Multi-National Corporations: A Challenge to European Trade Unions?

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Introduction

Recently, in Irish industrial relations, there has been a revival of an old debate concerning the influence on domestic firms of human resource practices and industrial relations policies practised in multi-national companies (MNCs). In this paper, using comparative data from the international Cranfield survey of HR practices, we address the relationship between specific industrial relations systems or institutional context, MNCs and union recognition.

The impact of MNCs: The Irish debate

Traditionally, it had been argued that the industrial relations practices of multi-national corporations tended to conform to the prevailing industrial relations practices of the host country. In practice, this meant the recognition of trade unions for the purpose of collective bargaining, a characteristic of Irish domestic firms. For example, up to the early 1980s, the Industrial Development Authority generally promoted trade union recognition among inward investing firms (Gunnigle *et al*., 2001). Thus, the dominant influence of the national industrial relations system prompted incoming multi-nationals to recognize and deal with trade unions. The tendency of MNCs to conform to the practices of the host country is compatible with the "path dependency" model of labour institutions (Traxler *et al*., 2000). Path dependency predicts a high degree of stability in labour institutions. In practice, developments are determined by the national industrial relations system. Institutions are held to be "indivisible"

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and one element in a national system cannot be altered without disrupting other elements that can incur considerable social and economic costs. From this perspective, change is gradual and incremental.

Recently, the traditional view of the effect of the host countries national industrial relations system on MNCs has been challenged by Roche and Geary (1995). They argued that the predominant host country effect is being increasingly overridden by the demonstration effect from MNCs, particularly those of American origin. In support of this analysis, they point to policy changes regarding union recognition, pay, strike activity, and industrial relations practices generally. Since the mid-1980s, the Irish industrial promotional agencies have shifted from a pro-union stance and adopted a more neutral position, indicating to inward investing firms that they have the freedom to opt for the union or non-union route (see McGovern, 1989; Gunnigle *et al*., 1997). Gunnigle (1995) found that only 4 of the 27 medium to large US companies established in Irish greenfield sites between 1987 and 1992 recognised a trade union. More generally, there appears to be some support for this trend in the literature on MNCs (Ferner, 1997). Thus, the industrial relations practices of domestic firms are now considered more likely to converge with the practices of US multinationals. This trend can be interpreted more broadly in terms of the convergence thesis which posits that, since 1980, labour relations systems have become decentralised, fragmented and generally disorganized (Traxler *et al*., 2000). This homogenization or convergence, Traxler *et al*. (2000) suggest, can result from a process of natural selection as market forces "weed out" inferior institutions. The convergence process suggested by Roche and Geary (1995) appears to be an example of market-led opportunism, as US multinationals use their dominant position to impose their practices in the host country.

Yet, the evidence from the 1995 Cranfield survey in Ireland indicated that union recognition and union density levels remained comparatively high in the companies surveyed (Turner *et al*., 1997). Nonetheless, more recently established firms were less likely to recognize a trade union, and this was particularly pronounced in US MNCs. This was not the case with European MNCs. However, Turner *et al*. (1997) argued that the growth in non-unionism is a feature common to both indigenous firms and US MNCs. Indeed, it was argued that increased resistance to union recognition is a general phenomenon apparently affecting all recently established firms and is not exclusive to Ireland. Similar trends have been noted in the United

States. While US employers have generally strongly opposed trade unions, the intensity of this opposition has increased dramatically since the 1980s (Blanchflower & Freeman, 1992; Kochan *et al.*, 1986). In Britain, the various Workplace Industrial Relations Surveys indicate a fall in union recognition among newly-established companies (Beaumont, 1995; Cully *et al.*, 1999: 297). Consequently, Turner *et al.* (1997) argued that these trends indicated a general rise in non-unionism, as reflected in more recently established companies. As such, US MNCs represented an extreme instance of a trend that was occurring in newly established workplaces and reflected wider economic, market and political changes. Thus, from this perspective, it is the effects of "internationalisation" on national industrial relations systems that is the predominant force. Internationalisation refers to the expansion of transmarket relations as a result of the removal of trade barriers, the deregulation of capital flows and the transnational organisation of production by multinational companies (Traxler *et al.*, 2000).

The recent debates on the effects of MNCs have been conducted by relying solely on Irish data. However, we suggest that the above arguments can benefit from a comparative perspective between countries with diverse industrial relations arrangements. In this paper, using data from 10 European countries involved in the Cranfield survey, the trends in the level of unionization of domestic and MNCs are compared within and across countries.

Institutional context

To categorise national industrial relations systems or arrangements, we use the matrices traditionally used to rank countries according to their degree of corporatism. One of the most widely reported studies (Calmsfor and Driffill, 1988) used a centralization index to measure the degree of corporatism based on two measures: the level at which wages are set (enterprise, industry or national) and the number and cohesion of existing central union and employer confederations. The resultant country rankings based on these measures are relatively highly correlated with rankings of centralization identified by many other commentators (see **Table 1** in Calmsfor and Driffill, 1988:18). Although it can be expected that a country's ranking may change over time, nevertheless, more recent rankings have not altered earlier rankings to any great extent (see, for example, Henley and Tzakalotos, 1993; Teulings and Hartog, 1998). However, we would argue that, in the case of Ireland, the Calmsfor and Driffil rankings are unlikely to be accurate, as national wage agreements have operated in Ireland since 1987 (see, for example, Hardiman, 2000; NESC, 1999; O'Donnell and O'Reardon, 2000) and it may be more appropriate to rank Ireland as a medium-strong corporatist country located in the middle rankings of corporatism. On all the measures of economic performance, employment growth, unemployment, gross domestic product (GDP) growth (averaging over 8% since 1998), rates inflation levels, debt reduction and current revenue surpluses, the trend has been positive (for reviews, see Bradley, 2000; Fitzgerald, 2000). Thus, Ireland is positioned at the top of the moderately-strong group.

For the other countries, we rely on the rankings provided by Calmsfor and Driffill (1988). There are a number of reasons to expect a relationship between the strength of corporatist arrangements and trade union organisation. The strong corporatist arrangements associated with the Nordic countries is predicated on the granting to the main or peak interest organizations of labour and capital privileged access to government and the growth of institutionalized linkages to facilitate this (Lembruch, 1984:61). Henley and Tzakalotos, (1993:87) argue that corporatist institutions provide the foundation for relationships that are long-term and broad in scope between capital, labour and the state. Indeed, for such institutions to emerge, unions need to have a capacity to develop a solidaristic strategy that aggregates the preferences of union members. This calls for a relatively encompassing labour movement with a strong central peak organisation.

In general, it can plausibly be argued that corporatist arrangements increase the legitimacy of trade unions, enhances their contribution as a social partner to social and economic development and, consequently, can be expected to have positive sustaining organizational advantages for trade unions. As **Table 1** indicates, there is a strong relationship between the proportion of firms recognizing a union and the degree of corporatism.

TABLE 1: UNION RECOGNITION AND NATIONAL DENSITY LEVELS

	Country	Firms recognising a union	Number of firms surveyed
Strong institutional framework	Sweden	98%	183
	Norway	84%	174
	Denmark	94%	284
	Finland	96%	132
Moderately-Strong institutional framework	Ireland	54%	283
	Germany	64%	319
	Netherlands	55%	78
	Belgium	88%	155
Weak institutional framework	UK	43%	596
	Switzerland	42%	105
	N		2309

Source: 1999 Cranfield European HRM survey

In the following analysis, countries are categorized into those with a strong institutional framework (Sweden, Norway, Denmark, Finland); those with a medium-strong institutional framework (Ireland, Germany, Netherlands, Belgium) and weak institutional framework (UK, Switzerland). The advantage of this approach is that it takes account of a country's institutional context and the degree to which it might facilitate or retard unionization in MNCs.

Hypotheses

Three distinct explanations of the relationship between MNCs and national industrial relations systems have been discussed: path dependency, convergence and internationalisation. The path dependency thesis holds that the industrial relations practices of multi-national corporations tend to conform to the prevailing industrial relations practices of the host country. This thesis predicts that established institutions generally determine developments in industrial relations.

> ***Hypothesis 1****: The industrial relations practices of multi-national corporations tend to conform to the prevailing industrial relations practices of the host country or domestic firms.*

Thus, the extent to which unions are recognized in both domestic and MNCs is related to the industrial relations institutional framework. In countries with strong institutional frameworks, unionization will be high in both domestic firms and MNCs and correspondingly low in countries with weak institutional frameworks. Essentially, levels of unionization in both domestic and MNCs will be correlated with the industrial relations institutional framework.

Alternatively, as noted above, the more recent argument is that a new orthodoxy is emerging where MNCs, particularly those of US origin, have an increasing impact on the industrial relation practices of domestic firms. In practice, the incidence of union recognition is declining as MNCs prefer to manage without unions. Thus, the influence of MNCs acts to bring about a convergence of practices antagonistic to collective labour relations. Convergence in this context is a result of market-led opportunism, as MNCs use their market position to undermine collective institutions. In general, it is argued that transnational investors prefer countries with poor institutional development that does little to restrict managerial prerogatives (see Traxler *et al*., 2000). A firm's decision to locate its operations in another state depends on the advantages in terms of lower costs, greater market opportunities and an ability to more fully exploit ownership advantages (Cook and Noble, 1998). The economic rationale for avoiding unions arises from their perceived threat to productivity and profits. According to Cook and Noble (1998), unionization is likely to be viewed by US MNCs as restrictive because of the added costs associated with negotiations over contract administration, restrictions on management's flexibility to organize work, union attempts to increase wages and possible disruption from strikes.

The evidence from interviews with representatives in US MNCs appeared to indicate that industrial relations factors were viewed as important in deciding to invest in either new or existing foreign affiliates located in Europe (Marginson *et al*., 1995). A number of studies using economic data to model the relationship between MNCs, industrial relations factors and location decisions offer perhaps a more sound evaluation. Based on 157 observations of US firms with foreign affiliates, Karier (1995: 114) found no significant relationship between location and union level in the country of location and concluded that "unions appear to be essentially irrelevant in the pattern of US foreign production". However, the observations used by Karier (1995) came from 1982 and are perhaps dated. More recently, Blaschke (2000) also found that foreign direct investment showed no systematic influence on union density in European countries for the period 1980 to 1995. Alternatively, Cook (1997) and Cook and Noble (1998), using data from the US Bureau of Economic Analysis covering approximately 250 observations for the year 1993, found substantial support for the case that a wide range of industrial relations factors have influenced US direct foreign investment. The most attractive industrial relations systems appeared to be characterized by high skilled employees; wide adoption of ILO labour standards; regulations requiring works councils; limited restrictions on laying off employees; low union penetration and decentralized negotiation structures (Cook and Noble, 1998). There was a significant and negative relationship between foreign direct investment and the level of unionization in a country. However, as Cook and Noble (1998) noted, no industrial relations system could be identified with all of the above attributes. The most attractive IR systems were both high skill-high wage systems with either high constraints (works councils, restrictions on employee lay offs, high union penetration and centralized negotiations) or low constraints (no works councils, few restrictions on employee lay offs, low union penetration and decentralized negotiations). Several countries having high constraint IR systems (Germany, Netherlands, Norway and Sweden) are more attractive to US investors than countries with low constraint IR systems (Cook and Noble, 1998). It is particularly notable that the highly unionized Sweden and Norway with strong institutional frameworks were highly attractive to US MNCs. Nevertheless, it may still be the case that US MNCs locating in highly unionized countries remain non-union.

> ***Hypothesis 2:*** *The predominant host country effect is being increasingly overridden by the demonstration effect from MNCs of American origin.*

Confirmation of hypothesis 2 requires low and declining levels of unionization in MNCs of US origin, and declining, if less substantial, levels in domestic firms.

Internationalisation

A third and related argument is that, over time, there has been a general or universal rise in non-unionism in more recently established companies. As such, US MNCs represent an extreme instance of a trend that is occurring in newly established workplaces and reflects wider economic and political changes. Thus, the growth in non-unionism is a feature common to both indigenous and MNCs and is driven by the international expansion of transnational market relations. The determinants of this process are the integration of product markets as a consequence of the removal of trade barriers; the internationalization of financial markets stimulated by deregulated restrictions on capital flows; and the cross border spread of technological advances and transnational organization of production by MNCs. These factors challenge established labour relations institutions that are not compatible with the needs of a deregulated international market. Internationalisation implies a convergence of national labour relations systems, since all countries are exposed to the same factors towards a dominant model of labour relations. Given their international spread, MNCs are the logical embodiment of the internationalisation process. Consequently, we can expect all MNCs to converge towards an organisational structure that optimises efficiency. In this perspective, the natural selection caused by market forces "weeds out inferior institutions" (Traxler, 2000). Convergence implies a dominant model of labour relations on which national systems are converging, one in which collective institutions have no role. Domestic firms are also exposed to internationalisation, though perhaps less directly, and are subject to a similar process of decollectivisation of labour relations.

> ***Hypothesis 3****: In general, all firms (domestic and MNCs), but particularly more recently established firms, are increasingly less likely to recognize a trade union.*

To confirm this relationship, we would expect all MNCs and domestic firms to follow a similar path towards non-unionisation, albeit to a lesser extent in the latter case.

Both convergence and internationalization are complementary processes, since internationalization is the primary driving force of convergence. However, what distinguishes the convergence thesis stated in hypothesis 2 is the pre-eminent position given to US MNCs, not necessarily as the carriers of international trends but as corporate opportunists with an antipathy towards trade unions.

Data

The source of the data used in this paper comes from the 1999 Cranfield survey[1]. The sample used in this paper covers 10 European countries. The countries are ranked in descending order depending on their union density level. In addition, they are divided into a high union density group made up of Sweden, Finland, Denmark and Norway and a moderate union density group (see **Table 1**). These rankings are used in all subsequent tables. Only private sector companies are included in the sample giving a total of 2,309 for the 10 countries. The survey was carried out in firms with 200 or more employees. However, in the Irish case, companies with 50 or more employees were surveyed.

Given the absence of a direct question on union recognition in the Cranfield survey in 1999, we have estimated a proxy measure for recognition. This is constructed from the question on the proportion of employees who are members of a trade union. Companies who report a membership proportion or density greater than 10% are categorized as recognizing a trade union. It may be that some companies with less than 10% union membership may nevertheless recognize a union. However, we estimate the likely margin of error to be small and insignificant.

Results

In **Table 2**, the relationship between the start-up date of the company and union recognition is examined. Up to 1989, the proportion of companies recognizing a trade union consistently declined from 72% of companies established before 1972 to 53% by 1989. This would appear to lend some support to the convergence and internationalization theses of a trend towards disorganization and decollectivisation of labour relations. However, since 1990, unions were recognized in 63% of cases, a reversal of the earlier trend towards increasing non-unionisation.

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1 The Cranfield Network on European HRM was first established in 1989 and currently involves 26 participating countries. For a summary of data emanating from the international study, see Brewster, C. and Hegewisch, A. (1994) *Policy and Practice in European Human Resource Management: The Price Waterhouse Cranfield Survey*, London: Routledge.

TABLE 2: DATE OF ESTABLISHMENT BY UNION RECOGNITION

	Union recognised	Union not recognised	N
Pre-1960	72%	28%	100% (1,114)
1960 – 1969	68%	32%	100% (230)
1970 – 1979	61%	39%	100% (232)
1980 – 1989	53%	47%	100% (275)
1990 - 1999	63%	37%	100% (218)
Total	**67%**	**33%**	**100% (2069)**

Source: 1999 Cranfield European HRM survey

The convergence and internationalization theses are further undermined when the trend in union recognition is disaggregated by country (**Table 3**). In the Nordic countries, unionization levels have generally remained high, regardless of the company's date of establishment. In the medium-strong countries, union recognition levels have fluctuated considerably. Ireland, in particular, has had a consistent decrease in the proportion of companies recognizing a union. The decline in the Netherlands appears to have been reversed since 1990, while in Belgium union recognition decreased dramatically after 1990. In the weakly-institutionalized countries, the UK and Switzerland, the proportion of companies starting up before 1990 showed a consistent decrease in the proportion recognizing a union, but this reversed after 1990. Taken as a whole, the evidence from **Table 3** tends to support the path dependency thesis to the extent that companies in strongly-institutionalized countries remain highly unionized regardless of their date of establishment.

TABLE 3: DATE OF ESTABLISHMENT AND UNION RECOGNITION BY COUNTRY

	Country	Pre-1960	1960 to 1969	1970 to 1979	1980 to 1989	1990 to 1999
Strong institutional framework	Sweden	100%	94%	100%	87%	97%
	Norway	90%	79%	75%	57%	92%
	Denmark	96%	94%	94%	92%	96%
	Finland	100%	92%	100%	88%	94%
Moderately-Strong institutional framework	Ireland	71%	77%	61%	39%	21%
	Germany	68%	55%	40%	45%	40%
	Netherlands+	59%	43%	38%	33%	67%
	Belgium+	92%	92%	100%	82%	25%
Weak institutional framework	UK	49%	35%	32%	28%	51%
	Switzerland+	46%	20%	20%	25%	50%
	N	1,114	230	232	275	218

Source: 1999 Cranfield European HRM survey

Union recognition and company ownership

In **Table 4**, we examine levels of union recognition and ownership for each country[2]. Unionisation levels in domestic firms and MNCs are consistently high across the Nordic countries, though union penetration in US MNCs is slightly lower than other European MNCs and domestic firms. In the moderately-strong group of countries, unionization levels are generally similar across domestic firms and MNCs. Aside from Switzerland (where the number of US MNCs is low), in the UK, unionization in US MNCs is slightly lower than domestic firms and European MNCs. These results tend to support the path dependency thesis. Certainly, there is little evidence of increasing disorganisation and decollectivisation, as predicted by the internationalization thesis. Nor does there appear to be any substantial support for the position that US MNCs have significantly different levels of unionization on which domestic firms are converging.

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2 The small number of MNCs originating from Asia have been omitted.

TABLE 4: UNION RECOGNITION BY OWNERSHIP OF COMPANY

	Country	Domestic	European MNCs	USA MNCs
	Sweden	96% (66)*	100% (58)	91% (10)
Strong institutional framework	Norway	89% (113)	75% (24)	63% (5)
	Denmark	96% (187)	92% (61)	83% (15)
	Finland	98% (101)	91% (20)	75% (3)
	Average	**95%**	**90%**	**79%**
	Ireland	51% (63)	72% (36)	47% (34)
Moderately-Strong institutional framework	Germany	66% (160)	64% (21)	55% (18)
	Netherlands	55% (33)	40% (2)	71% (5)
	Belgium	88% (68)	89% (47)	88% (15)
	Average	**66%**	**66%**	**65%**
Weak institutional framework	UK	44% (160)	56% (45)	38% (31)
	Switzerland	51% (36)	25% (5)	8% (1)
	Average	**48%**	**41%**	**23%**

* Numbers recognising a union in parentheses

Source: 1999 Cranfield European HRM survey

However, these results may mask a trend over time towards disorganization and low levels of union penetration in more recently established US multinational subsidiaries. **Table 5** compares the unionization levels of domestic and US MNCs in the Nordic countries, selected moderate countries and the UK. Overall, there is a downward trend in the proportion of US MNCs recognizing a union across all the countries. In those MNC subsidiaries established before 1960, 60% are unionized, this rose to 72% for those established between 1960 and 1969 but decreased to 21% between 1990 and 1999. However, some caution is necessary in interpreting this trend at the disaggregated country level. Because of the small number of US MNCs in the Nordic countries, Germany and Belgium, the results mainly reflect the trends in Ireland and the UK. The level of unionization of domestic firms and US subsidiaries declined substantially in both countries, though this trend reversed in UK domestic companies established between 1990 and 1999. In the latter case, these trends conform to the predictions of the path dependency thesis for a weakly-institutionalised industrial relations system. Until recently, trade unions in the UK operated in an adverse political climate. The election of the British Labour Party in the mid 1990s has improved the outlook for trade unions and, in particular the introduction of a mandatory union recognition procedure appears to have substantially improved the rate of union recognition in non-union firms (D'Art and Turner, 2002).

However, the trend in the number of firms recognising a trade union in the Irish case does not appear to conform to the predictions of the path dependency thesis. The steepness in the decline of firms recognising a trade union is more characteristic of a weakly-institutionalised system. This appears to mark Ireland as a unique case, given the existence of increasingly sophisticated and comprehensive social partnership type agreements since 1987 (see O'Donnell and O'Reardon, 2000; O'Donnell and Thomas, 1998).

Conclusion

The trend in union recognition in the European countries examined in this paper tends to support the predictions of the path dependency thesis that companies in strongly institutionalized countries remain highly unionized regardless of their date of establishment. There is little evidence of a general increase in the disorganisation and decollectivisation of industrial relations as predicted by the internationalization thesis. Nor does there appear to be any support for the position that US MNCs have significantly different levels of unionization on which domestic firms are converging. While there is a downward trend in the proportion of US MNCs recognizing a union across all countries, some caution is required in interpreting this due to the small number of US MNCs in the Nordic countries, Germany and Belgium. Indeed, the severity of the trend reflects the increasing non-recognition of US MNCs in the UK and particularly Ireland. As such, the trend in union recognition in Ireland appears to represent a unique case. In the context of social partnership it might be expected that trade unions would have a higher level of legitimacy and greater acceptance by employers. Consequently, the process of union recognition should be relatively non-problematic. If this is the case how can the decreasing trend in union recognition be explained? Here we can only suggest some tentative observations in an area that requires further research.

TABLE 5: DATE OF ESTABLISHMENT OF DOMESTIC FIRMS AND US MNCS AND UNION RECOGNITION

Country		Pre-1960	1960 to 1969	1970 to 1979	1980 to 1989	1990 to 1999
Nordic countries+	Domestic	96% (239)	94% (50)	95% (42)	86% (49)	98% (51)
	US MNCs	90% (18)	100% (2)	0% (1)	71% (5)	50% (2)
Ireland	Domestic	70% (23)	62% (8)	51% (18)	36% (10)	37% (3)
	US MNCs	83% (5)	91% (10)	67% (12)	25% (5)	0% (15)
Germany	Domestic	70% (128)	40% (6)	62% (5)	43% (6)	30% (3)
	US MNCs	44% (8)	80% (4)	0%	100% (3)	67% (2)
Belgium+	Domestic	96% (36)	95% (8)	100% (8)	84% (5)	20% (1)
	US MNCs	80% (4)	100% (6)	100% (2)	/	/
UK	Domestic	48% (91)	26% (8)	27% (9)	25% (9)	55% (18)
	US MNCs	46% (11)	46% (5)	33% (4)	33% (5)	20% (1)
	All US MNCs	65% (46)	77% (27)	48% (19)	39% (18)	19% (5)

* Numbers recognising a union in parentheses

\+ Nordic countries include Sweden, Norway, Denmark, Finland

Source: 1999 Cranfield European HRM survey

Structural transformation and managerial action have been advanced as important factors contributing to a decline in union recognition. In the former case, changes such as shifts in the demographic, industrial and occupational composition of the workforce are argued to be the major elements in union decline. From this perspective, it can be suggested that union representation is unnecessary and irrelevant for the growing number of employees in the new sectors of the economy and workplaces. Thus, there is a declining demand for unions and their recognition from employees. However, there are two difficulties with this explanation. Firstly, such structural transformation has occurred in all Western industrial economies. Yet, membership of trade unions in the strongly-institutionalised countries has either increased, held its own or experienced a marginal decline (Ebbinghaus and Visser, 2000). In these countrie,s there is little evidence of a declining demand for union membership.

Secondly, if the structural transformation thesis is valid, and the demand for trade union membership is weakening, then we might expect a corresponding decline in employer resistance. This does not appear to be the case in Ireland. Indeed, for the Irish trade union movement, union recognition is now perceived as a major difficulty as in the 1990s. A recent analysis of union recognition applications to the Labour Court shows that few of the companies involved acted on the recommendations issued by the Court (Gunnigle *et al.*, 2001). Gunnigle *et al*. (2001) conclude that the figures point to a failure in the Labour Court's ability to effect union recognition and to the growth in significance of union recognition disputes in Irish industrial relations. Rather than structural transformation, we suggest that employer opposition to trade unions continues to be a major obstacle in the exercise of employee choice regarding a union in the workplace.

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