

By Jean Lapeyre

For Dave¹

You never really know a person until you have tackled problems together. I had the pleasure and good fortune to meet Dave in the difficult, complicated period that marked the construction of European Social Dialogue – more specifically, the part that dealt with contracts.

If you cannot make a Greek employer understand what a Danish trade unionist is saying or explain why the meaning and connotations of the term “collective agreement” are not the same in Germany and France, you probably should not get involved in negotiating at European level! European social dialogue is not a juxtaposition of national systems, nor does it involve taking the national system (be it Swedish, German, Italian, or from another country) that is deemed to be the best and applying it at European level. Rather, it is an original creation that needs to take account of national cultures while transcending these cultures to form a complementary, additional shared culture of negotiating that will allow us to align social conditions at the highest possible standard and avoid rights vacuums that could generate a risk of social dumping.

Dave perfectly understood the constant concern with improving the British social system, which had been run into the ground during the Thatcher and Major years, while ensuring that it kept up with developments in Europe. There was not the slightest bit of self-interest in his view of how the European Union could benefit British workers – rather, it was firmly rooted in solidarity and deeply humanist. As a long-standing campaigner and miners’ leader, Dave was anything but corporatist – his vision was centred on society. His terrible experiences of the British miners’ strike of 1984-1985 shaped him, with the result that he would never limit his actions to ideological statements and empty words. Instead, he was truly result-oriented: “what can I do, **here and now**, to make a **real** improvement to the workers’ situation?”

Of course, this does not mean that Dave did not believe in the political changes that were required – he was a dyed-in-the-wool leftist after all – but as a trade unionist, he believed that it was his duty to change the world one day at a time, one step at a time, and not just wait for a brighter future. As we used to say, idealism is all very well, but you need to get your hands dirty too. After all, you need to be able to compromise if you want to progress, and Dave really showed what he was made of when we opened – and won – negotiations on parental leave, part-time work and fixed-term contracts. These last two negotiations were particularly tough and were important for British workers, especially women, who had few rights when it came to that kind of contract.

As well as the ‘official’ negotiation sessions, which involved 40 to 50 employer and trade union officers from different member countries, plus trade federation representatives for the ETUC, there was a select negotiating group with around ten members. Given the situation in

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the UK and the CBI's very reactionary attitude, Dave's contribution was absolutely indispensable.

It was in this smaller group that I really began to appreciate all of Dave's qualities (quite aside from our shared passion for rugby!). The select negotiating group was extremely difficult to manage. Its purpose was to prepare the texts to be discussed in the plenary session, looking at either potential points for agreement or points where the two sides clearly disagreed. Our discussions ran late into the evening, unencumbered by the constraints and awkwardness engendered by simultaneous interpretation, as experienced during the plenary sessions. The employers' spokesperson was a representative from Irish employers' organisation IBEC, Dan McAuley, who, though a crafty, experienced negotiator, was also reliable and honest. Our little group of five trade union representatives – of which Dave was also a member - spent a lot of time preparing for these discussions to see what we could achieve and what we would have to fight. As the trade union spokesperson, I was often faced with complex national situations and a need to word things or sum them up in a way that would represent progress for everyone and not cast doubt on any achievements or national situations.

It could be a real headache, and it was at times like these that Dave came into his own. He had a knack for getting me to focus on fundamentals and for making seemingly unsolvable problems simple and accessible. I owe him a great deal, and the ETUC owes him a great deal in terms of our capacity to reach agreements on subjects as difficult as these atypical contracts. My strongest memory of working with Dave is definitely connected to the conclusion of the agreement on part-time work. I had a lot of doubts about the negotiations and I thought that the results perhaps were not as good as they could have been, but Dave convinced me that our compromise was an important measure that would improve the lives of five million workers in the UK and Ireland. And he was right: that agreement brought in the fundamental rights that are used as a benchmark today, especially by new EU Member States whose workers are faced with extremely liberal labour market policies, but also in the EU countries that have been hit hard by the real economy crisis, whose governments are trying to undermine what we achieved for Europe (we need only think of the issues over fixed-term contracts in Italy, for instance). Thank you, Dave, for being my guardian angel throughout the negotiations. I know that if I ever have problems, all I need to do to get back on track and find a solution is think of you and ask myself what you would advise!

Jean Lapeyre, July 2014