The case studies in this version of the article rely on a variety of secondary sources (public statements, press releases and documents produced by unions, employer organisations and governments; newspaper articles; and comparative databases of policy responses to COVID-19 such as Eurofound’s Covid-19 EU PolicyWatch database and the ILO Covid-19 Country Policy Database).

Italy

Italy’s main antecedents to ‘crisis-corporatist’ attempts are the short-lived 1978 ‘EUR turn’ in union strategy in favour of wage moderation in exchange for welfare policies in response to both the oil crisis and terrorism, and the 1992–1993 ‘social pacts’ in response to the Exchange Rate Mechanism collapse. But corporatism never became institutionalised in Italy. On the eve of the pandemic, the quality of social concertation in Italy had been declining for two decades, and increasingly so since the 2008 economic crisis (Tassinari and Sacchi, 2021), while the social pacts of the 1990s were little more than a distant memory. In the wake of the financial crisis, two

bipartite pacts were signed, in 2009 and 2011, to reform employee representation and collective bargaining, but these attempts crumbled under the weight of the Eurocrisis and as a result of intra-employer divisions. Though interactions with the main trade unions CGIL – CISL – UIL and the main employer association Confindustria were never fully abandoned, the social partners were sidelined by governments of all political orientations. One of the main reasons behind this was unions' reduced societal legitimacy and, hence, their lower capacity to deliver consensus or threaten disruption, making social dialogue less useful for governments and employers increasingly attracted by unilateralism. Though tripartite contacts never entirely disappeared, they were reduced to 'austerity corporatism', with labour exclusively on the defensive.

The COVID-19 threat confronted the social partners and the weak coalition government (Five Stars Movement – PD) led by PM Conte with an unprecedented situation. Italy was the first European country to be afflicted by the virus, triggering a health emergency. It was subsequently the first Western country to declare a lockdown, at first locally in late February 2020 and then nationally on 9 March 2020. The lockdown initially covered schools, public spaces, hospitality and shopping malls but not industry. The fast-increasing infection rate raised concern among health authorities and workers alike and instigated a number of wild-cat strikes, highlighting the urgent need for social dialogue. A first bipartite agreement (*'protocollo'*) was signed on 14 March¹ at the invitation of the government to establish anti-contagion workplace health measures. That same day the government closed down 'non-essential activities'. However, concern remained high about the large number of activities that were declared 'essential' and therefore left open: in particular, a strike was called by the main unions in the metalworking sector in Lombardy (where the epidemic was most serious), though strikes also erupted in other sensitive sectors such as logistics and transport. Small radical trade unions agitated for a general strike. On 22 March, further closures were decreed but these were still not enough to satisfy unions angered by some last-minute exceptions introduced by the government under pressure from Confindustria. With CGIL, CISL and UIL threatening a general strike, an agreement on a narrower definition of essential sectors was signed on 24 March.²

This emergency resort to social dialogue to solve urgent problems turned into a regular – albeit restricted – policy method during the pandemic. A new agreement was signed on 24 April to prepare for a gradual re-opening of the economy,³ with this practice continued after the change of government in February 2021. Further health and safety rules were drawn up,⁴ including new areas such as a protocol on vaccinations signed on 6 April 2021.⁵

This important role of social dialogue on production issues has two complementary explanations. First, it demonstrates Italian trade union agency, in the twin forms of mobilisation and concertation, despite years of perceived but possibly exaggerated decline. For the first time in many years (and in contrast to the largely unsuccessful strikes during the peak of austerity policies in 2011–2013), trade union threats were taken seriously. This at least momentary rebalancing of

1 https://www.governo.it/sites/new.governo.it/files/Protocollo_condiviso_20200314.pdf (accessed 14 March 2022).

2 <http://2.flcgil.stgy.it/files/pdf/20200404/protocollo-ministero-salute-sindacati-del-24-marzo-2020-prevenzione-sicurezza-lavoratori-sanita-emergenza-sanitaria-covid-19.pdf> (accessed 14 March 2022).

3 <https://www.lavoro.gov.it/notizie/Documents/Aggiornamento-Protocollo-generale-COVID-6-aprile-2021.pdf> (accessed 14 March 2022).

4 <https://www.lavoro.gov.it/notizie/Documents/Aggiornamento-Protocollo-generale-COVID-6-aprile-2021.pdf> (accessed 14 March 2022).

5 <https://www.lavoro.gov.it/notizie/Documents/Protocollo-Covid-vaccinazioni-luoghi-lavoro-6-aprile-2021.pdf> (accessed 24 February 2021).

power was related to both the strong mobilisation potential of a pressing issue such as an urgent health risk, and to the vulnerable position of government and employers in an emergency situation. Renewed union influence was also instrumental in influencing the government decision to regularise undocumented migrants in some key sectors in May 2020, even though its scope fell short of union expectations. The second explanation is technical. The government decrees had used official statistical ATECO codes of economic activities (in line with European NACE and international ISIC codes) to differentiate between essential and non-essential activities. A quick legalistic and abstract choice, the use of these codes proved unfit for the purpose of assessing health risks and presented a number of demarcation problems (Tiraboschi, 2020). While a governmental, top-down technical redefinition of sectors was not possible in the short time available, a concerted effort was able to provide a solution that was not only legitimate, but also technically congruent. The health and safety protocols signed by unions and employer associations did not follow the ATECO codes but rather the customary collective bargaining demarcation lines. Italian social partners appear therefore to have maintained not only a degree of legitimation capacity, but also a degree of technical expertise on the realities of work that the political and administrative arenas were lacking, thereby improving both the input (quality of decisions) and output (legitimation and enforcement) of such drastic decisions (see also Feltrin, 2020).

It should be added that trade unions and especially business associations have, since the beginning of the crisis, performed services for their members in activating subsidies and support, and providing them with information on health protocols. Employer associations felt that COVID-19 has reaffirmed their utility for member companies, as they were instrumental in negotiating the protocols and policies that allowed companies to reopen.

The important role of social dialogue on production issues contrasts however with developments in the equally important area of social policy. The closure of entire sectors of the economy and the ensuing economic crisis, with a GDP fall of 8.9 per cent in 2020 (the second-largest contraction in the EU) required the activation of a number of social policies. Italy's welfare system, even after the introduction of a basic 'citizenship income' in 2019, lacks an effective general social safety net. Hence, the socio-economic problem load was very high, coming on top of an already compromised economic scenario of sluggish growth and high debt left over from the last crisis. The government therefore introduced, in March 2020, a special *Cassa Integrazione Covid*, modelled on the existing *Cassa Integrazione* wage guarantee fund aimed at protecting wages in large companies during restructuring or economic crisis. But, in contrast to the repeated social agreements on *Cassa Integrazione* in the past (the latest in 2018), during the pandemic the numerous new measures were introduced, and repeatedly modified, unilaterally. Social dialogue was left with just an implementation role at regional level – the level at which the *Cassa Integrazione* is managed – and a number of tripartite agreements were signed, but within the scope established by national legislation. The unions and Confindustria were left with criticising government decisions after they had been taken: the former on the insufficiency of many provisions, and the latter on the use of contributory ordinary wage guarantee funds for the provision of emergency compensation to non-contributing companies and sectors.

Social dialogue was also missing in the decision-making on the most important employment measure, the ban on dismissals, introduced in March 2020 and repeatedly extended. Its introduction was not so much the result of union pressure but of a fear of social riots, especially in southern regions at that time less affected by the pandemic. The social partners were similarly overlooked in the economic policy plans for post-COVID recovery, from the 'Colao plan' (a short-lived expert recovery plan commissioned by the government) in summer 2020 to the National Recovery and Resilience Plan in 2021. The exclusion of concertation was explicit under the centre-left Conte government, led by the Five Star Movement party that had always been critical of intermediary

interest organisations. When the broad-coalition Draghi government took over in February 2021, social dialogue was initially accorded greater attention (the formation of the cabinet was unusually preceded by consultations with Confindustria and trade unions), suggesting that the prime minister's office was aiming to gain more autonomy from its supporting parties through gaining the external support of the social partners (Regan, 2017). One important and unexpected outcome of this new climate was the signing of a bipartite agreement between the prime minister and the CGIL, CISL and UIL leaders on the reform of the public sector on 9 March 2021.⁶ But the social partners remained excluded from decisions on public expenditure, including on the Recovery Fund, and relationships have remained soured since.

Overall, Italy's dramatic experience of 2020–2021 in the face of the health emergency was made up of a series of erratic emergency measures, with unprecedented policy interventions providing a viable social compromise and featuring closures, safety measures, income support, subsidies and the ban on dismissals. However, these have not prevented fast-rising inequalities in both incomes and working and living conditions (Censis, 2020). In comparison to the previous decades, these Italian developments show some continuity in terms of forms (bipartite and tripartite protocols) but also discontinuity in terms of content. The season of social pacts, both at its peak and in its long decline, was centred on wage and social policies, albeit limited by a poor interlinkage with workplace-level production issues. In the pandemic, while wage issues were temporarily not at the centre – as explained in the previous section –, important social and employment policy measures were left to political and technocratic players, whereas the input of social partners became very important on production issues, in particular under the pressure of new union activism on occupational health and safety.

France

France has long been a difficult case for corporatist theory, due to the 'statism' of its industrial relations system and the disinclination of its Republican state model to accord public status to interest organisations. Nonetheless, occasional use of tripartite agreements in response to emergency situations has occurred, most famously the (non-formal) Grenelle agreement of May 1968. When the 2008 financial crisis hit, President Sarkozy quickly abandoned his initial ideological opposition to interest intermediation and opened a season of national-level agreements, initially continued under his socialist successor Hollande. National agreements were given a more formal status and typically covered labour market policies and industrial relations regulations. Moreover, three high-profile tripartite social conferences were held between 2012 and 2015 (Freyssinet, 2017). Yet that season did not last long, pointing to a form of crisis corporatism limited to contingent political interests. The government irregularly collaborated with the more moderate trade unions (CFDT, CFTC and CFE-CGC, which together have a slight majority and thereby the capacity to sign agreements nationally and in most sectors), but incurred repeated hostility from other unions (CGT, CGT-FO and smaller leftist and independent organisations).

The COVID-19 pandemic hit France a week later than Italy but similarly seriously. A national lockdown was introduced on 16 March, one week after Italy, and lasted until 11 May. On the employment front, a ban on dismissals (less comprehensive than in Italy) was introduced, as well as an expansion of the short-time work scheme which covered up to 8.4 million workers in April 2020. Unlike Italy, the government did not involve the social partners in any major decisions,

⁶ https://www.governo.it/sites/governo.it/files/PATTO_INNOVAZIONE_LAVORO_PUBBLICO_COESIONE_SOCIALE_txt.pdf (accessed 24 February 2021).

instead relying heavily on medical opinion through a scientific committee. On 18 March 2020, Prime Minister Edouard Philippe announced that he would consult employer and worker organisations regularly through videoconferences, though this remained a rather empty exercise.

Several contextual factors may explain the difference between the French and Italian situations. In the short term, the one-week lag in the pandemic meant that the sense of emergency was not as high as in Italy, and that the policy map was at least partially charted. In the longer term, in a country that had been recently affected by major social movements (the protests against labour market reforms in 2016, the *gilets jaunes* movement in 2018–2019, the strikes against pension reform in late 2019), the social climate was not conducive to further protest. Some union mobilisation occurred, with strikes in a few critical workplaces such as Renault, public transport and Amazon (where the radical Solidaires union obtained a court injunction to reduce the company's operations to the sole delivery of food, hygiene and medical products). However, these actions never achieved the momentum needed for widespread movements.

The relative acquiescence of French unions, especially when compared to the radical forms of protest in the 2008–2010 crisis, may also be explained by the government decision, at the beginning of the pandemic, to suspend the controversial pension reform and to delay the equally controversial unemployment insurance reform. Conflicts on health and safety measures occurred in the construction sector, where a sectoral agreement was reached without however pushing the government to reopen it, as well as in the retail and transport sectors. An important sectoral agreement on health measures was also reached in the metalworking sector, while in large companies works councils (which had been reformed in 2017 and given more roles on health and safety) were very active in agreeing thousands of health and safety and social plans. But, generally speaking, social dialogue remained under the radar of national policy-making.

Besides these contextual conditions, three aspects of the government's anti-pandemic measures were designed in a way minimising the scope for social dialogue (Sachs, 2021). First, the emergency measures allowed collective agreements to be suspended in some fields and reduced the terms for the information and consultation of employees. Second, the rights of employees, and especially that of an employee withdrawing his labour in the case of danger (established in 1982), were framed as individual rather than collective rights and were generally interpreted in a restrictive way. Finally, the strong emphasis on telework was not accompanied by the establishment of forms of collective participation for employees working remotely until the telework agreement of November 2020 (see below).

One major exception was the specific prioritisation of health services. On 25 May, President Macron opened a round of concertation on health services, chaired by former CFDT leader Nicole Notat and called '*Séjour de la Santé*' (derived from the address of the Ministry of Health and Solidarity, avenue de Ségur). The aim was to 'modernise services and improve the daily work of carers'. The agreement reached on 13 July included a €8.2bn budget to reclassify a number of health-care jobs.⁷ The major concessions in the agreement, signed by the Prime Minister and the leaders of the CFDT, CGT-FO and public sector UNSA trade unions, contrasted sharply with the hard line taken by the government towards health sector unions in preceding years. It is very likely that shifts in public opinion over the importance of essential public services and health care triggered by the pandemic contributed to this change in the government's approach vis-à-vis this issue, creating a window of opportunity for organised labour to extract concessions.

Though little has otherwise happened at tripartite level, the pandemic has given some momentum to bipartite social dialogue, very much on the back burner in recent years. After two years

7 <https://solidarites-sante.gouv.fr/systeme-de-sante-et-medico-social/segur-de-la-sante-les-conclusions/article/accords-carrieres-metiers-et-remunerations> (accessed 26 February 2021).

without agreement, three national inter-sector protocols were signed in 2020, two of which were related to pandemic issues. The national agreement of November 2020 on telework⁸ constituted an advance compared to the agreements signed in 2005 and 2012. It focused on the risks teleworking involves for employees – who had become increasingly sensitive during the pandemic –, such as isolation and ‘hyper-connectivity’, and new mechanisms for social negotiations. Improvements were introduced on the ‘right to disconnect’, though no substantial measure was agreed to regulate managerial control of teleworkers. Transposed into legislation in February 2021, the agreement on occupational health and safety of December 2020⁹ extended risk assessment procedures and the tasks of workplace health services. Both agreements were welcomed by the government, which proceeded with their ratification and legal extension to the whole economy.

Although these national agreements were rather loose framework agreements, suitable for amendment at sector level, they marked a significant change of atmosphere in bipartite relations. The employer association Medef built on this experience to propose, in February 2021, a ‘new social dialogue’ in eight areas. The CFDT is also optimistic on resuming bi- and tripartite negotiations. However, the left-wing CGT signed neither bipartite agreements and was opposed to the *Ségur de la Santé*, indicating that the social conflicts of 2016–2019 may soon restart if the government reopens its temporarily shelved reform plans. Generally speaking, in France as well, social dialogue in the pandemic was focused on production rather than on welfare or wage issues, with unions unable to avoid marginalisation from the policy arena, except in the specific case of public hospitals.

Germany

In Germany, despite the ‘corporatist’ features of the country’s industrial relations, tripartite social dialogue has rarely taken place formally (Hassel, 2001; Weishaupt, 2021). The ‘Alliance for Jobs’ attempt in the 1990s, intended to tackle high unemployment, did not produce results (Hassel, 2001). The concept of ‘social partnership’ refers instead to the existence of well-established cooperative bipartite relations between employers and trade unions, especially in sectoral collective bargaining. Though these ‘pillars of social partnership’ have been slowly ‘crumbling’ over the last two decades (Streeck and Hassel, 2003), the dense, if weakened, ‘coordination’ of the German political economy allows the rapid activation of informal neo-corporatist tripartite coordination between the state, labour and capital in a crisis. This was the case at the onset of the 2008–2009 recession, when informal tripartite coordination between Merkel’s Grand Coalition cabinet, the main unions (in particular the metalworkers’ union IG Metall) and employer organisations was instrumental in implementing the massive expansion of short-time work (*Kurzarbeit*) that formed the basis of Germany’s labour-hoarding strategy and speedy economic recovery (Weishaupt, 2021: 8–11). Joint employer and union demands were also instrumental in leading the government to introduce a car-scrapping bonus (*Abwrackprämie*) providing massive support for the export-oriented automotive industry. As Germany quickly overcame the crisis, crisis corporatism soon lost its distinctive function and was never institutionalised. However, it marked, unlike in France, a substantial improvement in collaboration between the social partners compared to the previous decade of fast-track liberalisation, resulting in some improvements in collective bargaining and in agreements on the national minimum wage introduced in 2015 (Rathgeb and Tassinari, 2020).

8 <https://kiosque.bercy.gouv.fr/alyas/archives/035/316/ANI-Teletravail-26-11-2020.pdf> (accessed 26 February 2021).

9 <https://medef-vendee.fr/uploads/media/node/0001/37/0cb08d16e7399270da90da8c426c17af97283993.pdf> (accessed 26 February 2021).

Developments in social dialogue during the pandemic mirrored in some respects the experience of the previous recession. Due also to its federal constitution delegating most health policy decisions to the state level, Germany adopted emergency measures more slowly than Italy or France. At national level, the main measures in the first wave were a curfew and the closure of hospitality and personal services businesses on 22 March. Since then, all lockdown and reopening decisions have been taken by the federal government in conjunction with the state governments, with considerable coordination issues. As the pandemic hit, Merkel's CDU-SPD coalition government did not initiate formal tripartite social dialogue to coordinate its socio-economic policy response. However, informal coordination between ministers and social partners underpinned the consensual decision to implement a rapid extension of short-time work (*Kurzarbeit*) (Weishaupt, 2021: 12; Ebbinghaus and Lehner, 2022). The massive expansion of *Kurzarbeit* constituted the keystone of the German crisis response, alongside the preservation of liquidity through guaranteed loans to firms, banks and the self-employed. In contrast to the Great Recession, access to *Kurzarbeit* was extended to the service and public sectors, with the state taking over the full labour costs of furloughed workers (Ebbinghaus and Lehner, 2022).

Arguably, the legacies of the previous recession played a role in facilitating the rapid expansion of *Kurzarbeit*. The labour-hoarding strategy had proved very successful in the management of the last downturn, with the social partners demonstrating their useful role therein (Weishaupt, 2021: 12). This positive track record arguably increased the government's desire to involve them again in the handling of the COVID-19 crisis (Eurofound, 2021: 13). Interestingly, however, the repurposing of legacies from the previous crisis did not extend to the car-scraping bonus, which this time was opposed by the Social Democratic Party.¹⁰ Furthermore, social partner involvement was not intense, with the government in most cases taking decisions quickly, leaving only limited time for unions and employers to provide feedback on planned decisions (Eurofound, 2021).

Consequently, the social partner organisations frequently expressed dissatisfaction with aspects of the main crisis response instruments. The main union confederation DGB, public sector union Ver.di and IG Metall protested against the limited replacement rates foreseen by the government-funded *Kurzarbeit*, which initially did not exceed 60 per cent. Pressure from unions eventually compelled the government to increase the generosity of the short-time work schemes. The main employer confederation BDA also expressed dissatisfaction with the limited time span they were afforded to provide input on legislative proposals for the main business support tools (Eurofound, 2021: 24), some of which were initially too restrictive for SMEs – an aspect eventually fixed by the government (Eurofound, 2021: 25). As the main issue on the agenda evolved, from winter 2020–2021 onwards, towards the management of reopenings, the social partners repeatedly requested greater involvement. In February 2021, the DGB and BDA jointly called for a 'transparent reopening strategy' and greater involvement in government decisions concerning the easing of lockdowns.¹¹

As in Italy, tripartite coordination in Germany was more formalised in the sphere of health and safety and in the definition of operational guidelines for production activities. In April 2020, the Federal Ministry of Labour issued binding occupational health and safety guidelines on COVID-19 and the envisaged return to work (*SARS-CoV-2-Arbeitsschutzstandard*).¹² These were developed in

10 <https://www.sueddeutsche.de/politik/spd-gewerkschaften-kritik-abwrackpraemie-1.4931918> (accessed 28 February 2021).

11 https://www.dgb.de/presse/++co++86829ce0-6f90-11eb-99af-001a4a160123?display_page=2&end_date=2999-12-31&start_date=2019-04-28 (accessed 28 February 2021).

12 <https://www.bmas.de/DE/Service/Presse/Pressemitteilungen/2020/einheitlicher-arbeitsschutz-gegen-coronavirus.html> (accessed 28 February 2021).

consultation with the BDA and DGB, the state governments and the federal health agencies such as the RKI. A tripartite task force was also established within the Labour Ministry to define necessary sector-specific adjustments and monitor implementation of the guidelines. Several unions and sectoral employer organisations implemented initiatives to support their members in enforcement at workplace level.¹³ In this respect, the interventions of the DGB and its member unions proved particularly important, as unions were able to credibly position themselves as the ‘experts’ on operational OSH-related matters at workplace level.

While the definition of the COVID-19 health and safety guidelines at national level had not been controversial, confrontations emerged over more specific issues. The first related to the introduction of an individual right to teleworking – backed by the unions¹⁴ and the SPD Labour Minister, and opposed by the BDA and the centre-right parties.¹⁵ Second, the question of health and safety became more politicised and salient in sectors characterised by extremely poor working conditions such as meat processing (see Ban et al., 2022) and seasonal agricultural work, two sectors featuring mass COVID-19 outbreaks in spring – summer 2020. As Ban et al. (2022) argue, in the meat processing sector the pandemic offered a window of opportunity to unions and other stakeholders long engaged in campaigns for improving working conditions to spotlight the sector’s long-standing problems in public-political debates. This resulted in significant legislative interventions, eventually passed into law in December 2020, which banned subcontracting in the sector and re-regulated the posting of workers. Similarly, a heated debate sprung up in late 2020 over low wages in the care sector, leading the government to table proposals, again at the initiative of the SPD, to introduce an encompassing collective agreement in the sector.¹⁶ These significant attempted or successful re-regulations were mainly developed *outside* the framework of tripartite social dialogue, instead emerging from public-facing campaigns and union mobilisation of public opinion, in turn giving grounds for the centre-left to politicise these issues. This underscores that union willingness to use diverse power resources and pursue revitalisation and mobilisation strategies outside social dialogue is often indispensable to achieve substantive gains.

In line with the characteristic features of German corporatism, bipartite social dialogue at the level of sectoral collective bargaining has proven more substantive and important in complementing the government crisis response. In many sectors, additional sectoral collective bargaining agreements – either re-activated from the previous crisis or concluded anew – generously topped up the government-funded short-time work allowance from 60 per cent up to 90 per cent, or even 95 per cent for lower-paid groups (Schulten and Müller, 2020: 11–12). The interlinkage between the introduction of short-time work and collective bargaining therefore became an important avenue for union intervention to gain greater protection for employees and pass on part of the cost

13 <https://www.dgb.de/themen/++co++50a89eb8-95bf-11ea-9580-525400e5a74a> (accessed 28 February 2021).

14 <https://www.dgb.de/themen/++co++08b212fe-05ab-11eb-b3b8-001a4a160123> (accessed 28 February 2021).

15 <https://www.handelsblatt.com/politik/deutschland/kein-rechtsanspruch-arbeitgeber-veraergert-uebergeplantes-recht-auf-homeoffice/25774730.html?ticket=ST-3082558-RLWjE3vcQ3Ptz7Cb0wpF-ap2> (accessed 28 February 2021).

16 <https://www.tagesschau.de/inland/tarifvertrag-altenpflege-101.html>; https://www.faz.net/aktuell/wirtschaft/mehr-wirtschaft/koalitionsstreit-heil-will-tariflohn-fuer-altenpflege-17322024.html?fbclid=IwAR2TZG4QY_ASDbKKtethQrSthTZVAzK6bjQWzEsC39wuaqOGEGreFiCXyc#:~:text=Eine%20bessere%20Bezahlung%20von%20Altenpflegekr%C3%A4ften%2C%20die%20zu%20einem%20gro%C3%9Fen%20Teil,wollte%2C%20war%20zu%20Jahresbeginn%20gescheitert (accessed 28 February 2021).

savings achieved by the companies to employees, thus affirming their central role in crisis management (Schulten and Müller, 2020: 12).

Yet this reliance on bipartite social dialogue to expand the generosity of the government baseline crisis response is not unproblematic. Indeed, in a context of declining collective bargaining coverage, particularly low among the lower-paid segments of the workforce (Schulten and Müller, 2020: 14), sectoral collective agreements do not guarantee comprehensive protection. Reliance on sectoral mechanisms of negotiated top-ups of protection measures might actually exacerbate inequalities between different workforce segments. In light of these coverage gaps, the DGB and Verdi launched campaigns to increase the overall generosity of the state-funded short-time work allowances or to re-regulate wages and working conditions via law – demonstrating increased awareness of inclusivity and solidarity towards ‘outsiders’ in the framework of union action.

Comparative discussion and conclusions

This necessarily provisional comparative overview of the role of social dialogue in the management of the first phase of the COVID-19 pandemic allows us to draw two main conclusions renewing the debate on the role and nature of social dialogue in crisis conjunctures.

First, at the formal level, the outbreak of the COVID-19 pandemic did not mark as deep a juncture with the pre-crisis dynamics of social dialogue as the momentousness and intensity of the emergency might have led one to expect. Rather than encouraging the forging of ‘unitary politics’, the pandemic seems to have, on the whole, reinforced some of the patterns, modes of interaction and frictions already present in each country. This partly contrasts with the insights from earlier literature about the relationships between exogenous shocks, perceptions of vulnerability and the emergence of corporatist dynamics at domestic level (Katzenstein, 1985). In general terms, this finding therefore reinforces the insight, already advanced in the extant literature on crisis corporatism (Ebbinghaus and Weishaupt, 2021; Tassinari, 2021) that crisis junctures and exogenous threats have neither homogenous nor automatic effects on domestic dynamics of interest intermediation, but are instead significantly mediated by domestic politics and institutional configurations.

In terms of continuities with previous trends regarding the sphere of negotiations over social and economic policy matters, in no countries were comprehensive tripartite agreements concluded to face the COVID-19 emergency. This partly reflects the evolution of the pandemic: the highly uncertain situations neither allowed time nor provided the information needed for formal, comprehensive social dialogue processes. Apart from occasional high-profile but inconclusive meetings, governments did not set up ad hoc fora. Instead, existing channels were used, with social partners’ satisfaction with them in line with their pre-crisis orientations. On the whole, union capacities to intervene substantively in the design of social policies to ameliorate and reduce inequalities were modest, even if union pressure contributed to the increased generosity and coverage of protective instruments. The traditional, country-specific forms of interaction did not change: informal social partnership in Germany, tripartite ‘protocols’ in Italy, and formal bipartite agreements in France. This suggests that country-specific institutional legacies and policy-makers’ perceptions regarding the efficacy of different social dialogue-corporatist channels continue to play a role in shaping the dynamics of interest intermediation, even in emergency circumstances.

As regards other conditions facilitating the activation of crisis corporatism, the pandemic confirmed the importance of the organisational power resources of unions and employer organisations, and specifically of the expertise that they can bring to the governance of crisis situations, arising from their embeddedness in the ‘productive fabric’ of the economy. Looking back to the previous recession, this had already proven to be a key factor motivating the involvement of unions and employer organisations in crisis-responsive reforms (Tassinari, 2019). This pattern seems to have

been repeated in the COVID-19 crisis. In fields where the collaboration, input and specific know-how of the social partners over the functioning of sectors, workplaces and production/supply chains were necessary to address substantive policy challenges – such as operational OSH-related matters, the handling of short-time work schemes or the operation of health services –, they were involved more frequently and more substantively. This was clearly the case in the sphere of ‘production-related’ adjustments in the field of health and safety and for the definition of essential sectors in Italy, as well as for the operation of short-time work schemes in Germany, telework in France and health services in France and Italy.

Power relations and government weakness may explain why the use of ad hoc tripartite social dialogue instruments in Italy was more visible: the weak Italian government needed greater legitimisation and support for the decisions taken on essential / non-essential closures, which had become the locus of intense conflict. In such cases, the political legitimisation function of social dialogue for governments facing politically sticky situations can still be important. This, however, goes hand in hand with a government’s desire to claim credit for its decisive and resolute interventions vis-à-vis the pandemic, and to take ownership of interventions over newly politicised issues with high salience in public opinion. Overall, it suggests the continuation of the instrumental, ad hoc and politicised activation of social dialogue channels on the part of policy-makers that characterised the ‘crisis corporatism’ of the post-financial crisis.

The findings also underscore the continuing relevance of union readiness to pursue conflictual strategies and threaten a withdrawal of consensus as a way of activating and achieving meaningful involvement in policy-making. One marked difference with the 2008–2012 experience was a much deeper awareness and concern with inequality in the labour market: the social measures introduced were now always evaluated also with regard to their inclusiveness, confirming a learning process in this respect by trade unions (Mearidi et al., 2021), even if insufficient to prevent a sharp increase in economic inequality.

This brings us to the second conclusion. Overall, the pandemic has neither led to the emergence of a stable sense of unitary politics nor has it – yet – marked a significant turning point for extant industrial relations dynamics in any of the surveyed countries. Nonetheless, the picture is not one of a frozen landscape. The pandemic conjuncture has opened up several windows of opportunities for unions to partly reassert the usefulness of their associational functions. In particular, it has boosted their discursive power on crucial issues such as health and safety and the protection of vulnerable segments of the workforce. Coupled with the changed political context at EU level and the renewal of debates over the importance of state involvement in the economy, social protection and social services, this might open up opportunities for a re-calibration of the balance of class power in favour of labour.

Taking a closer look, the ‘crisis corporatism’ of 2020–2021 is therefore not a mere repetition of the patchy 2008–2012 experience. Though still based on a ‘defensive’ logic, it is best characterised as a ‘Crisis corporatism 2.0’ with some ‘updates’ in terms of different agendas and greater labour assertiveness, especially on production issues (health and safety, reorganisation of work) and the inclusiveness of crisis-responsive measures (e.g. in relation to short-time work schemes and other income support measures), and with more discursive resources mobilisable by unions on the value of public services and key workers. This somewhat different power balance implies that crisis corporatism 2.0 in the first phase of the COVID-19 pandemic was neither an ‘austerity corporatism’ nor a ‘competitive corporatism’, as was mostly the case during the 2008–2009 recession and the Eurocrisis (Tassinari, 2019) – although the issues on which unions managed to extract gains were, on the whole, limited to production-related issues rather than macro-issues of social and economic policy.

Clearly, as the COVID-19 crisis moves from a fast-burning crisis to a long-term slow recovery, the trajectory of future developments is yet to be charted. The opportunities for extracting lasting

labour gains in the aftermath of COVID-19 remain a matter for unions' ability to handle the coexisting threats from employers who, as in any economic crisis, are demanding long-term adjustments through further labour market liberalisation. This study points, for the moment, to the importance of negotiations and to the possibility of innovation, even within the hard constraints of national institutional legacies and long-term power balances; and to the importance of labour assertiveness to change such power balances. Further research will assess how actors engage with the opportunities and challenges of this atypical crisis in the long run as the nature of exogenous pressures and constraints evolve, as well as the results of social agreements in terms of their fairness and efficiency.

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