



UNIMORE
UNIVERSITÀ DEGLI STUDI DI
MODENA E REGGIO EMILIA

CALL FOR PAPERS AND PANELS

Social dialogue in a time of societal transformation

21st CONFERENCE IN COMMEMORATION OF PROFESSOR MARCO BIAGI

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Marco Biagi Foundation - University of Modena and Reggio Emilia

Introduction

Social dialogue is a traditional feature of work relationships, embedded in the rulemaking institutions of national and supranational jurisdictions and closely linked with the exercise of fundamental rights of workers and citizens.

Like other typical elements of work relationships, it is not immune to the current era of global transformation and major societal and economic challenges. Therefore, the time has come to engage in an operation aimed at recontextualizing and reconceptualizing the established patterns of social dialogue and exploring the connections with the evolving societal scenario.

The trends that can be identified in the social and economic context pose the question whether social dialogue can continue to claim a conceptual and legal autonomy from the broader social and regulatory processes, as far as labour issues are increasingly interlinked with general challenges like the technological transformation, climate change, migrations and demography and the reality of the varied, and changing nature of work and work relationships. Also of importance is the fact that social dialogue is embedded in broader societal and political processes (such as democratisation and the upholding and improvement of living standards). Social dialogue indeed serves multiple purposes, also beyond the confines of the work relationship and its linkages with social justice considerations.

Examples of this evolution can already be traced in the multiplication of advocacy players (stakeholders; NGOs); in the changing forms of work that determine a reconfiguration of the rationale for the protection, representation and voice of workers well beyond the established categories of labour law; the crisis of the democratic decision-making process; the evolution of needs and risks affecting workers as members of local and global communities; the interplay among different geographical areas, resulting from the evolving structure of production processes.

Indeed, the extent of the changes calls for a new rationalisation aimed at recording the state of art, observing ongoing processes of change, identifying innovative practices, and designing new models of interest representation and participation of social players in the rulemaking processes, in order to fill the existent and future shortcomings and grasp the challenges arisen.

To this end, the Call for Papers encourages papers with a theoretical/conceptual approach, as well as papers adopting empirical methodologies (for instance, proposing methodologies to measure and assess the outcome of social dialogue, providing a presentation and classification of practices at all levels – workplace, sectoral, national, supranational - illustrating local, national and regional experiences and comparing different cultures, systems and jurisdictions). The papers should deal with the key issues related to social dialogue in an era of societal transformation, on one or more of the following main topics/tracks:

- **Track 1: Players and organisational models.**
- **Track 2: Instruments and institutions.**
- **Track 3: Topics and new fields of intervention.**

Track 1: Players and organisational models.

The evolving labour market, the multiplication of interests in the society and the progressive erosion of the borders of the workplace have triggered changes in social dialogue, with regards to its actors, scope, and content.

Indeed, non-traditional actors of the civil society (among others, NGOs, grassroots movements, representatives of particular and disadvantaged social groups) have shown their potential to intercept emerging threats linked to the rise of non-standard social and working conditions. These subjects are already taking part into the decision-making processes at all levels, giving rise to a “civil” dialogue not necessarily coordinated with the established “social” dialogue. While in this way, they facilitate the inclusion of all parties involved in the ongoing societal transformations, they question the very definition of social dialogue drawn up by the ILO, which would seem to leave no room for a “societal” dialogue.

Nevertheless, at least three problems arise with regards to these new actors: the occupation of the “collective” dimension; the representativeness of these new actors; the interactions between traditional and new actors.

On the other hand, the established actors of social dialogue strive to attract the members of a new workforce composed of precarious workers, independent contractors, immigrants that demand representation and protection from risk and vulnerability. The recent initiatives of the European Commission (like the Guidelines on collective bargaining for solo self-employed workers, the Recommendation on “Strengthening social dialogue in the European Union” and the Proposal for a Directive on platform workers) represent, in spite of their limitations, a univocal attempt to establish a legal framework favourable to the expansion of social dialogue and collective voice beyond the traditional (and increasingly ineffective) categories of labour law.

Furthermore, the evolution of the labour market, alongside with the multiplication of its players, has given rise also to innovative organisational models and strategies for social dialogue, and especially to global and virtual industrial relations. With reference to the global scenario, we are witnessing an increase in the complexity of market relations and of the attached social problems (labour exploitation, war, pollution etc) which translates its effects on the different levels of negotiation, ranging from company, national, supranational and international level. The instruments traditionally adopted, like, transnational agreements in the global supply chains and

European framework agreements, not always appear adequate to react to the new challenges, despite interesting exceptions. This calls for a revision of the established procedures and infrastructures (see for instance, the current debate on the revision of European Work Councils). At the same time, there are examples of efforts in the revitalisation of social dialogue with the creation of virtual spaces (i.e., the creation of communication and reporting channel for persons performing platform work provided by Article 15 of the Proposal for a Directive on improving working conditions in platform work; reform of the *Betriebsverfassungsgesetz* through the *Betriebsräte-modernisierungsgesetz* in Germany).

In the global South context and given the historical emphasis on the narrow construct of social partner engagement in social dialogue, membership-based representative institutions operating in the informal economy have traditionally been excluded from such engagement – at the national, regional and the global level. Also, engagement in the informal economy context implies social dialogue with a much wider range of controlling (or influencing) actors than employers and employer-affiliated bodies. Given the nature of informal economy workplaces and activity, among others, local government institutions and spatial planning bodies, are as relevant as other, more traditional, actors.

It should be added that these challenges and impulses have a differentiated impact on the private and public sector, given the different peculiarities of each in regard to its actors, procedures, and regulations.

Against such background, we invite papers that address in particular the following (but not exhaustive) issues and questions:

- The changing nature of the concept of social dialogue, both in the world of work context and beyond;
- Representativeness of social players: the adequacy of the concept; the models and criteria adopted in different systems; the potential need for adjustment/revision;
- The impact of emerging actors (including actors of civil society) and practices on labour relations regulation, from a social dialogue perspective;
- (Under-)representation of different groups of workers in the trade unions and employers associations and consequences for the outcomes of social dialogue;
- The interplay between social partners and advocacy groups (NGOs included): antagonism or complementarity?;
- Fitness indicators for the players of social dialogue: affiliation rates, collective bargaining coverage and recruitment strategies;
- Emerging players in the representation of workers and employers: identity, organizational forms, strategies and targeted interests;
- The approach of established actors in the representation and mobilisation of new forms and new identities of work;
- How the “dematerialization” and “detemporalisation” of work affects forms and structures of social dialogue (i.e., platform work, remote work, etc.);
- Levels of social dialogue: centralisation or decentralisation?;
- The relationship between representative organisations at different levels: coordination or competition?;
- Policy initiatives and recommendations to facilitate harmonisation of the different levels of social dialogue and collective bargaining (from enterprise level to transnational level);

- The role of the State in supporting social dialogue and selecting the players and levels of collective action;
- The players of transnational social and societal dialogue;
- The role of national trade unions in transnational representation and negotiations;
- The role, place, and functions of informal economy representative institutions in local, national and transnational engagement in social dialogue, as the term should be understood to be relevant for the informal economy context.

Track 2: Instruments and institutions.

The impact of the changing contours of social dialogue on the normative framework requires scrutiny. Several jurisdictions at the national, supranational, and international levels recognize social dialogue in their constitutions and grant its instruments (representation, negotiation and collective action) the rank of fundamental rights.

Furthermore, the relationship with institutions shapes the functioning and instruments of social dialogue, as it happens at international level with the ILO (tripartism), and at supranational level with the EU, which considers social dialogue as a “regulatory resource” in its institutional architecture, entrusting social partners a key role in the legislative process.

This does not come, however, exempt from ambiguities. The European Commission in its recent Recommendation on Strengthening Social dialogue in the European Union has paid tribute to the key regulatory role of social partners and committed itself to support the revitalisation of European and national social dialogue, currently affected by an enduring crisis. On the other hand, the autonomy of social dialogue in the legislative processes has been blatantly neglected by the European institutions, as shown by the position held by the Court of Justice in the EPSU case, that the Commission has openly upheld in its Recommendation.).

Social dialogue can be exercised by manifold instruments and practices, such as participation, consultation, negotiation, and conflict. The most recent initiatives from the law and collective autonomy indicate possible synergies between practices traditionally considered as alternative, like participation and collective bargaining.

Examples of this evolution are represented by the continuous “partnership process” envisaged in the European Social Partners’ Agreement on Digitalisation and by several experiences of “negotiated participation” and “continuous negotiation” in collective agreements, especially when dealing with emerging challenges like digitalisation and environmental sustainability. The underlying principle is that social dialogue instruments can be used in a synergic and coordinated way, including in their relationship with public authorities with concertation, tripartism or the conclusion of social pacts, with the involvement of social partners in the definition of aspects of labour market, policies, and industrial relations issues.

It is also worth mentioning the interplay between these instruments and emerging regulatory techniques based on the promotion of positive behaviours such as the respect of social and environmental standards. Examples are represented by the Proposal for a directive on Corporate Sustainability Due Diligence and amending Directive (EU) 2019/1937 and the 2030 Agenda for Sustainable Development. Interestingly, these “new generation” instruments do not envisage a

specific role for the established players of social dialogue, that are treated on the same grounds as all other kinds of stakeholders.

Against such background, we will welcome papers that address in particular the following (but not exhaustive) issues and questions:

- The rationale and legal grounds for social dialogue;
- The legal nature of social dialogue: effectiveness and enforcement.
- Evolution and interplay of social dialogue instruments. The relationship between social dialogue and the Law.
- Social dialogue and political institutions: is social dialogue necessarily embedded in democratic systems?;
- Measures to preserve the autonomy and effectiveness social dialogue: voluntarism, cooperation, conflict;
- Legislative and cultural barriers to social dialogue;
- The state of the art concerning strategies to stimulate, support or (conversely) weaken social dialogue;
- Access and entitlement of new groups of vulnerable workers to the instruments of social dialogue;
- Current experiences and perspectives of social dialogue in specific sectors;
- Social Dialogue and Democratization of Workplaces and beyond;
- Social dialogue practices and structures in the global value chains: the effectiveness of Transnational Company Agreements and International Framework Agreements and their interplay with new promotional practices in the enforcement of minimum labour standards;
- New organizational practices and representational strategies of workers' representatives (lobbying, litigation, bargaining, participation, tripartism);
- The interaction between social dialogue and management driven instruments (i.e., codes of conduct);
- Tripartite initiatives with the involvement of public authorities;
- Strategies to involve and improve innovative representation forms of non-standard workers to social dialogue;
- The development of collective bargaining in new business models;
- The scope of social dialogue in non-standard and informal economy work engagement, also in relation to social dialogue partners beyond unions and employers.

Track 3: Topics and new fields of intervention

Social dialogue has been used in times of crises to foster social cohesion and has been progressively institutionalised and integrated in the legislative machinery, especially in Europe.

In the attempt to strengthen and improve the role of social dialogue in the face of cross-cutting societal challenges that place labour law and social protection within greater processes, such as the environmental crisis, digitalisation, poverty and exploitation, the agenda for social partners has expanded from traditional “hardware” issues, such as working hours, pay and incentives, to encompass more innovative and co-creative “software” issues, namely work-life balance, equality, human-centred digitalisation, climate change, corporate social responsibility and sustainable transitions, progressively shifting to an organisational design of working environments and processes.

Examples of this expansion of contents can be traced in the European Framework Agreement on Digitalisation in the new European Agreement on Telework and, looking beyond the EU, in the action of social partners to promote sustainability in global value chains and tackle the exploitation of natural resources. Social dialogue has also been involved, albeit with different roles and degrees of effectiveness, in the design and management of the measures enacted by governments to promote a post-pandemic recovery. Not always this has resulted in the desired and predicted (by some commentators) paradigm shift.

Under this track, we welcome papers that intend to measure the impact and the functions of social dialogue (under any of the characterizations addressed in Tracks 1 and 2 with regard to the players, strategies, and institutional settings) in promoting economic and social cohesion, supporting the economic growth, and tackling the overarching labour-market challenges, addressing in particular the following (but not exhaustive) issues and questions:

- Role of social dialogue in post-covid recovery;
- Transitions and skills;
- Poverty and Minimum wage;
- The measurement of the impact of social dialogue in transition economies;
- The impact of social dialogue in controlling the flexibility of the labour market;
- The case-study of successful experience of social dialogue for both traditional and new purposes;
- The linkages between corporate social responsibility and social dialogue;
- The impact of national and supra-national social dialogue on the HR strategies and trade union responses
- The impacts of national and supra-national social dialogue on working conditions and industrial relations (taking into consideration, in particular, industries characterised by the proliferation of non-standard forms of work);
- The impacts of social dialogue at the local, regional, national and global level on the living and working conditions of non-standard and informal economy workers;
- Systematization and assessment of the impact of social dialogue on new OSH issues and prevention;
- Experiences and impact of social dialogue with regard to the digital transitions at different levels (i.e., increasing the development of digital skills; regulating job displacement and new forms of managing and monitoring workers);
- Experiences and impact of social dialogue in supporting the green transitions;
- Experiences and impact of social dialogue in labour market transitions and social security measures;
- The impact of social dialogue in fostering equality and inclusion at different levels;
- The mutual influence between social dialogue, industrial relations and human resource management;
- The organisational design of working environments and processes (privacy by design, equality by design, reasonable accommodation, etc.).

SUBMISSIONS

1) **Papers.** Scholars who intend to contribute to one of the conference tracks should present by 1 November 2023 a submission with:

- the title of the proposed paper;
- an extended abstract of about 2000 words (not including the bibliography), specifying the topic and the nature of the paper (theoretical analysis, discussion paper, presentation of empirical data);
- the disciplinary (or inter-disciplinary) domain of the paper (e.g., Labour Law, Organisation Theory, Labour Economics, Sociology, Industrial Relations);
- the author's affiliation;
- an indication of the conference track for which the paper is intended, bearing in mind that the Scientific Committee reserves the prerogative to assign papers to the track and session it deems to be most appropriate.

2) **Panels/Round Tables/Book presentations.** The organisers welcome the submission of proposals for full panel sessions (including round tables, book presentation or other innovative panel formats) addressing topics described in this call. Panels should consist of four presentations or three paper presentations and one discussant. The panel convenor may also serve as the chairperson of the panel. Proposals should be submitted by the panel convenor by 1 November 2023 and should indicate, in one single document:

- the title of the proposed panel and papers;
- the names of the speakers/discussant/chairperson;
- a brief outline of the objective and the rationale of the panel (about 500 words);
- an abstract of each paper (about 2000 words not including the bibliography).

Paper and panel/round tables/book presentation proposals will be selected by the Scientific Committee by 2 December 2023.

Selected authors (including panel proposals) will be required to submit a paper of 8000 - 10000 words no later than 24 February 2024. The papers should take the form of a research article rather than simply the description of a work in progress.

The Scientific Committee reserves the right to reject papers and panel proposals that are not consistent with the conference tracks or papers that are not consistent with the abstract previously approved.

As a condition of participation in the conference, the proposed work must remain unpublished (i.e., not under any stage of submission or review at any journal or book) before the closing of the conference. Primary publication opportunities will be provided to proponents of works selected by the Scientific Committee of the Conference.

The working language of the conference sessions is English, and interpretation services will not be available. Abstracts and papers should be submitted in English.

DEADLINES

- Deadline for submission of expressions of interest and abstracts (papers and panels): 1 November 2023.
- Deadline for submission of full papers (papers and panels): 24 February 2024.

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CONTACTS

Expressions of interest, panel proposals, abstracts, and full papers, as well as requests for information, should be addressed to the e-mail address: marcobiagiconference@unimore.it

The first draft of the conference program will be distributed by the end of January 2024.

Further information will be posted on the Marco Biagi Foundation website: www.fmb.unimore.it