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## **The future renewal of employee participation in local councils**

The national bill on employee participation, introduced by minister De Geus in 2005, may have foundered – but it did stimulate the discussion about the topic. In meetings about the future of employee participation organised by consultancy De Beuk not much was said about the law, but all the more was said about other ways in which employee participation could be better organised.

Employees, employers (administrators), trades unions, employers' federations, trainers, policymakers and researchers had an exchange of ideas about the future of employee participation. The subjects were discussed in various groups, including mixed and along functional lines. The discussions were about the impediments to good employee participation and the causes of the obstacles involved, about removing these obstacles and what the most promising solutions could be.

In June and December 2006 three meetings were held about employee participation in local government. These were chaired by consultancy De Beuk, on the assignment of A&O, a foundation which promotes initiatives about human resources management in municipalities.

A number of themes derived from earlier meetings. These were discussed now with administrators, works councils' members and the so called 'attached employees':

1. How can we improve the relationship between the works councils and the administrators?
2. How does the works council achieve becoming truly representative, and how can the administrator realise support for this?
3. Are there other more effective forms of employee participation conceivable?
4. What can be the role of 'organised consultation' (with the trade unions) be?

### *1. The relationship between works council and administrator*

It is not just about the best possible education and training for the works council, and about strategically preparing the council for consultations with the administrator anymore. Nor is it enough for the administrator to strictly follow the rules and procedures laid down in the law. In 2006 both parties must invest in a good relationship which will create room for innovation and custom-made measures. Both administrators and works councils should be called to account on this issue. Too many works councils and too many administrators are still suspicious of each other, and end up avoiding consultations about a truly professional and pleasant relationship in which there is room for renewal. The participants exchanged working methods with which they try to strengthen the relationship between works council and administrator. Typical of these attempts is that they are usually about initiating more and better communications with each other.

Examples are: doing an evaluation of the regular consultation meeting together; making sure that during the consultation meeting not only the chairman acts as spokesperson, but that other council members are actively involved as well; keeping the works council actively informed informally in between official meetings; organising informal meetings, sometimes together with the personnel manager and the mayor; inviting the administrator to a part of a study session of the works

council; and organising a special meeting twice a year to discuss current affairs and to draw up a long-term agenda.

## *2. Becoming truly representative and achieving support for this*

The participants stated that it would be ideal to have every section of the organisation represented in the works council, in order to have every voice heard. This could best be realised if the works council discusses their agenda items with the rank and file before their consultation meeting with the employer.

Most of the time in real life, things are different. Works councils often have difficulties filling vacancies on the council. Employees are usually not very enthusiastic about standing for election, and their superiors certainly don't encourage council membership. The works council is rarely representative, while different sections of the organisation actually face very different problems. The administrators feel that a works council has to take care of finding its own support and making sure it is working representatively: all the more so if its composition is unbalanced. Works councils should be visiting the departments directly in order to improve and enlarge their base. It would be best to do that in person, but if that can not be realised, it should at least be done via written or e-mail communications.

The works council should be aware though that managers themselves also invest in contact and communications with their staff, and that the 'shop-floor workers' may already have communicated their ideas on a certain topic to the employees. In some cases it is feasible that the works council could just rely on this process. An important reason for managers to look for other ways to collect input from employees is the fact that they often feel that the works council seldom accurately reflects opinions in the organisation.

## *3. Other forms of employee participation*

When discussing this subject, participants do not consider the works council as the only organ for achieving participation within the local council. Some even have broader view which takes participation throughout the local council into account, and looks at the complete 'forum for participation' within the organisation.

Here they are searching for inspiring and efficient forms of participation. It should provide a means for getting the right content on the table, and it must also gain commitment from the right people. And importantly, if all possible it should not get bogged down with the formal works council structures of participation which often get dominated by mistrust and complicated procedures.

In daily practice a large number of new forms of participation are developing. The effects of these forms, and the concrete experiences with them are unfortunately not being communicated back to the field sufficiently. The same can be said about the results of scientific research in this field. When these new practices were discussed a number of examples mentioned were: digital consultation, participation in project- or theme- groups, or participation organised through the regular meetings about daily progress on the work-floor.

One participant told about special meetings he has with a group of colleagues which vary in composition, held once every few months. The discussions are about how things are running and on-going attention points in the organisation. People enjoy taking part in these special meetings, whereas they usually can not be motivated for formal membership of the works council because they feel that is too large a commitment. These discussions give an accurate and up-to-date picture of what is going on, what people find annoying and where they see possibilities for improvement. The discussions often are about minor subjects like the postal system, the signature book, system management, and the procedure for bills or telephone traffic. The works council does not see these meetings in themselves as competition

for their work: they would normally not have time to deal with this kind of irritations anyway. Many local councils work with groups of employees comparable to the ideas mentioned above in which managers use their eyes and ears to hear what is going on in the organisation. Examples are a quality improvement group which investigates work processes, a feedback group, or a kind of internal customer panel. Sometimes it is handy to have a works council member in such a group, but it is advantageous if he or she fills a specific network-oriented or communications role. If participation is seen in this wider perspective, each subject or issue area can develop its own working method to get employees involved. The composition of the group is directly linked to the subject, thus engagement is guaranteed.

Generally the experience is that employees like to be involved in this way. This corresponds with a development noticed throughout contemporary society: people do not want to commit themselves to long-standing voluntary work anymore, but they are willing to carry out limited assignments in support of developing the organisation.

The works council may decide to carry this theme through in the participation structure by establishing a 'core works council': creating a core with a small number of permanent members, which takes on various temporary members who have a special interest in, or particular knowledge of a specific agenda item.

Another form of the works council is the project group without a mandate. A works council member present may see a possibility for a project group about personnel management, in which both the works council and the personnel department are represented. Employees of different departments, perhaps a manager as well, will be invited to the group on the basis of this theme. This again prevents the tension that employees have with committing themselves to intensive works council activities for a number of years.

Another new form of participation is the 'direction-oriented works council,' a strategic works council that only engages and manifests itself on the really main issues. One participant suggested to introduce a 'quality group' at a higher level which could act as 'alternative works council. Its members would be freed-up from daily concerns, be able to work actively on a higher level, without necessarily down-grading the law on works councils.

#### 4. *Organised consultation (GO)*

Most participants are not enthusiastic about consultations with the trade union-organised employees. This so-called *GO* exists to discuss the terms of employment and subjects related to the legal position of employees.

Some participants think it a bad omen that very few employees officials are organised. Some feel that organising participation was more pleasant when the works council still had the tasks which are now assigned to the *GO*: "...in those days we at least had something to talk about."

Some participants would be in favour of a situation in which there would be only one organized interest group in the local council. "Then there would be clear agreements and one would know who is negotiating on behalf of the local council. As it is now, it sometimes happens that the *GO* reaches a compromise with the manager, and subsequently the works council then gets the assignment settlement to work things out with the administrator." Other participants do not appreciate the idea of a combination: "...I don't like having the steel-toed trade unionists in my works council."

Employers sometimes feel a need to arrange something extra for their staff because developments on the labour market make it increasingly difficult for local councils to attract and keep capable employees. In spite of this, the participants think that the tendency to decentralize negotiations about employment conditions is wrong. Things are not going to improve if a strong differentiation is allowed. It is more pleasant to work with central agreements, which can be worked out in detail by the separate

organisations. This can include department managers having the freedom to make a separate and specific deal with the members of their staff. One participant reported that his local council works with personal arrangements. Employees can choose from a Personal Development Menu. The starting point for this procedure is the question: what is it that gives you energy? This question leads to various answers that do not necessarily have to do with work, for example in this case, the possibility of membership in a brass band!

#### *Tips for participation in local government*

- ❖ Be aware of the fact that the works council cannot deal with everything that is going on the shop floor. Work with temporary participation groups on and about specific subjects.
- ❖ Transfer the competences and the mandate of the *GO* to the works council. That gives a stronger relationship with the core duty of the works council: representation of employees' interests.
- ❖ Look for ways to involve colleagues for every specific subject that the works council has to deal with.
- ❖ Talk with the works council about how actually to handle their formal competences and their mandate. Now this is often an obstacle for a desirable decision-taking process. Discussions about the issues involved, separate from the formal procedure of the formal 'request for advice' often brings more substantial results.
- ❖ Invest in mutual trust. An administrator is more convincing if he adopts a vulnerable attitude and is open and transparent about his actual concerns.
- ❖ Make it clear to the works council that it is not just there for employees' interests, but also for taking the interests of good local government into consideration. That actually means that the works council has to be concerned with, and even drawn into managerial decision making. It also means that the works council has to have the courage to sometimes communicate unpleasant messages to the employees concerned.
- ❖ Provide the works council with quality secretarial support.
- ❖ Think about how to support the works council in organising their elections in such a way to get a truly representative council. The argument put forward by employees for not standing as a candidate is most often their feeling of not having enough time to do the job. Administrators should invest in gaining real support for works council membership among their managers.
- ❖ Use the discussion about the subject matter list in article 24 of the law on works councils not only to make agreements on priority topics, but also to decide the way in which these topics will be dealt with. Should they be discussed with the works council or with another representative (temporary) group of employees? Should the works council be involved from the start of the development of an idea, or should it first be informed later when a concrete proposal is made?

#### *Suggestions for fields A&O should invest in to strengthen employee participation in municipalities*

- ❖ Think without sticking to existing frameworks. In its publications and meetings A&O could suggest and initiate that administrators and works councils work together to develop ideas about what the core issues of employee participation are. Getting them thinking together, free from present structures, and free from the constraints of the law on employee participation.
- ❖ The relationship between *GO* and works council: it would be wonderful if A&O could initiate activities to address the very strong existing discontent about this relationship and this issue. How to tackle this tension?

- ❖ Providing trainings and courses in which the administrator and the works council can participate together. Both managers and works council members have enough possibilities for skills education and training, but A&O could promote the development of integrated (and integrating!) courses for both parties together.

Consultancy De Beuk and A&O will continue their joint search for the next steps to be made in the development of employee participation in local government.

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