

Book review

Czorzasty, Jan (ed.), *Rokowania zbiorowe w cieniu globalizacji. Rola i miejsce związków zawodowych w korporacjach ponadnarodowych (Collective Bargaining in the Shadow of Globalization. The Role of Trade Unions in Multinational Corporations)*, Warszawa: Wydawnictwo Naukowe Scholar: 2014: 215: ISBN 978-83-7383-737-9

Due to the central role multinational corporations (MNCs) in Central and Eastern Europe, there is a growing body of research which explores the specificity of their employment relations from a comparative perspective. The problems discussed in the literature include, among others, the diffusion of managerial and employment practices of MNCs in host countries, the scope of their adaptation to local employment standards, as well as the perspectives of the institutionalisation of transnational union solidarity and social dialogue. While the majority of the existing books and articles are based on the case study method exploring individual company cases in selected sectors, the combination of case studies with cross-sectoral quantitative surveys and institutional-legal analysis is rare. Even less research results is published in national languages other than English which constitutes a considerable barrier in the dissemination of knowledge to a wider audience of academics and practitioners at the national level. It is also exceptionally rare that the books are co-authored by both scientists and trade union experts.

The volume 'Collective Bargaining in the Shadow of Globalization. The Role of Trade Unions in Multinational Corporations', edited by Jan Czorzasty and published by 'Scholar' Scientific Publisher in 2014, presents a well-thought and successful attempt to overcome the above-mentioned limitations. The book emerged as a result of the research project 'Collective bargaining in multinational corporations' carried out by NSZZ Solidarność and supported by the Norwegian Financial Mechanism.

The empirical study was conducted by the team comprising of Juliusz Gardawski (the leader), Paweł Czarnecki, Jan Czarzasty and Czesława Kliszko. It involved a quantitative survey of union leaders and managers in 81 unionised companies, of which majority was owned by foreign capital, in five sectors (retail, construction and wood industry, metal sector, food industry and universal services). A unique component of the research was the legal analysis of company-level collective agreements. The chapters based on empirical research are supplemented by articles drawing from desk research and other, comparative studies.

The book comprises of 11 chapters which shed the light on selected aspects of collective bargaining in MNCs. The first chapter, written by Jan Czarzasty, sets the scene and reviews the relevant literature in the research field. Showing the economic relevance of MNCs, the author presents the limitations of the thesis about their dominance over nation states and the national modes of economic coordination. Next, he discusses the challenges to the regulation of transnational collective bargaining and transnational company agreements by the means of the European Union legislation and Corporate Social Responsibility based tools. In chapter two, Barbara Surdykowska (a scholar and a legal expert of NSZZ Solidarność), explores the changes in the regulations of the right to collective bargaining at the international level. Her main, intriguing and well documented, argument is that we can observe the strengthening of the aforementioned right in international law while at the same time its limitations can be noted the European Union legislation.

The next, third chapter, written by Sławomir Adamczyk (the expert of NSZZ Solidarność), reviews the selected functions of trade unionism in capitalist countries. Drawing from the typology of union identities by Richard Hyman based on the triangle of identity-shaping factors (society, market and social class), the author legitimately argues for a dynamic perspective on trade union roles: 'Retaining their historical embeddedness in national traditions, trade unions have to adjust their styles of acting depending on emerging challenges' (p. 45). The national legal traditions of employee representations at the company level are explored in chapter four by Anna Reda-Ciszewska (a scholar and union expert of NSZZ Solidarność). The author suggests that following the implementation of the Directive 2002/14/EC the differences between monistic and dualistic models become blurred. In the Polish context, this goes together with a (correctly identified as voluntaristic, and thus 'dangerous') tendency to promote in the national legislation 'ad-hoc' employee representatives appointed in a manner chosen by an employer at the company level.

The fifth chapter (by Sławomir Adamczyk and Barbara Surdykowska) presents a successful attempt to review the main trends in collective bargaining coverage,

level and content in the European Union. The authors note an increasingly defensive character of union actions, the development of concession bargaining and opening clauses, as well as problematic outcomes of the European Semester mechanisms for the national-level social dialogue. They also suggest that trade unions need to resist these tendencies by emphasising their crucial role in the, still underdeveloped, European-level collective bargaining. In the sixth chapter, Barbara Surdykowska discusses the legal and practical consequences of the so-called Laval rulings by the European Court of Justice for collective bargaining in European Union. The four ECJ rulings, which basically restrict the freedom of trade union actions regarding capital and workers' mobility in the EU, are critically assessed by the author as contributing to growing asymmetry between capital and labour. The seventh chapter, written jointly by Sławomir Adamczyk and Jan Czarzasty, provides a useful context to understand various sources of trade union power and national traditions in ten developed countries (Sweden, Germany, France, the UK, South Korea, Japan, Australia, New Zealand, the USA, Canada). Based on a comprehensive review of the available literature and data, the authors conclude about an ongoing trend of trade union marginalisation as a result of pressure on labour market deregulation exerted by economic and political elites. In this context, a chance of trade union renewal is seen in their abilities to address the problems of precarious workers and continuous support for industrial democracy.

The next two chapters are written by the legal scholar, Paweł Czarnecki. In chapter eight, the author analyses the legal barriers to collective bargaining in the private sector in Poland. Exploring the regulations concerning collective bargaining actors, topics and procedures, the author reveals legal gaps and inconsistencies which might hinder the effective social dialogue. However, he also, quite astutely, notes that 'the crucial role for the development of collective bargaining is played by non-legal factors' (p. 128). Chapter ninth presents an excellent and unique analysis of 14 company-level pay regulations and 24 company-level collective agreements. It is one of the most original contributions in the book given that the access and knowledge about the content of collective agreement in Poland is limited. Filling this gap, Paweł Czarnecki meticulously analyses the documents studied and notes a dominant tendency to copy a lot of the Labour Code solutions to company-level collective agreements. While he recognises some advantages of such practices, among others in terms of stabilisation of the frequently changing national-level LC regulations, he also notes potential problems and contradictions arising in the process of 'creative adaptation' of labour law to local conditions.

The final two chapters report the results of the quantitative survey research on employment relations, organisational culture and collective agreements in 81 multinational companies in five sectors, carried out by Juliusz Gardawski's team. As already mentioned, it is an excellent and rare example of cross-sectoral study which certainly deserves referencing in further research. In chapter 10, based on the exploration of a subsample of interviews with union leaders (only), Jan Czarzasty analyses selected properties of employment relations and organisational culture in MNCs. The author discusses, among others, the management-trade union cooperation, the existence of collective agreements, the presence of European Works Councils and takes into account independent variables such as the corporations' country of origin, sector, the type of governance and management styles. Having explored the technical-organisational and social conditions of work in the MNCs studied, he notes their generally positive assessment by informants, in particular in case of companies in which collective agreements were concluded. In line with earlier studies on hybridisation of organisational cultures in the transnational firms, the author concludes that 'corporations yield to temptation to opportunistically adapt to an environment which cultivates authoritarian management styles (originating from a 'manor' type of culture), yet it does not mean that they directly reproduce them' (p. 180). Based on the same dataset, in the final chapter, Czesława Kliszko discusses the mechanisms of concluding and executing collective agreements and other collectively agreed local rules (e.g. work and pay regulations) in the MNCs depending on the factors such as sector, governance and management styles and economic situation of the firm. An important observation by the author is that 'concluding collective agreements and their continuous existence is predominantly connected with factors which lie beyond companies and company-level trade union organisations' (p. 205). Whereas French-owned corporations studied were mostly in favour of collective agreements, the Anglo-Saxon and Scandinavian were much more reluctant to conclude them. Other supportive conditions included trade union density in a firm, limited number of (competing) unions at the company level and cooperative approach of management to union representation.

The volume edited by Jan Czarzasty significantly adds to the existing knowledge about the legal, institutional, social and economic-political aspects of collective bargaining in multinational corporations. The combination of legal expertise with the analysis of original empirical data collected for the sake the 'Collective bargaining in multinational corporations' project resulted in a comprehensive discussion of the conditions, content and outcomes of social dialogue in increasingly transnational settings. The only shortcoming of the authors' analysis might be too limited

commentary on the situation in non-unionised multinational companies in Poland of which many are known for precarious working conditions in particular in case of those at the end of transnational supply chains. It would also be interesting to hear about the role of trade unions and management in the companies studied in creating and reproducing a dual labour market in which a relatively stable employment situation of core employees in MNCs is overshadowed by the precarisation of work in their peripheries. Nevertheless, the book edited by Jan Czarzasty, and in particular its original, empirical research-based chapters, will certainly serve as a landmark for further studies on MNCs in Eastern Europe. It can also be used as a textbook and training material for both the academic courses in the fields of employment relations, economic sociology and labour law, and trade union advanced trainings.

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