

# Is Europeanization of Employee Relations Fostered by EWCs? An assessment by the Greek Social Partners

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## Abstract

*The EU 94/45/EC Directive on European Works Councils (EWCs) provides the establishment of a social partnership forum within Multinational Enterprises (MNEs). The Directive gives employees the right of information and consultation with the transnational management. This paper assesses certain of a research project on the implementation of EWC Directive in food/beverage and oil/lubricants companies in Greece. Furthermore, this paper examines whether EWCs foster the Europeanization of employee relations at the company level and evaluates the pertinent determining factors, using interviews with social partners' representatives. The results show that EWCs strengthen social partners' supra-national co-ordination, promote transnational HR policies, help the emergence of a European IR System, upgrade bi-partite communication and replicate employee relations within MNEs' subsidiaries.*

**Keywords:** European Works Councils, Europeanization, Multinational Enterprises

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## Introduction

The persistent raise of the European integration and especially the completion of globalization causes significant effects for both transnational and peripheral IR systems. These effects are marked by a trend towards a greater subsidiarity of negotiated agreements within independent enterprise units in addition to reassessed centralization at the (European) level of the MNC group, a progression that doesn't principally arise from an external regulation, but from the need of a coordination and control of the global management.

In particular, the administrative structures in many large Euro-companies focus on strategic decisions (mergers, takeovers, new product development process, etc.) within their headquarters and decentralize matters of lesser importance to their subsidiaries.

At the same time, the concept of 'Europeanization' is to the greatest degree becoming mainstream in the current arena of industrial relations (Marginson, Sisson 1996a, 2001).

Especially, these advances are associated with a modification in the balance between the 'multi-employer' sectoral level and the 'single-employer' level of the enterprise employment relations, which has strengthened the former. Therefore, they mirror a growing deviation of interests between large and small employers considering further integration of the European market, according to which large companies are expected to abandon sectoral bargaining gradually and negotiate their own business level agreements, while small and medium-sized companies will keep implementing sectoral regulations for the terms of employment (Marginson, Sisson 2001).

Furthermore, these single-employer schemes help especially the MNCs executives in their quest to develop business-to-business employment systems in order to decrease their costs, introduce tailor-made working conditions and ensure the labour adaptability they require for intra-company employee relations beyond Euro-sclerosis of the EU legal framework. Besides, the issue of 'Euro-corporatism' is a troublesome field of the discussion on the future of labour relations in the European Union (Kouzis 2001: 329).

In addition, the multi-employer system of IR regulation does not help the MNCs because of the growing inconsistency between the members of the employers' organizations and the activities of the MNCs, which cannot be integrated in the traditional forms of the sectoral employer representation schemes, whereas, the advantages of the MNCs from the multi-employer negotiations are rather negligible. As an outcome of that trend MNC executives may come to a decision that a national

system of IR is no longer helpful for them and redirect their interest in organizing their own business structure (Marginson, Sisson 1996a).

Those MNCs that develop their international dimension on the fruitful European region can coordinate and control the aspects of employee relations from one country to another, set pan-European policies and practices, create new structures for working relationship at European level, and finally, to foster 'organization based' employment systems and , thus, threaten the dominant multi-employer sectoral bargaining (Marginson, Sisson 1994).

Though, the effect of Euro-companies on national labour relations regimes is double, considering the obstacles the latter set, within possibility, on the approach and therefore, their degree of adaptation is directly associated with different IR systems.

In this setting, it is – according to Marginson – likely to emerge new forms in employment relations, where: a) companies have a single ownership and management structure in Europe, produce similar products and services in different premises or complete production into more business units, or there are powerful business reasons for the central management's involvement in a dialogue with trade unions, such as restructuring plans, b) trade unions may create an 'encompassing organization' covering all their members in the group, c) a company union already exists at the national level and d) powerful groups of the workforce develop a cross-border mobility within MNCs (1992: 540).

'Virtual Bargaining' that might be developed in European-scale companies could take on two forms. The first – with a EWC interference – can be taken place by providing bi-partite opinions or agreements on topics of the MNCs' employment policy. The second, is a form of 'arm's-length bargaining', in which there is no direct labour – management negotiation at a European-level, but the positions of the parties and the outcomes of the consultations in the subsidiaries at a national-scale are being partly interacted with cross-border coordination (Marginson 2000: 30).

As the result of the tendency to a more Europeanized system of Industrial Relations will be essential. Employee relations in a European perspective are not going to be identical, because they have followed deviated historical and societal paths, while each pertinent European regulation will be fostered in harmony with national labour market regimes (Streeck 1998; 1997). Although the deficiency of EU institutional intervention will not mean that peripheral IR regimes will be static, thanks to national legal frameworks and the expanded global markets. According to Streeck (1998), the main paradox of national IR systems is that they are linked horizontally with market linkages and vertically with institutional links (due to the regarding transnational regime).

Nonetheless, as Streeck points out, the essential differentiation between harmonization and coordination is that the first conceals internal regime competition of IR systems, and this is not the case with the other notion (1998).

Thus, employee relations at the national level will lose their capacity to maintain the European social model and they will re-orient towards a voluntary regime, which will be characterized by limited punishments, compulsions and increased motivation.

Finally, the national IR systems are likely to be merged by pertinent supranational structures. Moreover, the demands regarding a new social regulation of employee relations will remain on the agenda of the European professional organizations, in spite of the raise of economic liberalism, but similarly because of it (Streeck 1998).

## 1. Literature Review

EWC Directive was an innovative regulation, which fosters the Europeanization of several industrial relations regime at a transnational level (Koutroukis, Petras 1997).

Wills has noticed that EWCs could be a realistic response of the European workforce to the effects of globalization, principally through the 'moral solidarity' among the workers of various subsidiaries of a business group, so that unions develop a contemporary labour internationalism (2001).

However, that paper searches the EWCs' help in establishing and functioning of a more Europeanized Industrial Relations system at the national level and as well as the business one in Greece. Thus, the main hypothesis of that paper has been setup: *The European Works Councils contribute to the Europeanization of Industrial Relations in Greece.*

Previous research papers regarding EWCs have been taken into account as Europeanization studies, as they have output useful findings on the EWCs' contribution to the development of a common European IR system (Kerckhofs 2000).

Moreover, Lecher and Platzer have referred to the Europeanization of Industrial Relations as any venture to provoke transnational relationships between social partners at different levels (Müller, Hoffman 2001: 113).

Three main directions of Europeanization of IR have been remarked (Lecher, Platzer, Rüb, Weiner 2002: 8): a) the fostering of major interaction of national IR systems (horizontal Europeanization), b) the increasing adoption of 'European characteristics' in the national labour market regimes (vertical Europeanization), combined with a more receptivity to European matters in organizing and acting of

social partners in collective negotiations and c) the rising appearance of a European-level of industrial relations.

In their significant study, Lecher, Nagel, Platzer (1999: 256) have reported that Europeanization of IR can take place in three pillars:

- a) The dialogue among European social partners could lead to quasi 'Euro-state' regulations following the collective bargaining and the pertinent regulation by the EU Council.
- b) Cross-border coordination and gradual integration of sectoral and regional consultations into practice.
- c) Information and consultation of workforce in large companies with a similar trend towards ad hoc agreements at the level of new EWCs.

In the literature on EWCs three theoretical approaches have been described (Lecher, et al., 1999: 70–73). The first one is that of neo-corporatism, which underlines that in the era of neoliberalism there is not space enough for corporatist structures (such as the EWCs) and, as a consequence, EWCs are essential for trade unions, but they do not have a major 'political' future in the European IR landscape.

Secondly, the critical theory of modernization has grounded on the fact that EWC Directive is not going to establish a functional and autonomous regime of worker representation. Besides, it will foster a framework of 'agreed pacts of productivity', under the pressure of the worker side to the central management. However, EWCs might be separating from multi-employer regimes of representation, weakening national systems of industrial relations, and developing into company-level schemes of transnational worker solidarity.

The third (dynamic) theory is that of modernization, which argues that the acceleration of European integration since the mid-1980s has created new potentials for trade unions to achieve their international coordination. The EWCs might be offering reliable services to the European trade unions as a vehicle for transnational cooperation and strengthening the European labour. Moreover, EWCs are considered to be active 'cells' of an advanced European IR system requiring the enforcement of the links between EWCs and unions as well as extending EU's responsibilities on social issues.

Carley (2001) had noticed that the integration of economic activities on a European scale would have led many MNCs to reorganize their administrative structures at a European level aiming to integrating their productive, distributive and marketing operations. Moreover, MNCs try to disseminate 'best practices' of production and work (principally in the fields of labour organization, quality control and working time flexibility).

Another component of Europeanization within the globalized MNCs is, according to Carley (2001: 3), organizing regular meetings of HR executives from all subsidiaries.

However, the Europeanization of IR also reflects a trend in using transnational comparison, coordination and exchange of information – via EWCs – on the terms of employment worldwide. Moreover, EWCs might act as a European collective bargaining ‘platform’ and support the cross-border trade union cooperation (Carley 2001: 4). In addition, a former General Secretary of European Trade Union Congress had also underlined that ‘the EWC is not only an essential step towards the Europeanization of industrial relations, but also of innovation in European industry’ (Buschak 1996).

Schulten (1996) has emphasized – regarding the implications of EWC – that the EWCs will create new patterns of regulation that will lead to further weakening of the national IR regimes. These Euro-companies are focusing on the group level with a parallel functioning of active EWCs, and another serving the small and medium-sized domestic enterprises in national markets, grounded on the traditions and practices of each country. Consequently, EWCs have also met the concerns of several union officials regarding the potential of a supra-national ‘neo-syndicalism’ that might challenge the traditional national union action (Schulten 1996).

Lamers (1998: 79) has also stressed that this newly emerged European level of consultation provides a potential for both social partners at the company-level gaining a greater perception of diverse kind of employee involvement schemes within MNC. That fact gives EWCs a complex character.

A similar research (Lecher, Rüb 1999), conducted with case studies of some multinational groups, has found that EW Councillors have been developing a common European identity, while they have been playing an equal role irrespective of their nationality.

EWCs have also been reported as interesting cases of a new paradigm of regulation in MNCs, which foster the weakening of contemporary national IR regimes and accelerate the path towards more decentralized regulatory regimes (Müller, Hoffman 2001: 111). There is a different view by Streeck (1998), who points out that a EWCs’ contribution to the Europeanization of IR might not be achieved, while the EWCs will be affected by the national IR regimes. Thus, MNCs will shape cross-border IR interactions.

It has also been stated that any bi-partite negotiating relations in Europe are more likely to be developed at the Euro-company level than at a multi-employer scale (Müller, Hoffman 2001: 116), whereas it has been stressed that EWCs will be evolved to ‘business centred European islands’ in a sea of nationally regulated IR systems (Lecher et al., 1999: 113).

Nevertheless, Marginson, Sisson have referred that:... *The establishment of EWCs will facilitate the deployment of cross-national comparisons of pay, conditions and working practices by trade unions in collective negotiations at national and local levels within MNCs. ... It is possible to foresee greater intervention from international management, at corporate or divisional level, to coordinate management policy and practice on employment and industrial relations in the individual business operations... The overall effect of this 'arms-length' bargaining, in which the parties do not formally negotiate at European level, but in which they influence and anticipate the reactions of each other, could be a growing convergence in working practice and employment conditions from one European country to another. Even pay could be affected if there were a single currency – differences in pay levels would become more transparent. In these circumstances, EWCs may become the forum for joint opinions or framework agreements on aspects of employment and industrial relations policy... we suggest that the most likely outcome is the development of 'arms-length' bargaining, in which negotiations continue to be conducted through existing industry and enterprise structures at national and sub-national level, but where the positions of the parties are increasingly coordinated across European borders an outcomes are increasingly similar* (1996b).

EWCs contribution to the Europeanization of employee relations has been studied by several scholars. Thus, Lecher has suggested to search the potential role of the EWCs in developing a European collective bargaining system and encouraging the convergence of national IR regimes. Certain researchers have, furthermore, studied the EWCs' implications on national employee involvement schemes, the character of the negotiated agreements concluded by the EWCs and the EWCs' help to the development of cross-border union coordination within MNCs (Müller, Hoffman 2001: 121–122).

Knudsen has proposed (2000) that EWCs' contribution to the 'centralization' of IR regulations at the European level of MNCs and the cross-border IR harmonization via consultations within EWCs as far as several matters are concerned (HR policy, training, health and safety, etc.) needs to be investigated.

## 2. Methodology

The findings presented in this paper are based on two sectors of production (food-beverage, oil-lubricants) that have been collected as case studies (Yin 1994). A qualitative

method was used, as it combines exploratory and explanatory functions and, it is accepted to be proper, when a relevant theory does not exist.

In addition, another vital feature of the qualitative approach is that it is helpful when a simultaneous study of power and change in the society as a whole is fostered (Whipp 1998: 58).

We have conducted in-depth interviews with employee and employer organization officials, as well as officials from the Ministry of Labour in order to gain insight into the EWC experience. Those participants were official delegates of their organizations and have expressed the official position of the pertinent social partner accordingly. The interview was used as the principal research tool. The first benefit of this tool is that it provides the opportunity to answer new research questions.

Eventually, a semi-structured interview guide (addressing employer and worker representatives) with both open-ended and close-ended questions was created.

That questionnaire has included questions regarding data on the relevant organization and its representativeness, several positions on European Industrial Relations, Multinational Companies, and the contribution of its organization in the introduction of EWCs (training, information, and support of EWCouncilors etc.). Moreover, questions on the assessment of EWC functioning and role in the Greek industrial Relations system have been included (concerning EWCs impact on Europeanisation, social partners' cooperation, collective bargaining concertation, HRM re-orientation, IR convergence within Business Groups, assessment of EWC Directive etc.). Those interviews were conducted between January and February 2017.

The specific sectors of production were chosen because:

- a) They reflect industrial activity in Greece and globally and they consist a differentiated mix of property, business culture, management style, workers representation and industrial relations tradition.
- b) They have identical rates of unionization.

The interviews were grounded on a similar conceptual framework and interview guidelines. Five interviews were carried out and tape recorded.

The ad hoc interview questionnaire was an adapted and enriched version of a research tool used in relevant surveys in the EU by the European Trade Union Institute (Kerckhofs 2000; 2007) and it has been designed to be used in pertinent research projects.

The full registering of all the research procedures ensured the chance of its future duplication, with a high probability of the same results arising (Wallis 2000).



### 3. Findings

The main research findings are shown below. Table 1 reflects social partners' role in the Greek IR system and their opinion on worker participation.

**Table 1. Social Partners' Profile**

Social Partner	Role	View on participation Schemes
Ministry of Labour (ML)	Ministry, responsible for labour and employment policy and supervisor of the implementation of labour legislation	Positive view concerning employee participation schemes and the adoption of pertinent European regulations
Confederation of Greek Industries (SEV)	Main representative of Greek large companies in social dialogue fora	Information and consultation support problem-solving in work organization and a framework of principles could help to adapt that partnership procedures in the culture of each workplace in the Greek economy
General Confederation of Labour (GSEE)	Main representative of Greek workers in macroeconomic national social dialogue fora and the consultations on national minimum wage regulation	Positive view and they promote those information and consultation schemes in order to be used by the trade unions
Greek Federation of Workers in Petro-chemical Industries (POEXVE)	Employee representation in the sector of petro-chemical industry and the relevant sectoral collective bargaining	Positive view. The Federation has support works councils or any other participatory scheme within the MNCs of that sector
Federation of Industrial Unions (OBES)	Collective representative of various company-level unions and support of works councils, EWCs and health and safety committees	Positive view, but participation schemes have not been established in all the companies due to several obstacles

Source: Data from the interviews conducted.

In table 2 it is apparent that a positive influence of EWCs is emphasized only in the opinion of the worker representatives and especially in the communication among the European Works Councillors, the information given by the company, the information on crucial issues of its operation, the strengthening of union demands. Nevertheless, no one claims that EWCs have negative implications.

On the EWCs' contribution to the Europeanization of the national IR system, it has been realized that social partners' representatives agree that such a development

could be achieved. Furthermore, the participants believe that their organization might play a role in a formula of collective bargaining at the European level, whereas the employee side believes that the functioning of EWCs fosters transnational union cooperation.

**Table 2. Findings on EWCs (national organizations)**

Social Partner	ML	SEV	GSEE	POEXVE	OBES
Which are the beneficial effects of EWCs on the Greek IR system?	Worker Participation is an old demand and goal that has been fostered by the trade unions	There are neither positive nor negative effects in Greek industrial relations IR system from EWCs, as they have been established in a small number of companies or are inactive in other enterprises	They help the potential of the unions to foster improved employee relations within enterprises	Employer obligation to provide information is beneficial for the worker side (i.e. financial results and data on investment)	Communication among European colleagues, better information on the European developments and a first step towards the Euro-Company
Which are the negative effects of EWCs?	There are no negative effects		There are not negative implications	There are no negative effects. Only certain problems have been shown between works councils and the unions.	Various patterns of employee relations in each country, different perceptions on EWCs, limited possibilities of the union for the essential issues regarding workforce.

Social Partner	ML	SEV	GSEE	POEXVE	OBES
Do you believe that EWCs contribute to the Europeanization of the national IR system?	No, it does not so far. It could happen in the future.	It is likely in the future because European developments influence employee relations at the national context	There will be a positive contribution in the long-run	They could contribute to that development. Trade unions have not achieved yet a mutually beneficial cooperation at the European level, due to different cultures and-perceptions, but the MNCs have done it many years ago.	Yes, they do.
Do you believe that your organisation could play a role in European collective bargaining procedures in the future?	Social Partners could negotiate to find proper solutions on topics of mutual concern.	The organization participate indirectly in the European Level Consultations between UNICE and the ETUC, concerning economic, labour and social issues.	Yes, indirectly, through the European Trade Union Confederation and their affiliated institutes	It could. Some first movements have been done by the European Worker Federation of Energy to foster sectoral negotiations at the European level	Yes. A European collective agreement may be concluded within a multinational group.
Do you believe that EWCs promote the cooperation with pertinent social partners at the European level?	Only with the Ministry of Economy	Probably no	Yes, they do	Yes, they do	Yes, they do

Source: Data from the interviews conducted.

As it is shown in Table 3 interviewees agree that EWCs expand the possibility to promote a European Human Resource policy in the relevant MNCs, and the majority of the participants believe that EWCs are a part of an emerging European Industrial Relations system.

All the employee representatives claim that the functioning of EWCs is linked with the possibility to promote European collective bargaining in future, given that European unions will be leading that effort. However, that statement is not acceptable by the employers.

Moreover, interviewees agree that EWCs support union cooperation in a European level (that is wished by the trade unions), whereas employers had, already, reached a good level of cooperation before the implementation of the EWC Directive.

EWC influence in the convergence of industrial relations at the multinational/business level will be a possible but not certain evolution.

**Table 3. Findings on EWC functioning (national organizations)**

Social Partner	ML	SEV	GSEE	POEXVE	OBES
Do you believe that EWCs broaden the possibility to promote a European HR policy by the MNCs?	-	HR policies already exist within MNCs before the establishment of EWCs. EWCs could probably contribute in a coordination of certain company operations and the degree of implementation of those policies	Yes, whether trade unions press to that direction	Employers have gone further than the unions, because MNCs has common policy. Unions' structure has put limits to their potential as their organization is ethno-centric	Yes, they do

Do you believe that EWCs are a part of an emerging European IR system?	Yes, possibly	No. According the EU Treaties, European Social Partners have achieved some agreements regarding certain issues which have taken into account the national particularities of the member-states	Yes, whether a possibility of conclude European collective agreements will introduced in the future.	It could be, if unions and other parties will support EWCs .	Yes. Europe has to keep its culture of a European social dimension
Do you believe that EWCS might be a first step to the establishment of a collective bargaining forum at the European sectoral/group?	Social partners could not agree easily. Maybe in the future they could.	No, they might not.	Yes, they might.	Yes, they might but it is unlikely to do it in the short-run	Yes, there is already a first step through the agreements in the context of EWCs
Do you believe that EWCs will provide a chance of cooperation between unions and/or social partners at the European level?	Yes, they definitely will.	Trade Union Coordination and Social Partners' Cooperation at the European level exists before the adoption of the EWC Directive.	They will, if EWCs have been supported by strong trade unions	Yes, definitely	Yes, they will in a limited scale
Do you believe that EWCs will contribute to a convergence of IR within MNCs?	-	It is likely, but it depends on the economic and IR data and the social partners' attitudes within each company	Yes, they will	They might contribute but a beneficial coordination with other European colleagues is essential	Yes we have to promote the convergence of employment relations in terms of the quality of living and working conditions

Source: Data from the interviews conducted

## Final Remarks

Regarding to the research findings, it has been grounded that the EWCs add to the Europeanization of IR in Greece. Specifically, the EWCs: a) principally promote the union cooperation and employers' coordination at the European level, b) broaden the chance of implementing a European HR policy within multinational business groups, c) appear as a part of a rising European IR system, d) consist of a communication channel between involved parties at European level and e) maintain the convergence of employee relations within multinationals.

The implementation of EWC directive in the peripheral employee relations regimes, where a limited tradition of worker participation exists, has begun a discussion on the possible EWC consequences on the Europeanization of the Hellenic IR landscape.

Incontrovertibly, the concept of a European IR system is uncertain, though any cooperation between national social partners' organizations does not always reflect in MNCs. Though, European social partners' strategy (ETUC, BusinessEurope etc.) might influence employment relations within MNCs more than the national employer and employee unions could.

This evidence might support the Schulten's claim (1996) that MNCs with an active EWC tend to gradually being detached from their national IR systems to 'Europeanized IR islands'. On the other hand, the majority of small and medium-sized enterprises just follow the rules of the national IR system.

Analysing comparatively the findings of both sectors, we can observe the trend of many MNCs to an increasing decentralization towards autonomous subsidiaries and at the same time a concentration at the European level (Marginson, Sisson 1996a).

To sum up, it is remarkable that multinational groups are leading the employee relations globalization.

In this way, the move to a new orientation of industrial relations towards the European level is likely to assist MNCs to integrate and internationalize some of their operations despite the wish of the unions to establish strong pillars of a European industrial relations system.

It is, undoubtedly, of great interest that whereas the European trade unions have spent numerous endeavours to foster the EWC directive, the MNCs win more benefits from the functioning of EWCs at present. In addition, the EWC Directive

has been implemented in the European Union, when the idea of worker participation has already been changed to serve the business and managerial purposes (wished by the management side) rather than the democratic and humanitarian purposes (wished by trade unions).

In contrast, the anticipated essential advantages of the labour movement concerning its potential of signing European collective agreements, the convergence in terms of employment within MNCs, the promotion of a pan-European level of union action, and, finally, the emergence of a European IR system remain inactive at present. The future strategies of the EU and the social partners will confirm whether that development is possible and achievable

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