

## WHAT DO ENTERPRISE TRADE UNIONS DO?

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It is well-known that in the Soviet Union the enterprise trade union was a branch of enterprise management, with the enterprise president the junior member of the troika alongside the enterprise director and Party secretary. The enterprise trade union was nominally responsible for supervising the activities of management, under the control of the Party, but in practice the enterprise director, trade union president and Party secretary normally collaborated closely to ensure the enforcement of the supreme law, the fulfilment of the plan. Soviet trade unions conceived their task as being to improve the well-being of their members by encouraging increasing labour productivity, particularly by improving labour discipline and the 'culture of labour', in collaboration with management. Material incentives and non-wage social and welfare benefits administered by the trade union were seen not as concessions extracted from a reluctant management, but as instruments for increasing labour productivity and improving labour discipline by encouraging the commitment of the labour force.<sup>1</sup>

The collapse of the soviet system and the 'transition to a market economy' did not lead to any immediate change in social relations at the level of the enterprise, and even privatisation did not immediately turn enterprise directors into capitalist employers, so there was a high degree of stability and continuity in the function of the trade union and at the enterprise level the Russian trade unions continued their traditional close collaboration with management, not least because the dependence of the trade union on management was reinforced by the removal of the Party, which had underpinned such independence as workplace trade unions had enjoyed in the soviet period. Many trade union leaders retained the traditional soviet conception of their role: to improve the conditions of their members by collaborating with management to increase productivity, maintain labour discipline, enhance the culture of labour and to support management's lobbying of state bodies for funds and privileges. In return they expected management to do its best to maintain employment and living conditions, to preserve the social and welfare infrastructure of the enterprise and to continue to provide the social and welfare benefits that the labour force expected.

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<sup>1</sup> This paper is based on Sarah Ashwin and Simon Clarke 2002. *Russian Trade Unions and Industrial Relations in Transition*. Basingstoke and New York: Palgrave, Chapter Eight. It is based on a programme of research on the 'development of trade unionism in Russia' conducted in collaboration with the regional affiliates of ISITO, funded by the EU's INTAS programme and the British ESRC. Project reports and working papers are available from the project website at [www.warwick.ac.uk/russia/trade](http://www.warwick.ac.uk/russia/trade). I am very grateful to Sarah and to my colleagues in ISITO. For everything.

While many trade union presidents and enterprise directors would be happy to continue in their traditional ways, over the past decade enterprise trade unions have come under pressure from above and from below. On the one hand, the massive erosion of wages in successive bouts of inflation, which saw the average real fall after the 1998 crisis to the level of the 1960s, the loss of employment in the traditional sectors of the economy, and the endemic non-payment of wages have led to growing social tension in the enterprise, with outbursts of spontaneous militancy as workers have downed tools in protest. On the other hand, the FNPR leadership has increasingly come to see the inactivity of its primary organisations as the weak link in its strategy of social partnership as enterprise trade unions to realise the paper achievements of the plethora of regional and branch tariff agreements negotiated by the higher level trade union organisations and depriving FNPR of any bargaining weight in the corridors of power. It blames this weakness above all on the inertia of its regional organisations, which have failed to mobilise the primary trade union organisations for which they are responsible.<sup>2</sup> But the regional organisations are equally frustrated at the continued preoccupation of enterprise trade unions with their traditional social and welfare functions, not least because this preoccupation means that primary organisations spend all their money on material assistance and 'mass cultural work' at the expense of remittances to the regional organisations. Thus, the more active regional organisations press their primary group presidents to be more energetic in defending their members and in negotiating effective collective agreements.

To what extent have primary trade union organisations responded to these pressures? To what extent do they retain their traditional functions, priorities and forms of activity, and to what extent have they begun to act more effectively in negotiating with management on behalf of their members? In order to address this question we conducted two surveys. The first was a survey of 1454 presidents of trade union primary organisations in nine Russian regions in May 2001 conducted within the framework of our ESRC and INTAS funded research project on the development of trade unions in Russia.<sup>3</sup> The second was a survey conducted by our colleagues in ISITO and funded by the Free Trade Union Institute of 4537 employees of nine enterprises in three regions in May 2001.<sup>4</sup> Further details, and the data of the two surveys, can be obtained from our website ([www.warwick.ac.uk/russia/trade](http://www.warwick.ac.uk/russia/trade)).<sup>5</sup>

### **Trade union organisation**

Most of the work of the trade union was traditionally conducted by the president or within the trade union committee, with the membership having little involvement and little information about what the trade union actually does. Union dues are collected by check-

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<sup>2</sup> The issue came to a head in the abortive FNPR campaign against the introduction of the Unified Social Tax, the failure of which the FNPR leadership attributed to the temporising of its member organisations.

<sup>3</sup> The survey was conducted in Kemerovo, Sverdlovsk, Perm', Samara, Ulyanovsk and Leningrad oblasts, the cities of Moscow and St Petersburg and the Komi Republic. Three branch trade unions were surveyed in each region, covering the FNPR-affiliated health, education, chemicals, timber, coal-mining, construction and mining-metallurgical trade unions.

<sup>4</sup> The enterprises were in Western Siberia (Novosibirsk, Kemerovo, Novokuznetsk), Sverdlovsk and Voronezh oblasts. Most of the enterprises had both FNPR and alternative trade union organisations.

<sup>5</sup> I will also refer to the data of surveys conducted by the Centre for Labour Market Studies (CLMS) of the Institute of Economics of the Russian Academy of Science, including the data of the regular Russian Labour Flexibility Survey (RLFS) and two surveys of enterprise trade union organisations in 1995 and 1999. I am very grateful to Tatyana Chetvernina for making this data available to me.

off and it is the president and the union committee who decide how to allocate those dues, reporting back to the annual conference of the trade union. Although members of the trade union committee and representatives of subdivisions are required regularly to report back to and consult with the members in their workplaces, in most cases this is at best a formality, with meetings, if they take place at all, bureaucratically organised and poorly attended. Trade union conferences are also usually under the firm control of management and the trade union apparatus.

In many enterprises, the trade union is identified almost entirely with the president and even members of the trade union committee play a predominantly passive role. One indicator of the degree of involvement of the trade union committee is the frequency of its meetings (Table 1). There is a significant tendency for trade union committees in larger enterprises to meet more often than in smaller enterprises, which is understandable because in the latter the president is more likely to encounter committee members informally in the course of a normal working day. In some small enterprises the trade union committee meets only once a year, but in a substantial majority of enterprises the committee meets at least monthly.

Table 1: Frequency of meetings of the trade union committee. Percentage distribution

At least	Up to 50 employees	51 to 100 employees	101 to 500 employees	501 to 1000 employees	More than 1000 employees	Total
Once a week	2.2	1.6	3.5	2.9	7.8	3.5
Once a month	50.0	64.8	66.9	76.8	81.0	67.9
Once a quarter	34.8	24.3	23.5	18.8	11.2	22.6
Twice a year	7.9	3.6	3.7	1.0		3.3
Once a year	5.1	5.7	2.5	0.5		2.7
Total	100.0	100.0	100.0	100.0	100.0	100.0

Source: ISITO Survey

The ability of the trade union president to act effectively on behalf of his or her members depends to a considerable degree on the independence of the president from management, and this depends in the first instance on the president's job being a full-time position paid for from trade union funds. In the ISITO survey of trade union presidents we found that only one in five, mostly in larger enterprises, held the post as a full-time position, the remainder having to do their trade union work on top of their regular job (Table 2). Although trade union officers are protected by the law, a part-time president is particularly vulnerable to management pressure. Part-time trade union officers are legally entitled to time away from their jobs on average pay to perform their trade union duties, but this has to be negotiated with management and is sometimes included in the collective agreement.

Table 2: Percentage (number) of branches with a full-time president, by size of branch

	Up to 50 members	51 to 100 members	101 to 500 members	501 to 1000 members	More than 1000 members	Total
per cent	2	1	12	54	87	21
N	303	294	517	165	159	1438

Source: ISITO Survey

The dominance of the president means that the character and background of the president can play a determining role in the activity of the trade union. Trade union presidents are much better educated than the labour force they represent, 96 per cent in the ISITO survey having some post-school education, which is a reflection of the fact that most trade union presidents came to their posts from managerial and professional positions (Table 3), reflecting the perception of the trade union president as a member of the management team of the enterprise. Indeed, when it comes to the election of a new trade union president, the candidate will often be nominated in consultation with management and the post is effectively a managerial appointment. Full-time presidents were more likely to have been workers than were part-time presidents, particularly in coal-mining and the timber industry, which accounted for two-thirds of the former workers in the sample (over half the part-time worker-presidents were accounted for by the construction industry). Clearly, those who came from or hold managerial positions are more likely to identify with management, and are more likely to be dependent on the director for their future careers. The managerial origin of trade union presidents also means that the trade union is more deeply embedded in intra-managerial conflicts than it is in conflicts between management and the workforce.

Table 3: Occupational status of part-time trade union presidents, and previous occupational status of full-time presidents

	Part-time current position	Full-time Previous position	Total
Senior administrators and managers	1	3	1
Middle and junior managers	20	38	24
Professionals, senior specialists	54	33	50
Technicians, junior specialists	21	10	19
Clerical and administrative staff	2	2	2
Skilled manual workers	2	12	4
Semi/unskilled manual workers	0	2	1
Total	100	100	100

Source: ISITO Survey

The dependence of trade union presidents on management is reinforced to the extent that they are paid not by the trade union but by the enterprise administration (Table 4). The vast majority of full-time presidents were paid out of union dues, although more than a quarter received some payment from the enterprise, while the vast majority of part-time presidents were paid by the enterprise, with over a quarter receiving some payment from trade union funds. Those in larger enterprises were less likely to receive any payment from the administration, suggesting that they are more independent of the latter. Very few trade union presidents received any payment from obkom (regional branch trade union committee) funds, the vast majority relying on the funds of their own trade union committee.

Table 4: Sources of payment of the trade union president

	Part-time	Full-time
Enterprise	71.1	7.1
Trade union committee	4.4	65.8
Enterprise supplemented by trade union committee	21.9	5.1
Enterprise supplemented by obkom	0.6	0.3
Trade union committee supplemented by enterprise	1.8	21.0
Trade union committee supplemented by obkom	0.2	0.7

Source: ISITO Survey

The position of trade union president has lost status and nowadays offers limited career prospects. The low status and limited career prospects of the position are indicated by the fact that trade union presidents were disproportionately female when compared with the workforce they represent (Table 5), while over a third of presidents were close to or beyond pension age (Table 6). The mean age of the presidents in the ISITO sample was 47 and on average they had worked in the same enterprise for the past 18 years. Long experience of work in the enterprise means that the president is likely to know the enterprise well and to have an extensive network of informal connections to mobilise in the course of his or her daily work. On average the presidents had been in post for six years, although over a quarter had been in post since the soviet period.

Table 5: Percentage of female trade union presidents, and percentage of women employed in the branch

Percentage of	Health	Education	Chemicals	Construction	Metallurgy	Coal-mining	Timber
Female presidents	83	97	54	66	36	33	59
Women employed in branch	81	80		24			20

Source: ISITO Survey, Goskomstat

Table 6: Age distribution of trade union presidents

Age group	Per cent
Under 30	4
Thirties	17
Forties	38
Fifties	30
Over 60	10
Total	100

Source: ISITO Survey

### Trade union facilities

Trade unions are legally entitled to premises and facilities, but they have to claim these facilities from management. The power to provide or deny premises and facilities to the trade union committee gives the director considerable leverage over the trade union, which directors often use in the event of conflict with the committee. Trade unions in large enterprises were much more likely to have premises than those in smaller enterprises

(Table 7) and they were much the best supplied with office equipment (Table 8). Some presidents who did not have their own equipment noted that they were able to use enterprise facilities. Access to a telephone is essential if the trade union committee is to be able to communicate with the regional or national offices of the trade union and a photocopier is essential for the circulation of information within the enterprise.

Table 7: Percentage of trade union committees provided with premises

Up to 50 employees	51 to 100 employees	101 to 500 employees	501 to 1000 employees	More than 1000 employees	Total
8	11	25	64	92	36

Source: ISITO Survey

Table 8: Percentage of trade union committees having various kinds of equipment

	Up to 50 employees	51 to 100 employees	101 to 500 employees	501 to 1000 employees	More than 1000 employees	Total
Have some equipment	45	46	51	82	98	61
Internal telephone	15	18	29	54	77	36
City telephone	34	37	39	68	87	49
Inter-city telephone	5	10	17	29	66	23
Computer	6	9	11	19	53	17
Photocopier	6	13	9	13	39	14
Fax	4	6	7	7	16	8
Automobile	3	2	4	4	21	6
Other	1	1	3	8	5	3

Source: ISITO Survey

Other items mentioned included a typewriter, printer, video-camera, radio, television, piano, tape-recorder, accordion, safe, record-player.

### Trade union activities

A good indicator of the priorities of the trade union organisation is its allocation of funds to various activities (Table 9).<sup>6</sup> The overwhelming bulk of expenditure, net of salaries, is devoted to the traditional social and welfare activities of the trade union. The total income of the primary organisation (estimated from data on average wages, union membership and the percentage of dues retained by the primary organisation) in the case of a large enterprise, can be substantial: much more than is available to the regional branch trade union organisation, for example, so it is hardly surprising that large organisations have little need for the services of their regional organisations. The trade union organisations in the largest enterprises were spending on average \$7000 per month on salaries, some of which would possibly be for staff of the social and welfare facilities, and \$9000 per month on financial assistance to union members. Almost half of the income of primary organisations, net of wage costs, was devoted to providing material assistance to members and over a third was devoted to 'mass-cultural work' (providing vacations; organising

<sup>6</sup> This distribution of expenditure corresponds quite closely to that reported in the consolidated reports of expenditure of primary organisations by regional trade union organisations, except that the latter tend to show a higher level of spending on wages.

celebrations, sporting and cultural events; giving new year presents and so on). Very little was spent on training and informational activity or on obtaining legal advice, for which primary organisations rely heavily on the regional trade union bodies. Almost nothing was devoted to the 'solidarity fund', which serves, among other purposes, as a strike fund.

Providing material assistance and organising mass-cultural work are very time-consuming activities and generally fill the working day of the trade union president and his or her associates. Quite apart from the organisational work involved, there is a constant stream of supplicants coming into the trade union office asking about the availability of vouchers for vacations, particularly for children in the summer, or pleading for financial help to arrange a funeral, purchase medicines, pay for an operation or carry out repairs to their home. Many people turn to the trade union for help with problems quite unrelated to work, for example, marital problems or trouble with the neighbours. This is the traditional work of the trade union, and trade union officers often remark that it is the most satisfying part of their job because they feel that they are able to provide people with real help. It is also the most congenial because it does not involve their having to make any demands of management and so avoids conflict.

Table 9: Percentage of trade union budget spent on wages and percentage distribution of budget spending net of wage expenditure by enterprise size

Enterprise size	Wages of trade union officers	Material assistance	Mass-cultural work	Information	Training	Legal services	Management expenses	Solidarity fund	Other	Mean Income (roubles)
< 51	3.2	47.6	47.4	0.9	0.8	0.1	1.6	0.1	0.8	20 025
51 – 100	2.2	54.6	38.1	1.0	0.5	0.0	1.5	0.1	1.9	58 404
101 – 500	6.4	51.5	39.0	0.6	0.5	0.2	3.4	0.3	2.0	225 143
501 – 1000	20.9	48.6	33.4	2.0	1.5	0.6	5.9	0.6	4.9	1 034 523
> 1000	29.9	39.7	34.3	2.0	2.7	1.4	6.2	1.3	7.7	8 373 666
Total	10.9	49.4	38.3	1.1	1.0	0.4	3.6	0.4	3.1	1 678 836

Source: ISITO Survey

Although many of the social assets formerly owned by enterprises and the trade unions have been privatised or transferred to municipal ownership, many remain. Three-quarters of the largest enterprises (over 1000 employees) in the ISITO survey had some social assets, with about a third each having a sanatorium, a health resort, a tourist base and sports facilities. Only one in five of the smallest enterprises had any social assets, usually a library. About 90 per cent of these assets were owned by the enterprise and only 10 per cent, most often the library, were at least partly owned by the trade union. However, trade union-owned assets are generally the property of the regional federation,<sup>7</sup> not of the primary organisation, and some will also be provided by the municipal and regional administration, with places acquired through the social insurance fund or on a commercial basis, so that facilities are available even in enterprises which do not have any of their own. In this case the trade union president has to negotiate the terms of access to these facilities on behalf of his or her members.

<sup>7</sup> Many of these assets have been transferred to the municipalities or to joint stock companies, in which the regional trade union organisations usually retain a shareholding, although it has often been substantially diluted. The ostensible reason for this is that the trade union did not have the funds to cover the costs of maintenance and repair, although some critics smell more than a whiff of corruption in the process.

Primary trade union organisations have come under considerable pressure from higher trade union bodies to downplay their social and welfare role in order to defend the wages, employment and working conditions of their employees. To what extent have trade union presidents taken these priorities on board? We asked presidents to rate the importance of a number of activities of the trade union on a scale from one to nine according to their importance, their responses suggesting that both traditional and new functions are, on average, rated of approximately equal importance. There is very little difference in the rating of the first four functions of the trade union: the traditional functions of maintaining social welfare benefits and providing material support and the new functions of preserving jobs and fighting for pay. Representing members in conflict situations rates well down the list, as does the traditional priority of the soviet trade unions of improving the economic indicators of the enterprise. Since most enterprises had very high union density, it is not surprising that few gave priority to attracting new members to the union. There is very little significant correlation between the rating of different items, so trade union leaders do not neatly divided into 'traditional' and 'modern'.

Table 10: Rating of importance of various trade union activities

Activity	per cent who could not say	per cent of all respondents who rated of most importance	Mean Rating
Preservation of the privileges and guarantees of union members	10	25	3.3
Struggle for wages	16	23	3.4
Support for trade union members	5	22	3.2
Preservation of jobs	15	19	3.4
Safety and working conditions	8	13	3.6
Representing members in labour disputes	14	11	4.2
Improving the economic indicators of the enterprise	27	11	4.9
Attracting new members	19	6	5.7
Other	96	1	5.4

Source: ISITO Survey. Eighteen percent of respondents did not answer the question at all. Seven percent gave an equal top-rating to two or more activities.

Trade union presidents were asked to nominate up to three difficulties which they faced in their work (Table 11). The most frequently cited barriers were the lack of specialist knowledge at the disposal of the trade union and the bad situation of the enterprise. This gives a good indication of the approach of trade union presidents to the defence of their members' interests. On the one hand, they identified with management's pleas that they could not afford to provide acceptable wages, benefits and working conditions for the employees. On the other hand, they regarded a lack of knowledge as the main barrier to their being able to achieve improvements, suggesting that they regarded negotiation as a matter of rational argument and enforcement of the law rather than a trial of strength between opposing forces. This interpretation is supported by the relatively low importance attached to a lack of support from the members and higher trade union bodies as barriers to their work.

Table 11: What do you see as the main difficulties for the work of your trade union organisation? (Select up to 3)

	Per cent
Inadequate knowledge of legal questions	46.4
Bad financial-economic situation of the enterprise	42.9
Inadequate knowledge of financial and economic questions	42.5
Opposition of administration, absence of real levers of influence	28.4
Lack of protection of trade union leaders from the administration	25.2
Lack of members' knowledge of their legal rights and means of their defence	23.8
Poor trade union office equipment	23.1
Lack of support and trust from ordinary members	14.1
Absence of necessary support from higher trade union bodies	8.1
Other (most cited was lack of time)	3.2
Difficult to answer	4.0

Source: ISITO Survey

### Collective agreements

While most trade union expenditure is devoted to the traditional functions of social and welfare provision for employees, the other trade union priorities, jobs and wages, are served through negotiation with the employer and secured through their incorporation in the collective agreement. Collective agreements still tend to be formal documents drawn up jointly by the trade union committee and the enterprise administration with little overt conflict. The director will usually decide unilaterally whether or not to accept trade union proposals and the union will rarely contest the director's decision, although a memorandum of disagreement may be prepared as an appendix to the collective agreement. The FNPR report on the 1999–2000 collective agreement campaign noted that FNPR did not know of a single case in which a primary trade union organisation had taken any kind of action in support of its demands (FNPR, 2001, p. 12).

FNPR has made the signing of collective agreements, as the cornerstone of the system of social partnership, a major priority and regional trade union organisations are judged by the extent to which they manage to persuade their primary organisations to do so. The preparation and signing of the collective agreement was a well-established ritual in the industrial sector in the soviet period, but in public services it is a more recent innovation. This is the principal explanation for the fact that the number of collective agreements signed each year has increased steadily through the 1990s. According to the Ministry of Labour's figures, 68 800 collective agreements were signed in 1993 and 144 600 in 1999. These figures are substantially lower than those issued by FNPR, a difference that is largely explained by the fact that the majority of collective agreements are signed for a period of two or three years and many are not registered, and so are not recorded by the Ministry of Labour, in spite of the fact that the agreement only acquires legal status once it is registered. According to FNPR, in 1999 a collective agreement was in force in 72 per cent of reporting enterprises, a big increase on the 60 per cent of the previous year. There were substantial regional variations, with Moscow oblast reporting 90 per cent penetration but the Komi Republic only 42 per cent (FNPR, 2001). These figures relate only to enterprises with a trade union organisation, while trade union penetration of the new private sector is minimal, so this figure considerably overstates the coverage of collective agreements – according to the Ministry of Labour data, only five per cent of all enterprises sign a collective agreement, although these tend to be the largest enterprises.

Most enterprise collective agreements retain the traditional form, detailing management's plans for the next year in the spheres of the development of production, improvements in health and safety, training and upgrading of skills and the provision of social and welfare benefits, usually now with additional sections covering wages and employment, which were formerly the preserve of higher authorities. Although most agreements have been simplified in recent years, removing all of the rhetoric related to the building of socialism, socialist competition and much of the detail concerning changes in the production process, the installation of plant and equipment and so on, the tendency is still to take the previous year's agreement and insert new figures, usually with disclaimers, such as 'within the limits of financial possibilities', to cover contingencies. The high degree of uncertainty and delays in the preparation of the General and branch tariff agreements has meant that collective agreements have tended to be signed later than in the past: whereas in the past the agreement for the following year would normally be signed by November, in many cases nowadays agreements are not signed until well into the following year. The formalism of the negotiation of the collective agreement is also indicated by the fact that the proportion being renewed, rather than renegotiated, each year has steadily increased.

In the ISITO survey of trade union presidents we asked a number of questions about collective bargaining and the collective agreement. Almost all large enterprises had a collective agreement, but a collective agreement only has legal force if it is registered. Again, large enterprises were more likely than small enterprises to register their collective agreements (Table 12). The RLFS surveys from 1994 to 2000 similarly found that in their sample virtually every enterprise employing over 1000 people, but only about half those employing fewer than 100, had a collective agreement.

Table 12: Percentage of enterprises with a collective agreement and percentage of agreements which are registered by enterprise size

Percentage	Up to 50 employees	51 to 100 employees	101 to 500 employees	501 to 1000 employees	More than 1000 employees	Total
With an agreement	77	83	82	90	98	85
Of agreements registered	61	73	80	89	91	80

Source: ISITO Survey

### **Failure to conclude a collective agreement**

Despite the pressure to conclude an agreement, 15 per cent of trade union presidents in the ISITO survey reported that they had not concluded a collective agreement. These respondents were asked why they had not concluded an agreement (Table 13). About a third regarded it as unnecessary, the majority of whom had complete confidence in their administration, but a quarter did not conclude a collective agreement because the administration refused to negotiate or the two sides were unable to agree, despite the fact that according to the law the administration is obliged to negotiate and to conclude an agreement if the trade union proposes to do so.

Table 13: Why is there no collective agreement in your enterprise? (Only one response allowed)

	Frequency	Per cent
It is not necessary because the administration does all it can for the employees	55	26
We were unable to agree a number of points with the administration	29	14
There was not enough knowledge and experience to draw one up	28	13
The administration refused to negotiate	24	11
A collective agreement is not important – it is a formality	21	10
There was no time to do it	12	6
Other reasons*	40	19
Total	209	100

\*The most common other reasons cited for failing to have a collective agreement were that the negotiations were protracted, it was a new trade union organisation or that the enterprise was going through a change of ownership.

Source: ISITO Survey

Those enterprises which do not sign collective agreements are not those in which management shows a spontaneous concern for the well-being of their employees, but those with a vulnerable labour force and inferior wages and working conditions, in which the trade union president is unable or unwilling to press the claims of the employees against management (this was also the conclusion reached by the Moscow Federation of Trade Unions (MPF) on the basis of a survey of Moscow enterprises without collective agreements, Tatarnikova, 1999). This conclusion is supported by analysis of the data of the ISITO survey of 4000 households in four cities undertaken in April and May 1998, which showed that wages in unionised establishments without a collective agreement were significantly lower than wages in unionised establishments which did have a collective agreement. Likewise, employees in unionised establishments without a collective agreement were significantly less likely to have a formal job definition and less likely to be paid for overtime working than those working in unionised establishments with a collective agreement.

### **Negotiation of the collective agreement**

Trade union presidents are provided with reams of documentation and advice to help them in negotiating their collective agreement. FNPR provides training materials and prepares general guidelines each year, while the branch unions prepare materials specific to their branch, which is supplemented by the regional Federations and obkoms. The obkoms also provide training sessions and, at least in theory, are available to give advice to presidents in the negotiation of the agreement. Nevertheless, trade union presidents say that they lack many of the skills and much of the knowledge required to engage in serious negotiations with their management counterparts. More significant than a lack of knowledge and skills, however, is the dependence of the trade union on management. An 'authoritarian' director will not tolerate any interference from the trade union, while a 'paternalistic' director regards the trade union as the branch of the enterprise administration responsible for social and welfare questions, subject to the authority of the director, the trade union president sometimes also holding the relevant managerial position.

Our case study research in enterprises suggests that the negotiation of the collective agreement is a formal bureaucratic process. Traditionally the draft of the collective agreement was drawn up by a commission made up of management and trade union representatives participating on the basis of their professional skills and experience, rather than on any adversarial basis. In the best of cases a draft will be circulated through the

enterprise to collect comments and suggestions, some of which may then be incorporated into the agreement, and there may be some discussion of the agreement at a general meeting, but it is very rare for there to be real conflict between trade union and management in the course of negotiations. In the ISITO survey of trade union presidents, in most enterprises the draft of the collective agreement was still prepared jointly by the trade union and the administration.

Table 14: Who prepared the draft of the current collective agreement?

	N	Per cent
Trade union	244	20
Administration	20	2
Trade union and administration together	938	77
Trade union and administration each produced a draft	19	2
Total	1 221	100

Source: ISITO Survey

The negotiation of the collective agreement is a more conflictual process in large enterprises, but conflicts are usually resolved by compromise, with the trade union view rarely prevailing (Table 15).

Table 15: How would you characterise relations with the administration in the process of preparation and adoption of the collective agreement?

Percentage	Up to 50 employees	51 to 100 employees	101 to 500 employees	501 to 1000 employees	More than 1000 employees	Total
Virtually no disputes or conflicts	41	31	30	21	12	27
Disputes usually settled in favour of the administration	10	9	8	6	5	7
Disputes resolved by compromise	41	49	52	63	71	55
Disputes usually settled in favour of the trade union	2	6	2	3	3	3
Some issues were unresolved	6	5	8	8	11	8
	100	100	100	100	100	100

Source: ISITO Survey

### **Content of the collective agreement**

Various surveys of the content of collective agreements have found that even the better agreements usually do little more than restate the provisions of operative labour legislation and the branch tariff agreement. At worst, collective agreements are confused and include provisions that are, illegally, inferior to those provided by the law and higher agreements. A substantial proportion of collective agreements have no legal force because they are not registered with the Ministry of Labour. A survey of collective agreements registered with

the Labour Department in Moscow in 1998, conducted by the Moscow Federation of Trade Unions, found that only half the collective agreements even identified the parties to the agreement correctly as the employer and employees, others referring to the administration, director, labour collective, STK or trade union as one or the other party. Quite a few collective agreements provided for the payment of wages only once a month, rather than fortnightly as required by the Labour Code. Many provided benefits inferior to those prescribed by tariff agreements or by the law for those working in harmful conditions, inferior payment in the event of stoppages and a shorter period of notice of redundancy than that laid down by the law. Some agreements defined only a maximum rate of benefits, with no guarantee of their payment, while many qualified provision by phrases such as 'if the funds are available', 'depending on financial possibilities' or 'if there are savings on the wages fund'. It should not be surprising that the majority of collective agreements made no provision for the indexation of wages, even though this is included in most branch tariff agreements, nor did they implement the recommendations of the Moscow City Tripartite Agreement to take steps to bring the minimum wage closer to the subsistence minimum. The majority of collective agreements included a no-strike clause in relation to the terms of the agreement, but some included a blanket abrogation of the right to strike under any circumstances (Tatarnikova, 1999).

The Russian Labour Flexibility Survey has asked about the points included in the collective agreements of industrial enterprises each year (Table 16). There do not appear to be any substantial changes over time. Most collective agreements in the survey contain some reference to wages, and over half make some provision for wage indexation, although this point is often qualified by reference to the ability of the enterprise to pay. This data suggests that collective agreements are quite comprehensive, but it does not give any indication of the content of the points, many of which are likely to be purely formal provisions. Since the format of the collective agreement is generally defined by tradition and the law, the exclusion of particular items is likely to be a deliberate choice of management. In the 1995 CLMS survey, trade union leaders defended the exclusion of reference to pay on the grounds of realism, since management would decide what to pay in any case. Many collective agreements tied pay scales to a multiple (typically three times) of the derisory state legal minimum wage as the scale minimum, leaving management the discretion to pay above this rate, and many which included an obligation to raise wages taking into account inflation, qualified this by reference to the financial possibilities of the enterprise (Chetvernina and et al., 1995). Only just over a third of trade union presidents in the 1995 CLMS survey and 43 per cent in 1999 considered that the collective agreement guaranteed the basic socio-economic interests of their members.

Table 16: Points included in collective agreements in industrial enterprises, 1994–2000

Percentage of agreements including each point	1994	1995	1996	1997	2000
Basic rates, wages	94.8	93.2	86.5	90.3	87.3
Wage indexation	-	56.8	53.4	45.8	63.4
Bonuses	87.0	81.1	82.4	76.4	80.3
Benefits	97.4	94.6	89.2	91.7	91.5
Working time	93.5	95.9	97.3	93.1	94.4
Dismissal	79.2	82.4	83.8	91.7	84.5
Job transfers	58.4	45.9	51.4	58.3	42.3
Career development	41.6	33.8	24.3	20.8	16.9
Output norms	66.2	63.5	58.1	66.7	45.1
Redundancy	59.7	52.7	59.5	66.7	57.7
Health and safety	*	100	100	98.6	98.6
Social insurance	*	79.7	75.7	70.8	76.1
Training	*	71.6	73.0	80.6	84.5
Resolution of labour disputes	*	83.8	81.1	87.5	84.5
N	384	472	493	186	308

\*Not included in questionnaire

Source: Russian Labour Flexibility Survey

A survey of collective agreements in coal-mining enterprises in 1995 conducted by the miners' union found that many collective agreements included points in violation of the Labour Code, included contradictory provisions and did not incorporate the terms of the branch tariff agreement, or simply incorporated them in an idiotic way, for example where the tariff agreement provided for a range of alternatives to be made concrete in the collective agreement, the latter merely transcribed the list of alternatives (Sokova, 1996 pp. 233–52).

The officer responsible for collective agreements in the Leningrad and St Petersburg Federation of Trade Unions reported in an interview in 2001 that the quality of collective agreements in the region had been improving, with more of them taking into account the regional and branch tariff agreements, though few made use of the Federation's guidelines on intra-firm payment systems and many were still grossly inadequate. In one case, the collective agreement still included the holiday entitlement which had been the legal minimum until it was increased in 1992. Many collective agreements made no provision for indexation and some illegally worsened conditions in comparison to the law and relevant agreements, for example several specified the monthly payment of wages, reduced the payment for night work, set the minimum wage at the legal minimum (below that in the tariff agreement), underpaid for work stoppages or violated the legal restrictions on transfer to other work and the legal terms of redundancy.

The responsible officer in Sverdlovsk reported that their review of collective agreements found little use made of the regional tripartite agreement. In 1999 only one-third of the collective agreements included reference to the indexation of unpaid wages, even though this was provided for by a regional law. The survey of collective agreements signed in 2000 found the usual violations of labour legislation regarding such matters as the regularity of payment and inadequate payment for stoppages and administrative leave. In Tomsk, some collective agreements give the employer the right to cut wages in the event of financial difficulties (*Vesti FNPR*, 1–2, 2001, p. 48).

FNPR's review of 1999 collective agreements concluded that a growing number of collective agreements based themselves on branch tariff and regional agreements and were becoming more concrete in their content, particularly in relation to pay, health and safety, employment, training, retraining and social guarantees and included a range of benefits above those provided by the law, particularly in relation to financial assistance, retirement benefits, benefits for the birth of children, subsidised vacations and additional days of vacation and additional rights and benefits for those made redundant. But the review also noted that many collective agreements still did not provide for increasing wages in the face of inflation or for the indexation of wage debts, nor define penalties for the non-payment of wages, did not define rates of pay and conditions for overtime and short-time working and did not provide any restrictions on redundancies or administrative leave. Many collective agreements did not include the provisions on pay laid down by the relevant branch tariff agreement and only one in ten collective agreements included the pay scales of the enterprise. An increasing proportion of collective agreements were merely being extended rather than renegotiated and amended each year. Overall, collective agreements continue to be dominated by the traditional social and welfare provisions of the soviet period, with only a limited adaptation to the new conditions of a market economy in which the trade union represents the interests of employees as sellers of labour power to the employer. Indeed, some collective agreements continued the soviet practice of committing the employees to observing labour discipline, increasing labour productivity and working for the realisation of the production plans of the enterprise (FNPR, 2001).

The weakness of collective agreements is not only a result of the inexperience and ignorance of trade union presidents, many of whom have been in post for a long time and have had extensive training. It is more fundamentally a result of the close collaboration between the trade union and the enterprise administration, so that the trade union president moderates his or her demands in accordance with the priorities of the enterprise administration. A symptomatic example of this relationship concerns the issue of the additional holiday entitlement for employees of the health service. Health workers were granted twelve days annual holiday in 1974, in addition to the basic legal entitlement of 12–18 days. In 1991 the Law on Social Guarantees defined the national minimum holiday as 24 days, but the Ministry of Labour ruled in 1993 that additional holidays continued to be based on the previous norm of 12–18 days, so that those formerly benefiting had effectively lost their previous privilege. This interpretation was endorsed by the Ministry of Health and the State Labour Inspectorate. However, a court in Yamalo-Nenetsk ruled in 1994 that the health workers were entitled to the additional 12 days on top of the minimum 24 days holiday, a ruling confirmed by the Supreme Court in 1996. Although in a few regions the regional administration agreed to implement the ruling, elsewhere employers have consistently refused to recognise the health workers' right to additional holidays, pleading an inability to pay, and this plea is generally met 'with understanding' by trade union presidents, who continue to sign away their members' rights in collective agreements. Recently, increasing pressure from the members has forced a growing number of employers to include the additional holiday entitlement in the collective agreement, often following a successful application to court by individual employees.

FNPR has recommended trade union committees to include the provisions of the old Labour Code in their collective agreements so that the terms of the Labour Code would remain in force even when the Code is amended. This is by no means an innovation, since studies of collective agreements over the years have repeatedly found that agreements have (hitherto redundantly), included provisions of the Labour Code. In the ISITO survey only five per cent of trade union presidents said that they did not include provisions of the

Labour Code in the collective agreement and 55 per cent reported that their collective agreement included some provision for health and safety or working conditions superior to those already laid down by the Labour Code (Table 17), but one in six found it difficult to say whether they included provisions of the Labour Code, suggesting that they did not know what those provisions were.

Only 30 per cent of collective agreements in the ISITO survey included any provision for an increase in wage scales. Just over half of the collective agreements included some provision for the indexation of pay, as did a further 19 per cent of collective agreements which did not provide for any increase in pay scales, but still the majority of collective agreements made no reference to pay at all. Around half the collective agreements in coal-mining, chemicals and construction made no provision for wage indexation, despite the fact that the tariff agreements in these branches provide for quarterly wage indexation, suggesting that these employers did not intend to implement the tariff agreement.

In view of the painful history of the non-payment of wages it is notable that 86 per cent of collective agreements followed FNPR recommendations and included provision for the regular payment of wages. This is important because although the Labour Code lays down that wages should be paid twice a month, unless the item is included in the collective agreement the non-payment of wages cannot give rise to a collective labour dispute and, ultimately, to strike action to secure the payment of wages (the new Labour Code allows workers to refuse to work if they have not been paid for fifteen days – hitherto they have had to write individual declarations to the director to this effect). This clause was more likely to be included in the collective agreement of larger enterprises, but it was much less likely to be included in the agreements of educational establishments, despite the fact that the non-payment of wages has been most acute in the education sector and the educational workers' trade union has placed great emphasis on conducting disputes in accordance with the law. We can only presume that this is a result of the reluctance of the employers to make a commitment which they were still not confident that they could fulfil.

Only 11 per cent of collective agreements included provision for the indexation of unpaid wages, now provided for by the new Labour Code, with no significant differences according to the size of the enterprise. This is an important provision in the context of continuing inflation and wage debts that can extend back over years. It is striking that only eight per cent of chemical enterprises included such a provision, since the branch tariff agreement specifies that in the event of wage delays workers should be compensated according to terms to be defined in the collective agreement.

Eleven per cent of collective agreements set some limit to the percentage of the labour force which could be made compulsorily redundant, and a third of collective agreements prescribed benefits to be paid to those made redundant over and above those due under the law.

Collective agreements provided a wide range of welfare benefits, and foreign-owned enterprises were the most likely to make such provision, suggesting that welfare benefits are not just a feature of more conservative management but respond to the expectations of Russian employees within limits set by the economic situation of the enterprise, foreign-owned enterprises being the most prosperous. Almost half the collective agreements included provision for benefits and subsidies for vacations for employees and members of their families. Such provisions were more common in larger enterprises and most common in outsider-controlled and especially in foreign-owned enterprises, 10 of the 11 in the sample including them in their collective agreements. Almost as many, 44 per cent of collective agreements, provided subsidised medicines and 31 per cent of collective

agreements provided subsidised transport, which might take the form of a works bus taking people to work or provision of employees with subsidised or free passes on public transport. This was again much more likely to be provided by foreign-owned enterprises (nine of the 11 in the sample). Twenty-one per cent of collective agreements provided subsidised food, which might take the form of subsidised canteen meals or subsidies for purchases of food in a company store. Again this was more common in large enterprises and in privatised, and especially foreign-owned enterprises. Eighteen per cent of collective agreements included provision for subsidised housing. In the past all large enterprises built their own housing which was allocated free to their own employees. Now very few enterprises are able to continue to build houses, but many still run their own hostels, which might be subsidised, and some provide subsidised loans to employees to enable them to buy their own apartments. Large enterprises were more likely to include some such provision in their collective agreements while foreign-owned enterprises were the most likely to provide housing subsidies, though the difference is not sufficient to be statistically significant. Seven per cent of presidents reported that their collective agreements included other benefits, most of which involved financial assistance for people such as pensioners, for funerals or for women on maternity leave or the provision of additional holidays.

Overall, according to the testimony of enterprise trade union presidents, this survey presents a more encouraging picture of the progress of collective agreements than previous research, suggesting that FNPR's impression that collective agreements have been improving is correct. Nevertheless, a collective agreement is not worth the paper it is written on if there are no effective means of enforcing its provisions.

Table 17: Percentage of collective agreements including the following provisions

	Per cent
Wage scale superior to that determined by the branch tariff agreement	30.1
Wage indexation	34.7
Regularity of payment of wages	86.3
Indexation of wage debts	11.2
Percentage of workers who can be subject to redundancy	10.9
Benefits to those made redundant additional to those in the Labour Code	32.5
Benefits and subsidies for vacations for employees and their families	46.9
Additional benefits and subsidies for the purchase of medicines	44.3
Benefits and subsidies for transport	31.4
Benefits and subsidies for foodstuffs	20.7
Provision of free or subsidised housing	17.7
Provisions for safety and working conditions superior to those in the Labour Code	55.2

Source: ISITO Survey

### **Fulfilment and enforcement of the collective agreement**

Most researchers have found that neither enterprise directors nor trade union presidents take their collective agreements seriously. In one hospital the trade union president confessed to a researcher that she had signed an agreement prepared by the chief doctor but did not know what it contained as she had not read it. All of the labour collective and trade union meetings to report on the fulfilment of the collective agreement that we have attended, including meetings in coal mines and large industrial enterprises which have alternative trade unions, have had the same format: representatives of management departments read in a monotone a detailed bureaucratic report on the fulfilment of the

various terms of the agreement, sometimes specify areas in which the agreement has not been fulfilled and provide an explanation for this failure, usually related to the shortage of funds or the failure of a particular section to do its work properly. The chair of the meeting, usually the trade union president but sometimes the enterprise director, calls for comments from the floor. Most comments will relate to relatively minor items: the failure to repaint part of the premises, to repair a kindergarten, to install adequate ventilation, which may have been outstanding for years. Some may relate to the central issue of wages, which can lead to heated arguments on the floor as different sections press their own claims. The director and/or trade union president may promise to see to these matters, or to include them again in the agreement for the following year, and the chair of the meeting will declare it closed.

Almost half the trade union presidents reported in the ISITO survey that the agreement had been fulfilled in full by the employer, and only a handful, particularly in small enterprises and in coal-mining and construction, reported that it had hardly been fulfilled at all (Table 18). Of course, it is not difficult to fulfil an agreement if most of its substantive obligations are hedged with reservations, such as being conditional on the availability of funds.

Table 18: Percentage reporting that the collective agreement had been fulfilled

	Frequency	Per cent
Fully	604	49
Partly	607	49
Not at all	19	2
Total	1 230	100

Source: ISITO Survey

The presidents who said that their agreement had not been fulfilled in full were asked what they did about management's failure (Table 19). Only one in twelve trade union organisations had undertaken any active steps to secure the fulfilment of the collective agreement, such action being more common in coal-mining and metallurgy and not occurring in any of the foreign-controlled enterprises. Appeal to higher authorities (courts or higher trade union bodies) was more likely in larger enterprises and in coal-mining, while the union was more likely to do nothing in smaller enterprises. Those enterprises with a history of wage delays were more than three times as likely as those without to have turned to the courts or engaged in protest actions. It is noteworthy that primary trade union organisations are much more likely to appeal to outside bodies, which might influence the director through bureaucratic channels, than they are to mobilise their own members in protest.

Table 19: What did the trade union do as a consequence of management's failure to observe the collective agreement? Percentage undertaking each action

	With wage delays	Without wage delays
Conducted negotiations with the administration	80.5	82.1
Appealed for support to higher trade union bodies	30.3	19.4
Appealed to the court	15.3	4.8
Conducted collective protest actions	13.2	3.9
Did nothing, because of the difficult financial situation of the enterprise	8.7	11.8
Did nothing since it is pointless to struggle with our administration.	4.5	3.3
N	287	330

Source: ISITO Survey

### **Relations with the administration**

We have already noted the personal dependence of the trade union president on the enterprise director and of the trade union on the administration for facilities and resources. In the soviet period the nomination of a candidate for the post of trade union president would usually be agreed between the Party secretary and the enterprise director, and it is still usual for the director to play a role in the nomination of the trade union president, often in consultation with the regional trade union organisation. It is very rare, except in situations of endemic conflict, for a trade union president to be elected against the wishes of the enterprise director.

In the vast majority of enterprises and organisations senior managers, right up to the director, remain members of the trade union, and so eligible to attend trade union meetings and serve as trade union officers or delegates to trade union conferences: according to the RLFS data in 1997, the administration belonged to the trade union in 72 per cent of surveyed enterprises and in a further 23 per cent part of the administration belonged to the trade union. It is not uncommon for enterprise directors to be elected as delegates to the regional and national conferences of the branch trade unions and they sometimes serve on elected union bodies, particularly in the public sector.

We have seen that in the negotiation of the collective agreement relations between the trade union and the enterprise administration tend to be harmonious and collaborative, even when the administration does not fulfil the terms of the collective agreement. In the ISITO survey, trade union presidents were asked to assess their relations with the management of the enterprise. Relations were characterised as being significantly more conflictual in privatised enterprises under outsider and especially under foreign control. They were more conflictual in coal, metallurgy and construction than in other branches. There is no significant relationship between the age, length of service in the enterprise or length of office of the trade union president and the degree of conflict in relations with the administration, but relations were significantly more conflictual where the president was paid from trade union funds than where the president was paid by the enterprise, even when we control for enterprise size, and trade union presidents who were or had been skilled workers were much more likely to describe relations as more or less conflictual, and those who were or had been managers more likely to describe relations as collaborative. Relations were more conflictual in enterprises with experience of wage delays, although even where the employees were still owed back wages, two-thirds of presidents described

their relations as amicable or collaborative, and almost half so described their relationship even where current wages were not being paid (Table 20).

Table 20: How would you assess your relations as trade union leader with the management of the enterprise?

Percentage distribution	With wage delays	Without wage delays
Collaborative	48.8	62.7
Some conflicts but basically collaborative	37.5	26.3
Amicable	4.4	2.2
Conflictual	2.9	4.0
No relationship	6.4	4.8
N	344	1093

Source: ISITO Survey

Trade union presidents were asked how much influence they had over the employer in a number of spheres (Table 21). Overall, presidents in larger enterprises considered that they had more influence than in smaller enterprises, otherwise there were few significant differences between branches, regions or by property form. Trade union presidents thought that they had much less influence on the level and regularity of pay than they had in their traditional spheres of activity of working conditions and the provision of social and welfare benefits, but a third of the presidents felt that they did not even influence the resolution of social welfare questions. We can conclude that close collaborative relations between the trade union president and management do not guarantee that the trade union will have a substantial influence on the living and working conditions of its members. Nevertheless, the pay-off from collaboration is suggested by the fact that presidents who characterised their relations as more or less conflictual were significantly less likely to have influence in the traditional areas of social welfare and working conditions while they were no more likely to have influence in relation to the level or payment of wages.

Table 21: Can your trade union organisation exert real influence on the resolution of the following problems in the enterprise in present conditions?

Percentage distribution	Size of Enterprise			Total
	Up to 100 employees	101 to 1000 employees	More than 1000 employees	
<b><i>The trade union influences the level of wages</i></b>				
Yes	8.6	9.9	27.1	12.1
On the whole, yes	15.8	15.8	35.4	18.8
On the whole, no	22.2	27.2	26.6	25.6
No	53.5	47.1	10.9	43.5
<b><i>The trade union influences the regularity of wage payment</i></b>				
Yes	10.7	21.6	42.0	21.5
On the whole, yes	20.5	22.2	35.4	23.7
On the whole, no	21.4	23.6	16.6	21.9
No	47.4	32.5	6.1	32.8
<b><i>The trade union influences the payment of benefits</i></b>				
Yes	21.1	27.2	46.7	28.4
On the whole, yes	39.2	38.9	39.7	39.1
On the whole, no	13.2	15.7	10.3	14.2
No	26.5	18.2	3.3	18.4
<b><i>The trade union influences working conditions</i></b>				
Yes	23.8	28.4	37.8	28.5
On the whole, yes	40.4	47.5	50.8	45.9
On the whole, no	21.9	16.3	9.3	16.9
No	13.9	7.9	2.1	8.8
<b><i>The trade union influences redundancies and transfers</i></b>				
Yes	27.9	28.3	42.1	30.3
On the whole, yes	33.3	39.7	44.8	38.6
On the whole, no	19.7	18.6	10.9	17.7
No	19.1	13.4	2.2	13.3
<b><i>The trade union influences the provision of special clothing</i></b>				
Yes	21.8	29.0	41.5	29.1
On the whole, yes	30.7	41.5	44.6	39.0
On the whole, no	17.2	17.5	10.4	16.2
No	30.4	12.0	3.6	15.7
<b><i>The trade union influences social welfare questions</i></b>				
Yes	26.9	29.7	34.8	29.7
On the whole, yes	35.3	37.1	49.0	38.4
On the whole, no	17.9	19.9	13.6	18.4
No	19.8	13.3	2.5	13.5

Source: ISITO Survey

### Relations with members

Surveys have generally shown that the population as a whole has little confidence in trade unions, although they have usually rated them higher than politicians or private businessmen. There is a difference between the evaluation of trade unions as political actors and the evaluation of the activity of the trade union in the workplace. Nevertheless, a

1998 survey found that 58 per cent of union members did not trust their union officers to look after their interests at their place of work (Rose, 1998).

The ability of the trade union to represent the interests of its members depends on the communication between the leaders and the members and the identification of the members with their leadership. In the ISITO survey, trade union presidents were asked how often they met members in their workplaces (Table 22). They were much more likely to meet their members daily in small enterprises, and full-time presidents were less likely to meet members than those who combined their trade union post with their regular job. Nevertheless, there was quite a high level of interaction between the union president and the membership.

Table 22: How often do you meet with members in their workplaces

Percentage Distribution	Up to 50 employees	51 to 100 employees	101 to 500 employees	501 to 1000 employees	More than 1000 employees	Total
Every day	91	83	75	61	47	72
Several times a week	5	10	13	23	24	14
Several times a month	2	4	9	13	25	10
Less often	2	3	3	3	4	3

Source: ISITO Survey

Presidents were also asked how often members turned to them concerning a number of issues (Table 23). Members were significantly more likely to turn to the union in larger than in smaller enterprises. The most common issues on which members turned to the union were social and welfare questions, wages and benefits. They were less likely to turn to the union on issues of working conditions, dismissal and special clothing, all issues which are more likely to face only particular categories of employee. In the CLMS survey more than twice as many people turned to the union with questions about social benefits than with questions about pay (Chetvernina, Smirnov and Dunaeva, 1995).

Although members consulted the trade union quite often about one issue or another in around half the enterprises, surveys consistently show that employees are much more likely to turn in the first instance to their managers than to their trade union when they face problems. In the 1995 CLMS survey, 41 per cent of employees saw their defender as the director and administration, 16 per cent themselves, 13 per cent the union and 13 per cent nobody. Union leaders were three times as likely as employees to see themselves as defenders of the interests of the employees, but just as many saw the director or administration as the employees' defender, nine per cent the worker him or herself and four per cent nobody. Directors saw the defensive role of the union as negligible. Almost two-thirds of employees and almost half of the enterprise trade union leaders thought the influence of the trade union in defending employees was insignificant, only a third of employees thinking that the union could ever fight for their interests. Over one-third of the employees saw the trade union as an aid to management in resolving production problems and strengthening labour discipline, one-third saw it as a means of defence against the administration and half of those questioned saw distribution as the most important function of the trade union (Chetvernina, Smirnov and Dunaeva, 1995). The 1999 CLMS survey produced rather similar results (Table 24), with more employees than in 1995 believing that they defend themselves or that nobody defends them. No employees had any confidence in the protective value of a labour contract, which is very significant in the light of the

government's emphasis in the reform of the Labour Code, which put all the weight on the labour contract. Only 11 per cent of employees in unionised enterprises would turn to the trade union for help, almost four times as many turning to the employer (Table 25).

Table 23: How often do members turn to the union on various issues?

Percentage	Up to 50 employees	51 to 100 employees	101 to 500 employees	501 to 1000 employees	More than 1000 employees	Total
<b><i>Wages</i></b>						
Very often	19	10	11	17	24	15
Quite often	28	22	25	31	37	28
Not often	27	39	40	39	29	36
Hardly ever	26	28	24	12	10	21
<b><i>Benefits</i></b>						
Very often	3	9	7	10	13	8
Quite often	20	27	32	36	41	31
Not often	47	42	42	41	38	42
Hardly ever	29	22	19	14	8	19
<b><i>Working conditions</i></b>						
Very often	3	4	4	2	6	4
Quite often	18	16	20	33	23	21
Not often	43	46	47	50	58	48
Hardly ever	35	34	29	16	12	26
<b><i>Dismissal</i></b>						
Very often	2	1	1	3	1	1
Quite often	7	6	8	10	13	8
Not often	28	35	33	47	66	40
Hardly ever	64	58	58	41	20	51
<b><i>Special clothing</i></b>						
Very often	2	2	7	7	11	6
Quite often	8	11	17	29	31	19
Not often	22	33	32	37	40	33
Hardly ever	68	55	44	28	19	42
<b><i>Social welfare</i></b>						
Very often	10	8	13	21	19	14
Quite often	26	32	32	39	52	35
Not often	45	46	39	33	26	38
Hardly ever	19	14	16	7	3	13

Source: ISITO Survey

Table 24: Who defends the interests of employees?

Percentage of each category	Enterprises without a trade union		Enterprises with a trade union		
	Employees	Employers	Employees	Employers	Union leaders
Director, administration	43.9	66.0	34.7	62.4	26.7
Trade union	-	-	11.2	16.8	49.3
Shareholders' meeting	2.5	4.7	1.0	0.8	4.2
STK	0.5	0.0	0.1	0.0	0.0
Micro-collective	3.4	4.7	4.0	0.0	2.3
Informal leaders	0.9	2.8	0.5	0.0	0.8
They defend themselves	27.0	7.5	24.9	5.6	12.2
Nobody defends them	21.5	4.9	23.6	3.2	4.6
Labour contract	0.0	9.4	0.0	11.2	0.0

Source: Centre for Labour Market Studies Survey, 1999

Table 25: Where do employees turn for help in enterprises with and without trade unions?

	Enterprises with a union	Enterprises without a union
To the employer	40.4	49.5
To the trade union	11.2	-
To the court	7.9	5.1
Nowhere	34.8	39.4

Source: Centre for Labour Market Studies Survey, 1999

In the 2001 FTUI survey of employees of nine enterprises, three-quarters of respondents did not even know to which trade union federation their union was affiliated and only two per cent knew the name of their national trade union president, although just over half the respondents knew the name of the president of their own enterprise trade union committee.<sup>8</sup> The majority rated their trade union committees reasonably highly, with an average score of 3.3 for the enterprise committee and 3.4 for the shop committee on a five-point scale, although more than two-thirds of members had not turned to the enterprise or shop trade union committee for help in the past year. Around one-third of respondents thought that the trade union could represent their interests and defend their rights, but almost half felt that on the whole it could not do so. Just over one-third thought that the trade union primarily defended the interests of all employees, 18 per cent that it defended the interests of particular groups of workers, 15 per cent that it defended the interests of management and nine per cent that it defended its own interests, with 22 per cent finding it difficult to say. Respondents did not see the weakness of their trade union leaders as the main problem impeding the activity of the trade union: 40 per cent attributed the difficulties to the difficult financial position of the enterprise, around one-third each to the passivity of the members, the absence of any levers of influence over the administration and the weakness of the legal basis of trade union activity and one quarter to the members' lack of knowledge of their legal rights. Around one-fifth cited the absence of support from employees, the

<sup>8</sup> Six of the nine enterprises had an alternative trade union organisation, which are usually more combative, stimulating the traditional union to display more independence and activism. However, there were few substantial differences between those enterprises with and those without an alternative union and, indeed, not many substantial differences between the evaluations of members of traditional and alternative trade unions. The small number of the latter meant that differences were generally not statistically significant.

conciliatory approach of the trade union committee and the lack of support from higher trade union bodies.

A sizeable minority of respondents said that they had participated in some way in the formulation of the collective agreement. Forty per cent of respondents said that the whole collective had participated in the consideration of the collective agreement, almost one-third said that they had themselves participated in consideration of the agreement and one in ten had made suggestions for the agreement or participated in its drafting. However, such participation is more likely to have involved putting forward particular suggestions than participating in the elaboration of a common negotiating position. Thus, workers did not know much about the agreement as a whole: two-thirds knew only the broad outlines of the collective agreement and more than a quarter did not even know whether or not there was such an agreement. Respondents were reasonably satisfied with the collective agreement, giving it an average rating of 3.5 on a five-point scale. Forty per cent of respondents thought that the collective agreement represented the interests of the whole collective, 19 per cent the interests of the administration, 16 per cent regarded it as a formality which reflected nobody's interests, while almost a quarter found it difficult to give an opinion.

Trade union members had much more confidence in the union's ability to carry out its traditional social and welfare functions than in its ability to represent their interests as employees. Fewer than one in five respondents believed that their trade union had any influence in increasing the level of pay, just over a third in relation to the regularity of payment, the preservation of jobs and improvement of working conditions, almost half in relation to the observance of the rights of workers made redundant, 43 per cent in relation to the observance of the workers' rights with regard to health and safety, 47 per cent in relation to the realisation of benefits to which they were entitled, 10 per cent in relation to the provision of housing, 60 per cent in relation to securing subsidised vacation vouchers, almost two-thirds in the organisation of mass-cultural work, almost one-third in relation to the resolution of problems of daily life and almost half in relation to the work and vacation regime.

Almost one-third of respondents had thought of leaving the trade union at some time. Half of these said that there would be no negative consequences of leaving the union, one in eight that it would lead to conflict with management and one in six each said that they would lose some material benefits and that they would have less protection. When asked why they were members of the union, around one-third said that they could see no advantage in being a union member, slightly fewer than one-third that they got particular privileges as a result of their membership and about the same number that they got material assistance through the trade union. Fewer than one in ten said that the trade union protected them from dismissal, protected them from managerial arbitrariness or sustained the level of their wages.

Overall, the evidence suggests that the unions continue to be seen by their members predominantly in traditional terms, as the providers of material assistance and social and welfare benefits, rather than as organisations which protect their rights or advance their interests. Most members do not participate in any trade union activities and regard the union as a service-provider, rather than as a membership organisation. Nevertheless, a significant minority do look to the union as the protector of their interests and, although the majority turn to management with their problems, in the event of conflict with management, workers do tend to appeal to the trade union, as we will see below.

## Relations with regional trade union bodies

Trade union presidents tend to look for support to the regional trade union organisations for advice and to resolve problems they cannot deal with themselves, particularly when that might involve conflict with the employer. In case of conflict, they expect the regional trade union organisation to exert pressure on the employer, either directly or by mobilising their connections in the regional administration, and such pressure can prove effective. However, the regional trade union organisations, which are embedded in the institutions of regional social partnership, have their own interests to consider, including their obligation to the regional authorities to maintain social peace and so are unlikely to support an enterprise trade union in overt conflict with the employer, particularly if that employer has the support of the regional administration. The MFP survey of enterprises without collective agreements found that 10 per cent of presidents said that they received no support from higher trade union bodies and 37.5 per cent said that they did not get sufficient support.

Table 26: Assessment of various activities of the regional branch committee of the union

Per cent rating the committee	Very bad	Bad	Satisfactory	Good	Excellent	Cannot assess
Training and methodological support	1	5	28	36	10	19
Legal advice	1	5	24	39	15	17
Negotiations with the administration	2	6	20	25	7	40
Help in courts	2	4	11	15	5	64
Support of collective protests	1	3	15	25	9	47
All-Russian actions	1	4	17	33	11	35
Participation in local tripartite commission	0	2	16	21	9	51
Help with collective agreement	1	4	19	31	16	29

Source: ISITO Survey

Table 27: Assessment of various activities of the regional trade union federation

Per cent rating the committee	Very bad	Bad	Satisfactory	Good	Excellent	Cannot assess
Training and methodological support	2	7	17	18	5	51
Legal advice	1	4	16	20	6	54
Negotiations with the administration	1	4	12	12	3	69
Help in courts	1	4	8	9	3	75
Support of collective protests	1	2	12	16	6	62
All-Russian actions	1	3	14	19	7	56
Participation in local tripartite commission	1	3	12	14	5	66
Social support of the population	2	6	13	12	3	64

Source: ISITO Survey

Although in interviews (and at trade union conferences) many primary group presidents are vociferous in their complaints about the inadequacy of the service they receive, particularly if their enterprise is not located in the regional capital, in the ISITO survey of trade union

presidents they reported that they were pretty satisfied with the work of their regional trade union organisations, though the relatively large number who said they were not able to assess the performance of the obkom (Table 26) and the very large number who could not assess the performance of the regional federation (Table 27) suggests that they have little contact with their regional bodies. Those presidents who said that they had conflictual relations with their enterprise administration gave the obkom and the Federation a significantly lower rating under every heading, but especially regarding negotiations with the administration and help in the courts.

Trade union presidents had very little contact with one another outside regional trade union meetings. Only a quarter of presidents said that they had regular contact with their colleagues, while a further 17 per cent said that they made contact from time to time. This absence of independent interaction between primary group trade union presidents reduces the possibility of their learning from each other. It also makes it much easier for the apparatus to keep control of the regional trade union organisations since it is impossible for the primary group presidents to form a coherent opposition.

### **Conflict**

According to Russian labour legislation, conflicts over the terms and conditions of employment are defined as individual labour disputes unless they relate to the non-fulfilment of the collective agreement, and the appropriate formal channel for the resolution of such conflicts is the Labour Disputes Commission (KTS), with the right of appeal to the courts. Recourse to a strike in the pursuit of an individual labour dispute is illegal.

The vast majority of conflicts that arise are individual disputes relating to such issues as the miscalculation of wages and bonuses, holiday entitlements and pension rights, which can usually be resolved by informal negotiation with the relevant managers, or illegal transfer or dismissal, which may require the use of more formal channels. However, many issues which affect the labour force as a whole, most particularly delays in the payment of wages or the failure to pay the legally prescribed rates for overtime working, stoppages or administrative leave, are also defined as individual labour disputes if they are not included in the collective agreement. Table 28 shows the assessment of trade union leaders of the main reasons for individual and collective labour conflicts in the 1999 CLMS survey. The assessment of employers more or less corresponded to that of trade union leaders, but employees were less likely to refer to low wages as a source of conflict and much more likely to refer to an increased intensity of work without any wage increase. Compared to the 1995 CLMS survey, when respondents were offered fewer options, trade union leaders were much more likely to cite wage arrears as the main source of conflict in 1999 and employees less likely to cite lower wages. Dismissal and redundancy had been a significant cause of conflict in 1995, but had almost ceased to be an issue for employees and the trade union in 1999, although 12 per cent of employers still cited it as a cause of conflict.

Table 28: Trade union leaders' assessment of the main reasons for collective and individual labour conflicts

	Collective conflicts	Individual conflicts
Low wages	33.3	28.6
Wage arrears	39.6	21.4
Poor work conditions	0.0	1.8
Change in work schedule	6.3	7.1
Dismissal	4.2	14.3
Transfer to a lower-paid job	0.0	7.2
Increase in the volume of work without wage increase	2.1	8.9

Source: Centre for Labour Market Studies Survey, 1999

Conflicts sometimes arise over issues beyond the terms and conditions of labour, particularly in relation to the corruption or incompetence of management, the restructuring of an enterprise or changes of ownership. These issues may have implications for the wages and working conditions of employees and they are usually provoked by the chronic non-payment of wages, but they often also involve conflicts within management or between management and outside bodies, particularly shareholders or the local authorities, in which the trade union may mobilise the labour force in support of one or another faction. This has been the basis of some of the most militant trade union actions of the late nineties, including armed factory occupations (Burnyshev and Clarke, 2000; Pulaeva and Clarke, 2000).

### Individual labour disputes

In the FTUI survey of employees of nine enterprises, respondents were asked what method was most acceptable in resolving social-labour problems. Just over half said that they would turn to their immediate manager, just over one-third to the trade union committee, one-fifth each to the Labour Disputes Commission and the courts and 11 per cent to influential friends or acquaintances.<sup>9</sup> Respondents were also asked who had helped them with specific problems that had arisen in the previous three years. The majority had appealed to the trade union for help with social welfare issues, only a minority seeking help with other problems. Of those who did seek help from the trade union, around half said that they had received help and half that they had not, with the trade union being rather more helpful with social welfare questions than in such matters as health and safety and working conditions. The majority had turned to the administration for help with all issues, except for the provision of subsidised vacation vouchers, and about half said that they had received help. Around 20 per cent had turned to influential friends and acquaintances for help, again with a fairly even balance of success and failure.

More than a third of respondents did not know whether there was a Labour Disputes Commission (KTS) in their enterprise. Only four per cent of respondents had appealed to the KTS in the previous three years, three-quarters of them only once, and 87 per cent of the cases which had been completed had been resolved more or less in the respondent's favour. Forty-three per cent of respondents thought that the KTS could defend the labour rights of people like themselves, one-third did not and the remainder found it difficult to say.

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<sup>9</sup> In an analysis of this data Petr Bizyukov and Sergei Alashev have shown that people are most likely to turn to that channel of which they have already had a positive experience (Bizyukov and Alashev, 2001).

Respondents were asked under what circumstances it was worth turning to the courts to defend their rights. Half the respondents thought that the courts could defend the labour rights of people like themselves, one-third did not and the remainder found it difficult to say. Just over half the respondents considered that it was worthwhile in relation to the violation of their rights when made redundant and 39 per cent in relation to delays in the payment of wages, 26 per cent in the event of outrageous managerial behaviour, while only around one in eight thought it worth appealing other violations of their rights to the courts and 18 per cent thought that it was never worth appealing to the courts. Eleven per cent of respondents had engaged in court action in the previous three years (most probably over the non-payment of wages), almost half of whom had been to court more than once. The worker had won the suit, in whole or in part, in 99 per cent of the cases which had been resolved. A quarter of respondents said that they had done this without any reference to the trade union, and a further 18 per cent said they had received no help from the union, but half those who turned to the court had union help in drawing up their suit, 22 per cent in the proceedings themselves, seven per cent in the preparation of an appeal and a quarter in securing the enforcement of a favourable judgement. Members of alternative unions had received a little more help than members of traditional unions.

In the ISITO survey of trade union presidents, the presidents were asked what was the most effective means of defending individual members, nominating up to three (Table 29). Negotiation with management was again overwhelmingly the preferred channel, followed by referral to the Labour Disputes Commission, failing which the presidents would look for the external support of higher trade union bodies, the courts or the state administration, with very few presidents thinking that collective action was an appropriate method of resolving an individual labour dispute. This pattern of preferences is reflected in overall statistical data. According to the data submitted by 59 regional trade union federations, in 1999 the trade union was involved in 618 474 cases which were referred to a Labour Disputes Commission, in 44 322 cases which were referred to the courts, but only in 2110 registered collective labour disputes and strikes (*Vesti FNPR*, 3–4, 2000, pp. 14–42).

Table 29: What action do you consider most effective if a worker turns to you concerning an individual labour conflict? (Up to three choices)

	Per cent
Negotiations with management	90.2
Apply to Labour Disputes Commission (KTS)	53.4
Appeal to a higher trade union body	53.0
Appeal to the courts or prosecutor	18.6
Appeal to state supervisory bodies	4.6
Appeal to the local authorities	3.3
Organise collective protest actions	2.1
Appeal to the public (mass media, deputies, political parties)	1.5
Difficult to say	2.1

Source: ISITO Survey

In the CLMS 1999 survey, employers and employees were asked how conflicts had been resolved. The question did not distinguish between individual and collective conflicts, but it is likely that most employees would be referring to individual conflicts (Table 30). The predominant response of both employers and employees was that conflicts were resolved through agreement with management, with little trade union involvement. Almost half the

conflicts reported by employees were unresolved, but from the employers' responses it would appear that they regarded many of these as having expired. The disparity of response with respect to dismissal is not surprising, since employees who had been dismissed would have fallen out of the sample. Employers were almost four times as likely to report that a conflict had been resolved through dismissal in non-union than in unionised enterprises. This supports the contention of those who argue that, although trade unions normally approve dismissals, the need to seek union approval is a significant factor restraining management that will be removed with the new Labour Code.

Table 30: Means of resolving labour conflicts reported by employers and employees

	Employer	Employee
Reaching agreement with employer	18.6	35.8
Labour Disputes Commission	3.9	2.7
Trade union committee	4.9	7.0
Court	9.8	3.7
Conflict expired	22.5	4.8
Dismissal	17.6	0.5
Conflict is not resolved yet	15.7	44.3

Source: Centre for Labour Market Studies survey, 1999

### **Collective labour conflicts**

Trade union presidents were asked in the ISITO survey to define which were the most effective forms of action in the event of a collective labour conflict, again selecting up to three options (Table 31). Trade union presidents who said that their relations with the administration were conflictual were more likely to have a positive evaluation of collective actions but, overall, collective action is clearly seen to be much less effective than negotiation and judicial processes, with a heavy reliance on higher trade union bodies to secure agreement with the employer. The least popular option is the legally prescribed process of arbitration. In the 1999 CLMS survey a quarter of trade union presidents responded that they considered a strike to be an effective means of defending workers' interests (almost twice as many as in 1995), but the remaining three-quarters considered strikes either to be useless or as only creating economic difficulties for the enterprise.

Table 31: Which actions do you consider most effective in the event of a collective labour conflict in your enterprise?

Form of action	Per cent
Negotiations with management	80.6
Appeal to a higher trade union body	54.3
Apply to Labour Disputes Commission (KTS)	34.9
Appeal to the courts or prosecutor	15.1
Appeal to the local authorities	7.2
Organise collective protest actions – strikes, work stoppages	6.3
Appeal to state supervisory bodies	6.0
Organise collective actions – meetings, pickets	5.0
Appeal to the public (mass media, deputies, political parties)	3.9
Appeal to an independent arbitrator	2.7
Difficult to say	5.6

Source: ISITO Survey

The preferences of trade union presidents appear to coincide quite closely with those of their members. The FTUI survey showed a very similar distribution of responses when respondents were asked to identify the most acceptable forms of collective action to defend the labour rights of people like themselves. Two-thirds identified negotiation with the administration and one-third reference to the courts, 13 per cent identified an appeal to the local authorities, seven per cent an appeal to the mass media and six per cent an appeal to deputies or political parties. More militant forms of collective action were supported by nine per cent (work stoppages), 11 per cent (strikes), seven per cent (meetings, pickets), while only 0.7 per cent supported a factory occupation. In general, those who had experienced particular forms of action in their enterprise, particularly if they had participated in that action personally, were substantially more likely to select that form of action as appropriate. For example, three-quarters of those who had been to court and one-third of those who had participated in a strike identified it as an appropriate form of action.

On the basis of case studies we can identify the typical pattern of development of collective conflict in Russian enterprises and organisations. The most common cause of conflict during the 1990s was the non-payment of wages, which first arose in 1992 and which reached a peak in 1996, but once conflict arises it tends to become endemic and other issues are added to the initial cause of the dispute. Conflicts usually arise spontaneously and involve one shop or section, or just a small group of like-minded workers, who may simply walk out or may establish a strike committee and put forward demands backed up with threats of a strike or hunger-strike, the latter being more typical of small groups of workers. Where a whole shop or section is involved, it is most likely that the action has at least the tacit support of the shop or section chief and may involve the shop trade union president, although the trade union is often by-passed. The initiators may try to generalise the conflict to the enterprise as a whole through the trade union committee. If the trade union committee chooses or is compelled to take up the issue, it will seek to pursue the dispute through formal channels with the establishment of a conciliation commission, followed by reference to arbitration and the initiation of legal action, sometimes backed up with the threat of a strike, which can drag the dispute out for months or even years. During this period there may well be spontaneous strikes and work stoppages involving some or all of the labour collective. If the employer applies to the court to declare the strike illegal, he will usually eventually succeed (Table 32), but few strikes lead to such an application and

they are usually resolved by promises from management and partial payment of the wage debt to those involved in the action.

Table 32: Involvement of courts and trade unions in strikes and collective labour disputes 1995-9

	1995	1996	1997	1998	1999
Number of enterprises in which strikes registered*	8856	8278	18 746	11 162	7285
Number of enterprises in which collective labour disputes registered	15 534	16 095	6972	5062	4606
Number of strikes and collective labour disputes involving or receiving help from the trade union			1314	2453	2110
Number of strikes whose legality was referred to courts	114	151	214	154	68
Number of cases resolved	66	98	160	108	64
Of which, number declared illegal	60	90	133	71	50

\* Up to 1997 includes warning strikes

Data on strikes and collective labour disputes is from the Ministry of Labour, data on court referrals from the Ministry of Justice. Data on trade union involvement is from trade union reporting. The data from different sources is not strictly comparable because it is collected on different bases: many strikes and disputes are not reported to the Ministry of Labour, while the coverage of trade union reporting is incomplete. There are enormous regional variations in the relationship between the different indicators. In Bryansk, 1381 strikes were registered in 1998, but only 63 disputes involving trade unions, while in Dagestan only seven strikes were registered but the trade unions reported that they were involved in 62 disputes. In Moscow City no strikes were recorded in 1998 or 1999, but five and four were declared illegal in the same years. Arkhangelsk alone accounted for more than a quarter of all strikes reported as involving trade unions in these two years.

Source: *Vesti FNPR*, 3-4, 2000, p. 42.

In the budget sectors of health and education, the non-payment of wages is primarily the result of the failure of local government to provide funds, in coal-mining it is often the result of the failure of the government to transfer the subsidies guaranteed by the tariff agreement, and in other branches it is often the direct or indirect result of the failure of government or state enterprises to pay their debts. In such cases the enterprise director might tacitly support the action of the workers and harness it to try to extract resources from the local or federal government. In other cases, the director might use the conflict to persuade the local or regional authorities to provide a subsidy or extend a loan to the enterprise, reproducing the traditional relationship between director and trade union in lobbying for resources in the soviet period. A typical example of management encouragement was a strike in a privatised textile enterprise in Ivanovo in 1994. Against a journalist's accusation that the (communist) director was himself the president of the strike committee, the president of the trade union committee replied:

No, purely formally Vladimir Il'ich [the director] is not a member of our strike committee. And because of his position he is not supposed to be. But he did get us together and organise us himself. And he said at once that he understood that we would have to strike the very first blow precisely against him. But he was ready for that and understood our problems. We immediately discussed together which demands the strike committee should put to our director, which to the regional administration and which to the government (Fedotov, 1995 p. 92).

The overwhelming majority of recorded strikes have been in the state or state-subsidised sectors of coal-mining, health and education, where they have been co-ordinated actions to

extract funds from the state, with the more or less active support of the employers. The substantial increase in the incidence of strikes in the mid-90s is explained by the increase in the number of such 'directors' strikes'. The sharp decline in the number of strikes at the end of the decade (Table 33) is partly explained by the decline in the non-payment of wages and growing fear of dismissal, but also by the increasing recourse of the authorities to the traditional soviet method of suppressing overt conflict by dismissing directors who were held responsible for the outbreak of a strike.

Table 33: Official statistics of strikes in Russia

Year	Number of enterprises in which strikes occurred	Number of workers involved		Number of working days lost to strikes		Average number of working days lost per strike participant
		Thousand	Average per enterprise	Thousand	Average per enterprise	
1990	260	99.5	383	207.7	799	2.1
1991	1 755	237.7	135	2 314.2	1 319	9.7
1992	6 273	357.6	57	1 893.3	302	5.3
1993	264	120.2	455	236.8	897	2.0
1994	514	155.3	302	755.1	1 469	4.9
1995	8 856	489.4	55	1 367.0	154	2.8
1996	8 278	663.9	80	4 009.4	484	6.0
1997	17 007	887.3	52	6 000.5	353	6.8
1998	11 162	530.8	48	2 881.5	258	5.4
1999	7 285	238.4	33	1 827.2	251	7.7
2000	817	31.0	38	236.4	289	7.6

Source: Goskomstat, 2000, p. 133; Goskomstat, 2001, p. 91.

Note: Many strikes are not reported to the state statistical agency so the incidence of strikes is substantially under-reported, but the trend is probably accurately reflected. The fall in the average number involved is a reflection of the growing relative weight of strikes in the education sector, which also dominated the 1992 figures.

The enterprise trade union committee will be much more likely to support militant action against the enterprise director over such issues as the non-payment of wages if there is already opposition to the director within management, such opposition often involving the discontent of shop chiefs at the failure of the director to provide them with adequate financial resources, which is usually attributed to the incompetence and/or corruption of the director, sometimes compounded by his or her subordination to the interests of outside shareholders. In such cases the conflict may well escalate into a struggle for control of the enterprise in which the trade union mobilises the labour force in support of the opposing faction. In other cases, the trade union might mobilise the support of the labour force for the existing director, in opposition to attempts by outside forces to take control of the enterprise. In this situation (most famously the Vyborg Cellulose Paper Combine and the Kuznetsk Metallurgical Complex – see Pulaeva and Clarke, 2000; Burnyshev and Clarke, 2000) the workers may even establish an armed militia to defend the enterprise, and the outside actors may try to seize the premises by force.

Where the management team is united, and the trade union committee has close relations with management, the latter is more likely to oppose the initial conflict on the grounds that it is a sectional conflict involving only a small group of workers, disrupting the enterprise

and pursuing their own interests at the expense of the labour collective as a whole, which the trade union claims to represent. In this case the workers in dispute might try to raise the issue at a meeting or conference of the labour collective and if they get the support of their colleagues they may be able to carry a vote of no confidence in the trade union and replace the trade union leadership with their own activists. This is likely to initiate a phase of more militant conflict between the trade union committee and enterprise management, which will often include the demand for the replacement of the enterprise director, typically with a former director or a respected shop or department chief. More often, however, the management and the trade union president have sufficient levers of influence over the labour collective to be able to isolate the workers involved in the conflict.

The workers engaged in the conflict will often appeal to outside bodies, particularly if they do not get the support of their own trade union committee. They most commonly turn to the regional trade union organisation or to an alternative trade union, and address their appeals to the mass media, the regional administration and even to the Russian President and government. In many cases, particularly if there is a threat of the intervention of an alternative trade union, the regional branch trade union committee plays a more or less active role in the dispute, even where the enterprise trade union president has failed to support the workers, putting pressure on the enterprise director and trade union president both directly and by mobilising connections in the regional administration and sometimes through the regional tripartite commission. Such pressure will sometimes be backed up by demonstrations and pickets organised by and on behalf of the workers engaged in the conflict. Where the regional administration becomes involved in the dispute it may facilitate a resolution through conciliation or through the courts or by providing financial assistance to the enterprise, and it may use its influence to secure the replacement of the director. If the director has the support of the regional administration, however, the latter may use its resources to pressure the workers to end their dispute.

Once conflict erupts in an enterprise it tends to become endemic. This is partly because of the failure of the trade union adequately to represent the interests of its members and of the absence of appropriate channels of conflict resolution, but it is also because the most common causes of conflict are structural and beyond the control of management and the trade union. Although the non-payment of wages was often the result of the incompetence or venality of the enterprise director, underlying the phenomenon was the growing degree of insolvency, compounded by the acute shortage of liquidity and the very high levels of non-payment of commercial and government debt in the Russian economy, which meant that many enterprises really did not have the money to pay their wages (Clarke, 1998). The partial remonetisation and recovery of the Russian economy after the August 1998 crisis reduced these constraints and led to a rapid reduction in the incidence of non-payment and in the backlog of wages due, with a corresponding decline in the levels of conflict over the non-payment of wages. From 1999, the non-payment of wages was increasingly a result of insolvency rather than illiquidity, and trade unions began to turn their attention to the bankruptcy procedure as a means of securing the payment of wages, the removal of an incompetent director and the introduction of new owners who, it was hoped, would restore the enterprise to prosperity.

### **Militant trade union organisations**

The enterprise trade union organisation nearly always retains its traditional role of being a branch of the enterprise administration, responsible for social welfare and personnel functions, and is perceived as such by most trade union members. More combative trade union organisations do exist, particularly in more profitable privatised branches, such as

metallurgy or chemicals, where management tends to be more assertive and the trade union has some bargaining power, but even in these cases the combativity of the trade union generally depends on the personality of the president and his or her personal relationship with the director, so that the replacement of the trade union president can immediately 'tame' the trade union organisation.

Militant trade union organisations usually develop out of spontaneous conflicts in which either the existing trade union leadership is replaced or a branch of an alternative trade union is set up. However, the dependence of the trade union on the enterprise administration and the limited expectations of trade union members make it very difficult to sustain a militant trade union organisation. In the first half of the nineties enterprise directors tended to end conflicts by paying-off militant workers, which provided a material incentive for militancy, but in the latter half of the decade they showed themselves increasingly willing to confront such militancy, to the extent of using force against strikers and hunger strikers (Borisov, 2001). Moreover, a militant union organisation usually has its roots in a small section of the labour force which has some bargaining power: typically a core production shop or key skilled workers, which makes it relatively easy for management, often supported by the enterprise trade union committee, to isolate the militant trade union organisation, claiming that it is trying 'to pull the blanket over itself' by, for example, securing the payment of unpaid wages at the expense of other workers. The isolation of the militant section of the labour force presents serious barriers to collective mobilisation, so militant trade union organisations generally rely heavily on court action and on symbolic protests, such as hunger strikes, picketing and demonstrations, occasionally resorting to acts of 'labour terrorism', including occupations and hostage-taking, in their desperation. The revisions to the Labour Code agreed between the government and FNPR will make it much more difficult for sectional opposition to the traditional trade union to develop or survive, since the new Labour Code provides rights to the trade union representing the majority of the labour force and requires a majority vote of the whole labour force or a representative conference of the whole establishment for a legal strike to take place.

If the militant faction manages to take control of the enterprise trade union the conflict tends to develop into a highly personalised struggle for control of the enterprise between the trade union president and the enterprise director, with each attempting to remove the other. Internally, the position of managers, particularly shop chiefs, plays a critical role in the development of the conflict, but the outcome is often determined by external forces, with the position of the local administration, which has a wide range of levers of influence, being critical. The regional trade union organisation is unlikely to compromise its relations with its counterparts in the regional administration by supporting a trade union president in conflict with a director who is supported by the regional administration. The outcome of this kind of conflict is usually the replacement of the enterprise director or the trade union president or both, although this may signal a new phase of conflict rather than its end.

For a militant trade union organisation to survive it has to keep the labour force in a constant state of mobilisation, which is exhausting for the leaders and generally unproductive for the members. If the organisation is not able to secure tangible benefits for its members, such as the regular payment of wages or pay increases, it has to fall back on the traditional activities of the trade union, the provision of material assistance and social and welfare benefits, if it is to retain the allegiance of its members. This forces it into an accommodation with management so that the typical fate of militant trade union organisations is either to fade away or to collaborate increasingly closely with management and adopt the traditional forms of trade union activity. This is why the alternative trade

unions, which presented a militant alternative to the traditional unions at the beginning of the nineties, have gradually lost their distinctiveness and have come to collaborate more closely with the traditional trade unions from enterprise to federal levels. Nevertheless, there is a small number of enterprises in which an active and energetic trade union organisation has been able to capture the imagination and enthusiasm of the members to weld them into a strong collective force. These are generally organisations which do not depend on a demagogic trade union president but on an active trade union committee which engages with members in their workplaces. These organisations do not necessarily reject the traditional functions of the trade union, but use them as a basis on which to develop solidarity. It is these activists and their organisations who are the best hope and model for the future of Russian trade unionism.

### **Do Russian workers need trade unions?**

We have seen that the Russian trade unions have not been able to protect their members from the catastrophic decline in employment and living standards over the 1990s, but to what extent have trade unions been able at least to alleviate the worst impact of the crisis on their members? Are workers in unionised establishments better off than those in establishments which do not have a trade union?

Analysis of the data of the ISITO survey of the members of 4,000 households conducted in four cities in April and May 1998 shows that those working in enterprises with a trade union organisation were much less likely to be hired (illegally) on a verbal agreement, much more likely to have a formal definition of the responsibilities of their job and of their working hours, slightly less likely to have had to take on work outside their normal responsibilities, less likely to work overtime and more likely to be paid for their overtime work and less liable to be punished or dismissed without formal procedures. All of this suggests that a trade union does provide some effective protection for its members. However, this impression may be misleading, since most of the difference is explained by sectoral differences in working conditions and union penetration: labour relations in small enterprises in the new private sector, where union penetration is minimal, tend to be much less formalised than in state and former state enterprises (Clarke, 1999, Chapter 5). Once we control for the size and sector of the enterprise, the presence of a trade union ceases to be a significant factor. Thus, the differences do not seem to derive from the presence or absence of a trade union, but from the difference between more and less formalised labour relations. In smaller establishments, particularly in the new private sector, management has more discretion in determining wages and working conditions, whether or not there is a trade union.

The ISITO household survey data shows that wages are higher in non-union than in unionised workplaces, but again much of this difference is explained by sectoral differences in wages and in union penetration, so that union membership is not a significant variable in wage regressions which control for branch and enterprise size. The same is true of the enterprise data of the RLFS. Chetvernina's finding that enterprises without trade unions have lower managerial pay differentials is also likely to be because they are significantly smaller than those with unions.

The absence of a trade union does not imply the absence of conflict, and indeed it is not uncommon for directors of non-union enterprises to approach the regional trade union organisations to create a trade union in order to contain conflict (though they often decide against proceeding with the creation of a union when they realise that it may not be entirely under their control). One-third of the non-union enterprises in the 1995 CLMS survey and

almost half in the 1999 survey reported conflict in the last three years, usually over wages and usually initiated by the collective as a whole, rather than individual groups of employees, but over two-thirds of the conflicts in 1995 were reportedly resolved in favour of employees or to the mutual satisfaction of both parties, which is presumably why 40 per cent of directors and one-quarter of employees in such enterprises thought a trade union was useless, and about a third saw the main role of the trade union as the distribution of benefits. The majority of employees, and two-thirds of directors, in these non-union enterprises saw management as the body to protect the interests of employees, a further 29 per cent of employees looked to nobody or themselves and only 12 per cent had any confidence in the support of the labour collective, figures which are in fact very similar to those for unionised enterprises, a finding reproduced in the 1999 CLMS survey (Table 24). Where the union had disappeared from enterprises it was because people had left the union and nobody had tried to reconstitute it. There was only a very small number of cases in which the union had been removed by the administration (Chetvernina, Smirnov and Dunaeva, 1995). Nevertheless, the liquidation of a trade union organisation is an indication of a lack of employer interest, if not of opposition, since the employer can nearly always find somebody to run the union if a union organisation is required.

Overall, from the rather limited data available, it does not appear that the presence of a trade union organisation makes a significant difference to the wages and working conditions of employees. This does not mean that Russian workers do not need trade unions, but only that the trade unions have to be more effective in organising their members in the workplace and pressing their demands on management.

We noted at the beginning of this paper that primary trade union organisations come under pressure to change from above and below. But both of these pressures are contradictory. On the one hand, higher trade union bodies press enterprise trade union organisations to be more active in negotiating collective agreements and defending their members, but at the same time the higher trade union bodies are deeply embedded in institutions of social partnership which underpins their commitment to the use of constitutional and legal channels and to the maintenance of social peace, so that they rarely support the attempt of an enterprise trade union to mobilise the collective strength of the membership and seek to divert conflict into bureaucratic and juridical channels. On the other hand, while trade union members might wish to secure job security and the payment of a living wage, they have little confidence in the ability of the trade union to secure their basic labour rights and see the trade union instead primarily as a source of material support and social and welfare benefits, the provision of which is conditional on maintaining good relations with the administration and which diverts resources from properly trade union activities.

The pressures for change have taken a generally unproductive form. On the one hand, the pressure from higher trade union bodies for primary trade union organisations to change their priorities has appeared primarily in the form of pressure on primary trade union organisations to remit a higher proportion of union dues to the obkoms, supposedly to be spent to support a more effective professional trade union apparatus. Primary organisations, on the other hand, see such pressure as undermining their own position in the eyes of their members by reducing their capacity to provide the material support that their members expect in order to feather the nests of the ineffective trade union bureaucrats. On the other hand, the pressure for change from the trade union membership has appeared primarily in the form of spontaneous outbursts of militancy, often by small groups of workers, which opens up divisions within the enterprise trade union organisation and threaten to undermine the collegial relationship between the trade union president and the enterprise director.

Increased trade union militancy on its own does not provide a constructive way forward for primary trade union organisations. We have seen that those trade union organisations which have a conflictual relationship with the enterprise director have significantly less influence over the administration in the traditional spheres of social welfare, while having no more influence in the determination of wages and working conditions. The progressive development of primary trade union organisations depends on building constructively on their existing foundations rather than undercutting those foundations by abandoning their commitment to their traditional functions. Some of the more progressive branch trade unions, particularly the mining-metallurgical trade union (GMPR), see the priority in the activation of primary trade union organisations as being the negotiation of the provision of material support and social and welfare facilities at the expense of the employer instead of the trade union. If enterprise trade unions can negotiate such provision by the employer through the collective agreement, this will increase the authority of the trade union in the eyes of its members, develop the strength of its collective organisation and free trade union resources for the performance of properly trade union functions. Of course, the incorporation of such provision in the collective agreement does not in itself strengthen the trade union – it more often signifies the further institutionalisation of the trade union as the social and welfare department of the enterprise administration, as is the case in the trade union organisations established by the giant Russian corporations which dominate the oil and gas and metallurgical sectors. Nevertheless, an orientation of the collective agreement campaign to negotiating a transfer of functions and responsibility from the trade union to the administration, and the effective monitoring and enforcement of the collective agreement by the trade union organisation, provides a potential base on which the primary trade union organisation can build itself into a more effective force for the collective representation of the labour force, moving beyond its social and welfare role to defend the rights and interests of its members.

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