

Integrating Diversity in Social Dialogue

Strengthening the EU's Labour Market in the Digital and Green Age

Analytical Framework

WP 1

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Strengthening the EU's Labour Market in the Digital and Green Age
(INTEGRATE-DIALOGUE)

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Introduction

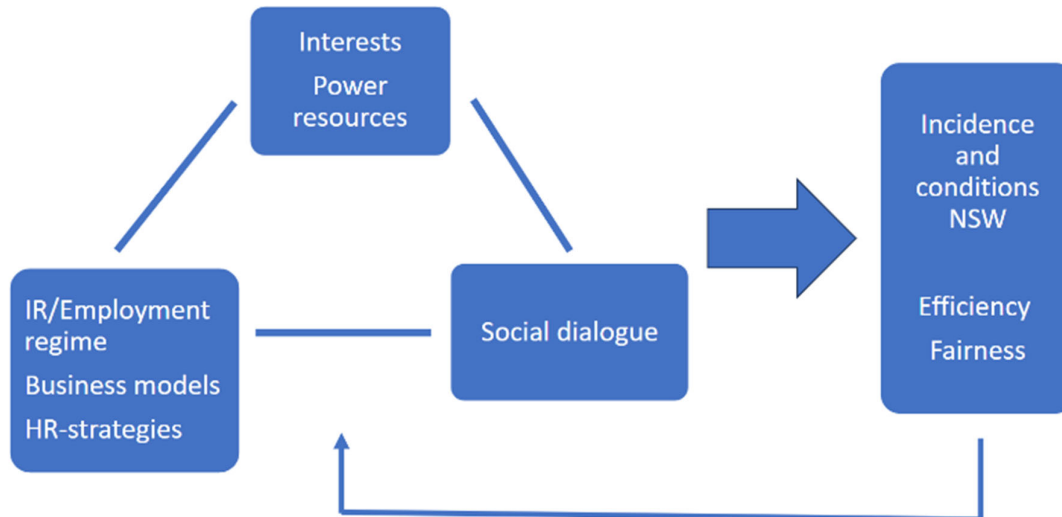
In the INDI-project, we study how new and evolving business models are reshaping the employer–employee dynamic and may further challenge the social partners’ capacity to impact employment and social outcomes. The aim is to find novel ways of including non-standard workers (NSWs) in social dialogue, to avoid leaving a growing segment of workers behind.

We define business models as a company’s corporate strategy (including HR-strategies) to create and commercialise value, as well as how this can be realised on an operational level.¹ Four key concepts and associated theoretical debates underpin our project: (i) the rationale for social dialogue; (ii) institutional arrangements of social dialogue; (iii) business models characterising the new world of work; and (iv) power resources.

The projects main research questions are:

- How can NSW strengthen power resources?
- How are these processes influenced by prevailing industrial relations regimes, employment regimes and business models?
- How are these processes shaped by the interests of (different groups of) NSW?
- How are these processes shaped by the interests of employers, investors, contractors?
- How can power resources be translated into social dialogue with favourable outcomes for NSW?

Figure 1 The relationship between the RQs



We consider corporate strategies as essential for how firms acquire, manage and leverage their workers. In accordance with Burkhart et al. (2011), the pragmatic and economic significance of business models becomes distinctly apparent when enterprises undergo transformative shifts, particularly through innovation. Paramount here is the ongoing process of digitalisation and green transition. As argued by Wilkinson et al. (2021), digitalisation not only affects work design, processes and structures within

¹ Burkhart et al., 2011, see note 4.

organisations, but also facilitate the emergence of new employment patterns, new business models and even new sectors.² This affects the dynamics between labour and capital.

The following groups will serve as key informants in the project:

- Non-standard workers
- Trade union representatives on different levels (from the workplace level to the national level)
- Employers
- Employer organisations
- Representatives from the authorities

In this document we outline central definitions and the interconnection between them.

Definitions

Non-standard worker (NSW):

We define NSWs as all workers whose terms of employment do not correspond to the guaranteed fulltime and open-ended subordinate employment contract. We narrow it down in line with three important dimensions:

- Duration: Temporary agency work, fixed-term, seasonal work, on-call
- Working hours: Short, marginal hours (up to 20 hours per week), zero-hours, on call
- Status: Self-employed or freelance, multiple jobholders

Regarding employment status, a person can be an employee but still considered to be in a non-standard position e.g., as a temporary agency worker or in marginal part-time position. To be classified as a standard . In contrast, a worker is considered non-standard if one or more of the characteristics listed in Column B apply.

Table 1: Standard and non-standard workers

A) Standard (all)		B) Non-Standard (at least one)
Employment status	Subordinate	Freelance/Solo-self-employed/multiple job holders
Duration	Open-ended	Temporary agency work, fixed-term, seasonal work, on-call
Working time	Full-time	Marginal part-time (<=20 h)/ zero hours
Employer	Direct	Indirect/absent
Welfare	Full coverage	Partial coverage/Special regimes/No coverage
Wages	Collective	Individual/low wage/working poor/undeclared worker

² Wilkinson, A., Knoll, M., Mowbray, P.K. & Dundon, P. (2021). New Trajectories in Worker Voice: Integrating and Applying Contemporary Challenges in the Organization of Work.

When recruiting informants, we include any NSW who falls in under our definition, but with a special focus on:

- young people, migrants, women
- the low-end segment in the labour market

We give attention to workers who are in insecure positions - because of the (average) short duration of their employment contracts which leads to frequent spells of unemployment, who experience low pay/income because of hourly rates and/or weekly working time, low welfare coverage, or who belong to vulnerable groups of workers.

Periphery or core?

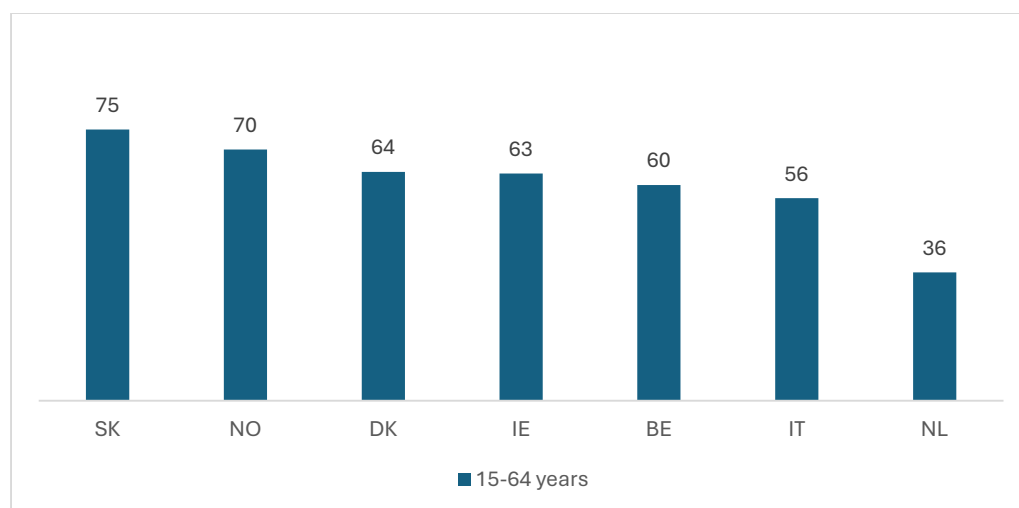
Based on the definition above, we further divide NSWs in two broad categories. This divide is closely connected to business models. In the first group, periphery workers in NSW arrangements (e.g., marginal part-time and different forms of temporary workers) will work alongside a core of employees in full-time and open-ended contracts. This is according to what we label as the traditional business model. In the second group, non-standard workers will constitute the core, in line with new forms of business models.

It is essential for the project to gather information about the needs, preferences, and interest in representation among non-standard workers, as well as how they themselves wish to participate in influencing their working conditions.

Share of standard workers and NSWs

Based on LFS data we have analysed the share of standard workers and NSW in the countries covered by the project.³ Figure 2. Shows that Slovakia has the highest share of standard employment with 73 percent of employed persons 15-64 years. The lowest share is seen in the Netherlands, where standard employment contracts make up 36 percent. The rate of persons in typical employment – defined as fulltime employees with permanent employment contracts – has been relatively stable over the periods 2016 – 2023 (see figure. 3.).

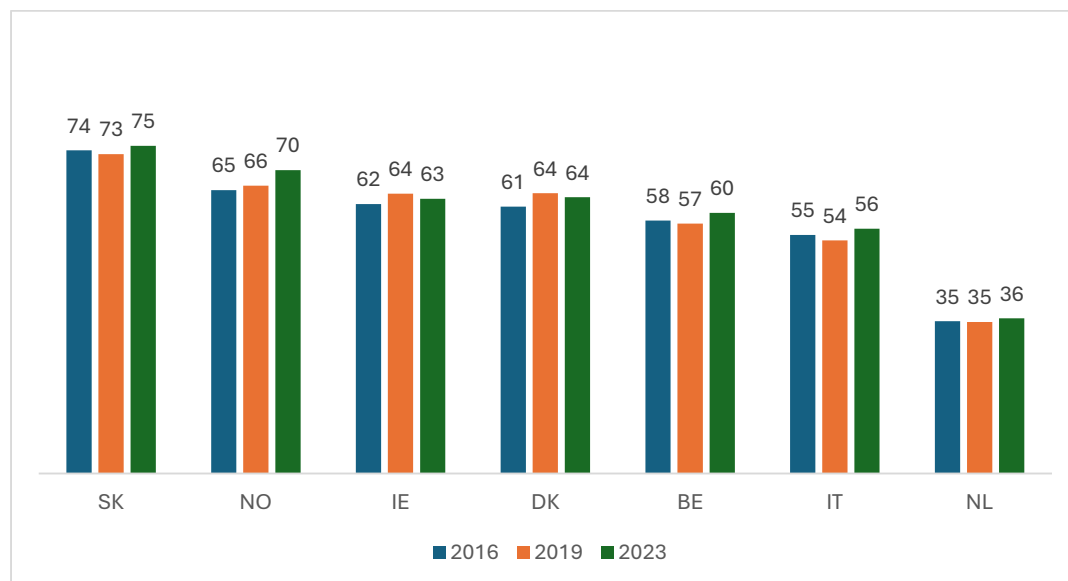
Figure 2. Share of persons (15-64 years) in standard employment. LFS data. 2023



³ Data from the UK was not available at the time of analyses, and new analyses including UK will be added later.

In Slovakia and Ireland agency work has increased, while in the Netherlands the share of workers having fulltime employment has increased. In Norway, Ireland and Slovakia and Italy we see a decline in self-employment (and none of the countries have a higher rate of self-employed in 2023 compared to 2016). Temporary employment makes up a lower share of employed persons in 2023, compared to 2015, in Italy and the Netherlands. The development has been the opposite in Norway, Denmark and Slovakia where there has been a decrease in temporary employment). All in all it is difficult to find a pattern that supports that standard employment – crudely measured – are on the decline in the labour market as such.

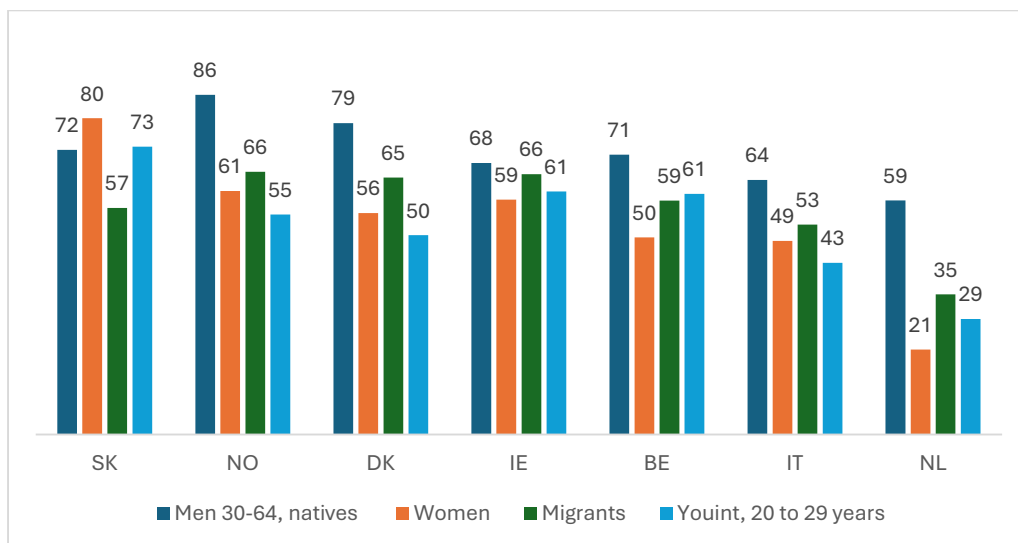
Figure 3. Share of persons (15-64 years) in standard employment. LFS data. 2016, 2019 and 2023.



We have also analysed how standard employment varies between groups, i.e. women, migrants and young people. In Norway, Denmark and Italy the share in standard employment is the lowest among young people (20-29 years). In Slovakia the rate is lowest among non-natives, whereas women are the group with lowest rate of standard employment in the Netherlands and Belgium. One might also note that Slovakia stands out as the only country where men 30-64 years (natives) are not the group with the highest rate of standard employment. Here young workers also have the same high rate as men, see figure 4.

We cannot identify the same characteristics of NSWs, as used in the definition in the INDI project, in LFS data. Freelancers/solo-self employed are difficult to identify. LFS has information on fixed-term contracts and temp agency work but not on-call work (unless this is regarded as a type of temporary contracts) and zero hours contracts. Indirect/absent employers may partly be covered by agency work or self-employed, but there will be types of indirect work that cannot be identified in the data. Some types of standard work may also be grouped as NSW, for instance temporary jobs that are part of a training scheme.

Figure 4. Share of persons (15-64 years) in standard employment among different groups in the labour market. LFS data. 2023.

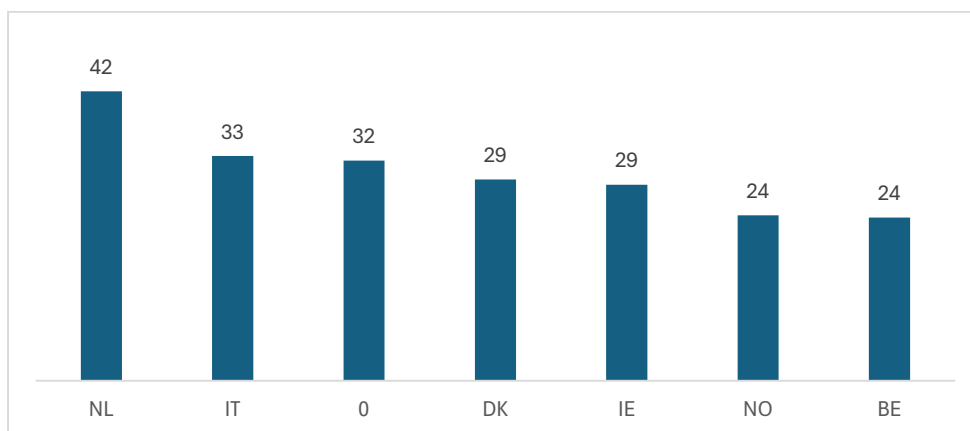


The definition of NSW based on LFS data covers the following indicators:

1. Self-employed (excl ISCO 1 and 2)
2. Marginal part-time (1-20 hours)
3. For 2023 – persons without a contract or without specified hours (excl ISCO 1 and 2)
4. Temporary employment (all types)
5. Agency work
6. Part-time employed people with multiple jobs

Figure 5 shows the share of NSWs in the labour market.

Figure 5. Share of persons (15-64 years) in NSW. LFS data. 2023.

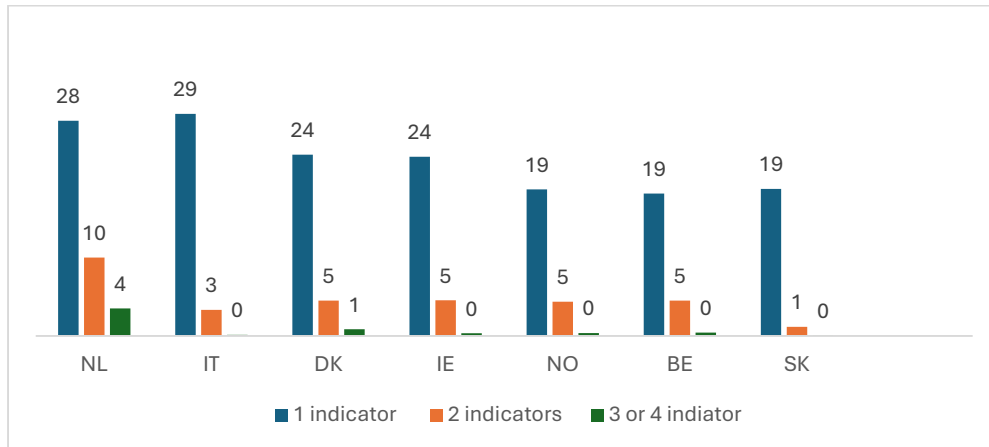


We have also analysed how many of the six indicators used to identify NSWs that are present. For employees, the scale is 1-4, for self-employed 1-3 (since temporary work and agency work is not

relevant). The results are shown in figure 6.

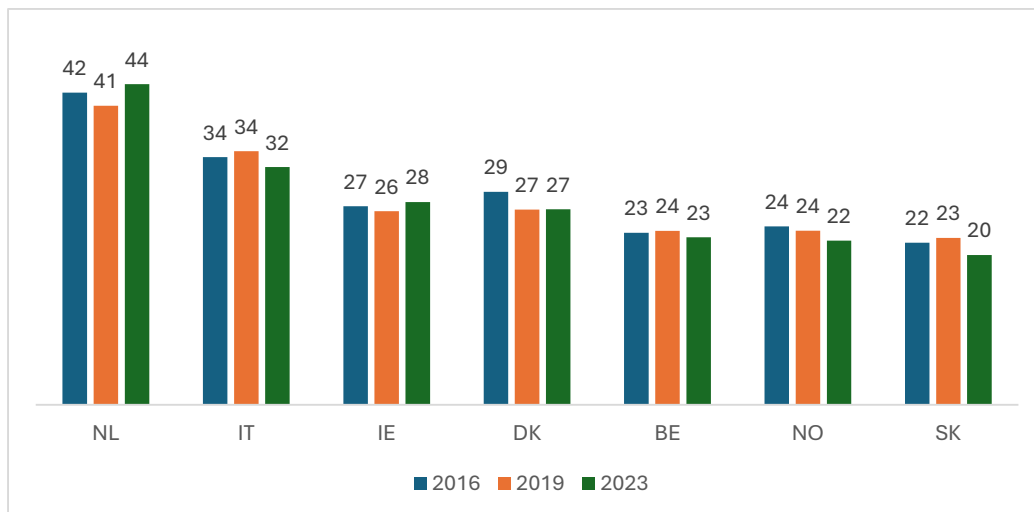
In the Netherlands 14 percent of employed persons ticks off more than one of the indicators, for instance marginal part-time and temporary contract or self-employed with part-time jobs. In Denmark, Belgium and Norway this applies to 5-6 percent. In Slovakia almost no one classifies for more than one indicator for NSW.

Figure 6. Share of persons (15-64 years) in NSW that fulfils 1-4 of the indicators. LFS data. 2023.



We cannot compare this directly over time, since information on contractual working hours is a new variable in LFS. We therefore must use the usual working hours, without any information on persons without any working time contract. To compare, we also use information on all self-employed persons (unless ISCO 1 or 2) instead of employed persons without employees. As for standard work, the prevalence is relatively stable over time, see figure 7.

Fig. 7. Share of persons (15-64 years) in NSW. LFS data. 2016, 2019, 2023.



Social dialogue

We follow the definitions of social dialogue employed by the International Labour Organisation (ILO) and EU,⁴ encompassing all types of negotiation, consultation, participation and information exchange between, or among, representatives of governments, employers and workers, on issues of common interest relating to economic, employment and social policy.

Representative ‘organisations/bodies’ for the purpose of our project can include groups of workers (two or more) which mobilise and organize to voice their collective interests in their relationship with employers, contractors, investors and political authorities (grassroots organisations or movements). This element (representative organisations/bodies) shall be present in all parts of our research, including the analysis of legislation (WP2) and the identification of policy implications (WP6).

This broad definition enables the inclusion not only of traditional actors, but also the role of civil society, such as NGOs, community-based organizations, grassroots initiatives among NSWs and social media communities. Further, trade associations may be preferred as vehicles for interest representation. Thus, form of representation, as well as other novel forms of worker representation and social dialogue practices may cut across the traditional employer–employee divide⁵ (including collective agreements for self-employed workers) and will be explored in WP4 and WP5.

Hence, this broad definition allows the inclusion of countries with IR/employment regimes in which traditional forms of social dialogue are weak or absent, but in order to be covered by this broad definition, there must be some kind of **collective representation** of workers to promote shared interests and/or achieve some kind of **collective regulation** of their terms of employment and/or working conditions, i.e. workers cannot only be assisted individually for welfare benefits or providing support for individual disputes.

We are interested essentially in researching the (potential) role of social dialogue in deciding and implementing rules (law-making and law enforcement) and policies (policymaking and policy implementation). Social dialogue will involve actors in different roles and levels, cover a variety of topics and have different forms or degrees. Some forms and topics will be outside the traditional definition of social dialogue but can be seen as capacity building and over time lead to social dialogue. Actors, forms and topics can be traditional or more innovative. Some of the innovative elements are known, some will be mapped during the project.

As a starting point, these characteristics should be in place:

- **Actors:** trade unions, employer organisations, TU reps, Health and Safety representatives (firm level, if elected among the employees), employers, contractors, NGOs, work councils,
- **Form/degree:** Information, consultation, co-determination, negotiation (formal/informal or a combination of these two), poll/surveys, e.g. employer gathering information from their workers:
 - How binding are the results?
- **Topics:** strategic/financial, working time, working conditions, welfare/well-being, operational

⁴ https://www.ilo.org/actemp/areas-of-work/WCMS_731146/lang--en/index.htm

⁵ Dorigatti et al. 2023

issues, contractual issues, copyright, insurance, training etc.

While the following activities are considered not to be social dialogue, but might have the potential to mobilise and build capacity:

- **Actors:** Professional organisations & trade associations that partake in interest representation, NGOs representing two or more workers, workers (two or more)
- **Form:** Lobbying, advocacy, political actions, mobilizing on social platforms
- **Topics:** strategic/financial, working conditions, operational, contractual, copyright, insurance, training etc.

In business models where NSWs constitute a periphery workforce, there may be channels for participation in the organisation, but these may not necessarily include NSWs.⁶ In business models where the NSW represents the core workforce, structures and channels for participation and voice may be absent from the design of the organisation, and an employer in the traditional understanding may not exist. In these cases, it can be difficult to identify a counterpart for these workers. Working time and hours are not necessarily part of any contract but may instead be based on an expectation that the worker is constantly available. The platform companies that operate across countries illustrate this point.

The rationale and capacity for social dialogue and voice

Social dialogue has long been recognised as a vital mechanism balancing the inherent power asymmetry between capital and labour. The foundation of workers' participation lies in political liberalism and is deeply rooted in various domains of Western social sciences.⁷ The rationale can be categorised into two primary arguments:

- **Fairness:** This aspect underscores principles of freedom, justice and equality. It emphasises representative participation as a means for workers to serve as effective counterparts to management and owners.
- **Efficiency:** From a corporate viewpoint, worker participation is instrumental in enhancing problem-solving capabilities and fostering cooperative work environments. It is predominantly seen as a strategic management tool that contributes to enterprises' efficiency and innovation.

From a corporate profit perspective, the focus on effectiveness is an important argument for social dialogue, by facilitating problem solving and committing workers to collaborate. Moreover, from the employer's perspective, the effectiveness argument may be more contested and ambiguous in relation to non-standard workers. Employers may not perceive clear benefits in including individuals with a weak attachment to the organisation, particularly when the workforce is easily replaceable. Initiatives to secure and enhance social dialogue for NSWs will therefore rest primarily on fairness and may encounter resistance from employers.

From a union perspective, social dialogue can be justified by considerations of fairness rooted in a rights-based perspective, emphasising the need to improve terms of employment and working conditions in line with workers' interests. At the same time, research indicates that the combination of the two

6 Wilkinson, A., Gollan, P.J., Xu, Y (2018). Voices unheard: employee voice in the new century, *The International Journal of Human Resource Management*, 2018, VOL. 29, NO . 5, pp. 711–724.

7 Pries, L. (2019). Workers' participation at Plant Level in a Comparative Perspective. I S. Berger, L. Pries & M. Wannöffel (Red.). *The Palgrave handbook of Workers' Participation at Plant level* (pp. 13–35). Palgrave Macmillan; Spiegelaere, S.D., Hoffman, A., Jagodziński, R. et al. (2019) *Benchmarking Working Europe 2019*. pp.67-89.

perspectives makes a difference. Freeman and Medoff (1985)⁸ argued that workplace representation provides a collective voice through which employees can contribute to resolving workplace issues and enhancing productivity. In other words, it may be both effective and beneficial for employers to facilitate employee participation. While both the above mentioned rationales are top-down oriented, we argue that as part of the fairness-argument, we could also identify a bottom-up perspective, where workers' participation is seen as a fundamental element in democracy and the workplace as a significant arena for developing political and democratic skills in society.⁹ Unions or other forms of representation can function as 'schools of democracy'¹⁰ by providing political training and influencing voter turnout.¹¹ These effects tend to be stronger among low-skilled, low-income workers, thereby reducing political inequalities.¹² Further, recent studies indicate a connection between employment relationships, trust and democracy.¹³ Workers on non-permanent contracts with low job security tend to exhibit lower levels of trust in their peers. Additionally, those engaged in non-permanent and informal employment arrangements express diminished satisfaction with the overall efficacy of democratic.

The balance between these two arguments, and thus how social dialogue unfolds, will vary, depending on institutional settings (IR- and employment regimes) within diverse countries and at different levels. It is also shaped by management's perceptions and behaviour (Alsos & Trygstad, 2022; De Spiegelaere & Vitols, (2024, p. 146), i.e., it can be great variety between sectors (Bechter et al. 2012) but also between companies belonging to different business models.

When examining and explaining how social dialogue unfolds, particularly the capacity to include NSWs and address their needs, interests, and motivations for voice and representation, we consider power resources a central factor. We focus on institutional, associational, structural and ideational power resources.¹⁴

⁸ Richard B. Freeman and James L. Medoff (1984) WHAT DO UNIONS DO? New York: Basic Books, 1984, Pp. ix, 246, index, hardcover

⁹ Pateman, C. (1970). Participation and Democratic Theory. Cambridge University Press.

¹⁰ Terriquez, V. (2011). "Schools for democracy: labor union participation and Latino immigrant parents' school based civic engagement", American Sociological Review, 76, 581–601.

¹¹ Flavin P. (2017), "Labor union strength and the equality of political representation," British Journal of Political Science, 48(4): 1075-1091.

¹² Bryson, A., R. Gomez, T. Kretschmer, and P. Willman (2014), "What Accounts for the Union Member Advantage in Voter Turnout? Evidence from the European Union, 2002-8," Relations industrielle/Industrial Relations, 69, 732-65.

¹³ Ryan, L. and Turner, T. (2021) Does work socialisation matter? Worker engagement in political activities, attachment to democracy and openness to immigration. Industrial Relations Journal, 52(2): 125-144; De Spiegelaere S., Vitols, S., (2020) A better world with more democracy at work. europeanparticipationindex.eu, European Trade Union Institute (ETUI,)

¹⁴ Refslund, B., & Arnholtz, J. (2021). Power resource theory revisited: The perils and promises for understanding contemporary labour politics. *Economic and Industrial Democracy*, 43(4), 1958-1979.

<https://doi.org/10.1177/0143831X211053379> (Original work published 2022); Keune, M. (ed.). (2024) The State of European Social Rights and European Social

Citizenship in the EU, EuSocialCit Flagship Report 1, March 2024. Doi:

10.5281/zenodo.10840424

A note on methodology

Data sources

WPs		Methods & data	Countries
WP1	Conceptual and theoretical framework	Literature review: document analysis, comparative; collective agreements; LFS data	All
WP2	Legal framework	Legal method: Analysis of national and EU law, comparative analysis, legal texts, preparatory works, case law, literature, collective agreements	DK, NO, NL, IT, UK
WP3	NSWs as periphery	Case studies (3-4 in 3 countries): qualitative interviews with NSWs, employers, staff representatives (if present), social partners at different levels, authorities; surveys among NSWs and unions	IE, IT NO
WP4	NSWs as core	Case studies (2-3 in 6 countries): qualitative interviews with NSWs, employers (if present), social partners at different levels, non-union employee representatives; surveys among NSWs and unions; desk studies on relevant documents	All
WP5	Novel models for voice and representation	Case studies (2 in 6 countries): qualitative interviews with NSWs, employers (if present), social partners, NGOs, employee representatives; surveys among NSWs and unions desk studies on relevant documents	DK, BE, NL, NO, SK, UK
WP6	Lessons for policy and practice	Desk study on existing policy literature and available data to outline policy implications, analyse policy outcomes from WP3–5; qualitative interviews with stakeholders	All

Quantitative data:

Two surveys will be conducted across all the countries which will contribute to WP3–5

- The NSW survey (UCPH/WAR)
- Trade Union Survey (Fafo)

Labour Force Survey (LFS) data will be used to analyse the prevalence of different types of NSW in the countries and regions covered by this project, with a special focus on the development following the COVID-19 pandemic. We will also investigate differences with regards to sectors and occupations.

Qualitative data:

- Literature review (WP1, WP4, WP5) (including academic papers and grey reports) to develop the link between NSWs and the four theoretical concepts we employ. Further, using document analysis and in collaboration with WP2, we will compare the regulations in the main collective agreements covering access to social dialogue for NSWs.
- WP2: In-depth analysis of laws and agreements using legal methods; and (ii) comparative analyses of national and analyses of EU law, using legal texts, preparatory works, case law, literature and collective agreements.
- In WP3–6, we will conduct a desk study, which will include analyses of online dialogues and chats, policy documents, collective agreements, existing policy literature and available data to derive actionable policy implications, relevant strategy documents from the social partners at different levels – as well as from the national authorities and at the EU level.
- In WP3–5, we will conduct qualitative individual and focus group interviews with NSWs and

firm-level staff representatives.

- Interviews with employers, trade unions and employers' organisations at the EU, national, regional and sector levels, and, when relevant, NGOs and public authorities e.g., Labour Inspectorates and the Director of Labour Market Enforcement (UK).

To ensure comparable data, we will: i) develop and use common interview guides, ii) use the vignette method in the interviews.¹⁵ The vignettes will enable us to match bottom-up with top-down perspectives. Non-standard workers, employers, employers' organisations, unions and trade union representatives at firm-level will, during the interview, be presented with identical case scenarios and asked the same questions. This method also facilitates cross-cultural comparability.¹⁶ The vignettes will offer respondents sufficient information to identify factors in the case that may or may not be relevant to them.

¹⁵ Wilks, T. (2004). The Use of Vignettes in Qualitative Research into Social Work Values Qualitative Social Work. Sage Publications. Vol. 3(1), 78-87.

¹⁶ Soydan, H. (1996). Using the vignette method in cross-cultural comparisons in L. Hanstrais and S. Mangen (eds.) Cross-national research methods in the social sciences, London: Pinter.